

Agenda Cabinet

Wednesday, 15 November 2023 at 3.30 pm
in the Council Chamber, Sandwell Council House, Freeth Street,
Oldbury, B69 3DB

1 Apologies for Absence

2 Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

3 Minutes (Pages 5 - 32)

To confirm the minutes of the meeting held on 18 October 2023 as a correct record.

4 Additional Items of Business

To determine whether there are any additional items of business to be considered as a matter of urgency.

5 Medium Term Financial Strategy Autumn 2023 Update (Pages 33 - 150)

Finance & Resources

To consider the Medium Term Financial Strategy Autumn 2023 Update.

6 Council Tax Base 2024/25 (Pages 151 - 154)

Finance & Resources

To consider the Council Tax Base for 2024/2025.



7	Local Council Tax Reduction Scheme 2024/25 (Pages 155 - 286)	Finance & Resources
	To consider the Local Council Tax Reduction Scheme for 2024/25.	
8	Sandwell Tackling Poverty Plan (Pages 287 - 330)	Leader
	To approve the Sandwell Tackling Poverty Plan.	
9	Community Based Provision - Reablement Service within Sandwell (Pages 331 - 358)	Adults, Social Care & Health
	To approve proposals to extend a contract and award a contract to enable Adult Social Care to assist people to be discharged home from hospital as soon as they are medically optimised.	
10	Sandwell Health Determinants Research Collaboration (HDRC) proposal (Pages 359 - 460)	Public Health & Communities
	To consider proposals in relation to the Sandwell Health Determinants Research Collaboration.	
11	School Teachers' Model Pay Policies 2023/24 (Pages 461 - 560)	Children, Young People & Education
	To approve the School Teachers' Model Pay Policies 2023/24.	
12	Black Country Framework Contract for Minor Works 2021 - 2024 (Pages 561 - 568)	Highways & Environment
	To seek approval to apply the new percentage inflationary uplift to the schedule of rates on the current Black Country Framework for Minor Works 2021-2024.	
13	Sandwell Business Growth Plan (Pages 569 - 610)	Regeneration & WMCA
	To approve the Sandwell Business Growth Plan which sets out the services and programmes available from the Sandwell Business Growth Team for Sandwell Businesses.	

Shokat Lal
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution

Councillor Carmichael (Chair)
Councillors Hackett, Hartwell, Hughes, Khatun, Millard, Padda, Piper and
Rollins

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Minutes of Cabinet

**Wednesday 18 October 2023 at 3.30pm
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Carmichael (Chair);
Councillors Hackett, Hartwell, Hughes, Khatun, Millard,
Padda, Piper and Rollins.

In attendance: Councillors Lewis, Moore and Taylor.

Also present: Shokat Lal (Chief Executive), Brendan Arnold (Interim Section 151 Officer), Surjit Tour (Director of Law and Governance and Monitoring Officer), Michael Jarrett (Director of Children's Services), Rashpal Bishop (Director of Adults Services), Tony McGovern (Director of Regeneration and Growth), Liann Brook-Smith (Interim Director Public Health), James McLaughlin (Assistant Chief Executive), Mike Jones (Assistant Director Legal and Assurance), Dean Epton (Assistant Director Housing), Ben Percival (Assistant Director Waste), Nicola Leavy (Senior Lead Officer), Robert Marlow (Senior Lead Officer), Alex Oxley (Capital Projects Manager), Suky Suthi-Nagra (Democratic & Member Services Manager), Connor Robinson (Democratic Services Officer) and John Swann (Democratic Services Officer).

111/23 **Apologies for Absence**

Apologies for absence were received from Councillors Fenton and E Giles.

112/23 **Declarations of Interest**

There were no declarations of interest made.

113/23 **Minutes**

Resolved that the minutes of the meeting held on 13 September 2023 be approved as a correct record.

114/23 **Urgent Item of Business - Approval of contract extensions and commencement of procurement – Housing repair and maintenance services**

Approval was sought for the contract extensions and commencement of procurement for the Housing repair and maintenance services.

The matter was considered urgent as procurement and contractual frameworks had identified that the Council had not implemented a planned procurement process to evaluate options, total contract value or alternative forms of contract and, in some cases, had continued to purchase goods and services following the expiry of existing contracts. Approval was required to enable take immediate steps to rectify this by providing for:

- short term extensions to contracts;
- the commencement of full procurement processes where required to ensure full compliance and the delivery of best value in our contracts, which would deliver improved services to Sandwell and its residents.

Reason for Decision

The Council used external providers to deliver a wide range of its services and meet its statutory duties to residents and service users. Providers ranged from global businesses to small and local specialist suppliers.

In each case, the Council must procure services in accordance with its own Contract Procedure Rules, which set out the Council's own procurement rules to ensure it acted fairly and obtained best value when spending public money. Contracts which had a contract value in excess of the statutory financial thresholds for works or services/supplies must also be procured in compliance with the Public Contracts Regulations 2015 (PCR2015).

The Council had an overriding duty to achieve best value in the procurement of goods, services and works.

Alternative Options Considered

The Council must take action to regularise the contractual position of the services currently being operated without formal contract or where existing contracts had expired and goods/services continue to be procured. The following options had been considered.

Do Nothing. This was non-compliant as existing contracts had either expired or agreed procurement limits were about to be exceeded or had already exceeded.

Without suitable arrangements, the Council was unable to fulfil its landlord obligations and maintain its housing assets. This option was not available to provide the services over the medium and long term and did not address continued service provision until further procurement activity was undertaken.

Re-procurement of the services and works. The Council could choose to undertake a procurement exercise without an extension to the contracts. This would mitigate some risks of non-compliance going forward but was not recommended as it would result in the cessation of services to residents and service users and places the Council at risk of not meeting its statutory duties. Furthermore, cessation of services to enable an immediate procurement exercise would likely result in significant delay until new suppliers/service providers were appointed.

Resolved:-

- (1) that approval be given to extend the following contracts on the terms set out in Appendix 1 relating to:
 - Domestic Electrical Components;
 - Electrical repairs and maintenance;
 - Timber supplies for council-owned housing stock;
 - Pitched and felt roof repairs to council owned properties;
 - Hand tools, Ladders and Steps, Power Tools, Fixings, Drills and Consumables.

- (2) that approval be given to:-
- (a) commence procurement for timber supplies for council owned properties, 3 years (2+1), total contract value up to £1.5m over 3 years;
 - (b) amend the previous decision of Cabinet (January 2023) relating to the procurement of electrical services (repairs and maintenance) by revising both the approved term and limit from £3.6m over 4 years to £6m over 3 years (2+1) in line with the commentary in Appendix 1A and authority be granted to commence procurement;
 - (c) amend the previous decision of Cabinet (January 2023) relating to the procurement of building supplies to council owned properties by increasing the previously approved limit of £1.6m to £1.8m and Contract Award to commence from 1st December 2023;
- (3) that the Interim Head of Contract Procurement be authorised to make minor amendments and changes to the extensions and / or processes described in this report in order to give effect to Resolution (1) and (2) above, in consultation with the Interim Director of Housing, Director of Finance and the Director of Law & Governance.

115/23

Urgent Item of Business - Oracle Fusion ERP System Implementation Support Partner - SOCITM

Approval was sought to authorise the Director of Finance to undertake all steps and actions necessary to implement the Oracle Fusion Enterprise Resource Planning system.

Oracle Fusion was a cloud-based Enterprise Resource Planning (ERP) system and would enable the Council to deliver key functions such as Finance, HR, Payroll and Procurement more efficiently and effectively to support the delivery of frontline services. Oracle Fusion represents an organisation wide Transformation Programme.

In August 2022, the Council awarded a contract to Infosys for the Systems Integrator role and to SOCITM for System Implementation Support.

The approach taken for implementation had been the substantive adoption of Oracle Fusion as developed, as opposed to the bespoke reconfiguration of function to meet current operating arrangements within the Council. This approach mitigated risks and delays associated with a bespoke reconfiguration of functionality as previously seen in the wider public sector and offers opportunity for the Council to review and refresh its operating arrangements relating to finance, HR, payroll and support.

The continued support from SOCITM would deliver a strong level of Project Management and Governance that was not available within the existing council workforce. The role of SOCITM was to guide SMBC on best practice, to impart their knowledge to SMBC stakeholders, challenge all parties including the System Integrator (Infosys) on the approach to ensure a best in class solution is delivered.

The Chair of the Budget and Corporate Scrutiny Management Board expressed concern at the situation and the short notice in which to consider the report. The Director of Finance advised that he had been made aware of the requirement only recently but could advise that the project was proceeding as required and that the figures noted in the report were correct and any change would be communicated to the Leader of the Council.

Reason for Decision

The implementation of Oracle Fusion was a key corporate project and would fundamentally change the way the Council's Finance, Procurement, HR and Payroll services operate.

Failure to extend the existing agreement would result in a delay to the rollout of Oracle Fusion, incremental costs and potential reputational damage.

Alternative Options Considered

In order to achieve the desired implementation, there were no other alternatives were available.

Resolved:-

- (1) that approval be given to extend the SOCITM Implementation Support taking the aggregate spend above the Key Decision Threshold (£1million+) and authorise the Director of Finance, in consultation with the Cabinet Member for Finance and Resources, to award the contract up to a cumulative value as now submitted;
- (2) that the Director of Finance be authorised to undertake all steps and actions necessary to implement the Oracle Fusion Enterprise Resource Planning (ERP) system.

116/23 Adoption of Playing Pitch and Outdoor Sports Strategy

Approval was sought for the Playing Pitch and Outdoor Sports Strategy.

The primary purpose of the Strategy was to provide a strategic needs assessment report and a strategy document which would ensure that the provision of outdoor playing pitches met the local needs of existing and future residents within an area. The Strategy was also an important document when seeking evidence for external funding and making future planning decisions.

The Vice-Chair of Safer Neighbourhoods and Active Communities Scrutiny Board thanked the Cabinet Member for Leisure and Tourism for supporting the establishment of a steering group that would help provide a resident/member voice to the implementation of the Strategy and action plan.

Reason for Decision

Having a formally adopted Playing Pitch Strategy along with a Strategic Needs Assessment would help;

- ensure that the provision of outdoor playing pitches met the local needs of existing and future residents within Sandwell;
- provide evidence to the Council when making planning decisions;
- assist when seeking investment/grants from external funding agencies;
- enable officers and partner agencies to deliver against an action plan of recommended improvements/interventions.

As a key partner agency, Sport England had offered match funding of £5,000 towards the costs of employing the specialist consultant, Knight, Kavanagh and Page (KKP) that prepared the PPS in conjunction with the Council and other partner agencies. This would contribute towards the Council's overall budget position.

The formation of an implementation group representing key service areas and wider stakeholders within the Council would help to ensure the effective implementation of the actions recommended within the strategy and contribute towards the Corporate Plan.

Adoption of the PPS and the Action plan would enable NGB's, funders and external agencies to work alongside the Council, sports clubs and schools to implement actions against a robust evidence base.

Alternative Options Considered

The alternative option was to not formally adopt the PPS. The impact of this would have been:

- Sandwell would not have a robust/up to date strategy to relate to when making planning decisions;
- the Delivery Group would not have a formally adopted action plan to work towards achieving;
- opportunities for securing inward investment from NGBs and funders would be limited due to the lack of a formal 'sign off';
- NGBs may be more reluctant to work with the authority on future developments / strategies;
- a £5,000 of 'match funding' towards the consultancy cost would be lost.

Resolved:-

- (1) that the Playing Pitch Strategy 2023 be approved and adopted by the Council;
- (2) that £5,000 of external funding be drawn down (from Sport England) towards the consultancy costs that have been incurred in producing the strategy;
- (3) that an implementation group be formed, representing key Council services to ensure the effective implementation of the Council-led actions recommended within the Playing Pitch Strategy;

- (4) that the Playing Pitch Strategy delivery group of wider stakeholders and partners continues its work and meets twice yearly in order to explore opportunities for pitch/facility improvements and participation development.

117/23 **Highway Infrastructure Investment Funding Plan**

Approval was sought for the Highway Infrastructure Investment Funding Plan.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board inquired as to the reasoning behind the unspent capital, how the Plan addressed problems with the public footway and the material used to repair potholes across the Borough.

The Cabinet Member for Environment and Highways advised that a range of factors had led to unspent capital including changes to revenue accounting which had brought forward some revenue spend from 2023/24 to 2022/23 delaying the need for part of the capital requirement, the mild winter, the release of maintenance and postponing the need for capital in 2022/23. Taken together, those factors allowed £2.981million of the planned £10.702million expenditure for 2022/23 to be reprofiled into 2023/24.

In addition, the Cabinet Member for Environment and Highways stated that public footway repairs were programmed in priority order based on condition surveys regardless of the cause and potholes were permanently repaired in accordance with specified materials and standards.

Reason for Decision

The Highway Infrastructure Asset Management Lifecycle Plan set out the framework for investment in, management of and the operation of highway the highway network to meet legal obligations and high public expectations for safe, reliable and accessible travel within the wider objectives of strategy set out in the West Midlands Local Transport Plan.

Asset Management was about managing and maintaining and operating carriageways, footways, street lighting, structures, traffic signals, drainage and street furniture through long term planning and optimal allocation of resources in order to manage risk for a defined service performance.

The Council had a statutory duty of care to users and the community to maintain the highway in a condition fit for purpose, as far as was reasonably practicable. The duty was not absolute but decisions had to be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance such as “Well Managed Highway Infrastructure – A Code of Practice (October 2016).

A key aspect of the HIAMP was the development of strategic lifecycle plans for each critical infrastructure asset, including;

- 880km of carriageways, of which 75% are unclassified roads;
- 1,440km footways and cycleways;
- 35,000 street/lights, illuminated signs, traffic signals;
- 450 bridges and structures;
- 3500km drainage & culverts including 40,000 gullies & connections;
- A wide range of other street furniture.

Alternative Options Considered

An alternative would be to limit the repair of high-risk infrastructure to a value that matched the £4.741m City Region Sustainable Settlement maintenance block grant. There would consequently be no Council capital provision available to fund the gap in the cost of replacement of high-risk life expired highway infrastructure. The programme of urgent work for 2024/25 would not be completed. This was not recommended because the red risk backlog had been escalating. Also, a severe winter could add £3m to £5m to projections.

Resolved:-

- (1) that the Capital Programme for Borough Economy be reprofiled to provide a capital highway allocation of £3,602,000 for 2023/24 with the remaining balance of £2,981,000 (existing capital highway allocation of £6,583,000 less 2023/24 requirement of £3,602,000) carried forward to 2024/25;
- (2) that up to £500,000 of preventative maintenance work currently treated as revenue expenditure be capitalised and funded as part of the allocation of £3,602,000 as referred to on Resolution (1);

- (3) that up to £500,000 of revenue released in Resolution (2) be earmarked for use in 2023/24 for potential revenue pressures and risks associated with energy inflation, supplies and services inflation and increased gritting in the event of a severe winter;
- (4) that capital resources of £1,901,550 be allocated in 2024/25 in addition to the £2,981,000 of Highway Capital Programme funding re-profiled from 2023/24 giving a total budget requirement of £4,882,550 for 2024/25;
- (5) that after the use of unspent capital from existing allocations the additional capital requirement for 2024/25 of £1,901,550 be funded from Corporate Main Programme resources, with any resulting prudential borrowing finance charges funded within Highways revenue budget and should additional borrowing be required to fund the additional capital budget requested, it is estimated that this would result in additional revenue costs to the council of £167,535 per annum over an 18 year period, with these costs being funded within Highways revenue budgets;
- (6) that a further report to Cabinet be submitted in Autumn 2024 after the Highway Infrastructure condition is reviewed in Summer 2024, to identify the budget that would be required in 2025/26 in order to address the replacement of red risk Highway Infrastructure.

118/23

Sandwell Children's Trust Annual Review 2022/2023

Consideration was given to the Sandwell Children's Trust Annual Review 2022/2023. The Sandwell Children's Trust was commissioned by the Council to deliver statutory children's social care and targeted services. The performance of the Trust continued to improve. The Fostering Service had been rated 'Good' by Ofsted in 2021 and was followed in 2022 with the Trust overall receiving the Ofsted judgment of 'Requires Improvement' and in later 2022, the Adoption Service received a 'Good' Ofsted rating, the ratings demonstrated clear improvements across services and this had been recognised by the Department for Education.

The Cabinet Member for Children, Young People and Education expressed his thanks to the Chair and Chief Executive of the Sandwell Children's Trust along with the wider leadership and staff for their hard work and commitment. It was also agreed that next year, the Chair and Chief Executive of the Trust be invited to Cabinet to deliver the Annual Review alongside the Cabinet Member.

Reason for Decision

The Service Delivery Contract between the Council and Sandwell Children's Trust required that an annual review of services was completed and presented to the Council. At the Cabinet meeting on 22 March 2017, it was agreed that the Cabinet, in its executive role, would perform this function on behalf of the Council and agree certain 'reserved matters' that are set out in the Contract. Consideration of the Annual Review by the Cabinet formed an important part of the governance of Sandwell Children's Trust; providing assurance to the Council in its capacity as the body that is responsible and accountable for the discharge of the relevant children's social care services functions.

Alternative Options Considered

At its meeting on 19 October 2016, Cabinet was advised of the Government's Statutory Direction (under Section 479A of the Education Act 1996) to set up a new arrangement in the form of a children's trust to deliver children's social care services. As a result, Sandwell Children's Trust started operating on 1 April 2018. Any alternative to the current arrangement must be agreed by the Secretary of State for Education.

Resolved that the Cabinet, in its capacity as the body responsible and accountable for the discharge of the relevant children's social care services functions:

- (1) formally receive the Sandwell Children's Trust Annual Review 2022/23;
- (2) notes the progress made to date by Sandwell Children's Trust in delivering services as set out in the contract between the Council and the Sandwell Children's Trust, as set out in the Annual Review 2022/23;
- (3) notes the feedback from the Department for Education following its recent 6-month review of Sandwell Children's Trust.

119/23

Highway Winter Operational Plan 2023 - 2024

Approval was sought for the Highway Winter Operational Plan 2023-2024 which would set out the policies, service standards and operational arrangements.

Reason for Decision

Road users and the wider community place a high value on keeping traffic moving safely in snow and freezing winter weather. Failure to do so can result in adverse economic and social impacts, along with public dissatisfaction and significant reputational damage to the Council.

The council had a statutory duty 'to ensure, so far as reasonably practicable, that safe passage along a highway was not endangered by snow or ice'. The duty was not absolute, but decisions were required be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance.

Winter service operations are carried out to prevent ice forming (precautionary salting), melt ice already formed (post salting) and remove snow accumulations by using ground rock salt.

Alternative Options Considered

There was no recommended affordable alternative to mitigate the safety risks addressed by the Winter Operational Plan 2023-24.

Resolved that approval be given for the Winter Operational Plan 2023 - 2024.

120/23

Sandwell Health and Care Partnership Alliance Agreement

Consideration was given to the Sandwell Health & Care Partnership Annual Report 2022-23 and approval was sought for the Sandwell Health and Care Partnership Alliance Agreement.

The Sandwell Health and Care Partnership Alliance Agreement, although not legally binding, set out principles by which partners agreed to work together as an integrated Place partnership and was developed in consultation with all members.

Reason for Decision

The Sandwell Health and Care Partnership had been developing new integrated ways of working to improve the health and wellbeing outcomes of the population, increase the quality of care provided and provide long term financial sustainability for the system. This agreement was an integral part of the vision to promote integrated services that delivered personalised care and it was anticipated that the agreement would facilitate the objectives of Sandwell Health and Care Partnership as more fully described in the agreement.

The Sandwell Health and Care Partnership had been developing a Place Based Partnership through which to plan, manage and deliver integrated care, which would include informing future recommendations for improvements to the contractual environment and further develop and strengthen the role and responsibility of the Sandwell Place over the coming years.

Over the period of this agreement, the partners would work together positively and in good faith in accordance with the alliance principles to achieve the alliance objectives. The partners also envisaged that this agreement would endeavour to provide flexibility to their relationship as may be required, from time to time, to implement the changes required either nationally or any subsequent changes to the Health or Social Care functions.

The agreement was overarching and set out how the Council would work together in a collaborative and integrated way and the Service Contracts, the Service Operations Manual and Third-Party Service Contracts respectively set out how the Council would provide the Services.

Alternative Options Considered

The Sandwell Health and Care Partnership (SHCP) approved the Alliance Agreement to be signed and upheld by participating partner organisations. The option of not asking for Cabinet to support this agreement was considered but all partners agreed that each of the individual governance structures should be given the opportunity to support this document to show commitment to partnership working across Place.

Resolved:-

- (1) that the Sandwell Health & Care Partnership Annual Report 2022-23 be received and the aligned governance arrangements be noted;

- (2) that approval be given to the Sandwell Health and Care Partnership Alliance Agreement and support its implementation across the Local Authority to include Adult Social Care, Children's Social Care and Public Health.

121/23

Extension of contract for a non-executive director of Sandwell Children's Trust board

Approval was sought for the extension of contract for Stephen Rimmer as a non-executive director (NED) of Sandwell Children's Trust Board. Stephen Rimmer had been on the Trust Board since November 2017 and the Department for Education had been notified and agreed to his extension of contract.

Reason for Decision

There have been several changes at the Sandwell Children's Trust Board level. Both the Cabinet appointed Officer and Member NED had been replaced since January 2023 with a further subsequent change in officer NED following their resignation from the Council. In addition to this, Jane Bleach was appointed in March 2023 to replace Vineeta Manchanda, whose term had come to an end.

Due to the number of changes, the Sandwell Children's Trust Board wished to extend the term of Stephen Rimmer to maintain a level of continuity and ensure that the Trust continued on its improvement journey.

Alternative Options Considered

The alternative option would be to reject the recommendation. However, in line with the Governance Side Agreement with the DfE and the Trust's Articles of Association, there would be a vacancy on the board that would still need to be filled. An alternative candidate would need to be identified via a competitive process and the process of consulting with the Secretary of State would need to be undertaken again. This would leave a potential gap in the governance arrangements of the Trust for a period.

Resolved that Cabinet, on behalf of the Council as the sole owner of Sandwell Children's Trust:

- (1) notes the completed sequence of events that are contractually required to extend the contract of a non-executive director of Sandwell Children's Trust Board;

- (2) notes and takes into account in its decision-making, the response from the Secretary of State for Education;
- (3) agrees the extension of contract to Stephen Rimmer as a nonexecutive director of Sandwell Children's Trust for the period of up to three years from 1 November 2023.

122/23 **Quarter 1 Performance Monitoring**

Cabinet received details on the development of the Corporate Performance Management Framework and sought approval of the Q1 monitoring reports.

The Council had approved the Performance Management Plan in April 2022 to address the recommendations contained in the Grant Thornton Value for Money Report. Since 2022, the Plan had been revised to accommodate some new measures, some measures had been improved and some had been taken out. Overall, the delivery of the Corporate Plan was on track.

Reason for Decision

An effective performance management framework facilitated increased accountability, learning and improvement. It also provided early warning signals and facilitated decision-making.

On a quarterly basis, the Council gathered and analysed a wide range of data and information to understand how effectively its plans had been implemented and whether the strategic outcomes contained in the Corporate Plan had been achieved.

The information collected was used to enable the authority to better understand the impact of its work on local people, and where necessary, target actions and resources.

Alternative Options Considered

No alternative was presented.

Resolved that details of progress on the further development of the Corporate Performance Management Framework be received and approval be given to the Q1 monitoring reports.

Sandwell Aquatic Centre Project Closedown Report and Financial Closure

Approval was sought for the Sandwell Aquatic Centre Project Closedown Report and Financial Closure.

Sandwell Aquatic Centre had been completed on 6 July 2023 and formally transferred to Sandwell Leisure. It had opened as a community leisure centre on 24 July 2023, and it provided world-class facilities for the residents of Sandwell and the wider region.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board sought clarity on the decision not to legally formalise the funding agreement between the Council and Sandwell Leisure Trust.

The Cabinet Member for Leisure and Tourism stated that the reason behind this was due to the Council receiving a letter from the CEO of Sandwell Leisure Trust at that time in 2017 confirming the commitment to provide this funding and there was also a Sandwell Leisure Trust Board decision to allocate these funds which was reflected in the Sandwell Leisure Trust Annual Accounts as a provision in 2019. In these circumstances, it was determined that it was not an effective use of legal resources to develop and execute a legally binding agreement.

Reason for Decision

Sandwell Aquatic Centre had been developed as the host venue for all aquatic activity at the Birmingham 2022 Commonwealth Games as well as a new leisure centre for residents, allowing the Council to condense other outdated local provision.

Alternative Options Considered

Do nothing- the financial liabilities outlined in the report cannot be avoided without significant risk of legal action being brought against the Council by the contractor given that the Council had already contractually committed to these costs. Legal action would add costs to those outlined within the report and severely damage the Council's reputation in the construction market.

Resolved:-

- (1) that the Director of Finance be authorised to identify and finance the £0.54m funding contribution previously committed, and then rescinded, by Sandwell Leisure Trust, from the most appropriate funding source for the Sandwell Aquatic Centre;
- (2) that approval be given to authorise the Director of Regeneration and Growth, in consultation with Director of Finance, to fund an identified shortfall of £0.151m in business rate liability from project underspend and the Capital Project Support Reserve for the Sandwell Aquatic Centre.

124/23 Sandwell Local Plan - Approval to Consult on the Draft Plan

Approval was sought to carry out the consultation on the Draft Sandwell Local Plan.

The Sandwell Local Plan would be comprised of the Sandwell 2041 - spatial vision, priorities and objectives, the Spatial Strategy, the Development Strategy, the Local Plan Policies, the Site Allocations, the Policies Map and Sustainability Appraisal.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board sought clarity on how the consultation would reach out to all members of the Sandwell community, how the Council would engage educational and NHS partners, what measures would be in place to address climate change and what percentage of new builds would be classified and retained as social housing.

In response, the Cabinet Member for Regeneration and WMCA stated that the consultation would use all existing networks to reach as many people as possible, in addition exhibitions would be in place in libraries and leisure centres, an article would be included in the Sandwell Herald and a video would be produced and shared via social media. Stakeholder engagement was a key part of the work and the future infrastructure requirements had been and would continue to be discussed with the main infrastructure providers including educational and health providers. The Building Regulations required the installation of electric vehicle charging points in proposals for 10 or more dwellings. The minimum proportion of affordable housing that should be provided was 25%.

However, the final amount delivered was dependent on the viability of the site. Of the amount of affordable housing provided, 25% of the affordable homes required by this policy would be First Homes tenure, of which 10% should be for affordable home ownership. The remaining 75% of affordable homes would be for affordable rent. It was the Council's intention that the affordable housing created would remain affordable in perpetuity. However, tenants living in affordable housing are able to purchase their home through the Right to Buy Scheme at a price lower than the full market value.

Reason for Decision

It was a statutory requirement of every Local Planning Authority to have an up-to-date Local Plan. Following the demise of the Black Country Plan in 2022, Sandwell had been producing its own plan – the Sandwell Local Plan. The Government had previously expressed a desire to see full Local Plan coverage across England by December 2023, or as soon as was practical after that date. However, the Government was currently consulting on a proposed new system for producing local plans and had indicated that the last date for submitting a revised local plan under the current system would be 30 June 2025. Officers had been working to a timetable that would enable the Sandwell Local Plan to be submitted prior to that date. The timetable for the production of the Local Plan was set out in the Sandwell Local Development Scheme which was available to view in the Planning Policy pages of the Sandwell website. The Draft Sandwell Local Plan was the next stage in the preparation of the Local Plan.

Alternative Options Considered

The preparation of a Local Plan was a statutory requirement under the Town and Country Planning (Local Planning) (England) Regulations 2012. The process for preparing a Local Plan was set out in additional legislation and guidance. As a result, there were no alternative solutions to the preparation of a new local plan for Sandwell, which was a matter of increasing urgency. Options relating to the form and content of the Local Plan had been set out in the report to Cabinet on 16 November 2022.

Resolved:-

- (1) that approval be given to the Draft Sandwell Local Plan (Appendix A), Sustainability Appraisal Reports and consultation material for consultation commencing on 6 November 2023 for 6 weeks;

- (2) that the Director - Regeneration & Growth, in consultation with the Cabinet Member for Regeneration & WMCA, be authorised to make minor and other necessary amendments, if required, to the Draft Sandwell Local Plan and its associated documents prior to the start of public consultation to enable effective consultation to be undertaken;
- (3) that a further report be presented to Cabinet summarising key issues raised during the consultation be submitted to a future meeting to inform preparation of the Publication of the Sandwell Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

125/23

Update and decisions on the Asset Management Strategy - Income and Savings 2023-2026

Approval was sought for the decisions on the Asset Management Strategy, Income and Savings 2023-2026.

The recommendations supported delivery of the agreed corporate Asset Management Budget Savings targets 2023-2026 detailed as £1.6million in 2023/24, £2.5million in 2024/25 and £2.5million in 2025/26.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board asked what the consequences were if the targets for 2023- 26 were not achieved.

The Cabinet Member for Regeneration and WMCA stated that the asset management savings budgets had been formally agreed by Cabinet and, as such, must be delivered to support the Medium Term Financial Strategy. Should they not be derived from the Council's asset base and associated functions, the budget savings would need to be identified from alternative areas to ensure the Council maintain a balanced budget moving forward.

Reason for Decision

Recommendations support the delivery of the MTFs and ensuring the Council had a balanced budget moving forward alongside an efficiently operating estate to deliver Council services.

The Council was committed to maintaining an effective and efficient property portfolio which supported the delivery of services to residents, provides value for money, reduces Council environmental impact and maximises opportunities to generate value.

Progress had been made for 2023/24 with the savings target of £1.6 million expected to be achieved by year end. It was however, noted that the variance in 2024/25 and 2025/26 was far more challenging as a result of a number of savings being achieved in 2023/24 being non-recurring. There was a current savings target variance of £1.86 million for 2024/25 and £2.05 million for 2025/26 and emphasised the importance of effective and significant decisions being made around the Council's corporate property estate to ensure delivery of the savings targets moving forward.

Alternative Options Considered

The Council general fund asset base was initially placed in one of three options, that was to retain the asset in its current use, to re classify the asset as an investment property, such as Jack Judge House or to dispose of the Asset. This was done within the context of achieving a more efficient asset base and/or increasing income for the Council.

It was possible that a large building, such as Sandwell Council House can serve a dual purpose, that is remaining in Council use but also generating more income. This was now the case at the Sandwell Council with the subletting of space to the NHS on the first and third floor of the building.

Option appraisals had been completed on the main Council buildings with the process providing an analysis of alternative options.

In general, however if the Council did not achieve either significant savings and/or increased income from the Council assets, the alternative was that those savings or increased income would have to come from front facing Council services.

Resolved:-

- (1) that approval be given to declare the Tipton Library, Owen House, 17 Unity Walk, Tipton DY4 8QL surplus to Council requirements;

- (2) that the Director of Borough Economy be authorised to relocate the library provision to the former Tipton Carnegie Library, Victoria Road, Tipton, DY4 8SR;
- (3) that the Interim Director of Housing be authorised to relocate services from the Tipton Local centre at High Street, Princes End, Tipton, DY4 9JB to Glebefields Library and Family Hub Centre or other location as deemed appropriate;
- (4) that the Interim Director of Housing prepare a business case for the reuse of the former Tipton Local Centre within the Housing Revenue Account Stock and, should this not be viable, the former Tipton Local Centre building be disposed of subject to the appropriate authority being obtained;
- (5) that the Director of Borough Economy, subject to the identification of the necessary funding, be authorised to declare the Smethwick Library and archive, High Street. Smethwick, B66 1AA surplus to the requirements of the Council;
- (6) that the Director of Borough Economy be authorised to relocate the services provided from Smethwick High Street Library to Smethwick Council House;
- (7) that the Director of Law and Governance and Monitoring Officer be authorised to dispose of the freehold interest of the Smethwick Library, High Street. Smethwick B66 1AA on terms and conditions to be agreed by the Director of Regeneration and Growth;
- (8) that the Director of Law and Governance and Monitoring Officer be authorised to enter or execute under seal where necessary any legal documentation in connection with the disposal of land referred to in the Resolution (1) to (7) above;

- (9) that the Director of Law and Governance and Monitoring Officer be authorised to enter or execute under seal where necessary any legal documentation in connection to the granting of a lease of 747 m² (or thereabouts) to the Sandwell and West Birmingham Hospitals NHS Trust of the first floor of Sandwell Council House on terms and conditions to be agreed by the Director of Regeneration and Growth;
- (10) that approval be given to offer all community centres not currently subject to a live Community Asset Transfer or FRI lease on a Community Asset Transfer basis where a suitable expression of interest and business case has been received subject to terms and conditions to be agreed by the Director of Regeneration and Growth;
- (11) that subject to Resolution (10) not producing any viable expressions of interest, approval be given to the Director of Regeneration and Growth to declare the assets surplus to Council requirements and to undertake an open market disposal of the same subject to terms and conditions to be agreed by the Director of Regeneration and Growth;
- (12) that the Director of Law and Governance and Monitoring Officer be authorised to enter or execute under seal where necessary any legal documentation in connection with the disposal of land referred to in Resolutions (10) and (11) above.

126/23 **Exclusion of the Public**

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act, 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial and business affairs of any person, including the authority holding that information.

Haden Hill Leisure Centre Rebuild Options - Levelling Up Fund

Approval was sought for the Haden Hill Leisure Centre Rebuild. The Cabinet had been presented with three options.

Reason for Decision

The opportunity to utilise the allocated funding to renew Haden Hill Leisure Centre would resolve the long-term future of the well-used but ageing asset. Once renewed, Sandwell would be in the position of not having a public swimming pool in its portfolio that was more than 10 years old.

The recent Sport England Facilities Planning Model assessment of swimming pool provision in Sandwell confirmed that with the continuation of provision at Haden Hill Leisure Centre, the Borough would have sufficient swimming pool supply to meet population demand inclusive of projected housing growth.

Option 1 Part rebuild and part refurbishment – rebuild wet facilities, refurbish the dry This option achieves the replacement of the pool facilities and also provides a new 100-station fitness gym, new changing facilities plus a reconfigured reception with café. The studios and sports hall will be retained and refurbished; the sauna and steam and squash court would be lost.

This option had the benefit of new pool provision – where asset liability is greatest and quality of provision most sensitive. It also provided a substantially larger fitness gym – critical to driving the revenue model. The retention of the dry facilities presented less risk, although the age of the facilities still meant the refurbishment costs were substantial.

This option was recommended as it only marginally reduced the site facilities mix from that proposed within the original LUF bid submission (no sauna or steam room) and it also reduced the risks around the aged wet (pool) facilities through the replacement of these in full while providing a beneficial revenue position.

Alternative Options Considered

Option 2: Part rebuild and part refurbishment – rebuild dry facilities, refurbish the wet

This option would result in a new centre built with just the existing swimming pools retained and refurbished. The layout of the centre would be substantially improved, with less corridor space and an easier customer flow.

Option 3: New build to a reduced scope

This option sought to deliver a new-build project within the available funding. The priority (based on supporting resident physical activity) would be to rebuild the swimming provision, which would also allow the development of a large (100 station) fitness gym plus studio provision on the first floor.

Resolved:-

- (1) that approval be given to Option 1 - the part rebuild and part refurbishment – (rebuild wet facilities, refurbish the dry) of Haden Hill Leisure Centre;
- (2) that the Director of Borough Economy be authorised to progress the preferred option for the Haden Hill Leisure Centre rebuild;
- (3) that the Director of Regeneration and Growth be authorised to procure and appoint a main contractor via the most suitable procurement route for the chosen option;
- (4) that the Director of Regeneration and Growth, in consultation with the Assistant Director of Legal and Assurance, be authorised to sign legal agreements and contracts associated with the delivery of the replacement of Haden Hill Leisure Centre;
- (5) that the Director of Regeneration and Growth provide a further report to Cabinet for approval of final project costs and procurement contract award;
- (6) that the Director of Finance be authorised to submit funding bids to Sport England or other appropriate organisations to support the delivery of the replacement of Haden Hill Leisure Centre.

128/23

Future Provision of Leisure Services

Approval was sought for the future provision of leisure services in Sandwell.

Reason for Decision

The 2021 Grant Thornton Governance Review raised concerns regarding the management of the contract with Sandwell Leisure Trust (SLT). The subsequent review of future provision of leisure services had sought to address these concerns.

This period would be used to consider the long-term settlement of the provision of leisure services.

Alternative Options Considered

There were no alternatives presented.

Resolved:-

- (1) that the extension of a revised Management and Funding Agreement with Sandwell Leisure Trust as the settlement of the provision of leisure services to 31 March 2027 be approved;
- (2) that the Director of Borough Economy, in consultation with the Cabinet Member for Leisure and Tourism, be authorised to have responsibility for the ongoing management of the contract with Sandwell Leisure Trust.

129/23

Tipton Town Centre Regeneration Scheme Rescope and Funding Package

Approval was sought for the Tipton Town Centre Regeneration Scheme Rescope and Funding Package.

Reason for Decision

Tipton Regeneration Fund was set to deliver a minimum 65, and potentially up to 78, new homes on three key sites in Tipton town centre. These would provide low-energy and sustainable apartments at affordable rents and would underpin Sandwell's commitment to build new social housing to meet the needs of its citizens. The three sites were within the town centre, which offered a range of shops and key public services close by. The redevelopment of vacant sites and the replacement of obsolete accommodation would help foster optimism in the local community and hopefully boost confidence and stimulate further investment.

Alternative Options Considered

Do nothing, Refurbish the existing buildings or Revert to the original scheme as submitted in August 2022.

Resolved:-

- (1) that the Director of Regeneration and Growth be authorised to design, procure, and develop three sites in Tipton town centre (as indicated in Appendix 1) for affordable one and two bed Council housing units, subject to obtaining planning approval;
- (2) that the Director of Regeneration and Growth, in consultation with the Interim Director of Finance, be authorised to sign under seal the Memorandum of Understanding (MoU) that has been agreed by both parties. (Appendix 5);
- (3) that the Interim Director of Finance be authorised to allocate adequate additional resources from the Housing Revenue Account (HRA) to deliver the scheme in line with the funding package, subject to the completion of a satisfactory financial appraisal to be undertaken by Financial Planning;
- (4) that approval be given to authorise the steps necessary for the delivery of the proposed projects, including:
 - a. The Director of Regeneration and Growth in consultation with the Interim Director of Finance and Interim Director of Housing be authorised to prepare tender documentation and subsequently procure, in accordance with any statutory regulations and the Council's Procurement and Financial Regulations, any professional services required to develop proposals set out in 2.14 and Appendix 2 up to RIBA Stage 4.
 - b. Subject to 1.4.1 the Director of Regeneration and Growth in consultation with the Interim Director of Finance and the Interim Director of Housing be authorised to prepare tender documentation and subsequently procure, in accordance with any statutory regulations and the Council's Procurement and Financial Regulations, a development/construction/demolition contractor to

deliver the proposals set out in 1.1 and Appendix 2.

- c. The Director of Regeneration and Growth be authorised to progress any consents or applications required for Demolition, Planning, Building Regulations or Highways appertaining to the delivery of the schemes set out in 1.1 and any other agreements with the procured contractor(s) as may be deemed necessary to facilitate development of the sites set out in Appendix 1.

Meeting ended at 4.35pm

Contact: democratic_services@sandwell.gov.uk

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Report to Cabinet

15 November 2023

Subject:	Medium-Term Financial Strategy – Autumn 2023 Update
Cabinet Member:	Cabinet Member for Finance & Resources Cllr Bob Piper
Director:	Interim Director of Finance & Section 151 Officer Brendan Arnold
Key Decision:	Yes
Contact Officer:	Interim Assistant Director – Finance, Claire Spencer Claire_spencer@sandwell.gov.uk Strategic Lead – Service Improvement, Kate Ashley, kate1_ashley@sandwell.gov.uk

1. Recommendations

- 1.1 That approval be given to the Medium-Term Financial Strategy and embedded Medium-Term Financial Plan as an estimate of the Council's current financial position as at October 2023 noting that the figures will change as further updating takes place.
- 1.2 That the Director of Finance be authorised to commence a period of consultation regarding the savings opportunities referred to in Annex 6.
- 1.3 That the Guiding Principles be approved as a framework for financial planning for the period of the Medium-Term Financial Strategy.
- 1.4 That the Capital Planning Principles be approved to guide the preparation of the Capital Programme in the years ahead.



- 1.5 That the planned development of the Transformation Programme to date and through 2024/25 be noted and approval be given to endorse the extension of the transformational approach to other services of the Council.
- 1.6 That the Budget Timetable be noted.
- 1.7 That approval be given to submit to the Department for Levelling Up and Homes and Communities a proposal for the flexible use of capital receipts in financial year 2023/24 to support transformation and to delegate the approval of this proposal to the Portfolio Holder for Finance and Interim Director of Finance together with the Assistant Chief Executive and the Monitoring Officer.
- 1.8 That the Council be recommended to approve the Autumn 2023 update of the Medium-Term Financial Strategy at its next meeting.

2. Reasons for Recommendations

- 2.1 The Local Government Finance Act 1992 requires the Council to set a balanced, risk assessed budget each year and approve a Council Tax precept by 11 March.
- 2.2 The Council has a duty to consult with those who are liable to pay council tax or non-domestic rates, as well as those who use or are likely to use services provided by the authority. A public engagement exercise on the Council's budget was conducted in Summer 2023 seeking residents' views on how the Council should reduce spend in order to deliver a balanced budget. In order to set a balanced budget for 2024/25, the Council has developed a long list of savings options which, if adopted for 2024/25, will impact residents and businesses in the Borough.
- 2.3 This report presents the current position of the medium-term financial strategy and seeks approval to commence consultation on a range of potential savings options to support the Council in setting a balanced budget in February 2024.



3. How does this deliver objectives of the Corporate Plan?

     	<p>Under the One Council, One Team strategic outcome, the Council's aim is to make the most of our resources. The Council has stated that we will:</p> <ul style="list-style-type: none">a) update the Medium-Term Financial Strategy at least annually;b) set a sustainable and balanced budget each year; andc) ensure that the Medium-Term Financial Strategy is underpinned by a realistic savings plan. <p>This report sets out an updated Medium-Term Financial Strategy as at Autumn 2023 and details proposed actions required to work towards a sustainable and balanced budget in 2024/25.</p>
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4. Key Points of Briefing

Medium-Term Financial Strategy – Update Autumn 2023

- 4.1 The MTFs and accompanying Medium Term Finance Plan (MTFP) - following a detailed and extensive review - suggests that there is an estimated Budget shortfall of £13m in 2024/25 at the date of this report. This figure has changed in the course of financial year 2023/24, reflecting the expected refinement and testing of initial planning assumptions. Accordingly, the fact that the figures have changed is not a surprise given (a) the financial position of the Local Government sector in general and (b) given that the financial estimates inevitably change as fresh information becomes available and is taken into the budget forecasts.
- 4.2 The reasons for the increases in forecast net expenditure are shown in Annex 9 of the MTFs and include the net effect of:
- a. Additional savings identified.



- b. Downward adjustment of anticipated savings following a review of the underlying assumptions.
 - c. The challenging and adjustment of cost pressures previously admitted to the MTFP.
- 4.3 From the analysis presented it is clear that the Council must select savings amounting to £13m to balance the 2024/25 Budget and that the overwhelming proportion of these must be recurring in nature to remove the relevant costs in years following and to prevent the avoidable growth of future budget shortfalls.
- 4.4 In any local authority the overall suite of savings selected to ensure that the MTFP is balanced in the medium term will reflect a blend of (a) savings gathered from efficiencies and adoption of best practice (b) the adjustment of service levels (sometimes suspension or cessation of previous service levels) and (c) transformational savings. The Council will need to explore all of these dimensions as it considers the means of setting a balanced Budget for 2024/25.
- 4.5 As part of this process the Council is keen to further develop a *transformational* approach to delivering savings and has already taken steps in this direction. To this end a transformation programme to implement *Oracle Fusion* - a corporate Enterprise Resource Planning (ERP) system - is already underway and set to go live in April and July 2024. In addition, a Transformation Strategy has been prepared, and a Corporate Transformation Board has been established to guide and control the use of transformational approaches in the years ahead. These materials are attached to the MTFP at Annex 11. It should be clear that the benefits of the transformational endeavours described are to develop better value for service users and to enhance the customer journey.
- 4.6 As part of these ambitions the Council acknowledges the need to organise many of its activities along more commercial lines including adopting the Corporate Landlord Model (itself a transformational programme) for management of its property estate. As part of this emergent Property Transformation programme the Council acknowledges a need to further develop its proposals for significant asset disposals and to bring these to



decision at pace. Equipping these approaches with policies around flexible working, team building and to develop a One Team approach to service delivery are already underway and will be further developed.

- 4.7 Additional opportunities in the application of transformational approaches exist with regard to the delivery of transactional services generally; significant work has been undertaken to inform development of a clear business case in this area during 2024/25 and 2025/26. Further transformational approaches are expected in the operation of the Housing Revenue Account to assure its future financial sustainability. In addition to significant programmes that are service focussed, a range of other projects has been assembled that have transformational characteristics.
- 4.8 The Council has commenced a resident engagement exercise through the summer of 2023 and this - together with the Consultation and Engagement Plan (See Annexes 4 & 5 to the MTFS) - forms the Council's proposed approach to meeting its responsibilities in this area as part of setting the Budget for 2024/25. Accordingly, the MTFS includes proposals to launch the Consultation and Engagement Plan for savings amounting to £18m in response to the gross budget shortfall of £13m currently identified. The savings for which Cabinet is asked to launch consultation are included at Annex 6 to the MTFS.
- 4.9 A Budget Timetable for the 2024/25 Budget process is also presented and appears at Annex 3. In line with the highest standards of transparent governance this timetable includes opportunity for specific challenge and review by the Council's Overview & Scrutiny Boards.
- 4.10 The MTFS (and MTFP) will be further updated for the meetings of the Executive, Budget Scrutiny and Full Council in January and February 2024 based on receipt of the Provisional Finance Settlement from Government which is expected in late December 2023 and other adjustments to assumptions.



Savings Options

- 4.11 Over summer 2023, Cabinet and Leadership Team undertook a 'Star Chamber' exercise for the second year running to challenge existing budgets and identify savings options. The Council has also continued to make use of benchmarking costs against our nearest neighbours.
- 4.12 This exercise has resulted in a basket of savings options being put forward to Cabinet for approval to consult on further, prior to making formal decisions to adopt in February 2024. These initial savings options amounting to £18m in 2024/25 are attached at Annex 6 of the MTFS.

Consultation Approach

- 4.13 The Council's proposed approach to consultation is set out in paragraph 49 and Annex 5 in the attached report.
- 4.14 Equality Impact Assessments will be conducted for all savings options, with outcomes also being built into the decision-making process.

Scrutiny of Budget

- 4.15 Effective scrutiny of the Council's financial position and strategy is integral to the Council's ability to deliver a sustainable MTFS that is aligned to its strategic priorities. Scrutiny Boards will be engaged throughout the 2024/25 budget setting process and have ample opportunity to review and challenge the Council's MTFS and proposed savings to achieve a balanced budget. This will take place between November 2023 and January 2024 in advance of the Cabinet meeting in February 2024.



Next steps

4.16 The assumptions and estimates currently being used in the draft budget will be constantly monitored and the funding position will be revised, if needed, once the Local Government Finance Settlement has been announced. Separate reporting arrangements are in place with regard to the general Fund Capital Programme and also the Housing Revenue Account and Capital programme.

5. Alternative Options

5.1 The Council is legally required to set a balanced budget during March 2024. There are no alternative options.

6. Implications

Resources:	This report sets out the Autumn 2023 update of the Council's Medium Term Financial Strategy.
Legal and Governance:	<p>This report forms a preparatory part of the process under the Council's obligation to set a balanced budget for 2024/25.</p> <p>As identified within the report, various options require consultation with the public and/ or recognised trade unions and authority is sought through this report to commence relevant consultation exercises. Such consultation must take place in the formative stages of decision-making, as is proposed in this report.</p> <p>In turn and under the provisions of the Local Government Finance Act 1992, the Council must consult with persons or persons representative of bodies subject to non-domestic rates each financial year and before the rates become due for payment. Any consultation activity must engage those directly affected by any proposed decision by providing sufficient information to allow for intelligent response and with adequate time to do so.</p>



	<p>The Local Government Act 1999 requires that the Council must consult with representatives of persons:</p> <ul style="list-style-type: none"> • liable to pay council tax, precepts or levies in respect of the authority; • liable to pay non-domestic rates in the authority area; • use or likely to use services provided by the authority; and • who have an interest in the area within which the authority carries out its functions. <p>The consultation outcomes must then be conscientiously considered by decision-makers. The process set out in this report provides clear and structured arrangements for consultation to take place in advance of 2024/25 and will allow for decisions to be made after the budget is set taking account of individual consultation outcomes. It must in turn be open to Cabinet not to proceed with an individual savings option as proposed in this report following consultation but, if so, compensatory savings will need to be made to balance the Council's budget.</p>
Risk:	<p>The Medium-Term Financial Plan and Resource Allocation is identified as a risk on the Strategic Risk Register (SRR 27) in that if the council is unable to identify sufficient savings and put in place necessary policies, processes and actions to manage pressures, inflation and manage its plans, then this will impact on the council's financial resilience and its ability to effectively discharge its statutory responsibilities including the setting of a balanced budget for future years.</p>
Equality:	<p>The Equality Act 2010 obliges the Council to have due regard to its equality duties in the budget setting process. To achieve this, Equality Impact Assessments (EIAs) will be conducted on all savings options where required ahead of the final options being put forward to Cabinet for approval.</p>



Health and Wellbeing:	The Medium-Term Financial Strategy and draft Budget for 2024/25 sets out how the council will allocate its resources to deliver its statutory functions and the priorities within the Corporate Plan. These priorities focus on improving the health and wellbeing of our residents and tackling health inequalities in a multi-faceted way.
Social Value:	No specific implications arising from this report.
Climate Change:	Certain budget options may have beneficial environmental and climate change impacts.
Corporate Parenting:	No specific implications arising from this report.

7. Appendices

1: The Medium Term Financial Strategy

8. Background Papers

None



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Medium Term Financial Strategy 2024/25 to 2026/27

Sandwell Metropolitan Borough Council



Finance Directorate

Autumn 2023

Prepared: October 2023

Version: MTFS Autumn 2023 Final

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Introduction

The Medium-Term Financial Strategy (MTFS) is a key document in the Council's financial planning cycle. This document sets out the strategic financial approach that the Council will adopt in supporting delivery and completion of the Improvement Plan and the portfolio of other strategies and plans that support delivery of the services in the Borough. The MTFS will explain - when fully developed for Full Council in February 2024 - how the Council will distribute its resources in this endeavour over the next five years. In order to deliver the Corporate Plan the Council will need to operate carefully within specific quantitative financial targets. These targets manifest themselves as budget limits, within which the Council must deliver its services over the period of the MTFS. There will be no room for overspends on the future journey and the Council needs to refresh its approach to operate with highly disciplined financial management arrangements. By doing so, the Council will be able to minimise the risk of the financial perils which have engulfed some local authorities in the recent past and demonstrate a level of financial stability and good management that the community in Sandwell is entitled to expect.

Brendan Arnold FCPFA
Interim Director of Finance & Section 151 Officer

29 October 2023

The MTFS - Form and Purpose

1. The purpose of the Medium Term Financial Strategy (MTFS) is to set down the approaches that will be used by the Council in assembling, organising and deploying its financial resources to (i) deliver the objectives set down in the Improvement Plan presented to Full Council on 7 June 2022, and updated in December 2022 and June 2023.
2. The MTFS contains a Medium Term Financial Plan (MTFP) which sets out the planning assumptions and financial limits formed by the relevant funding constraints presently assumed. These will be updated quarterly moving forward. This is the first presentation of a quarterly update to frame the development of the 2024/25 Budget at Full Council on 20 February 2024. The updated MTFP appears at Annex 8. Further updates will be required as further insight is gained regarding the Local Government Finance Settlement generally (expected to be released by Government in late December 2023) and as savings options within the Council are more fully developed.
3. It should be noted that development of the Council's MTFS is a key recommendation of the VFM Governance Review undertaken by Grant Thornton in 2021 and forms a notable action within the Council's Improvement Plan. Accordingly, the suitable development and use of the MTFS has been identified by Commissioners as one of the key considerations in advising the Secretary of State of progress made by the Council on its journey to improvement. More generally, it is important to note that like all Councils, the Council is *required under statute* to set a balanced Budget for 2024/25 during March 2024.
4. The MTFS sets out (i) a set of Guiding Principles which are presented for agreement by Cabinet and Council in seeking to obtain sustainable financial balance in the medium term and (ii) the design and operation of specific programmes and other initiatives that will - when fully developed - contribute to savings and cost reductions which are able to be considered in balancing the 2024/25 Budget on 20 February 2024.
5. This being so, the MTFS (incorporating the MTFP) provides a framework within which the annual Budget can be considered, and eventually set, by Council. Accordingly, this document is to be seen as a dynamic part of the Council's financial operations in the future and is of critical importance on the Council's improvement journey.

Background & Context

6. On 22 March 2022 a process of Intervention was initiated by the Secretary of State in response to the issuance by the External Auditor of their report following the Value for Money Governance Review containing statutory recommendations.

7. In seeking to address the recommendations from the External Auditor's report as well as those resulting from the CIPFA Financial Management Review and a Local Government Association Peer Challenge, the Council has – with the oversight of the Commissioners – adopted an Improvement Plan which is closely monitored by the Leadership Team, the Cabinet, Scrutiny function and Full Council. Although Intervention was not driven from a financial perspective as part of this process the Council needs to be able to assure that its financial affairs can be managed in a sustainable way.

Strategic Goals

8. The MTFFS has the following strategic goals:
 - a. To provide a framework within which the Council is able to achieve a series of balanced budgets in the medium term to support the delivery of the Corporate Plan and Improvement Plan, demonstrating sustainable improvement.
 - b. By so doing to reach for and assure both financial stability and sustainability and to deliver these in the short, medium and long terms.
 - c. To enable successive budgets to be balanced using a set of Guiding Principles that are commonly adopted across the Local Government Sector and to apply these rigorously; and
 - d. To provide a budget and risk structure within which the Corporate Plan and Improvement Plan can be completed to meet the needs of stakeholders.

Key Points of Briefing

9. The MTFFS and accompanying MTFP - following a detailed and extensive review - is suggesting that there is an estimated Budget shortfall of £13m in 2024/25 at the date of this report. This figure has changed in the course of financial year 2023/24, reflecting the expected refinement and testing of initial planning assumptions. Accordingly, the fact that the figures have changed is not a surprise given (a) the financial position of the Local Government sector in general and (b) given that the financial estimates inevitably change as fresh information becomes available and is taken into the budget forecasts.
10. The reasons for the increases in forecast net expenditure are shown in Annex 9 and include the net effect of:
 - a. Additional savings identified.
 - b. Downward adjustment of anticipated savings following a review of the underlying assumptions.
 - c. The challenging and adjustment of cost pressures previously admitted to the MTFP.

11. From the analysis presented it is clear that the Council must select savings amounting to £13m to balance 2024/25 Budget and that the overwhelming proportion of these must be recurring in nature to remove the relevant costs in years following and to prevent the avoidable growth of future budget shortfalls.
12. In any local authority the overall suite of savings selected to ensure that the MTFP is balanced in the medium term will reflect a blend of (a) savings gathered from efficiencies and adoption of best practice (b) the adjustment of service levels (sometimes suspension or cessation of previous service levels) and (c) transformational savings. The Council will need to explore all of these dimensions as it considers the means of setting a balanced Budget for 2024/25.
13. As part of this process the Council is keen to further develop a *transformational* approach to delivering savings and has already taken steps in this direction. To this end a transformation programme to implement *Oracle Fusion* - a corporate Enterprise Resource Planning (ERP) system - is already underway and set to go live in late Spring and Summer 2024. In addition, a Transformation Strategy has been prepared, and a Corporate Transformation Board has been established to guide and control the use of transformational approaches in the years ahead. These materials are attached to this report at Annex 11. It should be clear that the benefits of the transformational endeavours described are to develop better value for service users and to enhance the customer journey.
14. As part of these ambitions the Council acknowledges the need to organise many of its activities along more commercial lines including adopting the Corporate Landlord Model (itself a transformational programme) for management of its property estate. As part of this emergent Property Transformation programme the Council acknowledges a need to further develop its proposals for significant asset disposals and to bring these to decision at pace. Equipping these approaches with policies around flexible working, team building and to develop a One Team approach to service delivery are already underway and will be further developed.
15. Additional opportunities in the application of transformational approaches exist with regard to the delivery of transactional services generally; significant work has been undertaken to inform development of a clear business case in this area during 2024/25 and 2025/26. Further transformational approaches are expected in the operation of the Housing Revenue Account to assure its future financial sustainability. In addition to significant programmes that are service focussed, a range of other projects has been assembled. The Transformation Strategy appears at Annex 11.
16. The Council has commenced a resident engagement exercise through the summer of 2023 and this - together with the Consultation and Engagement Plan (See Annexes 4 & 5) - forms the Council's proposed approach to meeting its responsibilities in this area as part of setting the Budget for 2024/25. Accordingly the MTFP includes proposals to launch the Consultation and Engagement Plan for savings amounting to £18m in response to the gross budget shortfall of £13m currently identified. The potential savings of £18m for which Cabinet is asked to launch consultation are included at Annex 6.

17. A Budget Timetable for the 2024/25 Budget process is also presented and appears at Annex 3. In line with the highest standards of transparent governance this timetable includes specific challenge and review by the Council's Overview & Scrutiny function through the Budget & Corporate Scrutiny Management Board as part of the consultation process.
18. The MTFS (and MTFP) will be further updated for the meetings of the Executive, Budget Scrutiny and Full Council in January and February 2024 based on receipt of the Provisional Finance Settlement from Government which is expected in late December 2023 and other adjustments to assumptions..

The Guiding Principles

19. In undertaking its financial operations over the period of the MTFS the Council is asked to adopt the following Guiding Principles ('The Principles'). The Principles are based on sound management and professional practice. They are presented as *Guiding* Principles because there may be occasions where – after careful consideration - the exigencies of strategic or operational management may necessitate from time to time a departure from the Principles.

No.	Guiding Principles
1	Fees & Charges will be reviewed annually and adjusted for inflation, comparability and competitiveness.
2	As a compassionate Council, in setting charges, the impact on vulnerable groups will be considered carefully and equalities impact assessments prepared where needed.
3	Service level spend will be benchmarked regularly with a suitable peer group and proposals to align with the benchmark will be brought forward.
4	The Council will seek to adopt incrementally a policy of Digital First in service delivery generally but as a compassionate Council will be mindful of the risks of <i>digital exclusion</i> in doing so.
5	A rolling programme of Service Reviews launched as part of the Star Chamber process will continue from time to time within the timeframe of the MTFS and will be used to ensure that operating models, organisational design and cost footprints are subject to regular review and adjustment across the Council.
6	Service developments, savings and investment will be brought forward on the basis of business cases that must demonstrate feasibility, deliverability, and appropriate financial pay back and other investment appraisal techniques.
7	The Council will consult with residents and other stakeholders in the Borough in forming budget options.

8	Where business cases are prepared for decision a proactive approach will operate encompassing review in depth prior to such presentation; this will include rigorous application of investment appraisal techniques, peer review and use of the Scrutiny function to achieve searching review and challenge before business cases are adopted.
9	The Council will welcome approaches from regional and other partners for joint working and joint management initiatives.
10	The Council will seek to reach and maintain Unearmarked Reserves at a level of at least 5% of Net Expenditure (i.e. £16m based on current net expenditure of in 2023/24 of £317m).
11	Given the financial position of the Council and the need to maintain key statutory services the Council will seek to maximise receipts from Council Tax and optimise receipts from fees and charges and other income over the period of the MTFs.
12	Growth in service budgets must be funded from (a) grants or other contributions, (b) realistic estimates of commercial income and fees and charges or (c) revenue savings. Following the setting of the 2024/25 Budget there will be a general planning assumption that no other growth will be adopted into the Budget within the period of the MTFs unless under the most pressing circumstances.
13	Council will develop moving forward enhanced means of assessing and managing risks at both strategic and operational levels and these will be used to inform the annual Budget process.
14	The Council will seek to make Value for Money decisions and be mindful of its obligations to obtain best value for the 'public purse' generally.
15	The Council will consider invest to save proposals in preparing the MTFs generally.
16	In making decisions to buy goods and services the Council will be mindful of powers to seek social value in procurement and reduce the carbon impact of decisions to assist with Net Zero.

Financial Challenges: Governance & Decision Making

20. A full Budget Timetable appears at Annex 3 to this report. It must be noted that - following the Intervention already referred to - the Commissioners will in support of Cabinet - consider and receive the materials referred to below and will guide and advise the Council in fulfilment of their supporting role as part of the overall Improvement journey.

21. In summary, the following arrangements are envisaged for Budget decision making in the period to the setting of the 2024/25 Budget on 20 February 2024.

- a. The Budget & Corporate Scrutiny Management Board will hold a Budget Enquiry and Review meeting during January 2024 to consider the Draft Budget options and consultation responses. The recommendations by Scrutiny will be incorporated into overall

consultation feedback and submitted to Cabinet for consideration in the formulation of the final budget proposals. The meeting of Cabinet at which this information will be received is 7 February 2024.

- b. That the Medium-Term Financial Strategy is further updated for the meeting of Full Council on 20 February 2024; this to enable (i) the capture of any further savings (ii) the impact of the Provisional Finance Settlement from Government and (ii) updated corporate assumptions to be incorporated within the Draft Budget.
- c. Full Council to consider the setting of the 2024/25 Budget on 20 February 2024 following a decision of Cabinet to recommend the Draft Budget to Full Council.

Consultation & Engagement

22. The views of Sandwell's residents, businesses and communities are integral to the development of a MTFs that reflects the priorities of the Borough. A two phased approach to engagement and consultation has been devised to support the development of the 2024/25 Budget and the MTFP. This has been designed to align to the Council's Consultation Principles:
- a. Consultation lies at the heart of effective public policy development and service to the public. It should be a first thought and not an afterthought.
 - b. Consultation should never be used to communicate decisions already taken, and the outcome of consultation should never be pre-determined.
 - c. Consultation should be inclusive. Whenever possible, it should involve all parties/groups, including our children and young people, who can contribute to or are affected by the outcome of the consultation.
23. Phase One consisted of a face-to-face public engagement exercise with a representative sample of residents in Summer 2023. Building on the budget consultation activity conducted in 2022, this survey offered the opportunity for residents to provide input on their local priorities and preferences for delivering further council savings going into the budget setting process for 2024/25. The results of this helped inform the development of options for future savings. Details on the methodology used and responses are included at Annex 4. At the same time, the Council also conducted the SHAPE survey with primary and secondary school age children across the Borough. This survey captured the experiences of children and young people in Sandwell and what matters to them. The final results of this survey are expected in mid-November, and will be included in the outcome of Phase Two.
24. Phase Two will commence from 15 November 2023 and will involve further consultation with residents, businesses and communities. The approach will be to seek views on the whole basket of possible savings options which will feed into the Cabinet decision making process. Where savings options impact on groups of staff, engagement and formal consultation with affected staff and Trade Unions will be conducted as appropriate.

25. The timing of this consultation period is scheduled to feed into the meetings of Cabinet and Full Council in February 2024 that will be asked to take decisions on the Budget for 2024/25.
26. The Council will comply with its obligations under statute in all respects in undertaking these activities.

Scrutiny of Budget Options

27. The role of Scrutiny in this budget process is key to providing assurance that the council's budget and MTFs is sustainable and aligned to priority areas over the short, medium and longer term. It is important that sufficient time is given to this process to allow for effective scrutiny and review of budget options prior to decisions being made.
28. The budget generally will be scrutinised as follows:
 - a. A consideration of this MTFs (Autumn 2023) by the Budget & Corporate Scrutiny Management Board on 22 November 2023.
 - b. An in-depth consideration of the 2024/25 Budget and the basket of savings options; this to take place in January 2024 prior to the meeting of Cabinet on 7 February to consider the Draft Budget and the meeting of Full Council on 20 February 2024.

The National Financial Background

29. The National economy is being driven by international economic events not least the impact of the war in Ukraine, ongoing issues with international supply chains and the ongoing impact of the Pandemic. One of the key issues that has emerged is the emergence of high levels of inflation in energy, food and other products and commodities which has caused very significant inflationary pressures in wholesale and retail markets across a range of goods and services; naturally these pressures have also related to increases in labour costs. The resulting inflationary pressure has not been seen in the UK economy since the very high levels experienced during the late 1970's and early 1980's.
30. In recent years Local Government has received a much higher proportion of funding from local rather than national sources as has historically been the case. It follows that Government has inherited a position where it no longer has the appropriate levers or – following the support afforded to communities and businesses through and following the Pandemic and energy crisis – the resources to meet the inflationary pressure in the cost of service delivery.
31. The result is that much of the financial pressure has been left for local councils to manage and this has resulted and will continue to entail a need for largescale savings across the Local Government sector. That said, the savings currently required in this Council are currently forecast to be at the lower end of the savings envelope faced by some other local authorities.

32. On the back of these developments a ‘cost of living’ crisis has been described. This is something of which the Council is keenly aware. Accordingly, the Council will be invited subsequently in this budget approval process to maintain the Council Tax Support Scheme in Sandwell for 2024/25 without any downward adjustment to the level of support provided. There also needs to be an awareness that in the UK economy where inflation is forecast to continue rising at beyond 6% per annum in the foreseeable future, levels of Council Tax are set to become less costly in real terms given the expected thresholds set by Government for the level of potential increase to the Council Tax.

The Pandemic and ongoing Societal Changes

33. The ongoing impact of the Pandemic has resulted in a number of behavioural changes at a societal level which result in additional costs for local authority budgets. Examples nationally have included - but are not confined to - higher waste collection costs, pressure on the collection of commercial rents, changes in the demand for office accommodation associated with the emergence of ‘working from home’ as a ‘new normal’ and a consequential adverse impact on car parking income..
34. Although some of these effects are estimated to recover towards former levels in the medium term (particularly commercial rental income and car parking revenues) the evident financial pressures are expected to continue into the medium term. This is the case in Sandwell as for other councils.

General Budget Planning Assumptions

35. The following paragraphs set out a suite of headline planning assumptions which inform the construction of the MTFP; greater detail is presented in Annex 7. These will be reviewed on an ongoing basis for the next quarterly update of the MTFP to be prepared for the meeting of Full Council on 20 February 2024.

Council Tax

36. As a response to the inflationary pressures in the economy the Government at the last Finance Settlement (2023/24) set the referendum threshold for Council Tax increases to an overall total of 2.99% and an additional ‘Adult Social Care Precept’ of 2% for upper tier councils such as Sandwell. The level of the council tax cap for 2024/25 is presently unknown but for planning purposes - in expectation that inflationary pressures will continue to be significant in the economy – it is assumed that an annual increase of 2.99% will continue to apply in future years. Even at this level, the Council’s spending power will decrease in real terms if - as seems likely - inflation continues to erode the value of money in the short and early medium term. This is why the development of a *transformational* approach to service delivery is so important to the Borough in the period ahead.
37. The increase in Council Tax will be a decision of Council in each year moving forward but to do other than maximise potential increases would imperil the Council’s ability to sustain statutory services at a reasonable level.

National Non-Domestic Rates (NNDR)

38. The Government has for some years been considering reform of the NNDR system amid concerns from the business sector that the Rate imposes an unwarranted burden on the commercial sector. To this point no firm proposals have been brought forward by Government and so the MTFP uses the existing methodology to forecast the yield in the forward period of the Plan. In addition, for Sandwell, the proposed Devolution Deal negotiated between the West Midlands Combined Authority and Government envisages maintenance of the existing NNDR pooling arrangements in the West Midlands to which the Council presently belongs for a further 10 years.

The Capital Programme

39. Services have been provided with a list of provisional capital programme budgets based on information included within the February 2023 budget report, taking into account any potential slippage in the current programme. They are in the process of re-affirming these estimates taking into consideration any potential changes in pricing or rephrasing or to request removal if sums previously earmarked for particular schemes are no longer required.
40. Where a new scheme is put forward Services have been asked to complete an outline bid for capital funding which will be assessed against corporate priorities. Final proposals will be presented as part of the Draft Budget which is presented to the Budget & Corporate Scrutiny Management Board and then to Cabinet on 7 February and to Full Council on 20 February 2024. In the future it is envisaged that the Capital Programme will be prioritised and managed using a refreshed approach which is described below.

The Capital Planning Principles

41. For financial year 2024/25 and within the period of this MTFP the following *Capital Planning Principles* are proposed for use in forming the Capital Programme which will be presented to and approved by Full Council. Proposals that do not fall within these 'Capital Principles' will not – except in conditions of compelling exigency - be included within the Draft Capital Programme for the General Fund or the Housing Revenue Account.
- a. Items of programming that relate to essential health and safety works and deliver compliance to the regulations within in the Council's property estate.
 - b. Items of programming that have a measurable beneficial impact on the carbon footprint of the Council and the Borough and which have affordable cost implications.
 - c. Essential investment in Information & Communications Technology (both hardware and software) to ensure that the Council has fit for purpose and secure tools and infrastructure to support operations generally and transformational programmes where there are suitable business cases to support such investment.

- d. Items where - following provision of external grant support (principally from Government, Government Agencies or the West Midlands Combined Authority) - specific resources are provided to the Council by to complete or partially complete certain specified schemes that support the Council's objectives or wider regional ambitions such that match funding is required. Such match funding must be affordable to the Council and decisions made must demonstrate the Council's duty to achieve VFM in the decisions made.
 - e. Any schemes that can be shown to be wholly funded from external resources (e.g. Government Grants, external contributions) without implying additional cost burdens for the Council.
 - f. Where proposals are estimated to return a measurable revenue saving; for example, leasing of the Council's commercial property portfolio which may require modest upfront capital investment and which then return a beneficial income stream to the revenue budget.
 - g. Schemes for which there may be a perception of compelling need but where such schemes are wholly dependent on Council funding. In these cases, a rigorous business case must be prepared which demonstrates that additional cost pressures can be assuaged by alternative savings or removal of capital programming. This approach will ensure that the Council seeks to enhance the approaches already in play in forming the Council's Capital Programme in the years ahead.
42. For the avoidance of doubt, on grounds of affordability there will be no other new borrowing for capital purposes in the General Fund during the period of the MTFS.

Reserves

43. In previous years the Council has sometimes used significant contributions from Reserves to support service delivery. The Council – as has happened in other local authorities – may face the future prospect of compromising its ability to manage strategic risks at some future point. Accordingly, unless in case of grave exigency, or in respect of use of reserves that has been previously planned, The Draft Budget presented to Council in February 2024 is not expected to contain proposals to subsidise the budget shortfall of £13m currently estimated by drawing on reserves.

Debt Service

44. The Council's General Fund holds a current debt portfolio of £146m for which the annual debt service costs are estimated at c. £15m per annum which represents less than 5% of the Net Budget. The fact that this percentage is relatively modest compared with similar authorities is a significant factor in the budget shortfall in Sandwell being lower compared with such authorities. The position with regard to the Housing Revenue Account will be discussed within the separate HRA Budget report which will be presented later in the Autumn of 2023.

The Finance Settlement 2024/25: Forecast and Key Points

45. The Provisional Local Government Finance Settlement for 2024/25 is to be published in late December 2023 and will become Final in late January or early February 2024. Accordingly, at this stage in the planning process an assessment is made of the forecast position with regard to the content of the Finance Settlement at that future date. These assumptions will be improved and revised as information becomes available, particularly on the 22 November when the Chancellor of the Exchequer is expected to release their Autumn Statement.

46. Currently, the key points of briefing in relation to the Forecast are:

- a. New Homes Bonus – The Government has been considering reform or phasing out of New Homes Bonus and currently the grant is calculated on a one-off annual basis. In the absence of detailed consultation by Government it is assumed that the Council will continue to receive a benefit similar in value to prior years.
- b. Controls on use of packaging and waste volumes – the Government is planning to establish a system where the producers of packaging waste are charged a levy related to the waste volumes that result such that the proceeds - net of regulatory costs - are passed on to local Councils. The assumption made generally in the MTFP is that the incoming monies will need to be reinvested in waste services and that, accordingly, there will not be a net benefit to the Council from this scheme. This assumption will be reviewed for the next update of the MTFP; in addition Government has deferred implementation until 2025/26.
- c. Planning Fees – in the period ahead Government is expected to re-set planning fees that are significantly higher than is presently the case. The results of this decision – if received by February 2024 – will be built into the Final Budget proposals.
- d. Collection Fund – the working assumption is that Council Tax will increase by 2.99% throughout each year of the MTFP, the maximum permitted under current Government guidance. The Collection Fund in respect of Council Tax is currently estimated to be in deficit at end of 2023/24 and a charge to the General Fund of £0.5m has been included

in the current MTFP to account for this. The situation will be reviewed in depth for the next update of the MTFP. The setting of Council Tax at this level is for the purposes of modelling; the decision on the level of Council Tax increase is a matter for the meeting of Full Council on 20 February 2024.

- e. The NNDR Pool - it is assumed that the Council will continue to be a member of the West Midlands Business Rates Pool in 2024/25 and future years and it is also assumed that the Government will continue to permit the operation of such pools as a matter of policy within the Devolution Deal.

Other Planning Assumptions

- 47. Further planning assumptions made in the Medium Term Financial Plan appear at Annex 7.

Savings for Consultation

- 48. The Council has assembled a list of opportunities that could be led to generate savings in the region of £18m in 2024/25. The opportunities have been grouped into themed areas to align with the existing transformational savings in place for financial year 2023/24. It must be remembered that the forecast shortfall for Budget 2024/25 is £13m and so the savings opportunities highlighted in the table are designed to deliver a level of choice to Cabinet in drawing up final options following the end of consultation and when the Provisional Finance Settlement has been received in late December 2023. The List of Savings Opportunities appears at Annex 6.

Delivery of Savings in 2023/24

- 49. A review of savings has been undertaken to assess whether the targeted savings were delivered in 2022/23 and 2023/24 as planned. Should this not be the case, the additional cost this implies remains within the forward years of the MTFP as a pressure. At the present time there is evidence to suggest that – with minor exceptions – the savings for 2023/24 are set to be delivered by the end of the year or are capable of delivery in the near future. This position will be reviewed throughout out the Autumn of 2023 to inform the preparation of the Draft Budget for Cabinet, Scrutiny and Full Council by February 2024.

Flexible Use of Capital Receipts

- 50. The Council will wish to make use of the facility to use capital receipts to fund revenue expenditure used to fund business change and transformation. For this reason, a plan will be produced and included in the Budget Report for Council on 20 February 2024 following which the plan will be shared with the Government Department (DLUHC) as required in recent guidance from Government. Further, the Council wishes to submit a proposal for flexible use of capital receipts in financial year 2023/24.

Property

51. The holding and management of property assets is a significant activity for the Council and as previously described in this report work is proceeding on a number of strands to form a transformation programme in this service area. The principal components are considered to be:
- a. Operation of the Corporate Landlord model which is expected to drive efficiency by unified management of all property assets within the Council; this to release revenue savings in the cost of management of these assets and also to reduce significantly the property holding costs in the revenue budget.
 - b. The Council holds some 4,000 property assets including buildings and parcels of land of various kinds. This includes a number of properties for which the Council has no economic use and which drive a cost stream including maintenance, security, business rates and others which can only be assuaged through the disposal of the surplus property. The next update of the MTFs will contain a listing of surplus property for disposal and this will form part and parcel of the proposals set down in the Draft Budget.

The Medium Term Financial Plan (MTFP)

52. The Council's MTFP (MTFS Autumn 2023/24), is shown in Table 1. The MTFP is the product of (i) detailed technical analysis (ii) detailed discussion with the Directorates and their respective management teams regarding the pressures identified and (iii) further engagement to assist the Directorates to identify savings to bridge the Budget shortfall identified.
53. In preparing to balance the 2024/25 Budget the Council produced an initial forecast shortfall of £8.9m for 2024/25 which has been revised to £13m following a process of review which led to the acceptance of additional net pressures. These arose from stress testing a number of key variables used to form the previous version of the MTFP. The full detail of the MTFP is shown in Annex 8 and the movements between the original figures and those now presented are shown in Annex 9.

Table 1: Medium Term Financial Plan 2024/25 to 2026/27

	2024/25	2025/26	2026/27
	£m	£m	£m
Current Net Budget	317.103	317.103	317.103
Budget pressures and technical adjustments	28.272	49.723	66.727
Revised Net Budget	345.375	366.826	383.830
Funding	(332.412)	(338.158)	(344.476)
Net Deficit before savings options	12.963	28.668	39.354

The MTFS & MTFP: Governance & Reporting

54. The MTFP will continue to be updated on a rolling basis from this point forward and will be reported quarterly to Cabinet, Scrutiny Management Boards, Full Council, and the Commissioners moving forward. This will enable stakeholders to receive regular briefing on observed changes to the forecasts that are from time to time observed.

Risk Assessment & Management

55. The Council has a need to develop structured arrangements to manage risk with regard to strategic and operational dimensions of its operations. The principal risks associated with maintenance of the Council's services within the financial constraints identified in the MTFS and associated MTFP together with headline mitigations are set out in Annex 10.

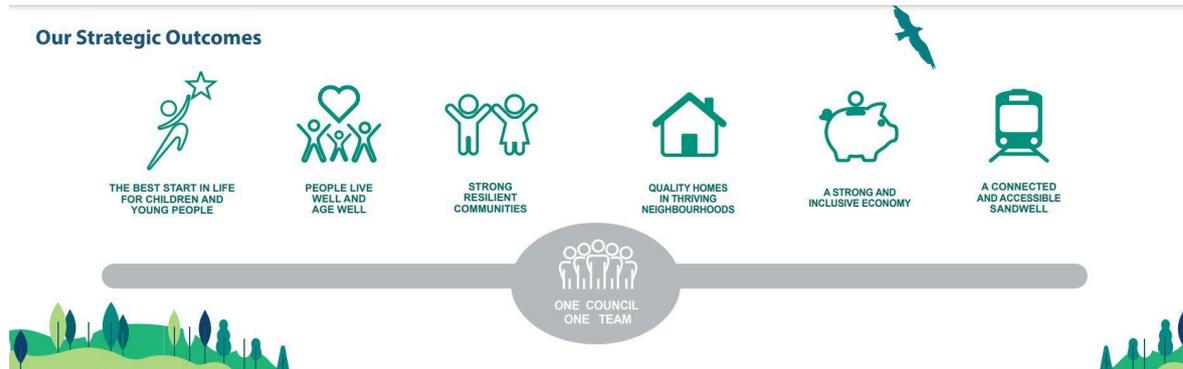
Summary

56. This document has set out the MTFS and the embedded MTFP and the acceptance and application of these documents can be summarised as follows:
- a. The Council has identified a set of Guiding Principles which will assist in shaping responses to future revenue budget shortfalls.
 - b. The Council is aware of the challenging financial pressures that bear on the 2024/25 Budget and beyond and has understood the issues that this presents.
 - c. The Council has taken effective action to identify a portfolio of potential savings opportunities in the order of £18m which may be considered in order to balance the 2024/25 Budget shortfall of £13m currently forecast and wishes to consult the Borough on these options.
 - d. It will be key across the years of the MTFS for the Council to maximise funding streams including Council Tax and this should continue – as in previous years – to inform planning assumptions in the MTFS and MTFP.
 - e. MTFP Planning assumptions will continue to be refined and reviewed on an ongoing basis; accordingly, the figures contained in this report will continue to change, moving forward.
 - f. The Council has also identified *Capital Planning Principles* to inform capital planning moving forward and has acknowledged a need to review its capital programme methodology in the period ahead.

Recommendations

57. It is recommended that Cabinet.

- a. Approve the MTFS and embedded MTFP as an estimate of the Council's current financial position at October 2023 noting that the figures will change as further updating takes place.
- b. Give approval for the commencement of a period of consultation regarding the savings opportunities referred to in Annex 6.
- c. Approve the Guiding Principles as framework for financial planning for the period of the MTFS.
- d. Approve the Capital Planning Principles to guide the preparation of the Capital Programme in the years ahead.
- e. Note the planned development of the Transformation Programme to date and through 2024/25 and endorses the extension of the transformational approach to other services of the Council.
- f. Note the Budget Timetable set out in this report.
- g. Approve the submission to DLUHC of a proposal for the flexible use of capital receipts in financial year 2023/24 to support transformation and to delegate the approval of this proposal to the Portfolio Holder for Finance and Interim Director of Finance together with the Assistant Chief Executive and the Monitoring Officer.
- h. Approve the onward submission of the Autumn 2023 update of the MTFS to the next meeting of Full Council.



Sandwell Council's Corporate Plan ([refreshed June 2023](#)) sets out six outward facing strategic priorities for the council to deliver on, underpinned by 'One Council One Team' – our seventh strategic priority to be a modern, outstanding council. Underpinning these strategic priorities, the council has established [145 'we will' statements](#) which indicate key actions the Council will work towards to help achieve delivery of the strategic outcomes. Performance in delivery of these 'we will' statements and the impact of our activity on the strategic priorities is monitored through the council's corporate performance management framework. This is reported to Cabinet and Budget & Corporate Scrutiny Management Board on a quarterly basis.

The Role of Commissioners

On 22 March 2022 the Secretary of State for Levelling Up, Housing and Communities announced an [intervention package](#) and a set of [Directions](#) to ensure Sandwell Council was able to comply with its best value duty under Part 1 of the Local Government Act 1999. These Directions were in-part influenced by the Grant Thornton report following their [Value for Money Governance Review of December 2021](#). The Directions remain in force until 22 March 2024 unless amended by the Secretary of State.

In response to the Directions, the council developed a single [Improvement Plan](#) that combined the actions to address not only the Grant Thornton Review, but also the findings of the [CIPFA Financial Management Review \(January 2022\)](#) and the [LGA Corporate Peer Challenge \(February 2022\)](#). Robust programme management and assurance arrangements are in place to manage the delivery of the Improvement Plan and ensure that it remains a live document. A [revised Improvement Plan](#) was approved by Cabinet in March 2023 to incorporate recommendations from follow-up reviews by [Grant Thornton](#) and the [LGA](#). An [Annual Report](#) was approved by Cabinet in June 2023, setting out the council's improvement journey over the preceding 12 months and the priorities for further improvement during the intervention period.

The Directions of the Secretary of State (March 2022) enable the Commissioners to exercise the following functions:

1. All functions associated with the governance and scrutiny of strategic decision making by the Authority.
2. All functions relating to the appointment and dismissal of persons to positions the holders of which are to be designated as statutory officers, and the designation of those persons as statutory officers, to include:
 - a. The functions of designating a person as a statutory officer and removing a person from a statutory office.
 - b. The functions under section 112 of the Local Government Act 1972 of –
 - i. appointing and determining the terms and conditions of employment of an officer of the Authority, insofar as those functions are exercised for the purpose of appointing a person as an officer of the Authority principally in order for that person to be designated as a statutory officer; and
 - ii. dismissing any person who has been designated as a statutory officer from his or her position as an officer of the Authority

The Commissioners submit a report to the Secretary of State every six months on Sandwell Council's progress in addressing the issues that led to government intervention. In their [letter of June 2023](#), the Commissioners noted that they had seen "*significant progress on the single improvement plan*" since their last report, and that "*substantial progress has also been achieved on nearly all*" of the priorities highlighted in their previous report. In the same letter, the Commissioners stated that they believed the council needed to give particular focus to the following four areas:

1. Developing the strategic capacity of the organisation.
2. Further work on implementation of the culture and values work.
3. A comprehensive transformation programme linked to delivering the Council's MTFS.
4. The 2020/21 accounts approved by auditors and a clear timetable for the approval of the 2021/22 accounts.

Annex 3

The Budget Timetable for 2024/25 Budget

Timeline	Activity	Status
August '23	Budget Consultation feedback received; Star Chambers conducted	Completed
Early October '23	Business case development and review	Completed
15 November '23	Autumn 2023 MTFS report to Cabinet and commencement of next phase consultation	<i>In Progress</i>
Nov '23 –Jan '24	Consultation period on savings opportunities to include residents, businesses and communities. Completion of Equality Impact Assessments	<i>Decision at Cabinet 15 November</i>
22 November '23	Budget & Corporate Scrutiny Management Board to consider Autumn 2023 MTFS	<i>Scheduled</i>
21 December '23	Finance settlement receipt expected 21 December 2023;	-
January '24	Budget & Corporate Scrutiny Management Board Sessions	<i>16-18 January</i>
February '24	Draft Budget 2024/25 and to Cabinet (7 Feb 2024) and Council (20 Feb 2024)	<i>Scheduled</i>

Sandwell Council Budget Survey report

Key Findings Report July 2023



Research objectives and method



In June and early July 2023 M·E·L Research interviewed a randomly selected sample of 1,100 Sandwell residents.

Following last year's budget consultation, in which residents stated that rationalising buildings and assets would be the preferred method to achieve required savings, Sandwell Council set itself savings targets and examined ways to reduce running costs.

This survey offered the opportunity for residents to provide input on their local priorities, and preferences for delivering further council savings going into the budget setting process for 2024/25.



A stratified random locational sampling approach was used. In each ward, Census Output Areas (COAs) were ranked by the Index of Multiple Deprivation (IMD). COAs were then selected at random as sampling points. The number of sampling points selected was proportional to the interviewing target for each ward. All addresses for each COA sampling point were made available to interviewers, with a target of 10 interviews set per sampling point.

At ward level quotas were set by age and gender to ensure that the sample reflected the characteristics of the borough's population. Quotas were set using Census 2021 data.

Spatial Analysis

The sample size of this research does not allow robust analysis at ward level. In order to analyse the data at a more statistically robust geographies, wards have been grouped into towns. These towns, as defined by the table on the right, will be used throughout the analysis.

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Towns and Wards in Sandwell



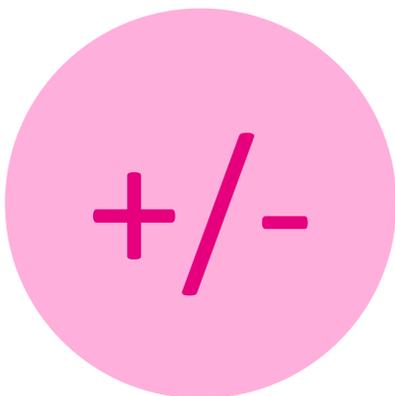
Contains Ordnance Survey data. © Crown copyright and database right 2018.

Town	Ward
Oldbury	Bristnall
	Langley
	Old Warley
	Oldbury
Rowley Regis	Blackheath
	Cradley Heath and Old Hill
	Tividale
Smethwick	Rowley
	Abbey
	Smethwick
	Soho and Victoria
Tipton	St Pauls
	Great Bridge
	Tipton Green
	Princes End
Wednesbury	Friar Park
	Wednesbury North
	Wednesbury South
West Bromwich	West Bromwich Central
	Hateley Heath
	Greets Green and Lyng
	Newton
	Great Barr with Yew Tree
	Charlemont with Grove Vale

Data weighting and confidence level



In total 1100 interviews were completed. While the application of quotas at ward level ensured a diverse mix of residents were interviewed, the final dataset was weighted. This weighting eliminated the effect of differential response rates by geography and between demographic groups so that the resulting data is fully representative of the borough. The final data has been weighted by ward, age and gender, using 2021 Census population data.



The sample size of 1,100 means that this dataset has a maximum confidence level of +/- 2.95 at the borough level (at a 95% level of confidence). This means that we can say with 95% confidence that the responses reported will be no more than 2.95 percentage-points different than if all residents of the borough were interviewed.

Sub-group analysis i.e., comparing responses from particular resident groups or from specific locations within the borough will have higher confidence intervals.

Note on analysis of priorities

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Contextual information given to respondents

Page 70

In last year's budget consultation residents said their preferred way for us to achieve the required savings was to rationalise our buildings and assets, we have taken this on board and set a target saving in 2023/24 to look at ways we can reduce the running costs of the buildings that we currently operate from. This includes sharing our space with partners to generate more income and looking at running services from fewer buildings, especially where we have multiple buildings close together.

The Council is facing similar pressure to residents from inflation and rising costs. The cost of living crisis is also creating more demand for some council services. This means that difficult decisions need to be made when the Council sets its budget.

We have identified and delivering savings of over £30m in the last two years and our current Medium Term Financial Plan shows that further savings of around £8m will be needed for next year.

The Council spends around £318m on our day-to-day services, such as refuse collections, street cleansing, providing libraries and leisure centres and our adult and children's social care services. We must meet all our legal requirements but can make choices in how we deliver some of these services.

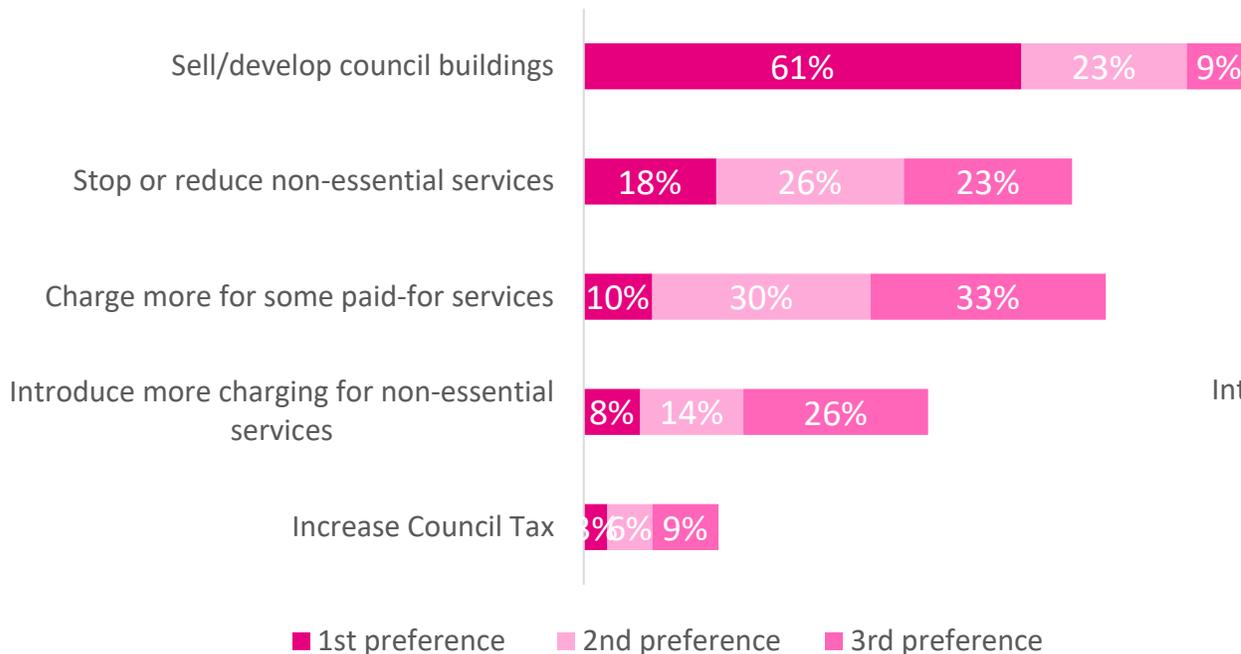


Preferred approach for delivering the Council savings needed

Selling or developing council buildings is the most preferred method of achieving Council savings goals rather than making changes to services or their cost at point of use. Increasing Council Tax, the option that would most directly affect residents financially is the least commonly favoured option.

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Top 3 choices



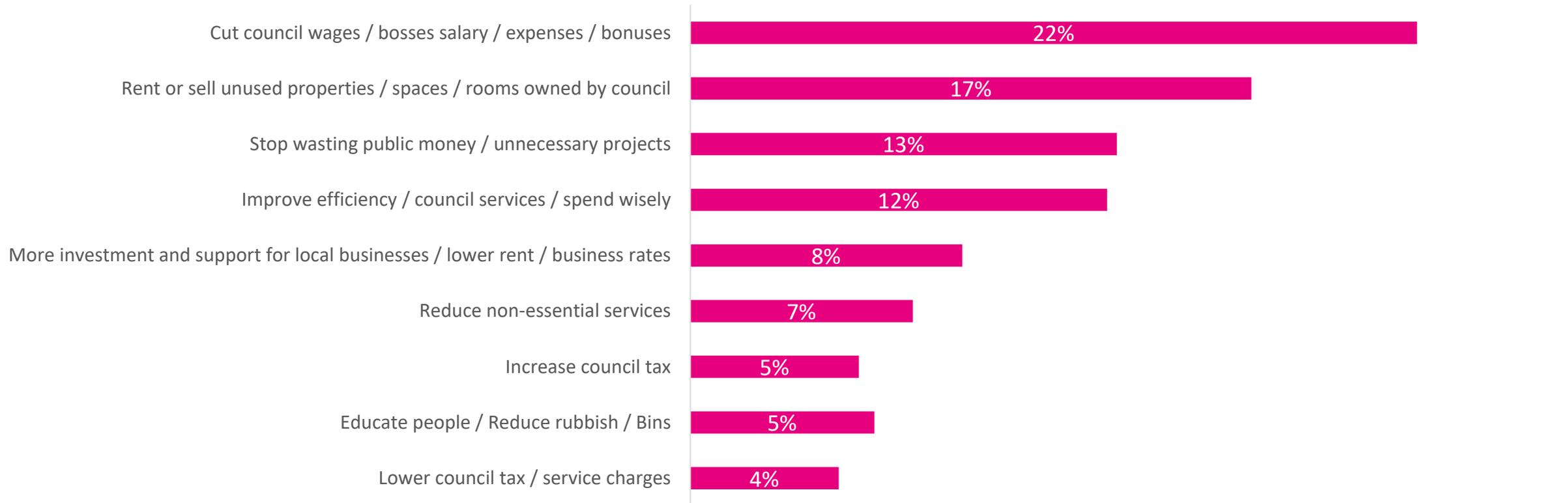
Mean score of choices



Suggested approaches for delivering the Council savings needed

Page 72

Of the 120 residents who provided alternative suggestions as to how budget savings can be achieved, 22% suggested cutting wages of council workers, including reducing bonuses and expenses. 17% proposed renting or selling unused properties and spaces which go unused by the council and 13% suggested the council should be more stringent when deciding which projects to fund.



All residents were presented with the Council's six strategic outcomes and were asked to consider how important these are to them...

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Our Strategic Outcomes



THE BEST START IN LIFE FOR CHILDREN AND YOUNG PEOPLE



PEOPLE LIVE WELL AND AGE WELL



STRONG RESILIENT COMMUNITIES



QUALITY HOMES IN THRIVING NEIGHBOURHOODS



A STRONG AND INCLUSIVE ECONOMY



A CONNECTED AND ACCESSIBLE SANDWELL



ONE COUNCIL ONE TEAM

Priorities when considering strategic outcomes

The best start in life for Children and Young People (Theme 1) is the strategic priority most commonly selected as important by residents (34%), followed by strong, resilient communities. Theme 1 is significantly more likely to be chosen by those aged 18 – 34 (44%), those who are struggling financially (35%) and women (38%). The best start in life is however less likely to be a top priority for those 55 -74 (26%) and 75+ (12%). These older age groups are significantly more likely to select Theme 2, People Living and Aging well as a top priority (26% and 48% respectively).



Residents' priorities for Sandwell: detailed analysis

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- **Theme 1: The Best Start in Life for Children and Young People** – this theme is most likely to be selected by those aged 18-34 (44%), females (38%), and residents who are economically active (38%) This could be a reflection of these demographics being the most likely to be those who have young families. There is evidence of this within the explanations residents gave for their choices (examples in the next slide). Residents living in Tipton are significant less likely to prioritise Theme 1 (25% cf. 34%), along with older residents (55-74: 26%; 75+: 12%).
- **Theme 2: People Living Well and Aging Well** – This theme appears to be a more prominent priority in Wednesbury (26%) and among those who are economically inactive (perhaps as a result of being retired – 24%) and understandably, those aged 55-74 (26%) and 75+ (48%). Young people (18-34: 11%; 35-54: 12%) are less likely to prioritise spending in this area, along with those who are financially struggling (14%). Those who prioritised this theme, cited relevance to them as an ageing person as their primary reason for doing so, along with there being an ageing population in their area.

"I'm from that age group"
Theme 2

"I HAVE A CHILD AND SUPPORT SHOULD BE PROVIDED TO HELP GET A GOOD START IN LIFE"
Theme 1

"I have children my own and it's good for our area"
Theme 1

"They should look after the younger generation and for this community too"
Theme 1

"Older generation needs some help and support"
Theme 2

"A lot of cut backs older people need company and somewhere to go and beat loneliness for their own mental health"
Theme 2

"It's good for the health of this community"
Theme 2

"They need a good start especially if they are coming from a different background"
Theme 1

"Young people are the future of this country"
Theme 1

"People are not living well because of the cost of living crisis"
Theme 2

“We have some safety issues, so they should concentrate more for safety and security in this area”
Theme 3

Page 77

“All are important but safety is more I don't want to be scared in my area”
Theme 3

“There are poor condition of homes currently and need new improved homes”
Theme 4

“Affordable housing is important for this borough”
Theme 4

“The streets were clean and safe years ago they are not anymore and people get mugged”
Theme 3

“They need to spend on the safety and security of this area”
Theme 3

“Safe place leads to safe place for kids, infrastructures will follow”
Theme 3

“We never have had quality homes”
Theme 4

“We need affordable and quality housing services”
Theme 4

“Everything starts at home and having a good home”
Theme 4

“Safe and clean living environment is very important for everyone”
Theme 3

“It's important to feel happy safe and comfortable where we live”
Theme 3

Residents' priorities for Sandwell: detailed analysis

- **Theme 3: Strong, Resilient Communities – A safe, clean and green place to live** – This theme is significantly more likely to be selected as a priority by residents in Tipton (31%) and Smethwick (29%), more so than the overall and the other towns. Those in Rowley Regis are significantly less likely to prioritise Theme 3, (16%). Amongst tenure types, there is little significant variation in the priority given to this theme. The theme is also prioritised by a similar proportion of each age cohort.
- **Theme 4: Quality Homes in Thriving Neighbourhoods** – Theme 4 is the lowest priority theme for residents of Sandwell (7% selected this). Residents in Wednesbury are more likely to consider Quality Homes and Neighbourhoods a priority than residents of other areas (9%), though not significantly so. Residents in Oldbury are the least likely to indicate that Theme 4 is the most important to them.

Residents' priorities for Sandwell: detailed analysis

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- **Theme 5: A Connected and Accessible Sandwell – good quality public transport and road networks. Good internet connectivity for residents and businesses** – There is no significant variation between towns in the proportion of residents who prioritise this theme, with between 6% and 8% selecting it as the most important to them. Selection of this theme was done consistently by age.
- **Theme 6: A strong and Inclusive Economy– spending money locally to grow the local economy -** Residents aged 35 -54 are significantly more likely than the survey average (16% cf. 11%) to value a strong and inclusive economy. Male residents are significantly more likely than women (14% cf. 9%) to rate a strong and inclusive as important to them. Perhaps surprisingly, those who are concerned about the cost of living crisis are significantly less likely to consider the economy as the most important theme, as mentioned, prioritising instead giving children and young people the best start in life.

“We need a good network routes”
Theme 5

“Good quality public transport will enable people to get around without congestion and associated air pollution”
Theme 5

“The way the economy is at the moment something needs to be done”
Theme 6

“Continuous growth if we haven't got that how are we going to live”
Theme 6

“It will benefit everyone locally”
Theme 6

“Good road network is very important for a better economy”
Theme 5

“It means we are able to our of Sandwell for work and education more easily”
Theme 5

“Mainly because the community will be a better place”
Theme 5

“We can build a strong economy it's going to help children”
Theme 6

“Money will stay in this area and can use for the local community”
Theme 6

“Encourages people to invest and look after property”
Theme 6

“We need a better condition of roads and a bigger network of buses”
Theme 5

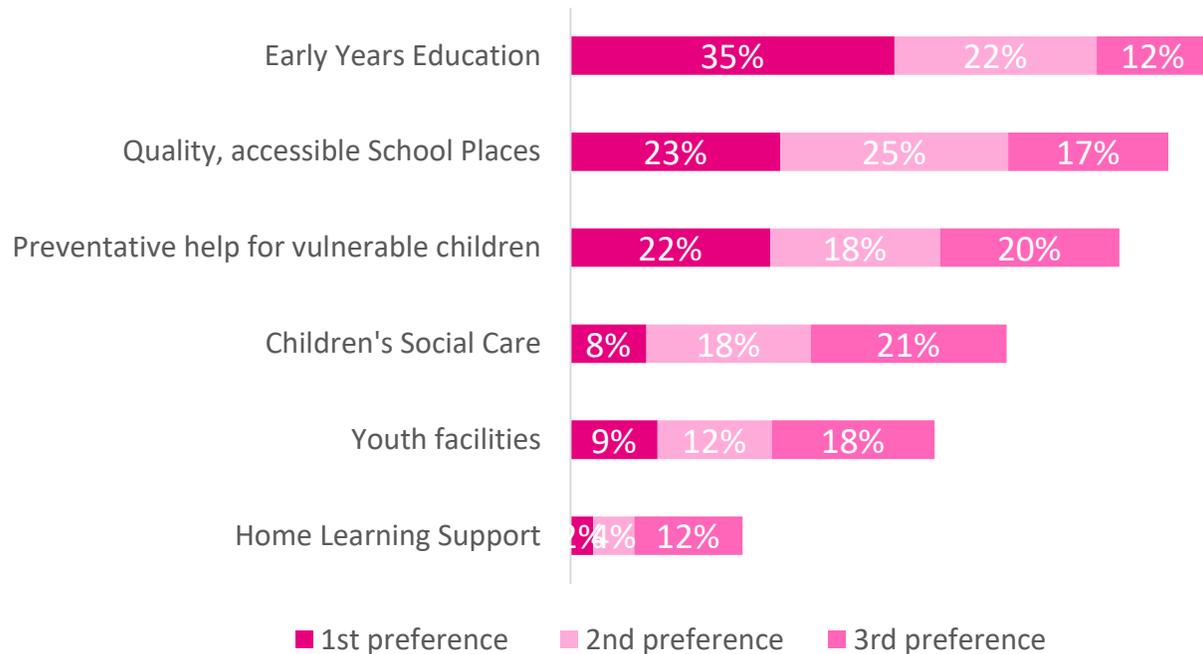
Theme 1: The best start in life for children and young people



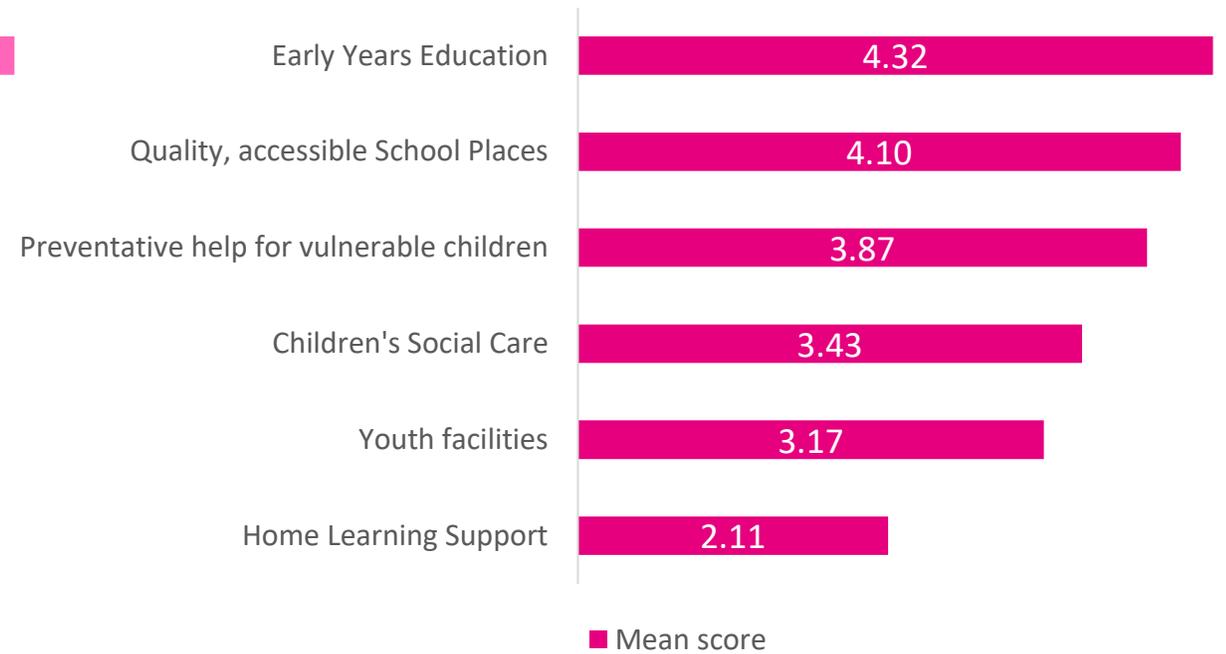
Priorities within Theme 1: the best start in life for children and young people

All residents were asked for their top priorities within each strategic theme, regardless of which theme they considered to be most important. Within Theme 1, early years education (4.32), quality and accessible school places (4.10) and preventative help for vulnerable children (3.87) are the service areas most commonly favoured. Home learning support was least commonly chosen as a priority by residents.

Top 3 choices



Mean score of choices



Theme 1: The best start in life for children and young people – notable variations in opinion

Page 83

Theme
1

Looking specifically at those who earlier selected Theme 1 as most important, this group are even more likely than the total sample to rank early years education as their 1st priority (41% cf. 35%), Otherwise, the Theme 1 priorities among this sub-group of residents is similar to the overall sample, with home learning support least commonly prioritised along with youth facilities.



Those aged **18 to 34** are significantly more likely than the total sample to select early years education as their top priority (44% cf. 35%). This age group are also more likely than the overall to prioritise home learning support, though this is still their lowest priority.



Early years education is consistently the first choice in residents living in all five towns. However, beneath this there is slightly stronger support for quality and accessible school places being the top priority within Smethwick and Tipton.

Theme 2: people live well and age well

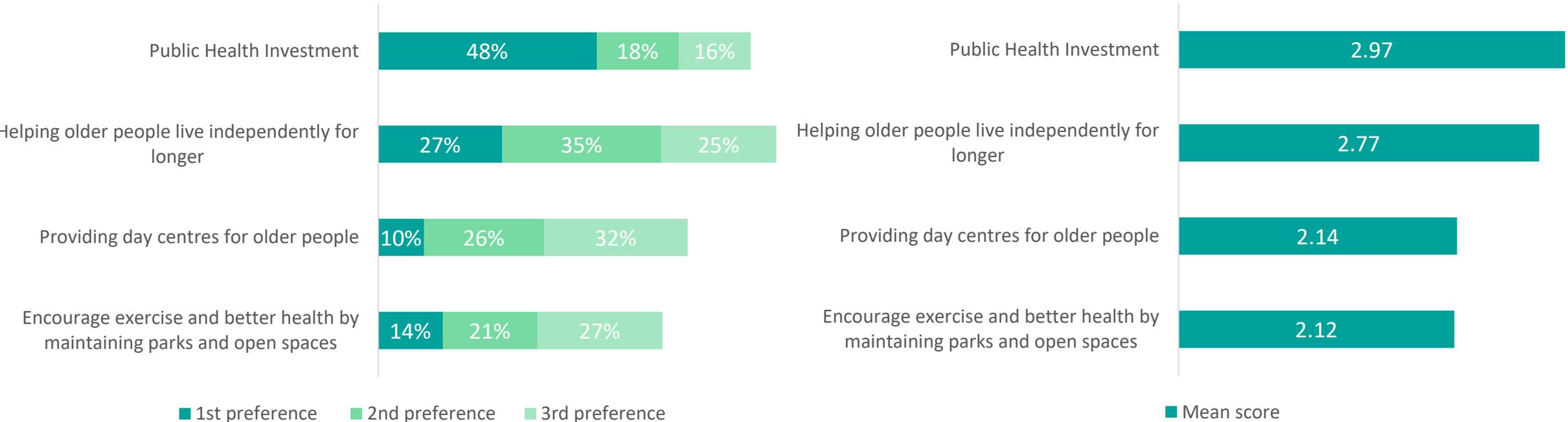


Priorities within Theme 2: people live well and age well

When asked for their priorities within Theme 2, residents most commonly chose Public Health Investment in their top 3, followed by helping older people to live independently for longer and providing day centres for elderly people. Public Health Investment is almost twice as likely to be chosen as a top priority than helping older people live independently for longer (48% and 27% respectively). Encouraging exercise and better health via parks and open spaces is the lowest priority for residents, with only 14% considering this the top priority.

Top 3 choices

Mean score of choices



Theme 2: People Live Well and Age Well – notable variations in opinion

While public health investment has the most support overall within this Theme, among residents who consider **helping residents to live and age well as the most important theme**, the top priority based on mean is ‘helping older people to live independently’ (2.95). 35% of this group consider this as the top priority, significantly higher than the overall population (27%).



Younger residents are significantly more likely than older residents to prioritise public health investment (18 – 34: 3.27; 75+: 2.57). Older residents are more likely to support budget spending on helping older people to live independently ahead of public health investment. Men and women prioritise the options similarly, with the exception of men being significantly less likely than women to prioritise providing day centres for elderly people (men: 2.09, women: 2.20).



Residents in **Smethwick** have slightly different priorities to the overall, considering encouraging exercise as a higher priority than providing day centres (2.39 compared to 2.12 in the overall).

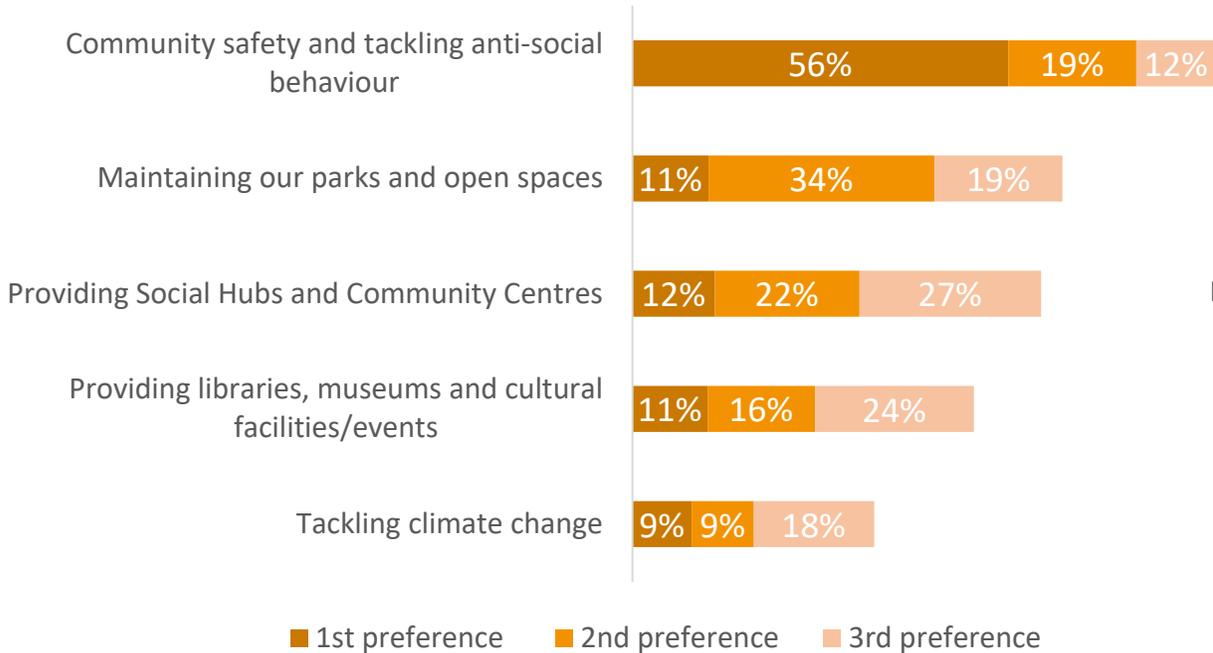
Theme 3: strong, resilient communities



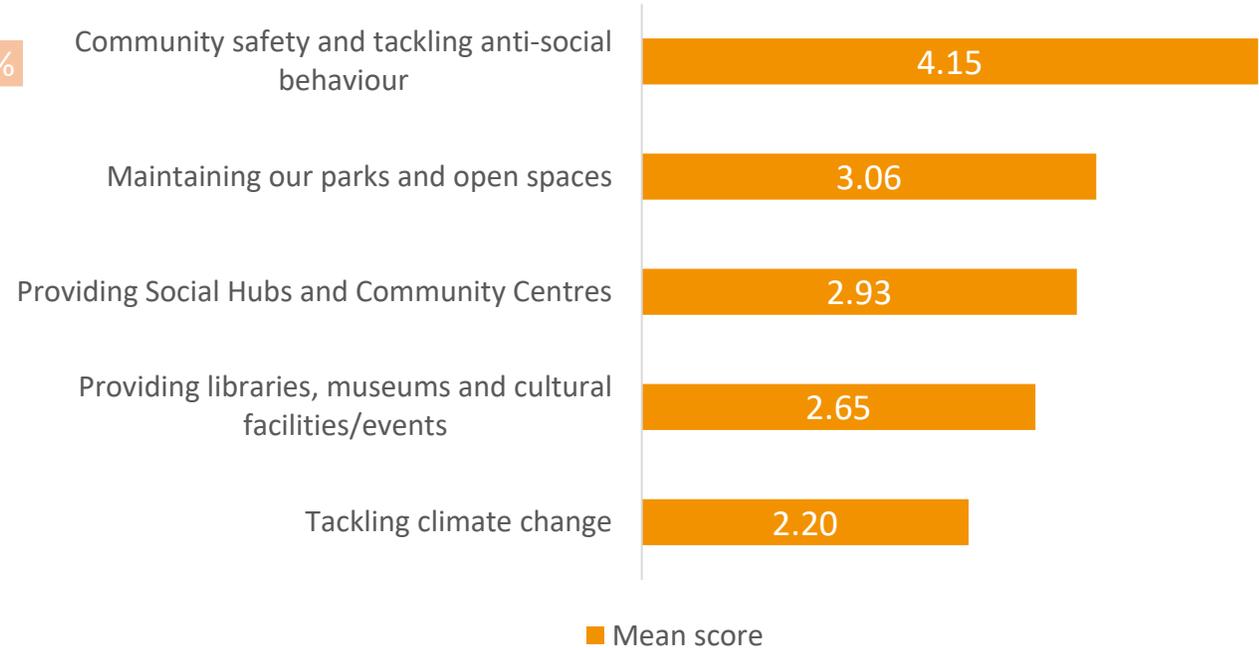
Priorities within Theme 3: strong, resilient communities

When considering detailed choices within Theme 3, community safety and tackling anti-social behaviour is most likely to be considered a top priority by residents (4.15). Over half chose (56%) this as their first choice, providing a clear message that this is a priority issue. In the context of this Theme, maintenance of parks and open spaces is a priority, whereas this did not seem to be the case in the context of improving public health (see slide 22).

Top 3 choices



Mean score of choices



Theme 3: Strong, Resilient Communities – notable variations in opinion

Among residents who **selected Theme 3 as most important to them** community safety is the key priority, with 69% of this group selecting this as their top priority compared to 56% of all residents. Residents who consider Theme 3 as most important rank the options in the same order as the total sample.



Ranking of priorities is largely consistent across different demographic groups, mirroring the overall results, with community safety and tackling ASB the top priority and tackling climate change the lowest priority. **Residents aged 35 and above** are likely to feel more strongly that community safety should be a priority with approximately 60% of each of these cohorts selecting this as the top priority compared with 49% of those **aged 18 – 35**.



Whilst community safety is consistently the top priority across towns in Sandwell, there is some spatial variation in the lower order priorities. **Oldbury, Wednesbury and Tipton** residents consider Providing Social Hubs and Community Centres as a higher priority than the survey average (with this the second highest scoring priority by mean for these areas, above maintaining parks). Whilst **Smethwick** residents chose a ranking of priorities that was consistent with those chosen by all residents, they are more likely to consider community hubs the lowest priority (23% cf. 14%).

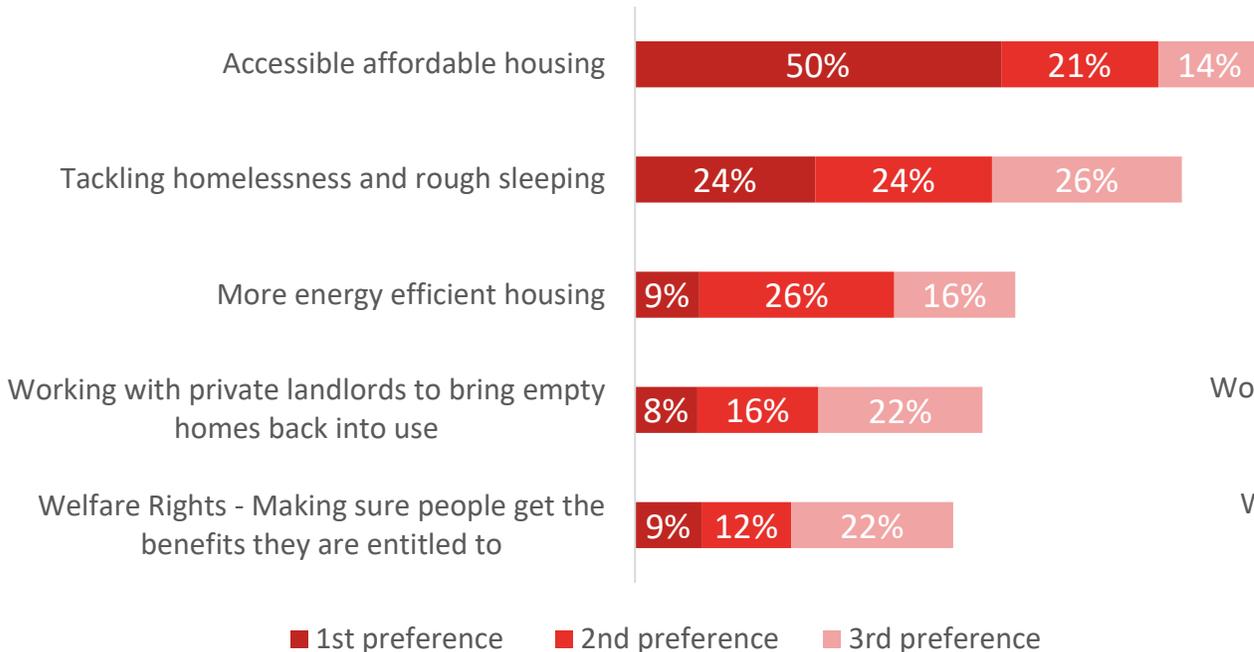
Theme 4: quality homes in thriving neighbourhoods



Priorities within Theme 4: quality homes in thriving neighbourhoods

Within Theme 4 accessible affordable housing is the top priority for Sandwell residents, with approximately 85% considering this a top 3 choice, and 50% considering this the ultimate priority. Tackling homelessness and rough sleeping is also important to residents, though to a lesser extent than affordable housing. Welfare rights are much less of a priority. More energy efficient housing and working with private landlords on empty homes are considered to be of relatively similar importance to residents.

Top 3 choices



Mean score of choices



Theme 4: Quality Homes in Thriving Neighbourhoods - – notable variations in opinion

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The priorities of residents who earlier **selected Theme 4 as the most important** mirror those chosen among the overall population. Among this group affordable housing is the top priority, even more so than among all residents (64% selected this as their first choice cf. 50%).



The ranking of priorities within Theme 4 is largely consistent across demographic groups, with accessible affording housing a priority for all. **Those aged 18 to 34** are likely to feel more strongly that accessible affordable housing is the ultimate priority (57% cf. 50%).



Residents in **Oldbury** are less likely to rank more energy efficient housing as a priority, with this being considered a priority by a lower proportion of residents in this area than working with private landlords and welfare rights. Residents in **Rowley Regis** are more likely to consider homelessness and rough sleeping a top priority compared to the total sample (31% cf. 24%).

Theme 5: A connected and accessible Sandwell

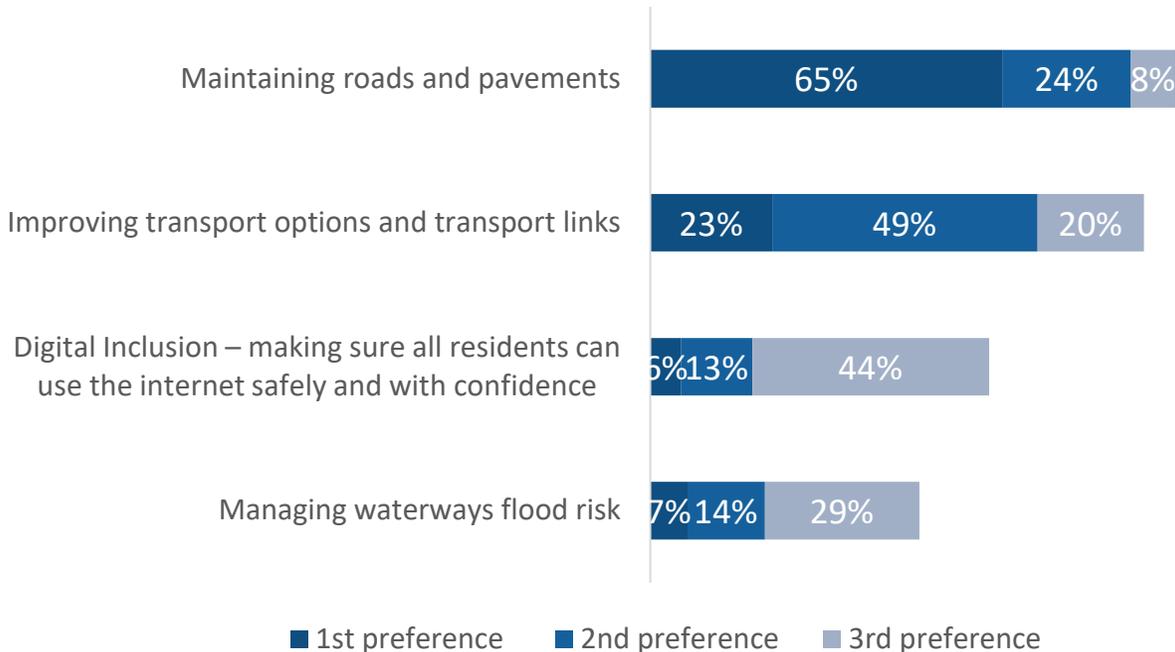


Priorities within Theme 5: a connected and accessible Sandwell

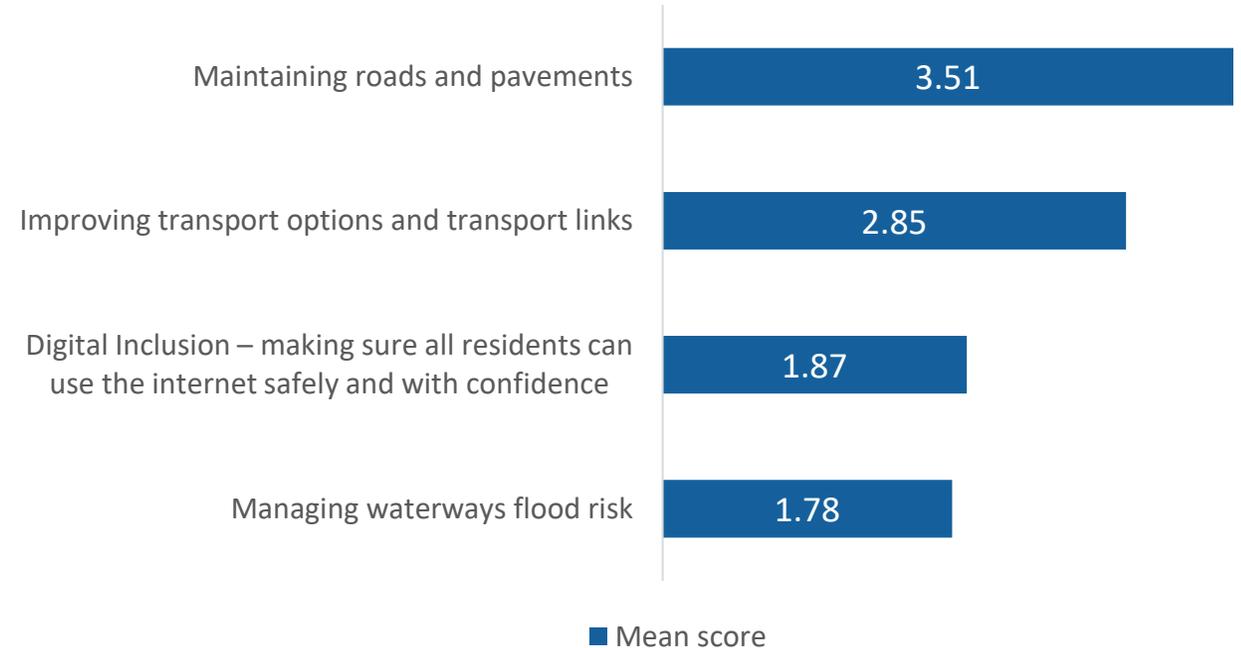
Within Theme 5 maintenance of roads and pavements is the dominant priority, with nearly two-thirds (65%) choosing this as their highest priority. Improving transport links is the second highest priority, with nearly half of residents (49%) choosing this as their second priority. Managing waterways flood risk is least commonly considered a priority within this Theme.

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Top 3 choices



Mean score of choices



Theme 5: A Connected and Accessible Sandwell – notable variations in opinion

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Residents who earlier **selected Theme 5 as the most important** chose maintaining roads and pavements as the top priority (43%), albeit to a significantly lesser extent than the all residents (65%). Those suggesting a connected and accessible Sandwell is the key strategic priority for them, are equally likely to consider improvement of transport options and links as their ultimate priority (44%) alongside the maintenance of roads and pavements.



Residents' **aged 75+** are less likely to consider digital inclusion a priority, with 51% of these residents ranking it as the lowest priority, the highest proportion of any age cohort to do so.



Improved transport options are most commonly chosen as a top priority by residents of **Wednesbury** (57%) and **Smethwick** (54%). Residents in **Tipton**, consider managing waterway flood risk as a top priority more often than those in other areas (15% cf. 7%), suggesting that this may need to be considered more in relation to this town, despite being the lowest ranked priority overall.

Theme 6: A strong and inclusive economy

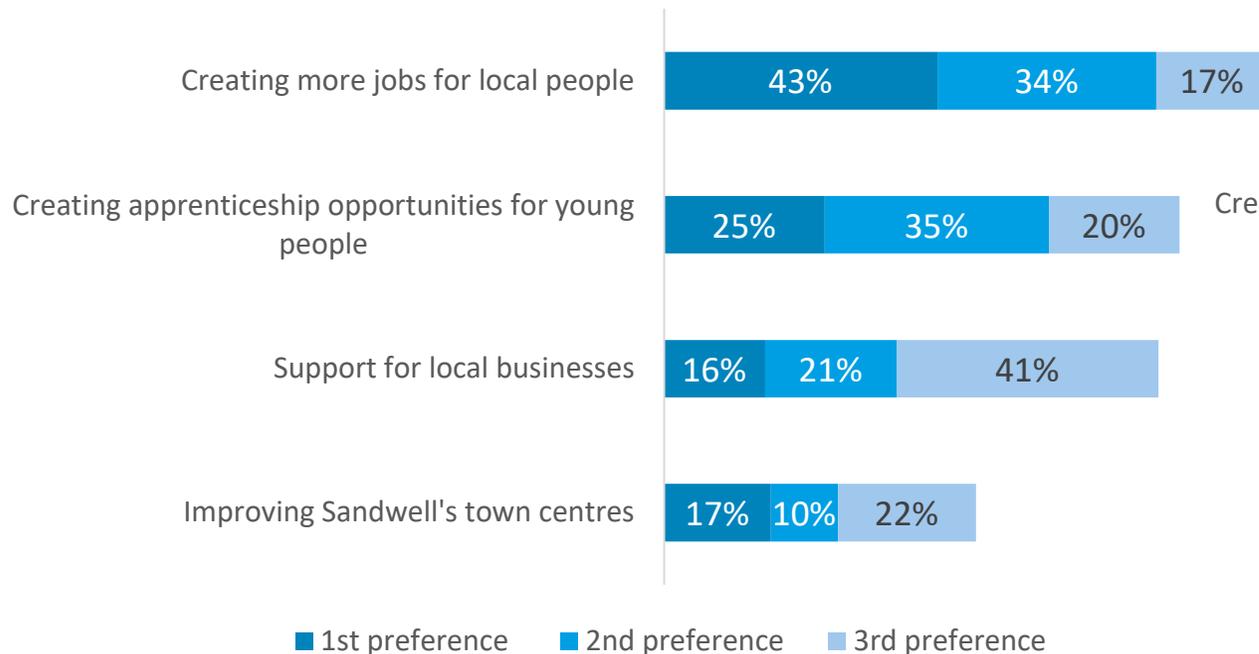


Priorities within Theme 6: a strong and inclusive economy

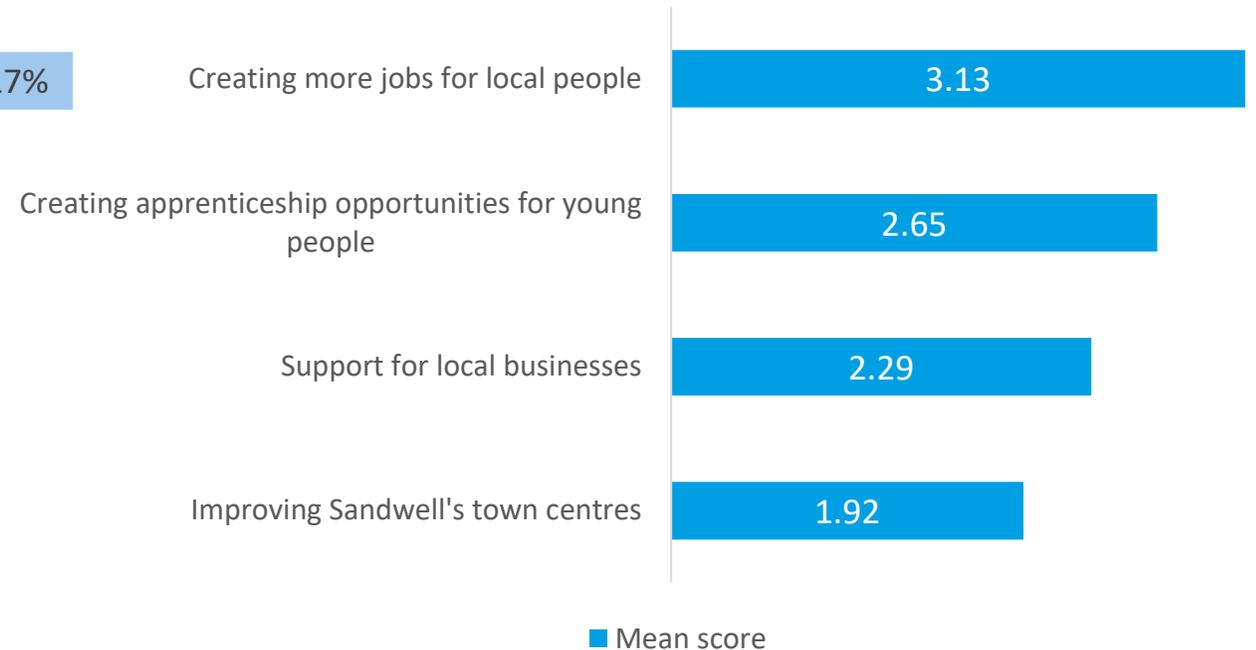
Page 97

Within this Theme creating jobs for local people is the highest priority for Sandwell residents, with two in five (43%) selecting this as their top priority and a further third ranking this second. Improving Sandwell's town centre is the lowest priority in this question context of improving the local economy.

Top 3 choices



Mean score of choices



Theme 6: A strong and inclusive economy – notable variations in opinion

Page 98

Theme
5

Residents who earlier said that **Theme 6 was the most important to them** most commonly prioritise job creation followed by creating apprenticeship opportunities.



Residents aged between 55 -74 are significantly more likely to prioritise the improvement of Sandwell’s town centres with 24% considering this their top priority (cf. 17%). This age group are significantly less likely to consider creating jobs as their top priority (34% cf. 43%). This pattern is reversed amongst **those aged 18 – 34** who are significantly more likely to prioritise job creation (47%) at the expense of improving town centres (12%).



By area, **Tipton** is most likely to advocate for supporting local businesses (2.38), significantly more so than the average and **Wednesbury** (1.87) and **Oldbury** (1.62). Across all areas, creating more jobs is consistently a top priority, indicating a desire for this to be area of focus.

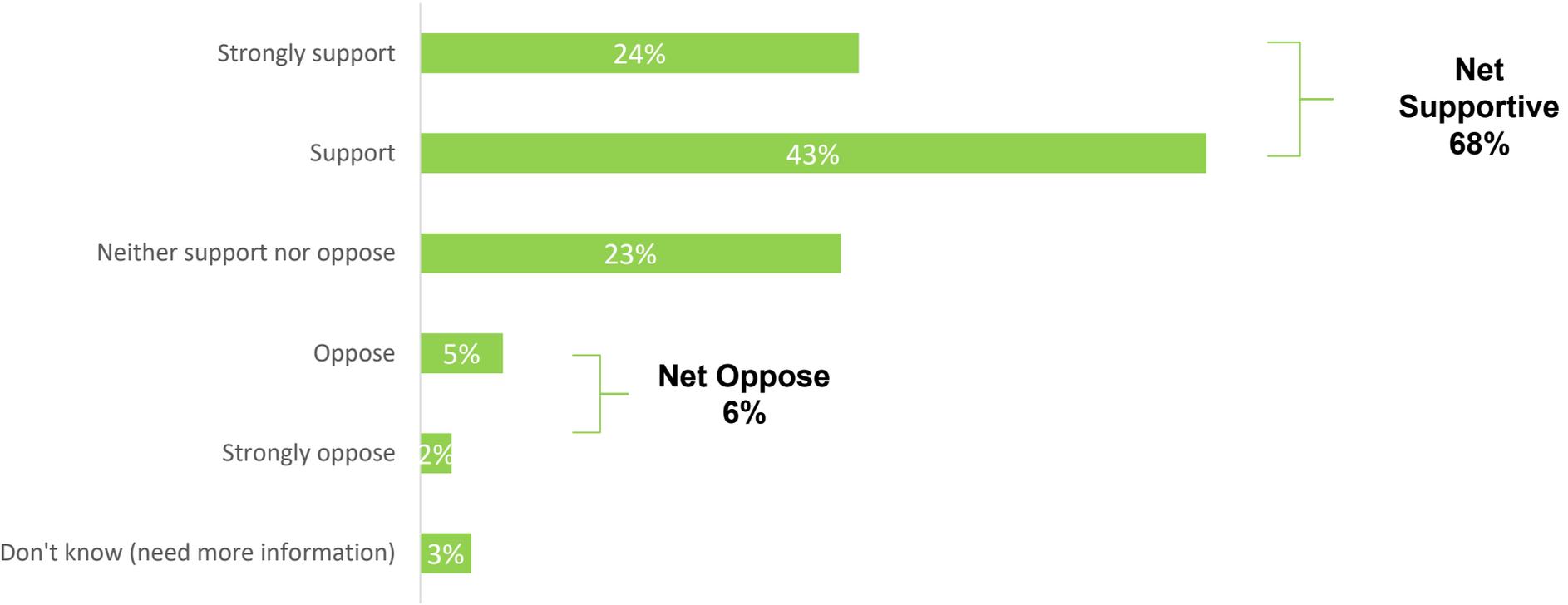


Support for renewable energy generation...

Two-thirds (68%) of residents actively support Sandwell Council exploring renewable energy generation opportunities, with a quarter (24%), strongly supporting such measures. Opposition is low with only 6% stating they are opposed. Please note that the question wording mentioned both energy security and tackling climate change as the rationale for this approach.

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Support for renewable energy



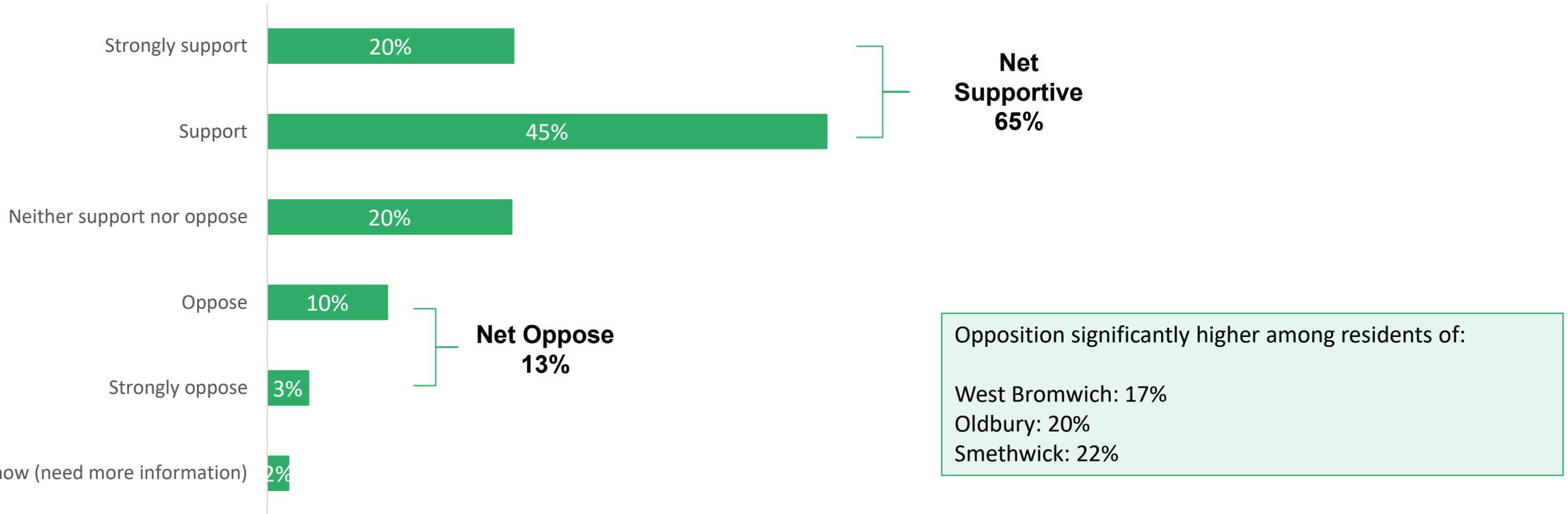
Q10. How supportive are you of the Council looking at opportunities to generate more renewable energy i.e. solar, to help tackle climate change and build greater energy security for its communities?
Unweighted sample base: 1100



Residents' support for rewilding

Support for rewilding some areas of Sandwell's parks and open spaces is expressed by two-thirds of residents (65%), including one in five (20%) who strongly supporting this approach. In total 13% oppose rewilding in Sandwell's parks and open spaces.

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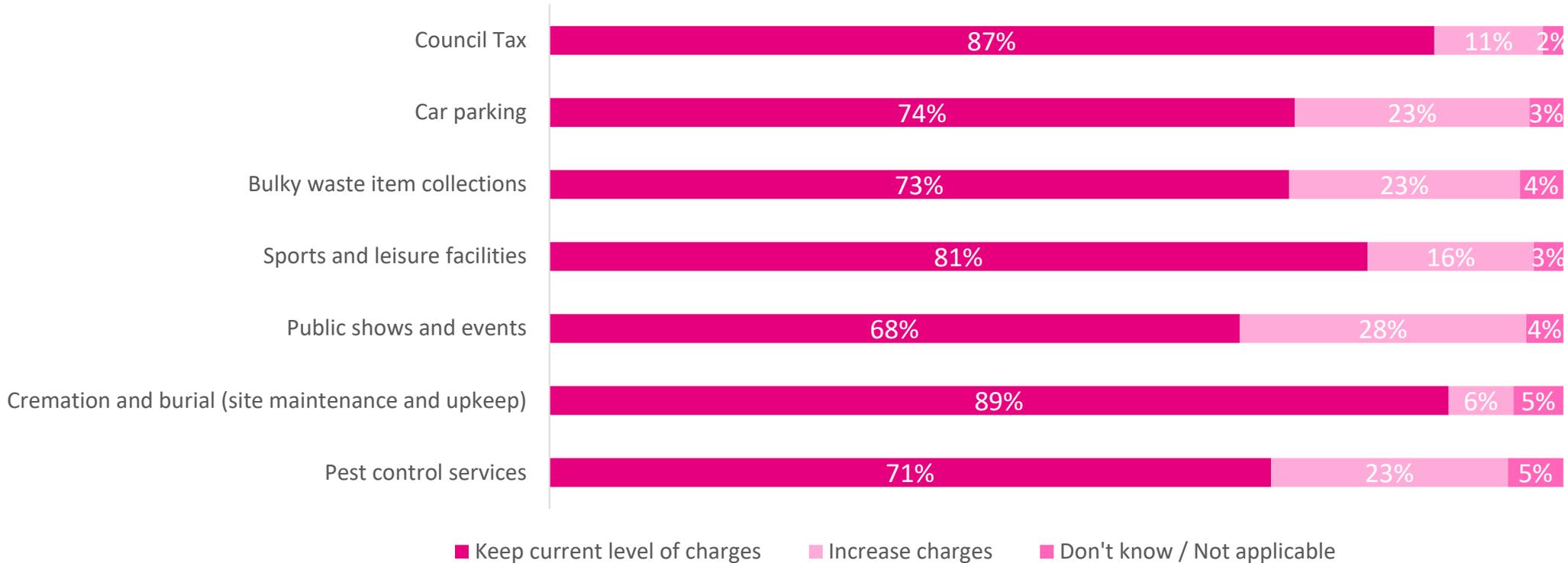
Service Changes



Paying more for Council services

Generally speaking, the majority of residents would prefer not to see changes to service related charges, with more than two-thirds stating that current charges should stay the same for each service. The most acceptable increases to service charges would be for public shows and events (28%) and for use of pest control services (23%), although even for these a majority remain opposed.

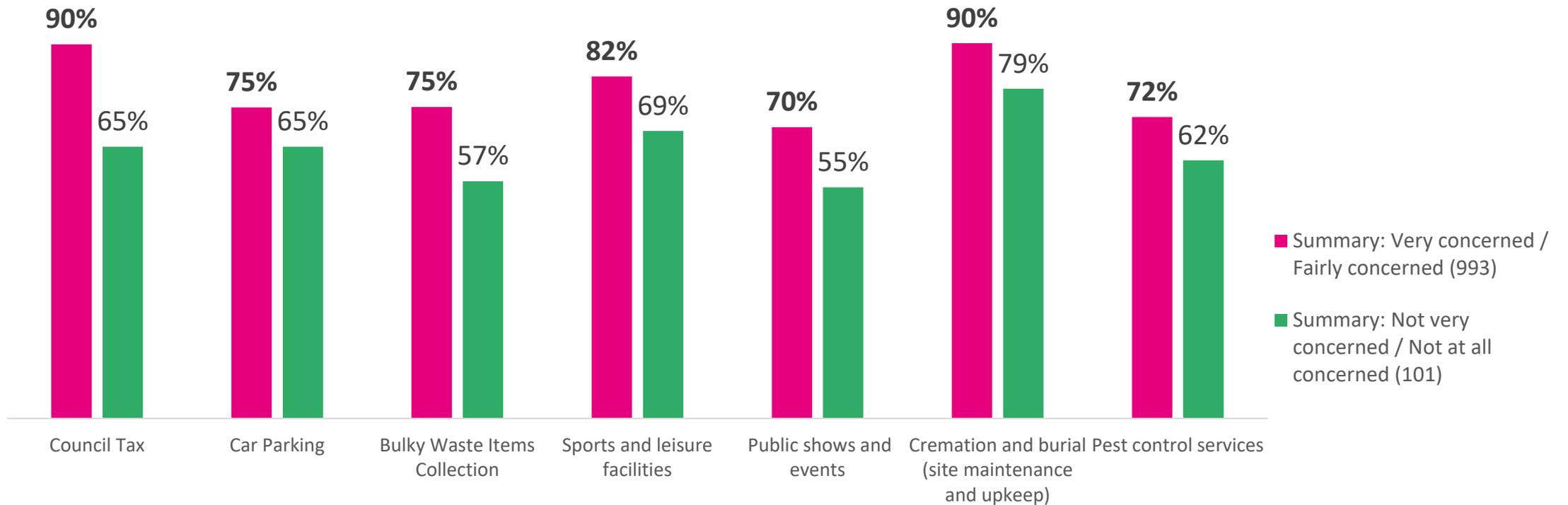
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Views on charging for services based on current financial circumstances

Perhaps unsurprisingly, given the current cost of living crisis, those who are **fairly or very concerned about their financial situation** are more likely to oppose the increase of service charges.

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Summary: Q12. Taking into consideration the financial challenge the Council is facing, and in order to set a balanced budget and limit any reductions to services, which of the below would you be prepared to pay more for?
Base Sizes in Chart Legend

Views on Council Tax increases

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87%
Keep the Same

11%
Increase Charges

2%
Don't Know / Not
Applicable

Support for keeping the same higher among:

- Social Renters – 93%
- Private Renters – 91%
- Females – 90%
- Fairly / very concerned about cost of Living – 90%

Support for an increase is higher among:

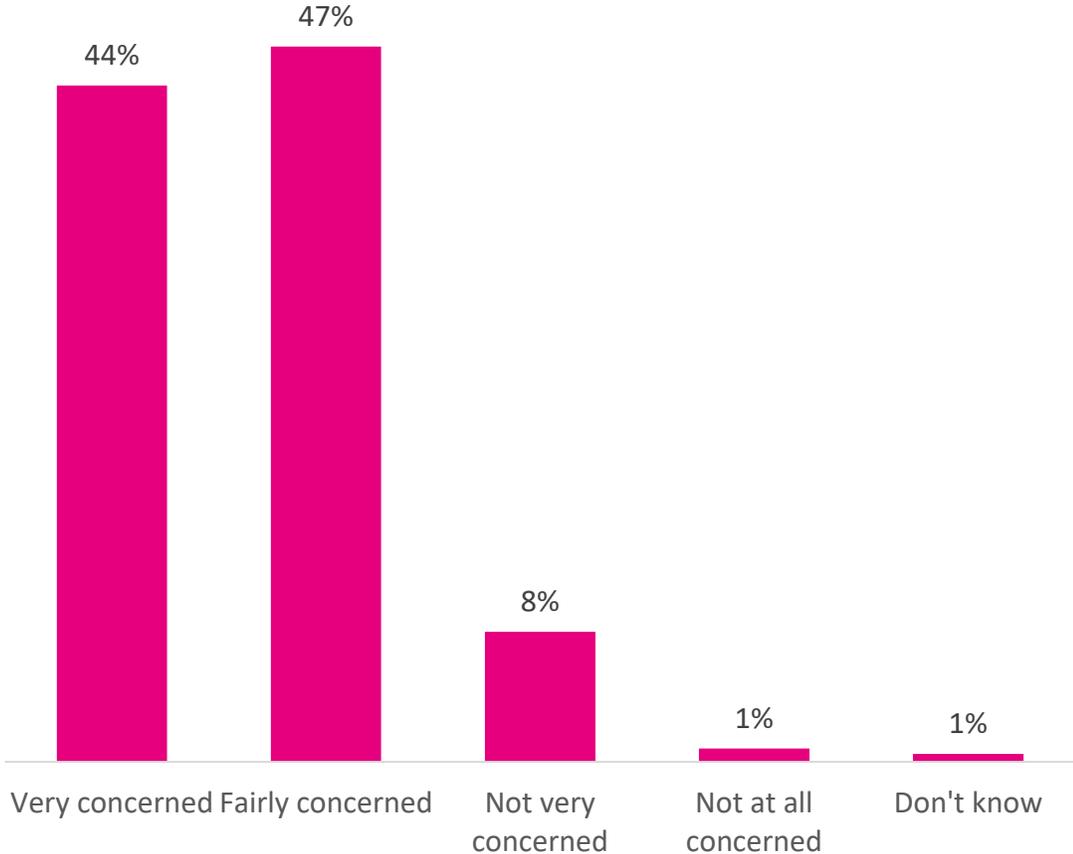
- Those not very concerned about the cost-of-living crisis – 33%
- Those aged 75+ - 19%
- Homeowner - 17%
- Male – 15%

- Council Tax is the thing that residents most emphatically want to stay the same (87%).
- Younger cohorts are less supportive of increases in Council Tax charges than those aged 75+. Residents who are aged 75 and over are significantly more likely than the average to be willing to accept council tax increases (17%).

Financial Security



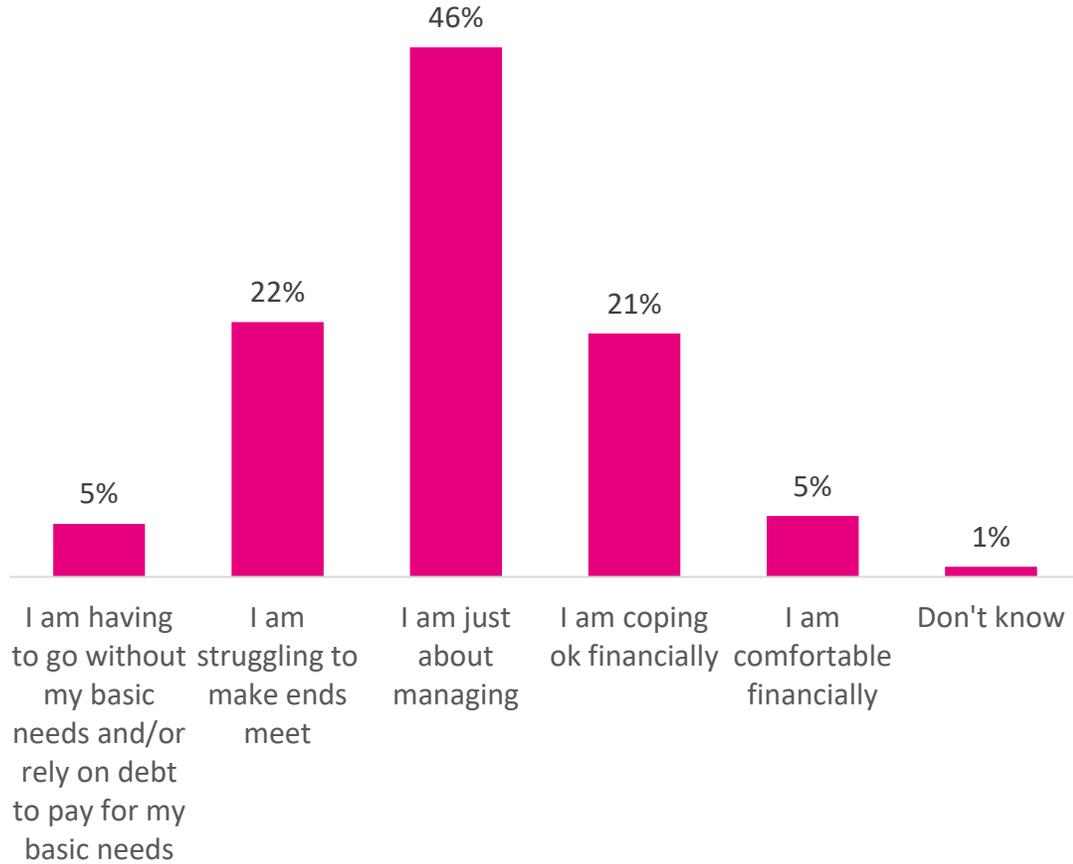
Concerns about the cost of living



- To put residents' views on how Sandwell Council sets its budget in 2024/25 into context, two questions were asked regarding personal financial circumstances.
- Nine in ten residents in Sandwell are at least fairly concerned about the current cost of living. Within this, two in five residents (44%) give the most extreme response of 'very concerned'. This demonstrates that the council's choices will have to be made when there is a heightened sensitivity to impacts upon household budgets.
- Concern about the cost of living is prevalent in all age groups, although older residents more commonly state that they are not very or not at all concerned about the current cost of living (75+: 18%; 55 -74: 13%).



Residents' financial security



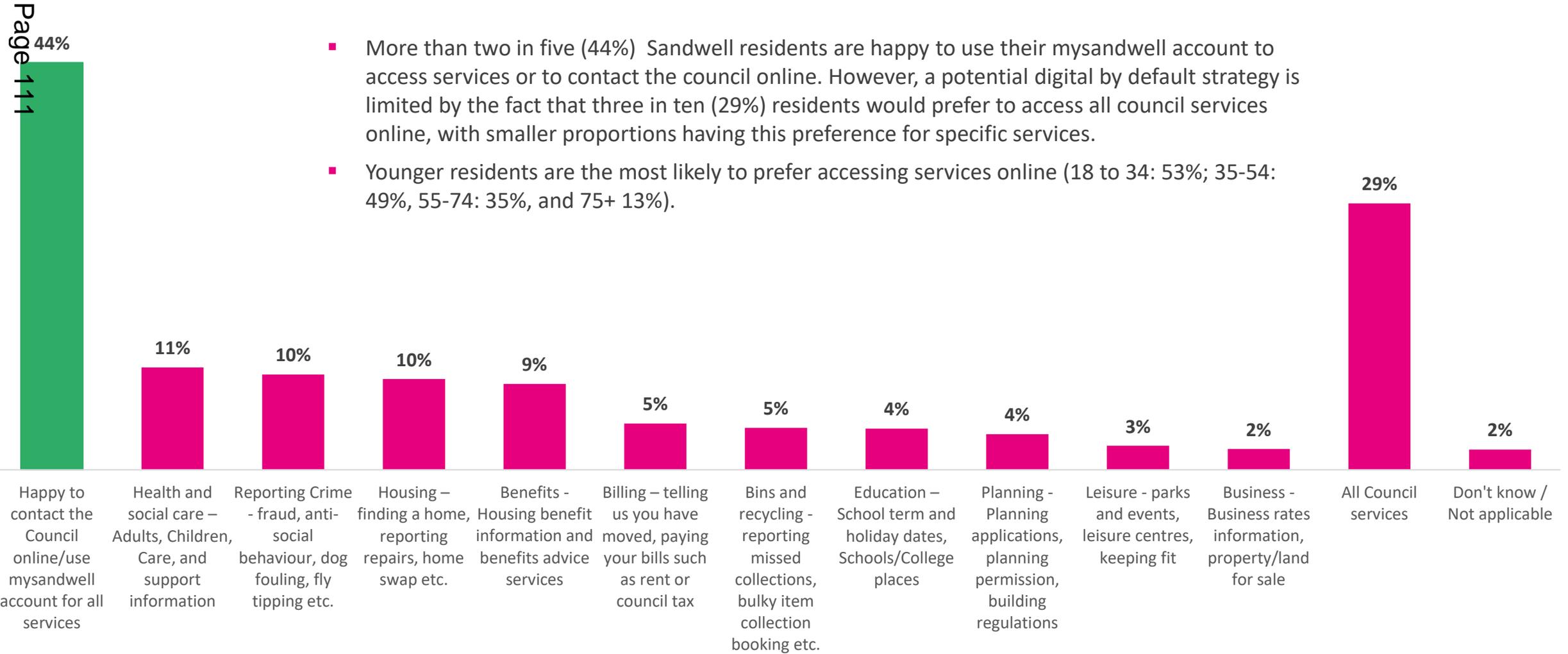
- Approximately one quarter of Sandwell residents say that they are currently struggling to make ends meet (22%) or are having to go without basic needs (5%).
- This level of financial vulnerability has potential implications not only for the potential of the council to leverage extra revenue from Council Tax and service related charges, but also on future service demand.
- Regarding the strategic themes discussed in this report, residents who are going without or struggling are significantly more likely to prioritise Theme 1 – providing the best start in life for children and young people (42% chose this).

Contact Preferences



Preferred methods for accessing services

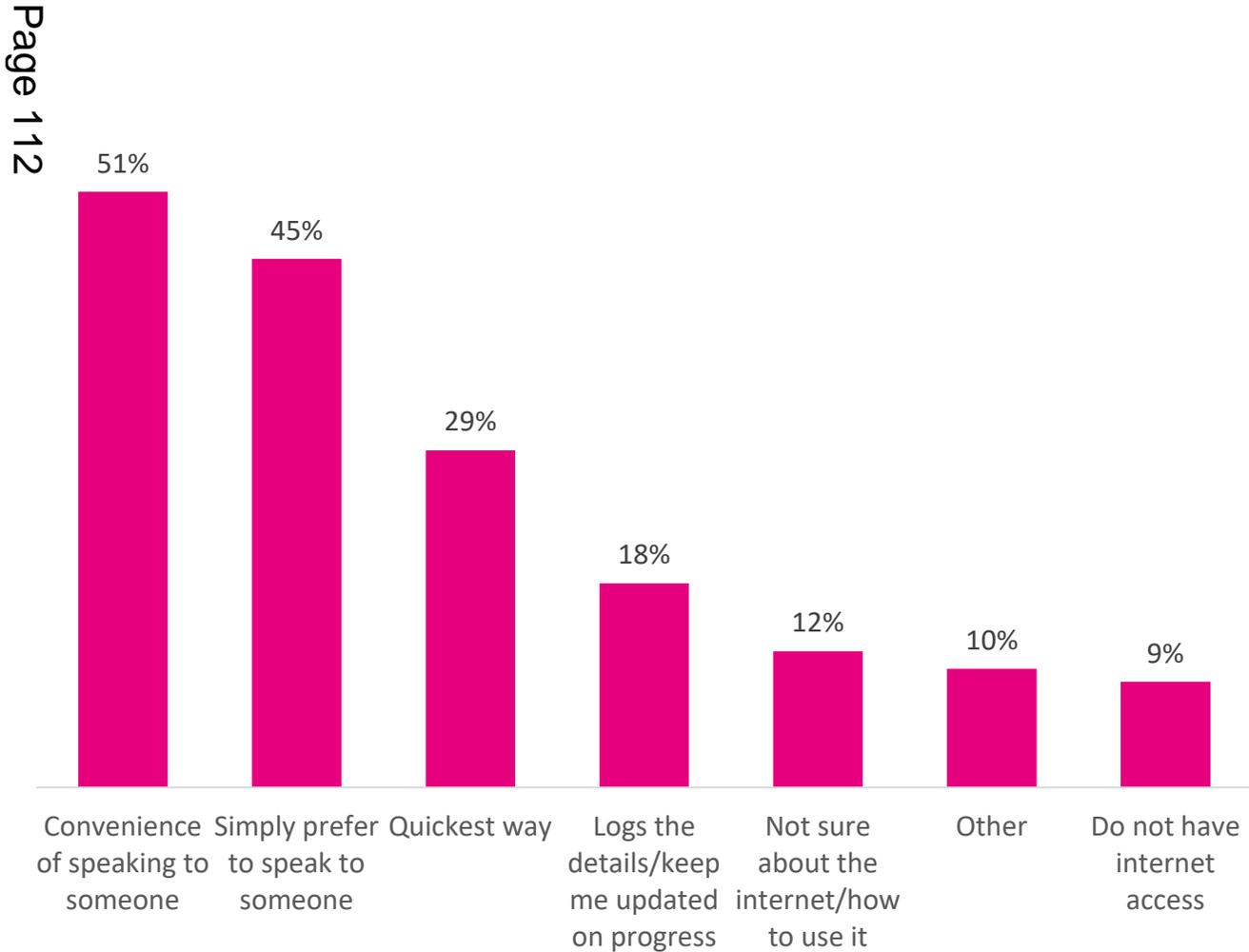
Are there any services that you would prefer to access in-person or on the telephone, rather than online/using mysandwell account?



- More than two in five (44%) Sandwell residents are happy to use their mysandwell account to access services or to contact the council online. However, a potential digital by default strategy is limited by the fact that three in ten (29%) residents would prefer to access all council services online, with smaller proportions having this preference for specific services.
- Younger residents are the most likely to prefer accessing services online (18 to 34: 53%; 35-54: 49%, 55-74: 35%, and 75+ 13%).

For those who would prefer to contact by telephone or in-person...

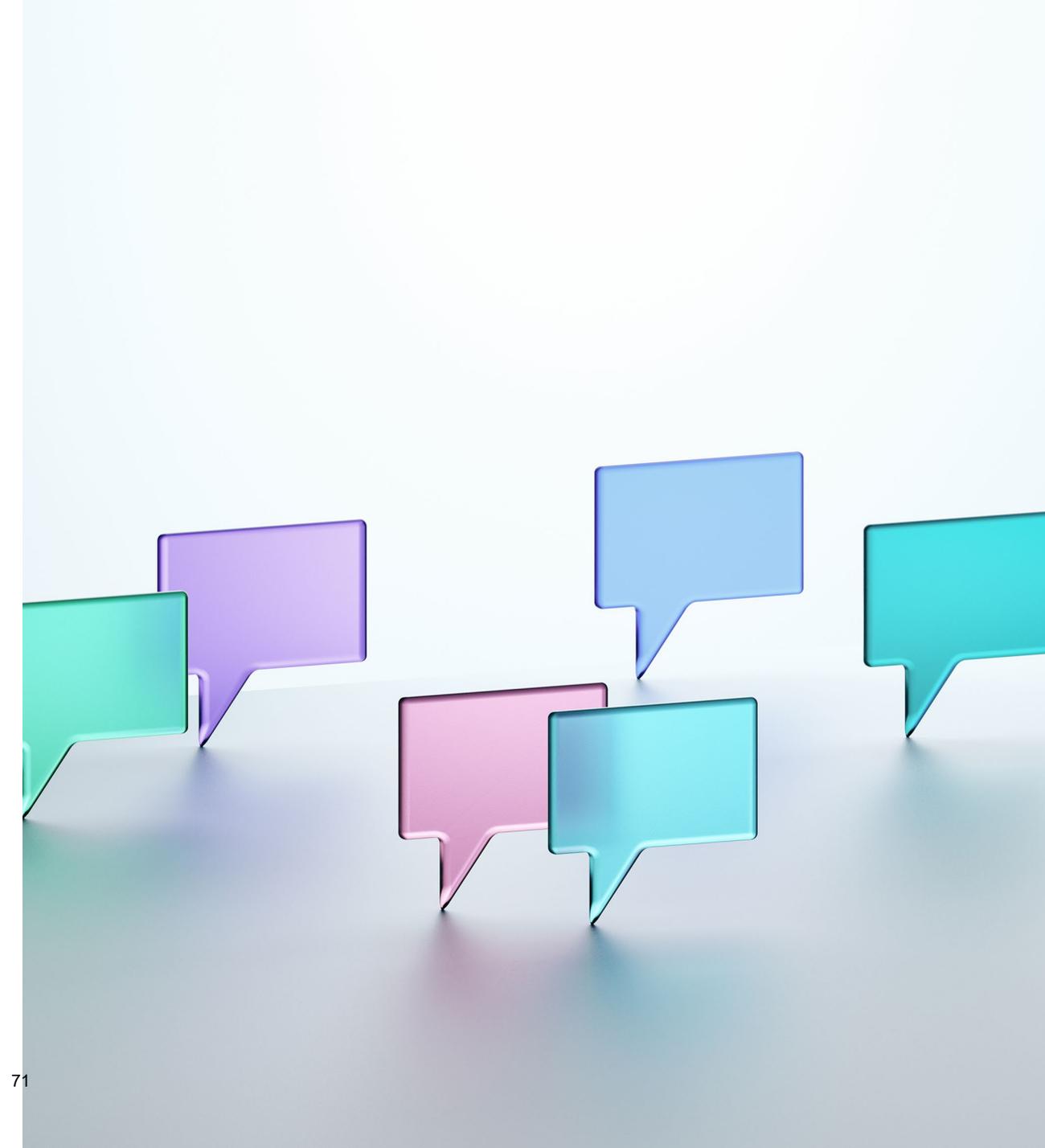
Why would you prefer to contact the Council in-person or by telephone?



- Residents who prefer to contact by telephone or speak to someone face to face, most frequently cite the convenience of speaking to someone (51%) and simply preferring to speak to someone as the reason why they prefer to do so (45%). On the basis of these responses, it is service quality, ease and speed that drive these preferences much more so than a lack of digital skills (12%) or internet access (9%).



Diversity and inclusion issues



Variations in response by ethnic origin

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Within the budget survey residents were asked to state their ethnic origin. Looking at the responses given by those who are White, those who have a Mixed ethnic origin, those who are Asian/Asian British and those who are Black/Black British there is no consistent variation in the responses given/the priorities chosen.

- The order of strategic properties chosen is largely consistent among each ethnic group. Whilst Theme 1 remains the top priority for Asian/Asian British residents, this group are significantly more likely to prioritise Theme 3: Strong, Resilient Communities – A safe, clean and green place to live (34% cf. 23%), and as a result significantly less likely to prioritise Theme 2: People Living Well and Aging Well (9% cf. 18%).
- Black/Black British residents are significantly more likely to prioritise Theme 4: Quality Homes in Thriving Neighbourhoods (15% cf. 7%). This shows that there is some variation in priorities in different communities, which the council must be sensitive to when making budgeting choices.
- Non-white residents are significantly more likely to oppose Council Tax increases. This may be related to their higher concern about the current cost of living crisis. That 95% of Asian / Asian British and 94% of Black British residents' feel fairly or very concerned about the cost-of-living crisis suggest that financial resilience may be lower among these communities.

Formal Consultation for Potential Changes to Discretionary Services

Background

1. The council's Consultation Principles sets out that:
 - a. Consultation lies at the heart of effective public policy development and service to the public. It should be a first thought and not an afterthought.
 - b. Consultation should never be used to communicate decisions already taken, and the outcome of consultation should never be pre-determined.
 - c. Consultation should be inclusive. Whenever possible, it should involve all parties/groups, including our children and young people, who can contribute to or are affected by the outcome of the consultation.
2. The views of our residents, businesses and communities are integral to the development of a MTFs that reflects the priorities of the borough. So that views could be captured in a timely manner to support the developed of the MTFs and savings options, a two phased approach to consultation and engagement has been devised for the 2024/25 Budget.

Consultation Process - Phase One

3. Phase One consisted of a face-to-face consultation exercise with a representative sample of residents in Summer 2023. Building on the budget consultation activity conducted in 2022, this face-to-face survey offered the opportunity for a representative sample of residents to provide input on their local priorities and preferences for delivering further council savings going into the budget setting process for 2024/25. The survey sought views on:
 - a. Preferred approach for delivering the Council savings needed
 - b. Suggested approaches for delivering the Council savings needed
 - c. Priorities when considering strategic outcomes
 - d. Paying more for Council services
 - e. Council Tax increases
4. The results of this helped inform options for future savings. The full report of the results of this survey are included at Annex 4.
5. Over the summer period, the council conducted the SHAPE survey with primary and secondary school age children across the borough. This survey captured the experiences of children and young people in Sandwell and what matters to them. At the same time, the council also conducted a Resident Wellbeing and Perception Survey with a representative sample of residents to gain insight into their experiences and views of living in Sandwell. The final results of both of these surveys are expected in mid-November, and will be reported with the results of Phase Two.

Consultation Process - Phase Two

6. Phase Two of the consultation process will commence following Cabinet approval on 15 November 2023 and will be scheduled to feed into the meetings of Cabinet and Full Council in February 2024 that will be asked to take decisions on the Budget for 2024/25. The council will comply with its obligations under statute in all respects in undertaking these activities
7. The form of the consultation will be to seek the views of residents, businesses and communities on the whole basket of savings options that have been developed for consideration by Cabinet and Council in order to meet the financial gap in 2024/25. These interests will be contacted using the following methods:
 - a. Focus groups with residents who participated in the summer budget consultation;
 - b. Focus groups with representatives of children and young people, businesses and the voluntary & community sector; and
 - c. Online survey hosted on the council's consultation hub open to all residents, businesses and communities, promoted through multiple avenues to ensure as wide participation as possible.
8. Where savings options impact on groups of staff, engagement and formal consultation with affected staff and Trade Unions will be conducted as appropriate.

Equality Impact Assessments

9. Service Leads will complete Equality Impact Assessments for each saving proposal to fully understand the risks and implications of removal, reduction, or a change in delivery. This will be undertaken in parallel to the consultation process.
10. The outcome of the Equality Impact Assessment, alongside the findings of the consultation process, will be assessed and used to prepare final recommendations that will be presented to Cabinet in February for approval.

Timeline for Public Consultation

11. Work will commence to prepare the consultations will commence once approval of the savings options has been received. The timing of this consultation period is scheduled to feed into the decision-making process for Cabinet in February.
12. The online survey will be launched from 20 November 2023 and run for a period of six weeks. Focus groups will be conducted during this time, with analysis built up over the period as feedback is received.

Savings Opportunities for Consultation

Savings Options	2024/25 £'000	2025/26 £'000	2026/27 £'000
<p>Maximising Budget Efficiencies and Making the Best Use of External Grants and Contributions Reducing our service budgets where projects have ended, or activities are no longer required, as well as making the best use of external grants and contributions to service costs with no direct impact on the public.</p>	5,200	5,300	5,300
<p>Making Best Use of Assets Implementing the Asset Rationalisation Strategy to sell assets that are no longer needed and making the best use of the assets we retain</p>	0	800	800
<p>Maximising Income & Commercial Opportunities Reviewing the fees and charges for services where we have discretion to set the value of changes to increase by 5%, and increasing the following by more than 5%:</p> <ul style="list-style-type: none"> • Meals on Wheels • Registration Services • Green Waste Subscription • Pre-application Planning and Planning Fees • Building Regulation Fees • Private Rented Sector Fees • Streetworks Permit Charges • Development and Commercial Property Rates <p>Exploring Commercial Opportunities to generate income through reviewing our:</p> <ul style="list-style-type: none"> • Pest Control Delivery Models • Visitor Services and Events • Sandwell Residential Education Services • Data Services to Schools/Academies 	1,900	3,400	4,800

<p>Prevention & Promoting Independence Adult Social Care Transformation Programme, including:</p> <ul style="list-style-type: none"> • assistive technology and reablement to support people to live independently for as long as possible • expansion of our Shared Lives offer to increase the opportunity for people to live as independently as possible • reviewing the transition between Children's Services and Adult Social Care to make sure people are supported as they grow into 	2,200	3,500	3,500
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Savings Options	2024/25 £'000	2025/26 £'000	2026/27 £'000
adulthood and that services are better able to meet their changing needs			
<p>Reducing the Cost of Discretionary Services through reviewing how we deliver:</p> <ul style="list-style-type: none"> • Green Spaces Services (including Parks, Ground Maintenance, Events and Sandwell Valley) • Christmas Lights programme • Arts Café • Shop Mobility service in West Bromwich 	900	900	1,000
<p>Reducing the Cost of High Cost Services Reviewing the way we deliver waste management service and leisure facilities to ensure they are meeting the broad aims of the council and needs of residents and are fit for future delivery models while delivering value for money</p>	800	4,500	4,500
<p>Smarter Support Services Reviewing how we deliver our support services:</p> <ul style="list-style-type: none"> • Streamlining internal HR and Business Management processes to get the best out of the technology available • Being smarter with how we procure ICT contracts • Making our cash handling activities more efficient to reduce costs 	1,300	1,900	2,100

<p>Sustainable Delivery Models</p> <p>Reviewing the range, extent and way we deliver services to ensure they are meeting the broad aims of the council and needs of residents while delivering value for money. Service areas include:</p> <ul style="list-style-type: none"> • The Appointeeship Service. • Customer Contact Centres. • Community Sports Plans. • School Crossing Patrols. • Investment in the Voluntary and Community Sector. • Enhancing Temporary Accommodation Provision. • The Climate Change Programme. • Introducing Part Night Street Lighting where safe to do so. • Exploring different options to provide home to school transport for children and young people with Special Educational Needs or Disabilities. • Making better use of the Council's vehicle fleet. • Improving support to individuals and families who have 'No Recourse to Public Funds' to reduce cost to public services. 	5,700	6,600	6,600
Savings Options	2024/25 £'000	2025/26 £'000	2026/27 £'000
<ul style="list-style-type: none"> • Reviewing Children's Services to optimize the number of children looked after and the cost of residential care. 			
Total	18,000	26,900	28,600

General Budget Planning Assumptions

The key points of briefing in relation to the Forecast are:

- a. New Homes Bonus – The Government has been considering reform or phasing out of New Homes Bonus and currently the grant is calculated on a one-off annual basis. It is assumed that the Council will receive a commensurate sum in 2024/25 and in future years.
- b. Controls on use of packaging and waste volumes – the Government is planning to establish a system where the producers of packaging waste are charged a levy related to the waste volumes that result such that the proceeds - net of regulatory costs - are passed on to local Councils. The assumption made in this version of the MTFP is that the incoming monies will need to be reinvested in waste services and that, accordingly, there will not be a net benefit to the Council from this scheme. This assumption will be reviewed for the next update of the MTFP. Government has confirmed that implementation will be deferred until 2025/26.
- c. Collection Fund – the working assumption is that Council Tax is assumed to increase by 2.99% throughout each year of the MTFP, the maximum permitted under current Government guidance for core tax increases. The Collection Fund is currently estimated to be in deficit at the end of the current financial year and therefore £0.5m has been included in the MTFP as a charge to account for the Council's share of that deficit. The situation will be reviewed and final values will included in the February budget report.
- d. NNDR Income – the assumption is that Sandwell will continue to retain 99% of it's business rates (with 1% being provided for West Midlands Fire). From 2024/25 it is likely that the Council will be part of the new Devolution Deal which is effectively a continuation of the current retention arrangements. At this time it is considered unlikely that there will be a reset of the business rates baseline and therefore future income in the MTFP is a continuation of current baseline levels with no growth assumptions due to the current economic climate.
- e. Inflation is only provided on key contracts (e.g. SERCO waste management, Sandwell Children's Trust and utilities). Other inflationary pressures are to be managed within existing service budgets.
- f. Pay inflation is provided for at an estimated level, with year 1 of the MTFP taking into account an adjustment for the difference between budgeted and actual pay awards in the current year (i.e. 2023/24). Future estimated pay awards are currently calculated on a 4% increase in 2024/25 and 4% thereafter as core CPI inflation is brought back to target levels.

Medium Term Financial Plan 2023/24 to 2026/27 - Autumn 2023/24

	2024/25	2025/26	2026/27	Notes
	£m	£m	£m	
Current Net Budget	317.103	317.103	317.103	
Pay inflation	9.601	16.171	23.006	Includes impact of increased offer for 23/24 plus 5% 2024/25 then 4% pa
Technical Adjustments: debt financing and investment income	0.300	2.550	3.850	Increased interest rates when refinancing debt maturities
Other Technical Adjustments	(12.023)	(12.023)	(12.023)	Earmarked reserves and contingency budget adjustments
Total Pay and Technical Adjustments	(2.122)	6.698	14.833	
Other Service Pressures:				
Growth	2.725	3.286	3.296	
Demographic Changes	8.662	10.924	13.186	
Inflationary Increases	12.801	23.353	29.950	
Loss of funding	0.189	-	-	
Changes in recharges	2.000	2.000	2.000	Revision to charges to/ from Housing Revenue Account
Budget correction	4.017	3.462	3.462	Re-basing of budgets
Total Service Pressures	30.394	43.025	51.894	
Total Budget Adjustments	28.272	49.723	66.727	
Revised Net Expenditure	345.375	366.826	383.830	
Funded by:				
Non Ringfenced Government Grants	(4.225)	(4.225)	(4.225)	Includes new homes bonus and services grant

Retained Business Rates (including Section 31 + topup grant)	(195.406)	(194.607)	(194.607)	Assumes no reset in business rates and nil growth in base
Council Tax Income	(133.281)	(139.326)	(145.644)	Assumes 2.99% pa
Collection Fund (Surplus)/ Deficit	0.500	-	-	Estimate as at end Sept 2023
Total Funding	(332.412)	(338.158)	(344.476)	
Net Shortfall	12.963	28.668	39.354	

The MTFP Change Log**Movement of Savings Target from June 2023 MTFP Report**

	2024/25 £m
Shortfall reported in June 2023	8.859
Changes in Council Net Expenditure:	
Reduction in Pressures:	(5.892)
Removal of assumed increase in ASC Service Grant pending autumn statement announcements and provisional local government finance settlement	10.009
Total Changes in net expenditure	4.117
Changes in Funding:	
Revised council tax base generating additional council tax income	(0.513)
Estimated Council Tax Deficit to be charged to the General Fund	0.500
Total Changes in Funding	(0.013)
Total Changes	4.104
Revised Shortfall	12.963

Annex 10

Risks: Principal Risks to the MTFS & Headline Mitigation

Risks	Headline Mitigation
Failure to constrain expenditures within relevant budget targets.	The Council's financial reporting arrangements including the chart of accounts, budget management approaches, and forecasting are under review. This will be completed in financial years 2023/24 & 2024/25.
Failure to prepare for balancing the 2024/25 Budget shortfall.	The preparation of this MTFS at this point in the financial year, the generation of savings options, the planned launch of consultation and engagement and the promulgation of the Budget Timetable incorporating two meetings of Full Council to take decisions on savings.
Failure to increase Reserves.	The Council has a medium term intention to maintain essential reserves at a level to maximise assurance that strategic exigencies can be met within the term of the MTFS. Accordingly, there are presently no plans to employ significant reserves to balance the 2024/25 Budget shortfall.
Failure to assure Commissioners that sufficient progress has been made in building a robust MTFS	The preparation and endorsement of this MTFS and MTFP by the Statutory Officers, Leadership Team and Cabinet, together with the development of a robust approach to consultation and review by the Scrutiny function is relevant here.
Failure to deliver savings.	The Council has reviewed savings delivery in 2023/24 and is enhancing monitoring for the Leadership Team, Cabinet and the Scrutiny function.

<p>Failure to arrange cover for expected cost increases</p>	<p>The Council has set in place a process whereby the MTFP is updated quarterly and the thoroughness of review and analysis will be enhanced on each occasion as additional information becomes available and insight gained. In addition the Council will adjust its fees and charges annually in the future to ensure that the net cost of services is moderated where it is equitable to do.</p>
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<p>Inability to Fund the Capital Programme arising from continued rises in interest rates and higher cost of borrowing.</p>	<p>Capital Principles to set down a clear and affordable framework for capital planning have been recommended to Cabinet. Further work to develop an affordable Capital Programme will be undertaken for inclusion in the Draft Budget to be received by Full Council in February 2024.</p>
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CREATING A COUNCIL FOR THE FUTURE



Purpose and Vision

Page 127

We are fortunate to work in a Council that has an ambitious and determined vision to create a modern and agile organisation, that is laid out in clear terms in the Strategic Outcomes of our plan. At the heart of the Plan, and front and centre of everything we do is to ensure we improve our Borough by investing in what matters for the positive benefit of the residents of Sandwell.

In such uncertain and turbulent times, we should be proud of the enormous amount that has already been achieved in the last two years. The Council now feels stable, safe and has a clearer appreciation of what it needs to achieve, building on the foundations of our Improvement Plan. And with that clarity also comes an understanding that there is still much more to be done, not only to invest in the vital services that our residents need, but to also make the Council sustainable and relevant for the future. We must challenge ourselves to ensure everything we do has real measurable impact, because to deliver everything we want to do affordably and effectively we will need to have a clear focus on how and why we do things and how we work together with each other and in partnership with the community to codesign services for the future. We will need to do more of the things that matter and reduce or stop the things that do not.

We must not forget that these are not easy times for our residents and thousands of them are living with poverty and hardship, but together we have a real opportunity to address these challenges and deliver the outcomes that will make a real difference.



Where We Are Now

Page 128
To achieve the impact that we want needs a step change in how we do business. We face critical funding and growth pressures and the way that our budgets are currently constructed means that our planned level of future expenditure leaves significant challenges to deliver savings in the later years of the MTFs that can only be met through transformation. It should be clear that whilst the Council was not put into statutory intervention because of its financial position at the time, it is likely that without a plan for transformation and a steadying of the finances it is highly likely that we would have been.

We cannot afford to reduce the pace of the change needed as delivery of some savings will take time to embed. We also cannot meet this challenge through incremental and marginal savings – often described as ‘salami slicing’ - to all areas of expenditure. Instead, there needs to be a clear focus on the services we provide now and want to provide in the future, taking a standard approach to managing our projects and programmes of change. We need a fresh look at the contribution that everything we do has to the outcomes that we want to achieve as part of our vision. Rather than a threat or a burden, we need to treat this as an opportunity to ‘reset’ ourselves and re-imagine our Council for the future.

The transformation needs to be challenging but achievable and capable of being delivered in the timescales we say it can. Without this level of commitment and focus on evidence to show impact, we cannot be certain of moving out of intervention.



Customer
focused



One
Team



Accountable



Ambitious

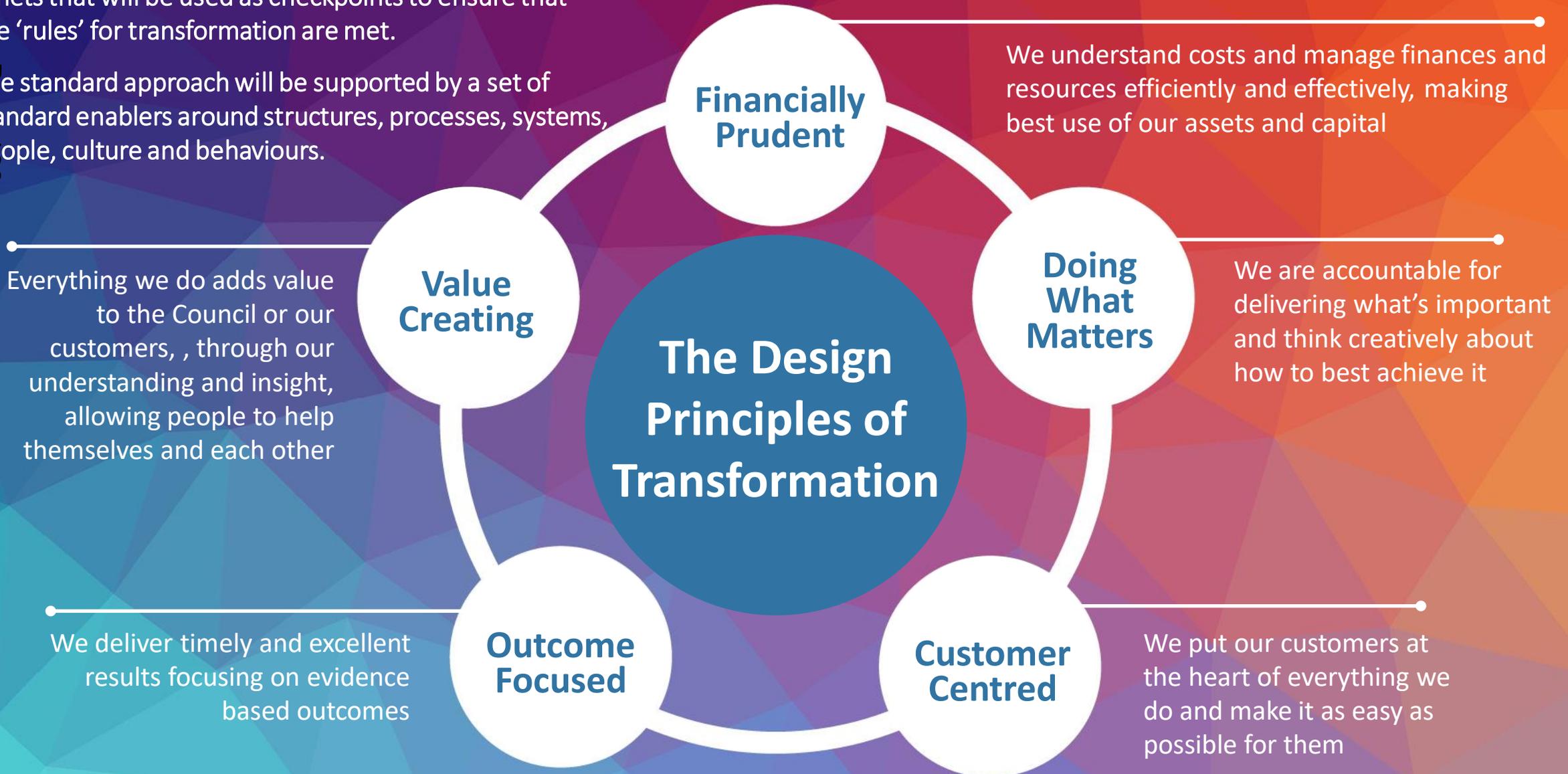


Inclusive

The Design Principles for Transformation are the guiding tenets that will be used as checkpoints to ensure that the 'rules' for transformation are met.

The standard approach will be supported by a set of standard enablers around structures, processes, systems, people, culture and behaviours.

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Transformation Fundamentals – The Brilliant Basics

The starting point for our transformation is a blend of key Directorate projects prioritised to deliver in the next year and some critical cross cutting projects.

Page 130

Key Directorate projects include...

SEND Service Transformation
SEN Transport

Transitions

Community Hubs, Enforcement
Leisure Review, Waste Review

Housing Repairs Transformation
Housing Asset Mgt System

Major contracts & commissioning review

Asset & Estate Rationalisation Strategy,
Neighbourhood Working

Governance & Decision Making

Key Corporate projects include...

A **business support** project is underway which aims to provide a single professional service with consistent standards, staff training and career prospects; gaining greater efficiencies by utilising new technology and applying lean business processes across the organisation.

Ensuring the best customer experience is a critical element of our improvement journey and our **customer journey** programme will ensure we deliver on this so we add maximum value to our customer in everything we do, making it as easy as possible for them to interact with us.

Developing a comprehensive **digital strategy** means embedding the new tools currently under development, such as Oracle Fusion, which will allow for improved processes and more self-service. It also means ensuring all our other systems are optimised to allow us to work intelligently and seamlessly across the organisation for the benefit of our customers.

Ongoing Transformation – Sustainability

Page 131
The key to the delivery of a sustainable transformation programme to ensure that we can link everything we do to the outcomes we want to achieve. As part of this we will have a Framework that ensures a clear link between...

Purpose

Inputs

Outputs

Outcomes

Impact

It is a way to show the direct relationship between *what we do* and the *difference we make*.

Projects that are considered to form part of the programme will be tested against the design principles and then assessed to ensure they have positive impact, either on our customers, or our finances, or both. They will also be looked at in terms of risk – and issues such as capacity to deliver addressed.



What it will mean for staff

Page 132
To deliver this kind of transformation there will need to be positive leadership at all levels of the Council. This means having a mindset that is open to the possibilities of thinking what the Council can be in the future. They will uphold the agreements of the transformation and help their staff to deliver the change, providing the opportunities, the moral conviction and the learning.

The transformation cannot be seen as a distraction from current priority programme of delivery. On the contrary, it must be recognised as the critical enabler for our future success. We will continue to invest in and develop our people as we know they are our greatest asset and continue to work hard to embed Equality, Diversity and Inclusion in our workforce, so they represent our community.

We value our people and want to see them thrive. Whilst this transformation means we will see a change in what people do and how they do it and this may mean that we stop, reduce or re-think how we do many things, equally there will be new things to do and new opportunities. We will also look at how we are structured in terms of our hierarchies and spans of control, and how each person contributes to our outcomes, ensuring synergies with performance management.



As we change, grow and develop, we will invest in staff – in their learning and development - to help them achieve new things for the maximum impact of Sandwell and for themselves.

THE TIMELINE FOR CHANGE

2023/2024

**Brilliant
Basics**

2024/2028

**Sustainable
Transformation**

Beyond

**Continuous
Improvement**

To make such a fundamental shift in how we do business is a long-term commitment, not an overnight fix, with a new model that may emerge from the work that will not only be around process and structure, but also culture and behaviours. That is not to say there will not be short- and medium-term changes in how we do business, focused around our Brilliant Basics programme - and we will take every opportunity that arises, as long as it aligns to our long-term vision and strategic outcomes.

Our Brilliant Basics programme will commence immediately – in fact the majority of projects are already in hand. So, this is our focus for 2023/24. And whilst work will also commence on the longer-term sustainable transformation programme, this will be our focus from 2024 onwards. As we move forward, there will of course be new challenges and opportunities and our programme will adjust to reflect that, as well as continuing to improve everything else we do. We will ensure we measure, manage, test and learn from all projects as we go along, ensuring we focus our efforts on what works.

How will this be delivered in practice



Alignment to the Vision

Page 136

Our Vision is

‘to create a modern, outstanding council,
one where our organisational structure,
business systems, process and people and
cultural working practices are fully aligned
to deliver our strategic outcomes’.



Strategic Outcomes Framework

Page 137
Our Strategic Outcomes are the basis on which we deliver our services:

- The best start in life for children and young people
- People live well and age well
- Strong, resilient communities
- Quality homes in thriving neighbourhoods
- A strong and inclusive economy
- A connected and accessible Sandwell
- One Council, One Team

The development of a Strategic Outcomes Framework ensures a coherent linkage between purpose, inputs, outputs, outcomes and impact. It is a way to show the direct relationship between what we do and the difference we make.

Design Principles

These are the 'rules' we will apply to ensure all change is aligned to the Transformation Vision.

DESIGN PRINCIPLES

We put our customers at the heart of everything we do and make it as easy as possible for them

Customer Centred

Everything we do adds value to the Council or our customers, through our understanding and insight, allowing people to help themselves and each other

Value Creating

We deliver timely and excellent results focusing on evidence-based outcomes

Outcome Focused

We understand costs and manage finances and resources efficiently and effectively, making best use of our assets and capital

Financially Prudent

We are accountable for delivering what's important and think creatively about how to best achieve it

Doing What Matters

TRANSFORMATION VISION

To create a modern, outstanding council, one where our organisational structure, business systems, process and people and cultural working practices are fully aligned to deliver our strategic outcomes.



The enabling mechanisms

Design Principles

Customer Centred

Value Creating

Outcome Focussed

Financially Prudent

Doing what matters

The best start in life for children and young people

People live well and age well

Strong, resilient communities

Quality homes in thriving neighbourhoods

A strong and inclusive economy

A connected and accessible Sandwell

One Council, One Team

Structures

Systems

Processes

People

Culture & Behaviours

The Enabling Mechanisms

Vision

To create a modern, outstanding council, one where our organisational structure, business systems, process and people and cultural working practices are fully aligned to deliver our strategic outcomes.

Understanding the Enabling Mechanisms

Mechanism

Structures

Systems

Processes

People

Culture & Behaviours

Governance

PMO & Gateways

Approach

Spans of Control and contribution to outcomes

Digital Blueprint and improved self service

Redesign Toolkit and methodology

Workforce Strategy and succession planning

Behaviour framework and Organisation Development approach

Overview

Structures ensure there are the right people in the right place

Systems ensure the right technology is there to deliver on the programme

Processes ensure the right work is being done in the most efficient way

People ensures that we have a sufficient capacity of people with the right skills and capabilities

Culture cuts across all themes and without it none of the other enablers will deliver



The Strategic Outcome-led Transformation Portfolio



Assessing the Significance

Page 143

The council has adopted a system that uses a number of inputs to consider the level of support and assurance required. A PM Threshold Tool has been created and based on the inputs the project will be identified as level 1, 2, 3 or 4 – this can then be the basis of a discussion with the PMO in terms of resourcing and requirements. This is illustrated below:

Thresholds	Tiering		Menu of PMO Support	Scoring
Value	1	Intense	Full range of support including project management	1
Complexity	2	High	Project officer support working alongside service on delivery	1
Risk	3	Medium	Oversight of the project giving advice and guidance	1
Capacity	4	Reporting	Templates and tools available for services to use	1



Assessing the Significance

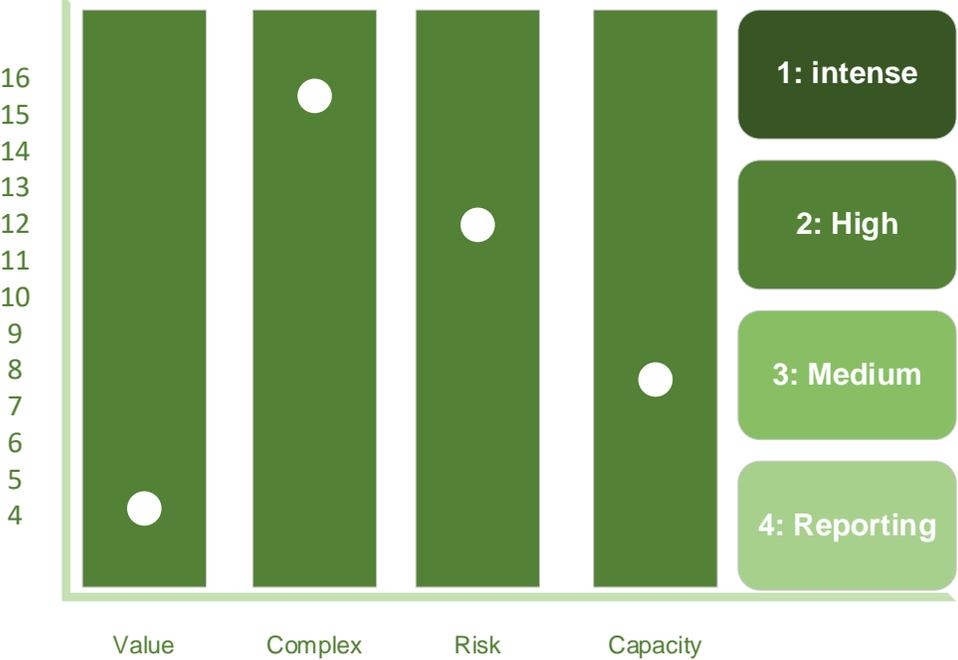
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The threshold inputs cover the following:

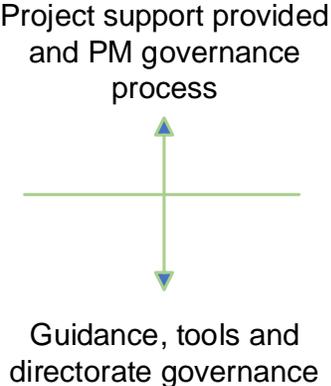
- Value and status
- Complexity
- Risk
- Capacity

The scoring will result in an overall rating.

This is illustrated as follows:



Total overall score:



A PHASED APPROACH

2023/2024

Brilliant Basics

Brilliant Basics:

- Portfolio Structure
- Design Principles and Strategic Framework
- Existing Transformation aligned to Outcome-led Portfolio
- Strategic Outcome Mapping and Service Planning

2024/2028

Sustainable Transformation

Sustainable Transformation:

- Outcome-led Portfolio
- Long-Term Planning

Beyond

Continuous Improvement

The best start in life for children and young people

People live well and age well

Strong, resilient communities

Quality homes in thriving neighbourhoods

A strong and inclusive economy

A connected and accessible Sandwell

One Council, One Team

Brilliant Basics Portfolio

SEND Service Transformation
SEN Transport

Transitions

Community Hubs, Enforcement
Leisure Review, Waste Review

Housing Repairs Transformation
Housing Asset Management System

Major Contracts and Commissioning Review
Asset and Estate Rationalisation Strategy

Customer Journey, Digital Blueprint
Neighbourhood Working

Oracle Fusion, Business Support,
Governance and Decision-Making

Informing Sustainable Transformation and Outcome-led Decision Making

Strategic Outcome	What this means	Activity	VfM	Service Plan Actions
The best start in life for children and young people	Remove barriers to education & learning, prioritise consistent support to families, check in with all children			
People live well and age well	Offer healthy choices for health & social care, respectful treatment in safe, clean environments			
Strong, resilient communities	Offer safe, non-threatening places, encourage outdoor activities			
Quality homes in thriving neighbourhoods	Provide fair & efficient assessments to provide homes to those in need			
A strong and inclusive economy	Incentivise local businesses and recruit & train locally based staff			
A connected and accessible Sandwell	Maximise location, transport network, promote alternative transport in schools			
One Council, One Team	Streamline processes, staff training & support & encouragement			

EFFECTIVE

Is what we are doing contributing to the outcomes? First pass

EFFICIENT

Are we delivering the best outcomes for the resources being input? ¹⁰⁵ Second pass

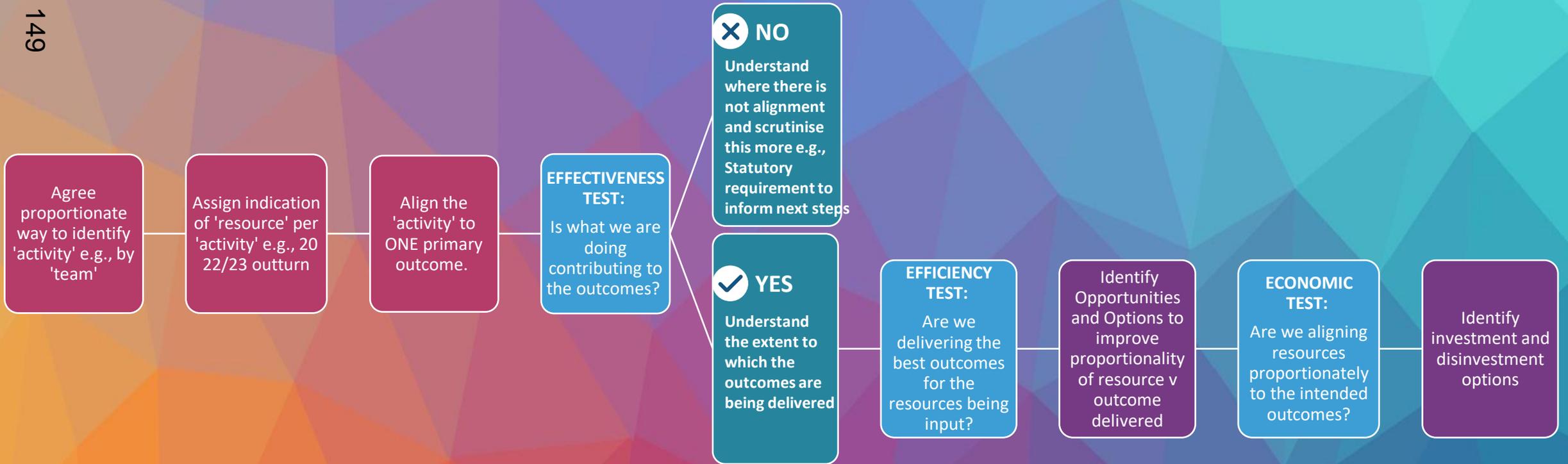
ECONOMIC

Are we aligning resources proportionately to intended outcomes? Strategic Pass

Applying Value for Money tests to Sustainable Transformation

<p>EFFECTIVE</p> <p>Is what we are doing contributing to the outcomes? First pass</p>	<p>EFFICIENT</p> <p>Are we delivering the best outcomes for the resources being input? Second pass</p>	<p>ECONOMIC</p> <p>Are we aligning resources proportionately to intended outcomes? Strategic Pass</p>
<ul style="list-style-type: none"> ▪ Service and activity identification. ▪ Collaborative alignment to the interpretations of the Strategic Outcomes. ▪ Gap Analysis. ▪ Opportunity Identification. 	<ul style="list-style-type: none"> ▪ Understanding of Impact (e.g., KPIs, customer feedback). ▪ Benchmarking. ▪ Cost vs benefit analysis. ▪ Opportunity Identification. ▪ Opportunity Quantification (BAU/ Transformation). 	<ul style="list-style-type: none"> ▪ Prioritisation of cost & impact. ▪ Benchmarking. ▪ Opportunity Identification. ▪ Opportunity Quantification (BAU/ Transformation). ▪ Collaboration with SLT. ▪ Transformation Portfolio. ▪ Service Plan inputs.

The Approach



WE ARE SANDWELL!



Report to Cabinet

15 November 2023

Subject:	Council Tax Base 2024/2025
Cabinet Member:	Councillor Bob Piper - Cabinet Member for Finance and Resources
Director:	Brendan Arnold – Director of Finance Section 151 officer
Key Decision:	Yes
Contact Officer:	Ian Dunn ian_dunn@sandwell.gov.uk Carl Jones Carl_jones@sandwell.gov.uk

1 Recommendations

- 1.1 That the Council be recommended to approve setting the Council Tax Base for 2024/2025 at 78,217.27.
- 1.2 Authorise the Section 151 Officer to adjust the Council Tax Base as required following approval of the 2024-2025 Council Tax Reduction Scheme by Council on 12 December 2023.

2 Reasons for Recommendations

- 2.1 The Council Tax Base must be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. It is used to determine the annual amount of collectable Council Tax.
- 2.2 The regulations set out the methodology to be used by authorities when calculating their Council Tax Base. They further dictate that the Council Tax Base should be set between 01 December and 31 January prior to the financial year to which it refers.



3 How does this deliver objectives of the Corporate Plan?

	A strong and inclusive economy	Collection of Council Tax is important as it gives the council money to spend and invest locally
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4 Context and Key Issues

- 4.1 The Council Tax Base is an assessment by each billing authority of the number of chargeable dwellings, converted to Band D equivalents (the average band), allowing for discounts, exemptions, non-collection and new properties. This information is used when setting the Council's budget.
- 4.2 In order to calculate the Council Tax Base, it is necessary to take the actual number of properties in each Council Tax band on the valuation list and then make adjustments to the Local Council Tax Reduction Scheme. In addition, assumptions need to be made for changes in the number of properties in each band between now and 31 March 2025 as a result of new builds and demolitions.
- 4.3 The adjusted numbers in each band are then converted to the equivalent number of Band D properties.
- 4.4 At the time of presenting this report, Sandwell's Local Council Tax Reduction Scheme has yet to be formally approved. Details of the Local Council Tax Reduction Scheme are contained within the Local Council Tax Reduction Scheme report to Cabinet on 15 November 2023. It is not anticipated that any changes will be made to the scheme which may adjust the assumptions made in the Council Tax Base collection. The Council Tax Base for 2024/25 has been calculated as 78,217.27.
- 4.5 The Council Tax Base must be reduced to reflect any anticipated losses on collection. In recent years this has meant a reduction of 1% as experience has shown that a 99% collection rate is ultimately achievable.



4.6 Due to the current cost of living crisis we are assuming that a 98.5% collection will ultimately be achieved. This reduces the Council Tax Base as follows:

<u>Collection Rate %</u>	<u>Tax Base</u>
98.5	78,217.27

4.7 The actual levels of Council Tax for 2024/2025 will be dependent upon final decisions yet to be taken on both Sandwell budgets and those of the precepting bodies, together with consideration of any surplus or deficit on the Collection Fund.

4.8 For 2023/24 the Council Tax Base was 76,764.73 based on a 98.5% collection rate. The Council Tax Base for 2024/25 has increased by nearly 1.9% and this is mainly due to the additional number of properties.

5 Alternative Options

5.1 Not applicable

6 Implications

Resources:	The calculation of Council Tax Base is based on the number of domestic properties in the valuation list in Sandwell. Statistical information indicates that the number of domestic properties in Sandwell is now starting to increase again after the pandemic.
Legal and Governance:	The Council Tax Base must be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 and be determined between 01 December and 31 January of the financial year preceding the financial year to which it will apply.
Risk:	If Council Tax is not collected the Council's income could be affected and services provided by the Council may need to be cut.
Equality:	No impact



Health and Wellbeing:	No impact
Social Value:	No impact
Climate Change:	No impact
Corporate Parenting:	No impact

7. Appendices

None

8. Background Papers

None



Report to Cabinet

15 November 2023

Subject:	Local Council Tax Reduction Scheme 2024/2025
Cabinet Member:	Councillor Bob Piper - Cabinet Member for Finance and Resources
Director:	Brendan Arnold – Director of Finance
Key Decision:	Yes
Contact Officer:	Ian Dunn ian_dunn@sandwell.gov.uk Carl Jones carl_jones@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to make no changes to the Local Council Tax Reduction Scheme for 2024/25 as set out in Appendix 1.
- 1.2 That the Council be recommended to approve the Local Council Tax Reduction Scheme for 2025/25 as set out in Appendix 1.

2 Reasons for Recommendations

- 2.1 The LCTRS provides crucial support to low income families and our most vulnerable residents.
- 2.2 The LCTRS is based on income bands and residents on very low incomes can continue to receive 100% support.
- 2.3 Sandwell is one of only a few nationally that still provides 100% support.



3 How does this deliver objectives of the Corporate Plan?

	People live well and age well	The LCTRS provides financial support to the lowest income households to pay their Council Tax.
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4 Context and Key Issues

- 4.1 Significant changes were made to the scheme on 1 April 2019.
- 4.2 The local scheme only applies to working age claimants as the Government prescribes how Council Tax Support is calculated for pensioners.
- 4.3 Sandwell made several changes to its LCTRS in 2019/20 to ensure the scheme worked effectively with the Government's Universal Credit (UC) system which was rolled out fully in Sandwell in November 2018.
- 4.4 Changes from 1 April 2019 included:
- Replacing the weekly means test approach with a series of income bands for different household sizes
 - Simplifying the claim process for claimants receiving UC
 - Introducing a £5 per week deduction for non-dependants not in work
 - Two income bands for families with children as follows:
 - Families with 1 child
 - Families with 2 or more children
 - Reducing the capital cut-off limit to £3,000
- 4.5 Positive features of the scheme were also retained to continue to support our most vulnerable residents and to incentivise work.
- 4.6 The draft policy which is in Appendix 1 will have the income bands updated for 2024-2025 once the Department for Work and Pensions publicise the new income rates from April 2024.



5 Alternative Options

- 5.1 Nationally a lot of local authorities have introduced a minimum Council Tax payment. This means that everyone, including those people on a very low income must pay something towards their Council Tax.
- 5.2 Sandwell does not want to introduce a minimum payment into its LCTRS as we want to protect our most vulnerable households and improve child poverty and support residents with the cost of living crisis

6 Implications

Resources:	The forecasted cost of the Council Tax Reduction Scheme for 2024/25 based on current caseload information is £30m. This does not take account of any council tax increase for 2024/25 which would increase the cost of the LCTRS.
Legal and Governance:	The LCTRS must be made in accordance with Schedule 4 paragraph 5 (2) of the Local Government Finance Act 2012 which states: The authority must make any revision to its scheme, or any replacement scheme, no later than the 11 th March in the financial year preceding that for which the revision or replacement scheme is to have effect.
Risk:	The calculation of the cost of LCTRS assumes that there will be no increase in caseload throughout 2024/25. If there was an increase in caseload this would lead to additional LCTRS costs.
Equality:	An equality impact assessment (EIA) was completed on the 2019/20 LCTRS. As we are proposing no changes to the scheme a further EIA is not required.
Health and Wellbeing:	The Sandwell's LCTRS is a generous scheme. It aims to protect our lowest income households by giving them 100% support towards their Council Tax and is one of only a few schemes nationally to do this.
Social Value	Not applicable
Climate Change	Not applicable
Corporate Parenting	Not applicable



7. Appendices

7.1 Appendix 1 – Draft Local Council Tax Reduction Scheme Policy 2024/25.

8. Background Papers

None



Sandwell Metropolitan Borough Council
Council Tax Reduction Scheme
S13A and Schedule 1a of the Local Government Finance Act 1992

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1.0 Introduction to the Council Tax Reduction Scheme

1.1 The following has been adopted by the Council and details the Council Tax Reduction scheme for the period from 1st April 2024.

1.2 This document details how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13A of the Local Government Finance Act 1992 specifies the classes of person who are to be entitled to a reduction under the scheme and is effective from 1st April 2024 for a period of one financial year.

1.3 1.3 The scheme in respect of pension age applicants is defined by Central Government within the following:

- Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
- Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
- Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015:
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
- The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020:
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021:
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022;
- The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2022;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023; and
- Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012).

The scheme for pension age applicants – Central Government’s scheme as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012

1.4 There are three main classes under the prescribed pension credit age scheme, for each of which there are a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction, such as a person subject to immigration control with limited leave to remain. The definition of a pension credit age person is a person who;

- a. has attained the qualifying age for state pension credit; and
- b. is not, or, if he has a partner, his partner is not;
 - i. a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
 - ii. a person with an award of universal credit

The three prescribed classes are as follows;

Class A: pensioners whose income is less than the applicable amount.

On any day Class A consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 9 and Schedule 2 of the Local Government Finance Act 1992;
- e. not have capital savings above £16,000; and
- f. who has made an application for a reduction under the authority's scheme.

Class B: pensioners whose income is greater than the applicable amount.

On any day class B consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 9 and Schedule 2 to the Local Government Finance Act 1992;
- e. in respect of whom amount A exceeds amount B where;
 - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount;
- g. not have capital savings above £16,000; and
- h. who has made an application for a reduction under the authority's scheme.

Class C: alternative maximum Council Tax Reduction

On any day class C consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day;
- c. in respect of whom a maximum Council Tax Reduction amount can be calculated;
- d. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act and excluded from the authority's scheme;
- e. who has made an application for a reduction under the authority's scheme; and
- f. in relation to whom the condition below is met.

The condition referred to in sub-paragraph f. is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum Council Tax Reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.

The above applies to any other resident of the dwelling who:

- a. is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- b. is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- c. is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- d. is not a person who, jointly with the applicant, falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- e. is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Disregard of certain incomes

- 1.5 For those who have reached the qualifying age for state pension credit, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 to disregard in full the following:
- a. a war disablement pension;
 - b. a war widow's pension or war widower's pension;
 - c. a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - d. a guaranteed income payment;
 - e. a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - f. a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - g. pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

The provisions outlined above, enhance the Central Government's scheme.

THE SCHEME FOR WORKING AGE APPLICANTS – THE COUNCIL'S LOCAL SCHEME

- 1.6 The adopted scheme for working age applicants is an income banded / grid scheme means test, which compares income against a range of discounts available. Full details of the working age scheme of the authority are contained within this document from section 2 onwards. The authority is required to specify a scheme for working age and therefore this scheme only applies to a person who;
- a. has not attained the qualifying age for state pension credit; or
 - b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance, on an income-related employment and support allowance or on universal credit.
- 1.7 The Council has resolved that there will be **one** class of persons who will receive a reduction in line with adopted scheme. The scheme has qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction as specified within section 7 of this scheme.

Class D

To obtain reduction the individual (or partner) must:

- a. have not attained the qualifying age for state pension credit; or
- b. he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- c. be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- d. is not deemed to be absent from the dwelling;
- e. not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- f. be somebody in respect of whom a maximum Council Tax Reduction amount can be calculated;
- g. not have capital savings above £3,000;
- h. not have income above the levels specified within the scheme;
- i. be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income* is within a range of incomes specified within Schedule 1; and
- j. has made a valid application for reduction.

Council Tax Reduction Scheme

Details of support to be given for **working age applicants** for the financial year 2024/25

Sections 2- 8
Definitions and interpretation

2.0 Interpretation – an explanation of the terms used within this scheme

2.1 In this scheme–

‘the Act’ means the Social Security Contributions and Benefits Act 1992;

‘the Administration Act’ means the Social Security Administration Act 1992;

‘the 1973 Act’ means the Employment and Training Act 1973;

‘the 1992 Act’ means the Local Government Finance Act 1992;

‘the 2000 Act’ means the Electronic Communications Act 2000;

‘Abbeyfield Home’ means an establishment run by the Abbeyfield Society including all bodies corporate or incorporate which are affiliated to that Society;

‘adoption leave’ means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

‘an AFIP’ means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004

‘applicant’ means a person who the authority designates as able to claim Council tax reduction – for the purposes of this scheme all references are in the masculine gender but apply equally to male and female;

‘application’ means an application for a reduction under this scheme:

‘appropriate DWP office’ means an office of the Department for Work and Pensions dealing with state pension credit or office which is normally open to the public for the receipt of claims for income support, a jobseeker’s allowance or an employment and support allowance;

‘assessment period’ means such period as is prescribed in sections 19 to 21 over which income falls to be calculated;

‘attendance allowance’ means–

(a) an attendance allowance under Part 3 of the Act;

(b) an increase of disablement pension under section 104 or 105 of the Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to the Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to the Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

‘the authority’ means a billing authority in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

‘Back to Work scheme(s)’ means any scheme defined within the Jobseekers (Back to Work Schemes) Act 2013 or Jobseeker’s Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

‘basic rate’, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act).

‘the benefit Acts’ means the Act (SSBA) and the Jobseekers Act 1995 and the Welfare Reform Act 2007;

‘board and lodging accommodation’ means accommodation provided to a family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

‘care home’ has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

‘the Caxton Foundation’ means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering

from hepatitis C and other persons eligible for payment in accordance with its provisions;

‘child’ means a person under the age of 16;

‘child benefit’ has the meaning given by section 141 of the SSCBA as amended by The Child Benefit (General), Child Tax Credit (Amendment) Regulations 2014 and The Child Benefit (General) (Amendment) Regulations 2015;

‘the Children Order’ means the Children (Northern Ireland) Order 1995;

‘child tax credit’ means a child tax credit under section 8 of the Tax Credits Act 2002;

‘claim’ means a claim for council tax reduction;

‘close relative’ means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

‘concessionary payment’ means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act are charged;

‘the Consequential Provisions Regulations’ means the Housing Benefit and Council tax reduction (Consequential Provisions) Regulations 2006;

‘contributory employment and support allowance’ means an allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

‘council tax benefit’ means council tax benefit under Part 7 of the SSCBA;

‘council tax reduction scheme’ has the same meaning as **‘council tax reduction or reduction’**

‘council tax support (or reduction)’ means council tax reduction as defined by S13a Local Government Finance Act 1992 (as amended);

‘couple’ means;

- (a) a man and a woman who are married to each other and are members of the same household;
- (b) a man and a woman who are not married to each other but are living together as if they were a married couple or civil partners;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners,

Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes. The above includes the Marriage (Same Sex Couples) Act 2013 and The Marriage (Same Sex Couples) Act 2013 (Commencement No. 3) Order 2014;

‘date of claim’ means the date on which the application or claim is made, or treated as made, for the purposes of this scheme

‘designated authority’ means any of the following;
the local authority; or a person providing services to, or authorised to exercise any function of, any such authority;

‘designated office’ means the office designated by the authority for the receipt of claims for council tax reduction;

- (a) by notice upon or with a form approved by it for the purpose of claiming council tax reduction; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application; or
- (c) by any combination of the provisions set out in sub-paragraphs (a) and (b) above;

‘disability living allowance’ means a disability living allowance under section 71 of the Act;

‘dwelling’ has the same meaning in section 3 or 72 of the 1992 Act;

‘earnings’ has the meaning prescribed in section 25 or, as the case may be, 27;

‘the Eileen Trust’ means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

‘electronic communication’ has the same meaning as in section 15(1) of the Electronic Communications Act 2000 ;

‘employed earner’ is to be construed in accordance with section 2(1)(a) of the Act and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

‘Employment and Support Allowance Regulations’ means the Employment and Support Allowance Regulations 2008 and the Employment and Support Regulations 2013 as appropriate;

‘Employment and Support Allowance (Existing Awards) Regulations’ means the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010;

‘the Employment, Skills and Enterprise Scheme’ means a scheme under section 17A (schemes for assisting persons to obtain employment; ‘work for your benefit’ schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist applicants to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search). This also includes schemes covered by The Jobseekers Allowance (Employment, Skills and Enterprise Scheme) Regulations 2011 as amended by the Jobseekers (Back to Work Schemes) Act 2013 – see **‘Back to Work Schemes’**;

‘enactment’ includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

‘extended reduction’ means a payment of council tax reduction payable pursuant to section 60;

‘extended reduction period’ means the period for which an extended reduction is payable in accordance with section 60A or 61A of this scheme;

‘extended reduction (qualifying contributory benefits)’ means a payment of council tax reduction payable pursuant to section 61;

‘family’ has the meaning assigned to it by section 137(1) of the Act and Section 9 of this scheme;

‘the Fund’ means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

‘a guaranteed income payment’ means a payment made under article 15(1)(c) (injury benefits) or 29(1)(a) (death benefits) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

‘he, him, his’ also refers to the feminine within this scheme

‘housing benefit’ means housing benefit under Part 7 of the Act; ‘the Housing Benefit Regulations’ means the Housing Benefit Regulations 2006;

‘Immigration and Asylum Act’ means the Immigration and Asylum Act 1999;

‘an income-based jobseeker’s allowance’ and **‘a joint-claim jobseeker’s allowance’** have the meanings given by section 1(4) of the Jobseekers Act 1995;

‘income-related employment and support allowance’ means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

‘Income Support Regulations’ means the Income Support (General) Regulations 1987(a);

‘independent hospital’–

(a) in England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

(b) in Wales, has the meaning assigned to it by section 2 of the Care Standards Act 2000; and

(c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

‘the Independent Living Fund (2006)’ means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

‘invalid carriage or other vehicle’ means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

‘Jobseekers Act’ means the Jobseekers Act 1995; ‘Jobseeker’s Allowance Regulations’ means

the Jobseeker's Allowance Regulations 1996 and Jobseeker's Allowance Regulations 2013 as appropriate;

'limited capability for work' has the meaning given in section 1(4) of the Welfare Reform Act;

'limited capability for work-related activity' has the meaning given in section 2(5) of the Welfare Reform Act 2007;

'the London Bombing Relief Charitable Fund' means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

'lone parent' means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

'the Macfarlane (Special Payments) Trust' means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

'the Macfarlane (Special Payments) (No.2) Trust' means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

'the Macfarlane Trust' means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

'main phase employment and support allowance' means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 except in Part 1 of Schedule 1;

'the Mandatory Work Activity Scheme' means a scheme within section 17A (schemes for assisting persons to obtain employment; 'work for your benefit' schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to provide work or work related activity for up to 30 hours per week over a period of four consecutive weeks with a view to assisting applicants to improve their prospect of obtaining employment;

'maternity leave' means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

'member of a couple' means a member of a married or unmarried couple;

'MFET Limited' means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

'mobility supplement' means a supplement to which paragraph 9 of Schedule 4 refers;

'mover' means an applicant who changes the dwelling in which the applicant is resident and in respect of which the applicant liable to pay council tax from a dwelling in the area of the appropriate authority to a dwelling in the area of the second authority;

'net earnings' means such earnings as are calculated in accordance with section 26;

'net profit' means such profit as is calculated in accordance with section 28;

'the New Deal options' means the employment programmes specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996 and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

'new dwelling' means, for the purposes of the definition of 'second authority' and sections 60C, and 61C the dwelling to which a applicant has moved, or is about to move, in which the applicant is or will be resident;

'non-dependant' has the meaning prescribed in section 3;

'non-dependant deduction' means a deduction that is to be made under section 58;

'occasional assistance' means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purposes of:

(a) meeting, or helping to meet an immediate short-term need;

- (i) arising out of an exceptional event or exceptional circumstances, or
- (ii) that needs to be met to avoid a risk to the well-being of an individual, and
- (b) enabling qualifying individuals to establish or maintain a settled home, and—
 - (i) ‘local authority’ has the meaning given by section 270(1) of the Local Government Act 1972 ;and
 - (ii) ‘qualifying individuals’ means individuals who have been, or without the assistance might otherwise be:
 - (aa) in prison, hospital, an establishment providing residential care or other institution, or
 - (bb) homeless or otherwise living an unsettled way of life; and ‘local authority’ means a local authority in England within the meaning of the Local Government Act 1972;

‘occupational pension’ means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

‘occupational pension scheme’ has the same meaning as in section 1 of the Pension Schemes Act 1993

‘ordinary clothing or footwear’ means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities;

‘partner’ in relation to a person, means

- (a) where that person is a member of a couple, the other member of that couple;
- (b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or
- (c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

‘paternity leave’ means a period of absence from work on leave by virtue of section 80A or 80B of the Employment Rights Act 1996;

‘payment’ includes part of a payment;

‘pensionable age’ has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995 as amended by the Public Services Pension Act 2013 and Pensions Act 2014;

‘pension fund holder’ means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

‘pensioner’ a person who has attained the age at which pension credit can be claimed;

‘person affected’ shall be construed as a person to whom the authority decides is affected by any decision made by the council;

“person from abroad” means, subject to the following provisions of this regulation, a person who is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland

‘person on income support’ means a person in receipt of income support;

personal independence payment’ has the meaning given by Part 4 of the Welfare Reform Act 2012 and the Social Security (Personal Independence Payments) 2013;

‘person treated as not being in Great Britain’ has the meaning given by section 7;

‘personal pension scheme’ means—

- a. a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993 as amended by the Public Service Pension Act 2013;
- b. an annuity contractor trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) or that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 of the Finance Act 2004;
- c. a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

‘policy of life insurance’ means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums

for a term dependent on human life;

'polygamous marriage' means a marriage to which section 133(1) of the Act refers namely;

(a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and

(b) either party to the marriage has for the time being any spouse additional to the other party.

'public authority' includes any person certain of whose functions are functions of a public nature;

'qualifying age for state pension credit' means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)–

(a) in the case of a woman, pensionable age; or

(b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

'qualifying contributory benefit' means;

(a) severe disablement allowance;

(b) incapacity benefit;

(c) contributory employment and support allowance;

'qualifying course' means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker's Allowance Regulations 1996

'qualifying income-related benefit' means

(a) income support;

(b) income-based jobseeker's allowance;

(c) income-related employment and support allowance;

'qualifying person' means a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;

'reduction week' means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

'relative' means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

'relevant authority' means an authority administering council tax reduction;

'relevant week' In relation to any particular day, means the week within which the day in question falls;

'remunerative work' has the meaning prescribed in section 6;

'rent' means 'eligible rent' to which regulation 12 of the Housing Benefit Regulations refers less any deductions in respect of non-dependants which fall to be made under regulation 74 (non-dependant deductions) of those Regulations;

'resident' has the meaning it has in Part 1 or 2 of the 1992 Act;

'Scottish basic rate' means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007;

'Scottish taxpayer' has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998

'second adult' has the meaning given to it in Schedule 2;

'second authority' means the authority to which a mover is liable to make payments for the new dwelling;

'self-employed earner' is to be construed in accordance with section 2(1)(b) of the Act;

'self-employment route' means assistance in pursuing self-employed earner's employment whilst participating in–

(a) an employment zone programme;

(b) a programme provided or other arrangements made pursuant to section 2 of the 1973 Act (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.);

(c) the Employment, Skills and Enterprise Scheme;

(d) a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

(e) Back to Work scheme.

'Service User' references in this scheme to an applicant participating as a service user are to

a. a person who is being consulted by or on behalf of—

- (i) the Secretary of State in relation to any of the Secretary of State’s functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
- (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
- b. the carer of a person consulted as described in sub-paragraph (a) where the carer is not being consulted as described in that sub-paragraph.”.

‘service user group’ means a group of individuals that is consulted by or on behalf of;

- (a) a Health Board, Special Health Board or the Agency in consequence of a function under section 2B of the National Health Service (Scotland) Act 1978,
- (b) a landlord authority in consequence of a function under section 105 of the Housing Act 1985,
- (c) a public authority in Northern Ireland in consequence of a function under section 49A of the Disability Discrimination Act 1995,
- (d) a public authority in consequence of a function relating to disability under section 149 of the Equality Act 2010;
- (e) a best value authority in consequence of a function under section 3 of the Local Government Act 1999,
- (f) a local authority landlord or registered social landlord in consequence of a function under section 53 of the Housing (Scotland) Act 2001,
- (g) a relevant English body or a relevant Welsh body in consequence of a function under section 242 of the National Health Service Act 2006,
- (h) a Local Health Board in consequence of a function under section 183 of the National Health Service (Wales) Act 2006,
- (i) the Care Quality Commission in consequence of a function under section 4 or 5 of the Health and Social Care Act 2008,
- (j) the regulator or a private registered provider of social housing in consequence of a function under section 98, 193 or 196 of the Housing and Regeneration Act 2008, or
- (k) a public or local authority in Great Britain in consequence of a function conferred under any other enactment,

for the purposes of monitoring and advising on a policy of that body or authority which affects or may affect persons in the group, or of monitoring or advising on services provided by that body or authority which are used (or may potentially be used) by those persons;

‘single applicant’ means an applicant who neither has a partner nor is a lone parent;

‘the Skipton Fund’ means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme’s provisions.

‘special account’ means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;

‘sports award’ means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

‘the SSCBA’ means the Social Security Contributions and Benefits Act 1992

‘State Pension Credit Act’ means the State Pension Credit Act 2002;

‘student’ has the meaning prescribed in section 43;

‘subsistence allowance’ means an allowance which an employment zone contractor has agreed to pay to a person who is participating in an employment zone programme;

‘the Tax Credits Act’ means the Tax Credits Act 2002;

‘tax year’ means a period beginning with 6th April in one year and ending with 5th April in the next;

‘training allowance’ means an allowance (whether by way of periodical grants or otherwise) payable—

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Young People’s Learning Agency for England, the Chief Executive of Skills Funding or Welsh Ministers;

- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, the department or approved by the department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers.

It does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the 1973 Act or is training as a teacher;

‘the Trusts’ means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No. 2) Trust;

‘Universal Credit’ means any payment of Universal Credit payable under the Welfare Reform Act 2012, the Universal Credit Regulations 2013, The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013, Universal Credit (Miscellaneous Amendments) Regulations 2013 and the Universal Credit (Transitional Provisions) Regulations 2014;

‘Uprating Act’ means the Welfare Benefit Up-rating Act 2013, the Welfare Benefits Up-rating Order 2014 and the Welfare Benefits Up-rating Order 2015;

‘voluntary organisation’ means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

‘war disablement pension’ means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

‘war pension’ means a war disablement pension, a war widow’s pension or a war widower’s pension;

‘war widow’s pension’ means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘war widower’s pension’ means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘water charges’ means;

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

‘week’ means a period of seven days beginning with a Monday;

‘Working Tax Credit Regulations’ means the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 as amended¹; and

‘young person’ has the meaning prescribed in section 9(1) and in section 142 of the SSCBA.

- 2.2 In this scheme, references to an applicant occupying a dwelling or premises as his home shall be construed in accordance with regulation 7 of the Housing Benefit Regulations 2006.
- 2.3 In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny shall be disregarded if it is less than half a penny and shall otherwise be treated as a whole penny.
- 2.4 For the purpose of this scheme, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day;
 - (a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not paid in accordance with regulation

¹ The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2013; The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2015

- 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of the Jobseekers Act (circumstances in which a jobseeker's allowance is not payable); or
- (b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income- based jobseeker's allowance is payable to him or would be payable to him but for regulation 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of that Act;
 - (c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act and no joint-claim jobseeker's allowance is payable in respect of that couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;
 - (d) in respect of which an income-based jobseeker's allowance or a joint-claim jobseeker's allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).
- 2.4A For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day;
- (a) in respect of which he satisfies the conditions for entitlement to an income- related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act disqualification; or
 - (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act and which falls immediately before a day in respect of which an income- related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.
- 2.5 For the purposes of this scheme, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.
- 2.6 In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).
- 3.0 Definition of non-dependant**
- 3.1 In this scheme, 'non-dependant' means any person, except someone to whom paragraph 3.2 applies, who normally resides with an applicant or with whom an applicant normally resides.
- 3.2 This paragraph applies to;
- a. any member of the applicant's family;
 - b. if the applicant is polygamously married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
 - c. a child or young person who is living with the applicant but who is not a member of his household by virtue of section 11(membership of the same household);
 - d. subject to paragraph 3.3, any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under sections 6, 7 or 75 of the 1992 Act (persons liable to pay council tax);
 - e. subject to paragraph 3.3, any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;
 - f. a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.
- 3.3 Excepting persons to whom paragraph 3.2 a) to c) and f) refer, a person to whom any of the following sub-paragraphs applies shall be a non-dependant–

- a. a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either;
 - i. that person is a close relative of his or her partner; or
 - ii. the tenancy or other agreement between them is other than on a commercial basis;
- b. a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of the council tax reduction scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;
- c. a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the authority is satisfied that the change giving rise to the new liability was not made to take advantage of the support scheme.

4.0 Requirement to provide a National Insurance Number²

4.1 No person shall be entitled to support unless the criteria below in 4.2 is satisfied in relation both to the person making the claim and to any other person in respect of whom he is claiming support.

4.2 This subsection is satisfied in relation to a person if–

- a. the claim for support is accompanied by;
 - i. a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - ii. information or evidence enabling the national insurance number that has been allocated to the person to be ascertained; or
- b. the person makes an application for a national insurance number to be allocated to him which is accompanied by information or evidence enabling such a number to be so allocated and the application for reduction is accompanied by evidence of the application and information to enable it to be allocated.

4.3 Paragraph 4.2 shall not apply–

- a. in the case of a child or young person in respect of whom council tax reduction is claimed;
- b. to a person who;
 - i. is a person in respect of whom a claim for council tax reduction is made;
 - ii. is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act; and
 - iii. has not previously been allocated a national insurance number.

5.0 Persons who have attained the qualifying age for state pension credit

5.1 This scheme applies to a person if:

- (i) he has not attained the qualifying age for state pension credit; or
- (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is;
 - (a) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (b) a person with an award of universal credit.

6.0 Remunerative work

6.1 Subject to the following provisions of this section, a person shall be treated for the purposes of

² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

- 6.2 Subject to paragraph 6.3, in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard shall be had to the average of hours worked over;
- a. if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
 - b. in any other case, the period of 5 weeks immediately prior to that date of claim, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately,
- 6.3 Where, for the purposes of paragraph 6.2 a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.
- 6.4 Where no recognisable cycle has been established in respect of a person's work, regard shall be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.
- 6.5 A person shall be treated as engaged in remunerative work during any period for which he is absent from work referred to in paragraph 6.1 if the absence is either without good cause or by reason of a recognised customary or other holiday.
- 6.6 A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week shall be treated as not being in remunerative work in that week.
- 6.7 A person shall not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, or is absent from work because he is ill.
- 6.8 A person shall not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which;
- a. a sports award has been made, or is to be made, to him; and
 - b. no other payment is made or is expected to be made to him.

7.0 Persons treated as not being in Great Britain and Persons Subject to Immigration Control

Persons treated as not being in Great Britain

- 7.1 Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
- 7.2 Except where a person falls within paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland.
- 7.3 A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland unless the person has a right to reside in one of those places.

- 7.4 For the purposes of paragraph (3), a right to reside does not include a right, which exists by virtue of, or in accordance with—
- (a) regulation 13 of the EEA Regulations;
 - (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is—
 - (i) a jobseeker for the purpose of the definition of “qualified person” in regulation 6(1) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
 - (b) regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).
- 7.4A For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—
- (a) (Removed by the Council Tax Reductions Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021
 - (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
 - (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
 - (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- 7.4B Paragraph (4A)(b) does not apply to a person who—
- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
 - (b) would have a right to reside under the EEA Regulations if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b)
- 7.5 A person falls within this paragraph if the person is—
- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of—
 - (i) the Afghan Relocations and Assistance Policy; or
 - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);
 - (zb) a person in Great Britain not coming within sub-paragraph (za) or (e) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;
 - (zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
 - (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
 - (b) a family member of a person referred to in sub-paragraph (a);

- (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
- (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
- (cb) a frontier worker within the meaning of regulation 3 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020;
- (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971
- (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
- (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971
- (f) a person who has humanitarian protection granted under those rules;
- (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion, or other removal by compulsion of law from another country to the United Kingdom;
- (h) in receipt of income support or on an income-related employment and support allowance; or
- (ha) in receipt of an income-based jobseeker’s allowance and has a right to reside other than a right to reside falling within paragraph (4).

7.6 A person falls within this paragraph if the person is a Crown servant or member of Her Majesty’s forces posted overseas.

7.7 A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty’s forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

7.8 In this regulation—
“claim for asylum” has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;
“Crown servant” means a person holding an office or employment under the Crown;
“EEA Regulations” means the Immigration (European Economic Area) Regulations 2006; and the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020
“EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;
“family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);
“relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971; and
“Her Majesty’s forces” has the same meaning as in the Armed Forces Act 2006.

Persons subject to immigration control

7.9 Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority’s scheme.

7.10 A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purpose of paragraph 7.9

7.11 “Person subject to immigration control” has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

7A.0 Transitional provision

7A.1 The above does not apply to a person who, on 31st March 2015—

- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority’s scheme established under section 13A(2) of the Act; and
- (b) is entitled to an income-based jobseeker’s allowance, until the first of the events in paragraph 7A.2 occurs.

7A.2 The events are—

- (a) the person makes a new application for a reduction under an authority’s scheme established under section 13A(2) of the Act; or
- (b) the person ceases to be entitled to an income-based jobseeker’s allowance.

7A.3 In this section “the Act” means the Local Government Finance Act 1992.

8.0 Temporary Absence (period of absence)

8.1 Where a person is absent from the dwelling throughout any day then no support shall be payable

8.2 A person shall not, in relation to any day, which falls within a period of temporary absence from that dwelling, be a prescribed person under paragraph 8.1.

8.3 In paragraph 8.2, a ‘period of temporary absence’ means—

- a. a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation where and for so long as;
 - i. the person resides in that accommodation;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
 - iii. that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

- b. a period of absence not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as;
 - i. the person intends to return to the dwelling;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
 - iii. that period is unlikely to exceed 13 weeks; and
- c. a period of absence not exceeding 52 weeks, beginning with the first whole day of absence, where and for so long as
 - i. the person intends to return to the dwelling;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let;
 - iii. the person is a person to whom paragraph 8.4 applies; and
 - iv. the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

8.4 This paragraph applies to a person who is;

- a. detained in custody on remand pending trial or required, as a condition of bail, to reside;
 - i. in a dwelling, other than the dwelling referred to in paragraph 8.1, or
 - ii. in premises approved under section 13 of the Offender Management Act 2007 as amended by the Offender Rehabilitation Act 2014, or, detained in custody pending sentence upon conviction;
- b. resident in a hospital or similar institution as a patient;
- c. undergoing, or his partner or his dependent child is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- d. following, in the United Kingdom or elsewhere, a training course;
- e. undertaking medically approved care of a person residing in the United Kingdom or elsewhere;
- f. undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care of medical treatment;
- g. in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than residential accommodation;
- h. a student;
- i. receiving care provided in residential accommodation other than a person to whom paragraph 8.3a) applies; or
- j. has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

8.5 This paragraph applies to a person who is;

- a. detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983 (as amended by the Mental Health (Discrimination) Act 2013), or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or the Mental Health (Scotland) Act 2015; and
- b. on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989

8.6 Where paragraph 8.5 applies to a person, then, for any day when he is on temporary release—

- a. if such temporary release was immediately preceded by a period of temporary absence under paragraph 8.3 b) or c), he shall be treated, for the purposes of paragraph 8.1, as if he continues to be absent from the dwelling, despite any return to the dwelling;
- b. for the purposes of paragraph 8.4 a), he shall be treated as if he remains in detention;
- c. If he does not fall within sub-paragraph a), he is not considered to be a person who is liable to pay Council Tax in respect of a dwelling of which he is resident

8.7 In this section;

- ‘medically approved’ means certified by a medical practitioner;
- ‘patient’ means a person who is undergoing medical or other treatment as an in- patient in any hospital or similar institution; ‘residential accommodation’ means accommodation which is provided;
 - a. in a care home;
 - b. in an independent hospital;
 - c. in an Abbeyfield Home; or
 - d. in an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;
- ‘training course’ means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

Sections 9 - 11

The family for Council tax reduction purposes

9.0 Membership of a family

- 9.1 Within the support scheme adopted by the Council 'family' means;
- a. a married or unmarried couple;
 - b. married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
 - c. two people of the same sex who are civil partners of each other and are members of the same household (with or without children);
 - d. two people of the same sex who are not civil partners of each other but are living together as if they were civil partners (with or without children),
 - e. and for the purposes of sub-paragraph (d) two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;
 - f. except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a young person;

For the purposes of the scheme a child is further defined as a 'child or young person'
A 'child' means a person under the age of 16 and a 'Young Person' is someone aged 16 or over but under 20 and who satisfies other conditions. These conditions are:

- they are aged 16, have left 'relevant education' or training, and 31 August following the sixteenth birthday has not yet been passed;
- they are aged 16 or 17, have left education or training, are registered for work, education or training, are not in remunerative work and are still within their 'extension period';
- they are on a course of full-time non-advanced education, or are doing 'approved training', and they began that education or training before reaching the age of 19;
- they have finished a course of full-time non-advanced education, but are enrolled on another such course (other than one provided as a result of their employment);
- they have left 'relevant education' or 'approved training' but have not yet passed their 'terminal date'.

- 9.2 Paragraph 9.1 the definition of child or young person shall not apply to a person who is;
- a. on income support ;
 - b. an income-based jobseeker's allowance or an income-related employment and support allowance; or has an award of Universal Credit; or
 - c. a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies.
- 9.3 The definition also includes a child or young person in respect of whom there is an entitlement to child benefit but only for the period that Child Benefit is payable

10.0 Circumstances in which a person is to be treated as responsible (or not responsible) for a child or young person.

- 10.1 Subject to the following paragraphs a person shall be treated as responsible for a child or young person who is normally living with him and this includes a child or young person to whom paragraph 9.3 applies
- 10.2 Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person shall be treated for the purposes of paragraph 9.1 as normally living with;
- a. the person who is receiving child benefit in respect of him; or
 - b. if there is no such person;
 - i. where only one claim for child benefit has been made in respect of him, the

- ii. person who made that claim; or
in any other case the person who has the primary responsibility for him.

10.3 For the purposes of this scheme a child or young person shall be the responsibility of only one person and any person other than the one treated as responsible for the child or young person under this section shall be treated as not so responsible.

10.4 In accordance with Schedule 1 of this scheme, the number of dependants determined to be within the household shall be limited to two.

11.0 Circumstances in which a child or young person is to be treated as being or not being a member of the household

11.1 Subject to paragraphs 11.2 and 11.3, the applicant and any partner and, where the applicant or his partner is treated as responsible by virtue of section 10 (circumstances in which a person is to be treated as responsible or not responsible for a child or young person) for a child or young person, that child or young person and any child of that child or young person, shall be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

11.2 A child or young person shall not be treated as a member of the applicant's household where he is;

- a. placed with the applicant or his partner by a local authority under section 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
- b. placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
- c. placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.

11.3 Subject to paragraph 11.4, paragraph 11.1 shall not apply to a child or young person who is not living with the applicant and he—

- a. is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
- b. has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- c. has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009; or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes).

11.4 The authority shall treat a child or young person to whom paragraph 11.3 a) applies as being a member of the applicant's household where;

- a. that child or young person lives with the applicant for part or all of that reduction week; and
- b. the authority considers that it is responsible to do so taking into account the nature and frequency of that child's or young person's visits.

11.5 In this paragraph 'relevant enactment' means the Army Act 1955, the Air Force Act 1955, the Naval Discipline Act 1957, the Matrimonial Proceedings (Children) Act 1958, the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969, the Children and Young Persons Act 1969, the Matrimonial Causes Act 1973, the Children Act 1975, the Domestic Proceedings and Magistrates' Courts Act 1978, the Adoption and Children (Scotland) Act 1978, the Family Law Act 1986, the Children Act 1989, the Children (Scotland) Act 1995 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

12.0 – 14.0 Not Used

Sections 15 – 32 & Schedules 3 & 4

Definition and the treatment of income for Council tax reduction purposes

15.0 Calculation of income and capital of members of applicant's family and of a polygamous marriage

- 15.1 The income and capital of:
- (a) an applicant; and
 - (b) any partner of that applicant,

is to be calculated in accordance with the provisions of this Part.

- 15.2 The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.

- 15.3 Where an applicant or the partner of an applicant is married polygamously to two or more members of his household:
- (a) the applicant must be treated as possessing capital and income belonging to each such member; and
 - (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

15A.0 Calculation of income and capital: persons who have an award of universal credit

- 15A.1 In determining the income of an applicant
- a. who has, or
 - b. who (jointly with his partner) has,
- an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

- 15A.2 The authority may adjust the amount referred to in sub-paragraph (1) to take account of
- (a) income consisting of the award of universal credit, determined in accordance with subparagraph (3) and housing costs;
 - (b) any sum to be disregarded under paragraphs of Schedule 3 to this scheme (sums to be disregarded in the calculation of earnings);
 - (c) any sum to be disregarded under paragraphs of Schedule 4 to this scheme (sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners);
 - (d) section 16 (circumstances in which income and capital of non-dependant is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;
 - (e) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable)

- 15A.3 The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.

- 15A.4 sections 16 (income and capital of non-dependant to be treated as applicant's) and 52 and 53 (disregards from income) apply (so far as relevant) for the purpose of determining any adjustments, which fall to be made to the figure for income under sub-paragraph (2)

- 15A.5 In determining the capital of an applicant;
- (a) who has, or
 - (b) who (jointly with his partner) has,
- an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining that award

16.0 Circumstances in which capital and income of non-dependant is to be treated as applicant's

16.1 Where it appears to the authority that a non-dependant and the applicant have entered into arrangements in order to take advantage of the council tax reduction scheme and the non-dependant has more capital and income than the applicant, that authority shall, except where the applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, treat the applicant as possessing capital and income belonging to that non-dependant, and, in such a case, shall disregard any capital and income which the applicant does possess.

16.2 Where an applicant is treated as possessing capital and income belonging to a non-dependant under paragraph 16.1 the capital and income of that non-dependant shall be calculated in accordance with the following provisions in like manner as for the applicant and any reference to the 'applicant' shall, except where the context otherwise requires, be construed for the purposes of this scheme as if it were a reference to that non-dependant.

17.0 Calculation of income on a weekly basis

17.1 For the purposes of this scheme and in line with regulation 34 of the Housing Benefit Regulations 2006 (disregard to changes in tax, contributions etc.), the income of an applicant shall be calculated on a weekly basis;

- a. by estimating the amount which is likely to be his average weekly income in accordance with this Section and in line with Sections 2, 3, 4 and 5 of Part 6 of the Housing Benefit Regulations 2006;
- b. by adding to that amount the weekly income calculated in line with regulation 52 of the Housing Benefit Regulations 2006 (calculation to tariff income from capital); and
- c. by then deducting any relevant child care charges to which section 18 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in paragraph 17.2 are met, from those earnings plus whichever credit specified in sub-paragraph (b) of that paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in paragraph (3) applies in his case.

17.2 The conditions of this paragraph are that;

- a. the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (3) otherwise applies in his case; and
- b. that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

17.3 The maximum deduction to which paragraph 17.1 c) above refers shall be;

- a. where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week.
- b. where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300.00 per week.

The amounts stated in this paragraph shall be amended in accordance with the Housing Benefit Regulations 2006 (as amended).

17.4 For the purposes of paragraph 17.1 'income' includes capital treated as income under section 31 (capital treated as income) and income, which an applicant is treated as possessing under section 32 (notional income).

18.0 Treatment of child care charges

18.1 This section applies where an applicant is incurring relevant child-care charges and;

- a. is a lone parent and is engaged in remunerative work;
- b. is a member of a couple both of whom are engaged in remunerative work; or
- c. is a member of a couple where one member is engaged in remunerative work and the

other;

- i. is incapacitated;
- ii. is an in-patient in hospital; or
- iii. is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

18.2 For the purposes of paragraph 18.1 and subject to paragraph 18.4, a person to whom paragraph 18.3 applies shall be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—

- a. is paid statutory sick pay;
- b. is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the Act;
- c. is paid an employment and support allowance;
- d. is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support Regulations 1987; or
- e. is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

18.3 This paragraph applies to a person who was engaged in remunerative work immediately before

- a. the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
- b. the first day of the period in respect of which earnings are credited, as the case may be.

18.4 In a case to which paragraph 18.2 d) or e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

18.5 Relevant child care charges are those charges for care to which paragraphs 18.6 and 18.7 apply, and shall be calculated on a weekly basis in accordance with paragraph 18.10.

18.6 The charges are paid by the applicant for care, which is provided

- a. in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
- b. in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

18.7 The charges are paid for care, which is provided by one, or more of the care providers listed in paragraph 18.8 and are not paid—

- a. in respect of the child's compulsory education;
- b. by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with section 10 (circumstances in which a person is treated as responsible or not responsible for another); or
- c. in respect of care provided by a relative of the child wholly or mainly in the child's home.

18.8 The care to which paragraph 18.7 refers may be provided;

- a. out of school hours, by a school on school premises or by a local authority;
 - i. for children who are not disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
 - ii. for children who are disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
- b. by a child care provider approved in accordance with by the Tax Credit (New Category of Child Care Provider) Regulations 1999;

- c. by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
- d. by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) order 2010; or
- e. by;
 - i. persons registered under section 59(1) of the Public Services Reform Scotland Act 2010; or
 - ii. local authorities registered under section 83(1) of that Act, where the care provided is child minding or daycare within the meaning of that Act; or
- f. by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002 or
- g. by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
- h. by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
- i. by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
- j. by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of 'childcare' for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
- k. by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
- l. by a domiciliary care worker under the Domiciliary Care Agencies Regulations 2002 or the Domiciliary Care Agencies (Wales) Regulations 2004; or
- m. by a person who is not a relative of the child wholly or mainly in the child's home.

18.9 In paragraphs 18.6 and 18.8 a), 'the first Monday in September' means the Monday which first occurs in the month of September in any year.

18.10 Relevant child care charges shall be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.

18.11 For the purposes of paragraph 18.1 c) the other member of a couple is incapacitated where, **but for the implementation of this scheme:**

- a. the applicant's applicable amount includes a disability premium on account of the other member's incapacity or the support component or the work-related activity component on account of his having limited capability for work
- b. the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulation made under section 171E of the Act;
- c. the applicant's applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or 2013 as appropriate;
- d. the applicant (within the meaning of this scheme) is, or is treated as, incapable of work

and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;

- e. the applicant (within the meaning of this scheme) has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
- f. there is payable in respect of him one or more of the following pensions or allowances:
 - i. long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the Act;
 - ii. attendance allowance under section 64 of the Act;
 - iii. severe disablement allowance under section 68 of the Act;
 - iv. disability living allowance under section 71 of the Act;
 - v. personal independence payment under the Welfare Reform Act 2012;
 - vi. an AFIP;
 - vii. increase of disablement pension under section 104 of the Act;
 - viii. a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under head (ii), (iv) or (v) above;
 - ix. main phase employment and support allowance;
- g. a pension or allowance to which head (ii), (iv), (v) or (vi) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this section shall mean a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of social security (Hospital In-Patients) Regulations 2005;
- h. an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
- i. paragraphs (f) or (g) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
- j. he has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

18.12A For the purposes of paragraph 18.11, once paragraph 18.11e) applies to the applicant, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.

18.13 For the purposes of paragraphs 18.6 and 18.8 a), a person is disabled if he is a person—

- a. in respect of whom disability living allowance or personal independence payment is payable, or has ceased to be payable solely because he is a patient;
- b. who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

- c. who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

18.14 For the purposes of paragraph 18.1 a woman on maternity leave, paternity leave or adoption leave shall be treated as if she is engaged in remunerative work for the period specified in paragraph 18.15 ('the relevant period') provided that—

- a. in the week before the period of maternity leave, paternity leave or shared parental leave effective from 5/4/2015 or adoption leave began she was in remunerative work or adoption leave began she was in remunerative work;
- b. the applicant is incurring relevant child care charges within the meaning of paragraph 18.5; and
- c. she is entitled to either statutory maternity pay under section 164 of the Act, statutory paternity pay by virtue of section 171ZA or 171ZB of the Act statutory adoption pay by of section 171ZL of the Act, maternity allowance under section 35 of the Act or qualifying support.

18.15 For the purposes of paragraph 18.14 the relevant period shall begin on the day on which the person's maternity, paternity leave or adoption leave commences and shall end on—

- a. the date that leave ends;
- b. if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
- c. if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credits ends.

whichever shall occur first.

18.16 In paragraphs 18.14 and 18.15

- a. '**qualifying support**' means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support Regulations 1987; and
- b. '**child care element**' of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act (child care element) 2002.

18.17 In this section 'applicant' does not include an applicant;

- a. who has, or
- b. who (jointly with his partner) has, an award of universal credit

19.0 Average weekly earnings of employed earners

19.1 Where an applicant's income consists of earnings from employment as an employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment—

- a. over a period immediately preceding the reduction week in which the claim is made or treated as made and being a period of
 - i. 5 weeks, if he is paid weekly; or
 - ii. 2 months, if he is paid monthly; or
- b. whether or not sub-paragraph 19.1a i) or ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the claim is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.

19.2 Where the applicant has been in his employment for less than the period specified in paragraph 19.1 a)(i) or (ii)

- a. if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment

- b. his average weekly earnings shall be estimated by reference to those earnings;
in any other case, the authority shall require the applicant's employer to furnish an estimate of the applicant's likely weekly earnings over such period as the authority may require and the applicant's average weekly earnings shall be estimated by reference to that estimate.

19.3 Where the amount of an applicant's earnings changes during an award the authority shall estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed 52 weeks.

19.4 For the purposes of this section the applicant's earnings shall be calculated in accordance with sections 25 and 26

20.0 Average weekly earnings of self-employed earners

20.1 Where an applicant's income consists of earnings from employment as a self-employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed a year.

20.2 For the purposes of this section the applicant's earnings shall be calculated in accordance with section 27 to 29 of this scheme

21.0 Average weekly income other than earnings

21.1 An applicant's income which does not consist of earnings shall, except where paragraph 18.2 applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period shall not in any case exceed 52 weeks; and nothing in this paragraph shall authorise the authority to disregard any such income other than that specified in Schedule 4 of this scheme

21.2 The period over which any benefit under the benefit Acts is to be taken into account shall be the period in respect of which that support is payable.

21.3 For the purposes of this section income other than earnings shall be calculated in accordance with paragraphs 30 to 32 of this scheme

22.0 Calculation of average weekly income from tax credits

22.1 This section applies where an applicant receives a tax credit.

22.2 Where this section applies, the period over which a tax credit is to be taken into account shall be the period set out in paragraph 22.3

- 22.3 Where the instalment in respect of which payment of a tax credit is made is;
- a. a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
 - b. a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
 - c. a two-weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
 - d. a four-weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

22.4 For the purposes of this section 'tax credit' means child tax credit or working tax credit.

23.0 Calculation of weekly income

23.1 For the purposes of sections 19 (average weekly earnings of employed earners), 21 (average weekly income other than earnings) and 22 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made;

- a. does not exceed a week, the weekly amount shall be the amount of that payment;
- b. exceeds a week, the weekly amount shall be determined—
 - i. in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - ii. in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.

23.2 For the purpose of section 20 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant shall be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

24.0 Disregard of changes in tax, contributions etc.

24.1 In calculating the applicant's income the appropriate authority may disregard any legislative change

- a. in the basic or other rates of income tax;
- b. in the amount of any personal tax relief;
- c. in the rates of national insurance contributions payable under the Act or in the lower earnings limit or upper earnings limit for Class 1 contributions under the Act, the lower or upper limits applicable to Class 4 contributions under the Act or the amount specified in section 11(4) of the Act (small profits threshold in relation to Class 2 contributions);
- d. in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the Act;

in the maximum rate of child tax credit or working tax credit,

25.0 Earnings of employed earners

25.1 Subject to paragraph 25.2, 'earnings' means in the case of employment as an employed earner, any remuneration or profit derived from that employment and includes—

- a. any bonus or commission;
- b. any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
- c. any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
- d. any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
- e. any payment by way of a retainer;
- f. any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of—
- g.
 - (i) travelling expenses incurred by the applicant between his home and his place of employment;
 - (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
- h. any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
- i. any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);

- j. any such sum as is referred to in section 112 of the Act (certain sums to be earnings for social security purposes);
- k. any statutory sick pay, statutory maternity pay, statutory paternity pay, shared parental pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
- l. any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave, shared parental pay or adoption leave or is absent from work because he is ill;
- m. the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001 as amended³.

25.2 Earnings shall not include—

- a. subject to paragraph 25.3, any payment in kind;
- b. any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of employment;
- c. any occupational pension
- d. any payment in respect of expenses arising out of the applicant's participation in a service user group or an applicant participating as a service user

25.3 Paragraph 25.2 a) shall not apply in respect of any non-cash voucher referred to in paragraph 25.1 l)

26.0 Calculation of net earnings of employed earners

26.1 For the purposes of section 19 (average weekly earnings of employed earners), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account shall, subject to paragraph 26.2, be his net earnings.

26.2 There shall be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 14 of Schedule 3.

26.3 For the purposes of paragraph 26.1 net earnings shall, except where paragraph 26.6 applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less;

- a. any amount deducted from those earnings by way of
 - i) income tax;
 - ii) primary Class 1 contributions under the Act;
- b. one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
- c. one-half of the amount calculated in accordance with paragraph 26.5 in respect of any qualifying contribution payable by the applicant; and
- d. where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted for those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the Act.

26.4 In this section 'qualifying contribution' means any sum which is payable periodically as a contribution towards a personal pension scheme.

26.5 The amount in respect of any qualifying contribution shall be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the

³ Social Security (Contributions)(Amendment) Regulations 2013, Social Security (Contributions)(Amendment No.2) Regulations 2013 and Social Security (Contributions)(Amendment No.2) Regulations 2013

assessment period; and for the purposes of this section the daily amount of the qualifying contribution shall be determined—

- a. where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
- b. in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

26.6 Where the earnings of an applicant are estimated under sub-paragraph (b) of paragraph 2) of the section 19 (average weekly earnings of employment earners), his net earnings shall be calculated by taking into account those earnings over the assessment period, less—

- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rata basis;
- b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
- c. one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

27.0 Earnings of self-employed earners

27.1 Subject to paragraph 27.2, 'earnings', in the case of employment as a self-employed earner, means the gross income of the employment plus any allowance paid under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 to the applicant for the purpose of assisting him in carrying on his business unless at the date of claim the allowance has been terminated.

27.2 'Earnings' shall not include any payment to which paragraph 27 or 28 of Schedule 4 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant's care) nor shall it include any sports award.

27.3 This paragraph applies to—

- a. royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or
- b. any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book of work concerned.

27.4 Where the applicant's earnings consist of any items to which paragraph 27.3 applies, those earnings shall be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by

- (a) the amount of the reduction under this scheme which would be payable had the payment not been made, plus
- (b) an amount equal to the total of the sums which would fall to be disregarded from the

payment under Schedule 3 (sums to be disregarded in the calculation of earnings) as appropriate in the applicant's case.

28.0 Calculation of net profit of self-employed earners

- 28.1 For the purposes of section 20 (average weekly earnings of self-employed earners) the earnings of an applicant to be taken into account shall be
- a. in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
 - b. in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less—
 - i. an amount in respect of income tax and of national insurance contributions payable under the Act calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
 - ii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.
- 28.2 There shall be disregarded from an applicant's net profit, any sum, where applicable, specified in paragraph 1 to 14 of Schedule 3.
- 28.3 For the purposes of paragraph 28.1 a) the net profit of the employment must, except where paragraph 28.9 applies, be calculated by taking into account the earnings for the employment over the assessment period less
- a. subject to paragraphs 28.5 to 28.7, any expenses wholly and exclusively incurred in that period for the purposes of that employment;
 - b. an amount in respect of;
 - (i) income tax, and
 - (ii) national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
 - c. one-half of the amount calculated in accordance with paragraph (28.11) in respect of any qualifying premium.
- 28.4 For the purposes of paragraph 28.1b) the net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less, subject to paragraphs 28.5 to 28.8, any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- 28.5 Subject to paragraph 28.6 no deduction shall be made under paragraph 28.3 a) or 28.4, in respect of—
- a. any capital expenditure;
 - b. the depreciation of any capital asset;
 - c. any sum employed or intended to be employed in the setting up or expansion of the employment;
 - d. any loss incurred before the beginning of the assessment period;
 - e. the repayment of capital on any loan taken out for the purposes of the employment;
 - f. any expenses incurred in providing business entertainment, and
 - g. any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.
- 28.6 A deduction shall be made under paragraph 28.3 a) or 28.4 in respect of the repayment of capital on any loan used for—
- a. the replacement in the course of business of equipment or machinery; and
 - b. the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.

- 28.7 The authority shall refuse to make deductions in respect of any expenses under paragraph 28.3 a. or 28.4 where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 28.8 For the avoidance of doubt–
- a. deductions shall not be made under paragraph 28.3 a) or 28.4 in respect of any sum unless it has been expended for the purposes of the business;
 - b. a deduction shall be made thereunder in respect of–
 - i. the excess of any value added tax paid over value added tax received in the assessment period;
 - ii. any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - iii. any payment of interest on a loan taken out for the purposes of the employment
- 28.9 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one-third of the earnings of that employment, less an amount in respect of
- a. income tax; and
 - b. national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
 - c. one-half of the amount calculated in accordance with paragraph 28.1 in respect of any qualifying contribution.
- 28.10 For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments shall not be offset against his earnings in any other of his employments.
- 28.11 The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying premium shall be determined
- a. where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided the product by 365;
 - b. in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- 28.12 In this section, ‘qualifying premium’ means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.
- 29.0 Deduction of tax and contributions of self-employed earners**
- 29.1 The amount to be deducted in respect of income tax under section 28.1b) i), 28.3 b) i) or 28.9 a) i) (calculation of net profit of self-employed earners) shall be calculated on the basis of the amount of chargeable income and as if that income were assessable to income tax at the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.
- 29.2 The amount to be deducted in respect of national insurance contributions under paragraphs 28.1 1 b)(i); 28.3 b) ii) or 28.9 a shall be the total of–
- a. the amount of Class 2 contributions payable under section 11(1) or, as the case may be,

11(3) of the Act at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of the Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year shall be reduced pro rata; and

- b. the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits shall be reduced pro rata.

29.3 In this section 'chargeable income' means—

- a. except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted under paragraph 28.3(a) or, as the case may be, 28.4 of section 28;
- b. in the case of employment as a child minder, one-third of the earnings of that employment.

30.0 Calculation of income other than earnings

30.1 For the purposes of section 21 (average weekly income other than earnings), the income of an applicant which does not consist of earnings to be taken into account shall, subject to paragraphs 30.2 to 30.4, be his gross income and any capital treated as income under section 31 (capital treated as income).

30.2 There is to be disregarded from the calculation of an applicant's gross income under paragraph 30.1, any sum, where applicable, specified in Schedule 4.

30.3 Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under paragraph 30.1 shall be the gross amount payable.

30.4 Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008 or 2013 as appropriate, the amount of that benefit to be taken into account is the amount as if it had not been reduced.

30.5 Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under paragraph 30.1 shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.

30.6 In paragraph 30.5 'tax year' means a period beginning with 6th April in one year and ending with 5th April in the next.

30.7 Paragraph 30.8 and 30.9 apply where a relevant payment has been made to a person in an academic year; and that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.

30.8 Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph 30.7 applies, shall be calculated by applying the formula—

$$\frac{A - (B \times C)}{D}$$

Where

A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 51.5

B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;

C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 51.2 had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to council tax reduction immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;

D = the number of reduction weeks in the assessment period.

30.9 Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph (30.8) applies, shall be calculated by applying the formula in paragraph 30.8 but as if—

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 51.5

30.10 In this section— ‘academic year’ and ‘student loan’ shall have the same meanings as for the purposes of sections 43 to 45, ‘assessment period’ means—

a. in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;

b. in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes—

i. the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or

ii. the last day of the last quarter for which an instalment of the relevant payment was payable to that person.

whichever of these dates is earlier

‘quarter’ in relation to an assessment period means a period in that year beginning on;

a. 1st January and ending on 31st March;

b. 1st April and ending on 30th June;

c. 1st July and ending on 31st August; or

d. 1st September and ending on 31st December;

‘relevant payment’ means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 46.7 or both.

30.11 For the avoidance of doubt there shall be included as income to be taken into account under paragraph 30.1

a. any payment to which paragraph 25.2 (payments not earnings) applies; or

b. in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

31.0 Capital treated as income

- 31.1 Any capital payable by instalments which are outstanding at the date on which the claim is made or treated as made, or, at the date of any subsequent revision or supersession, shall, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with sections 33 to 42 of this scheme exceeds £3,000, be treated as income.
- 31.2 Any payment received under an annuity shall be treated as income.
- 31.3 Any earnings to the extent that they are not a payment of income shall be treated as income.
- 31.4 Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 Act shall be treated as income
- 31.5 Where an agreement or court order provides that payments shall be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital), shall be treated as income.

32.0 Notional income

- 32.1 An applicant shall be treated as possessing income of which he has deprived himself for the purpose of securing entitlement of support or increasing the amount of that support.
- 32.2 Except in the case of—
- a. a discretionary trust;
 - b. a trust derived from a payment made in consequence of a personal injury;
 - c. a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
 - d. any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a);
 - e. any sum to which paragraph 48(a) of Schedule 5 refers;
 - f. rehabilitation allowance made under section 2 of the 1973 Act;
 - g. child tax credit; or
 - h. working tax credit,
 - i. any sum to which paragraph 32.13 applies;
- any income which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.
- 32.3 – 32.5 Not used
- 32.6 Any payment of income, other than a payment of income specified in paragraph 32.7 made—
- a. to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under or by a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
 - b. to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in sub-paragraph a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of

- that family or is used for any council tax or water charges for which that applicant or member is liable;
- c. to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- 32.7 Paragraph 32.6 shall not apply in respect of a payment of income made—
- a. under the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
 - b. pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
 - c. pursuant to section 2 of the 1973 Act in respect of a person’s participation—
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker’s Allowance Regulations;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations or;
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
 - d. in respect of a person’s participation in the Work for Your Benefit Pilot Scheme
 - e. in respect of a previous participation in the Mandatory Work Activity Scheme;
 - f. in respect of an applicant’s participation in the Employment, Skills and Enterprise Scheme;
 - g. under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person’s estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- 32.8 Where an applicant is in receipt of any benefit (other than council tax reduction) under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority shall treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority shall select to apply in its area, to the date on which the altered rate is to take effect.
- 32.9 Subject to paragraph 32.10, where—
- a. applicant performs a service for another person; and
 - b. that person makes no payment of earnings or pays less than that paid for a comparable employment in the area, the authority shall treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.
- 32.10 Paragraph 32.9 shall not apply—
- a. to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
 - b. in a case where the service is performed in connection with—
 - (i) the applicant’s participation in an employment or training programme in accordance

with regulation 19(1)(q) of the Jobseeker's Allowance Regulations, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or

(ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme ; or

- c. to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.

32.10A In paragraph 32.10 (c) 'work placement' means practical work experience which is not undertaken in expectation of payment.

32.11 Where an applicant is treated as possessing any income under any of paragraph 32.1 to (32.8), the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of that income as if a payment has actually been made and as if it were actual income which he does possess.

32.12 Where an applicant is treated as possessing any earnings under paragraph 32.9 the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph (3) of section 26 (calculation of net earnings of employed earners) shall not apply and his net earnings shall be calculated by taking into account those earnings which he is treated as possessing, less;

- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the starting rate or, as the case may be, the starting rate and the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the starting rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rate basis;
- b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
- c. one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.

32.13 Paragraphs (32.1), (32.2), (32.6) and (32.9) shall not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant's participation in a service user group or an applicant participating as a service user

Sections 33 – 42 & Schedule 5

Definition and the treatment of capital for Council tax reduction purposes

33.0 Capital limit

33.1 For the purposes of this scheme, the prescribed amount is £3,000 and no reduction shall be granted when the applicant has an amount greater than this level.

34.0 Calculation of capital

34.1 For the purposes of this scheme, the capital of an applicant to be taken into account shall, subject to paragraph (34.2), be the whole of his capital calculated in accordance with this scheme and any income treated as capital under section 36 (income treated as capital).

34.2 There shall be disregarded from the calculation of an applicant's capital under paragraph (34.1), any capital, where applicable, specified in Schedule 5.

35.0 Disregard of capital of child and young person

35.1 The capital of a child or young person who is a member of the applicant's family shall not be treated as capital of the applicant.

36.0 Income treated as capital

36.1 Any bounty derived from employment to which paragraph 8 of Schedule 3 applies and paid at intervals of at least one year shall be treated as capital.

36.2 Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E shall be treated as capital.

36.3 Any holiday pay which is not earnings under section 25(1)(d) (earnings of employed earners) shall be treated as capital.

36.4 Except any income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28, 47 or 48 of Schedule 5, any income derived from capital shall be treated as capital but only from the date it is normally due to be credited to the applicant's account.

36.5 In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer shall be treated as capital.

36.6 Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, shall be treated as capital.

36.7 There shall be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.

36.8 Any arrears of subsistence allowance which are paid to an applicant as a lump sum shall be treated as capital.

36.9 Any arrears of working tax credit or child tax credit shall be treated as capital.

37.0 Calculation of capital in the United Kingdom

37.1 Capital which an applicant possesses in the United Kingdom shall be calculated at its current market or surrender value less—

- a. where there would be expenses attributable to the sale, 10 per cent.; and
- b. the amount of any encumbrance secured on it;

38.0 Calculation of capital outside the United Kingdom

38.1 Capital which an applicant possesses in a country outside the United Kingdom shall be calculated

- a. in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value.
- b. in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer, less, where there would be expenses attributable to sale, 10 per cent. and the amount of any encumbrances secured on it.

39.0 Notional capital

39.1 An applicant shall be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to council tax reduction or increasing the amount of that support except to the extent that that capital is reduced in accordance with section 40 (diminishing notional capital rule).

39.2 Except in the case of

- (a) a discretionary trust; or
- (b) a trust derived from a payment made in consequence of a personal injury; or
- (c) any loan which would be obtained only if secured against capital disregarded under Schedule 5; or
- (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
- (e) any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a); or
- (f) any sum to which paragraph 48(a) of Schedule 5 refers; or
- (g) child tax credit; or
- (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

39.3 Any payment of capital, other than a payment of capital specified in paragraph (39.4), made

- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in subparagraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

39.4 Paragraph 39.3 shall not apply in respect of a payment of capital made

- (a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;
- (b) pursuant to section 2 of the 1973 Act in respect of a person's participation
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the

- Jobseeker's Allowance Regulations;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
 - (bb) in respect of a person's participation in the Mandatory Work Activity Scheme; Enterprise Scheme;
 - (bc) in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme;
 - (c) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

39.5 Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case

- a. the value of his holding in that company shall, notwithstanding section 34 (calculation of capital) be disregarded; and
- b. he shall, subject to paragraph 39.6, be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Section shall apply for the purposes of calculating that amount as if it were actual capital which he does possess.

39.6 For so long as the applicant undertakes activities in the course of the business of the company, the amount which, he is treated as possessing under paragraph 39.5 shall be disregarded.

39.7 Where an applicant is treated as possessing capital under any of paragraphs 39.1 to 39.2 the foregoing provisions of this Section shall apply for the purposes of calculating its amount as if it were actual capital, which he does possess.

40.0 Diminishing notional capital rule

40.1 Where an applicant is treated as possessing capital under section 39.1 (notional capital), the amount which he is treated as possessing;

- a. in the case of a week that is subsequent to
 - (i) the relevant week in respect of which the conditions set out in paragraph 40.2 are satisfied; or
 - (ii) a week which follows that relevant week and which satisfies those conditions, shall be reduced by an amount determined under paragraph 40.3;
- b. in the case of a week in respect of which paragraph 40.1(a) does not apply but where
 - (i) that week is a week subsequent to the relevant week; and
 - (ii) that relevant week is a week in which the condition in paragraph 40.4 is satisfied, shall be reduced by the amount determined under paragraph 40.4.

40.2 This paragraph applies to a reduction week or part-week where the applicant satisfies the conditions that

- a. he is in receipt of council tax reduction; and

- b. but for paragraph 39.1, he would have received an additional amount of council tax reduction in that week.
- 40.3 In a case to which paragraph 40.2 applies, the amount of the reduction for the purposes of paragraph 40.1(a) shall be equal to the aggregate of
- a. the additional amount to which sub-paragraph 40.2 (b) refers;
 - b. where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);
 - c. where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 51(1) of the Income Support Regulations (notional capital);
 - d. where the applicant has also claimed a jobseeker’s allowance, the amount of an income-based jobseeker’s allowance to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 113 of the Jobseeker’s Allowance Regulations 1996 (notional capital) and
 - e. where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of reduction week to which paragraph 40.2 refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).
- 40.4 Subject to paragraph 40.5, for the purposes of paragraph 40.1(b) the condition is that the applicant would have been entitled to council tax reduction in the relevant week but for paragraph 39.1, and in such a case the amount of the reduction shall be equal to the aggregate of
- a. the amount of council tax reduction to which the applicant would have been entitled in the relevant week but for paragraph 39.1; and for the purposes of this sub-paragraph is the amount is in respect of a part-week, that amount shall be determined by dividing the amount of council tax reduction to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7;
 - b. if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the reduction week which includes the last day of the relevant week, the amount which is equal to—
 - (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
 - (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled,
 and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of housing benefit to which he would have been so entitled by the number equal to that number of days in the part-week and multiplying the quotient so obtained by 7;
 - c. if the applicant would, but for regulation 51(1) of the Income Support Regulations, have been entitled to income support in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income support to which he would have been so entitled by the number equal to the number of days in the part- week and multiplying the quotient so obtained by 7
 - d. if the applicant would, but for regulation 113 of the Jobseeker’s Allowance Regulations 1996, have been entitled to an income-based jobseeker’s allowance in respect of the reduction week, within the meaning of this scheme, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes

of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income-based jobseeker's allowance to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7; and

- e. if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount must be determined by dividing the amount of the income-related employment and support allowance to which he would have been so entitled by the number equal to the number of days in that part-week and multiplying the quotient so obtained by 7.

40.5 The amount determined under paragraph 40.4 shall be re-determined under that paragraph if the applicant makes a further claim for council tax reduction and the conditions in paragraph 40.6 are satisfied, and in such a case—

- a. sub-paragraphs (a) to (d) of paragraph 40.4 shall apply as if for the words 'relevant week' there were substituted the words 'relevant subsequent week'; and
- b. subject to paragraph 40.7, the amount as re-determined shall have effect from the first week following the relevant subsequent week in question.

40.6 The conditions are that

- a. a further claim is made 26 or more weeks after
 - (i) the date on which the applicant made a claim for council tax reduction in respect of which he was first treated as possessing the capital in question under paragraph 39.1;
 - (ii) in a case where there has been at least one re-determination in accordance with paragraph 40.5, the date on which he last made a claim for council tax reduction which resulted in the weekly amount being re-determined, or
 - (iii) the date on which he last ceased to be entitled to council tax reduction, whichever last occurred; and
- b. the applicant would have been entitled to council tax reduction but for paragraph 39.1.

40.7 The amount as re-determined pursuant to paragraph 40.5 shall not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount shall continue to have effect.

40.8 For the purposes of this section

- a. 'part-week'
 - (i) in paragraph 40.4(a) means a period of less than a week for which council tax reduction is allowed;
 - (ii) in paragraph 40.4(b) means a period of less than a week for which housing benefit is payable;
 - (iii) in paragraph 40.4 (c),(d) and (e) means—
 - aa. a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
 - bb. any other period of less than a week for which it is payable;
- b. 'relevant week' means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of section 39.1
 - (i) was first taken into account for the purpose of determining his entitlement to council tax reduction; or
 - (ii) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to council tax reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, council tax reduction;and where more than one reduction week is identified by reference to heads (i) and (ii)

of this sub-paragraph the later or latest such reduction week or, as the case may be, the later or latest such part-week;

- c. 'relevant subsequent week' means the reduction week or part-week which includes the day on which the further claim or, if more than one further claim has been made, the last such claim was made.

41.0 Capital jointly held

41.1 Except where an applicant possesses capital which is disregarded under paragraph 39(5) (notional capital) where an applicant and one or more persons are beneficially entitled in possession to any capital asset they shall be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Section shall apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

Sections 43 - 56

Definition and the treatment of students for Council tax reduction purposes⁴

⁴ Amounts shown in sections 43 to 56 will be updated in line with the Housing Benefit Regulations 2006 (as amended)

43.0 Student related definitions

43.1 In this scheme the following definitions apply;

'academic year' means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course shall be considered to begin in the autumn rather than the summer;

'access funds' means;

- a. grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
- b. grants made under section 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- c. grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- d. discretionary payments, known as "learner support funds", which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- e. Financial Contingency Funds made available by the Welsh Ministers;

'college of further education' means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

'contribution' means;

- a. any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student's grant or student loan; or
- b. any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority consider that it is reasonable for the following person to contribute towards the holder's expenses;
 - (i) the holder of the allowance or bursary;
 - (ii) the holder's parents;
 - (iii) the holder's parent's spouse, civil partner or a person ordinarily living with the holder's parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder's spouse or civil partner;

'course of study' means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

'covenant income' means the gross income payable to a full-time student under a Deed of Covenant by his parent;

'education authority' means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

'full-time course of study' means a full time course of study which;

- a. is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;;

- b. is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—
 - (i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or
 - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- c. is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
 - (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
 - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

‘full-time student’ means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

‘grant’ (except in the definition of ‘access funds’) means any kind of educational grant or award and includes any scholarship, studentship, exhibition allowance or bursary but does not include a payment from access funds or any payment to which paragraph 12 of Schedule 4 or paragraph 53 of Schedule 5 applies;

‘grant income’ means

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

‘higher education’ means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

‘last day of the course’ means;

- a. in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- b. in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

‘period of study’ means—

- a. in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- b. in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, the year’s start and ending with either—
 - (i) the day before the start of the next year of the course in a case where the student’s grant or loan is assessed at a rate appropriate to his studying throughout the year, or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
 - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- c. in the final year of a course of study of more than one year, the period beginning with that year’s start and ending with the last day of the course;

‘periods of experience’ means periods of work experience which form part of a sandwich course;

‘qualifying course’ means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker’s Allowance Regulations;

‘modular course’ means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

‘sandwich course’ has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans), (Scotland), Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

‘standard maintenance grant’ means—

- a. except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (‘the 2003 Regulations’) for such a student;
- b. except where paragraph (c) applies, in the case of a student residing at his parent’s home, the amount specified in paragraph 3 thereof;
- c. in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as ‘standard maintenance allowance’ for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- d. in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

‘student’ means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

- a. a course of study at an educational establishment; or
- b. a qualifying course;

‘student’ loan’ means a loan towards a student’s maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and shall include, in Scotland, a young student’s bursary paid under regulation 4(1)(c) of the Student’s Allowances (Scotland) Regulations 2007

- 43.2 For the purposes of the definition of ‘full-time student’, a person shall be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course
- a. in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending;
 - (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
 - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
 - b. in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.

- 43.3 For the purposes of sub-paragraph (a) of paragraph 43.2, the period referred to in that sub-paragraph shall include;
- a. where a person has failed examinations or has failed to successfully complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
 - b. any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.

44.0 Treatment of students

44.1 The following sections relate to students who claim Council tax reduction

45.0 Students who are excluded from entitlement to council tax reduction

45.1 Students (except those specified in paragraph 45.3) are not able to claim Council tax reduction under Classes D and E of the Council's reduction scheme.

45.2 To be eligible for support, the student must be liable for Council Tax under Section 6 of the Local Government Finance Act 1992 and they must not be deemed to be a full time student or a persons from abroad within the meaning of section 7 of this scheme (persons from aboard).

45.3 Paragraph 45.2 shall not apply to a student

(a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;

(b) who is a lone parent;

(c) **but for the implementation of this scheme**, whose applicable amount would, but for this section, include the disability premium or severe disability premium;

(d) **but for the implementation of this scheme**, whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the Act;

(e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;

(f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period.

(g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;

(h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989, or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;

(i) who is;

i) aged under 21 and whose course of study is not a course of higher education

ii) aged 21 and attained that age during a course of study which is not a course of higher education – this condition needs adding

iii) a qualifying young person or child within the meaning of section 142 of the Act (child and qualifying young person)

(j) in respect of whom

i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;

(ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) or regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;

(iii) a payment has been made under section 2 of the Education Act 1962 or under or by virtue of regulations made under the Teaching and Higher Education Act 1998;

(iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support)

Regulations (Northern Ireland) 2000; or
(v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

45.3A Paragraph 45.3(i)(ii) only applies to a claimant until the end of the course during which the claimant attained the age of 21

45.4 For the purposes of paragraph 45.3, once paragraph 45.3(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.

45.5 In paragraph 45.3(h) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

45.6 A full-time student to whom sub-paragraph (i) of paragraph 45.3 applies, shall be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.

45.7 Paragraph 45.2 shall not apply to a full-time student for the period specified in paragraph 45.8 if;

- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is;
 - (i) engaged in caring for another person; or
 - (ii) ill;
- (b) he has subsequently ceased to be engaged in engaging in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
- (c) he is not eligible for a grant or a student loan in respect of the period specified in paragraph 45.8.

45.8 The period specified for the purposes of paragraph 45.7 is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before;

- (a) the day on which he resumes attending or undertaking the course; or
 - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- which shall first occur.

46.0 Calculation of grant income

46.1 The amount of a student's grant income to be taken into account shall, subject to paragraphs 46.2 and 46.3, be the whole of his grant income.

46.2 There shall be excluded from a student's grant income any payment;

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;

- (e) on account of any other person but only if that person is residing outside of the United Kingdom and **,but for the implementation of this scheme,** there is no applicable amount in respect of him;
 - (f) intended to meet the cost of books and equipment;
 - (g) intended to meet travel expenses incurred as a result of his attendance on the course;
 - (h) intended for the child care costs of a child dependant.
 - (i) of higher education bursary for care leavers made under Part III of the Children Act 1989.
- 46.3 Where a student does not have a student loan and is not treated as possessing such a loan, there shall be excluded from the student's grant income;
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.
- The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).
- 46.4 There shall also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.
- 46.5 Subject to paragraphs 46.6 and 46.7, a student's grant income shall be apportioned;
- (a) subject to paragraph 46.8, in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
 - (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
- 46.6 Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2004 shall be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.
- 46.7 In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither paragraph 46.6 nor section 50 (other amounts to be disregarded) apply, shall be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.
- 46.8 In the case if a student on a sandwich course, any periods of experience within the period of study shall be excluded and the student's grant income shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.
- 47.0 Calculation of covenant income where a contribution is assessed**
- 47.1 Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following shall be the whole amount of the covenant income less, subject to paragraph 47.3, the amount of the contribution.

- 47.2 The weekly amount of the student's covenant shall be determined—
- (a) by dividing the amount of income which falls to be taken into account under paragraph 47.1 by 52 or 53, whichever is reasonable in the circumstances; and
 - (b) by disregarding from the resulting amount, £5.

47.3 For the purposes of paragraph 47.1, the contribution shall be treated as increased by the amount (if any) by which the amount excluded under paragraph 46.2(g) (calculation of grant income) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

48.0 Covenant income where no grant income or no contribution is assessed

48.1 Where a student is not in receipt of income by way of a grant the amount of his covenant income shall be calculated as follows;

- (a) any sums intended for any expenditure specified in paragraph 46.2 (a) to (e) (calculation of grant income) necessary as a result of his attendance on the course shall be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, shall be apportioned equally between the weeks of the period of study;
- (c) there shall be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 46.2(f) and 46.3 (calculation of grant income) had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, shall be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 shall be disregarded.

48.2 Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income shall be calculated in accordance with sub-paragraphs (a) to (d) of paragraph 48.1, except that;

- (a) the value of the standard maintenance grant shall be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 46.2 (a) to (e); and
- (b) the amount to be disregarded under paragraph 48.1(c) shall be abated by an amount equal to the amount of any sums disregarded under paragraph 46.2(f) and (g) and 46.3.

49.0 Student Covenant Income and Grant income – non disregard

49.1 No part of a student's covenant income or grant income shall be disregarded under paragraph 15 of Schedule 4 to this scheme

50.0 Other amounts to be disregarded

50.1 For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with section 51, any amounts intended for any expenditure specified in paragraph 46.2 (calculation of grant income), necessary as a result of his attendance on the course shall be disregarded but only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraphs 46.2 or 46.3, 47.3, 48.1(a) or (c) or 51.5 (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

51.0 Treatment of student loans

51.1 A student loan shall be treated as income.

51.2 In calculating the weekly amount of the loan to be taken into account as income

- (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period shall be apportioned equally between the weeks in the

period beginning with;

(i) except in a case where (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;

(ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course, and ending with the reduction week, the last day of which coincides with, or immediately precedes with last day of the course,

(b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year and ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, 'quarter' shall have the same meaning as for the purposes of the Education (Student Support) Regulations 2005;

(c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year shall be apportioned equally between the weeks in the period beginning with;

(i) except in a case where (ii) applies, the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year;

(ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincide with, or immediately follows, the earlier of 1st September or the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

(d) in any other case, the loan shall be apportioned equally between the weeks in the period beginning with the earlier of;

(i) the first day of the first reduction week in September; or

(ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June,

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.

51.3 A student shall be treated as possessing a student loan in respect of an academic year where;

(a) a student loan has been made to him in respect of that year; or

(b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

51.4 Where a student is treated as possessing a student loan under paragraph 51.3, the amount of the student loan to be taken into account as income shall be, subject to paragraph 51.5

(a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to

(i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and

(ii) any contribution whether or not it has been paid to him;

(b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if;

(i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and

(ii) no deduction in that loan was made by virtue of the application of a means test.

- 51.5 There shall be deducted from the amount of income taken into account under paragraph 51.4
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.

The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).

51A.0 Treatment of fee loans

- 51A. 1A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

52.0 Treatment of payments from access funds

- 52.1 This paragraph applies to payments from access funds that are not payments to which paragraph 55.2 or 55.3 (income treated as capital) applies.

- 52.2 A payment from access funds, other than a payment to which paragraph 52.3 applies, shall be disregarded as income.

- 52.3 Subject to paragraph 52.4 of this section and paragraph 35 of Schedule 4,
- a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family and
 - b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable, shall be disregarded as income to the extent of £20 per week.

- 52.4 Where a payment from access funds is made—
- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
 - (b) before the first day of the course to a person in anticipation of that person becoming a student,
- that payment shall be disregarded as income.

53.0 Disregard of contribution

- 53.1 Where the applicant or his partner is a student and for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution shall be disregarded for the purposes of assessing that other partner's income.

54.0 Further disregard of student's income

- 54.1 Where any part of a student's income has already been taken into account for the purpose of assessing his entitlement to a grant or student loan, the amount taken into account shall be disregarded in assessing that student's income.

55.0 Income treated as capital

55.1 Any amount by way of a refund of tax deducted from a student's covenant income shall be treated as capital.

55.2 Any amount paid from access funds as a single lump sum shall be treated as capital.

55.3 An amount paid from access fund as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, shall be disregarded as capital but only for a period of 52 weeks from the date of the payment.

56.0 Disregard of changes occurring during summer vacation

56.1 In calculating a student's income the authority shall disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course, if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

Sections 57 – 63

The calculation and amount of Council tax reduction

57.0 Maximum council tax reduction

57.1 Subject to paragraphs 57.2 to 57.4, the amount of a person's maximum council tax support in respect of a day for which he is liable to pay council tax, shall be 100 per cent, of the amount A/B where;

- (a) A is the **lower** of either;
- i. the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; or
 - ii. the amount set by the appropriate authority as the council tax for the relevant financial year in respect of a dwelling within Band C subject to any discount which may be appropriate to the person's circumstances; and

(b) B is the number of days in that financial year,

Less any deductions in respect of non-dependants, which fall to be made under section 58 (non-dependant deductions).

In this paragraph "relevant financial year" means, in relation to any particular day, financial year within which the day in question falls.

57.2 In calculating a person's maximum council tax reduction any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.

57.3 Subject to paragraph 57.4, where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the applicant who is a student to whom paragraph 45.2 (students who are excluded from entitlement to council tax reduction) applies, in determining the maximum council tax reduction in his case in accordance with paragraph 57.1, the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

57.4 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph 57.3 shall not apply in his case.

57A.0 Minimum Council Tax Reduction

57A.1 Where an applicant's entitlement is less than £1.00 per reduction week in respect of a day for which he is liable to pay council tax, no amount shall be payable whatsoever.

58.0 Non-dependant deductions

58.1 Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in section 57 (maximum Council Tax Reduction) shall be;

- (a) in respect of a non-dependant aged 18 or over in remunerative work, £10.00 x 1/7;
- (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £5.00 x 1/7.

58.2 Not used

58.3 Only one deduction shall be made under this section in respect of a couple or, as the case may be, members of a polygamous marriage and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount shall be deducted.

- 58.4 In applying the provisions of paragraph 58.2 in the case of a couple or, as the case may be a polygamous marriage, regard shall be had, for the purpose of that paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.
- 58.5 Where in respect of a day–
- a. a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
 - b. other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 or 77 or 77A of the 1992 Act (liability of spouses and civil partners); and
 - c. the person to whom sub-paragraph (a) refers is a non-dependant of two or more of the liable persons, the deduction in respect of that non-dependant shall be apportioned equally between those liable persons.
- 58.6 No deduction shall be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is–
- a. blind or treated as blind by virtue of paragraph 9 of Schedule 1 (additional condition for the disability premium); or
 - b. receiving in respect of himself:
 - attendance allowance, or would be receiving that allowance but for:
 - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - ii. an abatement as a result of hospitalisation; or
 - the care component of the disability living allowance, or would be receiving that component but for:
 - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - ii. an abatement as a result of hospitalisation; or
 - c. the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
 - d. an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
- 58.7 No deduction shall be made in respect of a non-dependant if:
- a. although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - b. he is in receipt of a training allowance paid in connection with a youth training established under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - c. he is a full time student within the meaning of section 44.0 (Students); or
 - d. he is not residing with the applicant because he has been a patient for a period of excess of 52 weeks, and for these purposes;
 - e. 'patient' has the meaning given within this scheme, and
 - f. where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he shall be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods;
 - g. he is not residing with the claimant because he is a member of the armed forces away on operations
- 58.8 No deduction shall be made in respect of a non-dependant who is a student as defined by this scheme.
- 58.9 In the application of paragraph 58.2 there shall be disregarded from his weekly gross income:
- a. any attendance allowance, disability living allowance or personal independence payment

- or an AFIP received by him;
- b. any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006) which had his income fallen to be calculated under section 30 (calculation of income other than earnings) would have been disregarded under paragraph 24 of Schedule 4 (income in kind); and
- c. any payment which had his income fallen to be calculated under section 30 would have been disregarded under paragraph 36 of Schedule 4 (payments made under certain trusts and certain other payments).

59.0 Not used

60.0 Extended reductions

60.1 An applicant who is entitled to council tax reduction (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction where;

- (a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;
- (b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner—
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment, and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more; and
- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

60.2 For the purpose of paragraph 60.1(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

60.3 For the purpose of this section, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they shall be treated as being entitled to and in receipt of jobseeker's allowance.

60.4 An applicant must be treated as entitled to council tax reduction by virtue of the general conditions of entitlement where—

- (a) the applicant ceased to be entitled to council tax reduction because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in paragraph 60.1(b).

60.5 This section shall not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support Regulations (remunerative work: housing costs) applied to that applicant.

60A.0 Duration of extended reduction period

60A.1 Where an applicant is entitled to an extended reduction, the extended reduction period starts

on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.

60A.2 For the purpose of paragraph (60A.1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.

60A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax, if that occurs first.

60B.0 Amount of extended reduction

60B.1 For any week during the extended reduction period the amount of the extended reduction payable to an applicant shall be the higher of—

- (a) the amount of council tax reduction to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
- (b) the amount of council tax reduction to which the applicant would be entitled under the general conditions of entitlement for any reduction week during the extended reduction period, if section 60 (extended reductions) did not apply to the applicant; or
- (c) the amount of council tax reduction to which the applicant's partner would be entitled under the general conditions of entitlement, if section 60 did not apply to the applicant.

60B.2 Paragraph 60B1 does not apply in the case of a mover.

60B.3 Where an applicant is in receipt of an extended reduction under this section and the applicant's partner makes a claim for council tax reduction, no amount of council tax reduction shall be payable by the appropriate authority during the extended reduction period.

60C Extended reductions – movers

60C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

60C.2 The amount of the extended reduction payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax reduction which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying income-related benefit.

60C.3 Where a mover's liability to pay council tax in respect of the new dwelling is to the second authority, the extended reduction may take the form of a payment from the appropriate authority to;

- (a) the second authority; or
- (b) the mover directly.

60C.4 Where—

- (a) a mover, or the mover's partner, makes a claim for council tax reduction to the second authority after the mover, or the mover's partner, ceased to be entitled to a qualifying income-related benefit; and
- (b) the mover, or the mover's partner, is in receipt of an extended reduction from the appropriate authority, the second authority shall reduce the weekly amount of council tax reduction that the mover, or the mover's partner, is entitled to by a sum equal to the amount of the extended reduction until the end of the extended reduction period.

60D.0 Relationship between extended reduction and entitlement to council tax reduction under the general conditions of entitlement

60D.1 Where an applicant's council tax reduction award would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 60.1(b), that award will not cease until the end of the extended reduction period.

60D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction payable in accordance with paragraph 60B.1(a) or 60C.2 (amount of extended reduction – movers).

61.0 Extended reductions (qualifying contributory benefits)

61.1 An applicant who is entitled to council tax reduction (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction (qualifying contributory benefits) where;

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner;
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment, and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more;
- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
- (d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

61.2 An applicant must be treated as entitled to council tax reduction by virtue of the general conditions of entitlement where;

- (a) the applicant ceased to be entitled to council tax reduction because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in paragraph 61.1(b).

61A.0 Duration of extended reduction period (qualifying contributory benefits)

61A.1 Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

61A.2 For the purpose of paragraph 61A.1, an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

61A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction (qualifying contributory benefits) is payable has no liability for council tax, if that occurs first.

61B.0 Amount of extended reduction (qualifying contributory benefits)

61B.1 For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant shall be the higher of;

- (a) the amount of council tax reduction to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
- (b) the amount of council tax reduction to which the applicant would be entitled under the general conditions of entitlement for any reduction week during the extended reduction period, if section 61 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or
- (c) the amount of council tax reduction to which the applicant's partner would be entitled under the general conditions of entitlement, if section 61 did not apply to the applicant.

61B.2 Paragraph 61B.1 does not apply in the case of a mover.

61B.3 Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this section and the applicant's partner makes a claim for council tax reduction, no amount of council tax reduction shall be payable by the appropriate authority during the extended reduction period.

61C.0 Extended reductions (qualifying contributory benefits) – movers

61C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

61C.2 The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax reduction which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

61C.3 Where a mover's liability to pay council tax in respect of the new dwelling is to the second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from the appropriate authority to—

- (a) the second authority; or
- (b) the mover directly.

61C.4 Where

- (a) a mover, or the mover's partner, makes a claim for council tax reduction to the second authority after the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit; and
- (b) the mover, or the mover's partner, is in receipt of an extended reduction (qualifying contributory benefits) from the appropriate authority, the second authority shall reduce the weekly amount of council tax reduction that the mover, or the mover's partner, is entitled to by a sum equal to the amount of the extended reduction (qualifying contributory benefits) until the end of the extended reduction period.

61D.0 Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax reduction under the general conditions of entitlement

61D.1 Where an applicant's council tax reduction award would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 61.1 (b), that award will not cease until the end of the extended reduction period.

61D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 61B.1(a) or 61C.2 (amount of extended reduction— movers).

61E.0 Extended reductions: movers into the authority's area⁵

61E.1 Where;

- a. an application is made to the authority for a reduction under its scheme, and
- b. the applicant or the partner of the applicant, is in receipt of an extended reduction from;
 - (i) another billing authority in England; or
 - (ii) a billing authority in Wales,

the current authority must reduce any reduction to which the applicant is entitled under its Council Tax Reduction scheme by the amount of that extended reduction.

62.0 - 63.0 Not Used

⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Sections 64 – 67

Dates on which entitlement and changes of circumstances are to take effect

64.0 Date on which entitlement is to begin

64.1 Subject to paragraph 64.2, any person to whom or in respect of whom a claim for council tax reduction is made and who is otherwise entitled to that support shall be so entitled from the date on which that claim is made or is treated as made.

65.0 - 66.0 Not Used

67.0 Date on which change of circumstances is to take effect

67.1 Except in cases where section 24 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph, a change of circumstances which affects entitlement to, or the amount of, a reduction under the authority's scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs, and where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs shall be the day immediately following the last day of entitlement to that benefit.

67.2 Subject to paragraph (3), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.

67.3 Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11 or 12 of that Act, it shall take effect from the day on which the change in amount has effect.

67.4 Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.

67.5 Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

67.6 If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with paragraphs (1) to (5) they take effect from the day to which the appropriate paragraph from (2) to (5) above refers, or, where more than one day is concerned, from the earlier day.

67.7 Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the Act, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances shall take effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

67.8 Without prejudice to paragraph (7), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

Sections 68– 74A

Claiming and the treatment of claims for Council tax reduction purposes

68.0 Making an application⁶

68.1 In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.

68.2 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and;

- (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
- (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or
- (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

68.3 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.

68.4 Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).

68.5 Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4);

- (a) it may at any time revoke the appointment;
- (b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so;
- (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).

68.6 Anything required by the authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.

68.7 The authority must;

- (a) inform any person making an application of the duty imposed by paragraph 9(1)(a) of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012;
- (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

69.0 Procedure by which a person may apply for a reduction under the authority's scheme⁷

69.1. Paragraphs 2 to 7 apply to an application made under the authority's scheme. Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered. For the purposes of this scheme any Universal Credit claim, a Local Authority Information Document (LAID) or Local Authority Customer Information document (LACI) issued by the Department for Work and Pensions shall be treated as a valid claim

69.2. An application may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance with sections 101 – 106A of this scheme, or by means of an electronic communication from either the DWP or HMRC; or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

69.3 (1) An application which is made in writing must be made to the designated office on a properly completed form.
(2) The form must be provided free of charge by the authority for the purpose.

69.4 (1) Where an application made in writing is defective because—
(a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
(b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,
the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.

(2) An application made on a form provided by the authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

69.5. (1) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.

(2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

69.6. In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.

69.7 (1) If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect.
(2) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

69.8 Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered.

⁷ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- (1) Where an applicant ;
- (a) makes an application under this scheme which includes (or which he subsequently requests should include) a period before the application is made; and
- (b) from a day in that period, up to the date he made the application (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period),

the application is to be treated as made on the date determined in accordance with sub-paragraph (2).

- (2) That date is the latest of;
- a. the first day from which the applicant had continuous good cause;
- b. the day 6 months before the date the application was made;
- c. the day 6 months before the date when the applicant requested that the application should include a past period.

69A.0 Date on which an application is made

69A.1 Subject to sub-paragraph (7), the date on which an application is made is;

- (a) in a case where;
- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application is made within one calendar month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

- (b) in a case where;
- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application is received at the designated office within one calendar month of the date of the change,

the date on which the change takes place;

- (c) in a case where;
- (i) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under the authority's scheme, and
- (ii) the applicant makes an application for a reduction under that scheme within one calendar month of the date of the death or the separation,
- the date of the death or separation;

(d) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one calendar month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to an applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(e) in any other case, the date on which an application is received at the designated office.

69A.2 For the purposes only of sub-paragraph (1)(a) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately

precede the first day in that award and on which he would, but for regulations made under;

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),
have been entitled to that allowance.

69A.3 Where there is a defect in an application by telephone;

(a) is corrected within one calendar month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance;

(b) is not corrected within one calendar month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide the application.

69A.4 The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.

69A.5 The conditions are that—

(a) where the authority receives the properly completed application or the information requested to complete it or the evidence within one calendar month of the request, or such longer period as the authority may consider reasonable; or

(b) where an application is not on approved form or further information requested by authority applies;

(i) the approved form sent to the applicant is received at the offices of the authority properly completed within one calendar month of it having been sent to him; or, as the case may be;

(ii) the applicant supplies whatever information or evidence was requested within one calendar month of the request; or,

in either case, within such longer period as the authority may consider reasonable; or

(c) where the authority has requested further information, the authority receives at its offices the properly completed application or the information requested to complete it within one calendar month of the request or within such longer period as the authority considers reasonable.

69A.6 Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under that authority's scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.

69A.7 Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under the authority's scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under its scheme for a period beginning not later than;

(a) in the case of an application made by;

(i) a pensioner, or

(ii) a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit,
the seventeenth reduction week following the date on which the application is made, or

(b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,
the authority may treat the application as made on a date in the reduction week

immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

70.0 Submission of evidence electronically

70.1 The authority may accept such evidence, documents and certificates to support the claim electronically where it feels that this would be acceptable given the nature of the claim

71.0 Use of telephone provided evidence

71.1 The authority may accept such evidence to support the claim by telephone where it feels that this would be acceptable given the nature of the claim

72.0 Information and evidence⁸

72.1 Subject to sub-paragraph (3), a person who makes an application for a reduction under an authority's scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

72.2 This sub-paragraph is satisfied in relation to a person if—

- (a) the application is accompanied by;
 - (i) a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
- (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by;
 - (i) evidence of the application for a national insurance number to be so allocated; and
 - (ii) the information or evidence enabling it to be so allocated.

72.3 Sub-paragraph (2) does not apply;

- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
- (b) to a person who;
 - (i) is a person treated as not being in Great Britain for the purposes of this scheme;
 - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii) has not previously been allocated a national insurance number.

72.4 Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority's scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by that authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one calendar month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

72.5 Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

72.6 Where the authority makes a request under sub-paragraph (4), it must;

- (a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 9 of Schedule 8 the Council Tax Reduction Scheme

⁸ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

(Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and

(b) without prejudice to the extent of the duty owed under paragraph 9, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.

- 72.7 This sub-paragraph applies to any of the following payments;
- (a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the We Love Manchester Emergency Fund, or the London Bombings Relief Charitable Fund;
 - (b) a payment which is disregarded under paragraph 24 of Schedule 5, other than a payment under the Independent Living Fund (2006);
 - (c) a payment which is disregarded under paragraph 58.9.

- 72.8 Where an applicant or a person to whom a reduction under the authority's scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information;

(a) the name and address of the pension fund holder;

(b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

73.0 Amendment and withdrawal of application⁹

- 73.1 A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.

- 73.2 Where the application was made by telephone the amendment may also be made by telephone.

- 73.3 Any application amended is to be treated as if it had been amended in the first instance.

- 73.4 A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.

- 73.5 Where the application was made by telephone, the withdrawal may also be made by telephone.

- 73.6 Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.

- 73.7 Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

74.0 Duty to notify changes of circumstances¹⁰

- 74.1 Subject to sub-paragraphs (3), (6) and (7), an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time;

(a) between the making of an application and a decision being made on it, or

(b) after the decision is made (where the decision is that the applicant is entitled to a reduction under the authority's scheme) including at any time while the applicant is in receipt of such a reduction.

⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁰ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- 74.2 The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority;
- (a) in writing; or
 - (b) by telephone—
 - (i) where the authority has published a telephone number for that purpose unless the authority determines that in any particular case or class of case notification may not be given by telephone; or
 - (ii) in any case or class of case where the authority determines that notice may be given by telephone; or
 - (c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.
- 74.3 The duty imposed on a person by sub-paragraph (1) does not extend to notifying
- (a) changes in the amount of council tax payable to the authority;
 - (b) changes in the age of the applicant or that of any member of his family;
 - (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.
- 74.4 For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.
- 74.5 Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

Sections 75- 90

Decisions, decision notices and awards of Council tax reduction

75.0 Decisions by the authority¹¹

75.1 An authority must make a decision on an application under its scheme within 14 days of paragraphs 4 and 7 and Part 1 of Schedule 7 of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 being satisfied, or as soon as reasonably practicable thereafter.

76.0 Notification of decision¹²

76.1 The authority must notify in writing any person affected by a decision made by it under its scheme;

(a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;

(b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

76.2 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement;

(a) informing the person affected of the duty imposed by paragraph 9 of Schedule 8 the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances;

(b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and

(c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

76.3 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

76.4 In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.

76.5 A person affected to whom the authority sends or delivers a notification of decision may, within one calendar month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.

76.6 The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.

76.7 For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under its scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).

76.8 This sub-paragraph applies to—

(a) the applicant;

(b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act;

(i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or

(ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000(3) who has power to apply or, as the case may be, receive benefit on the person's behalf; or

¹¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

(iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

(c) a person appointed by the authority to act for a person unable to act.

77.0 Time and manner of granting council tax reduction¹³

77.1 Where a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year ("the chargeable year"), the authority must discharge his entitlement;

- (a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or
- (b) where;
 - (i) such a reduction is not possible; or
 - (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under the authority's scheme; or
 - (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.

77.2 The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of paragraph (1).

77.3 In a case to which paragraph (1)(b) refers;

- (a) if the amount of the council tax for which he remains liable in respect of the chargeable year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under the authority's scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction;
 - (i) must be paid to that person if he so requires; or
 - (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under the authority's scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under the authority's scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.

77.4 For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

78.0 Persons to whom support is to be paid¹⁴

78.1 Subject to section 80 (payment on death) and paragraph (2), any payment of the amount

¹³ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

of a reduction must be made to that person.

78.2 Where a person other than a person who is entitled to a reduction under this authority's scheme made the application for the reduction and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

79.0 Shortfall in support / reduction¹⁵

79.1 Where, on the revision of a decision allowing a reduction under the authority's scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either;

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the chargeable financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonably practicable, as soon as possible afterwards.

80.0 Payment on the death of the person entitled¹⁶

80.1 Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

81.0 Offsetting

81.1 Where a person has been allowed or paid a sum of council tax reduction under a decision which is subsequently revised or further revised, any sum allowed or paid in respect of a period covered by the subsequent decision shall be offset against arrears of entitlement under the subsequent decision except to the extent that the sum exceeds the arrears and shall be treated as properly awarded or paid on account of them.

82.0 Payment where there is joint and several liability¹⁷

82.1 Where;

- (a) a person is entitled to a reduction under the authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;
- (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
- (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992(7) refers would be inappropriate, it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.

82.2 Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

¹⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁷ Inserted by Schedule 8 of the Council Tax Reductions Scheme (Prescribed Requirements) (England) Regulations 2012

82.3 Where a person other than a person who is entitled to a reduction under the authority's scheme made the application and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

83.0 - 90.0 Not used

Sections 91 – 94

Collection, holding and forwarding of information for Council tax reduction purposes

91.0 Use of information from and to the Department of Work and Pensions (DWP) and Her Majesty's Revenues and Customs (HMRC)

91.1 The authority will use information provided by the DWP and HMRC for the purposes of Council Tax Reduction, council tax liability, billing, administration and enforcement as outlined within Schedule 2 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012 and the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013

91.2 Where required by the relevant department and where required by law, the authority will share information obtained for Council Tax Reduction with the DWP or HMRC as appropriate and in accordance with Data Protections requirements¹⁸.

92.0 Collection of information

92.1 The authority may receive and obtain information and evidence relating to claims for council tax reduction, the council may receive or obtain the information or evidence from–

- (a) persons making claims for council tax reduction;
- (b) other persons in connection with such claims;
- (c) other local authorities; or
- (d) central government departments including the DWP and HMRC

92.2 The authority may verify relevant information supplied to, or obtained.

93.0 Recording and holding information

93.1 The authority may

- (a) may make a record of such information; and
- (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax reduction.

94.0 Forwarding of information

94.1 The authority may forward it to the person or authority for the time being administering claims to or awards of council tax reduction to which the relevant information relates, being

- (i) a local authority;
- (ii) a person providing services to a local authority; or
- (iii) a person authorised to exercise any function of a local authority relating to council tax reduction.

¹⁸ Data Retention and Investigatory Powers Act 2014, Data Retention Regulations 2014 and The Regulation of Investigatory Powers (Acquisition and Disclosure of Communications Data: Code of Practice) Order 2015

Sections 95 – 98

Revisions, Written Statements, Termination of Council tax reduction

95.0 Persons affected by Decisions

- 95.1 A person is to be treated as a person affected by a relevant decision of the authority where that person is;
- a. an applicant;
 - b. in the case of a person who is liable to make payments in respect of a dwelling and is unable for the time being to act
 - (i) a Deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit or support on his behalf,
 - (ii) in Scotland, a tutor, curator, judicial factor or other guardian acting or appointed in terms of law administering that person's estate, or
 - (iii) an attorney with a general power or a power to receive benefit or support appointed by the person liable to make those payments under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise;
 - c. a person appointed by the authority under this scheme;

96.0 Revisions of Decisions

- 96.1 Subject to the provisions in this scheme, a relevant decision ('the original decision') may be revised or further revised by the authority, which made the decision where the person affected makes an application for a revision within;
- (i) one calendar month of the date of notification of the original decision; or
 - (ii) such extended time as the authority may allow.
- 96.2 The authority may revise or further revise that original decision at any time. Where further information is required from the person affected, the authority shall request such information and evidence as it feels is reasonable. Such information must be supplied within;
- i) one calendar month of the date of notification of the additional information; or
 - (ii) such extended time as the authority may allow

97.0 Written Statements

- 97.1 Subject to the provisions in the scheme, the authority may upon a written request issue a written statement to a person affected to further explain the decision of the authority in relation to Council tax reduction. The request must be received within one calendar month of the date of the notification being issued by the authority.

98.0 Terminations

- 98.1 The authority may terminate support in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;
- a. the conditions for entitlement to Council tax reduction are or were fulfilled; or
 - b. a decision as to an award of such a support should be revised or superseded.
- 98.2 The authority may terminate, in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;
- a. the conditions for entitlement to Council tax reduction are or were fulfilled; or
 - b. a decision as to an award of such a support should be revised or superseded.
- Where the person fails to provide information to the authority as requested in relation to any matter relating to their liability for Council Tax

Section 99

Appeals against the authority's decisions

99.0 Procedure by which a person may make an appeal against certain decisions of the authority¹⁹

99.1 A person who is aggrieved by a decision of the authority, which affects;
(a) the person's entitlement to a reduction under its scheme, or
(b) the amount of any reduction to which that person is entitled,
may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

99.2 The authority must
(a) consider the matter to which the notice relates;
(b) notify the aggrieved person in writing;
(i) that the grievance is not well founded, giving reasons for that belief; or
(ii) that steps have been taken to deal with the grievance, stating the steps taken.

99.3 Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b) within two months of the service of his notice, he may appeal to the valuation tribunal under section 16 of the 1992 Act²⁰.

¹⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

²⁰ As amended by the Tribunal Procedure (Amendment No 3) Rules 2014, The First-tier Tribunal and Upper Tribunal (Chambers) (Amendment) Order 2015 and The Tribunal Procedure (Amendment) Rules 2015

Section 100

Procedure for applying for a discretionary reduction

100.0 Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act²¹

100.1 An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance this scheme or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

100.2 Where;

- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
- (b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

²¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Section 101 – 106A²²
Electronic Communication

²² Inserted by Council Tax Reductions Schemes (Prescribed Requirements) (England) Regulations 2012

101.0 Interpretation

101.1 In this Part;
“**information**” includes an application, a certificate, notice or other evidence; and
“**official computer system**” means a computer system maintained by or on behalf of an authority for sending, receiving, processing or storing of any information.

102.0 Conditions for the use of electronic communication

102.1 The authority may use an electronic communication in connection with applications for, and awards of, reductions under its scheme including any or all information received via DWP or HMRC.

102.2 A person other than the authority may use an electronic communication in connection with the matters referred to in paragraph (1) if the conditions specified in paragraphs (3) to (6) are satisfied.

102.3 The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.

102.4 The second condition is that the person uses an approved method of;

- (a) authenticating the identity of the sender of the communication;
- (b) electronic communication;
- (c) authenticating any application or notice delivered by means of an electronic communication; and
- (d) subject to sub-paragraph (7), submitting to the authority any information.

102.5 The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes.

102.6 The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.

102.7 Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.

102.8 In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this section.

103.0 Use of intermediaries

103.1 The authority may use intermediaries in connection with;

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

104.0 Effect of delivering information by means of electronic communication

104.1 Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of an authority’s scheme on the day the conditions imposed;

- (a) by this section; and
- (b) by or under an enactment,

are satisfied.

104.2 The authority may determine that any information is to be treated as delivered on a

different day (whether earlier or later) from the day provided for in sub-paragraph (1).

104.3 Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

105.0 Proof of identity of sender or recipient of information

105.1 If it is necessary to prove, for the purpose of any legal proceedings, the identity of—
(a) the sender of any information delivered by means of an electronic communication to an official computer system; or
(b) the recipient of any such information delivered by means of an electronic communication from an official computer system,
the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

106.0 Proof of delivery of information

106.1 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where;

(a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or

(b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.

106.2 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this is presumed not to be the case, if that information delivered to the relevant authority has not been recorded on an official computer system.

106.3 If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

106A.0 Proof of content of information

106A.1 If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

Section 107
Counter Fraud and Compliance

107.0 Counter Fraud and compliance

107.1 In order to protect the finances of the authority and also in the interests of all council taxpayers, the authority will undertake such actions as allowed by law to;

- a. Prevent and detect fraudulent claims and actions in respect of Council tax reduction;
- b. Carry out investigations fairly, professionally and in accordance with the law; and
- c. Ensure that sanctions are applied in appropriate cases

107.2 The authority believes that it is important to minimise the opportunity for fraud and;

- a. will implement rigorous procedures for the verification of claims for council tax reduction;
- b. will employ sufficient Officers to fulfil the authority's commitment to combat fraud;
- c. will actively tackle fraud where it occurs in accordance with this scheme;
- d. will co-operate with the Department for Work and Pensions (DWP), Her Majesty's Revenues and Customs and take part in joint working including prosecutions; and
- e. will in all cases seek to recover all outstanding council tax.

107.3 The authority shall put into place such administrative policies, procedures and processes as are necessary to ensure that the actions outlined within paragraph 107.1 and 107.2 can be carried out successfully. In particular the authority shall undertake actions provided by the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

Schedule 1

**Calculation of the amount of Council Tax Reduction in accordance with the
Discount Scheme**

1 The authority's Council Tax Reduction scheme from 2024/25 shall be calculated on the basis of the following Banded Discount Scheme:

Single person		Single person with one child		Single person with two or more children		Couple		Couple with one child		Couple with two or more children	
Income from	Discount	Income from	Discount	Income from	Discount	Income from	Discount	Income from	Discount	Income from	Discount
£0	100%	£0	100%	£0	100%	£0	100%	£0	100%	£0	100%
£85.10	90%	£181.41	90%	£259.19	90%	£133.58	90%	£229.89	90%	£307.67	90%
£115.10	75%	£211.41	75%	£289.19	75%	£163.58	75%	£259.89	75%	£337.67	75%
£145.10	50%	£241.41	50%	£319.19	50%	£193.58	50%	£289.89	50%	£367.67	50%
£175.10	25%	£271.41	25%	£349.19	25%	£223.58	25%	£319.89	25%	£397.67	25%
£205.10	0	£301.41	0	£379.19	0	£253.58	0	£349.89	0	£427.67	0

The income amounts specified above will be increased in line with any increase in welfare benefits announced by the Department for Work and Pensions.

2 The amount of discount to be granted is to be based on the following factors:

- a. The maximum Council Tax Reduction as defined within this scheme;
- b. The Council Tax family as defined within this scheme
- c. The income of the applicant as defined within this scheme;
- d. The capital of the applicant as defined within this scheme.

3 For the sake of clarity all incomes shown within the table above are weekly in accordance with the scheme requirements and definitions.

5 Discount bands vary depending on both weekly income and the household (family as defined within this scheme). For the sake of clarity, it should be noted that in any application for reduction is limited to a maximum of two dependant children or young persons.

6 Any applicant who capital is greater than £3,000 shall not be entitled to any Council Tax Reductions whatsoever.

7. The authority **may** increase the level of incomes within the grid specified in paragraph 1 on an annual basis by the appropriate level of inflation measured by the Consumer Price Index (CPI) at 1st October preceding the effective financial year **or** by a percentage representing the increase in personal allowance within the applicable amounts for Housing Benefit for the relevant financial year, **whichever is the lowest**.

8. Where an applicant or partner is in receipt of a relevant benefit namely Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance, discount will be award at 100%

Schedule 2

Not Used

Schedule 3

Sums to be disregarded in the calculation of earnings

1. There shall be disregarded from an applicant's net earnings, £25 per week (the standard earnings disregard). This shall apply irrespective of the claimant's household and only one disregard shall be applied per claim

Schedule 4

Sums to be disregarded in the calculation of income other than earnings²³

²³ Any amounts shown in this schedule will be updated in line with the Housing Benefit Regulations 2006 as amended

1. Any amount paid by way of tax on income, which is to be taken into account under section 30 (calculation of income other than earnings).
- A2. Any payment made to the applicant and in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
- A3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme, but only for 52 weeks beginning with the date of receipt of the payment.
2. Any payment in respect of any expenses incurred or to be incurred by an applicant who is–
 - (a) engaged by a charitable or voluntary organisation, or
 - (b) volunteer,
 if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under section 32.0 (notional income).
- 2A. Any payment in respect of expenses arising out of the applicant’s participation in a service user group or where the applicant is participating as a service user.
3. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.
4. Where an applicant is on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance the whole of his income.
5. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker’s allowance, the whole of the applicant’s income.
6. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker’s allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
7. Any disability living allowance or personal independence payment or AFIP
8. Any concessionary payment made to compensate for the non-payment of;
 - (a) any payment specified in paragraph 7 or 10;
 - (b) income support;
 - (c) an income-based jobseeker’s allowance.
 - (d) an income-related employment and support allowance.
9. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
10. Any attendance allowance.
11. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
12. (1) Any payment–
 - (a) by way of an education maintenance allowance made pursuant to;
 - (i) regulations made under section 518 of the Education Act 1996 (payment of

- school expenses; grant of scholarships etc);
- (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
- (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992
- (b) corresponding to such an education maintenance allowance, made pursuant to;
- (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
- (ii) regulations made under section 181 of that Act; or
- (iii) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
- (a) regulations made under section 518 of the Education Act 1996;
- (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
- (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
- 13.** Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.
- 14**
- (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment;
- (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
- (b) of an allowance referred to in section 2(3) of the 1973 Act or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
- (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.
- (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- 15**
- (1) Subject to sub-paragraph (2), any of the following payments;
- (a) a charitable payment;
- (b) a voluntary payment;
- (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
- (d) a payment under an annuity purchased;
- (i) pursuant to any agreement or court order to make payments to the applicant; or
- (ii) from funds derived from a payment made, in consequence of any personal injury to the applicant; or
- (e) a payment (not falling within sub-paragraphs (a) to (d) received by virtue of any

agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.

- (2) Sub-paragraph (1) shall not apply to a payment, which is made or due to be made by—
 - (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or
 - (b) the parent of a child or young person where that child or young person is a member of the applicant's family.
- 16.** 100% of any of the following, namely
 - (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 9 or 10);
 - (b) a war widow's pension or war widower's pension;
 - (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - (d) a guaranteed income payment;
 - (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
- 17.** Subject to paragraph 35, £15 of any;
 - (a) widowed mother's allowance paid pursuant to section 37 of the Act;
 - (b) widowed parent's allowance paid pursuant to section 39A of the Act.
- 18.** (1) Any income derived from capital to which the applicant is or is treated under section 41 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28 of Schedule 5.
(2) Income derived from capital disregarded under paragraphs 2, 4 or 25 to 28 of Schedule 5 but only to the extent of—
 - (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
 - (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.

(3) The definition of 'water charges' in paragraph 2(1) shall apply to sub-paragraph (2) of this paragraph with the omission of the words 'in so far as such charges are in respect of the dwelling which a person occupies as his home'.
- 19.** Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—
 - (a) under, or pursuant to regulations made under powers conferred by, sections 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998, that student's award;
 - (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
 - (c) the student's student loan,an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

- 20.** (1) Where the applicant is the parent of a student aged under 25 in advanced education who either;
- (a) is not in receipt of any award, grant or student loan in respect of that education; or
 - (b) is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,
- and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 19, an amount specified in sub-paragraph (2) in respect of each week during the student's term.
- (2) For the purposes of sub-paragraph (1), the amount shall be equal to–
- (a) the weekly amount of the payments; or
 - (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),
- whichever is less.
- 21.** Any payment made to the applicant by a child or young person or a non-dependant.
- 22.** Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 21 or 23 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family–
- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
 - (b) where the aggregate of any such payments is £20 or more per week, £20.
- 23.** (1) Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to–
- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20.00, 100 per cent. of such payments;
 - (b) where the aggregate of any such payments exceeds £20.00, £20.00 and 50 per cent. of the excess over £20.00.
- (2) In this paragraph, 'board and lodging accommodation' means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises.
- 24.** (1) Any income in kind, except where regulation 30(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act in the calculation of income other than earnings) applies.
- (2) The reference in sub-paragraph (1) to 'income in kind' does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.
- 25.** Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

- 26.** (1) Any payment made to the applicant in respect of a person who is a member of his family—
- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978(b) (schemes for payments of allowances to adopters); or in accordance with an Adoption Allowance Scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (Adoption Allowances Schemes)
 - (b) not used
 - (ba) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);
 - (c) which is a payment made by an authority, as defined in Article 2 of the Children Order, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance);
 - (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989(c) (special guardianship support services);
- (2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
- 27.** Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made
- (a) by a local authority under—
 - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
 - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
 - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
 - (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).
- 28.** Any payment made to the applicant or his partner for a person (‘the person concerned’), who is not normally a member of the applicant’s household but is temporarily in his care, by—
- (a) a health authority;
 - (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
 - (c) a voluntary organisation;
 - (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
 - (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
 - (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or established by an order made under section 11 of the National Health Service (Wales) Act 2006
- 29.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 29A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989(e) or section 29 of the Children (Scotland) Act 1995 (local authorities’ duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person (‘A’) which A passes on

to the applicant.

- (2) Sub-paragraph (1) applies only where A;
- (a) was formerly in the applicant's care, and
 - (b) is aged 18 or over, and
 - (c) continues to live with the applicant.

- 30.** (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments;
- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
 - (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974 or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.
- (2) A payment referred to in sub-paragraph (1) shall only be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—
- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (b); and
 - (b) meet any amount due by way of premiums on—
 - (i) that policy; or
 - (ii) in a case to which sub-paragraph(1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).
- 31.** Any payment of income which, by virtue of section 36 (income treated as capital) is to be treated as capital.
- 32.** Any social fund payment made pursuant to Part 8 of the Act (the Social Fund) or any local welfare fund provision
- 33.** Any payment under Part 10 of the Act (Christmas bonus for pensioners).
- 34.** Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 35.** The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 15.2 (calculation of income and capital of members of applicant's family and of a polygamous marriage) to be disregarded under paragraph 47.2(b) and paragraph 48.1(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 51(2) (treatment of student loans), paragraph 52(3) (treatment of payments from access funds) and paragraphs 17 shall in no case exceed £20 per week.
- 36.** (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
- (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of;

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either;
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

- 37.** Any housing benefit or council tax benefit.
- 38.** Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
- 39. - 40.** not used
- 41.** Any payment to a juror or witness in respect of attendance at a court other than compensation

for loss of earnings or for the loss of a benefit payable under the benefit Acts.

42. Not used
43. Any payment in consequence of a reduction of council tax under section 13 or section 80 of the 1992 Act (reduction of liability for council tax).
44. Not used
45. (1) Any payment or repayment made—
(a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
(b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
(c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).
(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment or repayment, mentioned in sub-paragraph (1).
46. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).
47. Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.
48. (1) Where, **but for the implementation of this scheme**, an applicant's applicable amount includes an amount by way of a family premium, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.
(2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments such be aggregated and treated as if they were a single payment.
(3) A payment made by the Secretary of State in lieu of maintenance shall, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).
- 48A. (1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.
(2) In paragraph (1)
'child maintenance' means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under;
(a) the Child Support Act 1991;
(b) the Child Support (Northern Ireland) Order 1991;
(c) a court order;
(d) a consent order;
(e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;
'liable relative' means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

49. Not used
50. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
51. Any guardian's allowance.
52. (1) If the applicant is in receipt of any benefit under Parts 2, 3 or 5 of the Act, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of the Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
- (2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
53. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.
54. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983(a) (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.
55. (1) Any payment which is
 (a) made under any of the Dispensing Instruments to a widow, widower or
 (b) surviving civil partner of a person;
 (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 (ii) whose service in such capacity terminated before 31st March 1973; and equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.
- (2) In this paragraph 'the Dispensing Instruments' means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).
- 55A. Any council tax reduction or council tax benefit to which the applicant is entitled.
56. **Provision for all applicants: Homes for Ukraine scheme**
 (1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—
 (a) an applicant's entitlement to a reduction under the scheme; or
 (b) the amount of any reduction to which the applicant is entitled.
 (2) In this regulation—
 "the Homes for Ukraine scheme" means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022.
57. Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).
58. (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received,

assistance under the self-employment route, any payment to that person—
(a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
(b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity, in respect of which such assistance is or was received.

(2) Sub-paragraph (1) shall apply only in respect of payments, which are paid to that person from the special account

- 59.** (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
(3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
- 60.** Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker's allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.
- 61.** In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.
- 62.** Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001 as amended by the Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013.
- 63.** (1) Any payment made by a local authority or by the Welsh Ministers to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
(2) For the purposes of sub-paragraph (1) 'local authority' includes, in England, a county council.
- 64.** Any bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017
- 65.** Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
- 66.** Any payments made by the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017 or the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017
- 67.** Any payment of child benefit.
- 68.** Any Carer's Allowance
- 69.** Any support component of Employment and Support Allowance, or where there is an award of the Limited Capability for Work and Work-Related Activity element within Universal Credit, it's equivalent monetary value. The amount disregarded for the current year is £44.70 per week.

- 70.** Any payments disregarded for Housing Benefits under the Social Security (*Emergency Funds* Amendment) *Regulations 2017*.
- 71.** Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
(a) an applicant's entitlement to a reduction under the scheme; or
(b) the amount of any reduction to which the applicant is entitled.
"The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

Schedule 5
Capital to be disregarded²⁴

²⁴ Any amounts shown in this schedule will be updated in line with the Housing Benefit Regulations 2006 as amended

1. The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of polygamous marriage), only one dwelling shall be disregarded under this paragraph.
- A2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
- A3. Any payment made to the applicant in respect of any travel or other expenses incurred or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme but only for 52 weeks beginning with the date of receipt of the payment but only for 52 weeks beginning with the date of receipt of payment.
2. Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
3. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
4. Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision shall not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
5. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.
6. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
7. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
8. (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.
 (2) The assets of any business owned in whole or in part by the applicant where—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business;

for a period of 26 weeks from the date on which the claim for council tax reduction is made, or is treated as made, or, if it is unreasonable to expect him to become engaged

or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

9. (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of;

- (a) any payment specified in paragraphs 7, 9 or 10 of Schedule 4;
- (b) an income-related benefit under Part 7 of the Act;
- (c) an income-based jobseeker's allowance;
- (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (e) working tax credit and child tax credit
- (f) an income-related employment and support allowance

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as 'the relevant sum') and is

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Decisions and Appeals Regulations; and
- (b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) shall have effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the award of council tax reduction, for the remainder of that award if that is a longer period.

(3) For the purposes of sub-paragraph(2), 'the award of council tax reduction' means—

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant;
 - (i) is the person who received the relevant sum; or
 - (ii) is the partner of the person who received the relevant sum, or was that person's partner at the date of his death.

10. Any sum

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

- 11.** Any sum—
- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 or section 338(1) of the Housing (Scotland) Act 1987 as a condition of occupying the home;
 - (b) which was so deposited and which is to be used for the purchase of another home, for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.
- 12.** Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to council tax reduction or to increase the amount of that support.
- 13.** The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.
- 14.** Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.
- 14A.** (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.
- (2) But sub-paragraph (1)
- (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
 - (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
 - (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
 - (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.
- (3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.
- (4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).
- 15.** The value of the right to receive any income under a life interest or from a life rent.
- 16.** The value of the right to receive any income, which is disregarded under paragraph 13 of Schedule 3 or paragraph 25 of Schedule 4.
- 17.** The surrender value of any policy of life insurance.
- 18.** Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
- 19.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 19A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the

applicant.

(2) Sub-paragraph (1) applies only where A;

- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) continues to live with the applicant.

- 20.** Any social fund payment made pursuant to Part 8 of the Act.
- 21.** Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.
- 22.** Any capital which, by virtue of sections 31 or 51 (capital treated as income, treatment of student loans) is to be treated as income.
- 23.** Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 24.** (1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the Charitable Fund.

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either;

(i) to that person's parent or step-parent; or
(ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,
but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or any of the Trusts to which sub-paragraph (1) refers, where

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either;

(i) to that person's parent or step-parent; or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

25. (1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph 'dwelling' includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

26. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

27. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

28. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

29. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of

entitlement to housing benefit.

30. Not used
31. The value of the right to receive an occupational or personal pension.
32. The value of any funds held under a personal pension scheme
33. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.
34. Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
35. Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.
36. Not used.
37. Any payment in consequence of a reduction of council tax under section 13 or, as the case may be, section 80 of the Local Government Finance Act 1992 (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
38. Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—
 - (a) to purchase premises intended for occupation as his home; or
 - (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.
39. Any arrears of supplementary pension which is disregarded under paragraph 53 of Schedule 4 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 54 or 55 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.
40. (1) Any payment or repayment made—
 - (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
 - (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
 - (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),but only for a period of 52 weeks from the date of receipt of the payment or repayment.
(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment, or repayment mentioned in subparagraph (1), but only for a period of 52 weeks from the date of the receipt of the payment or repayment.
41. Any payment made to such persons entitled to receive benefits as may be determined by or

under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.

- 41A.** Any payment made under Part 8A of the Act (entitlement to health in pregnancy grant).
- 42.** Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.
- 43.** Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
- 44.** Not used
- 45.** Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.
- 46.** (1) Subject to sub-paragraph (2), where an applicant satisfies the conditions in section 131(3) and (6) of the Act (entitlement to alternative maximum council tax reduction), the whole of his capital.
(2) Where in addition to satisfying the conditions in section 131(3) and (6) of the Act the applicant also satisfies the conditions in section 131(4) and (5) of the Act (entitlement to the maximum council tax reduction), sub-paragraph (1) shall not have effect.
- 47.** (1) Any sum of capital to which sub-paragraph (2) applies and
(a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 (as amended by the Civil Procedure (Amendment No. 7) Rule 2013) or by the Court of Protection;
(b) which can only be disposed of by order or direction of any such court; or
(c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
(2) This sub-paragraph applies to a sum of capital which is derived from;
(a) an award of damages for a personal injury to that person; or
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 48.** Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from
(a) award of damages for a personal injury to that person; or
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 49.** Any payment to the applicant as holder of the Victoria Cross or George Cross.
- 50. Provision for all applicants: Homes for Ukraine scheme**
(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—
(c) an applicant's entitlement to a reduction under the scheme; or
(d) the amount of any reduction to which the applicant is entitled.
(2) In this regulation—
"the Homes for Ukraine scheme" means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022.

- 51.** In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
- 52.** (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) ‘food’ does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
- 53.** (1) Any payment;
- (a) by way of an education maintenance allowance made pursuant to–
- (i) regulations made under section 518 of the Education Act 1996;
- (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
- (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
- (b) corresponding to such an education maintenance allowance, made pursuant to;
- (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
- (ii) regulations made under section 181 of that Act ;
- or in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
- (a) regulations made under section 518 of the Education Act 1996;
- (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
- (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
- 54.** In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.
- 55.** Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.
- 56.** Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or interment of–
- (a) the applicant;
- (b) the applicant’s partner;
- (c) the applicant’s deceased spouse or deceased civil partner; or
- (d) the applicant’s partner’s deceased spouse or deceased civil partner,
- by the Japanese during the Second World War, £10,000.

57. (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is
- (a) a diagnosed person;
 - (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.
- (2) Where a trust payment is made to;
- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;
 - (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
- whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—
- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death, but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to—
- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date; or
 - (c) person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
- whichever is the latest.
- (5) In this paragraph, a reference to a person—

(a) being the diagnosed person's partner;
(b) being a member of a diagnosed person's family;
(c) acting in place of the diagnosed person's parents,
at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home or an independent hospital on that date.

(6) In this paragraph— 'diagnosed person' means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld- Jakob disease;
'relevant trust' means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;
'trust payment' means a payment under a relevant trust.

58. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or deceased civil partner or the applicant's partner's deceased spouse or deceased civil partner

- (a) was a slave labourer or a forced labourer;
- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died,

during the Second World War.

59 (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service, which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) 'local authority' includes in England a county council.

60. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under section 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

61. Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

62. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

63. Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)

64. Any payments made by the London Emergencies Trust" means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017 or the We Love Manchester Emergency Fund" means the registered charity of that name (number 1173260) established on 30th May 2017

65. Any bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017

66. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
(a) an applicant's entitlement to a reduction under the scheme; or
(b) the amount of any reduction to which the applicant is entitled.
"The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022.

Report to Cabinet

15 November 2023

Subject:	Sandwell Tackling Poverty Plan
Cabinet Member:	Leader of the Council, Kerrie Carmichael
Director:	Chief Executive, Shokat Lal
Key Decision:	Yes
Contact Officer:	Senior Lead Officer, Jane Alexander Jane_Alexander@sandwell.gov.uk Strategic Policy Officer, Heather Chinner Heather_Chinner@sandwell.gov.uk

1 Recommendations

- 1.1 That Cabinet accept and endorse Sandwell's Tackling Poverty Plan as at out in Appendix 1.
- 1.2 That the Chief Executive, in consultation with the Section 151 Officer, be authorised to agree the spending of the £1.5m resources allocated to the plan.

2 Reasons for Recommendations

- 2.1 Sandwell is the twelfth most deprived borough in the country and the cost of living crisis is being felt by and having a tangible impact on the daily lives of our residents and communities. The Sandwell Tackling Poverty Plan sets out proposals and actions for the council and its partners to work together in a co-ordinated way to address poverty in Sandwell.



3 How does this deliver objectives of the Corporate Plan?

	The Best Start in Life for Children and Young People The Tackling Poverty Plan includes actions for supporting children and families
	People Live Well and Age Well The Plan includes actions for addressing health and wellbeing of residents
	Strong Resilient Communities The Plan contains actions for building resilience in our communities, including a network of Welcoming Spaces to address social isolation and a warm welcoming place to go
	Quality Homes in Thriving Neighbourhoods The Plan contains actions for addressing warmer homes and more affordable housing
	A Strong and Inclusive Economy The Plan contains actions for improving access to employment and skills support to enable Sandwell residents to take advantage of job opportunities
	A Connected and Accessible Sandwell

4 Context and Key Issues

Background

- 4.1 The Tackling Poverty Plan is a partnership plan developed by the council and a wide range of partners including health and the voluntary and community sector. It builds upon our long-standing work to support Sandwell residents living on low incomes which includes:
- community based advice alongside the council's welfare rights team and Think Sandwell
 - a network of food banks and food pantries
 - clear information for residents on the council's website (Resilient Residents and Supporting Sandwell)
- 4.2 Our overall approach to tackling poverty in Sandwell is
- benefits and debt advice, help with budgeting and employment support
 - help to get on-line
 - delivering services in the community



- face to face services as well as on-line and phone support

4.3 We are proud of the borough-wide response so far, but collectively partners have recognised that more needs to be done.

Addressing poverty in partnership

4.4 Underlying poverty in Sandwell is a long-standing issue and over time we have developed strong local networks with a focus on building resilience. Partners in Sandwell have been working closely together to respond in this crisis, as we did during the COVID pandemic. We have geared up our joint activity to support the most vulnerable.

- 4.5 The combination of widespread deprivation and structural weaknesses across Sandwell means that our residents and economy are especially vulnerable to the worst effects of the cost of living crisis:
- Sandwell is ranked second out of 333 local authorities on the Centre for Progressive Policy’s Cost of Living Vulnerability Index;
 - the borough ranks twelfth across in the Index of Multiple Deprivation and second specifically on income deprivation;
 - 31,000 households (23% of all households) receive help with Council Tax;
 - a fifth of Sandwell households experience fuel poverty and nearly a quarter report food insecurity.

How we developed the plan

- 4.6 This timeline sets out how the plan has been developed:
- On 13 December 2022, Sandwell council declared a Cost of Living Emergency in recognition of the scale of the impact that the current crisis is having on the borough’s residents.
 - 2 March 2023 – Council convened the first Cost of Living Summit - bringing together more than sixty public, private and voluntary sector partners to coordinate our efforts to support our community through this crisis
 - June – September 2023 development of the Tackling Poverty Plan with a range of partners, overseen by the Resilient Residents Group
 - 6 September – Cabinet workshop held on draft Tackling Poverty Plan
 - 4 October – Council convened the second Cost of Living Summit, launching the Tackling Poverty Plan, with eighty partners discussing our winter plan and identifying areas where we can work together to influence national policy



Sandwell Tackling Poverty Plan

- 4.7 Following the Summit in March, the council and its partners have been working together to develop this Tackling Poverty Plan. The purpose of the plan is to build on all the good work taking place across Sandwell and develop a longer-term approach to addressing the underlying causes of poverty. This is alive document that can evolve as the need and opportunity arises.
- 4.8 Rather than repeating everything we are already doing to support people, the plan aims to identify gaps and areas for further development. This plan is not seeking to capture all the activity taking place but instead is designed to dovetail with other pieces of work such as the emerging Skills and Employment Strategy, Digital Strategy and Youth employment taskforce.

Overall Aim

- 4.9 In addition to dealing with the immediate issues facing residents, the overall aim of the plan is to achieve real change in residents' financial circumstances through increases in household income and reductions in household expenditure. The plan also aims to focus on preventing people who are just about managing, falling into serious poverty through proactive work to support working people.
- 4.10 Actions in the plan are divided into 9 key areas:
- Communication
 - Benefits advice
 - Food
 - Housing and warmth
 - Debt
 - Budgeting
 - Employment and skills
 - Digital inclusion
 - Health and wellbeing

Progress to date

- 4.11 Whilst the plan was being developed, partners have worked hard to make significant progress on delivering some of the actions within the plan. For example:



The Welcoming Spaces Initiative

4.12 Learning from best practice (both nationally through the LGA and the 2022 warm spaces initiative in Sandwell), we will be setting up an on-going initiative, focusing on tackling isolation as well as money worries. We will provide training and support for partners, co-ordination at a town level and funding for those who need it. Welcoming Spaces was launched at the October summit and expressions of interest can now be registered. All of our libraries are Welcoming Spaces.

The Cost of Living Support Programme

4.13 April – August 2023 over 750 people supported from 23 different venues, leading to £114,500 in confirmed gains and 1 person gaining employment. It is anticipated that the programme will be delivered from a number of welcoming spaces.

Resources

4.14 A budget of £1.5 million has been set aside for initiatives linked to this plan.

4.15 In addition, the cost of living support programme has been funded separately. In order to make the best use of this funding it is proposed that the spend will take place over 2 – 3 financial years with the bulk of the spending taking place in 2024/25. Wherever possible we will access any additional funding opportunities to expand our activities and meet unmet need.

Measuring Success

4.16 Measuring success of the plan will take place at three levels as set out in the plan:

1. Measuring milestones and actions in the plan
2. Measuring our overall approach/ ongoing work
3. Tracking outcomes that indicate how the big picture is evolving

Governance

4.17 The following sets out governance arrangements around the plan:

- Overall lead to rest with Leader of the Council and Chief Executive



- Resilient Residents Group to meet 3/4 times a year to oversee the continued delivery of the Tackling Poverty Plan – to be chaired by a senior director of the Council
- Task and finish groups established to implement key actions in the plan
- Progress reports to Cabinet twice a year and informal updates to the Leader on a regular basis
- Establish an annual conference with partners to review progress and plan further initiatives.

Next Steps

The following sets up the next steps in delivering the plan

- Development of partnership communications plan that will inform residents about available support and enable partners to join up services.
- Development of lobbying plan to address high level issues at the most appropriate level
- Set up short term task and finish groups with partners to deliver the key 2023/24 actions in the plan
- Establish implementation plan for 2023/24 actions

5 Alternative Options

5.1 The Tackling Poverty Plan aims to make the best possible use of all the resources that partners bring to supporting Sandwell residents to address the causes of poverty. An alternative would be to not adopt this plan. However, this would risk not adequately joining up our services across Sandwell or enhancing our coordinated approach.

6 Implications

Resources:	£1.5m has been allocated for the delivery of the plan
Legal and Governance:	The proposals are in line with Council policies
Risk:	There are no risks arising directly from this report. Project level risks will be managed at the point of project delivery



Equality:	The proposals in this report are assessed as having a positive impact on people and groups with protected characteristics. The overall aim of the plan is to achieve real change in residents' financial circumstances through increases in household income and reductions in household expenditure. The plan also aims to focus on preventing people who are just about managing, falling into serious poverty through proactive work to support working people.
Health and Wellbeing:	The Plan includes actions aiming to address the health and wellbeing of Sandwell residents and build resilience in the community
Social Value:	There are no social value implications arising from this report. The Plan aims to make the best possible use of all the resources that partners bring to supporting residents.
Climate Change:	The Plan aims to improve the energy efficiency of homes which will contribute towards addressing climate change
Corporate Parenting:	The Plan aims to provide opportunities for vulnerable children and adults.

7. Appendices

The Sandwell Tackling Poverty Plan 2023
Equality Impact Assessment

8. Background Papers

None



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TACKLING POVERTY IN SANDWELL



NO ONE
GETS LEFT
BEHIND

2023



Specialising in Serving the Arabic Speaking Community



Introduction

Collectively, we have recognised the importance of working together to address poverty in Sandwell for some time. The current cost of living crisis is highlighting the vulnerability of Sandwell residents and the need for additional actions to build resilience in a long term, sustainable way.

We convened a Cost of Living Summit in March 2023, bringing together more than sixty public, private and voluntary sector partners to coordinate our efforts to support our community through this crisis. This plan has been developed in response, seeking to further build resilience in Sandwell and address the underlying causes of poverty in our communities.

Why we need a Tackling Poverty Plan

- Building on the energy from the Summit and our continued commitment to working together
- Collective agreement to the priorities and to communicate these with each other and externally
- Joining up services and signpost to each other's services effectively
- Influencing and shaping service delivery to address identified needs

This is a shared, partnership document, underpinned by a commitment from all parties to continue our joint working. It is not intended to capture and describe the entirety of our work together as the broad and ever-changing nature of partnership and service provision makes this impossible. Rather, this plan highlights some areas where our partnership is working well and identifies areas where we need to do more to meet challenges, seize opportunities and to develop and grow our working relationship in the coming years.

This plan is a living document that can flex to respond to need and opportunities that arise.



Providing
Welcoming Spaces in
community venues



Advising on
20 million
problem debt



Supported over
39,000
people



Supporting Sandwell
website

Building on existing support

Underlying poverty in Sandwell is a long-standing issue and over time we have developed strong local networks with a focus on building resilience. We have been working closely together to respond in this crisis, as we did during the COVID pandemic. We have geared up our joint activity to support the most vulnerable. Below gives a flavour of the activity that has been taking place:

- Sandwell Advice Providers Network of 18+ organisations, including the council's Welfare Rights team, in 2022/23 the Network supported over 39,000 people, helping them to access £31m in benefits and advising on £20m problem debt
- Getting critical information out fast has been a priority and the [Supporting Sandwell](#) webpages have been well used by residents and partners
- Opening Warm Spaces across Sandwell, providing warm spaces in 59 community venues
- Sandwell has a strong network of food banks, food pantries and other community-based food provision such as the Holiday Activities and Food programme
- The voluntary sector has also provided support around financial literacy, energy advice, digital support, healthy food and job/training support
- The council has widened the eligibility of Local Welfare Provision and Discretionary Housing Payments
- Creatively used the Household Support Fund to provide support to the most vulnerable – additional support to foodbanks, Free School Meal support in the holidays, support to low-income households not eligible for energy rebate payment, support to council and PRS tenants who are struggling to pay their on-going rent and or repayment of rent arrears
- Continuing to provide 100% discount on Council Tax for lowest income households
- Training 80 Cost of Living Champions to give advice and guidance
- Poverty Proofing initiative in schools underway
- Hundreds of Winter Warmth gift packs distributed to the most in need

OUTCOMES

What we want to achieve

- ✓ In addition to dealing with the immediate issues facing residents we want to achieve real change in their financial circumstances through increases in household income and reductions in household expenditure.
- ✓ We will also focus on preventing people who are just about managing, falling into serious poverty through proactive work to support working people.

Overall approach

- Benefits, Budgeting, Debt, Employment support– delivered by Sandwell Advice Providers Network, including the council's welfare rights team, and the Sandwell Employment Advisers Network
- Visible services – information on where to get help all in one place Tackling Poverty Support / Resilient Residents [Supporting Sandwell](#)
- Building [Resilient Residents](#) – helping residents to do more for themselves by providing clear information on-line
- Taking services into the community – advice in community settings
- Help getting on-line
- On-going support: stable advice services (SAPN) and employment support (Think Sandwell)
- Help in an emergency – Local Welfare Provision and food banks working together

Dovetailing in with other activities

This plan is not seeking to encapsulate all the activity taking place to address the underlying causes of poverty. It is designed to dovetail and build upon other activity taking place across our Borough such as:

- Emerging Skills and Employment Strategy
- Emerging Digital Strategy
- Youth Employment Taskforce
- Equality Diversity and Inclusion Strategic Roadmap and Action Plan 2022 – 2024



PROGRAMME OF ACTIONS

Communication

The issue:

- The Summit in March 2023 identified the need for support to be better joined up and communicated to both residents and across partner organisations.

Actions:

2023 /
2024

- Continue to use Supporting Sandwell site to promote services and further develop content
- Use a range of social media to spread message widely, particularly Tik Tok and Instagram to reach young people
- Signpost and refer to each other's services effectively
- Poverty proofing in schools, tailored contact list

Beyond
2024

- Ensuring service delivery is integrated and clearly communicated across Sandwell

Benefits Advice

The issue:

- Maximising residents' income – ensuring they receive the benefits they are entitled to.
- Importance of making every contact count so that residents are referred to the support available.

Actions:

2023 /
2024

- Delivery of Cost of Living Support Programme
- Council commitment to administer government grants efficiently
- Maximise the use of LWP to support residents in an emergency
- Explore potential of a joint customer referral form with partners to join up support that can be accessed.
- Support the development of Family Hubs with a strong offer around improving household income

Beyond
2024

- Integrate benefits advice into development of customer journey

Food

The issue:

- Food poverty is not new in Sandwell – West Bromwich food bank was established 15 years ago. The cost of living crisis has pushed more people into food poverty – families who were just about managing are now really struggling, and rising costs have impacted on families who are just above the threshold for free school meals.
- Food banks have seen a decrease in donations as households feel the pinch.

Actions:

2023 /
2024

- Collaborate through the strategic food network to coordinate food provision in Sandwell
- Pilot project to break down, process and re-distribute bulk food
- Increase community food provision including possibly two new food pantries
- Support Brushstrokes to establish a community garden at Smethwick Council House
- Review LWP food voucher process to ensure that residents engage with other support in order receive further food vouchers

Beyond
2024

- Expand programme of food provision / food projects

Housing and Warmth

The issue:

- Increasingly more difficult to access the Private Rented Sector.
- Private Sector Rental rates are significantly higher than Local Housing Allowance rates.
- Demand for private rented accommodation significantly outstrips capacity.
- Smaller Private Rented Sector landlords are leaving the market.
- Evictions are increasing in the Private Rented Sector.
- Cost of living pressures leading to increased homelessness presentations.
- Turnover of social housing has reduced by almost 30%, reducing availability of affordable housing.
- Insufficient availability of suitably sized accommodation both in Private Rented Sector and Council stock, especially for single people receiving benefits.
- Many homes are poorly insulated and have outdated heating systems.
- Very high energy costs.
- Learning from Warm Spaces – dealing with social isolation/loneliness as much as need for warmth.

Actions:

2023 /
2024

- Lobbying government about raising the level of Local Housing Allowance
- Increasing engagement with landlords to ensure use “call before you serve”
- Tenancy support, including home checks for council tenants and “Secure and Sustain” scheme
- Helping residents downsize from properties (best use of stock initiative)
- Lobbying government about revising the way that it calculates the Homelessness Prevention Grant so that it does not penalise effective homelessness prevention work
- Lobbying government about the housing crisis, including the impact of right to buy
- Establish Welcoming Spaces initiative as a development of Warm Spaces
- Work together to prepare a winter plan, holding Summit in October 2023, drawing on learning from delivery last winter
- Explore the potential of developing modular housing in Sandwell
- Hardship Fund for council tenants to access if they are experiencing financial hardship and unable to access any other sources of financial support

Beyond 2024

- Retrofitting homes to make more efficient and cheaper to run
- Work with landlords in the PRS to improve standards
- Develop modular housing pilot
- Conclude Warm Space Evaluation to inform future provision and Winter Plan
- Maintain network of Welcoming Spaces that provide warm spaces in the winter
- Jointly deliver winter plan and celebrate successes
- Extend welcome space concept to provide space for young people to study outside school
- Pilot use of thermal cameras to produce heat map of a property to identify poor insulation
- Explore how to make it easier for landlords to replace pre-payment meters and provide step by step guide

Debt

The issue:

- Low levels of financial literacy/education.
- Households with difficulty budgeting and do not know where or how they can cut down any further. People see their rents increasing, particularly rent in the private sector and they cannot afford to meet the shortfall because Local Housing Allowance rates have not increased.
- People don't seek help early enough.
- People don't prioritise rent and council tax.
- External pressures (consumer society).
- Link between money worries and poor mental health.

Actions:

2023 / 2024

- Raise awareness of debt and the support available, including on-line help (Help with Debt)
- Partner organisations to refer residents to Citizens Advice debt advice service
- Cross council approach to create a single view of debt – controlled pilot 6-12 months

- Explore potential to involve VCS partners in support provided to residents indebted to council
 - Work experience – day on finance, budgeting, interview preparation
-

Beyond 2024

- Develop programme of money management advice for schools (potentially run through schools or in libraries as part of after school offer) / food projects
- Work with large employers to promote available support to their staff

Budgeting

The issue:

- Many households now living with deficit budgets
- Many households don't have an up to date budget. Budgets are needed:
 - to make a Local Welfare Provision application
 - to sort out problem debt
 - to understand and demonstrate the need for financial help
 - to be able to make changes to spending when circumstances change

Actions:

2023 / 2024

- Expand and accelerate the programme of training staff who already have contact with vulnerable residents so that they are confident about providing 1:1 budgeting support as part of their work. This will include the network of social prescribers and community navigators
 - Prevention – build budgeting skills of everyone through on-line training for groups of staff in every organisation
-

Beyond 2024

- Develop structured campaign to reinforce importance of budgeting, tools and resources to support households
- Develop programme of money management advice for schools (potentially run through schools or in libraries as part of after school offer)
- Work with large employers to promote available support to their staff
- Work with HAF providers to promote available support to families

Employment and Skills

The issue:

- Many residents are in low paid and or part time work.
- Insecure employment such as zero hours contracts.
- Number of economically inactive in Sandwell increasing.
- EU funded employment support schemes for the most vulnerable have come to an end.
- Need to raise aspirations and employability of young people.

Actions:

2023 /
2024

- Promote employment support to young people available in Sandwell via Route2Wellbeing etc
- Support work of Youth Unemployment Taskforce
- Maximise the opportunities to deliver additional employment support alongside Tackling Poverty Support Programme, including programmes that deliver volunteering as a route to work
- Review model of delivery to explore group activity and peer support
- Make improvements to work experience
- Progress employment and skills activity via Anchor Network
- Focused work to understand economic inactivity

Beyond
2024

- Pilot projects to support economically inactive
- Equipping young people with skills for the future
- Reducing youth unemployment – design programme of activity post ESF
- Sandwell Guarantee v2– targeted at care leavers / SEND / geographically
- Tailor support to local need based on town level analysis

Digital Inclusion

The issue:

- The need to support residents for whom English is not their first language with language skills as an enabler to digital engagement.
- Digital support required: help with skills and confidence.
- Low literacy levels of residents
- Older generation being left behind

Actions:

2023 /
2024

- Develop joint understanding of what support is needed, sharing SCVO research findings
- Improving free digital access in all our buildings
- Develop more local databanks in Sandwell to help tackle data poverty
- Promote and expand the Sandwell Digital Donation Programme
- Identify resources to improve digital confidence
- Digital Den
- Promote homework spaces in libraries and in other community spaces
- Promote the take up of social tariffs for broadband services
- Digital inclusion activities in schools
- Provide more 1:1 activities to build up digital experience and confidence, and skills training for getting online
- Include digital confidence (setting up an email/using MySandwell) in induction training and annual training for all council staff

Beyond
2024

- Targeted digital inclusion activity once need is established
- Explore the issue of borough-wide wifi and the cost-benefits of implementing
- Develop a Digital Sandwell website – a dedicated site incorporating digital inclusion skills and training
- Develop a network of locally based digital centres
- Digital Champions Network – developing local support for residents

Health and Wellbeing

The issue:

- Maximising the opportunity to support residents through the network of social prescribers and community navigators.
- Enabling residents to access low cost or free sport and leisure activities to maintain or improve their physical and mental health (including social activities to reduce isolation).

Actions:

2023 /
2024

- Integrate money matters (budgeting, tackling poverty support and helping residents to access benefits advice and employment support) into the comprehensive training programme for the network of social prescribers/community navigators
- Establish Welcoming Spaces initiative as a development of Warm Spaces to address social isolation
- Work with partners to ensure provision of free, easy access to a range of leisure, sport and arts activities
- Partners to promote awareness of the range of free activities available with all the people they support
- Promote active travel
- Promote our bike offer and scope out a pilot to broaden it out
- Targeting higher risk groups for advice via social prescribing initiatives
- Further collaboration with Black Country ICS to tackle health inequalities

Beyond
2024

- Investment in local parks to encourage them to be actively used for a range of purposes, for example good seating, play equipment
- Build on training and support for social prescribers to expand this to health visitors/district nurses, to embed money matters into their assessment process

[sandwell.gov.uk/
supportingsandwell](https://sandwell.gov.uk/supportingsandwell)

MEASURES FOR SUCCESS

Our overall approach (ongoing work)

The advice and support provided to residents delivers:

- ✓ Numbers of residents supported
- ✓ Confirmed benefit gains for households
- ✓ Problem debt dealt with
- ✓ Budgeting support provided
- ✓ Number of residents moving into training or employment
- ✓ Hits on Supporting Sandwell webpages

The Tackling Poverty Plan

The actions and initiatives linked to this plan will deliver:

- ✓ Number of community food initiatives
- ✓ Tonnes of bulk food redistributed
- ✓ Take up of support services – particularly budgeting support, benefits and debt advice and employment support
- ✓ Reduction in repeat applications for LWP food vouchers
- ✓ Better working together to solve problems
- ✓ Number of Welcoming Spaces

Overall outcomes we will track

We will be tracking outcomes that indicate how the big picture is evolving and how residents are faring:

- Youth unemployment
- Economic inactivity
- Skill levels
- Number of new affordable council homes being built

Resources

A budget of £ 1.5 million has been set aside for initiatives linked to this plan.

Examples of potential projects under development:

- Bulk food project
- Welcoming Spaces coordinator
- Pilot use of thermal cameras to identify poor insulation

Outline allocation by end October/ early November 2023, aiming to spend the majority of the funding by 31st March 2025.

We will work together to access any additional funding opportunities to expand our activities and meet unmet need.



Appendix – Evidence Base

Sandwell Council declared a Cost of Living emergency in recognition of the scale of the impact that the current crisis is having on the borough.

The combination of widespread deprivation and structural weaknesses across Sandwell means that our residents and economy are especially vulnerable to the worst effects of the cost of living crisis:

- Sandwell is ranked second out of 333 local authorities on the Centre for Progressive Policy's Cost of Living Vulnerability Index;
- the borough ranks eighth across in the Index of Multiple Deprivation and second specifically on income deprivation;
- 31,000 households (23% of all households) receive help with Council Tax;
- a fifth of Sandwell households experience fuel poverty and nearly a quarter report food insecurity

We are seeing increasing evidence that residents are struggling significantly. For example, there has been a 127% increase in the number of Local Welfare Provision emergency food vouchers awarded in the first nine months of the current financial year alone, compared to the whole of 2020/21. Our foodbanks also saw a big increase in demand in 2020/21 and demand has stayed high and continued to increase in 2022/23.

Citizen's Advice Sandwell reports that their debt advisers are seeing a significant increase in the number of people who are unable to pay household bills and basic living costs. People are now borrowing to get by day to day and using credit cards and payday loans to pay bills and buy food which is putting them deeper into debt. Those who relied on the financial support of family members no longer have that safety net, as their family's finances are also affected by the rising costs of living. The causes of this range from high amounts of energy debt, council tax and rent arrears leading to an increase in eviction notices, and those struggling to get by on reduced Universal Credit payments.

Town Level Analysis of need and priority setting

Ward/town level analysis of need has been developed to inform local priority setting.

[Sandwell Profile of Need](#)

Food

Impact of welfare reform – households running out of money for food in the week before Universal Credit is paid.

Information from 2022/23 Community Food Provision Annual Report

	Number of parcels provided 2022/23 (2021/22)	Comparison to 2022/23	Number of residents supported 2022/23 (2021/22)	Comparison to 2022/23
Smethwick	5,039 (5,222)	- 3.5%	13,405 (16,852)	-20%
Breaking Bread, Wednesbury	1,447 (1,070)	+35%	4,061 (2,866)	+42%
West Bromwich	2,833 (2,554)	+11%	5,869 (4,872)	+20%
Gt Barr Food Bank	2,277 (1,608)	+41%	6,378 (4,326)	+47%
Community Link	741 (434)	+71%	1,847 (1,157)	+60%
Fountain of Life	310 (190)	+63%	759 (514)	+48%
Holy Trinity (opened April 20)	368 (203)	+81%	864 (401)	+115%
Restore	153 (54)	+183%	372 (137)	+172%
The Well	917 (614)	+49%	2,370 (1,660)	+43%
Brickhouse (opened Oct 21)	276 (47)	+487%	798 (151)	+428%
Holy Cross	43		130	
Total	14,404 (11,996)	+20%	36,853 (32,936)	+12%

Food Pantry	Number of members March 2023 (March 2022)	Total number of visits 2022/23 (2021/22)
Manna House	217 (218)	5,146 (3,847)
Smethwick	67 (132)	1,953 (2,270)
Brasshouse, Smethwick	49 (76)	2,483 (2,333)
Open Heaven, Wednesbury	73 (246)	1,151 (2,196)
Murray Hall, Tipton	133 (236)	2,719 (1,707)
Brandhall (opened December 2022)	107	516
J's Pantry Hateley Heath (opened late March 2023)	124	58
Total	770 (908)	14,026 (12,353)

In 2022/23, 2,852 food vouchers were issued. This was an increase of 247% when compared to the 1,151 vouchers issued in 2021/22. In 2020/21 a total of 980 food vouchers were issued. The huge increase is directly linked to the cost of living crisis, with the main reason for the application given as “low income” (36%).

Nature of crisis	Number 2022/23
Benefit changes	167 - 6%
Benefit delay	64 - 2%
Benefit sanction	48 - 1.7%
Benefit suspended	2
Wage delay	9
School holiday	14
Universal Credit delay	2
Debt	222 - 8%
Homeless	14
Low income	1,035 - 36%
Unemployed	84 - 3%
Domestic violence	5
Sickness	69 - 2%
Refused LWP	1
Other	1,103 - 39%
No information	13
Total	2,852

Warmth

- Steep increase in the number of Local Welfare Provision fuel vouchers awarded each month, from 100+ in April and May 2022, to 200+ October and November 2022, rising to 412 in December 2022 and 337 in January 2023.
- Small decrease in home ownership.
- Higher % of social rented properties compared to rest of Black Country and UK.
- High % of households in private rented or rent free accommodation, (19%) compared to Dudley and Walsall – similar to Wolverhampton.
- Residents in rented properties have less control over energy provision and heat saving measures.
- Increase in overcrowded households.

Debt

Citizens Advice Sandwell report (June 2023):

- Demand for debt continues to increase – now at least a 2 week wait to speak to a debt advisor.
- The issues of clients having a deficit budget continues to increase, due to cost of living, rises in food cost, household bills and rises in mortgage and rental costs. Support from the wider family continues to be limited due to the financial crisis affecting them too.
- Council tax arrears and fuel debt arrears have increased from the same period last year with the demand for fuel vouchers increasing.
- 60 day Breathing space applications are still high and comparable to the same time period last year.
- The number of clients advised on Individual Voluntary Arrangements (IVAs) is now quite low because debt advisers are seeing far more clients with deficit incomes and very few clients with disposable income. (IVAs are only suitable for people with disposable income).
- More and more clients who are seeking help are arriving in crisis and are struggling with their mental health and wellbeing.

Council tenants in arrears:

- No significant changes since the cost of living crisis.
- 16-25 year olds are more likely to be in arrears when compared to other age groups.
- Those living in houses are more likely to be in arrears when compared to other property types.
- Ethnic groups are more likely to be in arrears than White British.
- 46.50% of tenants are currently in arrears compared to 43.74% at same point last year.
- Average arrears have increased slightly (£191.55 currently compared to £181.68 at same point last year).
- 20% HB customers in arrears.
- 88% of Universal Credit customers are in arrears (arrears greater than £10.00).
- 19% of self-payers are in arrears.

Private Rented Sector

- Rents are increasing exponentially, way above most people's affordability, especially in the West Midlands which has seen a higher % increase than even London.
- Demand for housing is increasing with many people enquiring after 1 void in the PRS, so the landlords have their pick and obviously take the most risk-free tenants (in work, good references, fewer kids etc).

- Smaller landlords are leaving the market, due to increased mortgage rates, red tape and the fear of loss of s21. These landlords are not being replaced.

Employment and Skills

- Increasing levels of unemployment amongst those aged 50–64.
- There are currently nearly 71,000 people aged over 50 receiving Employment and Support Allowance (ESA) in the West Midlands Group, well over half of all ESA claimants.
- The employment rate for men of working age in West Midlands Group is 77% compared to one of 68% for women. This is a gap of 9.4%, compared to 12 months ago when the gap was just 6.3%.
- Over a fifth of the working age population in the West Midlands region are economically inactive, i.e., neither in work nor looking for work (22.0%).
- Youth unemployment had fallen since the pandemic but has now started to grow slowly.
- The proportion of ESA claimants with mental and behavioural disorders is increasing – up from 35% in 2010 to 50% (Jan 23). This is particularly prevalent among younger claimants: 70% of ESA claimants aged 18–24 are presenting with mental and behavioural disorders.

Digital

(based upon SCVO's survey 2023)

- The need to support residents for whom English is not their first language with language skills as an enabler to digital engagement.
- Type of digital support required: help with skills and confidence.
- Contact with family or friends, using email, text services or video calling apps, was the opportunity of greatest interest, with very many respondents saying they would value this.
- Respondents' clear support preference was for the support around digital to be offered to them by other people: taking the form of someone available to help and guide when needed, activities to build up digital experience and confidence, and skills training for getting online.
- Helpful personal guide.

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Equality Impact Assessments Toolkit

EqIA Template



You must consider the [Equality Impact Assessment Guidance](#) when completing this template.

The EDI team can provide help and advice on undertaking an EqIA and also provide overview quality assurance checks on completed EqIA documents.

EDI team contact email: edi_team@sandwell.gov.uk

Quality Control	
Title of proposal	Sandwell Tackling Poverty Plan
Directorate and Service Area	Chief Executive
Officer completing EqIA	Senior Lead Officer, Jane Alexander Strategic Policy Officer, Heather Chinner
Contact Details	Jane_Alexander@sandwell.gov.uk Heather_Chinner@sandwell.gov.uk
Other officers involved in completing this EqIA	None
Date EqIA completed	11/10/21
Date EqIA signed off or agreed by Director or Executive Director	
Name of Director or Executive Director signing off EqIA	
Date EqIA considered by Cabinet	15 November
Where the EqIA is Published (please include a link to the EqIA and send a copy of the final EqIA to the EDI team)	

Section 1.

The purpose of the project, proposal or decision required

Sandwell is the twelfth most deprived borough in the country and the cost of living crisis is being felt by and having a tangible impact on the daily lives of our residents and communities. The Sandwell Tackling Poverty Plan sets out proposals and actions for the council and its partners to work together in a co-ordinated way to address poverty in Sandwell.

The Tackling Poverty Plan is a partnership plan developed by the council and a wide range of partners including health and the voluntary and community sector. It builds upon our long-standing work to support Sandwell residents living on low incomes

Rather than repeating everything we are already doing to support people; the plan aims to identify gaps and areas for further development. This plan is not seeking to capture all the activity taking place but instead is designed to dovetail with other pieces of work such as the emerging Skills and Employment Strategy, Digital Strategy and Youth employment taskforce.

Actions in the plan are divided into 9 key areas:

- Communication
- Benefits advice
- Food
- Housing and warmth
- Debt
- Budgeting
- Employment and skills
- Digital inclusion
- Health and wellbeing

The report recommends that Cabinet:

- accept and endorse Sandwell's Tackling Poverty Plan.
- that the Chief Executive, in consultation with the Section 151 officer be authorised to agree the spending of the resources allocated to the plan outlined in this report.

Section 2.

Evidence used and considered. Include analysis of any missing data

Evidence Base

Sandwell Council declared a Cost of Living emergency in recognition of the scale of the impact that the current crisis is having on the borough.

The combination of widespread deprivation and structural weaknesses across Sandwell means that our residents and economy are especially vulnerable to the worst effects of the cost of living crisis:

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Citizen's Advice Sandwell reports that their debt advisers are seeing a significant increase in the number of people who are unable to pay household bills and basic living costs. People are now borrowing to get by day to day and using credit cards and payday loans to pay bills and buy food which is putting them deeper into debt. Those who relied on the financial support of family members no longer have that safety net, as their family's finances are also affected by the rising costs of living. The causes of this range from high amounts of energy debt, council tax and rent arrears leading to an increase in eviction notices, and those struggling to get by on reduced Universal Credit payments.

Work has also been undertaken on developing ward/town level analysis of need to inform local priority setting.

[Sandwell Profile of need](#)

Food

Impact of welfare reform – households running out of money for food in the week before Universal Credit is paid. In 2022/23, 2,852 food vouchers were issued. This was an increase of 247% when compared to the 1,151 vouchers issued in 2021/22. In 2020/21 a total of 980 food vouchers were issued. The huge increase is directly linked to the cost of living crisis, with the main reason for the application given as “low income” (36%).

Warmth

- Steep increase in the number of Local Welfare Provision fuel vouchers awarded each month, from 100+ in April and May 2022, to 200+ October and November 2022, rising to 412 in December 2022 and 337 in January 2023.
- Small decrease in home ownership.
- Higher % of social rented properties compared to rest of Black Country and UK.
- High % of households in private rented or rent free accommodation, (19%) compared to Dudley and Walsall – similar to Wolverhampton.
- Residents in rented properties have less control over energy provision and heats saving measures.
- Increase in overcrowded households.

Debt

Citizens Advice Sandwell report (June 2023):

- Demand for debt continues to increase - now at least a 2 week wait to speak to a debt advisor.
- The issues of clients having a deficit budget continues to increase, due to cost of living, rises in food cost, household bills and rises in mortgage and rental costs. Support from the wider family continues to be limited due to the financial crisis affecting them too.
- Council tax arrears and fuel debt arrears have increased from the same period last year with the demand for fuel vouchers increasing.
- 60 day Breathing space applications are still high and comparable to the same time period last year.
- The number of clients advised on Individual Voluntary Arrangements (IVAs) is now quite low because debt advisers are seeing far more clients with deficit incomes and very few clients with disposable income. (IVAs are only suitable for people with disposable income).
- More and more clients who are seeking help are arriving in crisis and are struggling with their mental health and wellbeing.

Council tenants in arrears:

- No significant changes since the cost of living crisis.
- 16-25 year olds are more likely to be in arrears when compared to other age groups.
- Those living in houses are more likely to be in arrears when compared to other property types.
- Ethnic groups are more likely to be in arrears than White British.
- 46.50% of tenants are currently in arrears compared to 43.74% at same point last year.
- Average arrears have increased slightly (£191.55 currently compared to £181.68 at same point last year).
- 20% HB customers in arrears.
- 88% of Universal Credit customers are in arrears (arrears greater than £10.00).
- 19% of self-payers are in arrears

Private Rented Sector

- Rents are increasing exponentially, way above most people's affordability, especially in the West Midlands which has seen a higher % increase than even London.
- Demand for housing is increasing with many people enquiring after 1 void in the PRS, so the landlords have their pick and obviously take the most risk-free tenants (in work, good references, fewer kids etc).
- Smaller landlords are leaving the market, due to increased mortgage rates, red tape and the fear of loss of s21. These landlords are not being replaced.

Employment and Skills

- Increasing levels of unemployment amongst those aged 50-64.
- There are currently nearly 71,000 people aged over 50 receiving Employment and Support Allowance (ESA) in the West Midlands Group, well over half of all ESA claimants.
- The employment rate for men of working age in West Midlands Group is 77% compared to one of 68% for women. This is a gap of 9.4%, compared to 12 months ago when the gap was just 6.3%.
- Over a fifth of the working age population in the West Midlands region are economically inactive, i.e., neither in work nor looking for work (22.0%).

- Youth unemployment had fallen since the pandemic but has now started to grow slowly.
- The proportion of ESA claimants with mental and behavioural disorders is increasing – up from 35% in 2010 to 50% (Jan 23). This is particularly prevalent among younger claimants: 70% of ESA claimants aged 18-24 are presenting with mental and behavioural disorders.

Digital

(based upon SCVO's survey 2023)

- The need to support residents for whom English is not their first language with language skills as an enabler to digital engagement.
- Type of digital support required: help with skills and confidence.
- Contact with family or friends, using email, text services or video calling apps, was the opportunity of greatest interest, with very many respondents saying they would value this.
- Respondents' clear support preference was for the support around digital to be offered to them by other people: taking the form of someone available to help and guide when needed, activities to build up digital experience and confidence, and skills training for getting online.
- Helpful personal guide.

Section 3.

Consultation

This timeline sets out how the plan has been developed and the consultation undertaken:

- On 13 December 2022, Sandwell council declared a Cost of Living Emergency in recognition of the scale of the impact that the current crisis is having on the borough's residents.
- 2 March 2023 – Council convened the first Cost of Living Summit - bringing together more than sixty public, private and voluntary sector partners to coordinate our efforts to support our community through this crisis
- June – September 2023 development of the Tackling Poverty Plan with a range of partners, overseen by the Resilient Residents Group
- 6 September – Cabinet workshop held on draft Tackling Poverty Plan
- 4 October – Council convened the second Cost of Living Summit, launching the Tackling Poverty Plan, with eighty partners discussing our winter plan and identifying areas where we can work together to influence national policy

As well as the above there have been ongoing consultation and engagement with a number of key individual organisations and officers of the council.

Section 4.

Summary assessment of the analysis at section 4a and the likely impact on each of the protected characteristics (if any)

Overall the proposals in this report are assessed as having a positive impact on people and groups with protected characteristics.

The overall aim of the plan is to achieve real change in residents' financial circumstances through increases in household income and reductions in household expenditure. The plan also aims to focus on preventing people who are just about managing, falling into serious poverty through proactive work to support working people.

There is also a recognition from the evidence and the experience of the partners the plan was developed with, that people will be more vulnerable and in need of support because of Intersectionality.

Section 4a - What are the potential/actual impacts of the proposal on the protected characteristics?

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Age	P	The impact will be positive. There is a recognition that people in particular age categories are more likely to be in poverty and/or likely to suffer adversely from its impact. The Tackling Poverty Plan includes actions for supporting children, young people, older people and families. Actions include providing warm and welcoming spaces, improving access to employment and training, support, tackling isolation, digital support etc.		
Disability	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support. There is a recognition that people who have a disability are more likely to be in poverty and/or likely to suffer adversely from its impact. Some of the organisations who will provide support have expertise and experience in supporting and working with people with a disability.		

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Gender Reassignment	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		
Marriage and civil partnership	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		
Pregnancy and maternity	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		
Race	P	The plan will have a positive impact on the grounds of race. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support. Many of the organisations who will provide the support have expertise and experience in supporting vulnerable people from different communities; including language and cultural appropriate support.		
Religion or belief	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		Faith groups will be encouraged to take part in the Welcoming spaces initiative		
Sex	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		
Sexual Orientation	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support.		
Could other socio-economic groups be affected?				
Carer Low income groups Veterans/Armed Forces Community Other	P	The impact will be positive. The actions in the plan do not discriminate and are targeted at people who are likely to be facing financial difficulty and accessing appropriate support. The plan includes actions addressing health and wellbeing of residents, providing support to low income groups, those experiencing social isolation and improving access to employment and skills support.		

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then please move to Sections 6.

5. What actions can be taken to mitigate any adverse impacts?

6. Section 6: Decision or actions proposed

Having taken account of the proposals and the assessment made the decision is that no changes need to be made to the proposals in the report going to Cabinet.

7. Monitoring arrangements

The following sets out governance arrangements around the plan:

- Overall lead to rest with Leader of the Council and Chief Executive
- Resilient Residents Group to meet 3/4 times a year to oversee the continued delivery of the Tackling Poverty Plan – to be chaired by a senior director of the Council
- Task and finish groups established to implement key actions in the plan
- Progress reports to Cabinet twice a year and informal updates to the Leader on a regular basis

Establish an annual conference with partners to review progress and plan further initiatives

Measuring success of the plan will take place at three levels as set out in the plan:

1. Measuring milestones and actions in the plan
2. Measuring our overall approach/ ongoing work
3. Tracking outcomes that indicate how the big picture is evolving

Section 8 Action planning (if required)

Question no. (ref)	Action required	Lead officer/ person responsible	Target date	Progress

If you have any suggestions for improving this process, please contact EDI_Team@Sandwell.gov.uk

Report to Cabinet

15 November 2023

Subject:	Community Based Provision – Reablement Service within Sandwell
Cabinet Member:	Cabinet Member for Adult, Social Care and Health, Councillor Suzanne Hartwell
Director:	Director of Adult Social Care, Rashpal Bishop
Key Decision:	Yes
Contact Officer:	Operational Head – Commissioning Daljit Bhangal daljit_bhangal@sandwell.gov.uk Commissioner – Older Peoples Services Emily Cox emily_cox@sandwell.gov.uk

1 Recommendations

It is recommended that Cabinet:

- 1.1 Extend the current six Promoting Independence: Care at Home Service contracts with 5 existing providers, which are ending on 2 February 2024 to 2 June 2024 (this covers contract refs ASC089 and ASC121).
- 1.2 That in connection with 1.1 above, an exemption to the Council's Contract Procedure Rules be approved to enable a short-term extension of four months to allow a new requirement to be scoped out, specified and a tender process to be run, and to allow the Director of Adult Social Care to award contracts to the successful tenderer in the event that the required minimum number of tenders are not received.
- 1.3 Authorise the Director of Adult Social Care to complete a procurement exercise in order to secure a Reablement Service in Sandwell, which will replace the current Promoting Independence: Care at Home Service contracts from 3 June 2024.



- 1.4 Authorise the Director of Adult Social Care to award the contract referred to in 1.3 above and enter into a Contract with the successful bidders, on terms to be agreed with the Director of Adult Social Care, for the provision of a Reablement Service in Sandwell to commence on 3 June 2024 to 2 June 2026 with an option to extend for 2 x 12 month periods – 3 June 2026 to 2 June 2027 and 3 June 2027 to 2 June 2028).
- 1.5 That the Director - Law and Governance and Monitoring Officer, or their designated representative, execute any documents necessary within a reasonable time.
- 1.6 Approve variations to the Contract referred to in 1.1 and 1.4 up to a maximum of 10% of the contract value, should they be necessitated, and that authority to approve such variations be delegated to the appropriate Chief Officer in consultation with the Cabinet Member for Adult, Social Care and Health.
- 1.7 Approve the proposed Reablement Service in Sandwell to mirror the prevailing standard Domiciliary Care rate paid including any uplifts applied for the duration of the contract with variations to the contract being undertaken in consultation with the appropriate Chief Officer.
- 1.8 Approve the proposed Reablement model as set out in Appendix One.

2 Reasons for Recommendations

- 2.1 There is no further extension option available in the current ASC089 and ASC121 Promoting Independence Contracts as all extensions within these contracts, which end on 2 February 2024 have been utilised. However, an extension of four months (from 3 February 2024 to 2 June 2024) in line with Regulation 72 (1) (b) of the Procurement Regulations will allow further review and development of the model whilst also allowing a procurement exercise to be undertaken.
- 2.2 Further to the extension of the current contracts being agreed, the authorisation to commence the procurement process and award contracts to the successful bidders will ensure there are appropriate agreements in place from 3 June 2024.



- 2.3 Approval of the extension and proposed new contract will ensure that Adult Social Care (ASC) can assist people to be discharged home from hospital as soon as they are medically optimised thereby relieving pressure on acute beds. In addition, the contract will also allow admission avoidance by providing care and support to individuals thereby eliminating the need for a hospital admission.
- 2.4 The term of the agreements will afford additional security for providers in the market, consistency for service users, as well as for internal teams in Social Work and Brokerage.
- 2.5 The proposal will create more providers to enable greater availability and increased choice for service users.

3 How does this deliver objectives of the Corporate Plan?

	<p>People Live Well and Age Well The Reablement Service in Sandwell will support people to live longer, healthier lives and maintain independence with the care and support they need.</p>
	<p>Strong Resilient Communities Commissioning recommendations suggest the model of Reablement care in Sandwell should be more outcome focused, person centred and integrated.</p> <p>Sandwell Council, together with its partners, is committed to supporting individuals' timely discharge from hospital and enabling them to live independent lives within their own communities. This Reablement provision is designed to provide them with timely care and support needed to enable them to return back to their own homes or avoid admission into hospital.</p>
	<p>A Strong and Inclusive Economy Given the nature of the service and delivery of it to vulnerable people who reside in Sandwell, the successful organisations are very likely to employ people from the local area, supporting the local economy.</p>



4 Context and Key Issues

- 4.1 The Council is statutorily required under the Care Act 2014 to carry out an assessment of anyone who appears to require care and support. Where someone is in hospital, under Discharge to Assess (D2A), funders are required to undertake assessments away from an acute bed setting.
- 4.2 For around half of the people being discharged from hospital, it is expected they will need a period of care, rehabilitation or reablement. The proposed service will provide a reablement service free of charge for up to six weeks in order to promote independence and recovery, and until assessment for long-term care is undertaken.
- 4.3 The Council currently commissions a Promoting Independence: Care at Home Service under the ASC089 and ASC121 contracts, which delivers 1500 hours of care per week. Contracted providers receive referrals for people either being discharged from hospital or for people in the community to avoid hospital admissions. The block contracts ensure there is guaranteed provision available that can meet the demands for a more expedited timeframe given the need to ensure that delayed transfers of care are minimised and also with the aim of hospital avoidance for those already in the community. The prevailing domiciliary care hourly rate is paid (80% block purchased, and 20% spot purchased).
- 4.4 The following contracts for Promoting Independence are commissioned in order to support timely hospital discharge and admission avoidance and Cabinet is recommended to approve an extension to further review and develop the future model whilst also allowing time to procure the proposed new model.



Care Provider	No. of hours per week	Contract Start	Contract End	Fees
Awarding Care	250 hours	03/02/21	02/02/24 – extend to 02/06/24	£18.40 per hour *this is uplifted in line with the prevailing domiciliary care hourly rate Contracts are paid 80% on a block guaranteed basis and 20% spot purchased basis.
Custom Care	250 hours	03/02/21	02/02/24 – extend to 02/06/24	
DHC Midlands Limited	250 hours	03/02/21	02/02/24 – extend to 02/06/24	
Sage Care	250 hours	03/02/21	02/02/24 – extend to 02/06/24	
Sage Care	250 hours	03/07/23	02/02/24 – extend to 02/06/24	
Trust In Care	250 hours	03/07/23	02/02/24 – extend to 02/06/24	

4.5 The current Promoting Independence contract value is £1.2 million per year (£3.6 million for 3 years), with a current hourly rate of £18.40 and additional £25 or £50 assessment fee per package (dependent on response times).

4.6 Whilst the existing contracts support delayed transfers of care and hospital avoidance, it is essentially domiciliary care being provided at a faster pace and for a shorter period of time to allow care needs to be assessed and long-term provision to be determined. Outcome focused monitoring which is centred around reablement progress across a given period of time has not been undertaken to date by commercial providers, as well as these outcomes being agreed and reviewed throughout. This has not been a requirement to date in existing contracts and it is recognised this level of monitoring and review needs to be built into any future Service. Therefore, a Reablement Service is proposed to be procured in order to replace current provision.



4.7 Throughout the contract there will be partnership working with other teams and professionals such as therapy teams, linking in with the Moving with Dignity and Single Handed Care project in order to work with service users to look at potential reductions in care, creating financial efficiencies.

Consultation and Market Engagement

4.8 Consultation has been carried out with other Local Authorities, internal Teams / Officers, the Integrated Care Board (ICB) and both existing providers of the Promoting Independence Service and other domiciliary care contracts. Consultation comprised of establishing what was commissioned in other areas of the Country in relation to Reablement Services, liaising with internal teams around the future model, how it would look on the system and how we would refer in, and seeking a view from the ICB as a referrer into the future service and capacity/ resource in order to support in respect of Therapy for hospital discharges. Perspectives of providers on the future model were also sought, which is outlined in more detail below (4.9).

4.9 A Market Engagement Questionnaire was published on In-Tend, from 23 August to 13:00 hours on 8 September 2023, for the wider market to respond to. A total of 12 responses were received with feedback covering areas as follows:

- a transparent pricing structure
- a sustainable hourly rate paid on a block purchased basis which would enable shift pay to deliver better outcomes
- providers identified a 6-12 weeks service had been delivered in other boroughs, providing double up packages and providing a borough wide reablement service elsewhere has worked well
- incentives have been mentioned such as payment of travel time for staff and an enhanced hourly rate/ additional fees for reducing packages of care
- providers have seen the benefits of input from occupational therapists and physiotherapists as being key in the successful delivery of a reablement service.



4.10 Consultation will continue with internal colleagues from Social Workers, Brokerage, the Contracts Team and Sandwell's in-house frontline service (STAR).

5 Alternative Options

5.1 Re-procure like for like.

The current Promoting Independence service is a domiciliary care service with a promoting independence ethos. The new model would be ensuring Providers are delivering a reablement service with a clear focus on outcomes and reducing long term care needs, with financial efficiencies anticipated as a result due to the preventative and strength-based focus.

5.2 Do not extend current contracts:

This is not considered a viable option. If current Promoting Independence contracts are not extended, this will leave insufficient time to run a compliant procurement exercise, ultimately leaving a gap in provision, which would put the Council in breach of its statutory duty.

5.3 Do not re-procure:

This is not considered a viable option. To not re-procure a new service to replace existing provision and allow the current contracts in place to lapse. There will be increased delays in hospital and people not benefiting from admission avoidance leading to system pressure, as a result.

5.4 Do not procure and the Council become the provider of last resort.

This is no considered a viable option as resource is not available.

5.5 Allow the current contracts to lapse and procure the provision on a spot purchased basis.



This is not considered a viable option. There would be no guaranteed hours in the market to support hospital discharges or to prevent unnecessary admissions to hospital.

6 Implications

<p>Resources:</p>	<p>The aggregate value over the lifetime of the proposed contract is as per the below, however inflationary uplifts will need to be applied in April of each year when the Domiciliary Care rate is uplifted, which the proposed service will mirror. Therefore, the total figure below is exclusive of inflationary uplift.</p> <table border="1" data-bbox="416 629 1540 891"> <thead> <tr> <th data-bbox="416 629 651 801">Yr1 03/05/2024 to 02/05/2025</th> <th data-bbox="651 629 885 801">Yr2 03/05/2025 to 02/05/2026</th> <th data-bbox="885 629 1120 801">Yr3 (extension) 03/05/2026 to 02/05/2027</th> <th data-bbox="1120 629 1329 801">Yr4 (extension) 03/05/2027 to 02/05/2028</th> <th data-bbox="1329 629 1540 801">TOTAL</th> </tr> </thead> <tbody> <tr> <td data-bbox="416 801 651 891">£2,131,529.60</td> <td data-bbox="651 801 885 891">£2,131,529.60</td> <td data-bbox="885 801 1120 891">£2,131,529.60</td> <td data-bbox="1120 801 1329 891">£2,131,529.60</td> <td data-bbox="1329 801 1540 891">£8,526,118.40</td> </tr> </tbody> </table> <p>The funding for this service would be from the Better Care Fund and paid for on a block basis. The Joint Partnership Board agreed on 1 November 2023 to fund the new proposed service as per the above annual contract value, plus annual inflationary uplifts.</p> <p>There are no anticipated human resource implications for the Council arising from the award of the Agreements.</p> <p>There are no implications for the Council's material assets.</p>	Yr1 03/05/2024 to 02/05/2025	Yr2 03/05/2025 to 02/05/2026	Yr3 (extension) 03/05/2026 to 02/05/2027	Yr4 (extension) 03/05/2027 to 02/05/2028	TOTAL	£2,131,529.60	£2,131,529.60	£2,131,529.60	£2,131,529.60	£8,526,118.40
Yr1 03/05/2024 to 02/05/2025	Yr2 03/05/2025 to 02/05/2026	Yr3 (extension) 03/05/2026 to 02/05/2027	Yr4 (extension) 03/05/2027 to 02/05/2028	TOTAL							
£2,131,529.60	£2,131,529.60	£2,131,529.60	£2,131,529.60	£8,526,118.40							
<p>Legal and Governance:</p>	<p>The service proposed to be contracted falls under the Light Touch Regime of the Public Contracts Regulations (PCR) 2015 which allows for greater flexibility for how a procurement is run. However, while there is greater flexibility, the aggregate value of the contract will exceed the PCR15 Light Touch Threshold. A fully compliant tender process will be undertaken in accordance with both the Council's Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015.</p> <p>The Council's Procurement and Contract Procedure Rules require the Cabinet to approve the award of contracts for the estimated value of the service and this paper seeks such authority.</p>										



	<p>Legal advice will be sought on the proposed new model and the term of the Agreements, and the procurement documentation will be agreed with legal representatives before the opportunity is put out to market.</p>
<p>Risk:</p>	<p>The risks identified in respect of the recommendations being sought, in the separately completed Risk Assessment include:</p> <ul style="list-style-type: none"> - Approval not achieved - Lack of interest from the market - Provider recruitment of staff and retention - Performance and service delivery - Funding not secured - Lack of Performance Monitoring resources - Provider sustainability <p>Risks of not extending contracts are:</p> <ul style="list-style-type: none"> - Gap in service - Increased delays in hospital and people not benefiting from admission avoidance leading to system pressure, as a result - Increase to inappropriate hospital admissions <p>These risks have been evaluated and sufficient actions have been identified in the risk assessment to ensure the risks are mitigated to an acceptable level.</p> <p>It is considered that sufficient mitigation is in place so that the proposed contract delivers against the service specification.</p> <p>There are no red risks that require reporting.</p>
<p>Equality:</p>	<p>An Equality Impact Assessment has been undertaken and the outcome of the same suggests there are no negative or adverse impacts on any protected groups.</p> <p>There are no significant equality issues arising from this report. The commissioning of this provision will ensure that vulnerable people in need of care, including protected groups, will benefit from timely support, and therefore there are benefits to some of the protected characteristics</p>



Health and Wellbeing:	<p>To support the easing of pressure on acute hospitals through admission avoidance, this service is required to assist vulnerable people for whom the Council has a statutory duty through the provision of timely care and support upon discharge from hospital.</p> <p>Given the nature of the service and delivery of it to vulnerable people who reside in Sandwell, the successful organisations are very likely to employ people from the local area, supporting the local economy.</p>
Social Value:	<p>Providers are supported and encouraged to recruit locally and engage with Colleges/Universities, and to procure local goods and services so support local communities.</p> <p>Social value has a fixed minimum % amount in the tender scoring process to allow the impact to be crucial to the outcomes.</p>
Climate Change:	<p>There are no climate change implications in this report.</p>
Corporate Parenting:	<p>There are no Corporate Parenting responsibilities in this report.</p>

7. Appendices

None.

8. Background Papers

Procurement and Contract Procedure Rules



Appendix One

Proposed Reablement Model

The proposed model will consist of Promoting Independence Pathway (PIP) reablement. It is proposed there will be 10 providers, and it will be expected all providers will be able to accept packages borough wide.

Those referrals coming via the hospital pathway will have an assessment undertaken by a STAR (Council Reablement Service) assessor and those coming via the community pathway will have an assessment undertaken by a Trusted Assessor within the STAR service. It will be this initial assessment which identifies the level of need, any reablement potential, OT input requirements, and will determine which service provision is most appropriate. It is essential that every individual has the opportunity for reablement to be considered whichever referral route they are progressed through.

As part of the contract, providers will be given the autonomy to flex up and flex down packages of care and adjust packages as part of a multi-disciplinary team approach. Providers will receive a set number of bank hours which can be used within the first two weeks of the service commencing, which allows a more effective and responsive service, personalised to the individual which responds to fluctuations in need in a timely way.

The proposed block contract will provide immediate access for people in the community in order to avoid hospital admission, or to support a discharge from hospital. A block contract secures this guaranteed availability. The usage will continue to be monitored on a regular basis and there are clauses in the contract to allow a review of the number of hours allocated.

The proposed service is available for every person who leaves hospital and has care needs or lives in the community to avoid a hospital admission. A reablement service is considered to be successful as an assessment period in ensuring a person does not have a long-term care

package commissioned unnecessarily. The multi-agency model in the new contract will identify / focus on a reablement approach and significantly reduce long term care needs where possible.

Where referrals are sent through to PIP reablement, this service will be delivered for up to 6 weeks. Outcomes and goals will have been identified during the assessment process, which will be reviewed during the 6 weeks. Reablement input will have been provided within a 'do with as opposed to a do for' approach, with a view to care needs being reduced at the point of exit.

The Service Requirements will be advertised via In-Tend, the Council's eProcurement Portal, on Find a Tender (FTS - the UK's eProcurement Platform) and on Contracts Finder. All providers will need to satisfy certain checks on company financial standing, CQC and company registration, etc., and there will be a number of quality questions that are scored, and an interview conducted for those successful at the quality stage.

Utilisation of the existing Promoting Independence Service is as follows for the period April 2022 – March 2023:

Block Contract	73,295 hours
Spot	91,593 hours

The above equates to 1761.40 spot hours per week and 1409.52 block hours per week

The new proposed contract will be for 2000 hours block purchased per week. Where there is a requirement for more hours, to ensure that existing Domiciliary Care Tier 1 or Tier 2 Providers continue to receive commissioned work, it will be spot purchased from them so as not to destabilise the market.

Equality Impact Assessments Toolkit

EqIA Template



You must consider the [Equality Impact Assessment Guidance](#) when completing this template.

The EDI team can provide help and advice on undertaking an EqIA and also provide overview quality assurance checks on completed EqIA documents.

EDI team contact email: edi_team@sandwell.gov.uk

Quality Control	
Title of proposal	Contract for a Reablement Service
Directorate and Service Area	Adult Social Care Health and Wellbeing Commissioning Support Unit
Officer completing EqIA	Emily Cox
Contact Details	Emily_cox@sandwell.gov.uk
Other officers involved in completing this EqIA	Ria Palmer – Commissioning Manager Ria_palmer@sandwell.gov.uk
Date EqIA completed	October 2023
Date EqIA signed off or agreed by Director or Executive Director	
Name of Director or Executive Director signing off EqIA	Rashpal Bishop
Date EqIA considered by Cabinet	
Where the EqIA is Published (please include a link to the EqIA and send a copy of the final EqIA to the EDI team)	

Section 1.

The purpose of the project, proposal or decision required

Sandwell MBC currently has a contract with five regulated providers to provide a Promoting Independence - Care at Home Service in Sandwell for eligible adults with an end date of 2nd February 2024.

Current spend is approximately £3,600,000.00 (£1.2 million per annum).

The focus is on ensuring individuals are supported to live longer, healthier lives and maintain independence with the care and support they need.

There is no option to extend the current contract in place, as this has already been used, and therefore an extension for the current contracts is being requested to enable a re-procurement exercise to be undertaken in order to ensure there is no gap in provision and to secure continuity of service.

A tendering process is due to commence in October 2023 in order to replace the current service, which will be a new Reablement Service in Sandwell. The process will result in the letting of a contract with multiple providers to provide a Service across the Borough of Sandwell.

It is proposed to re-procure the service to commence 03 May 2024, with a 4-year term (2 years, plus 2 x 12-month extension options available, with agreement).

Section 2.

Evidence used and considered. Include analysis of any missing data

Current contract documentation.

Provider feedback throughout contract term.

Utilisation figures and expenditure.

Section 3.

Consultation

- Current Promoting Independence – care at home service providers
- Local Authorities
- Internal staff/ teams
- The ICB

Section 4.

Summary assessment of the analysis at section 4a and the likely impact on each of the protected characteristics (if any)

Service users will receive a similar level of service with more of a reablement focus, but it may be provided by a different provider depending on which providers are successful in the new tender exercise. However, this will have no impact on the service users, as the service is up to 6 weeks, service users will remain with the incumbent provider until discharge/ exit and will not have to move.

The current service has worked well in assisting people to be discharged from hospital to the most appropriate setting as soon as they are medically optimised thereby relieving pressure on acute beds. In addition, the contract will also allow admission avoidance by providing care and support to individuals thereby eliminating the need for a hospital admission.

Not extending the current contracts and awarding new contracts following the re-procurement exercise will create a gap in provision, and although there is the option to spot purchase such provision once the current contracts end, having agreed contracts terms and conditions in place will ensure the providers can be held accountable.

If the Cabinet Member does not agree to the extension of current contract and to the award of proposed contracts, risks would include:

- Increased avoidable hospital admissions and discharges
- Current contracts lapse and packages are procured on a spot purchased basis with no agreed terms in place – there are no guaranteed hours in the market to support hospital discharges or to prevent unnecessary admissions into hospital
- Gap in provision, no secured continuity of service

Section 4a - What are the potential/actual impacts of the proposal on the protected characteristics?

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Age	P	<p>The age criteria in relation to accessing the service will remain unchanged.</p> <p>The new contracts will continue to meet the needs of adults aged 18 and over with general nursing needs, older people and people with dementia experiencing mental health issues.</p> <p>The new contracts being for a longer term should be positive for Service Users in offering more continuity and more scope for service improvement processes.</p>	N/A	N/A
Disability	Ne	The disability criteria in relation to accessing the service will remain unchanged. Although the disability criteria in relation to accessing the service will remain the same, by	N/A	N/A

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		<p>continuation of the service and given the nature of the proposal, there would be a positive impact to people with disabilities. References to the Cabinet Report are below:</p> <p>4.2 The proposed service will provide a reablement service free of charge for up to six weeks in order to promote independence and recovery, and until assessment for long-term care is undertaken.</p> <p>4.4 domiciliary care being provided at a faster pace and for a shorter period of time to allow care needs to be assessed and long-term provision to be determined.</p> <p>4.7 The proposed block contract will provide immediate access for people in the community in order to avoid hospital admission, or to support a discharge from hospital.</p> <p>4.14 It is essential that every individual has the opportunity for reablement considered whichever</p>		

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		<p>referral route they are progressed through.</p> <p>4.18 A reablement service is considered to be successful as an assessment period in ensuring a person does not have commissioned a long-term care package unnecessarily.</p>		
Gender Reassignment	Ne	<p>There is no change relating to this characteristic.</p> <p>There is no impact specific to this protected group. The service will be available to all adults eligible for this care service regardless of gender reassignment.</p>	N/A	N/A
Marriage and civil partnership	Ne	<p>There is no change relating to this characteristic.</p> <p>There is no impact specific to this protected group. The service will be available to all adults eligible for</p>	N/A	N/A

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		this care service regardless of marriage and civil partnership status.		
Pregnancy and maternity	Ne	<p>There is no change relating to this characteristic.</p> <p>There is no impact specific to this protected group. Although the service will be available to all adults eligible for this care services regardless of pregnancy or maternity status, it is unlikely this protected group would access such service as alternative, more suitable provision is available.</p> <p>as alternative, more suitable provision is available.</p>	N/A N/A	
Race	Ne	There is no change relating to this characteristic.	N/A	N/A

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		There is no impact specific to this protected group. The service will be available to all adults eligible for this care service regardless of race		
Religion or belief	P	There may be a positive impact on this characteristic as the service Providers are commissioned to support service user to continue to maintain religious practices during the support service period.	N/A	N/A
Sex	Ne	There is no change relating to this characteristic. There is no impact specific to this protected group. The service will be available to all adults eligible for this care service regardless of sex.	N/A	N/A
Sexual Orientation	Ne	There is no change relating to this characteristic.	N/A	N/A

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		There is no impact specific to this protected group. The service will be available to all adults eligible for this care service regardless of sexual orientation.		
Could other socio-economic groups be affected?				
Carer Low income groups Veterans/Armed Forces Community Other	Ne	<p>There is no impact specific to this protected group.</p> <p>Will it support carers who are supporting people with long term care and support needs? – it will provide respite for carers for the hours identified in a service users assessment.</p> <p>Do more people who require reablement services enter into the low-income bracket? – not relevant</p>	N/A	N/A

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		as service is free so not means tested.		

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then please move to Sections 6.

5. What actions can be taken to mitigate any adverse impacts?

None.

6. Section 6: Decision or actions proposed

None.

7. Monitoring arrangements

The monitoring of the performance of the contracts will be undertaken by officers of the Council within Adult Social Care.

Data relating to those individuals referred to the service will be monitored to ensure that any issues can be addressed in real time, which includes performance returns, breach information, safeguarding, feedback from reviews and the CQC information.

Section 8 Action planning (if required)

Actions to mitigate any operational risks have been considered in the risk management plan for the process.

Question no. (ref)	Action required	Lead officer/ person responsible	Target date	Progress

If you have any suggestions for improving this process, please contact EDI_Team@Sandwell.gov.uk

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of the Local Government Act 1972.

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Report to Cabinet

15 November 2023

Subject:	Sandwell Health Determinants Research Collaboration (HDRC) proposal
Cabinet Member:	Cllr Syeda Khatun Public Health & Communities
Director:	Liann Brookes-Smith (Public Health)
Key Decision:	Yes
Contact Officer:	Lina Martino – Consultant in Public Health lina_martino@sandwell.gov.uk

1 Recommendations

That Cabinet:

- 1.1 Receive the Health Determinants Research Collaboration proposal and supporting documents for consideration and comment (Appendices 1-3).
- 1.2 Approve receipt of funding up to £5 million and implementation of the proposed 5-year programme, subject to the pending bid being successful.
- 1.3 Approves the implementation of the following action points identified within the Strategic Investment Unit Appraisal Report to reduce any risk to the Council:
 - (a) That NIHR's terms and conditions of funding are passported to delivery partners in agreements with Sandwell MBC and include the following:
 - Procurement in accordance with Sandwell MBC's own procurement requirements
 - Maximum funding allocation for each delivery partner



- Evidence required to support grant claims
 - Grant claims paid in arrears
 - Repayment of grant in the event of non-delivery of outputs
 - Monitoring requirements
 - Responsibility for funding overspends on delivery of the project
- (b) That all estimated costs are reviewed with delivery partners to ensure that the outputs of the project can be delivered within available funding.
- (c) That agreed output levels are agreed with partners involved in the delivery of the project and monitored throughout the funding period.
- (d) That overhead costs are reviewed to ensure that defrayment can be evidenced in accordance with the funder's requirements.
- (e) That the Risk Register is reviewed to ensure all risks relating to the project are identified and adequately mitigated.
- (f) That capital equipment purchased for the project is notified to Strategic Finance at the end of the financial year and is included on the council's Asset Register and accounted for accordingly on the authority's Balance Sheet.
- (g) That VAT/tax advice is received from the Council's tax consultants and adhered to accordingly.

2 Reasons for Recommendations

- 2.1 The funding would provide us with a unique opportunity to progress our ambitions to use information and intelligence in a more strategic way to improve outcomes for Sandwell residents and reduce health inequalities over the longer term. The bid and detailed budget have undergone a full appraisal by the SIU (Appendix 2).



3. **How does this deliver objectives of the Corporate Plan?**

- 3.1 The HDRC would align to our Borough-wide Levelling Up Programme (LUP), which will invest in affordable homes, improved skills infrastructure, better leisure facilities, an improved public realm, active travel infrastructure, social value and local spend, and local employment opportunities. The HDRC would give us the means to ensure that the LUP and related work across the Council is informed by evidence and robustly evaluated.
- 3.2 Meeting the objectives of the proposed HDRC programme will lead to higher quality of the services we deliver and commission, and more efficient investment to improve Sandwell as a place, including education, skills, employment, community cohesion, transport, housing, economy and the built environment – which are the wider determinants of health, and the objectives of the Corporate Plan. Over the longer term this will lead to improved health outcomes and reduced inequalities in both physical and mental health across the life course, contributing to the Vision 2030 of a thriving, optimistic and resilient community.
- 3.3 The HDRC would therefore have potential benefits across all Corporate Plan priority areas throughout the programme and beyond.

4. **Context and Key Issues**

Background

- 4.1 The National Institute for Health Research (NIHR) is the biggest funder of health research in the UK. They are providing up to £5 million of funding to a number of local authorities to establish Health Determinants Research Collaborations (HDRCs) in their local areas.
- 4.2 HDRCs aim to boost research capacity and capability within local government to embed a culture of always using evidence when making decisions. HDRCs use research findings to understand how decisions impact on health and health inequalities. They also carry out research where evidence isn't already available.



- 4.3 Sandwell Metropolitan Borough Council (SMBC) is the 12th most deprived local authority in England and life expectancy is 2-3 years shorter than the national average. Inequalities have been deepened by the pandemic, austerity and climate change, yet Sandwell's superdiverse communities, industrial heritage and green spaces are key assets. A research needs analysis in 2021 found a strong culture of evidence-based decision making in the Public Health directorate, but this was weaker across the wider Council. Existing structures and collaborations show commitment and potential to be more research active and evidence-informed, but limited capacity to take this forward.
- 4.4 We have submitted a proposal to form a HDRC (*Better Research for Better Health*) in partnership with the University of Birmingham and the voluntary and community sector (VCS), represented by Sandwell Council of Voluntary Organisations (SCVO) and Sandwell Consortium. This proposal is one of 20 shortlisted and we have received very positive feedback from peer review.
- 4.5 We attended an interview on 6 September 2023 with a panel consisting of with a panel made up of local government representatives, senior researchers and public contributors, chaired by Professor Brian Ferguson (Director of the NIHR Public Health Research programme). Our HDRC team was represented by Lina Martino (Consultant in Public Health, SMBC); Liann Brookes Smith (DPH, SMBC); Louise Kilbride (CEO, Sandwell Consortium); and Miranda Pallan (Professor of Child & Adolescent Public Health, UoB).

HDRC vision, aims and objectives

- 4.6 The Sandwell HDRC will be based on the theme of Poverty and Cost of Living, aligning with the LUP to address the wider determinants of health and tackle systemic disadvantage in the Borough.
- 4.7 The HDRC vision is to undertake evidence-informed, robustly evaluated activities that reflect the needs and values of our diverse local communities. The Sandwell HDRC will align with a borough-wide Levelling Up Programme to improve the wider determinants of health.
- 4.8 The HDRC aims to transform SMBC's research culture and infrastructure to:
- Make the best use of empirical evidence to inform decision-making and investment



- Robustly evaluate services to ensure quality, effectiveness and cost-effectiveness
- Facilitate research activity with partner organisations and local residents
- Effectively disseminate research outputs for wider influence

4.9 This will be achieved by:

- Strengthening research and development capacity, resources and infrastructure
- Embedding a strong research culture for evidence-informed decision-making
- Developing robust systems and partnerships for cultural and knowledge exchange
- Creating a community-led research culture

HDRC workstreams, key deliverables and timelines

4.10 HDRC objectives will be delivered via four parallel workstreams:

- Build capacity and infrastructure through workforce development and training; data science infrastructure for information sharing and evaluation; and research governance structures and processes
- Embed research culture and evidence-informed practice by supporting translation of evidence into practice; embedding needs assessment and evaluation; and increasing use of evidence in decision-making
- Strengthen systems and partnerships through academic collaborations for research and learning; structures and processes for wider system partnerships; and effective information sharing
- Promote community participation through expanding PPIE structures; widening participation and representation in research; and facilitating engagement

4.11 The HDRC has a 5-year phased approach.

Year 1: programme establishment and planning, setting baselines and training

Year 2: full programme commencement

Year 3: dissemination, review and growth, including first publications

Year 4: review and consolidate learning



Year 5: sustainability through designing and implementing an ongoing programme of activity

Collaborations and partnerships

4.12 The HDRC will be a core partnership between SMBC, University of Birmingham and the voluntary sector, supported by wider collaboration and engagement. Partnership with Sandwell Council of Voluntary Organisations and Sandwell Consortium will ensure that local residents and community groups are represented and involved.

HDRC staffing and governance

4.13 The HDRC will be a collaboration with UoB and the VCS, working with local and regional partners, and a pan-Council unit working across departments. A HDRC Board will provide strategic oversight, reporting to SMBC's Health & Wellbeing Board, Full Council and Cabinet via SMBC Leadership Team to provide updates, seek endorsement of key decisions and secure high-level strategic engagement.

4.14 A total of 12 full-time staff will be recruited to support delivery of the HDRC from the programme funding. Strategic leads from SMBC and UoB are existing staff members who have jointly developed the HDRC delivery plan and will lead on the development of the HDRC from the programme start. For new staff there will be flexibility in how and who we appoint, within the content of appropriate partnership arrangements as necessary.

5 Alternative Options

5.1 Without the funding we would continue to attempt to achieve as much of these objectives as we can within existing resources and partnerships. However, what we can achieve in this way is severely limited as we do not have the capacity or infrastructure to achieve positive change at the scale and pace anticipated with the funding in place.



6 Implications

Resources:	Resource implications are contained within the main body of the report and in more detail in the bid document (App 1). There are no requirements to match or continue any funding received for this programme.
Legal and Governance:	No direct legal implications arising from the recommendations. Successfully implementing the proposed HDRC programme would enhance current governance processes through improving how they are informed by local and research evidence.
Risk:	A risk assessment has been carried out and the Risk Register was included in the SIU appraisal documentation (see report in App 2). Key risks identified were failure to convene leadership groups and recruit new staff; insufficient capacity of internal leads to support the programme; low uptake of training and engagement activity; breaches of GDPR, ethical protocols; and safeguarding (linked to community engagement activity). Mitigations of these potential risks are covered in the proposed HDRC plan, including: continued engagement of key partners and stakeholders; dedicated budget for backfilling SMBC staff time, with early planning of recruitment campaigns; and timely development of processes and protocols for partnership working, research governance and ethical approval.
Equality:	An Equality Impact Assessment is attached (Appendix 3) outlining the equality implications of the proposed HDRC programme. Overall it is likely that the programme will have benefits across a range of protected characteristics and other marginalised groups through using evidence and research to improve the quality of local services and initiatives focusing on the wider determinants of health and wellbeing, and the emphasis on involving local residents in shaping research priorities.



Health and Wellbeing:	The proposed HDRC would have a positive impact on health and wellbeing and reduce health inequalities through improving the wider determinants of health – the conditions in which our residents are born, live, grow, work and age. It will achieve this through strengthening the use of evidence and evaluation to inform the services and interventions we deliver and commission as a Council, therefore enhancing quality and efficiency of investment.
Social Value	The HDRC will align to the Levelling Up Programme to ensure that this and related work across Directorates are evidence-informed and robustly evaluated, and reflect the needs and values of local residents. It will therefore enhance the social value of this work over the longer term.
Climate Change:	No direct implications arising from the recommendations. However, the longer term impact of this work in alignment with the Levelling Up Programme is likely to have beneficial impacts on air quality in the Borough through enhancing decision making processes around improvements to the built environment.
Corporate Parenting:	No direct implications arising from the recommendations. However, the longer term impact of this work in alignment with the Levelling Up Programme is likely to have beneficial impacts on care leavers, particularly through enhancing work to improve education, skills and employment opportunities in the population.

7. Appendices

App HDRC SIU Appraisal Report
App HDRC Equality Impact Assessment

8. Background Papers

None



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of the Local Government Act 1972.

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Financial Appraisal Report

External Funding Application to National Institute for Health & Care Research, for funding for Health Determinants Research Collaborations (HDRC)

Report to Cabinet

Date Issued: 4th October 2023

Contents:

1. Executive Summary
2. Issues Arising

1 Executive Summary

Introduction

Public Health are seeking retrospective approval to submit an external funding application to the National Institute for Health & Research. Funding is available to support research collaborations between local government and the academic sector to improve the wider determinants, or drivers, of health.

The project will be delivered by Public Health in partnership with the University of Birmingham, Wolverhampton University and several voluntary sector organisations.

The Health Determinants and Research Collaboration will be based around poverty and the cost of living, aligning with the Levelling Up Programme to address the wider determinants of health and tackle systemic disadvantage in the Borough.

The project aims to transform the council's research culture and infrastructure to inform its decision-making and investments based on the needs and values of the borough's diverse local communities.

An independent NIHR-funded research needs analysis was undertaken by the University of Birmingham in 2021 and found that there was weak evidence-based decision making across the Council. Difficulties associated with making evidence-based decisions included a lack of time to apply for funding and deliver research, difficulty accessing the right data, lack of information governance and difficulty identifying and engaging with appropriate external research partners. Finances, budget and workforce constraints were particularly highlighted as having an impact on ability to search for, retrieve and apply research evidence, and the potential to engage in research. Voluntary sector partners and other stakeholders identified several potential barriers to effective community engagement, including failure to

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demonstrate the purpose and value of research to local communities, and managing expectations around outcomes and impacts.

Strategic Finance has been asked to carry out an appraisal of the funding application, which has been evaluated against HM Treasury Green Book guidance. The appraisal process recorded a score of 66%, with some areas of risk identified.

Project Objectives

- To support the Council's Vision 2030, in ensuring that we have a strong approach with all partner organisations to prevent ill health and improve long-term health and wellbeing by protecting our most vulnerable adults and children.

Project Details

In June 2023, the National Institute for Health & Research launched a funding programme to deliver innovative research collaborations between local government and the academic sector that focus on improving the wider determinants, or drivers, of health.

Sandwell MBC's project entitled 'Better Research for Better Health' aims to deliver the following:

- Strengthening research and development capacity, resources and infrastructure
- Embedding a strong research culture for evidence-informed decision-making
- Developing robust systems and partnerships for cultural and knowledge exchange
- Creating a community-led research culture

HDRCs will be led primarily by local authorities and Sandwell MBC will be the accountable body for the project. The Council will deliver the agreed outputs in partnership with the University of Birmingham, Sandwell Council of Voluntary Organisations (SCVO) and Sandwell Consortium.

The total cost of delivering the HDRC project is £5.165m, with grant funding requested from the National Institute for Health & Research of £4.999m and match funding 'in kind' of £0.166m offered by delivery partner, University of Birmingham. There is no requirement for match funding from SMBC.

The project will require 12 new full-time staff, to be recruited by SMBC on fixed term contracts of up to 3.5 years, to support programme delivery and development of internal research infrastructure. Project costs also include contributions to existing SMBC and University of Birmingham staffing costs.

The project programme will be delivered over a 5-year period and will be completed by December 2028.

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Scope and objectives of financial appraisal

The purpose of financial appraisals is to consider the guidance provided by HM Treasury in evaluating business case proposals and assessing the potential risk to the Council in achieving its objectives. The following components and risks are assessed:

HM Treasury Green Book	Potential Risks
<u>Strategic Case</u> Objective, need, demand and reasonableness	Insufficient justification for project/will not meet strategic objectives
<u>Economic case</u> Option analysis and risk	Poor use of council resources & excessive risk to Council
<u>Commercial Case</u> Legal and statutory implications	Project may contravene legal/statutory regulations
<u>Financial Case</u> Affordability	Proposals are not affordable or realistic
<u>Management Case</u> Governance, project management, monitoring and evaluation	Non-delivery of project and outputs
Limitations to scope of appraisal	Information provided by Project Officer

LEVEL OF ASSURANCE GAINED FROM FINANCIAL APPRAISAL

Limited (0%-65%)	Satisfactory (66%-80%)	Substantial (81%-100%)
There is a high risk of objectives not being met due to insufficient assurance within the project proposals. There is limited evidence to confirm that the risks to the Council could be adequately mitigated.	There is adequate assurance that objectives could be met, but further actions are required to adequately mitigate the risk to the Council.	There is good assurance that objectives will be met, with little risk to council resources.

Overall Conclusion

The appraisal scored 66% and provides **satisfactory assurance** over the adequacy of the proposals.

Financial appraisals will identify the following levels of issues:

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Fundamental

Action is imperative to ensure that the objectives of the project are met

Significant

Action is required to avoid exposure to significant risks in achieving objectives

Merits Attention

Action is advised to enhance operational efficiency

Summary of key issues identified

- The financial appraisal has identified no 'fundamental' issues
- The financial appraisal has identified 4 'significant' issues
- The financial appraisal has identified 3 'merits attention' issues

2 Issues Arising

Action is required to avoid exposure to significant risks in achieving objectives
Significant

2.1 Commercial Case – Funding Agreements

As accountable body for the project, Sandwell MBC will take full, financial responsibility for delivery of the project and will be required to adhere to the funder's terms and conditions. The Council will enter into a funding agreement with the National Institute for Health & Research and will be responsible for the performance of all delivery partners. At the time of appraisal, no funding agreements or terms and conditions for delivery partners had been prepared.

Implication:

That the risk to the Council of clawback of funding is not transferred to delivery partners. This may have financial implications to Sandwell MBC should the project outputs not be delivered as agreed.

Recommended Action:

- That NIHR's terms and conditions of funding are passported to delivery partners in agreements with Sandwell MBC and include the following:
 - Procurement in accordance with Sandwell MBC's own procurement requirements
 - Maximum funding allocation for each delivery partner
 - Evidence required to support grant claims
 - Grant claims paid in arrears
 - Repayment of grant in the event of non-delivery of outputs
 - Monitoring requirements

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- Responsibility for funding overspends on delivery of the project

2.2 Financial Case – Costs & Contingency Plans

Whilst a basic breakdown of costs for the project has been provided, the reasonableness of some costs cannot be confirmed. Staffing costs have been calculated on 2022/23 pay scales and do not specifically allow for future pay awards. Whilst it is advised that there is an allowance within indirect costs for other staffing costs, without a detailed breakdown, it cannot be confirmed that there will be adequate funding for future pay awards, severance liabilities, recruitment and legal costs. It is also unclear, without a detailed breakdown, how reasonable the non-staffing costs are, and it is not possible to confirm that the funding will be sufficient to deliver the outputs as detailed in the application. Whilst it is acknowledged that there will be some flexibility in how the funding is spent to meet the agreed objectives, there is no specific contingency allowance and there is a risk that if changes to spending are required, this may impact on the quality of the work undertaken and consequently the outputs.

Implication:

There may be insufficient grant funding available to successfully deliver the project outcomes, which may have financial implications on Sandwell MBC as accountable body, if costs exceed available funding.

Recommended action:

- That all estimated costs are reviewed with delivery partners to ensure that the outputs of the project can be delivered within available funding.

2.3 Financial Case – Value for money

A breakdown of proposed grant funding allocations to third party organisations has been provided but no information was available to determine the level of outputs expected from partners.

Implication:

The lack of pre-determined levels of outputs, limits the potential for adequate evaluation of project delivery and cannot provide assurance that value for money will be provided by partners.

Recommended action:

- That agreed output levels are agreed with partners involved in the delivery of the project and monitored throughout the funding period.

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2.4 Financial Case – Eligible grant funding

The external funding application includes indirect costs for overheads of £0.601m. The funder's terms and conditions require transaction listings to prove expenditure. As there is limited detail within the application to confirm the exact nature of these costs, it is unclear whether they can be evidenced sufficiently to support defrayment of grant.

Implication:

That ineligible expenditure may be incurred on the project for which grant cannot be claimed and which may have financial implications for Sandwell MBC.

Recommended action:

That overhead costs are reviewed to ensure that defrayment can be evidenced in accordance with the funder's requirements.

Action is advised to enhance operational efficiency
Merits Attention

2.5 **Economic Case – Risks**

A corporate Risk Register has been provided but there was concern that not all risks to the project have been identified, including ineligible grant expenditure, increased costs and project delivery risks by partners.

Implication:

Risks may not be identified and therefore not adequately mitigated. This may impact on the delivery of outputs and result in financial implications to the Council.

Recommended action:

- That the Risk Register is reviewed to ensure all risks relating to the project are identified and adequately mitigated.

2.6 **Commercial Case – Financial accounting treatment**

Project proposals include capital costs for the purchase of ten laptops. Such expenditure is classified as capital and should be accounted for accordingly.

Implication:

That capital expenditure is not accounted for in accordance with accounting regulations.

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Recommended action:

- That capital equipment purchased for the project is notified to Strategic Finance at the end of the financial year and is included on the council's Asset Register and accounted for accordingly on the authority's Balance Sheet.

2.7 Financial Case – VAT/Tax implications

Whilst it is not envisaged that the project would have any negative VAT or tax implications for the Council, confirmation has not been received from the Council's Tax consultants.

Implication:

Negative VAT/tax implications may have financial implications for the Council.

Recommended action:

- That VAT/tax advice is received from the Council's tax consultants and adhered to accordingly.

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Equality Impact Assessments Toolkit

EqIA Template



You must consider the [Equality Impact Assessment Guidance](#) when completing this template.

The EDI team can provide help and advice on undertaking an EqIA and also provide overview quality assurance checks on completed EqIA documents.

EDI team contact email: edi_team@sandwell.gov.uk

Quality Control	
Title of proposal	Sandwell Health Determinants Research Collaboration: Better Research for Better Health
Directorate and Service Area	Public Health
Officer completing EqIA	Dr Lina Martino Consultant in Public Health
Contact Details	lina_martino@sandwell.gov.uk
Other officers involved in completing this EqIA	N/A
Date EqIA completed	12/09/2023
Date EqIA signed off or agreed by Director or Executive Director	12/09/2023
Name of Director or Executive Director signing off EqIA	Liann Brookes-Smith Interim Director of Public Health
Date EqIA considered by Cabinet	TBC 15 November 2023
Where the EqIA is Published (please include a link to the EqIA and send a copy of the final EqIA to the EDI team)	

Section 1.

The purpose of the project, proposal or decision required

Use funding of up to £5 million from the National Institute for Health Research (NIHR) to establish a Health Determinants Research Collaboration (HDRC) in Sandwell, subject to being successful in our funding bid.

This report proposes that we establish a HDRC in Sandwell in partnership with the University of Birmingham (UoB) and the voluntary and community sector (VCS), represented by Sandwell Council of Voluntary Organisations (SCVO) and Sandwell Consortium CIC. This is subject to being awarded funding from the NIHR of up to £5 million to cover the cost of the proposed 5-year programme.

The Sandwell HDRC will be based on the theme of Poverty and Cost of Living, aligning with the LUP to address the wider determinants of health (the conditions in which people are born, live, grow, work and age) and tackle systemic disadvantage in the Borough.

Aims and Objectives

The HDRC vision is to undertake evidence-informed, robustly evaluated activities that reflect the needs and values of our diverse local communities. The Sandwell HDRC will align with a borough-wide Levelling Up Programme to improve the wider determinants of health.

The HDRC aims to transform SMBC's research culture and infrastructure to:

- Make the best use of empirical evidence to inform decision-making and investment
- Robustly evaluate services to ensure quality, effectiveness and cost-effectiveness
- Facilitate research activity with partner organisations and local residents
- Effectively disseminate research outputs for wider influence

This will be achieved by:

- Strengthening research and development capacity, resources and infrastructure
- Embedding a strong research culture for evidence-informed decision-making
- Developing robust systems and partnerships for cultural and knowledge exchange
- Creating a community-led research culture

Outline the Business Case

- Sandwell Metropolitan Borough Council (SMBC) is the 12th most deprived local authority in England and life expectancy is 2-3 years shorter than the national average. Inequalities have been deepened by the pandemic, austerity and climate change, yet Sandwell's superdiverse communities, industrial heritage and green spaces are key assets.
- A research needs analysis in 2021 found a strong culture of evidence-based decision making in the Public Health directorate, but this was weaker across the wider Council. Existing structures and collaborations show commitment and potential to be more research active and evidence-informed, but limited capacity to take this forward.

- Meeting the objectives of the proposed HDRC programme will lead to higher quality of the services we deliver and commission, and more efficient investment to improve Sandwell as a place, including education, skills, employment, community cohesion, transport, housing, economy and the built environment – which are the wider determinants of health, and the objectives of the Corporate Plan. Over the longer term this will lead to improved health outcomes and reduced inequalities in both physical and mental health across the life course, contributing to the Vision 2030 of a thriving, optimistic and resilient community.

Relationship to other policies, strategies, procedures, or functions.

The HDRC would align to our Borough-wide Levelling Up Programme (LUP), which will invest in affordable homes, improved skills infrastructure, better leisure facilities, an improved public realm, active travel infrastructure, social value and local spend, and local employment opportunities. The HDRC would give us the means to ensure that the LUP and related work across the Council is informed by evidence and robustly evaluated.

Delivering HDRC outcomes would contribute to achieving the outcomes of several strategies and local functions to include:

- Sandwell's Corporate Plan 2021-2025 (see above)
- The Health and Wellbeing Board and Strategy
- Sandwell Health and Care Partnership Board
- Sandwell Business Intelligence Strategy (in development)

Although the HDRC would be embedded within the Public Health team, it would be a pan-Council unit working across Directorates.

Issues or likely impact on equality groups

The proposed HDRC programme aims to shape the way we work as an organisation so that we make better use of evidence and research to improve the wider determinants of health. Ultimately the aim is to reduce health inequalities, and so we anticipate that the HDRC would have a positive impact across equality groups. However, in order to achieve this we need to ensure that HDRC activities, communications and engagement are inclusive and representative of Sandwell's diverse communities. Failure to do so may risk increasing health inequalities, as those most likely to engage tend to be those who are already the most advantaged in terms of access to services and resources. The HDRC Business Case and the suggested actions in Section 4 set out ways to mitigate this risk, including community outreach activity as part of the dedicated Community Participation workstream.

Other service areas/directorates or partners involved in or likely to be impacted upon by the proposals

The HDRC programme would have a positive impact on all Directorates and service areas, particularly deprived neighbourhoods and those supporting marginalised groups as it will support the delivery of outcomes to improve the wider determinants of health and tackle health inequalities in Sandwell.

Section 2.

Evidence used and considered. Include analysis of any missing data

The impact of socioeconomic deprivation and persistent inequality on the health and wellbeing of Sandwell residents is well documented, and shows a clear need to enhance existing work to improve the wider determinants of health – the conditions in which people are born, grow, live, work and age. Existing inequalities have been exacerbated by the COVID-19 pandemic and the cost of living crisis.

- Sandwell Census 2021 data can be found [here](#)
- [The Public Health Outcomes Framework \(PHOF\)](#)
- Marmot’s “Fair Society, Healthy Lives” [Review 10 Years On](#)
- WMCA Health of the Region report 2020
<https://www.wmca.org.uk/media/4290/state-of-the-region-2020-final-full-report.pdf>

An independent NIHR-funded research needs analysis in 2021 found that whilst there was a strong culture of evidence-based decision making in SMBC’s Public Health directorate, this was weaker across the wider Council. Barriers to undertaking and participating in research were found to mirror the wider literature: difficulty obtaining resources for research activity; lack of time to apply for funding and deliver research; difficulty accessing the right data; lack of information governance; and difficulty identifying and engaging with appropriate external research partners. Identified training needs included using research evidence, writing research proposals, and advanced analytical techniques. Finances, budget and workforce constraints were particularly highlighted as having an impact on ability to search for, retrieve and apply research evidence, and the potential to engage in research, which was not always seen as a priority for the Council. In line with previous local authority research, high value was placed on local evaluation evidence.

Existing partnerships and infrastructure, including established relationships with UoB and the VCS, provide strong foundations to develop the HDRC and sustain benefits over the longer term.

Section 3.

Consultation

This proposal has been informed and shaped by conversations at existing local forums, where residents have been keen to share ideas on priorities around the wider determinants of health; engagement with SMBC’s elected members, who are representatives of local communities in their towns and wards; and input from the voluntary and community sector (VCS). The HDRC theme of poverty and the cost of living has been consistently highlighted across all groups consulted as a major concern for people living and working in Sandwell, who have been disproportionately affected by the pandemic and austerity.

SCVO and Sandwell Consortium CIC are umbrella organisations representing VCS organisations across the Borough, with direct experience of working with an extremely broad range of community and hyper-local groups in all of Sandwell’s six towns. They have supported SMBC to connect with these groups on a variety of programmes and projects, including the COVID-19 pandemic response, Cost of Living support, and inclusion health and mental wellbeing. This has helped to ensure that our diverse

communities, including those who are marginalised or underserved, are heard and included, which enables us to understand the needs and values of local people and the barriers they face to engaging with their local services and communities. Both organisations also have experience of conducting research and evaluation with community groups. The Chief Executives of SCVO and Sandwell Consortium have been involved in developing this proposal from the first stage, including through a bid development workshop that focused specifically on issues around PPIE, EDI and dissemination. The bid draws on their extensive local knowledge and experience of working directly with local residents and community groups with a very diverse range of needs.

A community event was held in May 2023 at a local children's centre as part of a project to develop tools to assess maternal wellbeing in diverse communities. It was attended by parents and young children from a range of ethnic backgrounds. A feedback survey from the event included questions on how mothers would prefer to engage with the research. The survey gave some valuable insights into what is important to residents when participating in research, including a desire to be involved in all aspects of the research process, and a preference for group sessions as it would give them opportunities to meet others. The survey is being used as a starting point to develop a wider citizen survey to find out more about our local residents' perceptions and understanding of research and how it can be used to improve determinants of health, and how they would like to be involved – this is in progress and we anticipate that it will be completed by September.

Through these activities we have identified several barriers to participating in research activity through community engagement undertaken through previous and current work. These relate both to how research is communicated and practical barriers (e.g. physical location and expenses). The HDRC proposal describes how we will build on existing PPIE structures to actively involve local residents in co-developing the HDRC and related activity.

Section 4.

Summary assessment of the analysis at section 4a and the likely impact on each of the protected characteristics (if any)

The aim of the proposed HDRC is to embed ways of working that improve the effectiveness and efficiency of investment into improving the wider determinants of health. Over the longer term this is likely to have beneficial impacts across a range of protected characteristics through reducing health inequalities that disproportionately affect certain groups. The impacts noted below are potential and will depend on the proposed objectives of HDRC activity being met. Actions against each protected characteristic have been suggested to maximise positive impacts.

Section 4a - What are the potential/actual impacts of the proposal on the protected characteristics?

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Age	Positive (P)	The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and setting research priorities, including younger/older residents. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions, including those that focus specifically on children/young people and older people. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	Work with our VCS partners to ensure that people of all ages are engaged and represented in shaping HDRC activities and setting research priorities. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	HDRC Director and Strategic leads/Full programme duration
Disability	Positive (P)	The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and	Work with our VCS partners to ensure people with disabilities are engaged and represented in shaping HDRC activities and setting research priorities, including	HDRC Director and Strategic leads/Full

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		<p>setting research priorities, including disabled people. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions, including those that focus specifically on disabled people. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics. The HDRC will have a hybrid working model which will be more inclusive of people with disabilities and/or long-term conditions. It is proposed that we trial alternative recruitment processes for the recruitment of new HDRC staff to be more inclusive of people who are neurodivergent.</p>	<p>through accessibility of events and communications. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.</p>	<p>programme duration</p>
Gender Reassignment	Positive (P)	<p>A recent LGBTQ+ Health Needs Report highlighted the health inequalities facing this group, including experiences of discrimination within services: https://www.sandwelltrends.info/wp-</p>	<p>Work with our VCS partners and via our LGBTQ+ Health Needs working group to ensure that transgender and nonbinary residents are engaged and represented in shaping HDRC activities and setting</p>	<p>HDRC Director and Strategic leads/Full programme duration</p>

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		<p>content/uploads/sites/5/2023/03/Sandwell-LGBTQ-Health-Needs-Report-2023.pdf</p> <p>The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and setting research priorities, with a particular focus on marginalised groups which will include specific communities within the broad LGBTQ+ group. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions to improve the wider determinants of health. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.</p>	<p>research priorities. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.</p>	

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Marriage and civil partnership	Neutral Impact (Ne)	No adverse impact on this protected characteristic has been identified. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	HDRC Director and Strategic leads/Full programme duration
Pregnancy and maternity	Neutral Impact (Ne)	No adverse impact on this protected characteristic has been identified. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	Ensure that community engagement events are hosted at a range of times and venues so that mothers with young children are not excluded. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	HDRC Director and Strategic leads/Full programme duration
Race	Positive Impact (P)	Sandwell represents a superdiverse population, with 42.2% of our residents from minority ethnic backgrounds. Almost a third of residents (30.3%) do not speak English well or at all (source: ONS, 2021 Census). The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and	Work with our VCS partners to ensure people from all ethnic groups are engaged and represented in shaping HDRC activities and setting research priorities, including working with the Sandwell Language Network to provide translations of materials where needed. Ensure that HDRC activities and communications are culturally appropriate and take into	HDRC Director and Strategic leads/Full programme duration

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		setting research priorities, with a particular focus on those from marginalised groups including those from ethnic minority backgrounds. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions to improve the wider determinants of health, which have a disproportionate impact on those from ethnic minority backgrounds. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	account the scope of diversity across the Borough. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	
Religion or belief	Neutral Impact (Ne)	Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	Work with our VCS and faith sector partners to ensure people from all faith groups are engaged and represented in shaping HDRC activities and setting research priorities. This will help to ensure that activities are culturally appropriate, as well as identifying opportunities to maximise engagement (e.g. via faith	HDRC Director and Strategic leads/Full programme duration

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
			leaders and centres). Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	
Sex	Neutral (Ne)/ Positive (P)	Positive impacts on women are largely due to intersections with other protected characteristics. The HDRC will have a hybrid working model, which will be more inclusive of those with caring or family responsibilities who tend to disproportionately be women. The longer term impacts of the HDRC will be to reduce health and social inequalities that disproportionately affect women from minority and/or low income backgrounds. Recruitment to the HDRC will follow Council processes to ensure that potential applicants are not discriminated against on the basis of protected characteristics.	Ensure that Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.	HDRC Director and Strategic leads/Full programme duration

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
Sexual Orientation	Positive (P)	<p>A recent LGBTQ+ Health Needs Assessment highlighted the health inequalities facing this group, including experiences of discrimination within services:</p> <p>https://www.sandwelltrends.info/wp-content/uploads/sites/5/2023/03/Sandwell-LGBTQ-Health-Needs-Report-2023.pdf</p> <p>The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and setting research priorities, with a particular focus on marginalised groups which will include specific communities within the broad LGBTQ+ group. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions to improve the wider determinants of health. Recruitment to the HDRC will follow Council processes</p>	<p>Work with our VCS partners and via our LGBTQ+ Health Needs working group to ensure that lesbian, gay and bisexual residents are engaged and represented in shaping HDRC activities and setting research priorities. Monitoring of protected characteristics for all HDRC activity wherever possible to ensure equity of participation and representation.</p>	<p>HDRC Director and Strategic leads/Full programme duration</p>

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		to ensure that potential applicants are not discriminated against on the basis of protected characteristics.		
Could other socio-economic groups be affected?				
Carer Low income groups	Positive Impact (P)	<p>As described in section 1 above, SMBC is the 12th most deprived local authority in England. A more detailed analysis of socioeconomic deprivation within the Borough's six towns can be found here: https://www.sandwelltrends.info/deprivation-2019/</p> <p>The Community Participation workstream has a dedicated focus on making sure our diverse communities are engaged and represented in shaping HDRC activities and setting research priorities, with a particular focus on those from marginalised or disadvantaged groups including carers. The HDRC will have a hybrid working model, which will be more inclusive of those with</p>	<p>Work with our VCS partners to ensure people from all backgrounds are engaged and represented in shaping HDRC activities and setting research priorities. Ensure that community events are held at a range of times and venues so that those with carer responsibilities are not excluded, and that these are accessible via public transport. Consider intersections between socioeconomic status, area deprivation and protected characteristics (e.g. age and race) when developing community engagement activity.</p>	<p>HDRC Director and Strategic leads/Full programme duration</p>

Reviewed Characteristic	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of impact	Actions to address negative impact or promote positive impact (use section 8 table)	Owner of action/ Timescale
		caring or family responsibilities. Longer term the proposed programme will have applications and benefits across a wide range of service areas and interventions to improve the wider determinants of health, aiming to improve the health of the most disadvantaged fastest.		

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then please move to Sections 6.

5. What actions can be taken to mitigate any adverse impacts?

No adverse impacts on any of the protected characteristics have been identified.

6. Section 6: Decision or actions proposed

A number of actions have been included in the proposal to promote/enhance positive impacts on each of the protected characteristics.

7. Monitoring arrangements

Any activity undertaken through the proposed HDRC programme will be subject to monitoring of protected characteristics where possible

Section 8 Action planning (if required)

Question no. (ref)	Action required	Lead officer/ person responsible	Target date	Progress

If you have any suggestions for improving this process, please contact EDI_Team@Sandwell.gov.uk

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Report to Cabinet

15 November 2023

Subject:	School Teachers' Model Pay Policies 2023/24
Cabinet Member:	Cabinet Member for Children and Education, Councillor Simon Hackett
Director:	Director of Children and Education, Michael Jarrett
Key Decision:	Yes
Contact Officer:	Assistant Director - Human Resources and Development Victoria_lee@sandwell.gov.uk Interim HR Business Partner, Darron Evans Darron_evans@sandwell.gov.uk

1 Recommendations

- 1.1 That the September 2023 Pay Award be agreed as follows and is applied to local authority Community Schools:
- 6.5 per cent uplift to all pay points and allowances for both teachers and leaders, apart from:
 - Higher uplift for M1 of 7.1 per cent (equating to a starting salary of £30,000).
 - All pay uplifts will be back dated to 1 September 2023.
- 1.2 That the Unattached Teachers' Pay Policy 2023/24, now submitted as Appendix 1, be approved and implemented by the Council with effect from 1 September 2023.
- 1.3 The Model Schools' Pay Policy 2023/24, now submitted as Appendix 2, be approved and recommended to the Governing Bodies of Schools in Sandwell for adoption and implementation with effect from 1 September 2023.



2 Reasons for Recommendations

- 2.1 So that the September 2023 Pay Award be agreed as detailed in paragraph 2.8 and applied to LA Community Schools. To note that this has been informed by the School Teachers' Pay and Conditions Document 2023.
- 2.2 The purpose of this report is to recommend to Cabinet the September 2023 Pay Award and seek approval for the Unattached Teachers' Pay Policy 2023/24 and the Model Schools' Pay Policy 2023/24.
- 2.3 The Department for Education issues the School Teachers' Pay and Conditions Document (the Document) to local authorities on an annual basis. It places a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year which sets out the basis on which the employer will determine teachers' pay, the date by which it will determine the teacher's annual pay review and to establish procedures for addressing teachers' grievances in relation to their pay.
- 2.4 From this the Council prepares Model Pay Policies:
- for teachers in schools, which it recommends School Governing Bodies to adopt; and
 - for unattached teachers who are employed by the Council but who do not work in a school location.

These are revised annually.

- 2.5 The Model Policies have been subject to consultation with all appropriate trade unions in Sandwell.
- 2.6 The School Teachers' Pay and Conditions Document has had limited changes for 2023 and as such the Pay Policy is a general refresh only rather than representing wholesale changes.
- 2.7 Both policies are compliant with all appropriate employment legislation and with the 2023 School Teachers' Pay and Conditions Document and accompanying statutory guidance.
- 2.8 The September 2023 pay award has been agreed nationally and the recommendation for Sandwell MBC, in keeping with regional comparators for all teachers, is summarised below:



- 6.5 per cent uplift to all pay points and allowances for both teachers and leaders, apart from:
- Higher uplift for M1 of 7.1 per cent (equating to a starting salary of £30,000).
- All pay uplifts will be back dated to 1 September 2023.

The Pay Policies reflect these pay changes.

3 How does this deliver objectives of the Corporate Plan?

	<p>The Best Start in Life for Children and Young People</p> <p>Our children benefit from the best start in life and a high-quality education throughout their school careers with outstanding support from their teachers and families.</p> <p>Sandwell is a community where our families have high aspirations and where we pride ourselves on equality of opportunity and on our adaptability and resilience.</p>
	<p>Strong Resilient Communities</p> <p>Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy.</p>

4 Context and Key Issues

- 4.1 The School Teachers' Pay and Conditions Document (STPCD) requires schools and local authorities to have a pay policy which sets out the basis on which they determine teachers' pay, the date by which they will determine teachers' annual pay review, and the procedures for determining appeals.
- 4.2 Schools and local authorities must stay within the legal framework set out within the Document and in other relevant legislation, such as equality, employment protection and data protection legislation.

The Document has been consulted on with all key stakeholders as part of the Department for Education's (DfE) normal statutory consultation process.



- 4.3 The revised arrangements for teachers set out in the 2023 Document, come into force with effect from 1 September 2023.

The purpose of the pay reform is to give Schools/Local Authorities autonomy to attract, recruit and reward teachers through an increase in pay, which can act as an incentive for continuous improvement.

The flexibility within the Document allows Schools/Local Authorities to develop pay policies that are tailored to local circumstances. The policies must be revised to reflect the statutory changes and to clarify the School's/Local Authority's approach to making pay decisions. The pay policy should be considered alongside the School's/Local Authority's appraisal policy.

The Department has published non-statutory guidance.

- 4.4 In summary, the main changes to the School Teachers Pay and Conditions Document and its accompanying guidance since 2022 make provision for the September 2023 pay award.

- 4.5 Otherwise, the statutory changes made to the STPCD Document 2023 have been limited and therefore only a general refresh of the Pay Policies has been necessary from this perspective.

4.6 **The current position**

- 4.7 Local Authority Human Resources Management have consulted with the trade unions on this policy. Due to the DfE's late notification and confirmation of the School Teachers' Pay and Conditions Document 2023, full consultation with Trade Unions could not commence prior to the start of the Autumn Term, and certainly not before the School Teachers' Pay and Conditions Document was laid before Parliament.

- 4.8 The Schools' Model Pay Policy if agreed will be published and recommended to schools where the Local Authority is the employer for the Governing Bodies to adopt and be implemented as the Local Authority Policy for Unattached Teachers.



5 Alternative Options

- 5.1 The Department for Education issues the School Teachers' Pay and Conditions Document. It places a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year which sets out the basis on which the employer will determine teachers' pay.
- 5.2 There are not any alternative courses of action available that would otherwise satisfy these requirements.
- 5.3 Historical feedback has always suggested that the majority of schools do still want a consistent pay spine produced by the Local Government Association (LGA) for them across all the pay ranges.

6 Implications

<p>Resources:</p>	<p>Central government has made funding available for the financial year 2023 -24 and 2024 and 25 through the provision of a Teacher's Pay Additional Grant (TPAG).</p> <p>The schools and governing bodies will need to ensure the financial impact of the adoption of the September 2024 pay award is efficiently managed in order to deal with any budget pressures they may face going forward.</p>
<p>Legal and Governance:</p>	<p>The policies have been prepared based on the School Teachers' Pay and Conditions Document 2023. The Document contains provisions relating to the statutory conditions of employment of school teachers in England and Wales and has been prepared by the Secretary of State for Education.</p> <p>The Document relates to teachers employed by a local authority or by the governing body of a foundation and voluntary aided school.</p> <p>In the event of any contradictions between the policy and the Document and guidance, the Document should take precedence.</p>



Risk:	<p>The Corporate Risk Management Strategy has been complied with to identify and assess the significant risks associated with this decision/ project. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks.</p> <p>Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these effectively.</p> <p>This assessment has identified there are no current "red" risks that need to be reported. The initial risk capture indicates that the current risk is low. Stakeholders including trade unions, head teachers and appropriate officers are aware of the proposals which are in line with the nationally negotiated recommended uplift.</p>
Equality:	<p>For this proposal, an Equality Impact Assessment is not required. If agreed, the revised pay scales will be applied equally to all employees who are entitled to this pay award, irrespective of any protected characteristic that they may or may not have.</p>
Health and Wellbeing:	<p>There will be no direct impact on the health and wellbeing of teaching staff as a result of this report being approved or not approved by Cabinet. However, the implementation of the pay award may contribute to the recruitment and retention of teaching staff in a competitive jobs market.</p>
Social Value:	<p>See 2.3 – There is a statutory duty on organisations employing teachers to have a pay policy in place by 1 September each year and to set out the date by which it will determine the teacher's annual pay review and to establish procedures for addressing teachers' grievances in relation to their pay.</p>
Climate Change:	<p>There are no implications for climate change.</p>
Corporate Parenting:	<p>There are no implications for corporate parenting.</p>



7. Appendices

Appendix 1 - Unattached Teachers' Pay Policy 2023/24
Appendix 2 - Schools' Model Pay Policy 2023/24

8. Background Papers

- **DfE: School Teachers Pay and Conditions Document 2023 -**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2022.pdf



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Unattached Teachers' Pay Policy 2023/2024

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SECTION 1: Teaching Staff

1. Introduction

The Statutory pay arrangements for teachers give significant discretion to employing organisations to make pay decisions. The School Teachers' Pay and Conditions Document (STPCD) places a statutory duty on organisations employing teachers to have a pay policy in place which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

The local authority when taking pay decisions has regard both to their pay policy and to the teacher's particular post within the staffing structure. A copy of the authority's staffing structure can be obtained by contacting Human Resources.

This model pay policy has been subject to consultation with all recognised teacher trade unions in Sandwell. It is a structure for management to follow and covers all key areas of pay discretion that need to be considered. This Pay Policy is compliant with all appropriate Employment Legislation.

The Pay Policy complies with the current STPCD and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any contradictions, the STPCD and guidance take precedence.

All references to the STPCD in this policy relate to the School Teachers Pay and Conditions Document 2023 and accompanying statutory guidance. This Pay Policy will be updated and reissued on an annual basis.

Decisions concerning the pay of individual teachers are made by the Service Leads for Unattached Teachers within the framework of delegation as determined from time to time by the appropriate Director (Appendix 10).

2. Basic Principles

All teachers employed by the local authority are paid in accordance with the statutory provisions of the School Teachers Pay and Conditions Document as updated from time to time. A copy of the latest version may be found on-line at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2022.pdf

This policy concerns unattached teachers as defined in the STPCD 2022 as being:

- “(a) a teacher not attached to a particular school;
- (b) a teacher employed otherwise than at a school; or

An employee is defined as a teacher for the purpose of pay and conditions if they meet the conditions set out in The Education Act 2002, Section 122:

“A person is a school teacher for the purposes of this section if—

- (a) he is a qualified teacher,
- (b) he provides primary or secondary education under a contract of employment or for services,
- (c) the other party to the contract is a local education authority or the governing body of a foundation, voluntary aided or foundation special school, and
- (d) the contract requires him to carry out work of a kind which is specified by regulations under section 133(1)”.

NB: the statutory requirements set out in the School Teachers' Pay and Conditions Document 2022 (STPCD) state that:

"All relevant bodies - both governing bodies and LAs where they are the relevant body, including for unattached teachers - must have a pay policy. This should be linked to the appraisal system. It should be reviewed annually and kept up to date to take into account and legal changes or changes in the staffing structure which have an impact of discretionary pay decisions."

On this basis if a school has its delegated powers removed, trade unions will be consulted at that point about any required changes to the school's pay policy (in line with the above extract from the STPCD).

In adopting this policy the aim is to:

- Assure the quality of teaching and learning in the Local Authority
- Support recruitment and retention of high quality teachers
- Enable the Local Authority to recognise and reward teachers appropriately
- Ensure decisions on pay are managed in a fair, just and transparency way, considering equality of opportunity and equal value.

The process for making decisions on the pay of teachers within the local authority is as follows within this document.

3 Policy Statement

The local authority will award any recommended pay awards agreed nationally to all existing pay points and allowances for all teachers as summarised below for the September 2023 pay award:

- 6.5 per cent uplift to all pay points and allowances for both teachers and leaders, apart from:
- Higher uplift for M1 of 7.1 per cent (equating to a starting salary of £30,000).
- All pay uplifts will be back dated to 1 September 2023.

This Policy reflects the above.

The local authority will act with integrity, objectivity and honesty in the best interests of the service, will be open about decisions made and actions taken, and will be prepared to explain decisions and actions.

All information on which the Service Leads for Unattached Teachers base a decision on the pay of an individual will be confidential. The decision on individual salary assessments will be reported in the minutes of the Service Leads for Unattached Teachers meeting by reference to each post and not named employees.

The designated manager will attend the Service Leads for Unattached Teachers in an advisory capacity other than when his/her own salary is reviewed when he/she will leave the meeting.

3.1 Pay Policy and the Management of the Service

The local authority will:

1. Be objective, open and accountable
2. Work within employment legislation
3. Work within National and Local agreements on Pay and Conditions of Service
4. Base decisions on appraisal reports, or planning and review statements as appropriate
5. Avoid practices and decisions which may be considered discriminatory
6. Recognise the responsibility of the organisation to set and operate a balanced budget
7. Provide clear and known criteria for salary assessment
8. Ensure pay is consistent with job descriptions
9. Formally record its decisions together with the rationale for reaching them
10. Monitor the pay outcomes and impact of the policy to assess its effect and compliance to equality legislation

3.2 Monitoring the impact of the policy

The local authority will monitor the outcomes and impact of this policy on a regular basis (yearly) in conjunction with union representatives. The local authority will monitor trends in progression across specific groups of unattached teachers to assess the policy's effectiveness and the authority's continued compliance with equality legislation.

4 Pay Reviews (STPCD, Section 2, Part 2, Para 3)

The designated manager will ensure that every salary of every employee covered by the STPCD is reviewed annually with effect from 1 September and no later than 31 October (except in the case of a Headteacher for whom the deadline is 31 December), and give them a written statement setting out their salary and other financial benefits to which they are entitled by 31 October (except in the case of a Headteacher for whom the deadline is 31 December).

The timescales for appraisal planning and review meetings will be in accordance with the Education (School Teachers' Appraisal) (England) Regulations 2012 and the local authority's Appraisal Policy.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.

A written statement will be received after any review and where applicable will give information about the basis on which it was made. A revised pay statement will also be given where there are any other changes in pay arrangements during the year, this will be issued as soon as possible (and in any event within one month of the Service Lead for Unattached Teachers' determination).

Where a pay determination leads or may lead to the start of a period of safeguarding, the Service Leads for Unattached Teachers will give the required notification as soon as possible and no later than one month after the date of the determination.

5 Hearings and Appeals (STPCD, Section 2, Part 2, Para 2.1(b))

The arrangements for considering Hearings and Appeals are as follows:

A teacher may seek a review of any decision in relation to his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking review of a pay determination;

That the Service Leads for Unattached Teachers by whom the decision was made:

- Incorrectly applied any provision of the STPCD
- Failed to have proper regard for statutory guidance
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated against the teacher.

Each teacher will receive written confirmation of the pay determination and the basis on which the decision was made. This will be provided by the Service Leads for Unattached Teachers.

If the teacher is not satisfied with his/her salary assessment/performance review he/she should seek to resolve this by discussing the matter informally with the designated manager within ten working days of receiving the decision.

This discussion will:

- Give verbal clarification on the reasons why the assessor will not recommend the salary assessment/performance review
- Allow the teacher to produce further evidence for consideration
- The decision maker will then re-consider the case and inform the teacher of the decision and confirm this in writing within 3 working days

Where this is not possible or where the teacher continues to be dissatisfied with his/her salary assessment/performance review, he/she may request a formal hearing.

For any formal hearing or appeal the teacher is entitled to be represented by a work colleague or trade union representative.

Please see:

Appendix 1 - Format for the Formal Hearing process.

Appendix 2 - Format for the Appeals process.

Appendix 3 - Flow Chart for Pay Hearings and Appeals process.

6 Basic Pay Determination

6.1 Headteachers (STPCD, Section 2, Part 2, Para 9)

The Service Leads for Unattached Teachers will determine the Headteacher pay range for the Headteacher in accordance with STPCD Section 2, Part 2, Para 9.

The Headteacher pay range must consist of seven consecutive leadership spine points within the specified school group range (determined in accordance with Section 2, Para 7 to 10). See Appendix 4 for Leadership pay ranges and pay relativities.

Where the Headteacher is appointed as Headteacher of more than one school on a permanent basis the Service Leads for Unattached Teachers will determine the Headteacher pay range within the school group range of the combined total number of pupil units across all schools.

The Service Leads for Unattached Teachers will determine the Headteacher pay range when a new Headteacher appointment is to be made, if the Headteacher group changes (including where the Head becomes responsible and accountable for more than one school on a permanent basis) or if the Deputy or Assistant Headteachers' pay range is set to overlap with the Headteacher pay range. When determining the Headteacher pay range the Service Leads for Unattached Teachers shall take into account the full responsibilities of the post and the Headteacher duties set out in Part 6 of the STPCD.

The Service Leads for Unattached Teachers shall determine the salary of a newly appointed Headteacher or the salary of the serving Headteacher where the Service Leads for Unattached Teachers have raised the Headteacher pay range, in accordance with the STPCD (Section 2 Para 6).

6.1.1 Temporary Payments (Section 2, Part 2, Para 10)

The Service Leads for Unattached Teachers may determine that additional payments be made to the Headteacher for clearly temporary responsibilities or duties that have not previously been taken into account of when setting the Headteachers pay range. The total value of the salary and temporary payments in any academic year will not exceed 25 per cent of the amount that corresponds to the maximum of the appropriate Headteacher Group.

Guidance/Notes;

In exceptional circumstances the Service Leads for Unattached Teachers may award payments that exceed the 25 percent limit. This is determined by the insertion used above in 6.1.

6.2 Deputy Headteachers and Assistant Headteachers (STPCD, Section 2, Part 2, Para 9)

The Service Leads for Unattached Teachers will determine the pay range for Deputy and Assistant Headteachers when it proposes to make a new appointment or where there is significant change in the responsibilities of serving Deputy or Assistant Headteachers. The Service Leads for Unattached Teachers will take into account the responsibilities and challenges of the post and whether the post is difficult to fill.

The Deputy and Assistant Headteachers pay ranges will consist of five consecutive leadership points which will not exceed the maximum of the appropriate Headteacher Group.

Only in exceptional circumstances can the Deputy/Assistant Headteachers pay range overlap with the Headteachers. The Service Leads for Unattached Teachers will formally record the reasoning behind the determination of the pay ranges should an overlap with the Headteacher be considered necessary.

6.3 Other Teachers

The local authority will not restrict the pay range advertised other than the minimum of the main pay range and the maximum of the upper pay range.

The Service Leads for Unattached Teachers will apply the principle of pay portability when making pay determinations for all new appointees. When determining the starting salary for a classroom teacher who has previously worked in a Local Authority, Local Authority Maintained school or an Academy, the Service Leads for Unattached Teachers will pay the teacher on the main pay range or upper pay range at a point which at least maintains the teacher's previous pay entitlement plus any pay progression, which they would have received had they remained in their previous post.

A newly appointed teacher (i.e. ECT or Unqualified teacher) will usually be appointed at the minimum of the main pay range, or the unqualified pay range as appropriate. They may be appointed at a higher point in the range taking into account the teacher's previous salary and/or relevant experience as determined by the Service Leads for Unattached Teachers. An extra point or points on the scale may be awarded in the following circumstances;

- one point for three years of experience spent working in a relevant area, including industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people
- one point for each period of one year of service as a qualified teacher in countries outside England and Wales in a school in the maintained sector of the country concerned

- one point for each period of one year of service as a qualified teacher in higher or further education

Teachers will not be appointed on the upper pay range where they have previously been paid on the upper pay range or where they have successfully been assessed as meeting the upper pay range/threshold criteria.

A teacher who was previously employed as Headteacher, Deputy Headteacher, Assistant Headteacher, leading practitioner teacher, advanced skills teacher or excellent teacher for an aggregate period of one year or more, before returning to the role of a classroom teacher, will be placed on the upper pay range at a point deemed as appropriate by the Service Leads for Unattached teachers.

6.3.1 Main Pay Range Teachers (STPCD, Section 2, Part 3, Para 13)

The Service Leads for Unattached Teachers has established the following pay range for classroom teachers on main pay range:

Point 1	£30,000
Point 2	£31,737
Point 3	£33,814
Point 4	£36,051
Point 5	£38,330
Point 6	£41,333

6.3.2 Upper Pay Range Teachers (STPCD, Section 2, Part 3, Para 14)

The Service Leads for Unattached Teachers has established the following pay range for classroom teachers on upper pay range:

Point 1	£43,266
Point 2	£44,870
Point 3	£46,525

6.3.3 Leading Practitioners Pay Range (STPCD, Section 2, Part 3, Para 16)

Leading Practitioner teacher posts may be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for awarding a TLR payment.

The Service Leads for Unattached Teachers will determine the pay scale for Leading Practitioners with reference to the responsibility of the post.

6.4 Unqualified Teachers (STPCD, Section 2, Part 3, Paras 17-18)

The Service Leads for Unattached Teachers has established the following pay range for unqualified teachers

Point 1	£20,598
Point 2	£22,961
Point 3	£25,323
Point 4	£27,406
Point 5	£29,772
Point 6	£32,134

The local authority will pay an unqualified teacher on one of the salaried employment based routes into teaching on the unqualified teachers' pay scale.

In the case of an Unqualified Teacher who becomes qualified the Service Leads for Unattached Teachers will adhere to the STPCD (Section 2, Part 3, Para 18).

6.4.1 Unqualified Teachers Allowance (STPCD, Section 2, Part 4, Para 22)

The Service Leads for Unattached Teachers may award an additional allowance to an unqualified teacher where the teacher has:

- (a) taken on a sustained additional responsibility which is:
 - i) focussed on teaching and learning
 - ii) requires the exercise of a teachers' professional skills and judgment;

or

- (b) qualifications or experience which bring added value to the role being undertaken.

The value of any such allowance will be determined by the Service Leads for Unattached Teachers on a case by case basis.

6.5 Short notice/Supply Teachers (STPCD, Section 2, Part 6, Para 44)

Teachers who work on a day-to-day or other short notice basis will have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 to arrive at the hourly rate.

The factor used for the hourly calculation is 6.48, which calculated from 1265 divided by 195.

6.6 Part Time Teachers (STPCD, Section 2, Part 6, Paras 42-43)

Teachers employed on an on-going basis by local authority but who work less than a full working week are deemed to be part-time.

In the case of unattached part-time teachers the “schools timetabled teaching week” comparator will be a full-time teacher in the same service within the local authority.

The written statement should set out the expectations of the service, and the part-time teacher, regarding the deployment of directed time both within and beyond the service day in accordance with the professional duties as stated in Part 7 of the STPCD.

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary, in accordance with the “pro rata principle” STPCD (Section 2, Part 6, Para 42). The same percentage must be applied to any allowances awarded to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the designated manager, should also be paid at the same rate.

A calculator is available on the virtual office to assist with this calculation:
Part Time Teachers Proportional Pay Calculator

http://www.sandwell.gov.uk/hrconsultancy/downloads/file/22/part_time_teachers_proportional_pay_calculator

7 Pay Progression linked to performance

The local authority agrees the budget and will ensure that appropriate funding is allocated for pay progression at all levels.

In all cases pay progression will be in line with the local authority's Appraisal Policy and the Education (School Teachers' Appraisal) (England) Regulations 2012.

Decisions regarding pay progression will be made with reference to the teachers' appraisal/performance management reports and the pay recommendations they contain. Final decisions about whether or not to accept a pay recommendation will be made by the Service Leads for Unattached teachers, having regard to the appraisal/performance management reports and taking into account advice from the appraiser(s)/designated managers.

In the case of ECTs, pay decisions will be made by means of the statutory induction process.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. The local authority will ensure consistency of treatment and fairness by moderation and quality assurance. This will be in accordance with the Local Authority's Appraisal Policy, i.e. the Service Leads for Unattached Teachers will moderate all the planning statements to check that the plans recorded in the statements of the unattached teachers are consistent between those who have similar experience and similar levels of responsibility, and that they comply with the local authority's appraisal policy, regulations and the requirements of equality legislation.

The evidence used for assessing performance will be in accordance with the Local Authority's Appraisal Policy.

7.1 Leadership Pay Progression (STPCD, Section 2, Part 2, Para 11)

Appraisal of performance for the Headteacher, Deputy Headteacher or Assistant Headteacher will be assessed against the extent to which they have met their individual appraisal objectives, demonstrated sustained high quality of performance, with particular regard to leadership, management and pupil progress and met the relevant standards in accordance with the Local Authority's Appraisal Policy.

Teachers on Leadership pay range will be awarded pay progression following a successful appraisal review. Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the conclusion of that process.

The Service Leads for Unattached Teachers will consider whether to award one or two pay progression points having regard to the most recent appraisals or reviews. Progression points may only be awarded within the appropriate leadership range confirmed in 6.1 and 6.2 of this document.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance.

The local authority has chosen not to exercise its discretion to award two pay progression points at this stage.

7.2 Other Teachers Pay Progression (STPCD, Section 2, Part 3, Para 19)

Performance will be assessed against the extent to which teachers have met their individual objectives and relevant standards in accordance with the Local Authority's Appraisal Policy.

Teachers will be awarded pay progression following a successful appraisal review on main pay range, leading practitioner pay range and unqualified pay range, or following two successful appraisal reviews on Upper Pay Range.

Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

The local authority has chosen not to exercise its discretion to award two pay progression points or accelerated progression at this stage.

Progression will be within a pay range, there will be no progression to the next pay range until the criteria for that range has been fully met.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance. In making pay decisions absence solely would not normally prevent pay progression.

7.3 Application to be paid on the Upper Pay Range (STPCD, Section 2, Part 3, Para 15)

Teachers must evidence that they are highly competent in all elements of relevant standards and demonstrate achievements and contributions to the school are substantial and sustained. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Range.

The local authority should, as part of the appraisal process, inform teachers of their eligibility to apply for assessment ahead of them becoming eligible and inform them of the application process.

7.3.1 The Application

Applications may be made once a year. The closing date for application is normally 31 October.

Where teachers wish to be assessed they should notify their designated manager in writing using the application form in Appendix 6.

All applications should include the results of the two most recent appraisals under the Appraisal Regulations 2012, including any recommendations on pay. Where such information is not applicable or available, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted.

It is the teacher's responsibility to submit appraisal reviews that cover the two year relevant period in support of their application. Where a teacher is absent from work because of maternity, adoption, paternity or disability, the assessment will be based on performance during any periods of attendance rather than the full two year period.

If a teacher is simultaneously employed at another local authority/school(s), they may submit separate applications if they wish to be paid on the upper pay range at that setting. The Local Authority will not be bound by any pay decision made by another school.

7.3.2 The Assessment

The assessment will be made by the designated manager within 10 working days of the conclusion of the appraisal process.

An application from a qualified teacher will be successful where the Service Leads for Unattached Teachers is satisfied that:

- a) The teacher is highly competent in all elements of the relevant standards; and
- b) The teacher's achievements and contribution to the school are substantial and sustained.

The Service Leads for Unattached Teachers will be satisfied that the teacher has met the expectation for progression to the upper pay range where the upper pay range criteria (see Appendix 7) have been satisfied as evidenced by two consecutive successful appraisal reviews.

7.3.3 Process and procedures

If successful the teacher will move to the upper pay range from 1 September following the years' appraisal reviews submitted.

Where the application is successful the teacher will start at the minimum of the upper pay range.

If unsuccessful, feedback will be provided by the designated manager as soon as possible and at least 10 working days of the decision, and will cover the reasons for the decision and the appeal arrangements available. Any appeal against the decision will be heard under the pay hearings and appeals procedure set out in this pay policy (Section 4).

Appendix 8 shows the application process.

8. Additional Allowances and Payments

8.1 Teaching & Learning Responsibility Payments (TLRs) (STPCD, Section 2, Part 4, Para 20)

The Service Leads for Unattached Teachers will award a TLR1 or TLR2 payment to a Main Pay Range or Upper Pay Range teacher undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which they are made accountable. The award may be while a teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

With the exception of sub-paragraphs (c) and (e) which do not apply to the awarding of TLR3s, the Service Leads for Unattached Teachers will apply the following factors for awarding TLR Payments:

They must be satisfied that the teacher's duties include a significant responsibility that is not required of all unattached teachers, and that;

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR1, the Service Leads for Unattached Teachers must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

An unattached teacher may not hold more than one TLR1 or TLR2 of any value, but a TLR1 or TLR2 could be based on a job description that itemises several different areas of significant responsibility.

A TLR1 or a TLR2 is a payment integral to a post in the staffing structure and therefore may only be held by two or more people when job sharing that post.

TLRs awarded to part-time unattached teachers must be paid pro-rata at the same proportion as the unattached teacher's part-time contract.

Where a teacher is no longer entitled to a TLR1 or TLR2 award, or where the value of the TLR1 or TLR2 award is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

TLR1/TLR2s are awarded to the holders of the posts indicated in the staffing structure, which is attached to this policy (Annex 1).

The values of the TLRs to be awarded are set out in Appendix 9.

The TLR3 may only be awarded for clearly time limited school improvement projects or one-off externally driven responsibilities.

The Service Leads for Unattached Teachers should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring to deliver catch-up support to pupils on learning lost during the current pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day.

Where the Service Leads for Unattached Teachers determine that a TLR3 payment should be made, it will set out in writing the proposed responsibilities/duties, level of payment and the duration of the payment.

Full consultation with trade union representatives will be undertaken with the aim of seeking agreement before the decision is made to make any such payments.

These responsibilities are not permanent or a structural requirement which should instead be awarded by means of a permanent TLR1/TLR2 payment. They should not be responsibilities for which a TLR is already awarded.

TLR3 awards are not subject to safeguarding.

8.2 Special Educational Needs Allowances (STPCD, Section 2, Part 4, Para 21)

The Service Leads for Unattached Teachers will award a SEN allowance to a teacher:

- (a) in any SEN post that requires a mandatory SEN qualification; (i.e., those specialist teachers working with the visual/hearing impaired);
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school. In this respect, a designated special class is defined as:

Example: Focused provision

- (d) in any non-designated setting including any PRU that is similar to a designated special class or unit, where the post:-

- (i) involves a substantial element of working directly with children with special educational needs;
- (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
- (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit or service.

Where a SEN allowance is to be paid, the Service Leads for Unattached Teachers will determine the spot value of the allowance (of no less than £2,539 and no more than £5,009), taking into account the structure of the service's SEN provision and the following factors:

- (a) whether any mandatory qualifications are required for the post;
- (b) the qualifications or expertise of the teacher relevant to the post; and
- (c) the relative demands of the post.

The Service Leads for Unattached Teachers will set out the arrangements for rewarding teachers with SEN responsibilities and the spot value of the allowance as:

- Teachers who meet the statutory criteria will receive an SEN allowance equal to the minimum of the SEN range (£2,539)
- Teachers who have two or more years' experience in the role where greater knowledge or expertise is required of the post holder will receive a SEN allowance equal to the mid-point of the SEN range. (£3,775)
- Teachers who teach a special class for which a mandatory qualification is required and who also have considerable experience and expertise will be paid at the top of the range (£5,009)

Where a teacher is no longer entitled to a SEN allowance, or where the value of the SEN allowance payable is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

SEN allowances may be held at the same time as TLRs.

8.3 Safeguarding Payments and Allowances (STPCD, Section 2, Part 5, Paras 31-39)

The local authority will ensure that payments and allowances will be safeguarded strictly in accordance with Part 5 of the STPCD.

8.4 Additional Payments (STPCD, Section 2, Part 4, Para 26)

The local authority will only award additional payments to teachers which are strictly in accordance with the STPCD (Section 2, Part 4, Para 26) and in the guidance contained in Section 3 Paras 59-68.

In the case of the Headteacher, the Service Leads for Unattached Teachers will only make additional payments where the activity or responsibility is temporary and has not already been taken into account of in determining the Headteacher's base pay. Any such payments will be time limited and subject to the overall limits on Headteachers' pay (see Section 6.1.1)

8.4.1 Payment for continuing professional development (CPD) undertaken outside of the service day.

Teachers (including the Headteacher) who undertake voluntary continuing professional development outside of the school day will be entitled to additional payment.

Payments so awarded will be calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.2 Activities relating to the provision of initial teacher training (ITT) as part of the ordinary conduct of the service.

Service Leads for Unattached Teachers will not exercise their discretion to pay any teaching staff for providing ITT except where sufficient funding for ITT is available. In these circumstances the Service Leads for Unattached Teachers will award teachers (including the Headteacher), who undertake voluntarily service-based initial teacher training activities, payments calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.3 Participation in directed out-of-hours learning activity agreed between the teacher and the designated manager

Teachers who voluntarily agree to provide learning activities outside of the normal service hours (not part of the 1265 hours of directed time), and whose salary range does not take account of such activity will be entitled to this payment.

Some possible activities that attract this payment include: revision/booster sessions, breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas.

Where the activity requires the professional responsibilities and duties of a teacher (i.e. development of the curriculum, assessment, monitoring or delivering classes) the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale.

Where the activity requires the professional responsibilities and duties of a teacher and in addition requires the teacher to undertake duties and responsibilities for which they have a TLR payment (such as the management of timetabling, co-ordination and evaluation), the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale and the TLR element.

Where the activity does not require a qualified teacher, such as it is not part of the teacher's substantive contractual duties, and could be undertaken by an instructor or support member of staff, the activity will be paid at the correct rate of pay for the role and will be evaluated through the normal job evaluation process.

For example:

- a teacher undertaking an activity which could be led by a dance instructor will be paid at the appropriate dance instructor rate.
- a teacher working in a breakfast club undertaking the same duties as other non-teaching staff will be paid at the appropriate rate for a breakfast club worker.

The rate of payment will be determined before the activity takes place, and the teacher notified of the rate.

Further information on payments to teachers who voluntarily undertake work outside of their normal working week can be found in the "Out of Hours Learning Activities Additional Payment Guidance for Unattached Teachers".

8.4.4 Service Provision

The local authority has discretion to make payments to Headteachers who provide an external service to one or more additional schools, and also to any of the teachers whose post accrues additional responsibility as a result of the Head's activities. e.g. as a National Leader of Education/Local Leader of Education, where they are not ultimately accountable for the outcomes in the school, but for the quality of service being provided (see STPCD, Section 3, Paras 64-67).

N.B. There is no provision within the STPCD for payment of bonuses or honoraria (Section 3, Para 3). Any such award to a teacher for their teaching work would be unlawful. Therefore, under no circumstances will the local authority award such payment to any member of the teaching staff for carrying out their professional duties as a teacher.

8.5 Recruitment and Retention Incentives and Benefits (STPCD, Section 2, Part 4, Para 27)

The local authority will consider the award of recruitment and retention payments against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff, in particular where awarding a recruitment and retention allowance enables the

local authority to recruit and retain teachers of the quality required to ensure service improvement.

Payments may only be made for recruitment and retention purposes in exceptional circumstances, not for carrying out specific responsibilities or to supplement pay for other reasons.

Headteachers may not be awarded payments under Para 27, other than as reimbursement of reasonably incurred housing or relocation costs. The Service Lead's for Unattached Teachers will take into account recruitment and retention incentives and benefits for the Headteacher when determining the Headteachers pay range (subject to the overall limit on salary and temporary payments).

The Service Leads for Unattached teachers will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn. All recruitment and retention payments will be reviewed annually by the Service Leads for Unattached teachers.

The local authority will award such payments in accordance with the STPCD (Section 2, Part 4, Para 27) and the guidance contained in Section 3 (Paras 69-71).

8.6 Acting Allowances (STPCD, Section 2, Part 4, Para 23)

The local authority will award acting allowances in accordance with the STPCD (Section 2, Part 4, Para 23).

8.7 Salary Sacrifice Arrangements (STPCD, Section 2, Part 4, Para 29)

For the purposes of this paragraph "salary sacrifice schemes" means any arrangement under which the employee gives up the right to receive part of his/her gross salary in return for the employer's agreement to provide him/her with a benefit in kind, which is exempt from income tax.

Teachers who voluntarily participate in any such arrangement have their gross salary reduced accordingly for the duration of the arrangement. The salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the STPCD.

From the salary sacrifice arrangements permitted under Paragraph 29 of the STPCD the local authority currently operates a child care voucher scheme.

Appendix 1: Formal Hearings

At any formal hearing the teacher will be entitled to be represented by a work colleague or trade union representative.

If the teacher cannot informally resolve their grievance, this procedure provides a right of a formal hearing if they continue to be dissatisfied with his/her salary assessment/review.

To exercise this right the teacher must set down in writing the grounds for questioning the pay decision and send it to the appropriate Service Manager, within 10 working days of the informal discussion or decision.

In normal circumstances the formal hearing shall be heard within 10 working days of receipt of the written notification of dissatisfaction.

The formal hearing will be heard by the Committee.

Both parties (appraiser and teacher) will explain their case; they must have the opportunity to make representation in person.

Following the formal hearing the decision must be confirmed in writing and the teacher reminded of their right of appeal.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Formal Hearing:

The Committee shall hear the case in accordance with the following procedure:

- i. The Appraiser shall put the case in the presence of the teacher and his/her representative*.
- ii. The teacher (or his/her representative) shall have the opportunity to ask questions of the Appraiser.
- iii. The Committee shall have the opportunity to ask questions of the Appraiser.
- iv. The teacher (or his/her representative) shall put his/her case in the presence of the Appraiser.
- v. The Appraiser shall have the opportunity to ask questions of the teacher (or representative).
- vi. The Committee shall have the opportunity to ask questions of the teacher (or representative).
- vii. The Appraiser and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Appraiser and the teacher and his/her representative shall withdraw.
- ix. The Committee, with a HR Consultant present, shall deliberate in private only recalling the designated manager and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Committee shall announce the decision to the Appraiser and the teacher (and his/her representative) personally.
- xi. The decision of the Committee shall be notified in writing to the teacher and a copy of the letter shall be retained on the appropriate employee's personal file. The teacher will be informed of the right of appeal.
- xii. Written notification of the teacher's intention to appeal must be made within 3 days of receiving the Committee's decision.

**If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*

Appendix 2: Appeals

At the appeal the teacher will be entitled to be represented by a work colleague or trade union representative.

To exercise the right of appeal the teacher must set down in writing the grounds for questioning the pay decision and send it to the Service Leads for Unattached Teachers within 3 days of receiving the decision from the formal hearing.

In normal circumstances the appeal shall be heard within 20 working days of receipt of the teachers written appeal notification.

The appeal will be heard by the Appeals Committee. No person involved in the previous discussions or making the decision at the formal hearing shall be involved in the Appeal Committee.

Both parties (the teacher and the decision maker from the formal hearing) will have an opportunity to explain their case. They must have the opportunity to make representation in person.

Following the appeal the decision must be confirmed in writing including the reasons for reaching the decision. The Appeals Committee's decision is final; there is no recourse to the grievance procedure.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Appeals Committee

The purpose for Appeals Committee is not to reconsider the whole case, only the aspects which are identified as the reason for the appeal.

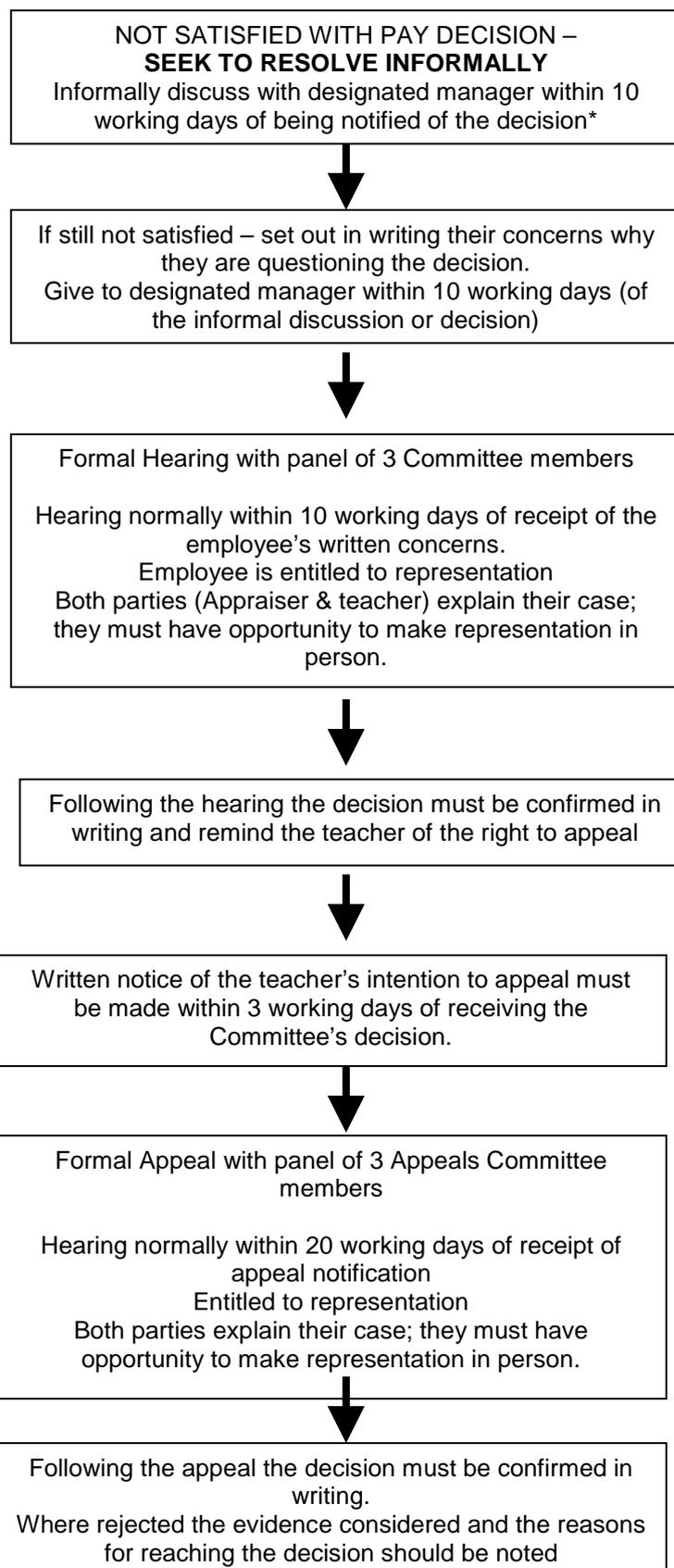
The Appeals Committee shall hear the case in accordance with the following procedure:

- i. The teacher (or his/her representative) shall put his/her case in the presence of the Chair of the Committee.
- ii. The Chair of the Committee, which heard the formal hearing, shall have the opportunity to ask questions of the teacher (or representative).
- iii. The Appeals Committee shall have the opportunity to ask questions of the teacher (or representative).

- iv. The Chair of the Committee which heard the formal hearing shall put the case in the presence of the teacher and his/her representative.
- v. The teacher (or his/her representative) shall have the opportunity to ask questions of the Chair of the Committee.
- vi. The Appeals Committee shall have the opportunity to ask questions of the Chair of the Committee.
- vii. The Chair of the Committee and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Chair of the Committee and the teacher and his/her representative shall withdraw.
- ix. The Appeals Committee shall deliberate in private only recalling the Chair of the Committee and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Appeals Committee shall announce the decision to the Headteacher and the teacher (and his/her representative) personally.
- xi. The decision of the Appeals Committee shall be notified in writing to the teacher and a copy of the letter shall be retained on the teacher's personal file. If the Appeal is rejected reasons for this decision must be included in the letter. There shall be no further right of appeal under this procedure.

**If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*

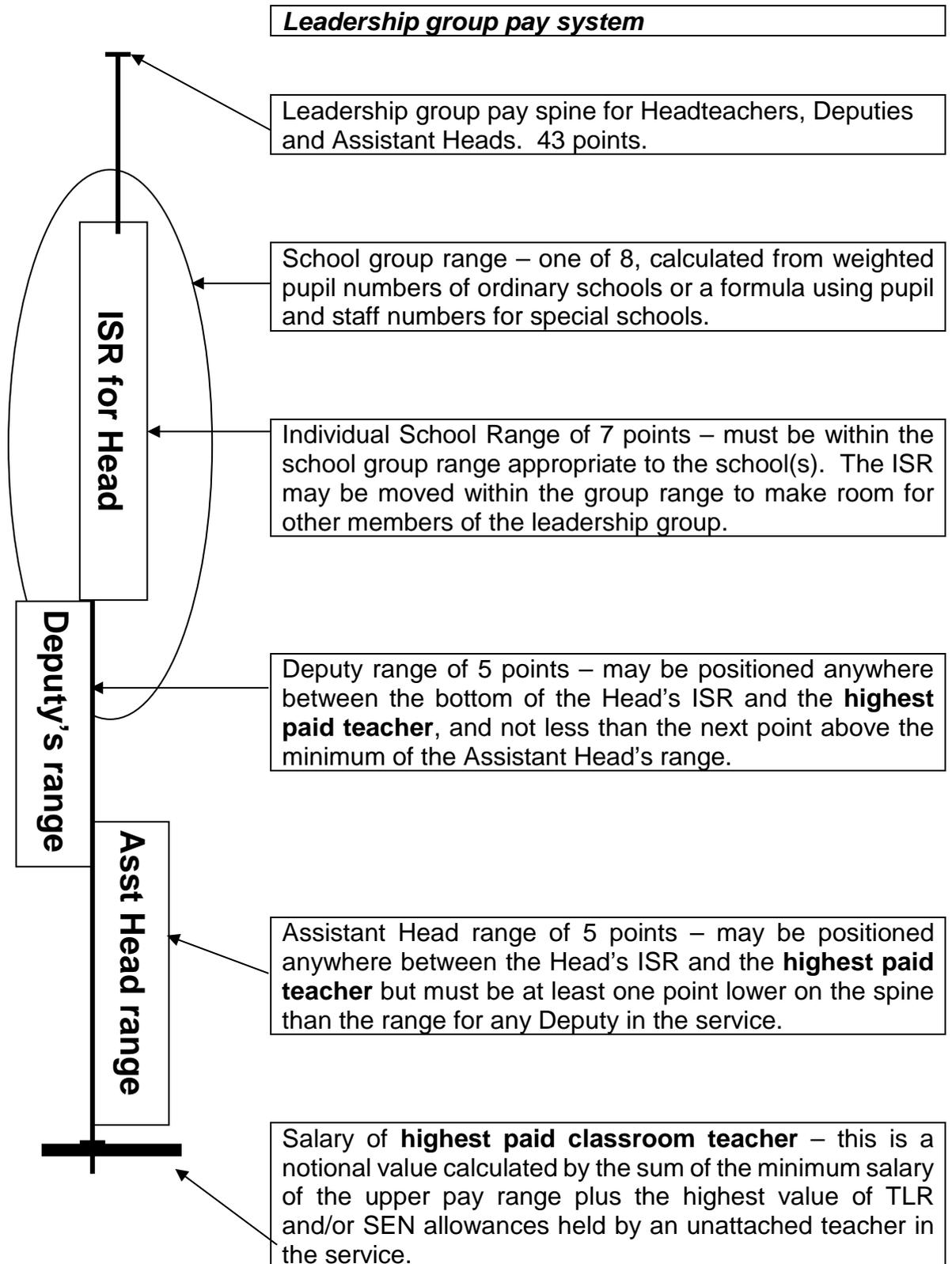
Appendix 3: Pay Hearings and Appeals Process for Teaching Staff including the Headteacher



**If the appellant is the designated manager then where it refers to designated manager above it will be the relevant Service Manager responsible for the designated manager's performance management, and the teacher becomes the designated manager.*

***If the appeal is against a decision made by the Service Leads for Unattached Teachers then the Committee will become the representative of the Service Leads for Unattached Teachers.*

Appendix 4: Leadership Pay Ranges and Pay Relativities



Appendix 5: Salary Ranges

Inclusion Support

The local authority has determined that the pay range for the serving Deputy Headteacher(s) is set at points L10 to L14.

Appendix 6: Upper Pay Range Application Form

Eligibility Criteria

In order to be assessed you must be a qualified teacher and need to be able to evidence that you are:

- 1. highly competent in all elements of the relevant standards; and*
- 2. that your achievements and contribution to the school have been substantial and sustained.*

Also see the Schools' Pay Policy, Appendix 7 – Upper Pay Range Progression Criteria

Teacher's Details

Name: _____

Post: _____

Appraisal Details:

Years covered by review statements _____

Local Authority/Schools covered by review statements _____

Please provide an explanation why, in your judgement, your achievements and contribution to the school has been substantial and sustained.

Declaration:

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature _____ Date _____

Appendix 7: Upper Pay Range Progression Criteria

Professional Attributes

1 – Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

Professional Knowledge and Understanding

2 – Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.

3 – Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangement for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

4 – Have up to date knowledge and understanding of the different types of qualifications and specification and their suitability for meeting learners' needs.

5 – Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

6 – Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

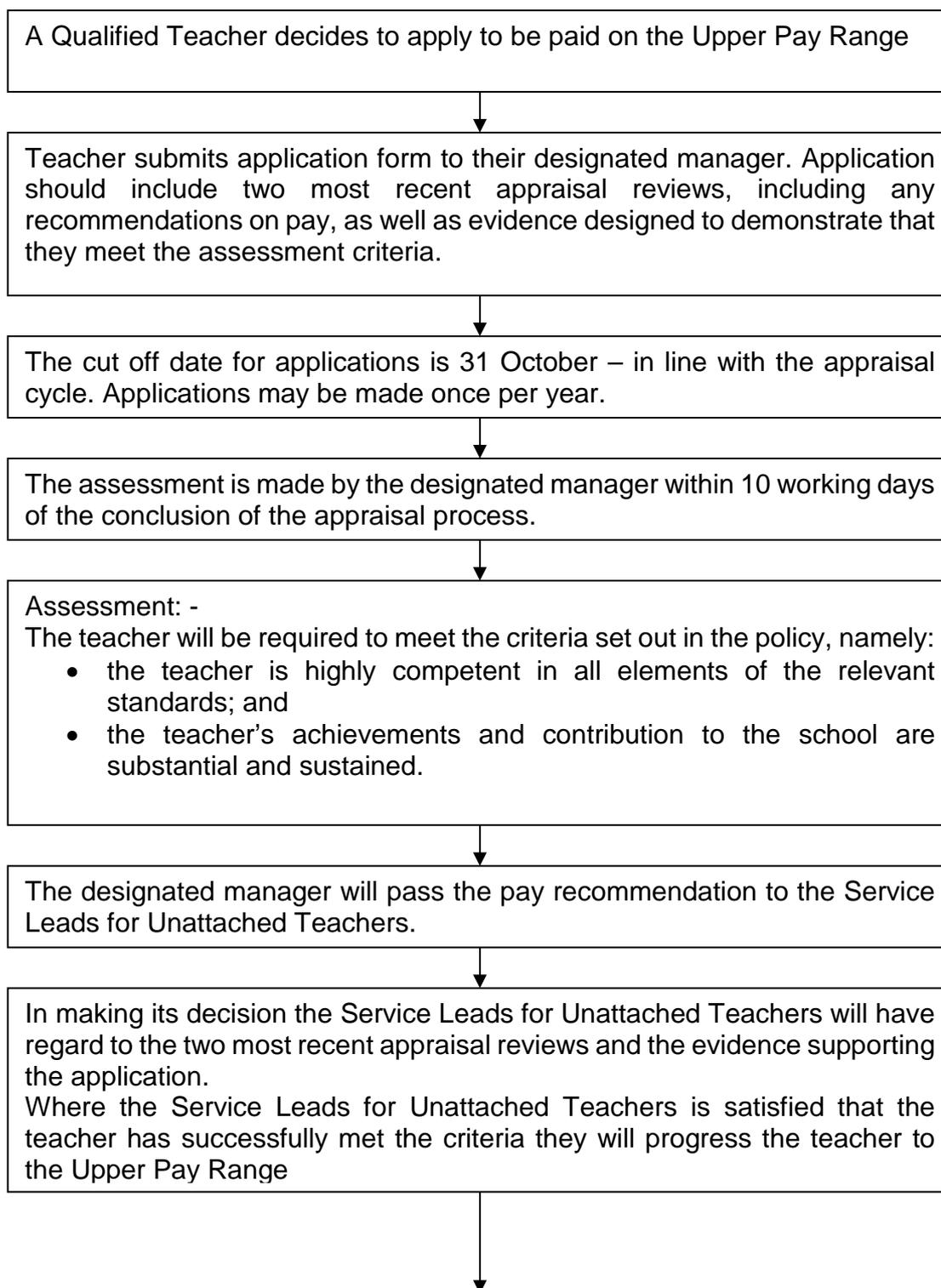
Professional Skills

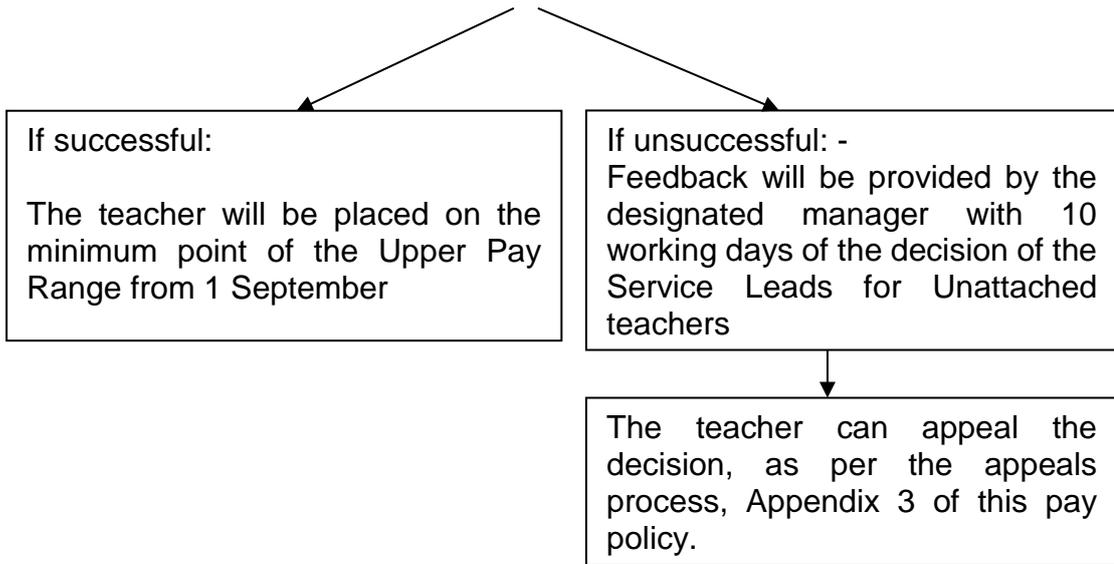
7 – Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

8 – Have teachings skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

9 – Promote collaboration and work effectively as a team member.

10 – Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

Appendix 8: Application process to move to Upper Pay Range



Appendix 9: TLRs

TLRs will be awarded with the values below:

Permanent TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR2a	3,214
TLR2b	5,351
TLR2c	7,847
TLR1a	9,272
TLR1b	11,412
TLR1c	13,552
TLR1d	15,690

Time Limited TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR3a	639
TLR3b	1,263
TLR3c	1,889
TLR3d	2,515
TLR3e	3,169

Appendix 10: Definitions

Designated manager – the line manager for the teacher concerned

Service Leads for Unattached Teachers – as at 1 September 2023 consists of:

- Service Lead – Learning Improvement
- Strategic Adviser for Inclusion Service
- Service Lead – Early Years and Childcare
- Service Lead – School Attendance Support Services

The above list is subject to change dependent on service changes. If you have any queries please contact HR Management on 0121 569 3300.

Committee – the Committee consists of the three Independent Service Leads* e.g. three Independent Services Leads* from outside of the appellant's service area.

Appeals Committee – the Appeals Committee consists of two Independent Service Leads* and one Independent Chief Officer* e.g. two Independent Services Leads* and one Independent Chief Officer* from outside of the appellant's service area.

- **Please note that both Independent Service Leads and Independent Chief Officers will be drawn from across the Council. Both the Committee and the Appeals Committee will have a HR Consultant allocated to provide advice on the relevant terms and conditions.**
- **The Committee and Appeals Committee will be able to request a special advisor to attend if needed.**

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Revision date:
September 2023



Schools' Model Pay Policy 2023/24

This policy has been formally adopted by the Governing Body of
.....on..... (date).

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SECTION 1: Teaching Staff

1. Introduction

The Statutory pay arrangements for teachers give significant discretion to Governing Bodies to make pay decisions. The School Teachers' Pay and Conditions Document (STPCD) places a statutory duty on schools to adopt a Pay Policy that sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

Schools when taking pay decisions must have regard both to their Pay Policy and to the teachers' particular post within the staffing structure. A copy of the school's staffing structure is attached to this Pay Policy (Annex 1).

This Model Pay Policy has been subject to consultation with all recognised teacher trade unions in Sandwell. It is a structure for schools to follow and covers all key areas of pay discretion that schools need to consider. The Local Authority recommends schools to adopt this policy with the example insertions. This Pay Policy is compliant with all appropriate employment legislation.

The Pay Policy complies with the current STPCD and the accompanying statutory guidance. It should be used in conjunction with them but, in the event of any contradictions, the STPCD and guidance take precedence.

All references to the STPCD in this policy relate to the School Teachers Pay and Conditions Document 2023 and accompanying statutory guidance. This Pay Policy will be updated and reissued on an annual basis.

All references to the Committee in this policy relate to the _____ Committee of the Governing Body **(please insert the name of the Committee)**. The Committee has been established in accordance with school governance regulations and has fully delegated powers.

Relevant bodies should attach a copy of the staffing structure to the published copy of the Pay Policy (Section 3, Paragraphs 4-6 of STPCD).

A copy of this policy will be made available to staff at the school via _____ **(please insert where this may be accessed)**.

This model policy is also recommended by the Local Authority for Pupil Referral Units (PRUs) and Looked After Children in Education Service (Virtual School) to adopt. In these instances, where the policy refers to school consider this to mean the unit/setting.

2. Basic Principles

All teachers employed at this school are paid in accordance with the statutory provisions of the School Teachers Pay and Conditions Document (STPCD) as updated from time to time. A copy of the latest version may be found in the school office and is also on line at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832634/School_teachers_pay_and_conditions_2022.pdf

In adopting this policy, the aim is to:

- Assure the quality of teaching and learning at the school
- Support recruitment and retention of high quality teachers
- Enable the school to recognise and reward teachers appropriately
- Ensure decisions on pay are managed in a fair, just and transparency way, considering equality of opportunity and equal value.

The process for making decisions on the pay of teachers at the school is as follows within this document.

3. Policy Statement

The Committee will award any recommended pay awards agreed nationally to all existing pay points and allowances for all teachers as summarised below for the September 2023 pay award:

- 6.5 per cent uplift to all pay points and allowances for both teachers and leaders, apart from:
- Higher uplift for M1 of 7.1 per cent (equating to a starting salary of £30,000).
- All pay uplifts will be back dated to 1 September 2023.

This Policy reflects the above.

The Committee will act with integrity, objectivity and honesty in the best interests of the school, will be open about decisions made and actions taken, and will be prepared to explain decisions and actions.

With regard to reporting to the Governing Body, all information on which the Committee bases a decision on the pay of an individual will be confidential to the Committee. The decision on individual salary assessments should be reported in the minutes of the Committee by reference to each post and not named employees.

The Headteacher will attend the Committee in an advisory capacity other than when his/her own salary is reviewed when he/she will leave the meeting.

Any person, other than the Headteacher, employed to work at the school must withdraw from a meeting at which the pay or appraisal report of any other employee of the school is being considered.

3.1 Pay Policy and the Management of the School

The Committee will:

1. Be objective, open and accountable.
2. Work within employment legislation.
3. Work within National and Local agreements on Pay and Conditions of Service.
4. Base decisions on appraisal reports, or planning and review statements as appropriate.
5. Avoid practices and decisions which may be considered discriminatory.
6. Recognise the responsibility of the Governing Body to set and operate a balanced budget.
7. Provide clear and known criteria for salary assessment.
8. Ensure pay is consistent with job descriptions.
9. Formally record its decisions together with the rationale for reaching them.

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10. Monitor the pay outcomes and impact of the policy to assess its effect and compliance to equality legislation.

The Headteacher will:

1. Develop clear arrangements for linking appraisal to pay progression.
2. Submit any updated appraisal and pay policies to the Committee for approval.
3. Ensure that effective appraisal arrangements are in place and that appraisers have the knowledge and skills to apply procedures fairly.
4. Ensure that pay recommendations are made and submitted to the Committee.
5. Be responsible for advising the Committee on its pay decisions.
6. Ensure staff are informed of the outcome of the decisions of the Committee and of the right to appeal.

3.2 Monitoring the impact of the policy

The Governing Body will monitor the outcomes and impact of this policy on a regular basis (yearly) in conjunction with trade union representatives. The Governing Body will monitor trends in progression across specific groups of teachers to assess the policy's effectiveness and the school's continued compliance with equality legislation.

4. Pay Reviews (STPCD, Section 2, Part 1, Para 3)

The Committee will ensure that every salary of every employee covered by the STPCD is reviewed annually with effect from 1 September and no later than 31 October (except in the case of the Headteacher for whom the deadline is 31 December), and that all teachers will receive a written statement setting out their salary and other financial benefits to which they are entitled by 31 October (except in the case of the Headteacher for whom the deadline is 31 December).

The timescales for appraisal planning and review meetings will be in accordance with the Education (School Teachers' Appraisal) (England) Regulations 2012 and the school's Appraisal Policy.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.

A written statement will be given after any review and where applicable will give information about the basis on which it was made. A revised pay statement will also be given where there are any other changes in pay arrangements during the year, this will be issued as soon as possible (and in any event within one month of the relevant bodies determination).

Where a pay determination leads or may lead to the start of a period of safeguarding, the Committee will give the required notification as soon as possible and no later than one month after the date of the determination.

5. Pay Hearings and Appeals (STPCD, Section 2, Part 2, Para 2.1(b))

The arrangements for considering pay hearings and appeals are as follows (see flowchart Appendix 1):

Each teacher will receive written confirmation of the pay determination and the basis on which the decision was made. A teacher may seek a review of any decision in relation to his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking review of a pay determination. That the person or committee by whom the decision was made:

- Incorrectly applied the school's Pay Policy
- Incorrectly applied any provision of the STPCD
- Failed to have proper regard for statutory guidance
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated against the teacher.

Informal Discussion

Within 10 working days of receiving the pay determination, or written notice detailing the outcome of the Appraisal Review, if the teacher is not satisfied with the decision he/she should seek to resolve this by discussing the matter informally with the decision maker (usually the Headteacher, or the Appraiser in relation to performance related pay progression).

This discussion will:

- Give clarification on the reasons why the decision maker made the pay determination.
- Allow the teacher to produce further evidence for consideration.
- The decision maker will then re-consider the case and inform the teacher of the decision and confirm this in writing within 3 working days.

Where the teacher continues to be dissatisfied with the decision that has been reached, he/she may request a formal hearing. The teacher must submit in writing the grounds for questioning the pay decision.

Formal Hearing (see Appendix 2)

The teacher is given the opportunity to make representations at a formal hearing with the appropriate Committee that normally confirms pay decisions.

Appeal Hearing (see Appendix 3)

Should an agreed outcome not be reached at stage 2 the teacher can have an appeal hearing with the Appeals Committee. The Appeals Committee's decision is final; there is no recourse to the grievance procedure.

For any formal hearing or appeal the teacher is entitled to be represented by a work colleague or trade union representative.

6. Basic Pay Determination

6.1 Headteachers (STPCD, Section 2, Part 2, Para 9)

The Committee will determine the Headteacher pay range in accordance with STPCD Section 2, Part 2, Para 9. The Committee will only re-determine the pay range of a serving Headteacher if the responsibilities of the post changes significantly or if the Committee determines that this is required to maintain consistency with pay arrangements for other members of the leadership group.

Headteacher Group	Leadership Pay Range (£)	Range of Leadership Points (SMBC)
1	53,380 – 71,019	L6-18*
2	56,082 – 76,430	L8-21*
3	60,488 – 82,258	L11-24*
4	65,010 – 88,530	L14-27*
5	71,729 – 97,639	L18-31*
6	77,195 – 107,700	L21-35*
7	83,081 – 118,732	L24-39*
8	91,633 – 131,056	L28-43*

* These points (L18*, L21*, L24*, L27*, L31*, L35*, L39*) and point L43 are the maximum salaries for the 8 Head Teacher Group Ranges. These salary figures for Head Teachers at, or moving to, the top of the School Group Ranges only are different because they are a legacy of the 2015 STPCD which provided for no uplift to the maxima of the 8 Head Teacher Group Ranges.

The Committee has determined in accordance with STPCD, Section 2, Part 2, Paras 5-8 the relevant Headteacher Group to be **[insert Group]**.

The Headteacher's pay range will consist of seven consecutive leadership points, which will not normally exceed the maximum of the Headteacher Group.

The Committee may determine that Headteacher's pay range may exceed the maximum where they determine that circumstances specific to the role or candidate warrant a higher than normal payment. The Committee will record in writing the reasoning behind the decision to exceed the maximum of the Headteacher Group.

The total value of the salary and temporary payments made to the Headteacher will not exceed the maximum of the Headteacher Group by more than 25 per cent in any given year.

Guidance/notes:

The Committee may in exceptional circumstances award payments that exceed the 25 per cent limit, however the above insertion (highlighted in bold italics) is recommended by the Local Authority. If Governors decide to award a higher payment then the following paragraph should be inserted instead of the above:

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The Committee will only in wholly exceptional circumstances determine that the total value of the salary and temporary payments made to the Headteacher exceed the limit of 25 per cent of the amount that corresponds to the maximum of the Headteacher group for the school(s) in any given year. Where the Committee considered that there are exceptional circumstances the Committee will make a business case for the payment to the full Governing Body. The Governing Body will seek external independent advice from an appropriate person (i.e. within the Local Authority, i.e. Director of Children and Education) or body who can consider the provisions of the Document and whether they have been properly applied to the Headteacher's pay before making a decision on whether it is justifiable to exceed the limit in each particular case. The Governing Body will have a clear audit trail for any advice given to them. The Governing Body will have a full and accurate record of all decisions made and the reasoning behind them.

(The pay scale for leadership used by the Local Authority is shown in Appendix 4)

The Committee has determined that the Headteacher pay range, for the serving Headteacher is set at points L..... to L..... (7 point range) **[insert details]**.

Guidance/notes:

Where Individual School Range or ISR (now known as the Headteachers pay range) was determined prior to 1 September 2014 the existing range will continue to apply. The new provisions for determining Headteacher pay ranges apply automatically to new appointments and for existing posts where the Committee decides to re-determine the range due to significant changes in responsibilities.

The Committee will determine the Headteacher pay range when:

- a new Headteacher appointment is to be made
- if the Headteacher group changes (including where the Head becomes responsible and accountable for more than one school on a permanent basis)
- a significant change in responsibilities occurs

When determining the Headteacher pay range the Committee shall take into account:

- all permanent responsibilities of the role
- any challenges specific to the role
- all other relevant considerations (such as recruitment and retention difficulties)

The Committee will seek Local Authority advice, from a representative of the Director of Children and Education, prior to determining the Headteacher's pay range.

Where the Governing Body uses its powers of the Education Act 2002 (Section 11 or 27) to form or invest in a company, or to provide community

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facilities/services, and funding is not from the School Budget (e.g. a Children's Centre, Day Nursery), remuneration will be made outside of the School's Pay Policy.

6.1.1 Temporary Payments (STPCD, Section 2, Part 2, Para 10)

The Committee may determine that additional payments be made to the Headteacher for clearly temporary responsibilities or duties that have not previously been taken account of when setting the Headteachers pay range. The total value of the salary and temporary payments in any school year will not exceed 25 per cent of the amount that corresponds to the maximum of the appropriate Head-teacher Group.

Guidance/notes:

In exceptional circumstances the Committee may award payments that exceed the 25 per cent limit. This is determined by the insertion used above in 6.1.

6.2 Deputy Headteachers and Assistant Headteachers (STPCD, Section 2, Part 2, Para 9)

The Committee will determine the pay range for Deputy and Assistant Headteachers when it proposes to make new appointments, or where there is significant change in the responsibilities of serving Deputy or Assistant Headteachers. The Committee will take into account the responsibilities and challenges of the post and whether the post is difficult to fill.

The Deputy and Assistant Headteachers pay ranges will consist of five consecutive leadership points, which will not exceed the maximum of the appropriate Headteacher Group.

Only in exceptional circumstances can the Deputy/Assistant Headteachers pay range overlap with the Headteachers. The Committee will formally record the reasoning behind the determination of the pay ranges should an overlap with the Headteacher be considered necessary.

(The pay scale for leadership used by the Local Authority is shown in Appendix 4)

The Committee have determined that the pay range for the serving Deputy Headteacher(s) is set at; **[insert details and additional lines if multiple Deputies]**.

L... to L... (5 point range inclusive)

The Committee have determined that the pay range for the serving Assistant Headteacher(s) is set at: **[insert details and additional lines if multiple Assistants]**.

L... to L... (5 point range inclusive)

6.3 Other Teachers

The Committee will not restrict the pay range advertised for a classroom teacher other than the minimum of the main pay range and the maximum of the upper pay range.

The Committee will apply the principle of pay portability when making pay determinations for all new appointees. When determining the starting salary for a classroom teacher who has previously worked in a Local Authority, Local Authority Maintained school or an Academy, the Committee will pay the teacher on the main pay range or upper pay range at a point which at least maintains the teacher's previous pay entitlement plus any pay progression, which they would have received had they remained in their previous post.

A newly appointed teacher (i.e. ETC's or unqualified teacher) will usually be appointed at the minimum of the main pay range, or the unqualified pay range as appropriate. They may be appointed at a higher point in the range taking into account the teacher's previous salary and/or relevant experience as determined by the Committee. An extra point or points on the scale may be awarded in the following circumstances:

- one point for three years of experience spent working in a relevant area, including industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people;
- one point for each period of one year of service as a qualified teacher in countries outside England and Wales in a school in the maintained sector of the country concerned;
- one point for each period of one year of service as a qualified teacher in higher or further education.

Teachers will be appointed on the upper pay range where they have previously been paid on the upper pay range or where they have successfully been assessed as meeting the upper pay range/threshold criteria.

A teacher who was previously employed as Headteacher, Deputy Headteacher, Assistant Headteacher, leading practitioner teacher, advanced skills teacher or excellent teacher for an aggregate period of one year or more, before returning to the role of a classroom teacher, will be placed on the upper pay range at a point deemed as appropriate by the Committee.

6.3.1 Main Pay Range Teachers (STPCD, Section 2, Part 3, Para 13)

The Committee has established the following pay range for classroom teachers on main pay range:

Point 1	£30,000
Point 2	£31,737
Point 3	£33,814
Point 4	£36,051
Point 5	£38,330
Point 6	£41,333

6.3.2 Upper Pay Range Teachers (STPCD, Section 2, Part 3, Para 14)

The Committee has established the following pay range for classroom teachers on upper pay range:

Point 1	£43,266
Point 2	£44,870
Point 3	£46,525

6.3.3 Leading Practitioners Pay Range (STPCD, Section 2, Part 3, Para 16)

The Committee has established the pay range for leading practitioner teachers to be LP___ to LP___ (5 point range inclusive) **[insert details]**.

(The pay scale for Leading Practitioners used by the Local Authority are shown in Appendix 5).

Such posts may be established for teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for awarding a TLR payment.

The Committee will determine the pay scale for Leading Practitioners with reference to the responsibility of the post.

6.4 Unqualified Teachers (STPCD, Section 2, Part 3, Paras 17-18)

The Committee has established the following pay range for unqualified teachers employed as classroom teachers.

Point 1	£20,598
Point 2	£22,961
Point 3	£25,323
Point 4	£27,406
Point 5	£29,772
Point 6	£32,134

The Committee will pay an unqualified teacher who is on one of the salaried employment-based routes into teaching on the unqualified teachers' pay scale.

In the case of an unqualified teacher who becomes qualified the Committee will adhere to the STPCD (Section 2, Part 3, Para 18).

6.4.1 Unqualified Teachers Allowance (STPCD, Section 2, Part 4, Para 22)

The Committee may award an additional allowance to an unqualified teacher where the teacher has:

- (a) taken on a sustained additional responsibility which is:
 - i) focussed on teaching and learning
 - ii) requires the exercise of a teachers' professional skills and judgment;or
- (b) qualifications or experience which bring added value to the role being undertaken.

The value of any such allowance will be determined by the Committee on a case by case basis.

6.5 Short notice/Supply Teachers (STPCD, Section 2, Part 6, Para 44)

Teachers who work on a day-to-day or other short notice basis will have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 to arrive at the hourly rate.

The factor used for the hourly calculation is 6.48, which calculated from 1265 divided by 195.

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6.6 Part Time Teachers (STPCD, Section 2, Part 6, Paras 42-43)

Teachers employed on an on-going basis at the school but who work less than a full working week are deemed to be part-time.

The governing body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

The written statement should set out the expectations of the school, and the part-time teacher, regarding the deployment of directed time both within and beyond the school day in accordance with the professional duties as stated in Part 7 of the STPCD.

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary, in accordance with the "pro rata principle" STPCD (Section 2, Part 6, Para 42). The same percentage must be applied to any allowances awarded to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the Headteacher (or in the case where the part-time teacher is a Headteacher, the relevant body), should also be paid at the same rate.

A calculator is available on the virtual office to assist with this calculation:
Part Time Teachers Proportional Pay Calculator

http://www.sandwell.gov.uk/extranetforschools/downloads/file/1569/part_time_teachers_proportional_pay_calculator

7 Pay Progression linked to performance

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for pay progression at all levels.

In all cases pay progression will be in line with the school's Appraisal Policy and the Education (School Teachers' Appraisal) (England) Regulations 2012.

Decisions regarding pay progression will be made with reference to the teachers' appraisal/performance management reports and the pay recommendations they contain. Final decisions about whether or not to accept a pay recommendation will be made by the Committee, having regard to the appraisal/performance management reports and taking into account advice from the Headteacher and appraiser(s).

In the case of ECTs, pay decisions will be made by means of the statutory induction process.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. In this school we will ensure consistency of treatment and fairness by **[insert details]**.

Guidance/Notes:

The Governing Body may have agreed this in the School's Appraisal Policy. For example:

Moderation and quality assurance. This will be in accordance with the School's Appraisal Policy, i.e. the Headteacher will moderate all the planning statements to check that the plans recorded in the statements of the teachers at the school are consistent between those who have similar experience and similar levels of responsibility, and that they comply with the school's Appraisal Policy, regulations and the requirements of equality legislation.

The evidence used for assessing performance will be in accordance with the School's Appraisal Policy.

7.1 Leadership Pay Progression (STPCD, Section 2, Part 2, Para 11)

Appraisal of performance for the Headteacher, Deputy Headteachers(s), and Assistant Headteacher(s) will be assessed against the extent to which they have met their individual appraisal objectives, demonstrated sustained high quality of performance (with particular regard to leadership, management and pupil progress at the school), and met the relevant standards in accordance with the School's Appraisal Policy.

Teachers on leadership pay range will be awarded pay progression following a successful appraisal review. Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

The Governing Body will consider whether to award one or two pay progression points having regard to the most recent appraisals or reviews.

The circumstances in which two points may be awarded are as follows **[insert details]**:

Examples: The circumstances for this will be highly exceptional performance and more than exceeding all performance objectives.

Guidance/notes:

The Governing Body has the discretion to award two points. If Governors choose to exercise this discretion they should insert details above. Where no insertion is made the following will apply;

The Governing Body has chosen not to exercise its discretion to award two pay progression points at this stage.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance.

N.B. Progression points may only be awarded within the appropriate leadership range confirmed in 6.1 and 6.2 of this Policy. The Committee will re-determine this range if there is a significant change in responsibilities.

7.2 Other Teachers Pay Progression (STPCD, Section 2, Part 3, Para 19)

Performance will be assessed against the extent to which teachers have met their individual objectives and the relevant standards in accordance with the School's Appraisal Policy.

Teachers will be awarded pay progression following a successful appraisal review on main pay range, leading practitioner pay range and unqualified pay range, or following two successful appraisal reviews on upper pay range.

Reviews will be deemed to be successful unless concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

The Committee will exercise its discretion to award two pay progression points where a teacher has demonstrated exceptional performance.

OR

The Committee has chosen not to exercise its discretion to award two pay progression points or accelerated progression at this stage.

Guidance/notes:

The Governing Body must set out clearly how pay progression will be determined.

Progression will be within a pay range, there will be no progression to the next pay range until the criteria for that range has been fully met.

Where a teacher has been absent for some or all of the appraisal period, an assessment will be based on performance during any periods of attendance and prior performance. In making pay decisions absence solely would not normally prevent pay progression.

7.3 Application to be paid on the Upper Pay Range (STPCD, Section 2, Part 3, Para 15)

Teachers must evidence that they are highly competent in all elements of relevant standards and demonstrate achievements, and contributions the school are substantial and sustained. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.

The school should, as part of the appraisal process, inform teachers of their eligibility to apply for assessment ahead of them becoming eligible, and inform them of the application process.

7.3.1 The Application

Applications may be made once a year. The closing date for application is normally *31 October* [insert date]

Where teachers wish to be assessed they should notify their Headteacher in writing using the application form in Appendix 6.

All applications should include the results of the two most recent appraisals under the Appraisal Regulations 2012, including any recommendations on pay. Where such information is not available a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted.

It is the teacher's responsibility to submit appraisal reviews that cover the two year relevant period in support of their application. Where a teacher is absent from work because of maternity, adoption, paternity or disability, the assessment will be based on performance during any periods of attendance rather than the full two-year period.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to be paid on the upper pay range at that school(s). The school will not be bound by any pay decision made by another school.

7.3.2 The Assessment

The assessment will be made by the Headteacher within 10 working days of the conclusion of the appraisal process.

An application from a qualified teacher will be successful where the Committee is satisfied that:

- a) The teacher is highly competent in all elements of the relevant standards and;
- b) The teacher's achievements and contribution to the school are substantial and sustained.

The Committee will be satisfied that the teacher has met the expectation for progression to the upper pay range where the upper pay range criteria (see Appendix 7) have been satisfied as evidenced by two consecutive successful appraisal reviews.

7.3.3 Process and procedures

If successful, the teacher will move to the Upper pay range from 1 September following the years' appraisal reviews submitted.

Where the application is successful the teacher will start at the minimum of the upper pay range.

If unsuccessful, feedback will be provided by the Headteacher as soon as possible and at least 10 working days of the decision and will cover the reasons for the decision and the appeal arrangements available. Any appeal against the decision will be heard under the pay hearings and appeals procedure set out in this Pay Policy (Section 5).

Appendix 8 shows the application process.

8 Additional Allowances and Payments

8.1 Teaching & Learning Responsibility Payments (TLRs) (STPCD, Section 2, Part 4, Para 20)

The Committee will award a TLR1 or TLR2 payment to a Main Pay Range or Upper Pay Range teacher undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which they are made accountable. The award may be while a teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

With the exception of sub-paragraphs (c) and (e) which do not apply to the awarding of TLR3s, the Committee will apply the following factors for awarding TLR Payments:

They must be satisfied that the teacher's duties include a significant responsibility that is not required of all MPR or UPR teachers, and that:

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR1, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

A teacher may not hold more than one TLR1 or TLR2 of any value, but a TLR1 or a TLR2 could be based on a job description that itemises several different areas of significant responsibility.

A TLR1 or a TLR2 is a payment integral to a post in the school's staffing structure and therefore may only be held by two or more people when job sharing that post.

TLR1 or TLR2 awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract.

Where a teacher is no longer entitled to a TLR1 or TLR2 award, or where the value of the TLR1 or TLR2 award is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

TLR1/TLR2s are awarded to the holders of the posts indicated in the school's staffing structure which is attached to this policy (Annex 1).

The values of the TLRs to be awarded are set out in Appendix 9.

The TLR3 may only be awarded for clearly time limited school improvement projects or one-off externally driven responsibilities.

The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring to deliver catch-up support to pupils on learning lost during the current pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day.

Where the Committee determines that a TLR3 payment should be made, it will set out in writing the proposed responsibilities/duties, level of payment and the duration of the payment.

Full consultation with trade union representatives will be undertaken with the aim of seeking agreement before the decision is made to make any such payments.

These responsibilities are not permanent or a structural requirement which should instead be awarded by means of a permanent TLR1/TLR2 payment. They should not be responsibilities for which a TLR is already awarded.

TLR3 awards are not subject to safeguarding.

8.2 Special Educational Needs Allowances (STPCD, Section 2, Part 4, Para 21)

The Committee will award a SEN allowance to a classroom teacher:-

- (a) in any SEN post that requires a mandatory SEN qualification (i.e. those specialist teachers working with the visual/hearing impaired);
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school. In this respect, a designated special class is defined as **[insert definition]**:

Example: Focused provision

- (d) in any non-designated setting that is similar to a designated special class or unit, where the post:-
- (i) involves a substantial element of working directly with children with special educational needs;
 - (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
 - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit or service.

Where a SEN allowance is to be paid, the Committee will determine the spot value of the allowance (of no less than £2,539 and no more than £5,009), taking into account the structure of the school's SEN provision and the following factors:-

- (a) whether any mandatory qualifications are required for the post;
- (b) the qualifications or expertise of the teacher relevant to the post; and
- (c) the relative demands of the post.

The Committee will set out the arrangements for rewarding classroom teachers with SEN responsibilities and the spot value of the allowance as **[Insert details]**

- ***Teachers who meet the statutory criteria will receive an SEN allowance equal to the minimum of the SEN range (£2,539)***
- ***Teachers who have two or more years' experience in the role where greater knowledge or expertise is required of the post holder will receive a SEN allowance equal to the mid-point of the SEN range (£3,775)***
- ***Teachers who teach a special class for which a mandatory qualification is required and who also have considerable experience and expertise will be paid at the top of the range. (£5,009)***

Guidance/notes:

The Governing Body must set out the arrangement for rewarding classroom teachers with SEN responsibilities and the spot value, however the above insertions (highlighted in bold italics) are recommended by the Local Authority. If Governors choose to exercise discretion they should insert details above.

Where a teacher is no longer entitled to a SEN allowance, or where the value of the SEN allowance payable is of a lower value than entitled to immediately prior to the new determination, safeguarding will be applied.

SEN allowances may be held at the same time as TLRs.

8.3 Safeguarding Payments and Allowances (STPCD, Section 2, Part 5, Paras 31-39)

The Committee will ensure that payments and allowances will be safeguarded strictly in accordance with Part 5 of the STPCD.

8.4 Additional Payments (STPCD, Section 2, Part 4, Para 26)

The Committee will only award additional payments to teachers which are strictly in accordance with the STPCD (Section 2, Part 4, Para 26) and in the guidance contained in Section 3, Paras 59-68.

In the case of the head teacher, the Committee will only make additional payments where the activity or responsibility is temporary and has not already been taken account of in determining the Headteacher's base pay. Any such payments will be time limited and subject to the overall limits on Headteachers' pay (see section 6.1.1.).

N.B. There is no provision within the STPCD for payment of bonuses or honoraria (Section 3 Para 3). Any such award to a teacher for their teaching work would be unlawful. Therefore, under no circumstances will the Committee award such payment to any member of the teaching staff for carrying out their professional duties as a teacher.

8.4.1 Payment for continuing professional development (CPD) undertaken outside of the school day.

Teachers (including the Headteacher) who voluntarily undertake continuing professional development outside of the school day will be entitled to additional payment.

Payments so awarded will be calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.2 Activities relating to the provision of initial teacher training (ITT) as part of the ordinary conduct of the school.

The Committee will not exercise its discretion to pay any teaching staff for providing ITT except where sufficient funding for ITT is available. In these circumstances the Committee will award teachers (including the Headteacher), who undertake voluntarily school-based initial teacher training activities, payments calculated on a daily rate of 1/195th of the teacher's actual salary.

8.4.3 Participation in out-of-hours learning activity agreed between the teacher and the Headteacher or, in the case of the Headteacher, between the Headteacher and the Committee.

Teachers who voluntarily agree to provide learning activities outside of the normal school hours (not part of the 1265 hours of directed time), and whose

salary range does not take account of such activity will be entitled to this payment.

Some possible activities that attract this payment include: revision/booster sessions, breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas.

Where the activity requires the professional responsibilities and duties of a teacher (i.e. development of the curriculum, assessment, monitoring or delivering classes) the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale.

Where the activity requires the professional responsibilities and duties of a teacher and in addition requires the teacher to undertake duties and responsibilities for which they have a TLR payment (such as the management of timetabling, co-ordination and evaluation), the activity will be paid at the teacher's hourly rate calculated with reference to the teacher's actual spine point on the pay scale and the TLR element.

Where the activity does not require a qualified teacher, such as it is not part of the teacher's substantive contractual duties and could be undertaken by an instructor or support member of staff, the activity will be paid at the correct rate of pay for the role and will be evaluated through the normal job evaluation process.

For example:

- a teacher undertaking an activity which could be led by a dance instructor will be paid at the appropriate dance instructor rate;
- a teacher working in a breakfast club undertaking the same duties as other non-teaching staff will be paid at the appropriate rate for an out of school club worker.

The rate of payment will be determined before the activity takes place, and the teacher notified of the rate.

Further information on payments to teachers who voluntarily undertake work outside of their normal working week can be found in the "Out of Hours Learning Activities Additional Payment Guidance."

8.4.4 Service Provision

The Committee has discretion to make payments to Headteachers who provide an external service to one or more additional schools, e.g. as a National Leader of Education/Local Leader of Education, where they are not ultimately accountable for the outcomes in the school, but for the quality of service being provided (see STPCD, Section 3, Paras 64-67).

The Committee also has discretion to make payments to any of the school's teachers whose post accrues additional responsibility as a result of the Headteacher's activities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the Headteacher's enlarged role; it is not automatic.

The Committee will seek Local Authority advice, from a representative of the Director of Children and Education, prior to making any decision in respect of payments to the Headteacher and other teachers, where payments are to be made for responsibilities undertaken by the Headteacher in respect of other schools.

8.5 Recruitment and Retention Incentives and Benefits (STPCD, Section 2, Part 4, Para 27)

The Committee will consider the award of recruitment and retention payments against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff. In particular where awarding a recruitment and retention allowance enables the school to recruit and retain teachers of the quality required to ensure school improvement.

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

Headteachers, deputy headteachers and assistant headteachers may not be awarded payments under Para 27, other than as reimbursement of reasonably incurred housing or relocation costs. The Committee will take into account recruitment and retention incentives and benefits for the head teacher when determining the head teacher's pay range (subject to the overall limit on salary and temporary payments).

The Committee will pay recruitment awards in the following circumstances **[insert details]**:

The Committee will pay retention awards in the following circumstances **[insert details]**:

Examples for recruitment/retention awards:

These awards will be given in exceptional circumstances and in areas of severe shortage subjects/specialism, in this school these are xxxx.

OR

Where after one advertisement has failed to produce a suitable candidate to appoint.

OR

Where teachers have specific skills and experience that the school needs to retain/recruit.

Guidance/notes:

The Governing Body has the discretion to make payments for recruitment and retention purposes. If Governors choose to exercise this discretion they should insert details above. Where no insertion is made the following will apply;

The Governing Body has chosen not to exercise its discretion to award recruitment/retention awards at this time.

The Committee will make clear at the outset, in writing, the payment amount and whether it is to be paid monthly or as a one-off lump sum, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn. All recruitment and retention payments will be reviewed annually by the Committee.

The Committee will award such payments in accordance with the STPCD (Section 2, Part 4, Para 27) and the guidance contained in Section 3 (Paras 69-71).

8.6 Acting Allowances (STPCD, Section 2, Part 4, Para 23)

The Committee will award acting allowances in accordance with the STPCD (Section 2, Part 4, Para 23).

8.7 Salary Sacrifice Arrangements (STPCD, Section 2, Part 4, Para 29)

For the purposes of this paragraph “salary sacrifice schemes” means any arrangement under which the employee gives up the right to receive part of his/her gross salary in return for the employer’s agreement to provide him/her with a benefit in kind, which is exempt from income tax.

Teachers who voluntarily participate in any such arrangement have their gross salary reduced accordingly for the duration of the arrangement. The salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of the STPCD.

From the salary sacrifice arrangements permitted under Paragraph 29 of the STPCD the school currently operates a child care voucher scheme.

SECTION 2: Non-Teaching Staff

9. Pay and Grading

The Committee will determine the pay and grading of non-teaching employees in line with:

- Local Authority Single Status approved pay bands (Appendix 10) and rates of pay (from 1 January 2010).
- Local Authority agreed standard job descriptions where available.
- There may be exceptional circumstance whereby the Committee considers the post to be submitted for an HAY evaluation (Appendix 10).

This Model Pay Policy has been subject to consultation with all recognised trade unions in Sandwell.

10. Single Status – Pay Determination and Standard Hours

With effect from 1 January 2010 the Committee will accept the pay and grading recommendations of the Local Authority on completion of the job evaluation process and ensure future posts, both new and revised, are graded in accordance with the agreed Single Status evaluation process.

Circular 136 (1 May 2009) informs Headteachers and Governing Bodies of the process for reconciling Single Status, Equal Pay and School Staffing Regulations in Community and Voluntary Controlled Schools where there is disagreement between the Governing Body and the Local Authority on the pay and grade of a post (see [Appendix 11](#)).

The Single Status arrangements will supplement or amend the provisions of the National Joint Council (NJC) for Local Government Services (Green Book) and will override any previous collective and or local agreements in place in relation to pay and conditions of service.

In accordance with the School Staffing (England) Regulations 2009, Governing Bodies have a specific responsibility to ensure that the pay and grading of staff employed in schools complies with equal pay legislation.

Where Governing Bodies have signed up to the Single Status Agreement they are obliged to remain within the pay framework of the Local Authority Single Status Scheme.

10.1 Increments

Each employee will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.

Employees with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.

National Terms and Conditions may be applied regarding unsatisfactory performance.

10.2 37-hour week

The standard working week for full-time employees is 37 hours per week and 52 weeks per year. When entering into a contractual relationship with an employee the Governing Body determine the number of hours and when they want staff to work, and whether they wish to make any provisions in a contract to vary when the hours are actually worked.

11. Upgrading for Non-Teaching Staff

Every employee has the right to apply to have their post upgraded.

- 1 - The Employee must complete Section 1 of the Personal Application (HR5s) for Grading/Evaluation Review and submit this to their Headteacher.
- 2 - Within 5 working days of receipt of the application, the Headteacher must arrange a meeting with the Employee.
- 3 - The Headteacher must discuss the application at the meeting, allowing the employee to make representations about the claims being made. The current job description and personnel specification must be referred to in order to identify any amendments or additions that are agreed. The Head teacher must indicate whether or not the support the claim made by the Employee on each point raised and why. Where claims are not supported, the employee can choose to accept the decision of the Head teacher or to take the claim to appeal with the appropriate Committee of Governors (see below).
- 4 - Within 10 working days of the meeting, the Headteacher must complete a new job description/personnel specification. The new job description/personnel specification must include both duties/responsibilities that remain unchanged and those that were agreed as amendments/additions at the meeting. Completed documents should be emailed to the school's HR Consultant.
- 5 - Once the job evaluation process has been completed the grade relating to the amended job will be established. The Headteacher will be notified on the outcome by the school's HR Consultant. The Headteacher must notify the Employee of the outcome.
- 6 - In this process, it should be recognised that the grade for the post will be determined by the evaluation points score. This may result in a higher, lower or same grade outcome. The new grade, if any, will apply from the date of the application was submitted by the employee.

Unsupported Applications

Where at the meeting with the Headteacher they are unable to reach agreement with the employee on all or part of the application made, the Head teacher must notify the Employee within 5 working days with details of points that are unsupported and the reasons why and inform them of their right to appeal.

If the Employee wishes to appeal they must write to the Clerk to Governors within 5 working days of notification stating the grounds for their appeal. A meeting with the appropriate Committee of Governors must be arranged within 20 working days of receipt. Support may be obtained from a HR Job Analyst by contacting HR (0121 569 3300).

Within 10 working days of the appeal meeting the Committee will notify the Employee of the result of the appeal, detailing which, if any, of the unsupported points are upheld and are to be included in a revised job description for evaluation.

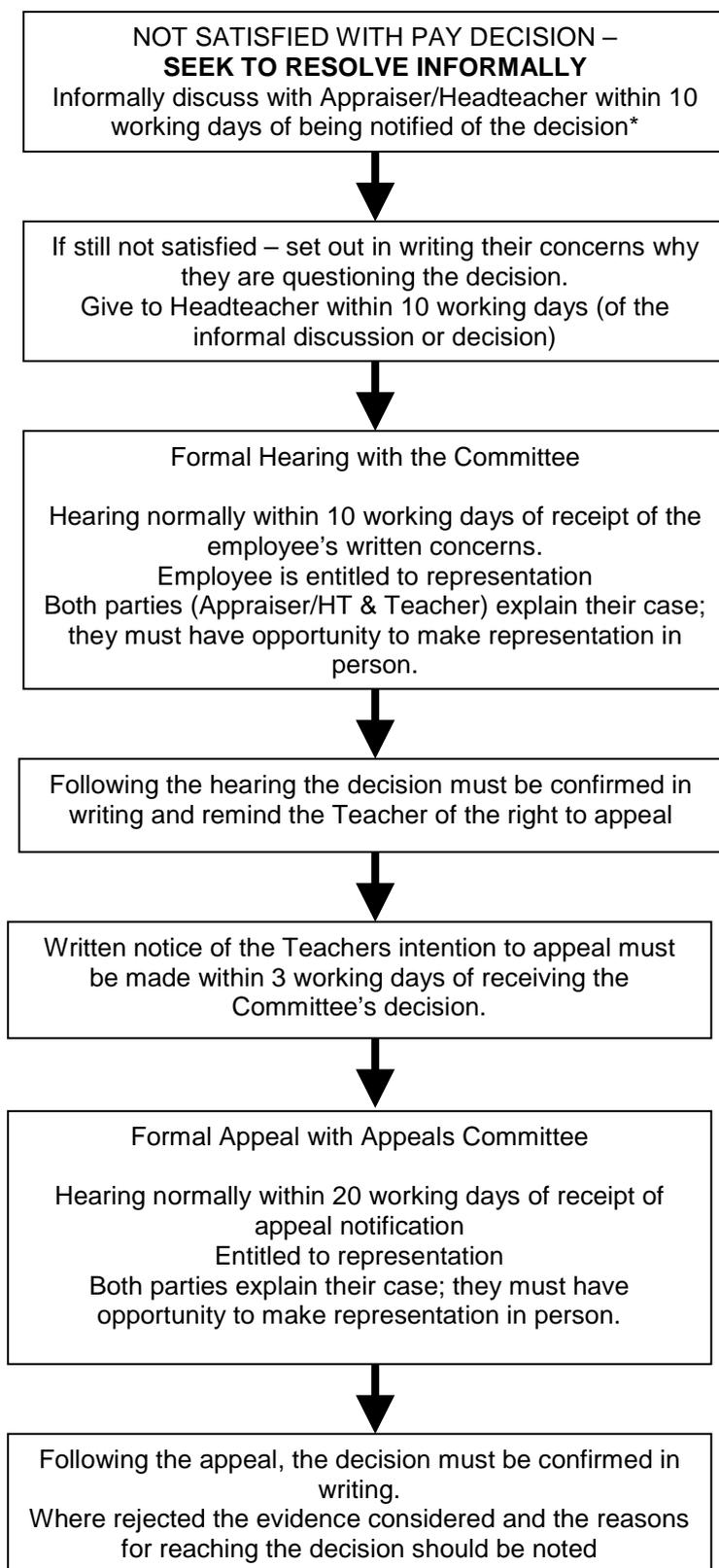
If the appeal is upheld and points are supported the process follows points 4 to 6 above.

A flowchart for the Personal Application for Grading/Evaluation Review process is available in Appendix 12.

12. Additional Payments

Employees allowances will be paid in accordance with the NJC Green Book Pay and Conditions of Service, Sandwell Councils Single Status Agreement (2010) or any preceding agreements (if not included).

Appendix 1: Pay Hearings and Appeals Procedure for Teaching Staff including the Headteacher



**If the appellant is the Headteacher then where it refers to Headteacher above it will be the relevant Governor responsible for the Headteacher's appraisal, and the teacher becomes the Headteacher.*

[ILO: UNCLASSIFIED]

Appendix 2: Formal Hearing

At any formal hearing the teacher will be entitled to be represented by a work colleague or trade union representative.

If the teacher cannot informally resolve their grievance, this procedure provides a right of a formal hearing if they continue to be dissatisfied with his/her salary assessment/review.

To exercise this right the teacher must set down in writing the grounds for questioning the pay decision and give it to the Headteacher within 10 working days of the informal discussion or decision.

In normal circumstances the formal hearing shall be heard within 10 working days of receipt of the teacher's written notification of dissatisfaction.

The formal hearing will be heard by the Committee.

Both parties (Appraiser/Headteacher and Teacher) will explain their case. They must have the opportunity to make representation in person.

Following the formal hearing the decision must be confirmed in writing and the teacher reminded of their right to appeal.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Formal Hearing

The Committee shall hear the case in accordance with the following procedure:

- i. The Appraiser/Headteacher shall put the case in the presence of the teacher and his/her representative*.
- ii. The teacher (or his/her representative) shall have the opportunity to ask questions of the Appraiser/Headteacher.
- iii. The Committee shall have the opportunity to ask questions of the Appraiser/Headteacher.
- iv. The teacher (or his/her representative) shall put his/her case in the presence of the Appraiser/Headteacher.

- v. The Appraiser/Headteacher shall have the opportunity to ask questions of the teacher (or representative).
- vi. The Committee shall have the opportunity to ask questions of the teacher (or representative).
- vii. The Appraiser/Headteacher and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Appraiser/Headteacher and the teacher and his/her representative shall withdraw.
- ix. The Committee, with the Clerk to the Governors present, shall deliberate in private only recalling the Appraiser/Headteacher and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Chair of the Committee shall announce the decision to the Appraiser/Headteacher and the teacher (and his/her representative) personally.
- xi. The decision of the Committee shall be notified in writing to the teacher by the Clerk to the Governors and a copy of the letter shall be retained on the appropriate employee's personal file. The teacher will be informed of the right of appeal.
- xii. Written notification of the teacher's intention to appeal must be made within 3 days of receiving the Staffing Committee's decision.

**If the appellant is the Headteacher then where it refers to Headteacher above it will be the relevant Governor responsible for the Headteacher's appraisal, and the teacher becomes the Headteacher.*

Appendix 3: Appeals

At the appeal the teacher will be entitled to be represented by a work colleague or trade union representative.

To exercise the right to appeal the teacher must set down in writing the grounds for questioning the pay decision and send it to the Clerk to Governors, within 3 days of receiving the decision from the formal hearing.

The purpose of the appeal is not to reconsider the whole case, only the aspects which are identified as the grounds for the appeal.

In normal circumstances the appeal shall be heard within 20 working days of receipt of the teacher's written appeal notification.

The appeal will be heard by the Appeals Committee. No person involved in the previous discussions or making the decision at the formal hearing shall be involved in the Appeal Committee.

Both parties (the teacher and decision maker from the formal hearing) will have an opportunity to explain their case. They must have the opportunity to make representation in person.

Following the appeal, the decision must be confirmed in writing, including the reasons for reaching the decision. The Appeals Committee's decision is final; there is no recourse to the grievance procedure.

Records

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

Procedure for the Appeals Panel

The Appeals Committee shall hear the case in accordance with the following procedure:

- i. The teacher (or his/her representative) shall put his/her case in the presence of the Chair of the Committee*.
- ii. The Chair of the Committee, which heard the formal hearing, shall have the opportunity to ask questions of the teacher (or representative).
- iii. The Appeals Panel shall have the opportunity to ask questions of the teacher (or representative).

- iv. The Chair of the Committee which heard the formal hearing shall put the case in the presence of the teacher and his/her representative.
- v. The teacher (or his/her representative) shall have the opportunity to ask questions of the Chair of the Committee.
- vi. The Appeals Panel shall have the opportunity to ask questions of the Chair of the Committee.
- vii. The Chair of the Committee and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Chair of the Committee and the teacher and his/her representative shall withdraw.
- ix. The Appeals Panel, with the Clerk to the Governors present, shall deliberate in private only recalling the Headteacher and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Appeals Panel shall announce the decision to the Headteacher and the teacher (and his/her representative) personally.
- xi. The decision of the Appeals Committee shall be notified in writing to the teacher by the Clerk to the Governors and a copy of the letter shall be retained on the teacher's personal file. If the Appeal is rejected reasons for this decision must be included in the letter. There shall be no further right of appeal under this procedure.

**If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*

Appendix 4: SMBC Recommended Leadership Pay Scale

Spine point	Annual Salary (£)
L1	47,185
L2	48,366
L3	49,574
L4	50,807
L5	52,074
L6	53,380
L7	54,816
L8	56,082
L9	57,482
L10	58,959
L11	60,488
L12	61,882
L13	63,430
L14	65,010
L15	66,628
L16	68,400
L17	69,970
L18*	71,019
L18	71,729
L19	73,509
L20	75,331
L21*	76,430
L21	77,195
L22	79,112
L23	81,070
L24*	82,258
L24	83,081
L25	85,146
L26	87,253
L27*	88,530
L27	89,414
L28	91,633
L29	93,902
L30	96,239
L31*	97,639
L31	98,616
L32	101,067
L33	103,578
L34	106,138
L35*	107,700
L35	108,776
L36	111,470
L37	114,240
L38	117,067

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L39*	118,732
L39	119,921
L40	122,912
L41	125,983
L42	129,140
L43	131,056

* These points (L18*, L21*, L24*, L27*, L31*, L35*, L39*) and point L43 are the maximum salaries for the 8 Head Teacher Group Ranges. These salary figures for Head Teachers at, or moving to, the top of the School Group Ranges only are different because they are a legacy of the 2015 STPCD which provided for no uplift to the maxima of the 8 Head Teacher Group Ranges.

Appendix 5: SMBC Recommended Leading Practitioner Pay Scale

Spine point	Annual Salary (£)
LP1	47,416
LP2	48,605
LP3	49,819
LP4	51,058
LP5	52,230
LP6	53,641
LP7	55,087
LP8	56,357
LP9	57,765
LP10	59,249
LP11	60,785
LP12	62,187
LP13	63,741
LP14	65,330
LP15	66,956
LP16	68,736
LP17	70,314
LP18	72,084

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Appendix 6: Upper Pay Range Application Form

Eligibility Criteria

In order to be assessed you must be a qualified teacher and need to be able to evidence that you are:

- 1. highly competent in all elements of the relevant standards; and*
- 2. that your achievements and contribution to the school have been substantial and sustained.*

Also see the Schools' Pay Policy, Appendix 7: Upper Pay Range Progression Criteria

Teacher's Details

Name: _____

Post: _____

Appraisal Details:

Years covered by review statements _____

Schools covered by review statements _____

Please provide an explanation why, in your judgement, your achievements and contribution to the school has been substantial and sustained.

Declaration:

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature _____ Date _____

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Appendix 7: Upper Pay Range Progression Criteria

Professional Attributes

1 – Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

Professional Knowledge and Understanding

2 – Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.

3 – Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangement for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

4 – Have up to date knowledge and understanding of the different types of qualifications and specification and their suitability for meeting learners' needs.

5 – Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

6 – Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

Professional Skills

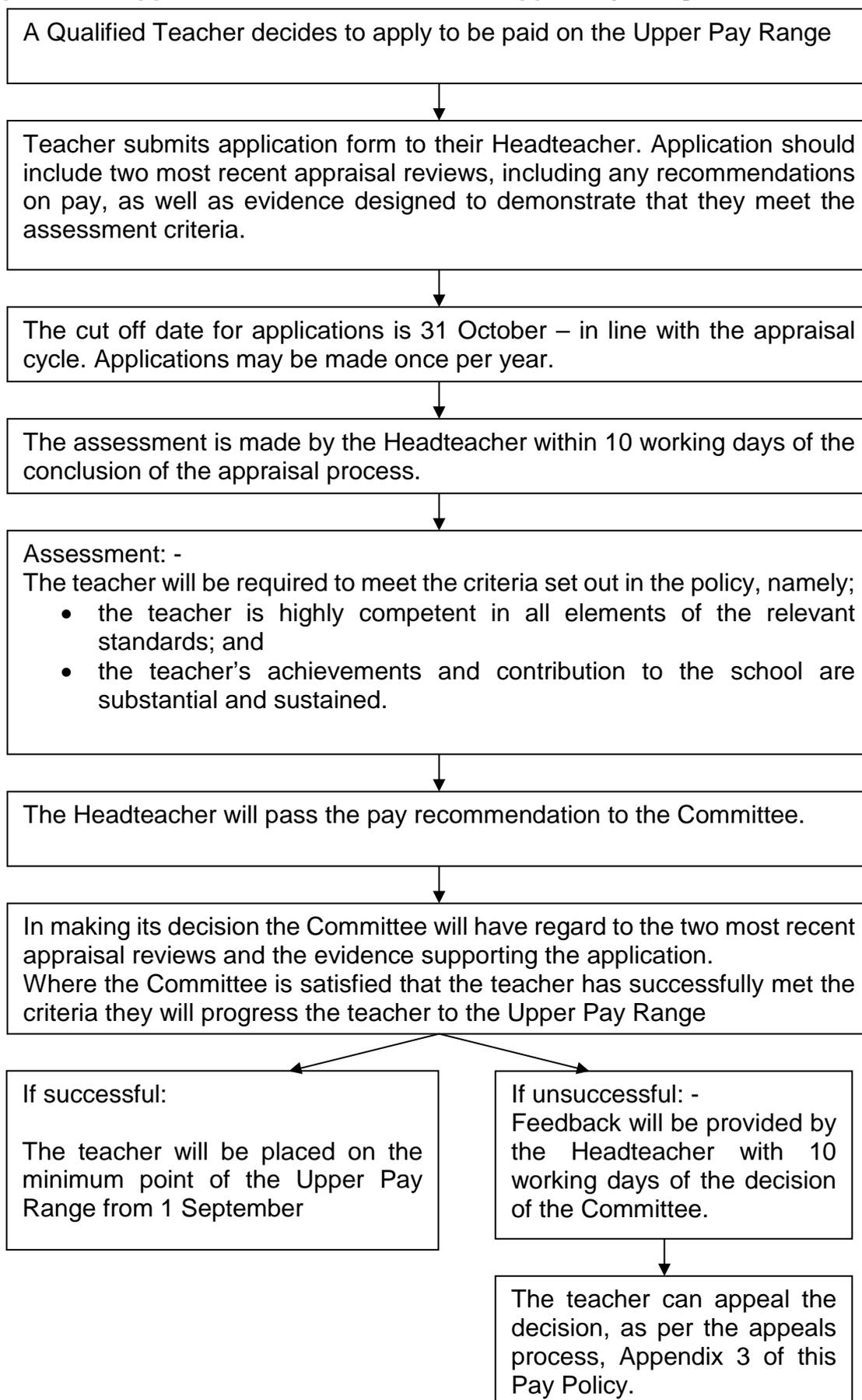
7 – Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

8 – Have teachings skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

9 – Promote collaboration and work effectively as a team member.

10 – Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

Appendix 8: Application Process to move to Upper Pay Range



Appendix 9: TLR values

TLRs will be awarded with the values below [insert details]:

Permanent TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR2a	3,214
TLR2b	5,351
TLR2c	7,847

TLR1a	9,272
TLR1b	11,412
TLR1c	13,552
TLR1d	15,690

Time Limited TLRs

Teaching & Learning Responsibility	Annual Payment (£)
TLR3a	639
TLR3b	1,263
TLR3c	1,889
TLR3d	2,515
TLR3e	3,169

Appendix 10: Single Status Pay Bands & HAY Spinal Column points – 01 April 2023

Pay Band	Spinal Column Point
A	1
	2
B	2
	3
C	4
	5
D	6
	7
	8
E	9
	11
	12
	13
	14
F	15
	16
	17
	18
	19
	20
G	21
	22
	23
	24
H	25
	26
	27
	28
	29
I	30
	31
	32
J	33
	34
	35
	36
K	37
	38
	39
	40
	41
L	42
	43
	44
M	45
	46
N	47
	48
O	49
	50
	51

Hay Spinal column point
Spinal Point 870
Spinal Point 871
Spinal Point 872
Spinal Point 873
Spinal point 901
Spinal point 902

Appendix 11: Circular 136: Friday, 1 May 2009:

A Process for Reconciling Single Status, Equal Pay and School Staffing Regulations in Community and Voluntary Controlled Schools

This process will be used in the **very small number of cases** where there is a disagreement between a Governing Body (**Community and Voluntary Controlled Schools**) and the LA on the pay and grade of non-teaching posts – it will apply to the grading of vacant posts to be advertised and to regrading's for existing postholders.

Background: The Issue

- The Single Status process is essentially a review of pay and grading structures to identify and address pay inequalities. Groups of jobs deemed to be of 'equal value' are given comparable pay and grades. This provides a fair and transparent pay and grade structure. It also protects the employer against equal pay claims, particularly when inequalities between job groups of equal value impact disproportionately on one gender.
- However, there are potential tensions between the Single Status concept and process, and the flexibilities given to individual school governing bodies under the 2003 School Staffing Regulations.
- Under these regulations, in relation to determining the pay and grade for a post: "Governors must consider the representations made by the LA, and in particular the risks and implications of any legal action which might arise if they [the governors] do not change their recommendation. If they conclude that their recommendation should stand, they must provide in writing to the LA an explanation confirming the reasons why they considering the recommendation to be appropriate. This explanation should be provided before the candidate is appointed to the post. On receipt of either such an explanation or a revised recommendation, the LA must appoint the recommended person - on the terms proposed unless he or she does not meet the staff qualifications for the post" (5.11)
- Rejection of the LA's advice as it applies to the individual school clearly has the potential to generate equal pay claims from Council employees in other Community and Voluntary Controlled schools, and the wider Council.

Appendix 11: Circular 136: Friday, 1 May 2009..... continued

The Process for Reconciling these Tensions

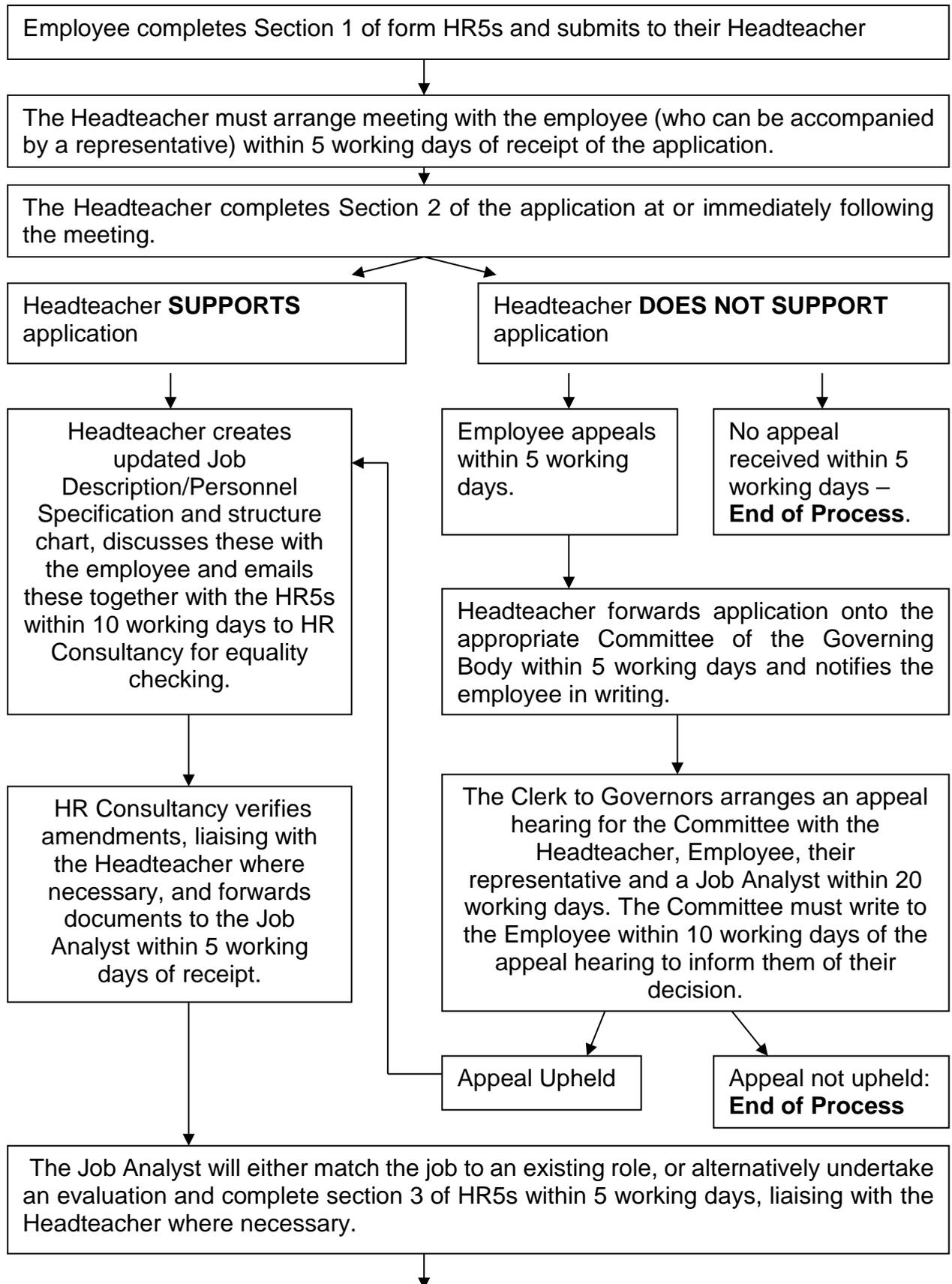
A range of escalating measures are proposed, in this sequence. It must be stressed again that at each stage the emphasis is on **consensus** and **avoiding escalation**. It is incumbent on HR to produce clear evidence and a rigorous risk assessment to justify not implementing a governing body's decision. Such instances will be rare.

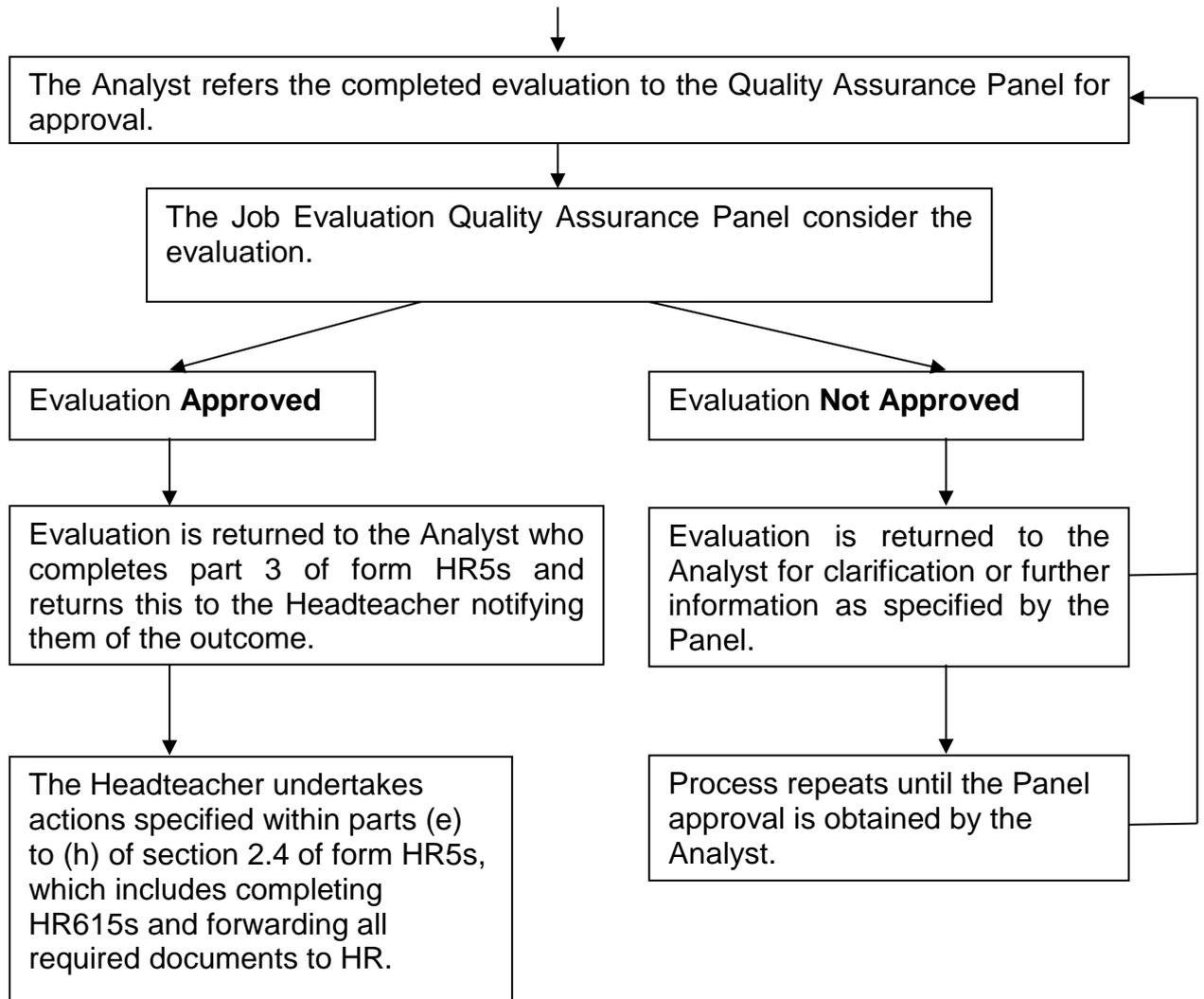
1. If the governing body of a Community or VC school is challenging the LA's advice on the pay and grade of a post, the LA will ensure that its written and verbal advice clearly spells out the equal pay implications for other schools and the Council.
2. The LA will propose a meeting between HR, workforce development and school representatives with the objective of reaching a consensus view on aligning the job description and the grade.
3. If the governing body continues to reject the LA's advice, it must set out its reasons in writing, including its response to the wider equal pay implications for other schools and the Council.
4. The LA will respond to this, ensuring there is close liaison between its HR and Legal services.
5. At this point, the exchange of correspondence (see 1-4 above) will be brought to the attention of the Schools' Forum, along with an assessment of the risks to other schools and Council services. On a case-by-case basis, the Forum will then consider whether it wishes to make representations to the governing body.
6. If the governing body rejects the final representations of the LA and/or Schools' Forum, the LA will confirm whether it still had good grounds to believe that implementing the governing body's decision could generate equalities based claims in other schools or the wider Council.
7. If that were the case, the LA would not implement the governing body's decision. Its grounds would be two-fold:
 - (a) Implementation would create unlawful inequalities.
 - (b) Other schools and the wider Council would become vulnerable to significant financial consequences.
8. In the unlikely event that the process reached stage 7, it should be noted that the Council would vigorously defend its action by all means at its disposal.

Paul Cox
Head of Planning, Performance and Business Services

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Appendix 12: Process for Non-Teaching School Employees - Personal Application for Grading/Evaluation Review





Annex 1: Staffing Structure

To be inserted by school

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Report to Cabinet

15 November 2023

Subject:	Black Country Framework Contract for Minor Works 2021 – 2024
Cabinet Member:	Councillor Danny Millard Highways and Environment
Director:	Director Borough Economy Alice Davey
Key Decision:	No
Contact Officer:	Robin Weare, Assistant Director, Highways Steve Scrivens, Senior Engineer

1 Recommendations

- 1.1 That approval be given to apply a provisional BCIS inflationary uplift of 20.64% to the schedule of rates on the current Black Country Framework Contract for the Minor Works 2021 – 2024 in accordance with Appendix B of the Contract.
- 1.2 That the provisional BCIS inflationary uplift is implemented as soon as possible and adjusted to align with the firm BCIS index for September 2023 when published in January 2024.
- 1.3 That decision making as the “Authorised Officer” defined in the Black Country Framework Contract for the Minor Works 2021 – 2024 be delegated to the Director of Borough Economy.

2 Reasons for Recommendations

- 2.1 The purpose of this report is to request approval to apply the new percentage inflationary uplift to the schedule of rates on the current Black Country Framework for Minor Works 2021-2024.



- 2.2 The BCFMW was procured in September 2021 and awarded in January 2022 with the appointment of eleven contractors over three lots. This Contract allows the delivery of Sandwell's highway schemes to a high quality and improve road safety.
- 2.3 The BCFMW contract is a collaborative contract involving all the Black Country authorities including Birmingham City Council and Transport for West Midlands for which Sandwell is the lead authority on this contract.
- 2.4 The BCFMW contract has made allowance for an inflationary percentage uplift, cost fluctuation to the contractors' rates on the 2nd and 3rd anniversary of the Contract, September 2023 and September 2024 respectively. The percentage uplift is dictated by the Price Adjustment Indices (Civil Engineering) 1990 Series published by Building Cost Information Services (BCIS).
- 2.5 The following indices and the proportions are:
Labour and supervision, 30%
Plant and Road Vehicles, 20%
Aggregates, 15%
Cements, 10%
Coated roadstone and bituminous products, 15%
DERV Fuel, 10%
- 2.6 The published figures from BCIS is only showing August as 'Provisional' with a calculated uplift of 20.64% over the first 2 years of the contract. It is anticipated the 'firm' September figures will be available January 2024 however an uplift is due to be paid from September 2023.
- 2.7 It is recommended the percentage uplift of 20.64% is applied to the schedule of rates as soon as possible for all schemes procured on the Framework Contract and the percentage uplift re-assessed in January 2024 when the September 2023 indices figures are 'firm'.
- 2.8 The contract has a term of 3 years extendable to 4 years. The contract had a total indicated value of £50m at the outset and this could be extended to a maximum of £75m if necessary when extended.
- 2.9 The Cabinet Report on 7th July 2021 delegated Authority to the Director of Borough Economy to award the contract following a compliant tendering process.



2.10 Sandwell are currently commissioning around £10m of work per year under this contract. This is likely to increase with the external capital pipeline grant work that has been allocated to Sandwell since the contract was awarded. Other authorities are awarding less work than anticipated so it is unlikely that the total value of the contract would exceed £50m in 3 years or £75m in 4 years.

2.11 The 2nd anniversary of the contract has been reached and an inflationary price increase is due. This has been calculated as 20.64% in accordance with the provisions of the contract for the 2-year period. The remaining value of the contract is currently estimated to be in the range £20m to £40m over the next 2 years depending on how quickly business cases are approved across the Black Country. Consequently the 20.64% inflationary increase has a value of £4m to £8m over the next 2 years.

3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people: Good, well maintained and safe highway infrastructure will encourage more walking and cycling among our younger people increasing their wellbeing and health, improving road safety, reducing road casualties and improving air quality.</p>
	<p>People live well and age well: A safe and well-maintained highway environment plays an important role in the life of the community, particularly the positive opportunities that they can bring from health, independence, social inclusion and interaction.</p>
	<p>Strong resilient communities: Quality highway infrastructure will make communities feel safe, more protected and confident in their neighbourhoods.</p>
	<p>A strong and inclusive economy: Local highways are the arteries of our communities. They connect residents to employment, education, local services and the wider world. They enable economic growth, social mobility and are vital in ensuring good health and economy.</p>
	<p>A connected and accessible Sandwell: Our residents will have excellent public transport that connects them to jobs and opportunities not only in the West Midlands region but across the nation</p>



4 Context and Key Issues

- 4.1 The Highways Minor Works framework enables quick and efficient use of contractors to undertake programmes of work comprising many schemes and eliminates the need for costly and timely tendering processes for each individual scheme. This avoids long delays in delivering safety and infrastructure improvement projects and provides better value for money by tendering in volume for programmes of work in collaboration with Black Country Authorities.
- 4.2 The framework contract provides for an index linked inflationary adjustment at the end of the first 2 years.

5 Alternative Options

- 5.1 Highway Services would need to utilise elements of other less suited framework contracts for urgent service provision and tender separately for dozens of individual schemes. This would increase costs, delay delivery and put external grant funding at risk of underspend or claw back.

6 Implications

Resources:	Works undertaken utilising The West Midlands Collaborative Framework Contract 2021-2024 will be funded through yearly revenue allocations and capital budgets and grants in relation to (but not exclusively), Integrated Transport Block, Challenge Fund, Active Travel Fund, Towns Fund, Better Streets Fund, Highway maintenance, road safety and development support.
Legal and Governance:	The principal legal statutory duties and processes required to implement the highway improvement and traffic management requirements are; <ul style="list-style-type: none">• The Highways Act 1980.• The Road Traffic Act 1988• The Traffic Management Act 2004• The Road Traffic Regulation Act 1984• The Highway (Road Humps) Regulations 1999



Risk:	There are no specific risk or resource implications. The West Midlands Collaborative Framework Contract for Minor Works will be used to support the delivery of the statutory duties outlined above and from approved capital programmes and revenue budgets.
Equality:	An Equality Impact Assessment (EIA) initial screening has been undertaken. The screening identified that there will be no adverse impact on people or groups with protected characteristics. A full EIA is not required.
Health and Wellbeing:	The Highway environment plays an important role in the life of the community, particularly the positive opportunities that they can bring from social inclusion and interaction. The procurement of this West Midlands Collaborative Framework Contract for Minor Works will help ensure there is a continuation of road safety improvement works on the highway network and that our highways are maintained to a good standard.
Social Value	Social Value benefits are derived from the important role a well-maintained and safe highway environment plays in the life of the community, particularly the positive opportunities that they can bring from social inclusion, sustainable travel choice and social interaction.
Climate Change:	Well maintained highways support climate change objectives through the supporting more activate travel choices, delivery of carbon reduction savings and associated benefits outlined in the Corporate Plan.
Corporate Parenting:	Good, well maintained highway infrastructure promotes improved physical and mental health and well-being of children and young people through more walking and cycling, improving road safety and air quality.

7. Appendices

Calculation of percentage uplift based on the Price Adjustment Indices (Civil Engineering) 1990 Series published by Building Cost Information Services (BCIS).



8. Background Papers

None



Series:	90/ 1 Labour and Supervision			90/ 2 Plant and Road Vehicles Operatives and fuel are not included			90/ 3 Aggregates			90/ 5 Cements			90/ 9 Coated Macadam and Bituminous Products			90/10 DERV Fuel		
Series number:	4441		monthly	4442		monthly	4443		monthly	4446		monthly	4450		monthly	4451		monthly
Base:	June 1990 = 100			June 1990 = 100			June 1990 = 100			June 1990 = 100			June 1990 = 100			June 1990 = 100		
Last updated:	26-Sep-2023			26-Sep-2023			26-Sep-2023			26-Sep-2023			26-Sep-2023			26-Sep-2023		
Notes:																		
Downloaded:																		
Date	Index	Status		Index	Status		Index	Status		Index	Status		Index	Status		Index	Status	
Sep-2021	339	Firm		227	Firm		199	Firm		272	Firm		450	Firm		378	Firm	
Oct-2021	339	Firm		228	Firm		206	Firm		276	Firm		457	Firm		408	Firm	
Nov-2021	339	Firm		229	Firm		206	Firm		278	Firm		480	Firm		411	Firm	
Dec-2021	339	Firm		230	Firm		206	Firm		278	Firm		487	Firm		399	Firm	
Jan-2022	339	Firm		232	Firm		215	Firm		281	Firm		495	Firm		412	Firm	
Feb-2022	339	Firm		232	Firm		215	Firm		293	Firm		506	Firm		424	Firm	
Mar-2022	339	Firm		232	Firm		215	Firm		297	Firm		520	Firm		493	Firm	
Apr-2022	341	Firm		233	Firm		222	Firm		304	Firm		538	Firm		493	Firm	
May-2022	342	Firm		241	Firm		269	Revised		304	Firm		546	Firm		505	Firm	
Jun-2022	343	Firm		241	Firm		268	Revised		311	Firm		558	Firm		554	Firm	
Jul-2022	347	Firm		244	Firm		263	Revised		319	Firm		579	Firm		534	Firm	
Aug-2022	361	Firm		249	Firm		261	Revised		320	Firm		584	Firm		520	Firm	
Sep-2022	361	Firm		250	Firm		261	Firm		323	Firm		598	Firm		502	Firm	
Oct-2022	361	Firm		250	Firm		261	Firm		324	Firm		601	Firm		534	Firm	
Nov-2022	359	Firm		249	Firm		266	Firm		328	Firm		587	Firm		494	Firm	
Dec-2022	358	Firm		250	Firm		266	Firm		338	Firm		579	Firm		451	Firm	
Jan-2023	359	Firm		251	Firm		266	Firm		350	Firm		582	Firm		456	Firm	
Feb-2023	359	Firm		252	Firm		266	Firm		351	Firm		578	Firm		434	Firm	
Mar-2023	359	Firm		252	Firm		274	Firm		345	Firm		601	Firm		418	Firm	
Apr-2023	360	Firm		252	Firm		270	Firm		345	Firm		598	Firm		400	Firm	
May-2023	361	Firm		252	Firm		270	Firm		345	Firm		593	Firm		376	Firm	
Jun-2023	360	Firm		251	Provisional		270	Provisional		345	Provisional		581	Provisional		377	Provisional	
Jul-2023	378	Firm		257	Provisional		270	Provisional		343	Provisional		584	Provisional		385	Provisional	
Aug-2023	385	Provisional		259	Provisional		270	Provisional		341	Provisional		591	Provisional		422	Provisional	

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Report to Cabinet

15 November 2023

Subject:	Sandwell Business Growth Plan
Cabinet Member:	Regeneration & WMCA, Councillor Peter Hughes
Director:	Regeneration & Growth, Tony McGovern
Key Decision:	No
Contact Officer:	Business Manager Regeneration & Growth, Jenna Langford jenna_langford@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to the Sandwell Business Growth Plan as set out in Appendix 1 which sets out the Services & Programmes available from the Sandwell Business Growth Team for Sandwell Businesses in the pursuit of Sandwell's Economic Growth.
- 1.2 That Cabinet rescind the Inclusive Recovery Plan for Business approved by Cabinet on 23 March 2022.
- 1.3 That the budget profile and outputs and outcomes of the Business Growth Plan for period 23/24-24/25 financial year be noted.

2 Reasons for Recommendations

- 2.1 The 'Inclusive Recovery Plan for Business' was approved by Cabinet in March 2022 and included an action plan detailing how Sandwell Council would work in collaboration with partners to support Sandwell's Economic Growth. From 1 April 2023 the Black Country Local Enterprise Partnership



and the Black Country Growth Hub were disbanded, resulting in a significant service gap for Black Country Businesses with two key partners no longer being able to support Sandwell Businesses.

- 2.2 In addition, the UK Shared Prosperity Fund (UKSPF) which funds Local Business Support activity until 31 March 2025, was devolved to the West Midlands Combined Authority (WMCA) and a proportion of that was double-devolved to Local Authorities along with the requirement for Black Country Local Authorities to plug the gap in service provision as a result of the Black Country Local Enterprise Partnership and the Black Country Growth Hub disbandment.
- 2.3 This has meant the Sandwell Business Growth Team have been required to re-design their customer journey, resource the team differently and write a new plan for how Sandwell Council will support Businesses and Economic Growth within a new framework of funding (UKSPF) and a different partner landscape.

3 How does this deliver objectives of the Corporate Plan?

	<p>A Strong and Inclusive Economy</p> <p>The Sandwell Business Growth Plan articulates how Sandwell Council will work in collaboration with partners and utilise funding to support Sandwell Businesses and Sandwell's Economy to Grow.</p>
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4 Context and Key Issues

- 4.1 The WMCA have established 'Business Growth West Midlands' (BGWM) as the centre of a 'hub and spoke' model for Business Support Services in the West Midlands. BGWM are the hub, with each Local Authority being a spoke. BGWM is responsible for devolving UKSPF to the Local Authorities, collating Monitoring and Evaluation information for reporting to Government as the Accountable Body for the fund. They also utilise this brand as a contact for all West Midlands Business Support Services and triage business clients to the relevant Local Authority spoke. It is important



to note that Businesses will continue to contact Local Authorities direct for support.

4.2 The Inclusive Recovery Plan identified 7 priorities for the Sandwell Business Growth Team which have been updated in the Sandwell Business Growth Plan by merging the 'Local Spend' and 'Good Jobs' priorities into the 'Social Value in Sandwell' priority, and the addition of the 'Support in Sandwell' priority capturing the customer journey and the council's commitment to supporting Sandwell Businesses. The Economic Data contained within the Sandwell Business Growth Plan has been provided by the Economic Intelligence Unit to provide an updated evidence base for the plan. The 7 priorities of the Sandwell Business Growth Plan are:

1. Support in Sandwell
2. Start Up in Sandwell
3. Grow in Sandwell
4. Innovate in Sandwell
5. Invest in Sandwell
6. Social Value in Sandwell
7. Net Zero in Sandwell

4.3 The Sandwell Business Growth Plan sets out the aims of each priority and articulates why this is a priority and how the Sandwell Business Growth Team will deliver against them. Detailed activity, outputs and outcomes for each priority are also included, and identifies outputs which are contracted for delivery through UKSPF and outcomes that the team will measure to determine performance. Contracted outputs are set annually, so on this basis the outputs and outcomes profile will be monitored quarterly and set annually. This report will now provide an overview of each priority within the Sandwell Business Growth Plan.

4.4 **Support in Sandwell** captures the customer journey, developed by the Sandwell Business Growth Team, and aligned to the BGWM offer to ensure a consistent regional service as part of the hub and spoke model. To articulate the Sandwell Business Growth Teams' commitment to Sandwell Businesses a Customer Charter has been established by the



Sandwell Business Growth Team which includes our service standards. To make the Sandwell Business Growth Team services more accessible we have re-named and re-branded the service from 'Think Sandwell' to 'Sandwell Business Growth' and this has included the development and launch of a new website www.sandwellbusinessgrowth.com and telephony connection through the council's contact centre. To deliver the customer journey, the Sandwell Business Growth Team have recruited 3 additional officers on a fixed-term basis, funded through UKSPF until 31 March 2025.

- 4.5 **Start Up in Sandwell** aims to make Sandwell Home of the Successful Start Up. Following confirmation of Sandwell's UKSPF allocation the Sandwell Business Growth Team have established Sandwell Council's first Start Up Hub, located on the 2nd Floor of Jack Judge House, Oldbury. The Hub provides wrap-around support for eligible Start Up businesses comprising access to free office space (the hub); free access to specialist support and advice; free access to support events, workshops and training; free access to our Sandwell Start Up Business School; and are also able to apply for Start Up Grants. Sandwell's Start Up programme launched on the 26 September 2023 and is funded through UKSPF until 31 March 2025.
- 4.6 **Grow in Sandwell** aims to support Sandwell's Small & Medium Enterprises (SMEs) to grow through providing specialist advice and access to growth programmes and funding. Through UKSPF the Sandwell Business Growth Team have secured funding for grants to be administered to eligible SMEs, in addition to the Access to New Markets programme developed by the team to provide SMEs with importing and exporting advice. In addition, the Sandwell Business Growth Team have conducted a review of Sandwell's Top 50 Fastest Growing Businesses and Sandwell's Strategic Businesses to ensure Key Account Managers have been allocated to work with them on their growth ambitions.
- 4.7 **Innovate in Sandwell** aims to support Sandwell Businesses to innovate and to encourage innovation cluster activity within the borough. The West Midlands Plan for Growth identifies Sandwell within the 'Manufacturing of electrical light vehicles and associated battery storage devices' and



'Modern and low carbon utilities' growth clusters and the Sandwell Business Growth Team over the next financial year want to investigate further as to what Innovation looks like in Sandwell and how the council can support it.

- 4.8 **Invest in Sandwell** aims primarily to support inward investment, welcoming businesses from elsewhere to the Sandwell area, creating new jobs. The Sandwell Business Growth Team will work with the Department for Business & Trade and the West Midlands Growth Company to support this activity.
- 4.9 **Social Value in Sandwell** aims to enhance Social Value in Sandwell by enabling our contractors and partners to provide employment and skills opportunities for local people, provide local supply chain opportunities for our businesses, and community benefits for our voluntary organisations to create a more inclusive and thriving local community. This priority merges two priorities from the previous Inclusive Recovery Plan of 'Good Jobs in Sandwell' and 'Local Spend in Sandwell'. The priorities have been merged firstly make Social Value more prominent in the council's priorities and, also Social Value supports both local spend and good jobs.
- 4.10 For good jobs, this priority aims to increase both the volume of jobs and quality of employment within certain sectors of our economy. The Business Growth Team have developed the four pillars of Social Value for Sandwell which include creating employment opportunities locally. This delivery includes jobs, apprenticeships, and work experience placements achieved through delivery plans, negotiated with leading contractors they agree to deliver employability outputs. The team also work with the council's Employment and Skills Team to support the delivery of these outputs.
- 4.11 For local spend the Sandwell Business Growth Team assist local contractors to understand what Social Value means in Sandwell and position them to submit bids which include a comprehensive and robust approach to Social Value. The team recognise that SMEs winning tenders locally can be challenging for multi-faceted reasons so the Sandwell Business Growth Team will facilitate a programme of tender writing



guidance workshops and host 'meet the buyer' events to connect the local supply chain with tender opportunities. The Sandwell Business Growth Team have recruited a Senior Social Value Officer to increase Social Value capacity within the Council to support this priority.

- 4.12 Net Zero in Sandwell aims to ensure that a range of support projects and funding are available to help Sandwell businesses transition further on their journey to Net Zero. The Aston Consortium will be our main delivery partner helping provide information and advice through free workshops and mentoring support, energy audits and a route to grants. At a more advanced stage a further partner the Warwick Manufacturing Group will additionally provide knowledge transfer activities, R&D support and sustainability software and engage with companies with more developed delivery on their Carbon Net Zero journey.
- 4.13 The Sandwell Anchor Network Partnership is a key activity supporting the Sandwell Business Growth Plan, particularly the Social Value in Sandwell priority. The Network was established in 2021 and is facilitated by Sandwell Council and the Sandwell Business Growth Team. The partnership is 'a long-term collaborative commitment to using anchor institution assets to build a strong and inclusive economy in Sandwell.' The Sandwell Anchor Network is a voluntary partnership supported by Sandwell Council through the dedicated provision of an Anchor Network Co-ordinator funded until 31 March 2025 through the COMF. Representatives from each anchor institution meet quarterly to coordinate their activity, agree on actions, and steer the direction of the Sandwell Anchor Network. Two project groups (one focusing on procurement and one on employment) meet every six weeks to discuss further specific activities. The Partnership then meet quarterly to review progress and give direction to the focused project groups. The Partnership is chaired by the Chief Executive of the Black Country Chamber of Commerce and the Network is also championed by the West Midlands Combined Authority and the Economic Intelligence Unit.
- 4.14 Sandwell Business Ambassadors are an independent group of Business Leaders who volunteer their time to be a critical friend to the council and to support Sandwell Businesses – acting as a voice for local businesses.



The Sandwell Business Ambassadors are crucial partners to the Sandwell Business Growth Plan and are provided with administrative support by the Sandwell Business Growth Team along with a dedicated website www.sandwellbusinessambassadors.co.uk The Ambassadors meet monthly to share ideas for future projects and campaigning and to hear from local businesses. They lobby buyers and contractors to commit to responsible procurement and social value practices, to retain and recycle wealth in the local economy, and more work for people in Sandwell. Another key role undertaken by the Ambassadors is to attend business events and career days to promote Sandwell and business practice and to support their new focus of raising aspirations through education and work opportunities for young people and the long term unemployed. The Ambassadors also meet with the Cabinet to discuss their focus and ensure alignment to the council's vision.

- 4.16 The activities within the Sandwell Business Growth plan are funded through a combination of funding streams - UKSPF, COMF, Brexit, and standing Business Growth Team budgets allocated to Local Business Support activities representing a total investment value of £4,416,598.00 between 22/23 and 24/25 financial years.
- 4.17 The Sandwell Business Growth Plan has been shared with our Sandwell Business Ambassadors who are a group of independent Sandwell Business Leaders who are a critical friend to the council on Business matters. The plan has been endorsed by the Chair of the Sandwell Business Ambassadors.
- 4.18 Governance arrangements have been established for the monitoring and reporting performance against the Sandwell Business Growth Plan. Should the plan be approved by Cabinet, it will then become part of the Governance arrangements for the Regeneration Programme which is governed by the Regeneration Programme Board that reports into Leadership Team quarterly and Cabinet bi-annually. This is appropriate given the Sandwell Business Growth Plan, if approved, will replace the Inclusive Recovery Plan as an appendix to the Regeneration Strategy.



5 Alternative Options

- 5.1 Retain the existing Inclusive Recovery Plan, acknowledging that the data, partners, and methods of activity delivery are different.
- 5.2 Rescind the Inclusive Recovery Plan and not replace it with an updated plan, acknowledging that the Business Support offer to Sandwell Businesses is not articulated and the level of endorsement unclear.

6 Implications

Resources:	<p>Financial Resources for the Business Growth Plan are secured and funded through the UKSPF, COMF, and existing budgets allocated to the Sandwell Business Growth Team.</p> <p>Additional staff have been recruited on a fixed-term basis, funded through UKSPF.</p> <p>The Sandwell Start Up Hub operates from Jack Judge House on a lease agreement, funded by the UKSPF until March 2025.</p>
Legal and Governance:	<p>Funding agreements for UKSPF 23/24 are in place between Sandwell Council and the West Midlands Combined Authority.</p>
Risk:	<p>The Sandwell Business Growth Plan comprises a number of projects, all of which have risk registers that are managed by the Sandwell Business Growth Team and report into the Regeneration Programme Board on a quarterly basis.</p>
Equality:	<p>Not applicable.</p>
Health and Wellbeing:	<p>No implications.</p>
Social Value:	<p>The Sandwell Business Growth Plan includes Social Value as a priority, comprising activities that support the achievement of Social Value in Sandwell.</p>



Climate Change:	The Sandwell Business Growth Plan includes Net Zero as a priority, comprising activities and grants that support Sandwell Businesses to decarbonise.
Corporate Parenting:	No implications.

7. Appendices

Appendix 1 Sandwell Business Growth Plan
Appendix 2 Outputs & Outcomes
Appendix 3 Budget Profile

8. Background Papers

Not applicable.



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Sandwell Business Growth Plan

Stronger Businesses, Thriving Communities

November 2023

DRAFT

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Appendices

- Appendix 1 – Customer Charter
- Appendix 2 - Outputs and Outcomes Profile
- Appendix 3 – Budget Profile

Foreword

“Sandwell Council recognises that successful businesses are key to creating and sustaining jobs, raising aspirations, nurturing skills, and generating wealth for our region. Businesses are Sandwell’s lifeblood – and we’re here to champion your Sandwell business at every stage, supporting you to thrive and grow.

Economic circumstances have changed drastically in recent years, and businesses have adapted to the most difficult trading time in living memory. In addition, business support at the regional and Black Country level has undergone significant changes, including with the closure of the Black Country Local Enterprise Partnership and Black Country Growth Hub. Sandwell Council has played an important role in supporting businesses through such challenges, delivering around £85 million in grants and £336 million in loans – more than any other Black County local authority.

With Sandwell’s Business Growth Plan, we seek to build on this good work. This important document updates our 2021 Action Plan and sets out our strategy for supporting businesses over the next two financial years – 23/24 and 24/25 – in a way that reflects changes to the region’s business support infrastructure and strives to unlock the entrepreneurial potential of our population.

By utilising government investment (including from the UK Shared Prosperity Fund under the Levelling Up agenda), regeneration opportunities and other sources of funding, we will implement practical measures that help our Sandwell businesses to become stronger, more resilient, adaptable and innovative: succeeding and growing in a way that elevates local people up alongside them.”

<INSERT SIGNATURE & PHOTO>

Councillor Kerrie Carmichael, Leader of Sandwell Council

“In a world marked by constant change and upheaval, the pursuit of sustainable economic growth has become an imperative for nations and communities alike. As we stand at the intersection of unprecedented global challenges, including environmental crises, technological disruption, and

social inequalities, the need for a comprehensive approach to regeneration and economic growth has never been more pressing.

Sandwell's Business Growth Plan is a thought-provoking and timely exploration of how we can foster economic prosperity while simultaneously revitalising our natural environments, enhancing social well-being, and promoting inclusivity. This plan assembles a suite of priorities and actions Sandwell Council's Business Growth Team will deliver in Sandwell's path towards a more holistic and sustainable economic future.

We have a fantastic business community here in Sandwell, and their innovative, go-getting spirit holds the key to building a healthier, stronger Sandwell. Councillor Pam Randhawa is the Council's Economy Champion representing Sandwell Council's commitment to delivering the right support at the right time, to make the most of the exciting developments coming to our borough."

<INSERT SIGNATURE & PHOTO>

Councillor Peter Hughes, Cabinet Member for Regeneration & West Midlands Combined Authority

"It is estimated that Sandwell will lever in £2.9 billion of regeneration and infrastructure investment by 2027 – presenting huge opportunities to level up. For our borough to feel the full economic, social, and environmental benefits of such investments, Sandwell Council must support local businesses to seize these opportunities. That's why, through Sandwell's Business Growth Plan, we focus on practical actions for the Sandwell Business Growth Team to deliver, which ensures Sandwell businesses have the skills, knowledge, and resources they need to thrive and grow. We will work closely with our businesses, local and regional partners to achieve our aim of increasing local wealth."

<INSERT SIGNATURE & PHOTO>

Shokat Lal, Chief Executive of Sandwell Council

“The Sandwell Business Ambassadors are a collective of business leaders who meet regularly with Sandwell Council officers and cabinet members to discuss challenges and opportunities affecting our borough’s business community. One of our priorities is responsible procurement: seeking to ensure that money invested in Sandwell is, wherever possible, spent with local businesses, to protect, create and sustain jobs, preserve skills, and boost community wealth. We welcome Sandwell’s Business Growth Plan, its recognition of the power of businesses to transform a region, and the proactive vision it sets out to ensure our local businesses (and, by extension, residents and communities) benefit from the huge investments being made in Sandwell.”

<INSERT SIGNATURE & PHOTO>

Alan Taylor, Chair of the Sandwell Business Ambassadors

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Introduction

Sandwell is a great place to do business boasting a £6.4 billion economy with twice the number of manufacturing firms to the national average. It is home to fast growing, high employment, and high turnover businesses. The borough benefits from six interconnected towns, a tradition of locally focused small businesses and an economy driven by private sector employment and growth.

Sandwell's economic strengths are not widely recognised, and as a result the borough is punching below its weight.

Investment is coming to Sandwell; the regeneration pipeline forecasts £2.9 billion of investment by 2027. It brings the opportunity to make real improvements to high streets, public assets, skills provision, and transport to level up the borough. In addition, we can support our businesses to meet the challenge of economic recovery, the carbon net zero transition, and rapidly changing global and local markets and supply chains.

This means focusing on doing the things that the Council and partners can do to create the conditions for new jobs and skills, tackling inequality and keeping wealth local. The borough is part of the UK's largest Combined Authority, and with a range of partners delivering regional business support, the Sandwell Business Growth Team have the resources and expertise to deliver this plan.

We listen to our businesses to understand their challenges and have used this to shape the plan and this means doing some things differently. Despite access to local business support services, across the UK it is estimated that about 40% of businesses have received formal external advice, 20% of which were from the public sector. To maximise the impact of business support amongst those who do take it up, we need to target resources at the areas in which businesses want help and the support that they most need.

This plan establishes seven priorities to support businesses over the next 2 financial years 23/24 & 24/25, setting out the Council's commitment and recognising the important contributions of our businesses and partners.

The ambition of the Sandwell Business Growth team is to accelerate business growth, creating a wealthier Sandwell, gripping investment opportunities, and addressing long term economic challenges – **stronger businesses, thriving communities.**

Plan Priorities

The Plan now provides a summary of what the Sandwell Business Growth Team will do to address local economic and business challenges to maximise growth opportunities against Sandwell's seven priorities. It is not exhaustive and does not capture all activities of the council in supporting economic growth. It captures key activities aligned to the economic priorities with consideration to available resources from the council, government funding, and our partners. The Plan is not for the council to deliver alone and the council will use its role as a place leader to co-ordinate and lever in support from partner organisations to ensure the right resource and expertise for businesses are in place. Detailed outputs and outcomes of the Sandwell Business Growth Plan are included in Appendix 2, with a detailed budget profile in Appendix 3.

1 Support in Sandwell

What - Deliver a consistent, accessible customer service experience to Sandwell Businesses, while striving to understand, anticipate, and exceed customer needs, fostering trust and loyalty through responsive communication, problem-solving, and a commitment to delivering a high standard of service excellence.

Why - To maximise the impact of business support amongst those who do take it up, we need to target resources at the areas in which businesses want help and the support that they most need.

How - Redesign our Customer Journey, so Sandwell Businesses have improved access to our services, getting the support they need. This includes a new brand, website, contact center, and the adoption of our Customer Charter (see appendix 1) setting out our service standards and the adoption of the Sandwell Business Growth Plan.

2 Start Up in Sandwell

What - Make Sandwell the Home of the Successful Start Up by empowering entrepreneurs and providing tailored guidance, resources, and mentorship to help them navigate entrepreneurship challenges, achieve sustainable growth, and realise their full potential in the competitive business landscape.

Why - A high number of residents are starting new businesses but may lack the skills, resources, and information to make these successful. We want to change this through increased and tailored access to advice around starting a business, finance, recruitment, and marketing.

How - Establish a Start Up Hub in Sandwell where entrepreneurs can have a dedicated workspace that is rent and rate free for a period of 12 months, for all registrations up to February 2024. Subsequent registrations will receive dedicated workspace that is rent and rate free until February 2025 from which to grow their business. The hub will provide Start Ups with the opportunity for peer-to-peer collaboration, specialist support, advice, and access to grants for eligible Start Ups. In addition, we will host 'Business Schools' providing Start Ups with a 10-day intensive course on how to Start and Grow a business. The Business Growth Team will host events and workshops from the hub on numerous business topics with SMEs, Partners and Start Ups providing more opportunity for networking and peer-to-peer collaboration.

3 Grow in Sandwell

What - Empower businesses to achieve sustainable and scalable growth by providing strategic guidance, resources, and solutions to drive innovation, enhance competitiveness, and expand market reach, enabling businesses to reach their full growth potential and thrive in dynamic markets.

Why - Sandwell businesses are part of the West Midlands and national supply chains. We want to help them grow and create more good jobs by exporting more and investing in new opportunities.

How - Support Sandwell's Small & Medium Enterprises (SMEs) to grow through providing specialist advice and access to growth programmes and funding. Through UKSPF the Sandwell Business Growth Team have secured funding for grants to be administered to eligible SMEs, in addition to the Access to New

Markets programme developed by the team to provide SMEs with importing and exporting advice. The Sandwell Business Growth Team have conducted a review of Sandwell's Top 50 Fastest Growing Businesses and Sandwell's Strategic Businesses to ensure Key Account Managers have been allocated to work with them on their growth ambitions.

4 Innovate in Sandwell

What - Champion and nurture innovation, fostering an environment where creativity, collaboration, and exploration thrive in Sandwell.

Why - Innovation Clusters are a major priority of the West Midlands, but innovation support is often focused around the region's cities and not within towns or strategic centers. As a result, Sandwell is not benefiting from innovation investment, skills & business support.

How - Work with our regional innovation partners to understand what innovation support is available for economies such as Sandwell. Undertake deep-dive analysis to determine what innovation means in Sandwell, and what we as a local authority, working with our regional innovation partners can do to encourage cluster activity in the borough.

5 Invest in Sandwell

What - Attract and facilitate investment in Sandwell, creating a dynamic and prosperous environment for businesses, entrepreneurs, and investors by showcasing the opportunities, infrastructure, and resources Sandwell offers, and fostering strategic partnerships to drive economic growth.

Why - With a young population and more affordable land, Sandwell is an attractive location for businesses to locate and grow, creating more jobs locally. However, we have an under supply of employment land and commercial space. Increasing new inward investment & investment from existing business will create more good jobs in Sandwell.

How - Work more closely with our partners to develop an investment offer ready to maximise investment from existing business, attract new inward investment, and create jobs. The Sandwell Business Growth Team have secured investment from the West Midlands Global fund to work with the West Midlands Growth Company to focus specifically on this priority.

6 Social Value in Sandwell

What - Enhance Social Value in Sandwell by enabling our contractors and partners to provide employment and skills opportunities for local people, provide local supply chain opportunities for our businesses, and community benefits for our voluntary organisations to create a more inclusive and thriving local community.

Why - Encouraging Social Value within a local area is a powerful catalyst for local economic growth. It serves as an engine that propels numerous benefits throughout the community and has a ripple effect that contributes to the overall well-being and prosperity of the area.

How - Develop a Social Value Policy & Toolkit to support contract managers across the council, Sandwell's anchor institutions, and contractors to spend locally through embedding good social value practice within procurement contracts and raising awareness of local suppliers. Promote and educate the merits of Social Value and provide wrap-around support to those leading procurement contracts and local suppliers submitting tenders for local opportunities. Work with the Employment & Skills Team to broker employment and training opportunities for local people with our contractors.

7 Net Zero in Sandwell

What - Empower and guide businesses in their transition to carbon net zero, helping to reduce their carbon emissions and support them to reach their carbon neutrality goals while creating a greener and more sustainable borough.

Why - We want to support Sandwell to have net zero carbon emissions by 2041. Many of our businesses face high demand for energy and premises that are not climate resilient. We want to support them by providing easy access to advice on how to become energy efficient & reduce costs. We also want firms to adopt models of circular economy including recycling and repurposing.

How - Work with our regional partners to deliver the Net Zero programme to Sandwell Businesses, who stand to benefit from specialist advice, energy audits and grant funding to help decarbonise their business.

Evidence Base

Working with the Black Country Economic Intelligence Unit we have reviewed and analysed Sandwell’s economic data to inform the aims, objectives, and actions for the Sandwell Business Growth Plan. It is now presented as the evidence base for the plan, underpinning each of the seven economic priorities.



Figure 1 Headline Economic Indicators

Sandwell is home to fast growing, high employment, and high turnover businesses, with manufacturers accounting for 58% of the top 50 fastest growing companies in Sandwell last year.

There are 124,000 jobs in Sandwell, employed across a diverse sector base. Manufacturing accounts for 21,300 jobs, with subsector strengths in rubber, plastics, and metals. Sandwell businesses create the materials that are used in modern machinery such as automotive and aerospace.

These strengths are important for future success. However, supply chain firms are highly dependent on existing advanced manufacturing strengths in the region. Manufacturing is vulnerable to changing trends in the industry - automation, Artificial Intelligence, and the phasing out of fossil fuels within industries all bring a need for investment in innovation. Industry 4.0, the digital industrial revolution, presents an opportunity if there is support for rapid innovation, with innovation in

products and processes providing an opportunity to make local businesses more competitive and raise productivity levels within the borough.

Sandwell is an employment hub in the West Midlands

Sandwell has the 5th largest workforce across all Local Authorities in the West Midlands and the largest in the Black Country. Residents and businesses benefit from the interconnected labour market with West Midlands neighbouring local authorities. Sandwell is a net exporter of labour to Birmingham, and a net importer of labour from the rest of the Black Country. Every day 46,691 people come to Sandwell from neighbouring areas to work, and almost 53,699 Sandwell residents work outside the Borough. This is set to increase through extensions to the Metro, the Sprint Bus network and HS2. Most of the borough's economic activity is centred on the intersection of Oldbury, West Bromwich, and Smethwick - with areas on the border looking to large urban centres outside of the borough for jobs and opportunity.

To level up means we must tackle the causes of deprivation

High deprivation levels present huge, long-term challenges, which have only been made more complex by the pandemic which has exposed health inequalities. We still do not know the full impacts of the pandemic but areas such as Sandwell who were already experiencing challenges around productivity, skills, and deprivation are likely to see existing challenges exacerbated.

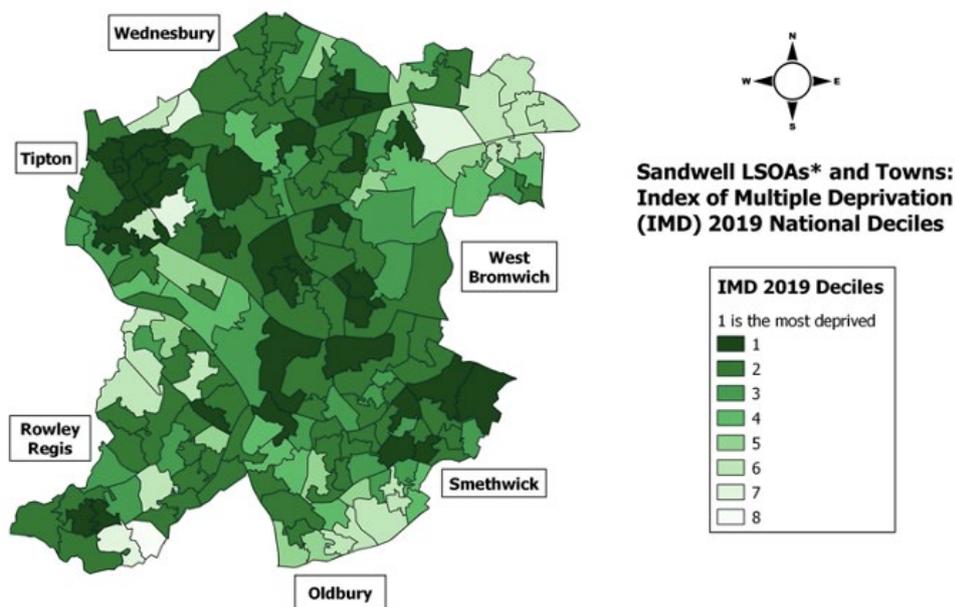


Figure 2 Deprivation Levels Measured Across Sandwell

We face long-term challenges around low wages, low skills, and deprivation. This cycle needs to change. Wages have risen 3.2% in the past year and are below the

Black Country average. More residents are employed in traditionally lower paid roles, with fewer residents in top managerial positions than comparators. The employment rate is lower than elsewhere and there have been large increases in the claimant count since the start of the pandemic.

There are signs that things may be starting to change. In the 2023 data 23.5% of the working age population in Sandwell were qualified to RQF4+ qualification levels, a shortfall of 40,906 to reach the national level of 45.1%. This is also lower than the Black Country average of 32.3% In addition, 11.8% of Sandwell residents have no qualifications and there is a shortfall of 9,932 to reach the national average level of 6.6%. The Black Country average is 10.6%.

It will take time to shift the dial on long term challenges around deprivation. Working alongside Sandwell's Employment & Skills Team, this plan must create the foundations for more good jobs in the borough, supporting residents to develop the skills to access local jobs.

Sandwell's population is young & diverse but there are concerns about inequality

40% of residents are under 30 years old and only 15% of residents are over the age of 65. This provides a supply of talent and labour, which is vital for businesses as workers retire and new jobs emerge based around changing technology and demand.

Sandwell is also diverse, with almost 42.8% of residents identifying within an ethnic minority. Ethnic minority-led businesses make important contributions to the borough's economy (as part of an annual contribution of £25 billion to the UK economy). They tend to be more innovative, more likely to export and are more likely to be led by women. However, ethnic minority-led businesses are often more detached from mainstream business support and struggle disproportionately when accessing finance. This is particularly concerning in the context of the pandemic where many ethnic minority-led businesses were badly impacted. This plan needs to include support for ethnic minority-led businesses, including support to improve access to finance, to help with recovery and growth but also to harness and maximise innovation and exporting strengths.

Sandwell's Productivity Gap

Sandwell has been the most productive economy within the Black Country for four consecutive years and in 2023 has dropped to the second. Productivity is an important driver of economic growth, as economic output can only be increased by either increasing the amount of inputs or by raising productivity. Without productivity growth, an economy can only increase its output of goods and services if more people worked or if they worked longer hours. We cannot lose

sight of the skills and wages challenges facing residents. But we must ensure that success we see in our businesses translates into higher wages for residents and more wealth generated and retained in Sandwell.

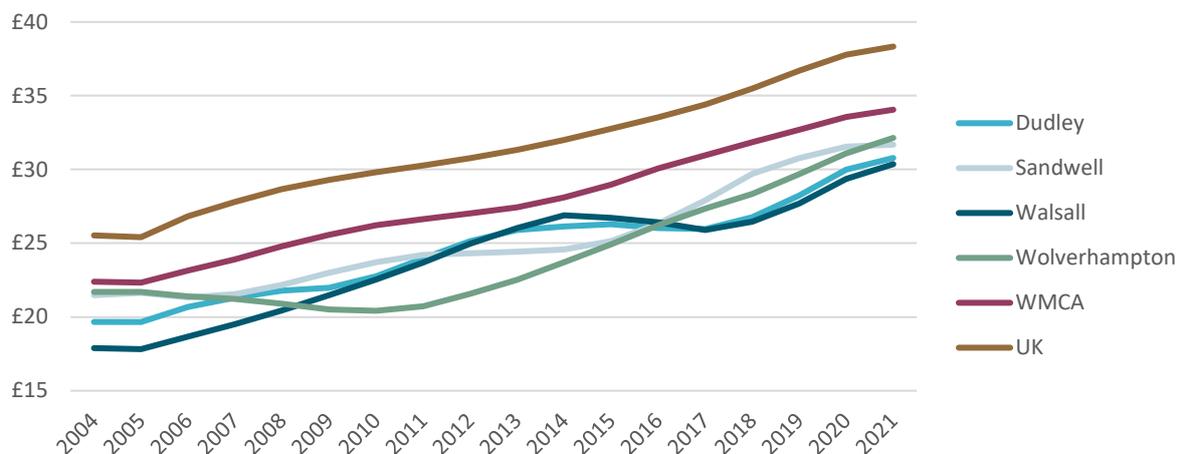


Figure 3 GVA per hr worked compared across Black Country, West Midlands, & UK (released 2023)

Sandwell Business Survival rates have increased but the number of Business Births in Sandwell has decreased.



13,525 new businesses started in Sandwell (2013 to 2021)



37% survive after 5 years (38.4% UK avg.)

Recently, Sandwell has seen a decline in the number of new businesses, which decreased by 4.6% between 2020 and 2021, albeit the longer-term trend has been one of strong growth. Survival rates for businesses after the first five years were 36.9%, above the Black Country (35.7%) but below national averages (38.4%). This suggests a need for more support for businesses to start up along with during the first five-year period in operation, with support targeted at areas where businesses report experiencing difficulty – accessing appropriate premises, finance and knowing where and who to turn to for advice.

This support will need to be tailored to reflect the business needs; it is critical that Start Ups and SMEs think through a financially viable business plan and we need to ensure that we reach out to all of Sandwell so that every business understands the support available.

The number of businesses in Sandwell is rising faster than regional and national growth rates.



11,545 VAT registered businesses in Sandwell
(+6.1% increase since 2020 & +1.4% nationally)



98% of these are small and micro businesses

The number of businesses in Sandwell is rising faster than regional and national growth rates. It is home to 1,033 of the Black Country's strategic companies and over half of the top 50 fastest growing businesses are in the manufacturing sector. Productivity is rising, and there has been an increase in 3,000 jobs (+2.5%). However low wages and skills levels remains a significant issue for residents and the productivity gap.

Many businesses now face challenges to become more resilient and to take advantage of new opportunities around technology and new markets. Businesses may require support to remain competitive in this changing business landscape and to create more higher skilled roles. This support is wide ranging, covering advice around exporting, investing in new opportunities, changing business models, and linking with growth sectors in the wider West Midlands economy.

Sandwell produced 1,306Kt CO₂ emissions in 2021, the highest level in the Black Country.



10% of business base are manufacturers
(cf. 5% national avg.)



1,306Kt CO₂ emissions produced in Sandwell in 2021,
the highest level in the Black Country



-11.3% reduction in emissions over the past 5 years.

In 2020, Sandwell Council declared a Climate Emergency and pledged to be carbon neutral by 2041. To reach this target, all parts of Sandwell will need to play their part in reducing emissions. This includes businesses who currently produce around 31% of the borough's overall carbon emissions and thus have the potential to make a large contribution to overall reductions.

As a manufacturing and industrial hub, companies in Sandwell may see high demand for energy or be in premises that are not climate resilient. To change can sometimes require significant investment in time and money, which not all companies have the capacity to manage alone.

Despite the challenge, there is a big prize here, for the environment, future generations, and in creating new green jobs and cost savings for businesses. Where local businesses have received support, they reported it had been effective with reductions in energy costs. This success must be replicated with all our businesses by raising awareness of sector growth opportunities and providing easy access to advice on how to become energy efficient and reduce costs.

Sandwell is home to over 250 known foreign-owned companies, supporting over 25,000 jobs.



781 FDI projects funded in the West Midlands in the past 5 years
181 FDI projects in the West Midlands 2022/23 (10.9% of total UK FDI)



25% of businesses have parent companies outside the UK
& account for 45% of employment



6,387 jobs created in the Black Country as a result of FDI
(2013/14-2022/23)



8,252 new jobs created in the West Midlands by foreign investors
(+48.1 vs 6.1% UK from 2021/22)

Foreign Direct Investment (FDI) is an important source of job creation, alongside supporting existing businesses, wider economic growth requires more new companies locating to the region. With a young population and cheap land, Sandwell should be an attractive location for businesses to locate and grow. Yet the lack of high quality, market-ready employment land and an investment offer means the borough struggles to land new businesses. In addition, existing businesses tell us they struggle to find suitable grow-on space in Sandwell.

Working with partners, we need to better support existing firms and attract more investment to Sandwell with an improved employment land and investment offer that showcases the opportunity that comes from being a business in Sandwell.

£2.9b Regeneration investment is coming on stream between now and 2027.

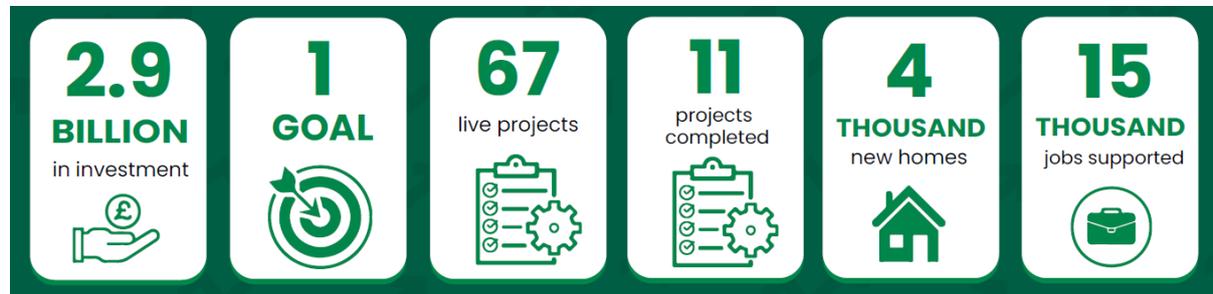


Figure 4 Regeneration Pipeline Figures (Oct 2023)

Close to Birmingham, Sandwell is well-connected and affordable. Significant investment in regeneration and connectivity between now and 2027 is estimated to be worth £2.9b, providing a strong foundation for economic growth. However, Sandwell experiences challenges such as a trend of higher value jobs and skilled residents leaving the borough permanently. The Sandwell Business Growth Plan is appended to the Regeneration Strategy, ensuring the economic growth benefits are maximised through regeneration investment.

Innovation investment and support are focussed to the region’s cities, with little attention on towns or strategic centres.



Since 2018/19, Sandwell organisations received £4.5m of Innovate UK funding



Sandwell received under £1m in funding from UK Research & Innovation (2020-21)

Since 2018/19, Sandwell-based organisations have received £4.5m worth of funding from Innovate UK specifically and recipients include Totally Modular Ltd, Midland Tool and Design, and Hadley Industries. However, Sandwell received under £1m in total direct UK Research and Innovation (UKRI) funding (including Research Councils, Research England, and Innovate UK) in 2020-21, equal to £3 per person. This is substantially lower than regional and national averages, but comparable to other Black Country local authorities.

Innovation is a priority of the West Midlands and there have been recent successes such as the investment in Birmingham Health Innovation Campus. However, innovation investment and support are focussed to the region's cities. We want to work with innovation partners to determine how we maximise the benefits of innovation clusters for Sandwell through the development of a Sandwell innovation narrative and a programme of support.

A higher-than-average proportion of employees in Sandwell are earning below the Real Living Wage and a high number of jobs in traditionally low wage sectors.



18% of employee jobs in Sandwell are below the real living wage (-25% since 2021)



Sandwell residents earn c.£6k less than the England avg.



Average skills levels are rising but 17% of residents have no formal qualification (c.11% above England avg.)



11.8% are in low skill service or elementary occupations in Sandwell, slightly above that of the national average of 9.2%

Wages are often low with a higher-than-average proportion of employee jobs earning below the Real Living Wage and a high number of jobs in traditionally low wage sectors. We need to work with businesses to increase demand for high level skills and create jobs with good pay and conditions, aligning skills supply with demand. This requires better labour market intelligence and raising awareness of the opportunities available with young people, ensuring that we communicate to the next generation what opportunities will be available in Sandwell based on economic growth areas.

Sandwell Council is spending 40% with local suppliers.



Sandwell Council spent £416m with suppliers



40% of this is spent locally

Sandwell Council as an Anchor Institution wants to increase spend with local businesses by changing how we procure contracts and monitor social value, embedding inclusive economic growth across the Council.

Increased local spend retains wealth in Sandwell and creates jobs. Significant investments from the £2.9b Regeneration Programme will increase tendering opportunities for local businesses. As well as increase our own spend, we want to encourage our businesses to increase theirs by raising awareness of local suppliers.

Listening to Business

The collective insight and experiences of the local business community have been instrumental in shaping this plan. We recognise that businesses are the backbone

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of our local economy, and their input has been invaluable in crafting a plan that is both relevant and effective. Through continual dialogue with local businesses, we have gained an understanding of their challenges and aspirations. Their insights have guided us in identifying key issues, prioritising solutions, and tailoring our plan to address the specific needs of our business community.

A range of economic challenges, from access to capital and workforce development to regulatory obstacles and market competition were identified. With this knowledge, the plan combines short-term actions with long-term sustainability, providing immediate support while fostering an environment for growth and prosperity. The voices of local businesses in our plan ensures that our actions are not only well-informed but also reflective of the diverse and evolving needs of our entrepreneurs. The below table demonstrates examples of where business insights have been translated into actions within the plan, demonstrating our commitment to being responsive and solution-oriented, and reinforcing our belief that when our **businesses are strong, our communities thrive.**

Business Challenge	Business Suggestions	Plan Actions
Employment Land/ Commercial Space	Address contaminated land from industrial use & create a map of available employment land	<p>Grow in Sandwell – Provide property and land searches service to businesses wanting to locate, relocate or expand within the Sandwell.</p> <p>Grow in Sandwell – Work with Government and the WMCA to lever in funding to regenerate brownfield land for commercial investment.</p> <p>Support in Sandwell - Make the employment land sites map available on the Sandwell Business Growth website.</p>
Funding and support for Start-Ups and SMEs	Support entrepreneurs and SMEs with grants, capital & finance	<p>Start Up in Sandwell – deliver wrap around support including grants to Sandwell Start-Ups</p> <p>Grow in Sandwell – provide support and grant funding to Sandwell SMEs</p> <p>Grow in Sandwell – facilitate Sandwell SMEs accessing support and grant funding from the regional SME programme.</p>
Access to Research & Development opportunities.	Sandwell needs a strong narrative about the innovative businesses that are already here. The Council could help broker connections into regional assets and development opportunities for these businesses.	<p>Innovate in Sandwell – commission research to define what innovation means in Sandwell and how the council can support it.</p> <p>Innovate in Sandwell - Work with innovation support partners to identify what support is available for Sandwell Businesses and how we facilitate.</p>
Clarity around how and who to access for Business Support.	Create a single "front door" through which businesses can access a range of support services; & more proactive and dedicated support services	<p>Support in Sandwell - Produce the Sandwell Business Growth Plan to articulate the support offer</p> <p>Support in Sandwell - Adopt a Customer Charter setting out our service standards to Businesses</p> <p>Support in Sandwell - Improve the customer journey through a new website and contact call centre provision</p>

Figure 5 Business Insights

Working with Partners

Collaboration with partner organisations is central to our plan for fostering local economic growth and assisting businesses in addressing their economic challenges. By joining forces with like-minded entities, we create a synergy that enhances our collective capacity to drive positive change and ensure the long-

term prosperity of our community. Partner organisations bring complementary strengths, resources, and expertise to the table. Through these collaborations, we gain access to a broader range of tools and solutions, making it possible to offer a more comprehensive and robust support system for our local businesses. Whether it's access to funding, specialised knowledge, or extended networks, these partnerships open new avenues for addressing the multifaceted challenges faced by our business community.

By working together, we can pool resources and share best practice, resulting in more efficient and effective solutions. This collaborative approach allows us to develop and implement initiatives that are more finely tuned to the specific needs of our local businesses. It fosters innovation and encourages the exchange of fresh ideas, ensuring that we remain adaptable and responsive to the ever-evolving economic landscape. Furthermore, partnering with like-minded organisations enhances our advocacy and outreach efforts. It amplifies our voice in promoting policies and initiatives that are conducive to local economic growth, while also bolstering our ability to secure funding and support from government agencies, philanthropic organisations, and other stakeholders who share our vision for a prosperous community.

Together, we are more resilient, innovative, and equipped to overcome economic challenges, ensuring a thriving and sustainable future for our community.



Figure 6 Snapshot of Partnerships

Conclusion

Recent years have been tough on our businesses and residents. During this time, we have worked hard as a Council to support them including providing companies with tens of millions of pounds of emergency business grant support and have been proud of the resilience and adaptability that local businesses have shown.

With the introduction of the UK Shared Prosperity Fund and local changes to business support organisations, we now start a new chapter.

We are optimistic for the future. Sandwell is seeing major investment from the public and private sector with regeneration leveraging in billions of pounds in capital investment between now and 2027. These new assets, with the right co-ordination, can help support new and existing businesses, creating jobs, attracting inward investment and kickstarting growth across the borough.

We know that businesses are vital to creating jobs and wealth in Sandwell and we want to ensure that they are well-placed to capitalise on this investment. We have developed the Sandwell Business Growth Plan to do everything we can to ensure our businesses and communities thrive. This includes a commitment to work more collaboratively with partners to maximise the resource and expertise available to businesses.

We have listened to businesses and dialogue will continue to ensure we are allocating appropriate resources and prioritising the right interventions. Let's continue to work together to make the most of this opportunity and make this Sandwell's time to prosper.

Appendix 1 Customer Charter

Sandwell Business Growth Customer Charter

Our Commitment to Your Business

The Sandwell Business Growth Team is dedicated to building stronger businesses, thriving communities, and supporting your business to achieve your ambitions.

When your business wins, everyone wins. This Customer Charter sets out our commitment to you, a member of our Sandwell business community, and what you can expect from us and the support we give.

Our standards

- We are helpful, polite, and respectful to you always
- We do not make promises to you we cannot keep
- We use plain language, and avoid jargon
- We provide relevant business guidance and support to your business
- We make referrals to specialist advisers to meet your business needs
- We direct you to alternative sources of information if required
- We assign a dedicated Key Account Manager to your business where applicable
- We ensure our website is accessible, up to date, accurate and relevant.
- We work continuously to improve Sandwell's economic prospects
- We are committed to delivering social value and community benefits
- We are your business link into Sandwell Council and the wider West Midlands region.

What you can expect

If you call our enquiry service:

- Your enquiry details to be captured accurately and referred to the relevant officer for a response
- To receive an initial call back or email response within two working days of enquiry receipt during our published opening hours
- Your data and information to be kept confidential and secure.

If you contact us with an email enquiry:

- To receive an initial call back or email response within two working days of enquiry receipt during our published opening hours
- A response to your enquiry within ten working days of receipt during our published opening hours
- A response that addresses all the points you raised, in plain language
- To be kept informed of progress and, if we are unable to answer your enquiry fully within the ten working day timeframe, to know when you can expect our full response
- To be directed to alternative sources of information if your enquiry falls outside the remit of our service
- That your data and information will be kept confidential and secure
- We will only use personal information you send us for the purposes for which you provide it.
- We will only hold your information for as long as necessary, once we have responded to your enquiry, for these purposes and will not pass it on to any other parties.

Contact us

Email: business_growth@sandwell.gov.uk

Website: www.sandwellbusinessgrowth.com

Call: 0121 569 2700

Opening hours Monday to Friday, 9am-5pm (excluding public holidays and council closures).

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Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary
Support in Sandwell	Sandwell Business Growth Plan	Plan produced and approved.		Plan produced and approved.	Y/N					SMBC	Cabinet Decision November 2023. The plan articulates the activities of the Business Growth Team in driving economic growth in Sandwell.
Support in Sandwell	Customer Charter and Service Standards	Charter produced and approved.		Charter produced and approved.	Y/N					SMBC	Cabinet Decision November 2023. The charter states the service commitment to Businesses from the Sandwell Business Growth Team.
		Initial response within 2 working days.	95%	Initial response within 2 working days.	%					SMBC	Confirmation of enquiry receipt and referred to appropriate Sandwell Business Growth Officer.
		Full response within 10 working days.	95%	Initial response within 2 working days.	%					SMBC	Response provided to customer from Sandwell Business Growth Officer.
Support in Sandwell	Sandwell Business Growth Brand	Brand and Service Offer Launched		Brand and Service Offer Launched	Y/N					SMBC	Sandwell Business & Partner Event scheduled 23 November 2023 to launch the Business Growth Team Offer and Services provided with a new brand.
Support in Sandwell	Sandwell Business Growth Website	Sandwell Business Growth website launched 23 November 2023.		Sandwell Business Growth website launched 23 November 2023.	Y/N					SMBC	Sandwell Business & Partner Event scheduled 23 November 2023. The Sandwell Business Growth website is designed to provide Businesses with accessible support and advice.
		Enquiries derived from the website.	60%	Enquiries derived from the website.	%						
		Customers rating website service as Satisfactory	10%	Customers rating website service as Satisfactory	%						
		Customers rating website service as Good	30%	Customers rating website service as Good	%						
		Customers rating website service as Excellent	60%	Customers rating website service as Excellent	%						
Support in Sandwell	Sandwell Business Growth & Regional Partner Customer Journey	No. of referrals received from Business Growth West Midlands		No. of referrals received from Business Growth West Midlands	No.					SMBC	Referral numbers to be recorded by the Sandwell Business Growth Team to ensure joined up working between regional and local partners.
Support in Sandwell	Business Growth Team Contact Centre.	No. of enquiries triaged from contact centre.		No. of enquiries triaged from contact centre.	No.					UKSPF	Contact centre enquiries to be recorded by the Sandwell Business Growth Team. Contact centre provides an additional accessible contact service for Sandwell's Business community.
Support in Sandwell	Sandwell Business Ambassadors - The Voice of the Sandwell Business Community	Policy Lobbying & Critical Friendship		No. of meetings held with SMBC Cabinet Members and Leadership Team	No.					SMBC	The Sandwell Business Ambassadors are the voice of the Sandwell Business Community and will meet regularly with SMBC Cabinet Members and Leadership Team to lobby on key policies and issues.
Support in Sandwell	Sandwell Business Ambassadors #DoingBusinessBetter	Support and Advice provided to Sandwell Businesses		Support and Advice provided to Sandwell Businesses	No.					SMBC	Doing Better Business Advice Themes: Community Wealth Building; Climate Resilience; Equality, Diversity & Inclusion; Positive Mental Health; Skills.
Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary
Start Up in Sandwell	Sandwell Start Up Hub					Businesses receiving non-financial support	60	Businesses receiving non-financial support	No.	UKSPF	
Start Up in Sandwell	Hub events and workshops	No. hosted	40	No. hosted	No.					SMBC	
		No. of attendees per event (av)	20	No. of attendees per event (av)	No.					SMBC	
Start Up in Sandwell	Start Up Grant Programme					Grant Value Administered	£ 120,000.00	Grant Value Administered	£	UKSPF	
						No. of Grants	48	No. of Grants	No.	UKSPF	Based on average grant of £2,500

Start Up in Sandwell	Sandwell Start Up Grant Programme	Grant Value Administered	£ 30,000.00	Grant Value Administered	£					SMBC			
		No. of Grants	12	No. of Grants	No.					SMBC	Based on average grant of £2,500		
Start Up in Sandwell	Sandwell Business School Programme					No. of Businesses assisted to be enterprise ready	60	No. of Businesses assisted to be enterprise ready	No.	UKSPF			
Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary		
Grow in Sandwell	Businesses receiving support from the Sandwell Business Growth Team.	No. of Businesses supported		No. of Businesses supported	No.					SMBC	All business enquiries actioned by the Sandwell Business Growth Team.		
Grow in Sandwell	Sandwell Businesses receiving specialist advice from partner organisations.	No. of Businesses referred		No. of Businesses referred	No.					SMBC	All referrals made by the Sandwell Business Growth Team to specialist advisor partners.		
Grow in Sandwell	Regional SME Programme					No. of Businesses receiving non-financial support	230	No. of Businesses receiving non-financial support	No.	UKSPF			
						No. of Entrepreneurs provided assistance to be business ready	12	No. of Entrepreneurs provided assistance to be business ready	No.				
Grow in Sandwell	Regional SME Grant Programme					Value of Grant Administered	£ 360,000.00	Value of Grant Administered	£	UKSPF			
						Businesses receiving financial support	19	Businesses receiving financial support	No.				
						Enterprises assisted to be business ready	2	Enterprises assisted to be business ready	No.				
Grow in Sandwell	Sandwell SME Grant Programme	Value of Grant Administered	£ 72,000.00	Value of Grant Administered	£					SMBC	Based on average grant £18k		
		Businesses receiving financial support	4	Businesses receiving financial support	No.								
Grow in Sandwell	Sandwell Trading in New Markets Programme	Businesses receiving 1:1 support	20	Businesses receiving 1:1 support	No.					SMBC			
		Business diagnostics	20	Business diagnostics	No.								
		Businesses participating in workshop support	60	Businesses participating in workshop support	No.								
Grow in Sandwell	Sandwell's Top 50 Growing Businesses Programme	Growing Businesses actively engaged with account manager	9	Growing Businesses actively engaged with account manager	No.					SMBC	Sandwell Business Growth Team to contact Top 50 Businesses to ensure that they are aware of our service and determine the account management approach. Each Business on the Top 50 will have named primary and secondary account manager/s.		
		Annual Top 50 Networking Event	1	Annual Top 50 Networking Event	No.								
		Event Attendees	100	Event Attendees	No.								
Grow in Sandwell	Sandwell's Strategic Businesses	Strategic Businesses actively engaged with account manager		Strategic Businesses actively engaged with account manager	No.					SMBC	Sandwell Business Growth Team to contact Strategic Businesses to ensure that they are aware of our service and determine the account management approach. Each Strategic Business will have named primary and secondary account manager/s. The list of Strategic Businesses in Sandwell is yet to be defined.		
		Strategic Businesses KAM Programme	5	Strategic Businesses receiving dedicated KAM	No.							DBT	KAM provided by the Department for Business & Trade (DBT)
		Strategic Businesses SRM Programme	8	Strategic Businesses receiving dedicated SRM	No.							WMGC	SRM (KAM) provided by the West Midlands Growth Company - 500 across the region, Sandwell proportion to be determined.

Grow in Sandwell	Sandwell Black Country Chamber Membership Programme	Businesses receiving 1 Year Free Membership	200	Businesses receiving 1 Year Free Membership	190					SMBC	Not yet commissioned. Awaiting results from 22/23 programme. 1 Year Membership to the Black Country Chamber of Commerce.
		Businesses accessing Membership services	100	Businesses accessing Membership services	No.						

Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary
Net Zero in Sandwell	Regional Net Zero Programme					Grant Value Administered	£ 140,355.77	Grant Value Administered	£	UKSPF	Grant administered by SMBC
						Businesses receiving financial support	9	Businesses receiving financial support	No.		Based on average grant of £15,500
						Businesses receiving non financial support	No.	Businesses receiving non financial support	No.		Non-UKSPF Contracted. Regional delivery partner responsible and will report to Sandwell Business Growth Team on outputs achieved.
						Businesses receiving Energy Audits	No.	Businesses receiving Energy Audits	No.		
						Greenhouse gas reductions (%) Decrease Kt Co2e	%	Greenhouse gas reductions (%) Decrease Kt Co2e	%		
						Businesses adopting new to the firm technologies or processes	No.	Businesses adopting new to the firm technologies or processes	No.		
						Businesses participate in Net Zero training	No.	Businesses participate in Net Zero training	No.		

Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary
Innovate in Sandwell	Sandwell Innovation Research Project	Sandwell Innovation Evidence Base		Sandwell Innovation Evidence Base	Y/N					SMBC	
Innovate in Sandwell	Scope Innovation Support Products & Programmes available for Sandwell Businesses.	Referral pathways for Innovation Products/ Programmes		Referral pathways for Innovation Products/ Programmes	No.					SMBC	Work with Innovation Organisations and Partners to determine products and programmes available and promote this offer to Sandwell Businesses.
Innovate in Sandwell	Sandwell Manufacturing Innovation Cluster									SMBC	Collaborate with the WMCA to identify Sandwell opportunities from the Manufacturing Cluster as articulated within the West Midlands Plan for Growth.
Innovate in Sandwell	Sandwell Low Carbon Innovation Cluster									SMBC	Collaborate with the WMCA to identify Sandwell opportunities from the Manufacturing Cluster as articulated within the West Midlands Plan for Growth.
Innovate in Sandwell	Sandwell Life Science & Health Tech Innovation Cluster <i>potential</i>									SMBC	Collaborate with the WMCA & NHS to identify Sandwell opportunities for within the Life Science Health Tech Cluster. <i>Sandwell is currently not identified within this cluster in the West Midlands Plan for Growth.</i>
Innovate in Sandwell	Research & Development (R&D)									SMBC	Develop relationships with local universities to identify R&D support for Sandwell Businesses.

Plan Priority	Activity	Forecast Team Outcomes		Achieved Team Outcomes		Forecast Contracted Outputs		Achieved Contracted Outputs		Funding Source	Commentary
Invest in Sandwell	Secure Inward Investment in Sandwell	New Landed Investment	3	New Landed Investment	No.					SMBC	Work with the Department for Business & Trade to support them in landing new inward investment to Sandwell.
		New Jobs Created	30	New Jobs Created	No.						
		Inward Investment Value		Inward Investment Value	£						
	Growth Sectors - Professional Services		2		No.						
	Growth Sectors - Life Sciences		2		No.						

Invest in Sandwell	Growth Sectors - Tech, Creative and Digital.	Strategic Businesses engaged	2	Strategic Businesses engaged	No.					SMBC	Ensure Sandwell Strategic businesses within Growth Sectors are engaged with the West Midlands Growth Company Sector Leads.
	Growth Sectors - Advanced Manufacturing		2		No.						
	Growth Sectors - Professional Services		2		No.						
Invest in Sandwell	International Inward Investment Relationships	Delegations Supported/ Hosted	1	Delegations Supported/ Hosted	No.					SMBC	Support the hosting of international delegation visits to Sandwell to support Foreign Direct Investment (FDI).
	Domestic Inward Investment Relationships	Delegations Supported/ Hosted	1	Delegations Supported/ Hosted	No.						Support the hosting of domestic delegation visits to Sandwell to support Inward Investment.
Invest in Sandwell	West Midlands Growth Company - Business Plan	Agreed Sandwell Support Programme		Agreed Sandwell Support Programme	Y/N					SMBC	Work with the West Midlands Growth Company to ensure support from their organisation is maximised for Sandwell.
		Investment Events Supported	2	Investment Events Supported	No.						Work with the West Midlands Growth Company to ensure Sandwell is supported and promoted at national and international investment events, including brokerage of meetings with key investors.

Plan Priority	Activity	Forecast Team Outcomes	Achieved Team Outcomes	Forecast Contracted Outputs	Achieved Contracted Outputs	Funding Source	Commentary
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Social Value in Sandwell	Sandwell Social Value Policy & Toolkit	Policy Approved		Policy Approved	Y/N					SMBC	Scheduled for Cabinet Decision November 2023
Social Value in Sandwell	Sandwell Social Value Awareness & Advice	Social Value Toolkit		Toolkit Approved	Y/N						A suite of accessible information and templates for internal stakeholder, partners, and contractors for securing or delivering Social Value outcomes.
		Website Information		Web pages available	Y/N						On-line Social Value information available for internal stakeholders, partners, and contractors.
		Best Practice Brochure		Brochure Produced	Y/N						Showcasing case studies of Social Value Best Practice in Sandwell.
		Social Value Sessions	6	Social Value Sessions	No.						A programme of Social Value sessions to promote awareness of Social Value, Best Practice, and where to find support. The sessions will focus on internal stakeholders and partners.
		Good News Stories	4	Good News Stories	No.					Good News Stories published on Social Media and websites.	
Social Value in Sandwell	Sandwell Business Ambassadors - Give Back to Sandwell	Business to Business promotion		Business to Business promotion						SMBC	Sandwell Business Ambassadors promoting to other Sandwell Business ways they can contribute to Sandwell's communities.
Social Value in Sandwell	Monitoring & Measuring Social Value outputs & outcomes	Research & Market Testing		Research & Market Testing	Y/N					SMBC	Undertake research and market testing into products/ systems to effectively record, monitor and measure social value outputs of the council.
Social Value in Sandwell	Social Value Pipeline 2022-2027	Social Value Delivery Plans		Social Value Delivery Plans	No.					SMBC	Align the Regeneration Project Pipeline to a Social Value Pipeline to target Social Value opportunities from Regeneration projects in Sandwell.
		Apprenticeships		Apprenticeships	No.						
		Jobs		Jobs	No.						
		Local Spend		Local Spend	£						
Social Value in Sandwell	Social Value Council Contracts	Social Value Delivery Plans		Social Value Delivery Plans	No.					SMBC	
		Apprenticeships		Apprenticeships	No.						
		Jobs		Jobs	No.						
		Local Spend		Local Spend	£						
Social Value in Sandwell	Social Value Planning Applications	Social Value Delivery Plans		Social Value Delivery Plans	No.					SMBC	
		Apprenticeships		Apprenticeships	No.						
		Jobs		Jobs	No.						
		Local Spend		Local Spend	£						

Social Value in Sandwell	Supply Chain Support	Meet the Buyer Events	2	Meet the Buyer Events	No.					SMBC	Events for local supply chains meet with leading contractors of significant regeneration and infrastructure.
		Tender Training	3	Tender Training	No.					SMBC	Training sessions for local supply chains in writing winning tenders.
Social Value in Sandwell	Sandwell Anchor Network Partnership	Anchor Network Charter Commitments		Anchor Network Charter Commitments	No.					SMBC	Anchor Institutions committing to the Anchor Network Charter.
		Anchor Network Action Plan		Anchor Network Action Plan	Y/N						Action Plan articulating the priorities of the Anchor Network - Local Procurement & Employment.
		Spend Analysis Research		Spend Analysis Research	Y/N						Research to determine current local spend within Anchor Institutions and identify opportunities where spend can be more locally focussed.
Social Value in Sandwell	Sandwell Business Ambassadors	Critical Friend to Anchor Institutions		Critical Friend to Anchor Institutions						SMBC	Ensure the Sandwell Business Ambassadors are connected to the work of the Anchor Network Partnership.
Social Value in Sandwell	Employment & Skills Strategy	Jobs			No.					SMBC	Work with the Think Sandwell Employment & Skills Team to support local recruitment & training opportunities through brokering relationships with our contractors and partners.
		Apprenticeships			No.						

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Appendix 3 Sandwell Business Growth Plan Budget Profile

Source	Capital / Revenue	Activity	Budget	22/23	23/24	24/25			
Support in Sandwell									
SMBC	Revenue	Sandwell Business Growth Website	£ 42,470.00	£ 28,555.00	£ 13,915.00	£ -			
SMBC	Revenue	Sandwell Business Growth Service Marketing Collateral	£ 9,530.00	£ -	£ 4,765.00	£ 4,765.00			
Grow in Sandwell									
BREXIT	Revenue	Sandwell SME Grant Programme	£ 72,000.00	£ -	£ 72,000.00	£ -			
UKSPF	Revenue	SME Advisors	£1,280,000.00	£ -	£ 460,800.00	£ 819,200.00			
UKSPF	Capital	Regional SME Grant Programme	£ 849,688.05	£ -	£ 305,887.66	£ 543,800.39			
UKSPF	Revenue	Regional SME Grant Programme	£ 149,944.95	£ -	£ 53,980.17	£ 95,964.78			
COMF	Revenue	Top 50 Events	£ 20,000.00	£ -	£ 10,000.00	£ 10,000.00			
COMF	Revenue	Access to Annual Membership for Specialist Support	£ 80,000.00	£ -	£ 40,000.00	£ 40,000.00			
COMF	Revenue	Trading in New Markets Programme	£ 127,120.40	£ 32,000.00	£ 47,560.20	£ 47,560.20			
Social Value in Sandwell									
COMF	Revenue	Meet the Buyer Events	£ 40,000.00	£ -	£ 20,000.00	£ 20,000.00			
COMF	Revenue	Tender Workshops	£ 15,000.00	£ -	£ 6,000.00	£ 9,000.00			
Start Up in Sandwell									
UKSPF	Capital	Start Up Grants	£ 120,000.00	£ -	£ 60,000.00	£ 60,000.00			
UKSPF	Revenue	Start Up Grants	£ 120,000.00	£ -	£ 60,000.00	£ 60,000.00			
UKSPF	Revenue	Sandwell Business School Programme	£ 100,000.00	£ -	£ 50,000.00	£ 50,000.00			
UKSPF	Revenue	Sandwell Start Up Hub	£ 448,088.00	£ -	£ 224,044.00	£ 224,044.00			

