

SOCIAL SERVICES TRANSITION AND HOUSING COMMITTEE
9 SEPTEMBER 1997

Present: Councillor Angell (Chairman)
Councillors Barnard, Bayle, Grayson, Harrison, Miss Haydon,
Mrs Hayes, Mrs Hirst, Jones, McCormack, Mrs Pile, Ryan,
Mrs Shillcock, Simonds, Worrall

Also in attendance: County Councillor Mrs Williams

An Apology for Absence was received from Councillor Egan

218. **Minutes.**

The minutes of the meetings of the Committee held on 13 May and 17 June 1997 were approved as correct records and signed by the Chairman.

219. **Welcome.**

The Chairman welcomed the new Director of Social Services and Housing, Mr Trevor Farmer and also informed members that Mrs H Clanchy and Mrs P Murdon had been appointed as Assistant Directors of Social Services and Housing respectively.

220. **Urgent Action Taken Under Delegated Powers.**

The Committee was advised of an urgent action taken under delegated powers by the Borough Housing Officer in relation to the acceptance of tenders for external repairs and redecoration works.

221. **Minutes - Sub Committees.**

Further to a comment from a Member, it was agreed that the minutes of the Inter Officer Working Groups should be submitted for information to future meetings of the Committee. Whilst it was noted that the Berkshire Social Services Officer Group had just disbanded, it was noted that there may be other joint officer groups discussing issues of relevance to the Committee. Arising from this the Committee also determined that an update report should be submitted to the next Committee meeting on joint issues.

RESOLVED that:

- (i) the minutes of the Housing Sub Committee held on 13 May and 1 July (Appendix A) and the Social Services Transition Sub Committee held on 13 May 1997 be received and noted;
- (ii) the minutes of the Social Services Transition Sub Committee on 15 July 1997 (Appendix B) be received and noted subject to the inclusion of Councillor Simonds being shown as attending;
- (iii) future relevant minutes of Inter Officer Working Groups be submitted to the Committee for information; and

- (iv) the Officers bring a report to the next meeting concerning outstanding joint issues.

222. **Terms of Reference and Other Matters. (Item 1)**

Further to minute 78 (17 June 1997) the Chairman reported that the Social Services Transition and Housing Focus Group had met on 27 August 1997 to consider various outstanding issues with regard to terms of reference, appointment of Sub Committee and other subsidiary matters.

Further to a lengthy debate it was

RESOLVED that the Committee support the following recommendations of the Focus Group to the Strategy and Policy Committee:

- (i) that consideration of financial/budgetary allocations and the responsibility for the fixing of rents be the responsibility of the main Social Services Transition and Housing Committee;
- (ii) that a Joint Community Care Panel be not appointed, but Focus Groups be used to consider issues where appropriate;
- (iii) that a joint Children's Services Advisory Panel (with Education) be appointed on the proportional basis 2:1 (with co-options being permitted from other service committees where appropriate), and the terms of reference be as set out at Annexe A of the report, subject to the inclusion of the words "..... and early years plan." at term of reference No. 6. Such meetings to be scheduled into forthcoming committee cycles (appointments to be made at Strategy & Policy Committee);
- (iv) that no action be taken on the appointment to a Young Persons Panel at this time;
- (v) that the situation with regards to the Voluntary Sector Liaison Panel, as detailed in the report, be noted;
- (vi) that the proposed Social Housing Programme and Access Sub Committee and the Housing Management and Repair Sub Committee be not appointed;
- (vii) that the current procedure for dealing with urgency matters (whereby urgent actions are authorised by the Chief Officer in consultation with the Chairman and Vice Chairman, verified by the Borough Administrator and reported to the next Committee) be retained;
- (viii) that the members of the Housing Sub Committee be appointed as the body from which three members are chosen for each meeting of the Housing Benefit Review Board;
- (ix) that the Standard Terms of Reference For All Service Policy Committees be reworded, as set out at Annexe B of the report;
- (x) that a Focus Group be established to examine the performance targets and indicators for the Social Services and Housing areas;
- (xi) that the Terms of Reference at Annexe C of the report for the Housing Sub Committee be approved;

(See Minute 232 below)

- (xii) that, at this time, the terms of reference for the Social Services Transition Sub Committee shall be to undertake planning and preparations in relation to all statutory Social Services functions;
- (xiii) that the Officers work out detailed terms of reference for the Social Services Transition Sub Committee (for implementation from 1 April 1998) and report back to the Focus Group;
- (xiv) that no co-options be made onto the policy or sub committees; and
- (xv) that the current delegations to Officers be noted and the work to be undertaken in this respect be noted and approved, but that within such approval the delegations suggested in the report be included for consideration at the appropriate time.

223. Eligibility Criteria. (Item 2)

The Deputy Borough Housing Officer reported that Social Services was responsible for assessing the needs of people requiring community care and Children's Act services as well as making arrangements for the provision of services within the available resources.

The County Council had achieved a satisfactory level of understanding and acceptance of its own eligibility criteria, from its own staff, service users and colleagues in other agencies, although it was noted that the criteria may need to be reviewed at a future date when it could be evaluated in the context of the different demands and pressures for the new unitary authority. In the meantime it was recommended that the existing County Council eligibility criteria be accepted in principle in order to ensure a smooth transition.

In response to a question from a Member, Mr Farmer confirmed that there would be a possibility of looking at preventative work, dependant on the availability of appropriate resources.

RESOLVED that:

- (i) the existing eligibility criteria be accepted, in principle, to ensure a smooth of the service; and
- (ii) the scheme be the subject of review in the coming year.

224. Charging Criteria. (Item 3)

The Deputy Borough Housing Officer reported that users of Social Services may be asked to make a contribution to the cost of services where they have the ability to pay. Charges were mandatory for permanent adult residential and nursing home care and local authorities had the power to charge for other services under various legislation. Authorities were not allowed to charge for assessing the needs of those who came to them for care. There were some clients

who, for a variety of reasons, did not pay the charges they had been assessed to pay and therefore Members would be asked to agree a policy on the extent to which bad debts were pursued at a later date.

In order to ensure a smooth transition the Committee was asked to consider approving, in principle, the County Council's charging criteria, the key elements of which were that charges were generally based on a financial assessment, there was a threshold for charging, client groups were charged differently for some services, and charges were currently calculated per service received and invoiced separately.

RESOLVED that the charging arrangements currently in use by Berkshire Social Services be endorsed, in principle. The amounts to be charged may alter once the budget details and local cost of administering the system were known.

225. **Property Issues. (Item 4)**

The Deputy Borough Housing Officer reported that the Borough Council leased units of housing accommodation to the Berkshire County Council to accommodate people with special needs. When the County Council ceased to exist on 1 April 1998 the occupants of these premises would automatically become tenants of the Borough Council. Such occupants included people with physical disabilities, learning disabilities or people recovering from mental illness. A number were used as stepping stones from residential or hospital settings to more independent living.

It was proposed to negotiate alternative leasing arrangements for the County Council to introduce registered social landlord and thus attempt to overcome the difficulties (identified in the report) which did not apply to Housing Association tenancies.

RESOLVED that:

- (i) in conjunction with the County Council, tenancies and leases granted to Berkshire County Council Social Services of properties used as special needs accommodation for social service clients be reviewed and where appropriate new arrangements be put into place with suitable registered social landlords, in consultation with tenants as required;
- (ii) to ensure that new leases are in place by 1 April 1998, individual arrangements be delegated for approval to the Director of Social Services and Housing in consultation with the Chairman; and
- (iii) new arrangements take account of any further clients in respect of housing benefit assessments for supported housing accommodation issued by the Department of Social Security.

226. **Social Services Training. (Item 5)**

The Deputy Borough Housing Officer reported that options for training had recently been considered by a sub group of officers from each of the districts and boroughs. There were two options for joint arrangements proposed, one which left the existing training, centres as they were but the unitaries providing some of their own direct training and the second which amalgamated the NVQ Centre and Practice Learning Centre into one unit which would be known as a Social Care Qualification Centre, although unitaries would still need to provide some of their own direct training.

Bracknell Forest was the only one of the six unitaries to have an NVQ Centre, but it did not presently provide any training in social care. There may be opportunities for the development of new courses at a combined centre at some time in the future.

RESOLVED that:

- (i) the proposal for the joint arrangements for training under option 2 detailed in the reports be supported in principle; and
- (ii) detailed proposals be submitted in the Autumn.

227. Release of Set Aside Capital Receipts. (Item 6)

Further to minute 172 (Strategy & Policy, 16 July 1997) the Deputy Borough Housing Officer reported the amount of set aside capital receipts proposed for Bracknell was £80,000 and the criteria by which this money may be spent was currently being examined. The basis of expenditure must be that it results in the improvement of housing stock and the suggested criteria likely to be considered on a favourable basis included works that resulted in improved energy efficiency. Any capital expenditure would affect the Council's revenue account. £80,000 of capital expenditure would have an adverse effect upon revenue to the value of £5,000 within the first year. However this would be rectified in the second year by an increase in the revenue support grant.

RESOLVED that:

- (i) provided Bracknell was allocated a supplementary credit approval as envisaged, the £80,000 of set aside capital receipts be used towards the improvement of the Council's housing stock; and
- (ii) project details be approved by the Director of Social Services and Housing, in consultation with the Chairman, dependant on the criteria most likely to achieve a successful bid and compatible with the Housing Strategy Statement.

228. Housing Act 1996: Parts (vi) and (vii) - Allocation of Housing and Homelessness - New Order and Regulations. (Item 7)

Mr Farmer reported that a Statutory Instrument (SI) published in August 1997 gave further descriptions of people to whom a reasonable preference was to be given in the allocation of accommodation. The SI would come into effect on 1 November 1997. The effect of the regulations was to require local authorities to give a reasonable preference in the allocation of housing to any people found to be unintentionally homeless and in priority need.

RESOLVED that:

- (i) the requirement that people found to be unintentionally homeless and in priority need be added to the categories of people to whom reasonable preference must be given;
- (ii) the Director of Social Services and Transition be authorised to update the allocation policy and procedures by giving 20 points to those people accepted as unintentionally homeless, and in priority need, to reflect reasonable preference, as an interim measure, with affect from 1 November 1997; and
- (iii) the allocation policy and waiting list criteria be the subject of a full review by Spring 1998.

229. **Officer Delegations - Service of Notices of Intention to Seek Possession and Notice to Quit. (Item 8)**

The Deputy Borough Housing Officer reported that under the present delegation to officers, notices to seek possession and notices to quit had been signed by a named person or persons which currently were the Borough Solicitor, the Borough Housing Officer or the Deputy Borough Housing Officer. In the new joint Social Services and Housing Department, it would be appropriate to review the delegation to expedite the service of notices by increasing the number of officers delegated to sign the appropriate notices.

RESOLVED that the delegation to officers to sign notices to seek possession and notices to quit be extended to the Borough Solicitor, Director of Social Services and Housing, the Assistant Director (Housing), the Housing Estates Manager and the Assistant Housing Estates Manager.

230. **Further Statement of Housing Strategy. (Item 9)**

In a detailed joint report the Deputy Borough Housing Officer and Borough Environmental Services Officer reported that the Government Office for the South East had invited local authorities to provide additional information which reflected the changes to the local Housing Strategy approved for the current year.

Accordingly a detailed further statement of Housing Strategy had been prepared and was presented before members and on which Officers responded to members comments and questions.

RESOLVED that the further statement of Housing Strategy be approved for onward transition to the Government Office for the South East.

231. **Items Submitted for Information.**

The Committee received the following reports submitted for information:

Berkshire Health Authority Mental Health Strategy - A Discussion Document: June 1997 (Item 10)

Financial Strategy (Item 11)

With regard to item 10 above, Mr Farmer reported that at a joint meeting, all of the new Directors of Social Services for Berkshire had expressed concern at the Health Authority's document and would be writing a joint letter expressing such concerns. Concerns have also

been expressed individually by two of the other boroughs in Berkshire and further to a request from a member it was recommended that Bracknell also submitted a response to the document.

RESOLVED that a letter expressing the Council's concerns be sent to Berkshire Health Authority be regard to their mental health strategy: discussion document and a copy of the letter be circulated to members of the Committee.

232. **Conditions of Tenancy and Tenants Consultation. (Tabled Item)**

In a joint report tabled with the agreement of the Committee, the Borough Housing Officer and the Borough Solicitor reported that the Council's current conditions of tenancy, adopted in 1992, required revision in order to cater for the considerable development in the law over the last few years; to enable the Council to deal more effectively with cases of nuisance and other anti social behaviour, and to address other deficiencies in the current conditions of tenancy which had become apparent through experience. The Housing Act 1985 set out for the procedure for varying conditions of tenancy, part of which involved consultation with tenants on the proposed revised tenancy conditions and considering their representations (if appropriate making changes for the proposed new conditions of tenancy). Accordingly the Committee was advised that, in order for the revised conditions of tenancy to be adopted from 1 January 1998, it would be necessary to establish a special Sub Committee to consider tenants comments and make any appropriate variations to the draft conditions of tenancy.

The housing legislation required the Council to establish arrangements to consult secure tenants upon housing management matters and it was proposed that the responsibility for determining what arrangements were to be made be delegated to the Housing Sub Committee.

RESOLVED that:

- (i) a Tenancy Conditions Sub Committee be established comprising of Councillors Angell, Mrs Hirst, Mrs Shillcock, Simonds and Worrall with delegated responsibility to consider tenant comments in response to Preliminary Notices of Proposed Variation of Conditions of Tenancy and to make any amendments to the proposed conditions of tenancy; and
- (ii) responsibility for determining arrangements for tenant consultation, pursuant to Section 105 of the Housing Act 1985, be delegated to the Housing Sub Committee.

The meeting commenced at 7.30pm and concluded at 10.00pm.

CHAIRMAN