

CABINET Agenda

Date Monday 19 August 2024

Time 6.00 pm

Venue Lees Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services at least 24 hours in advance of the meeting.
 2. CONTACT OFFICER for this agenda is Constitutional Services Tel. 0161 770 5151 or email constitutional.services@oldham.gov.uk
 3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Wednesday, 14 August 2024.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

MEMBERSHIP OF THE CABINET

Councillors M Ali, Brownridge, Dean, Goodwin, F Hussain, Jabbar, Mushtaq, Shah (Chair) and Taylor

Item No

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

4 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

5 Minutes of Previous Meeting (Pages 5 - 14)

The Minutes of the meeting of the Cabinet held on 15th July 2024 are attached for approval.

6 Oldham Youth Justice Service Plan 2024/2025 (Pages 15 - 58)

To consider the Youth Justice Plan 2024/25 and to recommend its approval at the Council meeting on 11th September 2024

7 Revenue Monitor and Capital Investment Programme 2024/25 (Pages 59 - 96)

Report covering Quarter 1 (April – June 2024)

8 Local Taxation and Benefits Discretionary Policies 2024/25 (Pages 97 - 162)

A report seeking approval for a number of amended Local Taxation and Benefits Discretionary Policies.

9 Debt Recovery Policies (Pages 163 - 186)

A report seeking approval to adopt the proposed Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

10 The Future of Mental Health Social Work (Pages 187 - 210)

A report outlining future options regarding the Social Work statutory functions under the Care Act will be carried out within the field of Mental Health.

11 Laptop Hardware Refresh (Pages 211 - 220)

A report that seeks executive approval to rejuvenate the Council's existing laptop device estate for Council staff.

12 Microsoft Licence Enterprise Agreement (Pages 221 - 232)

A report requesting approval of a new 3 year Enterprise Agreement with Microsoft via a procurement compliant Framework Agreement.

13 Project Skyline Partnership Agreement (Pages 233 - 238)

A report detailing a Greater Manchester proposal to create a supply of children's homes to increase availability of Children Looked After placements in the Greater Manchester region for some of the most vulnerable young people.



- 14 Replacement of Oldham's Cremators (Pages 239 - 244)
A report that requests delegated authority be granted to approve a contract for the demolition and removal of three cremators and the supply, installation, and maintenance of three new Cremators at Oldham Crematorium, following a procurement exercise.
- 15 Exclusion of the Press and Public
To consider that the press and public be excluded from the meeting for the following four items of business, pursuant to Section 100A(4) of the Local Government Act 1972 on the grounds that discussions may involve the likely disclosure of exempt information, under paragraph(s) 3 as defined in the provisions of Part 1 of Schedule 12A of the Act, to the Local Government Act 1972 and public interest would not be served in publishing the information.
- 16 Laptop Hardware Refresh (Pages 245 - 260)
To consider recommendations in the confidential report
- 17 Microsoft Licence Enterprise Agreement (Pages 261 - 272)
To consider recommendations in the confidential report
- 18 Project Skyline Partnership Agreement (Pages 273 - 282)
To consider recommendations in the confidential report
- 19 Replacement of Oldham's Cremators (Pages 283 - 288)
To consider recommendations in the confidential report

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Present: Councillor Shah (in the Chair)
Councillors M Ali, Brownridge, Dean, Goodwin, F Hussain,
Mushtaq and Taylor

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jabbar.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

Councillor Al-Hamdani submitted the following question:
'Oldham has not adopted a policy for enabling on street charging of cars, despite the high percentage of on streetcar parking across the borough, particularly in town and village centres. Members of the public who want to purchase electric cars are being prevented from doing so because they cannot get approval from the Council for the installation of on-street charging solutions. The Council should not be preventing residents from adopting low-carbon technologies such as electric vehicles.

The Department for Transport is promoting the use of charging channels (for example, <https://www.kerbocharge.com/local-authorities>), with a formal policy expected shortly. They are even providing financial support for their introduction (<https://www.gov.uk/guidance/electric-vehicle-chargepoint-and-infrastructure-grant-guidance-for-installers>).

Would the cabinet and the relevant cabinet member support the introduction of a local policy supporting approval of on-street charging solutions such as charging channels, as many other local authorities have done already? Will you commission a report from officers into their introduction, and bring it forward via Council at the soonest possible opportunity?'

Councillor Goodwin, Cabinet member for Don't Trash Oldham, replied as follows:

'Oldham Council has adopted the Greater Manchester Electric Vehicle Charging Infrastructure Strategy which Transport for Greater Manchester (TfGM) produced on behalf of all ten Greater Manchester local authorities. This is available to download via the TfGM website at:

<https://electrictravel.tfgm.com/greater-manchesters-ev-strategy/>

To ensure that Greater Manchester has the electric vehicle charging infrastructure network that it needs to support the

transition to electric vehicles over the next 5 years, TfGM and the ten Greater Manchester local authorities (including Oldham) have secured funding from the Office for Zero Emission Vehicles (OZEV) to provide electric vehicle charging solutions for properties without access to off street parking. TfGM has also set up an electric vehicle website <https://electrictravel.tfgm.com/> which includes details of future charging plans and funding bids.

With respect to the crossing of footway and/or gullies, Oldham Council has already engaged with some private providers about the viability and efficacy of such schemes for Oldham residents. Options will be further considered once national policy has been introduced and addresses the range of issues, especially those around highway safety. Reviews and options, once determined, will be shared with the residents of Oldham.'

5 **MINUTES**

Resolved:

That the Minutes of the meeting of the Cabinet held on 17th June 2024 be approved as a correct record.

6 **APPOINTMENTS TO CABINET SUB-COMMITTEES AND JOINT COMMITTEE**

Consideration was given to a report of the Director of Legal which sought appointments to the following Cabinet Sub-Committees, in 2024/25:

1. Local Investment Fund Cabinet Sub-Committee
2. Shareholder Cabinet Sub-Committee
3. Oldham Integrated Care Partnership

The terms of reference for each sub-committee were considered by the Cabinet.

Options/alternatives considered:

Option 1 – To appoint to the sub-committees.

Option 2 – Not to appoint to the sub-committees.

Resolved That:

1. Membership of the Local Investment Fund Cabinet Sub Committee, in 2024/25, comprise:
 - The Leader of the Council
 - The Statutory Deputy Leader of the Council
 - The Cabinet Member for Value for Money and Sustainability
2. Membership of the Shareholder Cabinet Sub-Committee, in 2024/25 comprise:
 - The Leader of the Council
 - The Statutory Deputy Leader of the Council
 - The Cabinet Member for Value for Money and Sustainability
 - The Cabinet Member for Don't Trash Oldham.
3. Membership of the Oldham Integrated Care Partnership, in 2024/25 comprise:
 - The Leader of the Council

- The Cabinet Member for Adults, Health and Wellbeing
- The Cabinet Member for Children and Young People
- The Cabinet Member for Don't Trash Oldham
- 4. The terms of reference for the Local Investment Fund Cabinet Sub-Committee, the Shareholder Cabinet Sub-Committee and the Oldham Integrated Care Partnership, be noted.

7

TREASURY MANAGEMENT OUTTURN REPORT 2023/24

The Cabinet considered a report of the Director of Finance that advised members of the performance of the Treasury Management function of the Council for 2023/24 and provided a comparison of performance against the 2023/24 Treasury Management Strategy and Prudential Indicators.

The Council was required to consider the performance of the Treasury Management function in order to comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021). The report provided an update and included the new requirement in the 2021 Code, mandatory from 1st April 2023, of quarterly reporting of the treasury management prudential indicators. The report also set out the key Treasury Management issues for Members' information and reviews and outlined the following:

- An economic update for 2023/24.
- An update of the Council's current treasury management position.
- Council Borrowing.
- Treasury Investment Activity.
- Treasury Performance for 2023/24.
- Treasury Management Prudential Indicators.

This report was presented to and considered by the Audit Committee at its meeting on 27th June 2024. The Audit Committee has responsibility for scrutinising all of the Council's treasury management arrangements. All questions and issues raised at the meeting were addressed to the satisfaction of the Committee Members. The Committee was therefore content to recommend the report to Cabinet for approval.

Resolved, that the Cabinet:

1. Approves the actual 2023/24 prudential and treasury indicators presented in this report.
2. Approves the annual Treasury Management Outturn report for 2023/24.
3. Commends this report to Council.

8

HIGH NEEDS PROVISION IN MAINSTREAM SETTINGS AND ALLOCATION OF S106 RESOURCES SECURED FROM DB450

The Cabinet considered a report of the Director of Education, Early Years and Skills which sought approval for 4 capital projects that would offer additional places and enhance provision for pupils with additional needs, who are based predominately in mainstream settings. The report also sought

approval for the allocation of resources secured through Section 106 Planning Obligations towards the scheme.



Oldham
Council

The four projects were:

Project One (Richmond Academy) - this project would enable specialist provision for commissioned integrated places for pupils with SEND at Richmond Academy. The academy already has an existing hub for pupils with complex needs and this development will enable a further 20 additional places to be offered. The total estimated cost for this project is £310,341.

Project Two (Greenhill Academy) - this project would upgrade and develop existing specialist provision at Greenhill Academy which will enable the LA to commission places for pupils with complex SEND. The project will generate an additional 20 places. The total estimated costs for this project are £329,364.

Project Three (St Thomas Moorside Voluntary Controlled Primary School) - this project would enable the school to offer commissioned places for children with ASD and SEMH within a resource unit. This would support some of the schools' current children and in addition offer an additional 12 places. The total estimated costs for this project are £377,340.

Project Four (Whitegate End Community Primary School) - this project would create a "mainstream plus" provision for 12 children in receipt of an EHCP with a primary need of SEMH. These places would be commissioned by the LA and ring fenced for children who currently attend Oldham schools. The total estimated costs for this project are £300,000.

The total cost of the four projects was £1,317,045 and projects one, two and four are within the 2-mile radius to utilize the circa £600,000 of Section 106 contributions alongside the Basic Need Grant and project three would be funded by Basic Need Grant alone.

All four school above currently had a 'good' Ofsted rating and have excellent track records of supporting children with additional needs.

It was strongly recommended that the Cabinet support these projects, which represent the first step in some significant planned developments for children with additional needs.

Options/alternatives considered:

Option 1 - To approve the above capital investment for the project listed above and achieve the councils' obligations contained within the S106 obligations.

Option 2 – Not to approve the projects and risk having to return the S106 contributions to the developer and not achieve the additional school places required.

Resolved:

That Cabinet approves the capital investment for the four projects listed above thereby achieving the councils' obligations contained within the S106 obligations.

DWP RESTART CONTRACT EXTENSION FOR GET OLDHAM WORKING SERVICE



The Cabinet considered a report of the Director of Education, Early Years and Skills, which sought approval for the acceptance of the Restart contract extension for a further three years, from July 2024 to 30th June 2027, which would maintain Get Oldham Working's delivery to a further thousand Oldham residents, supporting them back into work and sustainable employment.

The Department of Work and Pensions (DWP) had announced in November 2023 that they were planning on extending the National Restart scheme for a further two years to support another 500's people. Negotiations had, subsequently, taken place with both DWP and the Primes and most recently with Primes and a sub-contractor for a new allocation of volumes and monetary value for each contract area.

Oldham Council had been offered a further £2.6m for a new contract to continue with Restart from 1st July 2024 to 30th June 2027, to work with approx. 1,000+ Oldham residents with an expectation that at least 455 Oldham residents will secure sustainable employment.

The contract commitments were mostly the same as the existing contract, apart from a 1% uplift in job outcome expectations. Due diligence was already in place regarding governance, data security and information management. Staff, who were likely to be affected, had remained consulted throughout this process. However if Option 2 was not to be approved then some staff maybe at risk of redundancy. In that eventuality, formal consultation will take place in accordance with council policies and procedures. The extension to the contract of the DWP Restart contract as a subcontract to Ingeus would provide opportunities to residents of Oldham in line with the Council's priorities and objectives.

Options and Alternatives considered:

Option 1 - not accept the new contract. This wasn't the preferred option, as it could jeopardise the existing high performance, plus the Get Oldham Working service would be hit with an extensive funding gap for staffing and require making redundancies. It would also put the funding coming into Oldham at risk, as this would have to be re-tendered/commissioned to another provider.

Option 2 – to agree to accept the new contract through GOW to deliver the services. This will support our residents first approach, enable GOW and the council to not make redundancies for exiting staff working on other contracts coming to an end and ensure we can work towards exceeding on contractual volumes and get more for Oldham residents across the National programme.

Resolved:

To agree to approve Option 2 – authorising the Council via GOW to accept and act in the role of sub-contractor to Ingeus to deliver the Restart contract extension from July 2024 to 30th June 2027.

APPROVAL OF ENFORCEMENT POLICY

The Cabinet considered a report of the Director of Environment that reviewed and sought approval of a revised Corporate Enforcement Policy in order to take account of updated guidance, codes of practice and new regulatory sanctions, which have been introduced since the Council's Enforcement Policy was last reviewed in 2022. In addition, the report also sought approval to adopt the national issued Local Authority Building Control Enforcement Policy.

The Council is required to have an overarching statement of Enforcement Policy which governs the way statutory enforcement functions are implemented. In this regard, the Council adopted the Enforcement Concordat in 2002 and established an enforcement policy to set out what businesses and others being regulated can expect from enforcement officers employed by the Authority. Since then, additional guidance, codes of practice and new regulatory sanctions have been introduced, and it is therefore, appropriate to update the Enforcement Policy to reflect these changes and ensure compliance.

The current Enforcement Policy was approved in 2022 and had been reviewed to ensure that the Council states its generic principles for good enforcement. The policy commits the Council to good enforcement policies and procedures, including carrying out our activities in a robust but fair way, which will support those who are regulated to comply and grow, avoiding imposing unnecessary regulatory burdens and assessing whether lesser outcomes could be achieved by lesser means. It also provides guidance on a range of options that are available to help the public achieve compliance with the legislation that the council enforces and how powers may be used to regulate and raise standards in various sectors.

In relation to Building Control, a request was made to adopt the national Local Authority Building Control (LABC) Enforcement Policy, which aimed to ensure consistent implementation of Building Control standards at a local level. The Enforcement policy is, therefore, a key document setting the updated guidance, codes of practice and new regulatory sanctions which had been introduced since the Council's Enforcement Policy was last reviewed in 2022. This, it was hoped, would provide an opportunity for the users of the policy to see the updates. The risks of not publishing the updated policy were that there may be reputational risks to the Council around transparency.

The policy sets out how the Council will be transparent in considering infringements by publishing options for consideration by Officers. The policy can be accessed by the public and regulated businesses and individuals. It supports the

role of the Council in relation to its public protection responsibilities. The proposed enforcement policy was presented at Appendix 1 to the report and the LABC enforcement policy was detailed at Appendix 2.

Options/Alternatives

Option 1: Approve the implementation of the enforcement policy.

Option 2: Do not approve the enforcement policy.

Resolved:

1. That the report be noted
2. The Cabinet approves the Enforcement Policies, detailed at Appendices 1 and 2.

11

HOUSING DELIVERY TEST ACTION PLAN 2024

The Cabinet considered a report of the Deputy Chief Executive (Place) that sought approval for the publication of Oldham Council's Housing Delivery Test Action Plan 2024.

The report provided an update on the Housing Delivery Test (HDT) position in respect of Oldham. It also sets out an updated position to the previously published Housing Delivery Test Action Plan 2022.

The HDT had been introduced by the Government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need. The HDT measures net additional dwellings provided over the past three years against the homes required over the same period. To account for the impact of the Covid-19 pandemic on local planning authority services and the construction sector, adjustments were made to the housing requirement used for the years 2019/20 and 2020/21 as part of the HDT result. The thresholds for consequences for under-delivery remained as per the National Planning Policy Framework (NPPF).

The latest HDT results for 2022 (and which were also reported in the HDT Action Plan 2024) were published on 19th December 2023.

As per the latest measurement, Oldham has delivered 91% of its housing need over the past three years (2019/20 to 2021/22). This is the same as the 2021 result (91%) and an improvement from the 2020 result of 80%.

The pass rate for the HDT was 95%. There are consequences of not achieving 95% in the HDT that required some form of action, as set out in the NPPF.

As Oldham had delivered 91% of the housing required, the Council was required to prepare an Action Plan to address housing delivery. Oldham's previous Action Plan was published in September 2022, as such it was proposed to update the Action Plan as required. Action Plans should be published within six months from the measurement publication date.

This was Oldham Council's fourth Action Plan, drawn up in response to the Housing Delivery Test: 2022 Measurement, published in December 2023. It provided an update on previously published Action Plans and included information on:

- the root causes for housing under-delivery within Oldham (contained in Part 1); and
- how the council intends to improve delivery (contained in Part 2).

Options/Alternatives considered:

Option 1 – To approve the Housing Delivery Action Plan 2024 for publication in line with the requirements of the Housing Delivery Test: 2022 Measurement results (published December 2023).

Option 2 – To not approve the Housing Delivery Test Action Plan 2024 for publication. This would not comply with the requirements of the Housing Delivery Test Rule Book and the Housing Delivery Test: 2022 Measurement results (published December 2023).

Resolved:

That Cabinet approves Option 1, as detailed in the submitted report - the Housing Delivery Action Plan 2024 (Part One and Part Two) for publication in line with the requirements of the Housing Delivery Test: 2022 Measurement results (published December 2023), to comply with national planning policy requirements.

12

CREATING A BETTER PLACE

The Cabinet considered a report of the Director of Economy which advised members that the 'Creating a Better Place' (CaBP) programme continued to be on track delivering significant transformational projects across the borough, to build much needed new homes, to create jobs and support businesses to grow, and to deliver against the Council's Green New Deal commitments ensuring that Oldham was a great place to live, work and visit with lots of family friendly and accessible places to go.

In alignment with recommendations from the Place, Economic Growth and Environment Scrutiny Board, this report provided Cabinet members with an update on the strategic progress of the CaBP regeneration programme, including external funding opportunities secured, benefits realised for specific projects and the associated Social Value generated to **Create a Better Place**.

The report sought approval on the recommendations for various projects after a review of the Council's regeneration and redevelopment capital programme, including outcome delivery, social value capture, positive opportunities and impacts for Oldham's residents and local businesses, and where applicable note the challenges and mitigations in place linked to reprofiling of capital resource to allow the continued delivery and completion of flagship projects.

Option/alternatives considered:
The Cabinet considered the options and alternatives at item 14 of the agenda.

Resolved:
That the Cabinet would consider the commercially sensitive information at item 14 of the agenda before making a decision thereon.

13 **EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:
That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting, for the following item of business, on the grounds that it contains exempt information under paragraph 3 Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

14 **CREATING A BETTER PLACE - UPDATE**

Consideration was given to the commercially sensitive information in relation to Item 12: Creating a Better Place.

Resolved:

1. The progress being made in relation to the Creating a Better Place (CaBP) Programme that supports revenue savings generated, progress towards the borough's carbon reduction targets, creation of new jobs, apprentice opportunities, new homes for Oldham's residents and increased social value, be approved.
2. The social value gained for Oldham's residents and communities through the design, development and delivery of the projects within the CaBP programme, be approved.
3. The technical, legal and commercial recommendations for certain projects are contained within the submitted report, including the relevant financial, contractual or legal recommendations for each of the projects within the Council's CaBP capital programme as set out in sections 4- 6 of this report, be approved.
4. The recommendations following a further review of the CaBP capital programme assessing the risks, impacts of change, deliverability, financial impact and contractual challenges to identify any potential opportunities to ensure alignment of the projects with the political priorities of the Council, and to reduce prudential borrowing in order to save revenue (repayments) as part of the budget savings options, be approved.
5. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Directors of Economy, Finance and Legal for any further contractual, technical or financial decisions for the delivery of the CaBP projects referenced (all of which follow previous Cabinet approvals on the holistic detail and parameters for project delivery, contractual

- obligations and financial management) in full consultation with the relevant portfolio holder(s), be approved.
6. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Director of Finance for reviewing and approving the results of the CaBP capital programme review to identify savings, as the results will be fed back to Cabinet and full Council as part of the budget setting process for next year, be approved.
 7. The delegation of approval to the Deputy Chief Executive (Place) in consultation with the relevant portfolio holders and Directors of Economy, Finance and Legal for any further contractual, technical or financial decisions in respect of any long-term leasing agreements to provide Temporary Accommodation (TA) provision within the borough, be approved.
 8. The delegation of authority to the Director of Legal, or his nominees to formalise any necessary legal requirements including signing and/or sealing any documentation required to give effect to the recommendations and/or delegations in this report, be approved.

The meeting started at 6:00pm and ended at 6:25pm



Report to CABINET

Oldham Youth Justice Service Plan 2024 - 2025

Portfolio Holder:

Councillor Shaid Mushtaq, Cabinet Member for Children and Young People

Officer Contact: Gerard Jones, Managing Director Children and Young People (DCS)

Report Author: Louise Paterson / Clare Griffiths – Oldham YJS Head of Service

Ext. 0161 6219500

19th August 2024

Reason for Decision

The Oldham Youth Justice Plan requires approval by the Council. This plan has previously been considered by the Youth Justice Management Board and the relevant Overview and Scrutiny board.

Executive Summary

The Oldham Youth Justice Service Plan sets out the strategic direction for youth justice in Oldham, taking a partnership approach to reducing re-offending, reducing the number of first time entrants into the criminal justice system and reducing the use of custody.

There is acknowledgment that the plan is significant in length. However, this is dictated by the template provided by the national Youth Justice Board. The Youth Justice Service Plan and action plan can be found in Appendices.

Recommendations

It is recommended that the Oldham Youth Justice Service Plan in the appendix (and associated action plan) be approved by Cabinet for consideration by Council.

Oldham Youth Justice Service Plan 2024 – 2025

1 Background

- 1.1 Local authorities have a statutory duty to submit an annual youth justice plan relating to their provision of youth justice services. Section 40 of the Crime and Disorder Act 1998 sets out the youth justice partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area are to be provided and funded, how they will operate, and what functions will be carried out.

The plan should equally address the functions assigned to a youth justice service, including how services will prevent offending behaviour and reduce reoffending.

- 1.2 The Youth Justice Service in Oldham is commissioned to Positive Steps. The Youth Justice Service is Child First – remembering that children and first and foremost children. The service is also trauma-informed taking into account the impact that trauma has had on the children that we work with.
- 1.3 In Oldham the Youth Justice Service is proud to have a low rate of re-offending, first time entrants and children in custody.
- 1.4 At the last inspection of Youth Justice Services the outcome was that services were deemed to be 'good'. So this plan continues our journey towards being an 'outstanding' service.
- 1.5 Progress against the actions in last year's plan has been good with most actions being achieved and just two actions carried forwards into this year's plan.

2. Priorities

- 2.1 Serious Youth Violence continues to be a focus of our work and holding a prevention conference in Oldham involving practitioners working with children from across the borough in as many services as possible is a key part of this work. The conference will provide participants with a 'toolkit' to help them have conversations and undertake very early intervention work with children to prevent them becoming involved in crime and violence. The conference will also explore the impact of this work being completed by the professional who first recognises the needs of the child in this area.
- 2.2 The aim of the conference will be to increase understanding across the borough of how children become involved in crime and violence and to give practitioners the tools they need to reduce the risk of children becoming involved.

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- 2.3 We will continue our work to ensure that our re-offending rates, first time entrants and children in custody numbers remain low and our involvement in the Greater Manchester Remand Pilot will continue to inform our practice and improve outcomes for our children.
 - 2.4 We will be enhancing our work with the victims of crime ensuring that we are offering the support at the right time and in the right way by reducing barriers and providing signposting. Our restorative justice work will also continue, and we will further increase the number of places that children can 'give back' to the community.
 - 2.5 We are also going to be focusing on further enhancing our co-production of the service with children, parents and carers.
 - 2.6 Our work to reduce disproportionality within the youth justice system will continue and we have undertaken cultural awareness training which has further enhanced the service's understanding of racial trauma and intersectionality. During the next year this work will continue to become embedded within the service.
 - 2.7 Oldham Youth Justice Service is a key partner with Kingsland Alternative Education Provision and two staff members will be seconded to Kingsland to work three days a week as part of the Alternative Provision Specialist Taskforce project. The Speech and Language Therapist who is seconded to the Youth Justice Team will also be part of the taskforce and will be working one day a week at Kingsland (this is in addition to the 3 days a week they are seconded to the Youth Justice Service.) The aim of this project is to reduce the numbers of children being exploited and becoming involved in crime who are in alternative education in Oldham.
 - 2.8 We will continue to enhance working with partners and a good example of this is the plan for the lead practitioner for complex safeguarding in the Youth Justice Service being embedded within the complex safeguarding team within children's services on a regular basis to develop the relationship and improve information sharing. We have a close relationship with the Police and have a Police Officer seconded to the team. During the next year we will also have a CAMHS practitioner seconded to the team and the interviews for the post will be taking place shortly.
 - 2.9 The plan for 2024-2025 links to the vision of Oldham Council and to the strategic plan of Children's Services ensuring that there is continuity and a shared vision for children in the borough.
 - 2.10 Oldham Youth Justice Service is in a strong position to continue to improve the outcomes for the children that it works with by continuing to focus on prevention whilst still meeting the needs of the children who do become part of the criminal justice system.

3 Options/Alternatives

- 3.1 As this is a statutory duty for the local authority, it is not possible to provide an alternative option to this plan.

4 Preferred Option

- 4.1 The preferred option would be for this to be approved by Council.

5 **Consultation**

5.1 Staff from Oldham Youth Justice Service have been consulted in the formulation of this plan, as well as members of the Youth Justice Management Board.

6 **Financial Implications**

6.1 Each Youth Justice Service must have an annual plan in place, in this format, as part of the requirements of the youth justice core grant.

7 **Legal Implications**

7.1 There is a requirement for the plan to be approved by Council.

8 **Equality Impact, including implications for Children and Young People**

8.1 No.

9 **Key Decision**

9.1 No.

10 **Key Decision Reference**

11.1 N/A.

12 **Background Papers**

12.1 None.

13 **Appendices**

13.1 Oldham Youth Justice Service Plan – 24-25

13.2 Oldham Youth Justice Service Action Plan – 24-25



POSITIVE STEPS

SUPPORT | CHALLENGE | CHANGE

OLDHAM YOUTH JUSTICE SERVICE PLAN

2024-2025

**HEAD OF SERVICE – CLARE GRIFFITHS (LOUISE PATERSON
COVERING MATERNITY LEAVE)**

**CHAIR OF YOUTH JUSTICE MANAGEMENT BOARD - GERARD JONES,
MANAGING DIRECTOR OF CHILDREN'S SERVICES**

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1. Introduction, Vision and Strategy

Oldham is in a unique position in that it is one of the only areas in England and Wales where the statutory Youth Justice Service (YJS) is commissioned by the local authority and delivered by an independent charitable trust - Positive Steps. Positive Steps delivers a range of services, including career advice and Guidance, Connect to Your Future Mentoring, Positive Futures Alternative Provision, Early Intervention and Prevention (formerly Early Help), Oldham Young Carer's Project, and the Missing from Home Return Interview Service. As such, children and their families can access an integrated, holistic, and non-stigmatising offer, delivered from our newly refurbished base in Oldham town centre, as well as in community hubs across the borough. Furthermore, this arrangement allows for innovation and creativity through the ability to access a range of additional funding streams to provide added value and to lead practice in specific areas of practice.

This plan has been written in accordance with the Crime and Disorder Act 1998 and national guidance from the Youth Justice Board (YJB). Following consultation with Oldham Youth Justice Management Board, YJS practitioners, children with lived experience and their parents or carers. This plan seeks to inform the strategic direction of the service and outlines how it will achieve primary its functions of:

- Reducing the number of first-time entrants (FTE) into the criminal justice service
- Reducing re-offending by children subject to statutory Court Orders or Out of Court Disposals
- Reducing the use of custody for children

While additionally:

- Effectively safeguarding the children, we work with
- Effectively protecting the public from harm
- Enhancing the voice and experience of victims of crime committed by children.

The Oldham Youth Justice Plan 2024-2025 is not an isolated initiative, but a part of the broader Oldham Children, Young People and Families Plan. This alignment confirms our commitment to a comprehensive approach that addresses the needs of our youth and their families.

"In Oldham we want all children and young people to have a safe, happy, and healthy life and access to a great education giving them the best possible start in life. As a service we commit to:

- *Putting children and young people first*
- *Helping families and supporting vulnerable children and young people*
- *Working as one team close to our community*
- *Providing great public value and confidence*

Our ambition is not just to be the best borough for children and young people but to be the best borough for the staff and services that work with them."

It is also in line with the Oldham Council Corporate Plan which outlines the following way of working:

Residents First The commitment to making every service a good service and every experience a good experience means constantly working with residents to improve our performance.

Place-based Working We aim to deliver more and more locally, across our five districts. Each district has a dedicated team, and over the course of this plan our work will become more integrated with other public bodies like the NHS, schools, housing associations and the police.

Digital Many residents want and expect the convenience of being able to apply for services or solve problems online, so we'll be making that easier, while continuing to provide alternative support for those who need it.

Working with Communities to Reduce Need Taking a community-centred, preventative approach to public services is better for everyone. We will increasingly focus resources on early help, from investments to encourage exercise and healthy eating, to community events and interventions to support people before things go too wrong.

As a partnership in Oldham, we have already taken great strides to improve the experience and outcomes for children living in the borough, and we endeavor to continuously build upon these. We recognise that to achieve the best outcomes for the children we are working with this can only be done in collaboration with others. Partners that we work with include Oldham Council, Greater Manchester Police, Community Safety Partnership, Local Health Authorities, Probation, all local educational establishments, and the local and national voluntary sector. All our partners are represented on our Youth Justice Management Board and are therefore involved in the monitoring and delivery of this plan.

The vision of Oldham Youth Justice Service is "Working Together to Support, Challenge & Change" and aims to provide a service that is:

- **Child First** - Ambitious and inspirational for the children and families it works with. Truly collaborative and led by the voice of the child.
- **Bespoke** – working with children and families in the places that best work for them.
- **Innovative** – using technology effectively to enhance our communications with children, their families and our partners.
- **Collaborative** working collaboratively with all partners to reduce the number of children encountering the youth justice system.

Oldham is one of the ten boroughs in Greater Manchester. It is a complex and challenging place to deliver youth justice, with, according to the 2021 Census Data, a population of 242,100, a figure which represents an overall growth rate of 7.3% within the last 10 years. Of this, 54,800 children live in Oldham and this percentage in recent years has been rising.

While a youthful population undoubtedly has many advantages, the impact on health services, education and employment opportunities cannot be ignored. Adding to this, while the borough has pockets of prosperity, the English Indices of Deprivation shows levels are ranked amongst the highest in the country and Oldham is positioned 19th worst out of 317 Local Authorities. Further analysis evidences several wards are placed within the bottom 1% nationally in terms of income deprivation attending children, which is concerning given that the ongoing cost of living crisis is having the biggest impact on those already experiencing poverty. The ethnic composition of Oldham is changing dramatically, with the proportion of residents of Pakistani and Bangladeshi heritage increasing to 10.1% and 7.3%, respectively. Further growth can also be observed within Polish and Romanian heritage communities. It is well evidenced that individuals from black and global majority backgrounds are over-represented within the criminal justice system, and in Oldham, this is true of children from Asian, Black or "Other" heritages at most stages. This diversity is a strength to be valued and promoted, although some people experience discrimination and disadvantage, requiring change to champion fairness and equality.

During 2023 – 2024 there were 346 youth arrests in Oldham. This can be attributed to Greater Manchester Police having made significant progress in improving the forces' response to incidents and investigation of crime. In Oldham, incidents of violence remain a concern, and consequently, this affects children physically, psychologically, or emotionally.

2. Child First

Child-first principles permeate all aspects of service delivery in youth justice in Oldham, and this is explicitly set out in our ethos.

1. **See children as children**—all staff actively use the term "child" in assessments, reports, and conversations. Staff have received training on Child First and deliver this across the partnership. Staff have received training and challenged other agencies on appropriate language use. Staff acknowledge maturity and how various life experiences, such as trauma, and racial trauma, can impact this by ensuring plans are bespoke and developmentally tailored.

2. **Developing a pro-social identity** – the service has moved away from consequential interventions, ensuring that instead a focus is given to the child's strengths. There is a real emphasis on education, training, and employment. Alongside this, we provide access to activities which broaden horizons and allow children opportunities to see places outside of Oldham they have previously not experienced. This can be visiting National Trust sites with some children have volunteered as Park Rangers.

3. **Collaborating with children** – all children create their intervention plan alongside their Case Manager and contribute to the activities they carry out. They also can shape service delivery through "Your Opinion Matters" with their parents or carers. This collaboration reaches far wider than Oldham, with children being involved in work with courts and the legal system to ensure that their needs are met in this context.

4. **Promoting diversion** – the importance of diversion is appreciated across the partnership through a well-established Prevention and Diversion Panel. The partnership is well represented and engaged in decision making.

5. **Being culturally aware** – all the team have recently completed cultural awareness training run by Inside Out and the Managers completed the management training. Moving forwards managers will explore this further during supervision when discussing children. These conversations will especially explore intersectionality and how these impact on the child they are working with.

All Case Managers are encouraged to complete the “Child First Effective Practice Certificate”, delivered by Unitas and there are two newer Case Managers currently completing this. Staff also deliver training on Child First as part of the Oldham Children’s Safeguarding Partnership calendar, as well as to various forums upon request such as the Designated Teachers Meeting.

In February, Oldham YJS underwent a standards evaluation visit undertaken by the Youth Justice Board. The final report stated that,

“Thank you to Oldham YJS for their time and co-operation in this very positive validation visit. The staff we spoke to all showed a degree of professional curiosity – asking questions, having discussions and debates and generally thinking about practice. ”

This has been a focus for our ‘Child First’ practice, ensuring professional curiosity and having discussions and debates. This has been further enhanced by the cultural awareness training undertaken in April 2024 by the whole team. This training focused on intersectionality to promote consistent curiosity about the different aspects of children’s lives and identities and how these impact them.

3.Resources and Services

Oldham Youth Justice Service is committed to ensuring value for money via robust budget management and effective service delivery. The service ensures that resources are deployed appropriately to meet the needs of a smaller, convicted cohort, with increased out-of-court disposals and early preventative interventions.

The youth justice budget comprises the main Local Authority funding, the Youth Justice Board Grant, and, as of December 2023, the Turnaround Grant from the Ministry of Justice. The latter primarily supports the core staffing of the service, with some allocation provided for training and a small activity budget to provide positive activities to children.

The staffing structure has been described in the Workforce Development part of this plan, along with the partnership contribution in terms of the secondment arrangements for police, health, speech and language. There is also now an agreement for a seconded CAMHS practitioner for the service, which will shortly be advertised.

The commissioning arrangement with Positive Steps is advantageous as it allows YJS to express an interest in and apply for funding streams that traditional local authority-based services would not be able to. In 23/24 this included continuing a partnership project with Mind to support the emotional wellbeing of children working with YJS. The service was also successful in securing funding from the Greater Manchester Combined Authority to host the Greater Manchester Resettlement Consortium, which improves the outcomes for children in custody across the conurbation.

Moving into 24/25, the funding for the Mind partnership and Greater Manchester Resettlement Consortium will continue.

During 23/24, Getting Out for Good (working with girls subject to or at risk of exploitation) has been running with good outcomes. The funding for this project moving forward has not yet been confirmed, but we are working proactively with relevant commissioners to progress.

During 23/24, YJS also applied for and was awarded money from Police Proceeds of Crime to broaden the horizons of children working with the service, giving them opportunities to engage in activities they otherwise would not be able to, such as visiting local attractions, sightseeing and trying new sports. This has been successful and there have been some wonderful examples of children leaving the borough for the first time, seeing animals for the first time and gaining an understanding of the wider world. This has encouraged children to become more aspirational and gain an understanding of the other opportunities that are available to them. A further application will be made to the fund and discussions will shortly be taking place with the police about the other opportunities available for using this funding.

We use our grant, partnership contributions, additional funding, and available resources to achieve the primary functions of the Youth Justice Service and demonstrate excellent performance. Our performance will be improved in 2024/2025 by:

- Ensuring an outstanding governance and leadership structure, aligning this to other local authority children's plans, and having shared aims and understanding of the priorities for children in the criminal justice system
- Ensuring children from over-represented groups have a fairer experience of the criminal justice system by ensuring that plans are bespoke and culturally aware.
- Ensuring children working with Oldham YJS have access to relevant and consistent physical and mental health support at the earliest opportunity.
- Ensuring children working with Oldham YJS are afforded the opportunity to engage in diversionary activities as an alternative to prosecutions.
- Continuing to provide innovative approaches to support desistance through sourcing additional funding streams.
- Holding a 'Preventing Serious Youth Violence' conference in Oldham

4. Board Development

While visiting Oldham in March 2023, the Peer Review Team observed,

“some passionate board members, who championed children’s needs. There was clear evidence that this championing transcended into their own agencies, demonstrating the sphere of influence of the board and some system impact”.

The board is settled with good attendance by decision makers across all agencies.

The board has continued to develop throughout 2023/2024 and there is now greater oversight of the quality assurance process with a ‘deep dive’ or thematic case review being presented to every board accompanied by case studies. This has given board members an understanding of the different areas of work being undertaken and how the service is impacting children and their families. Deep dives undertaken so far have been: Looked After Children, Court Cases, the validation visit as well as restorative justice and victim work. There has also been an in-depth review of the Missing from Home interviews and the TOG Mind Wellbeing Coach Project and its outcomes.

This plan is aligned with that of the local authority, and as outlined earlier, the vision and strategies are aligned.

There was a review of the membership during 2023/2024, and all key agencies are now represented on the board by decision-makers.

The action plan is reviewed at each board meeting so that the board are aware of the progress made.

Board members have contributed suggestions and access to funding and have actively promoted the youth justice service.

Task and Finish groups took place during 2023/2024, focusing on Outcome 22 and developing a toolkit for schools as part of the prevention work from the Turnaround project's legacy.

Profiles for each board member have started to be put together, which will enable people to gain a greater understanding of the board. This information will be shared on the Youth Justice Service website and can be used by board members as part of their promotion of the service moving forward.

Board members will be invited to attend and partake in key events during 2024/2025 such as the prevention conference.

5. Workforce Development

There is a recognition that the most important asset to the service is the staff team and there is significant focus on professional development and internal promotion.

This can be observed through the Head of Service and two Operational Managers having progressed through different positions within the service. Positive Steps is recognised as an 'Investors in People' organisation providing external validation of their commitment to their staff and their development.

Each member of staff undergoes a robust induction process, which was reviewed in early 2023, to not only the youth justice service but also the wider organisation of Positive Steps and the Oldham partnership. This includes the allocation of a "buddy", meetings with key staff and teams both internally and externally, mandatory reading and training, the development of a personalised action plan, increased supervision, shadowing opportunities and joint case work.

Each member of staff has an annual appraisal to analyse performance, identify training needs and promote professional development. From this an annual training plan is developed. All staff, including those seconded, have access to training on offer through the Oldham Safeguarding Children's Partnership (OSCP) with the calendar being visited during supervision, as well as external opportunities created through additional funding streams.

In 2023/24, staff received training on Cultural Awareness, Resettlement, Effective use of language when working with children, and Justice Effective Practice Certificate (YJEPCC) via Unitas and AIM3 training. There has also been significant 'on the job' training being undertaken with newer case managers and engagement workers.

The workforce is supported through access to the Employee Assistance programme and informal and formal supervision, which can be in terms of both professional and personal issues. Staff say of their managers:

"my manager regularly checks in with me although we have supervision meetings."

"my manager has been very active in supporting me on a professional level, both by providing hands-on guidance discussions in supervision as well as instilling belief in me to act independently, something which I believe has been really beneficial to my learning and confidence in my role."

"my manager is patient and understanding. always ensuring my mental health is a priority so that I can continue progressing my caseload."

Case Managers facilitate monthly Peer Supervision, and Engagement Workers have monthly Group Supervision led by an Operation Manager, giving the opportunity to discuss and reflect on case-specific or thematic issues. These sessions are well attended and received with practitioners outlining how beneficial the learning is that they get from one another.

As part of workforce development, YJS also delivers training to the partnership as part of the OSCP calendar or upon request on several topics to enhance the knowledge of others working in Oldham. This includes Understanding Exploitation (in conjunction with Complex Safeguarding), Prevention and Diversion, Principles of Child First, Missing from Home, Restorative Justice, and the Use of the 10-Point Checklist. During 2024/2025 there will be additional opportunities for a Case Manager and Engagement Worker to be involved in the 'Alternative Provision Specialist Taskforce'.

MIND Partnership

6. Evidence- based Practice, Innovation

Oldham Youth Justice Service is currently working with Mind to support children with their emotional wellbeing. We know that many children present with concerns at varying levels in this area but that there are often structural barriers and stigma in place which prevent engagement with services. As such, Oldham YJS benefits from a Mental Health Coach being seconded into the service to provide more accessible mental health support, support improvement in emotional well-being, enable more effective engagement and support children in exploring reasons for offending.

Working with Partners

Oldham Youth Justice Service has staff members from other teams based within the service fostering improved relationships and resulting in more joint and joined up working with Children. These services include Early Break who provide services for children including drug and alcohol misuse and advice around sexual health.

The Younger Adults Probation Team also co-locates at Positive Steps every Tuesday. This has resulted in the relationships being built with the whole probation team which includes the Seconded Probation Officer. This has resulted in transitions that are transferring to the team being more coordinated for children.

This will be further progressed during 2024/25 with a conference being held where there will be further learning for participants (front line professionals and managers from across all services and the voluntary sector in Oldham) around prevention and practical toolkits will be provided for professionals to use. The basis of this will be that the first practitioner to identify worries should be the practitioner who intervenes.

Working with Schools

During 2023/24 presentations have been made to secondary and primary headteachers and designated safeguarding leads about the importance of children being in school and how this reduces them coming into the criminal justice system. These presentations have been well received and have resulted in closer working relationships with the schools.

Bespoke Working with Children

Every child working with the Youth Justice Service has their own plan created from their needs identified through the assessment that has been undertaken. Children do not work in groups, so they are not forming alliances; instead, the focus is on supporting changes within the environment in which they live as well as supporting children to understand the impact of their behaviours on the victims through restorative justice work. Research shows that to reduce involvement in crime, children need other pro-social activities to be involved in, and this is a key focus of the work undertaken.

Consistency of Workers

This runs across the service in both Youth Justice and the Missing from Home interview service. In Youth Justice a Case Manager is allocated and an Engagement Worker is allocated to a child. These workers continue working with the child regardless of the length of their engagement with the service or any changes to why they are or remain involved. If children return to the service, the previous worker is reallocated ensuring that children and families do not have to repeat their information. This also results in trusted relationships being maintained and enhanced.

If a child is reported missing more than once wherever possible the same worker completes the interview. Where a child is frequently missing this enables the trusted relationship to be built and this has shown to result in a reduction in missing incidents and in some cases no further missing reports.

This is further enhanced by the consistency in the workforce. This has meant that for families where there has been previous involvement with an older sibling the same workers have been able to be allocated for younger siblings. As these trusted relationships were already formed with the family this has enhanced the outcomes for the siblings and a recognition of this within the service has resulted in preventative work being undertaken with younger siblings within the family with their permission to prevent them becoming known to the criminal justice system.

Getting Out for Good

Working with girls subject to or at risk of exploitation in Oldham, Tameside and Rochdale, this project has been externally validated to show positive outcomes.

This is a group project with four cohorts running throughout the year. Girls can become peer mentors to support the following cohorts or continue their involvement.

Each benefit from mentoring and obtaining qualifications (AQAs) during the activities. This includes social skills, hair, makeup up and

The project has resulted in fewer or no further incidents of girls being reported missing, has improved their self-esteem and has given them a better understanding of how they are being exploited or are at risk of exploitation.

Resettlement and Education Coordinator

Our Resettlement and Education Coordinator ensures that children in custody have everything they need for release and custody. This includes accommodation, education/training, employment, and support services.

The trusted relationship is built whilst the children are in custody, and this can include supporting transitions to probation, family visits, gathering views and attending multi-agency meetings to support and advocate for the child.

Being the single point of contact for Education, Training, and Employment is vital to this role. It results in children across the service accessing career support, education, training, and employment opportunities.

This specialist role also supports Case Managers and Engagement workers who may rarely be involved in resettlement due to the low number of children going into custody in Oldham.

Alternative Provision Specialist Taskforce

Starting in September 2024 the youth justice service will be provided a seconded Case Manager, a seconded Engagement Worker and our Seconded Speech and Language therapist will be seconded to the Alternative Provision Specialist Taskforce in Oldham.

The Alternative Provision have already joined the Youth Justice Management Board to enhance their understanding of the work we do and to enable them to contribute to the service.

This exciting opportunity will enable more intensive work to be undertaken with the children in alternative provision and enable us to support alternative provision by 'upskilling' staff in trauma informed and child first ways of working.

7. Evaluation

During 2023/24, there were thematic reviews (also known as deep dives), project evaluations, and a validation visit by the Youth Justice Board.

Children Looked After

Reducing the number of children looked after involved in the criminal justice system is a priority for the service. This established that 19% of the children open to the service are looked after. This identified that 54% of the children were looked after when they started to work with the service, 31% became looked after following a court appearance and 15% became looked after following a court order being made. 43% had youth cautions, 28% had conditional cautions, and 29% had ISS bail. This showed that most of our work with children is taken care of on lower-level orders. The children had the following in common: exploitation, ADHD, instability in home/placement life, education difficulties (77% in alternative education and 23% not in education, training or employment), witnessed domestic abuse and multiple offences prior to YJS involvement. Recommendations included more prevention work, continued use of the protocol to prevent looked after children from being known to the criminal justice system, access to mental health support on a consistent basis, and special educational needs to be identified sooner. This will be followed through with a further thematic review of this work in 2024/2025.

Victim and Restorative Justice Work

This identified that 24 victims were contacted during 2023/24, and 13 responded. 32% agreed to a home visit, 16% declined the service, 28% did not respond following contact, and 24% had an 'other' outcome (this is where the victim was no longer deemed to be a victim due to the reclassification of the offence).

Just over a third of the victims who were visited agreed to be involved in a restorative justice process.

Letters of apology, mediation of relationships between children and parents, and a face-to-face meeting between the victim and the child have occurred.

Recommendations include feedback evaluation questionnaires for the service, contacting all victims and increasing the number of 'giving back' opportunities available.

Court Work

All court cases were examined. Of these, 37% were identified as outstanding, 42% were good, and 21% required improvement. Of the cases graded as needing improvement, it was identified that this related to the recording of contact between the child and family not always being clear.

Participation and engagement and the Transfer of Information in custody cases were identified as areas of outstanding practice, with all other areas being identified as good.

Challenges identified were:

- Finding appropriate placements to avoid custody/remands, providing effective bail packages,
- Court does not practice Child First principles, challenging that both operationally and strategically.
- Time – hearings took too long to happen or were too short for full deliberations
- Victim work about impact statements and time,
- Disproportionality, challenging this strategically and systemically.

TOG Mind Wellbeing Coach Project

The TOG Mind, Wellbeing Coach project, involves a coach co-located with the team working with children open to the Youth Justice Service.

81% of the children seen were male, and 19% were female. Ages ranged from 11-18 years. 53% were white, 16% were Asian, 13% were Black, 9% were mixed ethnicity, 3% were other ethnicity and 13% had unknown ethnicity. The children were open to the service, from prevention to court bail. Sessions take place face-to-face once a week for as long as needed in a place where the child feels comfortable – that can be either at Positive Steps or in the community.

Topics discussed have included Anxiety/Stress, Low Mood, Mindfulness, Exploring feelings, Motivation, Grief and Bereavement, Anger Management, Emotional regulation, Grounding techniques, Resilience, Confidence and Self-Esteem, Communication skills, Self-Awareness, emotionally based school avoidance, Sleep, Friendship problems, and Adverse Childhood Experiences.

Goal-based outcomes for children improved by 78.9%, 10.5% maintained their outcomes, and 10.5% declined.

Outstanding feedback was provided by both children and parents about the project, outlining the changes it had made for them.

Outcomes included no reoffending, improved school attendance and children feeling more able to deal with conflict, having a more positive outlook on life and having positive relationships and friendships.

Validation Visit by Youth Justice Board

The validation visit confirmed good practice across the board. The overall outcome was good, with court reports being identified as outstanding.

Areas for Development included identifying the legacy of the turnaround prevention project and exploring whether Case Managers should receive more formal 'court training' as well as the 'on the job' training they currently receive.

8. Priorities for the Coming Year

8.1 Prevention

Turnaround funding from the Ministry of Justice remains in place until March 2025. The prevention and diversion processes and multiagency panel are now well established. The focus of the work for 2024/35 will be on continuing to enhance this offer. The focus will continue to be on partnership working with a conference in the Autumn for all partner agencies focusing on how everyone can help to prevent children coming into contact with the criminal justice system. This will include a toolkit for professionals to use and a focus on the work completed by the professional who first identifies the risk and promotes the message that everyone can help.

8.2 Diversion

Out-of-court disposals currently make up most of the youth justice caseload. The Joint Decision-Making Panel, attended by YJS, social care, and GMP, agrees on the disposal that a child should receive following assessment.

Oldham has received positive feedback for their processes and decision-making from the Greater Manchester Police Out of Court Scrutiny Panel, and as such, the way we have been reporting to the panel has been requested of all areas, so this is not just a police-led meeting but has a focus on Child First principles. Children are now attending some scrutiny panels that look at footage from 'stop and searches' where they provide feedback to the police. This will continue throughout 2024/25, and further opportunities for participation by children will be sought.

8.3 Education

The percentage of children who end their youth justice intervention with education, training, or employment in place is high. YJS employs an education and Resettlement Coordinator to build relationships with schools, colleges, and training providers, break down barriers, and provide expertise to the team on SEND processes. The risk assessment we have developed for education placements has been adopted by other authorities.

Due to the unique position of the Oldham YJS being commissioned into Positive Steps, there is an integrated offer with the careers service, who are co-located and offers the opportunity for more joined-up work to address any educational or employment issues. Positive Steps also runs work experience programmes and training initiatives that children working with YJS can access.

This work will continue during 2024/25, as will the prevention work with education to reduce the number of exclusions and suspensions, children's access to online education, and other ways of keeping children in school.

There will also be the work undertaken by the Alternative Provision Specialist Taskforce.

8.4 Restorative Approaches and Victims

Oldham Youth Justice Service employs a Restorative Justice Co-Ordinator in line with the importance of enhancing the voice and experience of victims of crime committed by children. They go above and beyond national guidance, where consent is provided, to offer victims of those who receive Community Resolutions and above the chance to engage with the service through the completion of a My View questionnaire, the offer of direct or indirect Giving Back or Restorative Conferencing.

The policy for restorative justice was updated during 2023/24.

As outlined previously, this work was reviewed during 2023/24. Moving forward, we plan to try to contact all victims of crime and expand the work we complete with them. We also plan to increase the 'giving back' opportunities for children.

8.5 Serious Violence and Exploitation

Oldham has taken great strides as a partnership to address serious violence and exploitation. A complex and Contextual Strategy and Action Plan are now in place, which the YJS Head of Service is actively involved in.

Oldham YJS has identified a lead worker for complex safeguarding. This worker is the single point of contact for sharing information and expertise with the Complex Safeguarding Hub and other agencies. Plans are in place to have this worker co-located one day per week to improve integrated working.

Considering the Serious Violence Duty, the Greater Manchester and Oldham violence reduction strategies have been consulted.

Moving forward, the Head of Service will be involved in the Violence Reduction Strategy Group in Oldham and will contribute to the work in Greater Manchester through the Greater Manchester Youth Justice Transformation Plan.

There is also a lead worker for Prevent who contributes to the local panel and shares expertise. Oldham YJS has also taken steps to raise the profile of mixed unstable ideologies and their impact on children.

8.6 Detention in Police Custody

Oldham YJS work closely with GMP and Children's Social Care to prevent the detention of children in police custody. This involves ensuring that the PACE Beds, both safe and secure, are utilised when a child is remanded to court the following day. Numbers in Oldham remain low; however, this is monitored every month through GMP and where a child is not transferred, challenge is provided to the relevant service.

There is an ongoing Greater Manchester Pilot Project looking at children in police custody with a specialist custody suite at Cheadle Hulme. Some of the learning from this project has now been rolled out to all of the custody suites across Greater Manchester, including the use of 'unbreakable' tablets that can be given to children. These tablets offer some educational opportunities, amongst other activities, to keep children occupied and try and reduce the impact of them being in police custody. GM Police have now put in place strategies to minimise the number of children in police custody and, where this is necessary, to reduce to a minimum the amount of time children spend in custody.

8.7 Remands

Three children were remanded to custody in 2023/24. Although children from Oldham appear in Court in both Tameside and Manchester, where there is a Greater Manchester Youth Justice duty system in place, Case Managers from Oldham YJS are always present to support and advocate for children from our area in line with a Child-First approach. Bail packages are always presented in line with risk, safety, and well-being to prevent the use of remand. Training has taken place to augment practice in this area.

The service is aware that a high percentage of children who are remanded to custody do not then go on to receive a custodial sentence. Operational Managers ensure that children receive a review of their remand status, following re-assessment of risk, to allow them to be released on bail with the appropriate levels of support.

Suitable accommodation has, on occasion, been a difficulty, which has resulted in 2 children going into custody and subsequently being made subject to 'Remand into Local Authority Care and returned to the community.

A Greater Manchester Remand Pilot is currently underway and will end in 2024/25. The Oldham Head of Service is part of the steering group for this pilot and will continue to be involved until the project ends. This pilot focuses on reducing the number of children subject to custodial remand, and early indicators show that it is starting to make a positive difference.

8.8 Use of Custody

In line with national trends, Oldham observes a reduction in children in custody. The detrimental impact of being placed in the secure estate is better understood across the partnership than ever due to multi-agency working and challenges in cases where this may be assessed as a risk.

The number of children in custody is reported to the board every quarter.

A Resettlement policy is in place to ensure that work begins at Pre-Sentence Report stage to reduce the likelihood of this type of sentence being given. The planned workaround disproportionality will ensure changes are made to reduce the over-representation of black and minority ethnic children in custody.

8.8.1 Constructive Resettlement

Oldham YJS employs an Education and Resettlement Coordinator who works with children who receive a custodial sentence through their time in the secure estate, on license, and once this supervision finishes. This is in recognition of the unique needs this cohort has. The requirement to ensure resettlement begins at the point of sentence and planning for release and beyond remains a priority.

Oldham is in a strong position to influence resettlement practice across the town and Greater Manchester. It has the strategic lead for resettlement across Greater Manchester youth justice services and is commissioned to deliver and chair the Resettlement Consortium. This regional meeting, held at strategic and operational levels, aims to improve the outcomes of children in custody, implement findings from national reviews, promote best practice, and ensure value for money in terms of existing resources.

The plans for resettlement in 2024/25 include a greater focus on 'trauma-informed' resettlement practices. This will consist of specialist external training for everyone involved in resettlement across Greater Manchester.

Staff have been trained in constructive resettlement, and management oversight monitors its use in practice and plans. To ensure consistent practice across the service, further training will be sought for new staff.

9. Standards for Children in the Justice System

Standards for children in the youth justice system define the minimum expectation for all agencies that provide statutory services to ensure good outcomes for children. Revised Standards for children in the youth justice system were implemented in 2019, and self-assessments against these standards were carried out by all local partnerships and submitted to the Youth Justice Board in 2020. At this time, Oldham Youth Justice Service felt compliant with "good" and "outstanding" outcomes. Following this, annual Operational Plans have been in place to address specific areas for improvement within "Court Work" and "Secure Settings".

A further self-assessment of court work was undertaken during 2023, and the findings were presented to the Youth Justice Management Board in March 2024.

This self-assessment was externally validated through a validation visit, which the Youth Justice Board has undertaken in February 2024. This confirmed the findings of good with outstanding pre-sentence court reports.

Oldham YJS prioritises quality assurance and has recently implemented a Quality Assurance and Management Oversight policy to guide practice. The YJS has a range of mechanisms to uphold the quality of the service, including a revised induction process, annual appraisals, management supervision, peer and group supervision, direct observations, audits and feedback on all assessments and reports, and bi-annual audits on management oversight. There may also be partnership audits such as Brief Learning Reviews, Multi-Agency Case Evaluations, Child Safeguarding Practice Reviews and Police Scrutiny Panels. These evaluations are fed back through Practitioner Forums or Team Meetings to be implemented in service delivery. In addition to this, themed audits, also known as 'deep dives', have been presented to the Youth Justice Management Board every quarter during 2023/24, enabling the board to have a deeper understanding of the work that is taking place and enabling the service to identify areas for development.

10. Service Development Plan

A partnership Service Development Plan has been agreed in recognition that achieving the primary functions of Oldham Youth Justice is a shared responsibility. It contains both strategic and rational actions. This has been influenced by the YJB Strategic Plan 21-24, Oldham Children's Services plans and consultation with practitioners, children and parents/carers.

Oversight will be provided quarterly at the Youth Justice Management Board meetings, either through a presentation or an update on the achievements against the identified outcomes.

This can be found in Appendix 4.

11. National Priority Areas

11.1 Children from Groups which are Over-represented

Children from black and minority ethnic backgrounds are over-represented at all stages of the criminal justice system in Oldham, and there continues to be a consistent number of children looked after in the cohort so this remains a priority area.

All children from over-represented groups have additional management oversight on Pre-Sentence Reports to ensure they are balanced and bias-free. Including data in reports to the Court is encouraged to highlight over-representation. A Disproportionality Strategy to guide practice has been developed, and the workforce has now completed cultural awareness training focusing on intersectionality.

In March 2023, the "Oldham Protocol on Reducing the Unnecessary Criminalisation of Children Looked After and Care Leavers" was launched across the partnership. It represents a multi-agency partnership commitment to reducing the unnecessary criminalisation of children looked after and care leavers.

This has been consistently promoted throughout the year and is sent out by commissioners every time they commission a placement for any looked-after child in Oldham. There has also been further training of social workers outlining the protocol, explaining why it is essential, and promoting its use with carers. The community policing team have also promoted the protocol when working with local placements, including those with only children from other areas.

Oldham Youth Justice Service has recognised that girls need a different approach and runs the 'Getting out for Good' project focused on working with girls subject to or at risk of exploitation in Oldham, Rochdale and Tameside.

Oldham will also have an Alternative Provision Specialist Taskforce which will enhance our work with children who are disproportionately represented especially those who have additional needs.

11.2 Policing

The relationship between the Youth Justice Service and the Oldham police is strong, and there is a commitment to having a seconded police officer within the service. The seconded officer is part of the local community policing team but is based at Positive Steps. This setup provides a strong link between the two organizations and ensures good levels of communication. This is especially important for reducing violence and ensuring child-centred policing. The seconded police officer, along with Youth Justice Staff, has delivered training to frontline officers to help them when working with children. This training has included sessions by our Speech and Language Therapist on using appropriate language, emphasizing its importance for neurodiverse children.

The police provide information about all children who may be involved in a crime in Oldham on a daily basis. This information is used at an operational level to identify children in need of prevention and at a strategic level to identify patterns such as types of crime, ages of children, areas where crime is being committed, and the frequency of a child appearing on the list.

The police also provide statistics on 'stop and search' procedures to examine any disproportional aspects of this process and to understand the trends in numbers, reasons for the search, and whether the numbers are increasing or decreasing. This will continue through 2024/25 and will be reported to the Youth Justice Management Board every quarter.

The Police are represented by the second in command at Oldham on the Youth Justice Board, and they have also demonstrated further commitment to the service by exploring the possibility of having an apprentice support the seconded police officer with administrative tasks.

11.3 Prevention

Oldham is committed to preventing children from entering the criminal justice system, and this can be observed in the partnership commitment to the Prevention and Diversion Panel.

Known as the Oldham Prevention and Diversion Panel, this continues to focus on referrals from agencies concerned about a child's anti-social behaviour or criminality but also includes children screened through a daily police report who have been named on a crime or arrested. In-depth background checks are completed on all these children and presented to the panel for multi-agency decision-making, and the correct service is identified to provide support. This may be from their School, School Engagement Officers, Social Care, Complex Safeguarding, CAMHS, Early Help, Youth Service or Voluntary Organisations, or Youth Justice Turnaround or Prevention.

Turnaround has been established in Oldham YJS since January 2023, with 121 children having been accepted at the panel since the start of the project. The main intervention types have included emotional well-being, family work, mentoring, recreational activities, and restorative justice. Oldham YJS remains on track to meet the targets set by the Ministry of Justice for March 2025, when the project is set to end.

During 2023- 2024, presentations were given to Secondary, Primary, and Designated Safeguarding Leads in Oldham about the Youth Justice Service, emphasising that the service is child-first and trauma-informed. These presentations also discussed the research evidencing the importance of children being in school and how exclusions are linked to children becoming known to the criminal justice system. This has further enhanced the understanding of the local schools.

The service is fortunate to get a small grant from the Greater Manchester Combined Authority to undertake prevention work, and this grant is used to complete work with children who do not meet the criteria for the Turnaround project. This grant will continue post-turnaround, enabling the service to continue providing prevention work.

During 2024/2025 we will also explore whether there are opportunities for us to complete prevention work with the younger siblings of the children we are working with as a form of Early Intervention.

11.4 **Diversion**

Diversion remains a priority and increasing Outcome 22 use is a priority for Oldham YJS. We have been working closely with the local police to achieve this. Since April 2023, there have been 26 'Outcome 22' outcomes locally. This number will increase as the outcome is only applied once the work has been completed. There is a commitment by Greater Manchester Police to make Outcome 22 a 'positive outcome' as nationally, the police do not currently recognise that Outcome 22 is positive in the police statistics. This is an essential commitment as it could potentially impact the inspection outcomes from GMP.

Children are discussed at the Prevention and Diversion Panel, where a multi-agency offer is discussed and agreed upon in line with the child's needs. This work is evaluated through feedback from the children, parents/carers, and the auditing process.

11.5 Education

Education is a focus for the service and Oldham is committed to ensuring that all children working with the Youth Justice Service are engaged in Education, Training and Employment. We work closely with the careers service, schools, colleges, alternative education providers, training providers and employers.

Our Resettlement and Education Coordinator post demonstrates our focus on education and our work with all the local schools.

It has been identified that all our looked-after children are not currently attending mainstream education, and work is being undertaken with the virtual school to try to change this situation.

Any children who are being remotely educated or electively home-educated are notified to Oldham Council either via the Virtual School (if they are subject to Child in Need or Child Protection Plans or are Children Looked After) or to the education department for other children (this is mostly with elected home education). Elected Home Education is significantly on the increase in Oldham. This situation continues to be reviewed to assess the impact on children and whether it is making them more likely to be exploited or have contact with the criminal justice system.

11.6 Restorative Approaches and Victims

The service has a dedicated Restorative Justice Coordinator who works with Victims and to ensure that 'giving back' is completed by children. This work is delivered as required under the Victims Code and helps children to develop a 'pro-social' identity.

In Oldham there are lots of different giving back options most of which have a community focus. This includes working with local food banks, community organisations, research organisation or local employers with activities as diverse as wrapping Christmas presents for children in need, to providing information to researchers on their experiences to gardening or painting. During 2024/2025 we will be promoting these activities to the victims we have contact with so they are aware of the restorative justice work being undertaken with children open to the service.

During 2024/2025 we will also be exploring funding to provide additional support to victims to keep them safe and support them. We will also be providing victims with additional information around other services they can contact so that those who choose not to work with us can contact services when they feel the time is right for them.

11.7 Serious Violence, Exploitation and Contextual Safeguarding

Oldham Youth Justice Service is part of the Community Safety Partnership and works with partner organisations to reduce serious violence, exploitation and contextual safeguarding concerns for children and young people. A designated lead for contextual safeguarding attends the daily governance meeting held by the contextual safeguarding team with all multi-agency partners to discuss worries about children, hot spots and incidents. An engagement worker also liaises with community groups and can inform the designated lead about the community's worries about what is happening in the local area.

This information is also discussed with the community policing team to ensure everyone knows emerging concerns and that preventative actions can be taken as needed. Referrals are made to the National Referral Mechanism, and children are encouraged to engage in this process and recognise exploitation. The YJ Service and the Contextual safeguarding service work closely together to ensure that the children we work with are getting a joined-up service, and that work is not duplicated. The contextual safeguarding service also works in a trauma-informed way, building trusted relationships with the children they work with. Where needed, rapid reviews and serious case reviews are completed where there has been serious youth violence. All of the workforce complete online Prevent training as part of their induction, and the service has a 'prevent' lead who attends the channel panel meetings and gives feedback relevant information to the team.

Any learning from local or national serious incidents is shared with the team during practitioner forums or team meetings.

11.8 Detention in Police Custody

There continues to be a focus on reducing the number of children who have detention in police custody and where this is necessary to reduce the amount of time that children spend in custody. Greater Manchester Police have recently agreed strategies to be used across the force to reduce the amount of time that children spend in custody where this is necessary and how to prevent children being in police custody as much as possible. This is a key focus of the child centred policing in Greater Manchester and is led by the Child centred police representative at the Greater Manchester Combined Authority who is a seconded Police Superintendent. There is a PACE bed commissioned by Greater Manchester and the Emergency Duty Team know how to access this bed to ensure that Oldham children have this option. However, where possible the police have recognised that if a child can be returned home, to a family member or to their placement that this is the best option for children.

11.9 Remands

Oldham Youth Justice service remains committed to reducing the number of children remanded and where this is necessary ensuring that children are not remanded to custody (youth detention accommodation) unless there is no other option available. This work has included making presentations to children's social care teams to explain 'remanded into the care of the local authority' to increase the understanding of this option and how social workers can support these children. The Oldham Head of Service is part of the steering group for the Greater Manchester Remand Pilot Project which focuses on reducing custodial remands.

11.10 Use of Custody and Constructive Resettlement

When children go into custody, we are mindful of the trauma this will cause them. These are our most complex children and in recognition of this Oldham have a Resettlement and Education Coordinator who is able to focus on their needs. Currently Oldham has 3 children in custody 1 of whom is on remand.

Regular visits are undertaken to see these children by their Case Managers as well as the Resettlement Coordinator. These visits focus on meeting the needs of the children to have contact with their family, have education and to make sure that there is planning in place for their accommodation, education and other needs for when they leave custody. Case Managers liaise with Resettlement Workers in the custodial setting and follow up on any incidents involving violence or restraint.

Greater Manchester Combined Authority pay for a Senior Social Worker in YOI HMP Wetherby who works with Greater Manchester children. They provide a quarterly report which outlines the current situation, any restraints, current statistics and ensures that there is a consistent level of support for Greater Manchester children.

Resettlement is discussed at least every other month at the Greater Manchester Heads of Service meeting and local statistics and experiences are shared and discussed. This ensures a consensus in the views presented to custodial settings. There is a Greater Manchester Resettlement Consortium that is lead by Oldham. There is also a quarterly Operational Group which is well attended by all of the GM areas and resettlement workers from the local custody providers.

11.11 **Working with Families**

Working with Families is fundamental to achieving change for children and is identified within the individual plans for the child. Practitioners build trusted relationships with the family and often work with different members of the family individually as well as together. This work could include exploring ways of keeping children safe by reducing the number of occasions when they go missing and involving them in more family activities. This work may also include re-building relationships where these have become strained. This may be because of a family member being the victim of the offence or the child not regularly attending education.

Working with families is key to breaking the cycle of children having contact with the criminal justice system and trusted relationships enable family members to open up about things that have happened and the impact on them of these incidents.

Parents and Carers are also consulted as part of our coproduction and consultation processes.

12. Voice of the child

The voice of the child continues to be a central part of practice across the partnership in Oldham. In the most recent inspection of Oldham Youth Justice Service in 2019, this was identified as a key strength with the report noting:

“children and young people are at the heart of everything this service does”.

The Peer Review also highlighted several areas of good practice in relation to this, with children of course being involved through focused sessions throughout. Internally, all children and their parents, carers, or significant adults working with Oldham YJS are offered the opportunity to engage with “Your Opinions Matter”.

A resource completed independently from their Case Manager alongside the Engagement Worker with a lead for participation. This covers areas such as feeling included in decision making, meeting cultural needs, feeling safe, and how well we work with other services. A report is produced bi-annually on collated feedback and presented to the Youth Justice Management Board.

Locally, the Strategic Youth Partnership in Oldham has developed the “Children and Young People’s Participation Framework” which is the first cross system participation framework, spanning the period 2023-2030. It sets out our Oldham approach to support, nurture and celebrate a culture of participatory practice in both Oldham Council and Oldham Council funded services. The document is designed to introduce organisations to the approach and ensure there is a shared understanding of participation and best practice.

Alongside this, Manchester Youth Justice Service, in collaboration with Manchester Centre for Youth Studies at Manchester Metropolitan University, have authored the “Participatory Youth Practice Framework”, designed to support enhancing participatory practice with children involved in the criminal justice system. This used children’s lived experiences, supported by academic theory and trauma informed research evidence to suggest a new approach. This framework has been used as part of our development of our participation framework which aims to improve and enhance our participation and coproduction work with the children and families we work with.

During 2024/25 all the Youth Justice Service will have external training delivered by Manchester Youth Justice service on the Framework to ensure that they are using this in their work with children.

We also encourage participation at local and national level. Consequently, we are regularly asked to support researchers by enabling them to talk to children we are working with and there were two examples of this taking place during 2023/24 with a further session already requested for 2024/25.

13. Governance, Leadership and Partnership Arrangements

As highlighted earlier in this plan, Oldham Youth Justice Service is in a distinctive position in that it is commissioned out to be delivered by an independent charitable trust, Positive Steps, which is governed through a Board of Trustees, comprised of elected members and community representatives.

In its own right, the Youth Justice Service meets statutory requirements, and maintains oversight from the Local Authority through the Youth Justice Management Board, chaired by the Managing Director for Children and Young People (Director of Children’s Services) who reports to the Chief Executive Officer of Oldham Council. Quarterly meetings ensure that the Board is pro-active in taking responsibility for all aspects of youth justice, leading strategically across relevant partners, and ensuring a high-quality service is provided to all children. The full membership of the Youth Justice Management Board can be found in Appendix 1.

Working with the Director of Children’s Services is the Head of Service (HoS) for Youth Justice and Missing from Home who was new in role as of January 2023 following a restructure but has been part of Oldham YJS since 2012. Alongside this responsibility, they take the strategic lead for resettlement across Greater Manchester.

The staffing structure and record of ethnicity, sex and known disability of staff can be found in Appendix 2.

Oldham Youth Justice Service benefits from specialist support from a seconded Police Officer, Nurse, Speech and Language Therapist and Mental Health Coach with all being well embedded into the service. From July 1st, a full time Probation Officer will also be in post. At present, Oldham Youth Justice Service do not have a seconded Child and Adolescent Mental Health Practitioner however the funding for this post has now been agreed by the Integrated Care Board and it is anticipated that the post will be advertised shortly. It continues to be a priority to find a resolution to short term funding agreements for the Speech and Language Therapist so that a longer-term commitment to this post. Oldham YJS employs an Education and Resettlement Co-Ordinator who closely liaises with the relevant persons within the local authority such as the Virtual School, Inclusion and SEND teams, as well as schools, colleges and training providers.

There is a strong tradition of partnership working in Oldham and Greater Manchester, both strategically and operationally, with Oldham YJS engaged in the following:

- Oldham Children’s Assurance Board
- Oldham Reducing Re-Offending Board (Co Chair)
- Oldham Partnership Performance Board
- Oldham Learning Review Hub
- Oldham Complex and Contextual Safeguarding Board
- Oldham Strategic Youth Partnership
- Oldham Corporate Parenting Partnership
- Oldham Missing from Home Working Group
- Child Exploitation Working Group
- Prevention and Diversion Panel (Chair)
- Greater Manchester Violence Reduction Board
- Greater Manchester Serious Violence Duty Steering Group
- Greater Manchester Youth Justice Transformation Board
- Greater Manchester Resettlement Consortium (Chair)
- Greater Manchester Youth Justice Senior Lead Meeting

14 Progress on Previous Plan

The table below sets out performance in relation to the previous plan.

Action	Progress
Continue to develop the effectiveness of the Youth Justice Management Board	This is now a completed action with all agencies being represented by decision makers and attending regularly.
Ensure that the Youth Justice Plan is aligned to other relevant plans in children’s services and that there are shared priorities for children which reflect Child First principles	This is now a completed action and this plan is fully aligned with the Children’s Services plan.

Action	Progress
Improve reporting on specific performance measures and new KPIS	This continues to be a work in progress. The new KPI's continue to present some 'teething' issues with the data however work continues on this, and a dashboard is currently being put together which links in clearly with the 'Achieving Excellence' quality assurance framework. This dashboard should be available from Autumn 2024.
Resolve lack of seconded CAMHS Practitioner in YJS	Funding is now agreed and this post should be advertised shortly.
Resolve concerns regarding short time funding commitment for seconded health roles	This continues to be a work in progress. Permanent funding has been agreed by the Integrated Care Board however the local health funding still remains subject to a short-term agreement.
Develop and embed YJS Disproportionality Strategy	Cultural Awareness training has now been completed and the Disproportionality Strategy and policy should be in place and agreed by the end of July 2024
Review and embed outstanding policies	Work on this has been completed throughout the year and all policies should be agreed and uploaded on the system by August 2024
Develop and embed YJS Participation Strategy	This is nearly finished and should be completed and agreed by end of July 2024
Embed the use of Outcome 22 as an alternative to prosecution	There has been a significant amount of work completed on this and it is starting to show outcomes in the numbers of 'Outcome 22' being used. This will continue to be monitored throughout 2024/25 to ensure that the numbers continue to increase.
Complete full National Standards Audit and present findings to YJMB	This has been completed and an external validation visit was also undertaken by the Youth Justice Board.
Challenge lack of attendance at YJMB and engagement should this occur	This is no longer an issue as there is now excellent attendance and engagement at the YJMB

Convene Task and Finish Groups in relation to board actions, as and when required, to ensure these are successfully completed and do not drift, in particular following HMIP Thematic Inspections or Serious Case reviews and similar	There has been a task and finish group about Outcome 22 and this has resulted in there being an increase in the use of Outcome 22 in Oldham. There was a paper presented to the board which reviewed the inspections of Youth Justice Services that took place in 2023 and made a serious of recommendations for the service.
Seek funding opportunities to develop evidence- based practice and innovation	This remains on the plan and most recently Oldham was part of putting together a Greater Manchester Bid to the Youth Endowment Fund.

15. Performance

Despite Oldham being a complex and challenging place to deliver youth justice due to a large youth population, levels of deprivation and crime rates, the youth justice service performs above comparative groups in a number of areas. At times, Oldham has reported one of the lowest re-offending rates nationally, which given the demographic is inspiring. It is obvious that the service strives to continue with these high levels of performance and so continuous monitoring and challenge from the board when required will be imperative, along with further work with the management information team to ensure there is a clear understanding of the cohort will be key.

16. National Key Performance Indicators

Oldham Youth Justice Service continues to perform well against the nationally measured targets. Over the past 12 months, the service has continued to report, on a quarterly basis, on the existing key performance indicators (KPIs). Please note that reoffending cannot be 'proven' statistically until 16 months after the offence, hence the time lag in data.

Reoffending Rates

Reoffending - binary rate	Oldham	North West	Greater Manchester	YJS family	England
Binary Rate - Apr 22 to Jun 22	Data Not Available				
Binary Rate - Jan 22 to Mar 22	21.1%	35.8%	31.2%	34.1%	34.1%
Binary Rate - Oct 21 to Dec 21	38.5%	34.3%	36.8%	29.5%	32.4%
Binary Rate - Jul 21 to Sept 21	11.8%	29.5%	25.5%	26.8%	30.4%

Reoffending - frequency rate	Oldham	North West	Greater Manchester	YJS family	England
Binary Rate - Apr 22 to Jun 22	Data Not Available				
Binary Rate - Jan 22 to Mar 22	0.95	1.47	1.55	1.48	1.39
Binary Rate - Oct 21 to Dec 21	1.23	1.67	1.83	1.40	1.39
Binary Rate - Jul 21 to Sept 21	0.35	1.54	1.56	1.57	1.25

Reoffences- frequency rate per reoffender	Oldham	North West	Greater Manchester	YJS family	England
Binary Rate - Apr 22 to Jun 22	Data Not Available				
Binary Rate - Jan 22 to Mar 22	4.50	4.10	4.97	4.35	4.07
Binary Rate - Oct 21 to Dec 21	3.20	4.86	4.96	4.76	4.28
Binary Rate - Jul 21 to Sept 21	3.00	5.21	6.10	5.86	4.12

Oldham Youth Justice Service performs exceptionally well in terms of re-offending with rates being well below all comparative groups. An increase of up to 38.5% was observed in one quarter, but this was agreed to be an anomaly, taking into consideration that the data was not available in the previous quarter. Given the levels of deprivation in Oldham, this is a figure that we are incredibly proud of and is most definitely attributed to the Child First, trauma-informed approach taken by the motivated and dedicated team and multi-agency partnership.

First Time Entrants

FTE PNC rate per 100,000 of 10-17 population	Oldham	North West	Greater Manchester	YOT family group	England
Apr 23 - Mar 24 DRAFT DATA**	174**	190**	232**	191**	159**
Jan 23 - Dec 23	177	185	233	190	166
Oct 22 - Sep 23	177*	193	233	206	172
Jul 22 - Jun 23	157*	170	205	200	162
*Ammended Data					

The number of first-time entrants in Oldham sits at a rate that is below that of the comparative groups, aside from those figures from England. This has remained consistent between October 22 – the most recent data (currently draft data). Whilst this data is slightly above the England averages it is impressive given the levels of deprivation in Oldham and is better than that of our YOT family group. Further prevention work will hopefully show a further reduction in first-time entrants in the future.

Use of Custody

Custody Rate per 1,000 of 10-17 population	Oldham	North West	YJS family	England
Apr 23 - Mar 24 DRAFT DATA	0.03*	0.12*	0.19*	0.11*
Jan 23-Dec 23	0.03	0.14	0.18	0.11
Oct 22 - Sept 23	0.14	0.14	0.20	0.11
Jul 22 - Jun 23	0.14	0.15	0.18	0.11

Oldham's use of custody remains low, with the children included in these figures being sentenced for the most serious offences of Murder and S. 18 Wounding. The reduction in the numbers in the last two quarters is due to sentenced children becoming adults and either being released or transferred to the adult estate. All Pre-Sentence Reports go through a robust management oversight process to check content and language. Oldham YJS also report on locally agreed performance targets agreed by the Youth Justice Management Board.

Accommodation

Accommodation upon release from custody	Number released from custody	Number with appropriate accommodation arrangements	Number with suitable accommodation arrangements	Percentage in suitable accommodation
2022/23	2	2	2	100%
Qtr 4 2023/24	1	1	1	100%
Qtr 3 2023/24	0	0	0	N/A
Qtr 2 2023/24	4	4	4	100%
Qtr 1 2023/24	1	1	1	100%

Although the number of children in and leaving custody is small, all are released with appropriate and suitable accommodation in place. All authorities have now signed up to the "Greater Manchester Accommodation Standard" to ensure that an address is agreed at least six weeks in advance, and where this is not, an escalation pathway is in place to find a resolution.

Education, Training and Employment

Percentage of Young People engaged with the Youth Justice Service who are in suitable education, employment or training.	Number of YP with Interventions ending	Number in ETE	Outcome	Improvement on 77% target in percentage points
2022/23	134	122	91%	14%age points
Jan - Mar 2024	22	19	86%	9%age points
Oct-Dec 2023	27	26	96%	19%age points
July -Sep 2023	17	15	88%	11%age points
Apr - Jun 2023	24	21	88%	11%age points

The percentage of children completing their youth justice intervention with education, training, or employment in place in Oldham is high and above the average. The service benefits from an Education and Resettlement Co-Ordinator who works with schools, colleges, and training providers to build relationships and break down barriers to ensure there is a wide variety of resources available. The service has developed a specific risk assessment to ensure that context, likelihood, imminence, and victim type of risk are understood by education providers to promote and sustain engagement.

Children Looked After

Likelihood of Childen Looked After receiving a substantive outcome compared with non CLA 10-17 population	
Apr 22 to Mar 23	19.17%
Jul 22 to Jun 23	23.88%
Oct 22 to Sept 2023	20.29%
Jan 23 to Dec 2023	24.00%
Apr 23 - Mar 24	22.67%

The number of children looked after working with Oldham YJS is reducing. It is likely that this is because of the impact of the "Oldham Protocol on Reducing the Unnecessary Criminalisation of Children Looked After and Care Leavers" which was launched across the partnership in March 2023.

This protocol reflects the principles and ambitions set out nationally which describes “what” needs to happen across the country. This has continued to be promoted extensively during 2023/24 and is sent out to all newly commissioned placements by the Oldham commissioning service. Locally, Oldham has complemented this by setting out “how” we will do it and is reflective of service structure, stakeholders, and governance. It represents a multi-agency partnership commitment to reducing the unnecessary criminalisation of children looked after and care leavers. Hopefully, this, combined with the continued commitment of all partners to reduce the number of children looked after known to the criminal justice system in Oldham, will result in this number falling further.

Diversity

Ethnicity	Post court		Pre court		Custody		Total YJS caseload		*Oldham 10-17 Population
		Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Percentage
Young people worked with during Apr 23 to Mar 24									
White/White other	26	54%	17	63%	2	100%	43	57%	58%
Asian or Asian British	12	25%	3	11%	0	0%	15	20%	32%
Mixed Parentage	4	8%	2	7%	0	0%	6	8%	1%
Black or Black British	1	2%	2	7%	0	0%	3	4%	6%
Chinese or other ethnic group	3	6%	2	7%	0	0%	5	7%	3%
No Information	2	4%	1	4%	0	0%	3	4%	N/A
Total	48		27		2		75		100%

Children from black and global majority backgrounds are over-represented at all stages of the criminal justice system. All children from groups which are over-represented have additional management oversight on Pre-Sentence Reports to ensure they are balanced and free from bias. The inclusion of data in reports to the Court is encouraged to highlight over-representation. This continues to be a priority area for the service and cultural awareness training has now been completed with a focus on intersectionality. It is hoped that this will increase understanding and result in an improved picture of the statistics.

17. Challenges, Risks and Issues

Oldham Youth Justice Service is highly regarded across the partnership and the children and families we work with. We want to continue to provide an excellent offer and, as such, must acknowledge the potential challenges we may face over the next 12 months.

Children looked after, and those from black and global majority backgrounds are over-represented in the cohort. We have already taken steps to reduce the unnecessary criminalisation of children looked after and care leavers. It will remain important that the protocol continues to be used and promoted, especially given the number of residential units being opened in Oldham by private providers.

The disproportionality strategy will be in place by July 2024, and all the workforce will have completed cultural awareness training with a focus on intersectionality. It is hoped that the improved understanding and an increase in reflective discussions both within the team and in supervision will continue to improve these statistics and, more importantly, the experience of black and global majority children open to the service.

Oldham Youth Justice Service is in a strong overall performance position, supported by a strong partnership commitment and is proud of the outcomes it has achieved despite the challenging demographic it serves.

18. Sign Off, Submission and Approval

Chair of Oldham Youth Justice Management Board	Gerard Jones, Managing Director of Children's Services, Oldham Council
Signature	<i>Gerard Jones</i>
Date	28/06/24
Council Representative	Paul Axon
Signature	<i>P S Axon</i>
Date	28/06/24

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Every child will have a 'bespoke' intervention to meet their individual needs and promote child-first principles	Claire Griffiths, Nicola Holmes, Kelly Rennie and Claire Hudson	September 2024	<p>Measure: To be reviewed every month as part of the Quality assurance framework and presentation to the Youth Justice Management Board in September 2024</p> <p>Impact: Children will have individual plans that focus on their needs, promoting education and desistance.</p>	
Seek funding opportunities to develop evidence-based practice and innovation	Paul Axon, Clare Griffiths and all Youth Justice Board Members	June 2025	<p>Measure: Bids will be sourced and made.</p> <p>Impact: Children in Oldham will benefit from the provision of additional interventions.</p>	
Develop and embed a culturally aware service	Clare Griffiths	June 2025	<p>Measure: Quality Assurance Framework and case studies. Feedback from the team on how they have implemented the training.</p>	

			<p>Impact: Children from all backgrounds will have support identified to their specific needs that shows cultural awareness and minimises disproportionality</p> <p>Measure: Pre-sentence Reports and Asset Plus assessments for young people affected by disproportionality within criminal justice systems are subject to additional QA processes. Outcomes for these children are thematically reported into YJMB</p> <p>Impact: Increased understanding of issues at strategic and operational levels of youth justice. Reduced impact of disproportionality in cases.</p>	
<p>Trauma-informed relationship work focuses on strengths that are persistent and consistent.</p>				
<p>Prevention and Diversion work will continue to be focused on reducing first time entrants, reoffending and reducing violence and exploitation. Work by SALT, TOG Mind and CAMHS</p>	<p>Clare Griffiths, Nicola Holmes, Kelly Rennie, Claire Hudson, Jenny Fernandez, TOG Mind and CAMHS Practitioner</p>	<p>Evaluation of TOG Mind project to be presented to the Youth Justice Management Board in March 2025</p>	<p>Measure: Partner agencies will have a greater understanding of how to prevent children from entering the justice system. There will be case studies with good outcomes and evaluations of the support provided by TOG</p>	

<p>practitioners will improve outcomes for children</p>		<p>CAMHS Practitioner Outcomes Review to be presented to the Youth Justice Management Board in March 2025</p> <p>Prevention Conference to be held in October/November 2024</p>	<p>Mind and CAMHS will show that interventions are effective.</p> <p>Impact: Children in Oldham will have interventions that reduce reoffending and give them better life chances.</p>	
<p>Trauma Informed Resettlement</p>	<p>Clare Griffiths, Clare Hudson and GM Resettlement Consortium</p>	<p>September 2024 – March 2025</p> <p>June 2025</p>	<p>Measure: Greater Manchester Resettlement Consortium Training by Dignify to take place and a 'Deep Dive' report will be completed. This work will be reviewed by the Greater Manchester Youth Justice Transformation Steering Group and a Resettlement Work in Oldham Report will be presented to the Youth Justice Management Board.</p> <p>Impact: There will be case studies demonstrating trauma-informed resettlement work</p>	
<p>Restorative (Relationships, Respect, Responsibility, Repair, Reintegration)</p>				

<p>Restorative Justice opportunities will continue to expand 'giving back' opportunities</p> <p>Continued promotion of 'giving back' and work undertaken with Victims</p>	<p>Clare Griffiths, Nicola Holmes and Josh Sayers.</p>	<p>Opportunities will continue to be explored within the local community.</p> <p>Presentations about the work being undertaken to be done with partner agencies.</p> <p>June 2025</p>	<p>Measure: Updating presentation to the Management Board in June 2025</p> <p>Impact: More community engagement and 'giving back' opportunities due to an increased understanding of the service provision</p>	
<p>Resolve concerns regarding short time funding commitment for SALT</p>	<p>Clare Griffiths and NHS Pennine Trust and Greater Manchester ICB</p>	<p>December 2024</p>	<p>Measure: Funding is established on a long-term basis</p> <p>Impact: Children will have access to speech and language support to promote desistence</p>	
<p>Effective Partnership Work & Keeping the Community Safe</p>				
<p>Working with the community safety partnership to reduce youth violence</p>	<p>Clare Griffiths</p>	<p>June 2025</p>	<p>Measure: Regular partnership work demonstrated through governance on YJMB/CSCP</p>	

			Impact: All agencies are working together to reduce youth violence in Oldham resulting in fewer children being involved in violence.	
Prevention Youth Violence in Oldham Conference	Clare Griffiths, Lorraine Kenny, Matt Bulmer, Lisa Slater and Phil Hutchinson	October/November 2024	Measure: Across Oldham there will be a greater understanding of what is needed to prevent youth violence. This will be measured by feedback evaluation from the event and then a further survey 6 months on. Review of children accessing early intervention and support via the YJS and the impact on exclusion data	
		Measures to be reviewed in June 2025 and in subsequent years.	Impact: More children in Oldham will receive early intervention support. Children accessing this support are less likely to be excluded from education.	
Participation of Children, parents and Carers				
Form a Children’s panel which will be consulted about service development	Clare Griffiths, Nicola Holmes and Harley Hegarty	September 2024	Measure: Consultations will be presented at each board and	

<p>and papers going to the board to ensure that there is genuine 'co-production'.</p>			<p>thread throughout the 2025/2026 plan.</p> <p>Impact: Genuine co-production with children involved in service development and review. Children will know their voices is being heard.</p>	
<p>Form a parenting/ carers support group for parents and carers of children open to YJS.</p>	<p>Clare Griffiths, Nicola Holmes and Harley Hegarty</p>	<p>September 2024</p>	<p>Measure: Parents will feedback that the group provides support and that their voices are being heard.</p> <p>Impact: Service improvements will reflect the support needed as identified by parents and carers.</p>	
<p>Produce quarterly reports giving an overview of the feedback from children, parents/carers and other professionals</p>	<p>Nicola Holmes and Harley Hegarty</p>	<p>From September 2024</p>	<p>Measure: Reports will be sent to commissioners as part of the report and presented to the Management Board.</p> <p>Impact: Children and Parent/Carer voices will be heard at strategic and oversight levels.</p>	
		<p>August 2024</p>		

Children to be involved in recruitment processes

Clare Griffiths, Nicola Holmes, Joanne Mayers

Measure: Children's voices will be involved in any recruitment to the service.

Impact: The service is influenced by the voice of children and represents their lived experience.



Report to Cabinet

Revenue Monitor and Capital Investment Programme 2024/25 Quarter 1 – June 2024

Portfolio Holder: Councillor Abdul Jabbar MBE, Deputy Leader of the Council and Cabinet Member for Value for Money and Sustainability

Officer Contact: Sarah Johnston, Director of Finance

Report Author: Lee Walsh, Assistant Director of Finance

19 August 2024

Reason for Decision

The report provides Cabinet with an update as at 30 June 2024 (Quarter 1) of the Council's 2024/25 forecast revenue budget position (at Annex 1) and the financial position of the capital programme together with the revised capital programme 2024/25 to 2028/29 (at Annex 2), and the Outturn position for 2023/24 (Annex 3).

Executive Summary

Revenue Position

The forecast overspend position based on the Quarter 1 profiled budget is £6.508m which if not addressed urgently has a year-end forecast of £26.033m.

As this financial monitoring report reflects the financial position at Quarter 1, it can be regarded as an early warning of the potential year-end position if no further action is taken to reduce net expenditure. The management action initiated in 2023/24 across all service areas has continued into 2024/25 and an enhanced programme of mitigations to reduce the in-year pressure has been commenced. Details are included in Annex 1 of this report. These mitigations are implemented with immediate effect, and it is anticipated that by the year end, the current outturn deficit position should reduce.

Information on the Quarter 1 position of the Dedicated Schools Grant (DSG), and Revenue Funding and Collection Fund is also outlined in the report.

An update on the Quarter 1 2024/25 position is detailed within Annex 1.

Capital Position

The report outlines the most up to date capital spending position for 2024/25 to 2028/29 for approved schemes. The revised capital programme budget for 2024/25 is £101.680m at the close of Quarter 1, a net increase of £1.997m from the original budget approved at Council on 28 February 2024 of £99.683m. Actual expenditure to 30 June 2024 was £11.895m (11.70% of the forecast outturn).

It is likely that the forecast position will continue to change throughout the year with additional re-profiling into future years.

Revenue Outturn 2023/24

This report provides confirmation of the outturn position for 2023/24.

The information contained within Annex 3 is reported in the Narrative section of the Council's draft Statement of Accounts 2023/24 which were published on 7 June 2024 and have been handed over to the Council's external Auditors Forvis Mazars, LLP.

Further detail can be found within Annex 3.

Recommendations

That Cabinet approves the:

1. Forecast profiled budget, being an adverse position of £6.508m and the forecast potential adverse position by year end of £26.033m, with mitigations in place to reduce expenditure.
2. The additional working capital provided for Oldham Total Care as detailed in Annex 1.
3. Forecast positions for the Dedicated Schools Grant and Revenue Funding and Collection Fund.
4. Revised capital programme for 2024/25 including the proposed virements and the forecast for the financial years to 2028/29 as at Quarter 1 as outlined in Annex 2.
5. The Outturn position for 2023/24 as highlighted in Annex 3.

Revenue Monitor and Capital Investment Programme 2024/25 Quarter 1 – June 2024**1 Background**

- 1.1 The Authority's 2024/25 revenue budget was approved by Council on 28 February 2024 at a sum of £299.818m to be met by government grants, Council Tax, Business Rates, and the use of General Earmarked Reserves. This report sets out the updated revenue financial position at Quarter 1.
- 1.2 As the year progresses the monthly and outturn projections will reflect the evolving position of the impact of management actions put in place to mitigate in-year pressures, new developments and changes in the profile of planned expenditure and any additional grants that are announced from the Government.

2 Current Position

- 2.1 As with previous early period monitoring reports, a cautious approach is generally taken when preparing forecasts. In particular, assumptions are made that vacant positions will be filled successfully, which as the year progresses does not always transpire. Likewise, the contingency budgets, held within service areas and council wide are released with caution in the early stages of the year.
- 2.2 This Quarter 1 revenue monitoring report can be used to give a general direction of travel and highlight any significant areas of concern which may not just impact on the current year, but also when preparing future budgets. A projected overspend based on the Quarter 1 profiled budget is £6.508m which if not addressed urgently has a year-end forecast of £26.033m. This demonstrates that close financial management and Management action is needed during 2024/25 considering the already significant budget gap in the Medium-Term Financial Strategy for 2025/26 and the limited Earmarked Reserves.
- 2.3 The main areas of concern identified in the Quarter 1 monitoring report (based on the Quarter 1 profiled budget) are:
- Community Health and Adult Social Care an adverse position of £1.404m,
 - Children's Services estimated overspend of £3.547m; and
 - Strategic Housing, in particular Temporary Accommodation a forecast overspend of £1.265m.
- 2.4 The projected net adverse variance is of concern and as a result, management mitigations have been actioned. The mitigations implemented are detailed in Annex 1 and are essential to support the financial resilience of the Council.
- 2.5 Every effort will be made to reduce the forecast variance by the year end to mitigate any potential impact on the 2025/26 budget, together with the projected budget gap for the following year.
- 2.6 The original capital programme for 2024/25 totalled £99.683m. The revised capital programme as at Quarter 1 taking into account any approved carry forwards, approved new funding, new schemes and variations and proposed variations/ re-

phasing gives projected revised expenditure of £101.860m. Actual expenditure at Quarter 1 was £11.895m (11.70% of the forecast outturn). Further details of expenditure and schemes within the capital programme can be found in Annex 2.

- 2.7 The Annual Review of the capital programme will be taking place during the summer months. This is likely to lead to further reprofiling of planned expenditure and the realignment of capital resources between schemes. Its findings and recommendations will be reported later in the financial year.

3 Options/Alternatives

- 3.1 The options that Cabinet might consider in relation to the contents of this report are;
- a) to consider the forecast revenue and capital positions presented in the report including proposed changes
 - b) to propose alternative forecasts

4 Preferred Option

- 4.1 The preferred option is that the Committee considers the forecasts and changes within this report; option (a) at 3.1.

5 Consultation

- 5.1 Consultation with the services within the Council and the Director of Finance.

6 Financial Implications

- 6.1 The full financial implications are detailed in the report.

7 Legal Services Comments

- 7.1 There are no legal issues at this time.

8 Co-operative Agenda

- 8.1 Improving the quality and timeliness of the financial information available to citizens of Oldham supports the co-operative ethos of the Council.
- 8.2 The revenue budget and capital strategy/ programme have been prepared so that they embrace the Council's co-operative agenda with resources being directed towards projects that enhance the aims, objectives and co-operative ethos of the Council. Ongoing budget monitoring is key to ensuring this objective is met.

9 Human Resources Comments

- 9.1 There are no Human Resource implications.

10 Risk Assessments

- 10.1 The risk is that the proposed management actions are not achieved in full. Should this be the case then alternatives will be sought and implemented.

11 IT Implications

11.1 There are no IT implications.

12 Property Implications

12.1 There are no Property implications.

13 Procurement Implications

13.1 There are no Procurement implications.

14 Environmental and Health & Safety Implications

14.1 There are no Environmental and Health and Safety implications.

15 Equality, Community Cohesion and Crime Implications

15.1 There are no Equality, Community Cohesion and Crime implications.

16 Implications for Children and Young People

16.1 There are no direct implications for Children and Young People

17 Equality Impact Assessment Completed

17.1 An equality impact assessment has been included at Annex 3.

18 Key Decision

18.1 Yes

19 Key Decision Reference

19.1 FCR-14-24

20 Background Papers

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Revenue Background Papers are contained in Annex 1 including, Appendix 1

Officer Name: Lee Walsh

Contact: lee.walsh@oldham.gov.uk

File Ref: Capital Background Papers are contained in Annex 2 including Appendices A to H

Officer Name: James Postle
Contact No: james.postle@oldham.gov.uk

21 Appendices

Annex 1 Revenue Budget Monitoring Report 2024/25 Quarter 1 - June 2024

Appendix 1 Directorate Summary Financial Position

Annex 2 Capital Investment Programme Report 2024/25 Quarter 1 - June 2024

Appendix A SUMMARY – Quarter 1 - Community Health & Adult Social Care

Appendix B SUMMARY – Quarter 1 - Children’s Services

Appendix C SUMMARY – Quarter 1 - Communities

Appendix D SUMMARY – Quarter 1 - Place and Economic Growth

Appendix E SUMMARY – Quarter 1 - Housing Revenue Account (HRA)

Appendix F SUMMARY – Quarter 1 – Corporate/ Information Technology

Appendix G SUMMARY – Quarter 1 - Capital, Treasury & Technical Accounting

Appendix H SUMMARY – Quarter 1 - Funds for Emerging Priorities

Annex 3 Revenue Outturn Position 2023/24

Annex 4 Equality Impact Assessment- Financial Monitoring 24-25 (Q01)

REVENUE BUDGET MONITORING REPORT 2024/25**Quarter 1 - June 2024****1 Background**

- 1.1 The Authority's 2024/25 revenue budget was approved by Council on 28 February 2024 at a sum of £299.818m to be met by government grants, Council Tax, Business Rates, and the use of General Earmarked Reserves. This report sets out the updated revenue financial position at Quarter 1.
- 1.2 Under established budget procedures all services are required to monitor and review their approved budgets during the financial year. As part of this process, a forecast of the year-end position has been prepared by all services. The forecast is reported based on a comparison of profiled budgets as at the end of Quarter 1 which in turn forecasts a potential year end position. The services forecasts include all known commitments, issues, and planned management actions.

2 Outlook and Budget Context

- 2.1 The budget for 2024/25 was set against a backdrop of challenging economic and fiscal conditions, with inflationary pressures, high interest rates and low levels of economic growth impacting on local and national finances. The lingering impact of the Covid 19 pandemic and the ensuing cost of living crisis has meant that locally demand for services and the cost of providing those services has been increasing over the last couple of years which has placed further strain on the Council's budgetary position. In addressing these pressures, the Council sought to deliver savings of £19m and apply £10.8m of usable reserves to help balance the need to provide services and to set a balanced budget. In setting the budget it was acknowledged that significant financial pressures remained on the Council over the medium term due to the longer-term impacts of high inflation and demand.
- 2.2 Whilst the headline rate of inflation has reduced and market sentiment is such that the expectation is that the Monetary Policy Committee (MPC) will look to stimulate the UK economy by lowering rates in upcoming quarters, experts anticipate a gradual reduction, with rates potentially reaching around 3% by late 2025. Notwithstanding a reduction in interest rates, the impact of high inflation on the cost of utilities, fuel and food is such that these costs remain significantly higher than they were a couple of years ago which presents an ongoing challenge in boroughs like Oldham where high levels of deprivation are widespread.
- 2.3 The results of the UK general election will play a pivotal role in determining the economic trajectory in the coming financial year. Labour's victory on the 4 July 2024, will influence a range of factors, from fiscal policies and public spending to trade relations and regulatory frameworks. Whilst a change in Government may be viewed as positive news it further adds yet more uncertainty to the short-term fiscal strategy. Given the size of the

public debt, it is unlikely that a new Government will have room for manoeuvre and a roll over financial settlement must be assumed for at least one more year. The scale of the challenge faced means that the Council must continue to deliver its existing savings programme, identify significant permanent savings, lobby the Government to address the unfairness of the funding formula and maintain prudent financial management.

- 2.4 Overall, the economic environment, whilst forecast to be more stable than recent years, remains uncertain and challenging and this will need to be monitored carefully as the year progresses. In this context, the Council must remain agile and ready to respond to emerging trends and unforeseen events. Regular reassessment of economic indicators and global developments will be key to navigating this calmer, yet still challenging, economic landscape.

3 Current Position

- 3.1 As with previous early period monitoring reports, a cautious approach is generally taken when preparing forecasts. In particular, assumptions are made that vacant positions will be filled successfully, which as the year progresses does not always transpire. Likewise, the contingency budgets, held within service areas and council wide are released with caution in the early stages of the year.
- 3.2 The current net revenue budget of £300.768m represents an increase of £0.950m against the originally approved budget of £299.818m. This is due an increase in Government grants received since the Original Budget was approved.
- 3.3 This Quarter 1 revenue monitoring report can be used to give a general direction of travel and highlight any significant areas of concern which may not just impact on the current year, but also when preparing future budgets. A projected overspend based on the Quarter 1 profiled budget is £6.508m which if not addressed urgently has a year-end forecast of £26.033m. This demonstrates that close financial management and Management action is needed during 2024/25 considering the already significant budget gap in the Medium-Term Financial Strategy for 2025/26 and the limited Earmarked Reserves. The main areas of concern identified in the Quarter 1 monitoring report (based on the Quarter 1 profiled budget) are the overspends in respect of the cost of Adult Social care placements, costs of Looked After Children placements and temporary accommodation costs.

Table 1 –Summary of Quarter 1 Profiled Budget Position

	Profiled Budget at Qtr. 1	Profiled Forecast at Qtr. 1	Profiled Variance Qtr. 1	Forecast Outturn based on Qtr. 1 Variance
	£000	£000	£000	£000
Adult Social Care	19,025	20,429	1,404	5,616
Children's Services	17,982	21,529	3,547	14,187
Public Health	5,731	5,684	(47)	(187)
Place and Economic Growth	16,811	19,023	2,212	8,850
Corporate Services	8,388	7,780	(608)	(2,433)
NET DIRECTORATE EXPENDITURE	67,937	74,445	6,508	26,033
Capital, Treasury and Technical Accounting	7,255	7,255	-	-
NET COUNCIL EXPENDITURE	75,192	81,700	6,508	26,033

Notes: * Forecast Outturn figures assume reserves movements shown in Table 3.

- 3.4 The forecast outturn based on the Quarter 1 position is an adverse variance of £26.033m. based on the profiled budget forecast as at Quarter 1.

Significant aspects of revenue variances by directorate

- 3.5 There are significant variances contained within the projected net overspend position.
- 3.6 There are currently three areas which are forecasting significant pressures at Quarter 1;
- Children's Services is forecasting a pressure of £3.547m at Quarter 1 and is forecast to be £14.187m by year end which is, the most significant contributing factor to the Council's adverse variance;
 - Strategic Housing and in particular Temporary Accommodation is forecasting a pressure of £1.265m for Quarter 1 and an outturn forecast of £5.059m; and
 - Adult Social Care is forecasting a pressure of £1.404m to June 2024 with an estimated adverse year end position of £5.616m.

Adult Social Care adverse variance of Quarter 1 £1.404m, estimated Year End adverse position of £5.616m

- 3.7 The Community Health and Social Care service continues to report significant pressures forecast to be £4.785m at year end. This is mainly people with physical disabilities accessing care at home and direct payments.
- 3.8 The Mental Health service is reporting an adverse position of £0.906m. Cost pressures of £1.471m for care packages as follows; £0.501m care homes, £0.416m care at home including direct payments, £0.476m supported living and £0.078m rehabilitation, short stay and respite care are being somewhat offset by favourable variances to budget of £0.184m vacant posts, £0.182m client contributions and ICB contributions to joint funded packages and £0.199m direct payment audit recovery.
- 3.9 The Learning Disability service is reporting an overspend position of £0.273m. The cost of care packages particularly within care at home £0.634m, supported living £0.562m and short stay care £0.065m are mitigated by favourable variances to care home expenditure £0.552m, direct payments £0.198m, respite and shared lives £0.116m and income contributions £0.121m largely due to direct payment recovery.
- 3.10 These overspends are offset by vacant posts across the Directorate of £0.314m.

Oldham Total Care Limited (OTC)

- 3.11 The financial results for OTC for 2023/24 were in line with the forecast presented to Cabinet at the time of acquisition in June 2023 and progress has been made in stabilising the Home and developing a sustainable business model. To this end, the OTC Board approved an increase in nursing fees for new residents to a flat rate of £1,500 per week. Although this represented an increase of over 50%, the Board noted that this was in line with rates for nursing provision within the sector and was required to cover OTC's costs. The increase took effect on 1st July and is the rate that public bodies, including the Council, will pay for any new placements. Residential Care rates have been set in line with the rates approved by Cabinet on 22 January 2024.
- 3.12 Given that the new rate will only apply to new residents, income will increase gradually over time, and it is anticipated that the business will move to a break-even position by the first quarter of 2025. In the meantime, it is proposed that the Council will provide financial support by way of a £1.8m loan to provide further working capital, cover projected losses for the remainder of the calendar year and provide a contingency for unexpected, urgent expenditure. This loan will be repaid from 2025/26 onwards.

Children's Services adverse variance of Quarter 1 £3.547m, estimated Year End adverse position of £14.187m

- 3.13 Children's Services have seen the main pressures that have been evident of the last few years continue into 2024/25. The number of Children Looked After (CLA) has increased during Quarter 1, from 595 at the end of 2023/24 to 614 by the end of June 2024. This has contributed to the ongoing significant pressures on the CLA placement

costs. There has been a 21% increase in residential placements since April 2023. There are currently 69 children in a residential placement at an average weekly cost of £5,862. The issues driving the current financial position are the number and cost of children placed out of borough and the continued reliance on agency staff to address additional demand and to help maintain a fully established workforce. Education Skills and Early years have again continued to see demand rise in the Special Education Needs and Disabilities (SEND) area.

- 3.14 The pressures relating to Children Looked After, children in residential placements and Children's Social Care, has had an adverse impact on the forecast of £13.145m and which is the significant contributor to the directorate's adverse position. Included within this anticipated forecast, Children in Care (Placements) has a forecast adverse variance of £12.293m, mainly relating to placements for Children Looked After within high-cost external residential packages with a further pressure against external semi-independent placements. Fieldwork and Family Support is forecasting an adverse position by year end of £1.075m on agency costs due to the continued reliance on this resource to help maintain a fully established workforce.
- 3.15 Education Skills and Early Years is estimated to be overspent of £1.022m on Home to School Transport as a result of continued increase in Education Health Care Plans (EHCP's) issued and the ongoing increase in SEND demand.

Public Health favourable variance of £0.047m as at Quarter 1, estimated favourable variance at year end of £0.187m

- 3.16 Public Health is showing a slight favourable variance of £0.047m as at Quarter 1. The current forecast is indicating that that by the end of the financial year Public Health will be under budget by £0.187m as a result of underspends on the 0-19 contract. The current proposal is that the underspend will be moved to an Earmarked Reserve at the financial year end as a contingency to be utilised once the final new working arrangements are formalised.

Place and Economic Growth adverse variance of Quarter 1 £2.212m, estimated Year End position at an adverse variance of £8.850m

- 3.17 The significant proportion on the forecast overspend is in relation to Strategic Housing, associated with Temporary Accommodation. Strategic Housing accounts for 57% of the forecast overspent position for the Directorate with Quarter 1 overspent by £1.265m and year end forecast of £5.059m.

Communities

- 3.18 Within the Communities service area, the main reason for the adverse position of £4.609m is Strategic Housing and in particular Temporary Accommodation. The financial year 2024/25 has continued to see an increase in the demand for Temporary Accommodation. The number of individuals and families in Temporary Accommodation has continued to follow the trajectory seen in recent years. The numbers in temporary accommodation at the end of the 2023/24 financial year was 614 and by the end on

Quarter 1 2024 this has increased to 652. When looking at the demand in the service, as at 1 April 2023 the number was 393, this significantly increased to 614 by the 31 March 2024. The current forecast is that the overspend in Strategic Housing will be £5.059m by the end of the financial year. However, mitigations are continuing to be developed and implemented to try to reduce the projected adverse position throughout the financial year.

- 3.19 As part of the Housing Recovery programme the Council is reviewing its income maximisation opportunities. As part of those opportunities, the Council will implement a policy whereby residents will be asked to contribute towards the cost of their temporary accommodation following an affordability assessment. More cost-effective delivery models of temporary accommodation are also being looked at which will also better meet our residents needs.

Economy

- 3.20 Within Economy the Estates service area is the main reason for the adverse position. Current projections are that estates will be forecast to be overspent by £2.450m by year end. The main reasons for the adverse position are:

- The impact of Creating a Better Place 2024/25 Budget Option £2.083m plus known carried forward of £0.600m unachieved budget option from 23/24.
- R&M and Maintenance contracts are still an ongoing pressure with costs increasing resulting in a forecast pressure of £0.507m in 2024/25.
- Delays in the disposals of assets have created an increased Council liability for Business Rates which is forecast to be £0.471m over budget.
- The position highlighted above is offset by significant salary savings across Corporate Property, Estates and Facilities Management totalling approximately £0.918m.

Environment

- 3.21 The Environment service is forecast to be in an adverse position of £1.804m by year end. The main reasons for the adverse variance are:

- Environment Management has a forecast overspend of £0.413m as a result of additional agency cost and, additional costs on the fleet due to hire of vehicles.
- Highways Service is forecasting an adverse position of £0.301m due to a pressure on Agency staff costs.
- Building Control forecast pressure of £0.138m as a result of staff pressure based on agency costs and additional hours plus underachievement of an income target for Building Reg Fees.
- Waste Management Service has an estimated overspend of £0.204m due to staff pressures, a pressure on the domestic bulky waste contract and an increase in fleet related costs.
- Public Protection significant overspend forecast to year end of £0.786m. This is mainly due to increased cost on the Security and Response service of £0.427k, staffing pressure on Pest control £0.164k, additional costs on the Dog Warden service £0.127k and pressures on income targets in Trading Standards of £0.068k.

Corporate Services – favourable variance at Quarter 1 of £0.608m and estimated favourable position of surplus at year end of £2.433m

3.22 Corporate Services is projecting a favourable variance at Quarter 1 which is estimated to be £2.433m by year end. The main reason for the favourable position relates to the number of vacant posts with the directorate. Certain services within the Directorate are continuing to experience difficulties in recruiting to permanent posts, whilst others are holding vacant posts to aid the Council's overall budget position. Given the financial position the Council is facing, and the new mitigations being implemented this favourable position is highly likely to increase as the year unfolds.

3.23 A detailed revenue table is attached at Appendix 1.

4 Mitigation of Current forecast Budget Position

4.1 It is a legal requirement that the Council report a balanced position at the end of the financial year. Failure to do so results in the Council's Section 151 officer having to produce a Section 114 report under the Local Government Act 1988.

4.2 To address the overspend to month three and to seek to influence the projected trajectory of the in year projected position, a series of actions and mitigations have been taken by the Management Board which include:

- Rigorous management review and challenge of all planned expenditure and to maximise income;
- Maintaining escalation of approvals to Senior Management level to ensure non-essential expenditure is minimised;
- A robust vacancy management process has been agreed by Management Board with any external recruitment to be undertaken by exception with Management Board level sign off;
- Service panels in Adult Social Care and Children's Services to review high-cost placement and care packages and step down costs where appropriate;
- Specific task and finish groups to look at reducing the cost in high demand service areas to create efficiencies and reduce cost;
- Reviewing existing budgetary contingencies and the ability to repurpose/reposition some of these towards meeting the in year challenge;
- Developing action plans to bring spend and savings back in line with budget projections; and
- The ongoing transformation programme, elements of this will be accelerated in-year to try to reduce the forecast overspend position. Any previously approved Budget reduction proposals for 2025/26 will look to be accelerated to relieve the in-year pressure.

4.3 Whilst several mitigations are a continuation of actions that were initiated last year (and previous years), the approach has been bolstered and enhanced to address the potential scale of the in year challenge. It is therefore essential that this approach is rigorously applied.

4.4 The effectiveness of management action and corporate procedures will continue to be closely monitored by Management Teams throughout the financial year. Management action should ease the overall financial pressures and the impact of these actions will be reported to Members through the regular financial monitoring reports submitted to Cabinet during the year. To the extent that the gap can only be mitigated through one off measures; to balance the in year budget, this will place further pressure on the revenue budget in 2024/25.

5 Progress on the delivery of the 2024/25 Approved Budget Savings

5.1 Table 2 below presents the progress on the delivery of the 2024/25 approved Budget savings. For savings rated as Amber, work is ongoing to achieve the saving or alternative delivery and in year mitigations are being identified to cover any potential shortfalls which may occur. For savings rated as Red, these are impacting the work on the Budget setting process for 2025/26 and work is ongoing to try to mitigate the impact in the current and future years. The Red savings are included in the adverse forecast revenue Quarter 1 outturn position for 2024/25. If these Red rated budget savings are mitigated downwards it would have a favourable impact on the forecast position for 2024/25.

5.2 In terms of savings, £16.587m of the £20.379m approved budget reduction targets are either delivered or on track to be delivered (Green & Amber), representing 81% of the total savings target with a further 19% or £3.792m with a high risk of not being achieved within this financial year. The table below summarises the progress by Directorate:

Table 2 –Summary on progress on delivery of 2024/25 Approved Budget Reductions

2024/25 Impact of Approved Budget Reductions	Green £000	Amber £000	Red £000	Total £000
Adult Social Care	(3,950)	(3,500)	0	(7,450)
Children's Services	(1,095)	(1,052)	(2,074)	(4,221)
Public Health	(175)	0	0	(175)
Place & Economic Growth	(2,354)	(800)	(1,718)	(4,872)
Corporate	(3,397)	(264)	0	(3,661)
TOTAL	(10,971)	(5,616)	(3,792)	(20,379)

Significant Budget reduction variances by Directorate

5.3 Children's Services budget reductions rated Red are in relation to certain proposals that were aimed at reducing the high-cost residential care placements and a £0.310m proposal for Home to School transport. Both these are highly unlikely to be achieved in year given the extreme pressures on the Children Looked After placements budget and Home to School transport. However, there are potential mitigations in the Children's in care budget proposals. The acceleration of moving children in care to semi-independent accommodation is above target and will continue to be monitored. This should be able to offset some of the unachieved budget reductions. This will be updated throughout the year and included within future reports.

5.4 The Place & Economic Growth Directorate has 3 approved budget reductions rated as Red:

- Creating a Better Place – These are savings associated with disposal of assets and are not forecast to be achieved. In addition, the budget reduction for 2023/24 of £0.600m has not been achieved which has resulted in a direct impact on the budget for 2024/25. The Directorate are looking at various options to try to mitigate the impact of the unachieved saving and it is expected that the budget reduction is likely to be partial completed by year end.
- There is pressure on two budget proposals linked to the capitalisation of staff time on regeneration and highways projects. As the Capital Programme is reviewed, there is a potential for certain schemes to be put on hold or removed from the programme. As at Quarter 1, the achievability of the two proposals is rated as Red.

5.5 Overall, it is expected that as the year unfolds, those budget reductions currently rated as Amber will proceed to Green. Through the review and direction of the Delivery Board on Red rated reductions, work will be done to mitigate the impact of the unachieved saving or an alternative way of achieving the budget savings will be identified. A complete list of all approved savings can be found in the Budget report which was presented to Council on 28 February 2024.

6 Reserves and Balances

6.1 On 1 April 2024, Reserves totalled £72.540m, split between Earmarked Reserves of £49.646m and other reserves such as Revenue Grant Reserve, Schools Reserve and DSG Surplus reserves totalling £22.894m. The General Fund Balance stood at £18.865m. Of the total Earmarked Reserves, approximately 29% are forecast to be spent in 2024/25.

Table 3 – Summary on Reserves Position

Directorate	Opening Balance £	Use of Reserves £000	Contribution to Reserves £000	Anticipated Year End Position £
Adult Social Care	(9,666)	3,376	-	(6,290)
Children's Services	(814)	331	-	(483)
Public Health	(1,114)	565	(385)	(934)
Place & Economic Growth	(3,057)	975	(50)	(2,132)
Corporate	(4,530)	460	-	(4,070)
Capital, Treasury and Technical Accounting	(19,712)	597	(2,115)	(21,230)
Balancing Budget 2024/25	(10,753)	10,753	-	-
Total Earmarked Reserves	(49,646)	17,058	(2,550)	(35,139)
Revenue Grant Reserves	(7,799)	1,290	(135)	(6,644)
Total Reserves	(57,446)	18,348	(2,685)	(41,783)

- 6.2 The Council is currently forecast to have £35.139m of Earmarked Reserves and £6.644m of Revenue Grant Reserves at the end of the financial year 2024/25. As detailed above there are significant management actions being implemented to address the projected in year deficit which should help reduce the overall gap down by year end, however to the extent that mitigations do not cover the deficit, there would need to be a further call on reserves to ensure that the Council’s budget remains balanced. If there is a potential additional call on reserves to offset any unmitigated forecast deficit in year, the availability of reserves would be reduced, and which would impact the financial resilience of the Council.
- 6.3 Work is ongoing to review the proposed use of reserves in year and any movements and amendments to the current forecasts will be reported back in the Month 4 Budget Monitoring report.
- 6.4 A full list of all Earmarked Reserves can be found in the Council’s draft Statement of Accounts 2023/24 on the Council’s website.

7 Dedicated Schools Grant

- 7.1 The table below shows the Dedicated Schools Grant (DSG) 2023/24 outturn and the current forecast position for 2024/25 and 2025/26 as reported to the Schools Forum on 10 July 2024.

Table 4 - Dedicated Schools Grant

DSG Summary 2023/24 to 2024/25	2023/24 Outturn £000	2024/25 Forecast £000	2025/26 Forecast £000
Balance brought Forward	899	3,702	4,150
Grant Income	321,956	350,546	351,667
Expenditure			
Delegated to Schools	293,027	312,694	313,906
Retained Centrally	26,126	37,404	37,404
Total Expenditure	319,153	350,098	351,310
In Year Movement	2,803	448	357
Closing Balance	3,702	4,150	4,507

- 7.2 An in year 2023/24 surplus of £2.803m, increased the overall DSG balance carried forward into 2024/25 to £3.702m (subject to audit and DfE approval). The forecast has been updated to reflect the most up to date funding announcements and expenditure estimates. The DSG surplus is forecast to increase by a further £0.448m in 2024/25 and £0.357m in 2025/26, at which point the DSG surplus to be carried forward into 2026/27 will be £4.507m.

8 Revenue Funding and Collection Fund

- 8.1 Council Tax and Business Rates are a significant source of funding for Council services. However, income from these areas can be volatile. The 2024/25 financial year is no different with the on-going impact of the cost-of-living crisis having an impact on Council Tax collection. As such, the financial position of the Collection Fund is under constant review.
- 8.2 At the beginning of the financial year, it is often difficult to forecast a likely outturn position on Council Tax and Business Rates, given the patterns of cash collection, claims for Council Tax Support and exemptions have not yet matured. A detailed update will be provided in the Quarter 2 report.
- 8.3 The Greater Manchester 100% Business Rates Retention Pilot has continued into 2024/25. Any financial benefits arising from membership within the pilot scheme will continue to be monitored, any beneficial financial resource will be used, if possible, to support the Council's budget and inform the Budget setting process for 2025/26.

9 Summary

- 9.1 The current projected position as at Quarter 1, shows a potentially significant overspend position by the end of the financial year. The financial pressures seen and the demand for services in both Adults and Children's Social Care, the cost of care and in relation to the pressures being felt by certain areas of the provider market and Housing, in particular Temporary Accommodation has continued the expenditure pressures trends of recent years. This is especially concerning as there was additional funding included in the 2024/25 budget to continue to stabilise Children's and Housing services. Whilst the Council has previously faced in-year financial pressures during the first quarter of the year, the current forecast is the most severe. As a consequence of the significant overspend in 2023/24, the Council's ability to mitigate the in-year position through short term use of reserves is depleted.
- 9.2 Whilst 81% of savings are on track to be delivered or are delivered, given the overall financial pressures facing the Council, the uncertainty around the deliverability of the remaining 19% of savings is a concern as this adds to the pressure on the budget. However, there is time for the reductions to be delivered and/ or mitigations to be put in place, and these will be closely monitored through the monthly Delivery Board meetings to ensure these targets are met.
- 9.3 The reserves position is important in the context of financial resilience. Whilst the year started with relatively healthy balances of Earmarked Reserves (£49.646m) and Revenue Grants Reserves (£7.800m) and other reserves (Schools and DSG Surplus reserve) totalling £15.094m a total of £72.540m, as advised in this report, net Earmarked Reserves totalling £14.508m and Revenue Grant Reserves of £1.115m are forecast to be called into support the 2024/25 revenue budget, after which there is an anticipated Earmarked Reserve balance of £35.139m and Revenue Grant Reserves of £6.644m. To maintain financial resilience, it is crucial that in year use of reserves is minimised.

9.4 In view of the adverse variance at Month 3, it is important to ensure that measures highlighted in section 4, are rigorously effected to help mitigate the projected year end variance. It must be noted that if the current financial pressures cannot be mitigated on an ongoing basis, this is likely to have an ongoing impact on the base budget and will increase the underlying budget gap for 2025/26. An update on the in year budget position and the impact of the proposed mitigations to reduce the adverse financial position will be brought to Cabinet in September in the Month 4 monitoring report, together with an early sight on the impact this has on the 2025/26 budget.

APPENDIX 1 - Directorate Summary Financial Positions

DIRECTORATE	SERVICE AREA	2024 Q1 Profiled Budget £000	Q1 Profiled Forecast £000	Q1 Profiled Variance £000	Annual Forecast Variance £000
Adult Social Care	Commissioning	4,001	4,005	4	15
	Community Business Services	290	237	(53)	(213)
	Clusters	773	740	(33)	(133)
	Community Health & Social Care	6,932	8,129	1,196	4,785
	Director Adult Social Care	412	406	(6)	(23)
	Learning Disability	3,870	3,938	68	273
	Mental Health	2,493	2,720	226	906
	Safeguarding	253	255	1	5
Adult Social Care Total		19,025	20,429	1,404	5,616
Children's Services	Children in Care	10,325	13,398	3,073	12,293
	Childrens Safeguarding	726	714	(12)	(47)
	Fieldwork & Family Support	2,904	3,172	269	1,075
	Children's Services Intergration	856	812	(44)	(176)
	Central Education Services	197	197	0	0
	Community / Adult Learning	75	75	0	0
	Inclusion Service	(28)	(28)	0	0
	Learning Services	73	85	11	46
	Learning Services - Early Years	(9)	(9)	(0)	0
	Post 16 Service	10	10	0	0
	School Support Services	5	5	0	0
	SEND Services	1,837	2,093	256	1,022
	Skills and Employment	162	162	0	0
	Early Help	863	857	(6)	(26)
	Schools	(13)	(13)	0	0
	Children's Services Total		17,982	21,529	3,547
Public Health	Public Health (Client and Delivery)	4,784	4,754	(30)	(121)
Leisure Services	Leisure Services	947	930	(17)	(67)
Public Health Total		5,731	5,684	(47)	(188)
Place & Economic Growth	Business Growth	52	52	(0)	(1)
	Creating a Better Place	(57)	(57)	(0)	0
	Estates	(100)	512	612	2,450
	Facilities Management	(159)	(162)	(3)	(13)
	Planning	72	129	57	228
	Property Management	(547)	(546)	1	5
	Strategic Housing	69	45	(23)	(93)
	Town Centre and Markets	312	277	(35)	(139)
	Building Control	8	43	35	138
	Environmental Management	1,852	1,955	103	413
	Fleet Management	(81)	(81)	(1)	(2)
	Highways	1,015	1,090	75	301
	Public Protection	276	472	197	786
	Strategic Transport	4,318	4,318	0	0
	Street Lighting	1,069	1,060	(9)	(36)
	Waste Disposal Authority	4,472	4,472	0	0
	Waste Management Service	1,112	1,163	51	204
	Heritage, Libraries and Arts	1,526	1,536	10	40
	Community Safety	120	107	(13)	(52)
	District Partnerships	388	262	(126)	(506)
Strategic Housing	851	2,116	1,265	5,059	
Stronger Communities	49	48	(0)	(0)	
Youth Services Client	193	210	17	68	
Place & Economic Growth Total		16,811	19,023	2,213	8,850

DIRECTORATE	SERVICE AREA	2024 Q1 Profiled Budget £000	Q1 Profiled Forecast £000	Q1 Profiled Variance £000	Annual Forecast Variance £000
Corporate Services	Partnership Support (Borough and GM)	511	491	(20)	(81)
	Strategic Customer Service	137	137	0	0
	Chief Executive Management	459	383	(76)	(304)
	Communications and Research	234	219	(15)	(60)
	Customer Services	520	434	(86)	(344)
	ICT	1,260	1,205	(54)	(217)
	Executive Support	136	128	(7)	(30)
	Audit	907	836	(71)	(282)
	Commissioning and Procurement	141	117	(24)	(96)
	External Funding	14	14	0	0
	Finance	664	575	(89)	(357)
	Revenues and Benefits	966	1,058	92	367
	Transformation and Reform	78	(75)	(153)	(612)
	HR Strategy	756	709	(47)	(186)
	Organisational Development	70	31	(39)	(154)
	Democratic and Civic Services	425	424	(2)	(6)
	Elections	106	110	4	15
	Legal	425	439	13	53
	Registrars	5	(36)	(41)	(165)
	Strategy and Performance	231	238	7	27
Corporate Services Total		8,047	7,439	(608)	(2,433)
Capital Treasury and Technical	Corporate Expenses	5,455	5,455	0	0
Accounting	Housing Benefit Payments	98	98	0	0
	Interest and Investment Expenditure and Income	1,701	1,701	0	0
	Parish Precepts	90	90	0	0
	Corporate and Democratic Core	251	251	0	0
Capital Treasury and Technical Accounting Total		7,596	7,596	0	0
Grand Total		75,192	81,700	6,508	26,033

CAPITAL INVESTMENT PROGRAMME 2023/24 OUTURN and 2024/25 MONITORING REPORT Month 3 – June 2024

1 Background

- 1.1 The original capital programme for 2024/25 reflected the priorities outlined in the capital strategy as approved at Cabinet on 12 February 2024 and confirmed at the Council meeting on 28 February 2024.
- 1.2 The outturn position as at 31 March 2024 and the position at the end of Month 3 (June 2024) is highlighted in this report.
- 1.3 For the remainder of the financial year, the programme will continue to be monitored and revised to take account of any new developments and changes in the profile of planned expenditure.

2 Current Position

- 2.1 Table 1 below shows the capital programme for 2024/25 and a further four years to 2028/29, and reflects the priorities outlined in the capital strategy as approved at Cabinet on 12 February 2024 and confirmed at the Council meeting on the 28 February 2024.

Table 1 – 2024/29 Capital Strategy

Directorate Budget	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	Total £000
Community Health and Adult Social Care	4,443	1,000	-	-	-	5,443
Children's Services	4,724	5,058	3,188	2,000	-	14,970
Communities	100	173	-	-	-	273
Place and Economic Growth	83,226	68,621	26,601	17,859	1,000	197,307
Housing Revenue Account (HRA)	628	95	-	-	-	723
Corporate/Information Technology (IT)	2,919	2,809	2,039	3,661	1,000	12,428
Capital, Treasury & Technical Accounting	2,600	-	125	10,120	-	12,845
Funding for Emerging Priorities	1,043	3,318	2,885	2,000	-	9,246
Total Expenditure	99,683	81,076	34,838	35,640	2,000	253,237

(subject to rounding – tolerance +/- £1k)

Funding	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	Total £000
Grant & Other Contributions	(43,834)	(28,633)	(6,494)	(4,054)	-	(83,015)
Prudential Borrowing	(49,638)	(51,646)	(27,851)	(31,494)	(2,000)	(162,629)
Revenue Contributions	(630)	(95)	-	-	-	(725)
Capital Receipts	(5,581)	(702)	(493)	(92)	-	(6,868)
Grand Total	(99,683)	(81,076)	(34,838)	(35,640)	(2,000)	(253,237)

(subject to rounding – tolerance +/- £1k)

2.2 Following the 2023/24 Month 9 report which was approved at Cabinet on 18 March 2024, the 2023/24 Capital Programme was revised to reflect anticipated reprofiling. Forecast expenditure consequently decreased to £79.466m. Taking into account the 2023/24 months 10-12 approved movements of £2.418m and the net outturn adjustment of £0.673m, this resulted in an outturn position of £81.211m, an adverse variance of £1.745m against the revised, approved budget.

Table 2 – 2023/24 Capital Outturn

Directorate	Capital Strategy 2023-28	Revised Budget (M09)	Approved Virements (M10-M12)	Year End Rephase	Outturn 2023-24	Outturn v M09 Variance
	£000	£000	£000	£000	£000	£000
Community Health and Adult Social Care	3,023	5,302	71	1,573	6,946	1,644
Children's Services	10,258	4,281	1,708	(1,549)	4,440	159
Communities	400	186	-	(116)	70	(116)
Place and Economic growth	83,936	61,607	641	1,747	63,995	2,388
Housing Revenue Account	1,000	764	-	(700)	64	(700)
Corporate/Information Technology	5,958	4,726	(2)	(1,628)	3,096	(1,630)
Capital Treasury & Technical Accounting	4,238	2,600	-	-	2,600	-
Funding for Emerging Priorities	1,492	-	-	-	-	-
Overall Total	110,305	79,466	2,418	(673)	81,211	1,745

2024/25 Capital Programme

2.3 Following the approval of the Capital Strategy in March 2024, a small number of year- end reprofiling adjustments and new approvals have taken place as follows:

Rephasing

2.4 Rephasing has resulted in an increase of £0.931m for 2024/25 which comprises:

- £0.673m of expenditure carried forward from 2024/25 as identified above and
- £0.258m brought forward from 2025/26.

Virements

2.5 These comprise:

- an additional £220k relating to a higher than anticipated grant award for the Disabled Facilities Grant and
- an acceleration of funding of £39k from 2025/26 in relation to the GIS Service-Geo Server Implementation project.

2.6 This leaves the revised 2024/25-2028/29 capital programme at £101.680m, an increase of £1.997m, which is broken down in the Table 3

Table 3

Directorate Budget	Capital Strategy 2024-29 £000	Approved Virements (M10-M12) £000	Year End Rephase £000	Approved Virements (to M03) £000	Current Budget (M03) £000	Spend to M03 £000
Community Health and Adult Social Care	4,443	-	(1,573)	220	3,090	694
Children's Services	4,724	-	1,611	-	6,335	132
Communities	100	-	116	-	216	32
Place and Economic Growth	83,226	807	(1,507)	-	82,526	10,844
Housing Revenue Account (HRA)	628	-	700	-	1,328	-
Corporate/Information Technology (IT)	2,919	-	1,700	39	4,658	194
Capital, Treasury & Technical Accounting	2,600	-	-	-	2,600	-
Funding for Emerging Priorities	1,043	-	(116)	-	927	-
Grand Total	99,683	807	931	259	101,680	11,895

(subject to rounding – tolerance +/- £1k)

- 2.7 Given that this is the position as at Month 3 and in view of the current challenges being faced including the pressure caused by the economic position, there must remain an element of uncertainty about the forecast position. A further breakdown of Table 3 on a service-by-service area basis is shown at Appendices A to H.
- 2.8 Actual expenditure to 30 June 2024 was £11.895m (11.70% of the proposed forecast outturn). This spending profile is similar to last year's (11.96%). The position will be kept under review and budgets will be managed in accordance with forecasts.
- 2.9 The revised capital programme for 2024/25 to 2028/29, considering all the above amendments in arriving at the revised forecast position, is shown in Table 4 together with the projected financing profile.

Table 4 – 2024/25 to 2028/29 Current Capital Programme

Directorate Budget	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	TOTAL £000
Community Health and Adult Social Care	3,090	1,000	-	-	-	4,090
Children's Services	6,335	5,059	3,188	2,000	-	16,582
Communities	216	173	-	-	-	389
Place and Economic Growth	82,526	68,437	26,601	17,859	1,000	196,423
Housing Revenue Account (HRA)	1,328	95	-	-	-	1,423
Corporate/Information Technology (IT)	4,658	2,700	2,039	3,661	1,000	14,058
Capital, Treasury & Technical Accounting	2,600	-	126	10,120	-	12,846
Funding for Emerging Priorities	927	3,318	2,884	2,000	-	9,129
Grand Total	101,680	80,782	34,838	35,640	2,000	254,940

(subject to rounding – tolerance +/- £1k)

Funding	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	TOTAL £000
Grant & Other Contributions	(50,200)	(28,632)	(6,494)	(4,054)	-	(89,380)
Prudential Borrowing	(43,410)	(51,353)	(27,851)	(31,494)	(2,000)	(156,108)
Revenue Contributions	(1,351)	(95)	-	-	-	(1,446)
Capital Receipts	(6,719)	(702)	(493)	(92)	-	(8,006)
Grand Total	(101,680)	(80,782)	(34,838)	(35,640)	(2,000)	(254,940)

(subject to rounding – tolerance +/- £1k)

Capital Receipts

- 2.10 The capital programme requires the availability of £6.719m of capital receipts in 2024/25 for financing purposes. This includes £2.600m to support transformational activity in the General Fund using the flexibility allowed by Government.

The total net usable capital receipts currently received in year is £0.072m, the first call being the £2.600m outlined above.

- 2.11 The capital receipts position as at 30 June 2024 is as follows:

Table 6 – Capital Receipts 2024/25

	£000	£000
Capital Receipts Financing Requirement		6,719
Usable Capital Receipt b/fwd.	-	
Actual capital receipts received to date	(72)	
Identified in year capital receipts	(4,725)	
Further Required in 2024/25		1,922

(subject to rounding – tolerance +/- £1k)

- 2.12 Given the significant amount of capital receipts needed to finance the capital programme in this and future years it is imperative that the capital receipts/disposal schedule is adhered to. This is monitored at the monthly Capital Receipts meeting and will be subject to on-going review throughout the year. It is of course recognised that the ongoing economic instability with high interest rates and the impact on borrowing costs, coupled with the increase cost of living will continue to impact on business/economic activities making capital disposals more challenging.
- 2.13 The Capital Strategy and Capital Programme 2024/29 incorporates an expectation of the level of receipts that is anticipated in each of the respective years and therefore an estimate as to the resultant level of over or under programming in order to present a balanced budget. As can be seen below, the most recent review has produced a forecast which is below the financing projections included in Table 3. Should the currently estimated position prevail then the position would be as illustrated in the table below:

Table 7 – Capital Receipts 2024/25 to 2028/29

Capital Receipts	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000
Capital Receipts Carried Forward	-	2,066	(6,122)	(7,069)	(9,554)
Identified Capital Receipts	(4,725)	(8,890)	(1,440)	(2,577)	-
Received in year	72				
Total Receipts	(4,653)	(6,824)	(7,562)	(9,646)	(9,554)
Capital Receipts Financing Requirement	6,719	702	493	92	-
Over/(Under) programming	2,066	(6,122)	(7,069)	(9,554)	(9,554)

(subject to rounding – tolerance +/- £1k)

- 2.14 Although the capital receipts forecast is currently lower than the required amount, given that this is the month 3 position and there is the opportunity for the forecast to improve, at this stage it is considered appropriate to retain the original forecast and review this during the course of the current year. The consequence should the level of capital receipts fall is either, a corresponding increase in the level of prudential borrowing and hence an impact on the revenue budget, or a reduction in the overall capital programme.

Annual Review of the Capital Programme

- 2.15 In accordance with previous practice, there is once again a review of the capital programme over the summer months (the Summer Review). This is examining any further opportunities to reallocate, decommission or reprofile resources. It will also include an in-depth analysis of capital receipts to support a revised forecast.

3 Conclusion

- 3.1 Whilst the current projected position is showing the outturn to match the budget, a detailed review of the capital programme (the Annual Review) is being undertaken to establish if there are any surplus resources that can be realigned or any further re-profiling required. It is therefore likely that there will be further rephasing across all years to reflect developments relating to individual projects/schemes.
- 3.2 The capital programme is being continually monitored and is reported to Members on a regular basis.

4 Appendices

- 4.1 Appendix A - SUMMARY – Month 3 - Community Health and Adult Social Care
Appendix B - SUMMARY – Month 3 - Children’s Service
Appendix C - SUMMARY – Month 3 – Communities+
Appendix D - SUMMARY – Month 3 - Place and Economic Growth
Appendix E - SUMMARY – Month 3 - Housing Revenue Account (HRA)
Appendix F - SUMMARY – Month 3 - Corporate/Information Technology
Appendix G - SUMMARY – Month 3 - Capital Treasury and Technical Accounting
Appendix H - SUMMARY – Month 3 - Funding for Emerging Priorities

SUMMARY – Month 3 (June 2024) - Community Health and Adult Social Care

APPENDIX A

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Adult Services	4,443	-	(1,573)	220	3,090	694
Community Health and Adult Social Care Total	4,443	-	(1,573)	220	3,090	694

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) – Children’s Services

APPENDIX B

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Children, Young People and Families (CYPF)	-	-	682	-	682	33
Schools - General Provision	3,545	-	(221)	-	3,324	6
Schools – Primary	1,084	-	506	-	1,590	9
Schools – Secondary	85	-	630	-	715	81
Schools – Special	10	-	15	-	25	3
Children’s Service Total	4,724	-	1,611	-	6,335	132

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) – Communities

APPENDIX C

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Local Investment Fund	100	-	116	-	216	32
Communities Total	100	-	116	-	216	32

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) – Place and Economic Growth

APPENDIX D

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Asset Management – Corporate Premises	5,705	(65)	(107)	-	5,533	869
Asset Management - Education Premises	2,869	-	864	-	3,733	2
Boroughwide Developments	18,868	66	4,107	-	23,041	2,637
Boroughwide District Projects	17	-	10	-	27	-
Cemeteries and Crematorium	-	-	46	-	46	-
Countryside	91	1	37	-	129	81
Parks	235	234	257	-	726	160
Playing Fields & Facilities	-	-	157	-	157	296
Parks & Playing Fields	-	-	11	-	11	-
Private Housing	150	295	82	-	527	296
Strategic Acquisitions	4,669	-	478	-	5,147	68
Town Centre Developments	34,244	-	(10,723)	-	23,521	4,269
Accident Reduction	516	17	532	-	1,065	73
Bridges & Structures	3,926	45	1,443	-	5,414	502
Fleet Management	370	-	298	-	668	981
Highway Major Works/Drainage schemes	11,188	212	415	-	11,815	588
Minor Works	227	2	278	-	507	18
Miscellaneous	151	-	308	-	459	4
Place and Economic Growth Total	83,226	807	(1,507)	-	82,526	10,844

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) - Housing Revenue Account (HRA)**APPENDIX E**

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Housing Revenue Account	628		700		1,328	-
HRA Total	628	-	700	-	1,328	-

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) – Corporate/Information Technology (IT)**APPENDIX F**

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Information Technology	2,919		1,700	39	4,658	194
Information Technology Total	2,919	-	1,700	39	4,658	194

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) – Capital Treasury and Technical Accounting**APPENDIX G**

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Cross Cutting /Corporate	2,600	-	-	-	2,600	-
Capital Treasury and Technical Accounting Total	2,600	-	-	-	2,600	-

(subject to rounding – tolerance +/- £1k)

SUMMARY – Month 3 (June 2024) - Funding for Emerging Priorities

APPENDIX H

Service area	Original Budget £000	Approved Changes /Virements 2023/24 £000	2023/24 Rephasing/ Acceleration £000	Approved Virements 2024/25 £000	Revised Budget (M03) £000	Expend to M03 £000
Funding for Emerging Priorities	1,043		(116)		927	-
Funding for Emerging Priorities Total	1,043	-	(116)	-	927	-

(subject to rounding – tolerance +/- £1k)

REVENUE OUTTURN REPORT 2023/24

1 Background

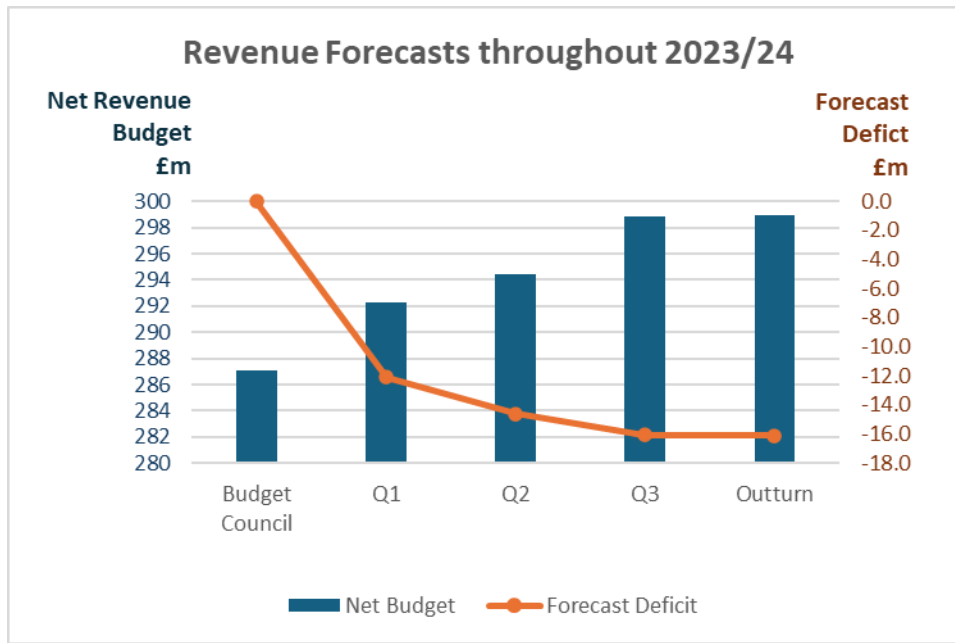
- 1.1 This report provides confirmation of the outturn position for 2023/24 and is consistent with the position reported in the Narrative section of the Council's draft accounts. Note that the outturn detailed reported in this report is different from the result published within the Council's Comprehensive Income and Expenditure Statement (CIES) - which for 2023/24 shows a deficit of £45.176m (2022/23 surplus £459.330m) - due to various technical adjustments, the most significant being the remeasurement of the Council's pension fund assets and liabilities.
- 1.2 The Council published its draft, unaudited accounts on 7 June 2024. However, due to delays in the completion of other local authorities' audits in respect of previous years, Oldham Council's audit cannot commence until the backlog across the country has been substantially cleared. It is now expected that Oldham's audit will commence in September 2024.

2 Revenue Outturn

- 2.1 At its meeting on 1 March 2023, the Council approved a net revenue budget of £287.051m for the financial year 2023/24. During the year, a number of amendments were approved to the budget to reflect additional grant receipts such that by the year end the approved net revenue budget was £298.906m.
- 2.2 Since the start of the financial year, the Council saw significant pressure on the Revenue Budget. At Quarter 1, the forecast revenue outturn for 2023/24 was an adverse variance of £12.104m after the application of £7.385m of reserves. This forecast adverse variance was at this point driven by pressures being reported in three directorates; Community Health and Adult Social Care (£0.518m), Place and Economic Growth (£3.553m) and more significantly, Children's Services (£10.886m) which were regarded as an early indication of a potential overspend at year end.
- 2.3 The adverse forecast outturn position increased further at Quarter 2 with the projected deficit increasing by £2.454m to £14.588m after allowing for approved and pending transfers to and from reserves. Identified pressures and projected overspends continued to centre around the same three Directorates: Community Health and Adult Social Care (£0.558m), Place and Economic Growth (£4.797m) and Children's Services (£12.593m). These overspends were offset by favourable variances in Public Health, Communities, Corporate Services and Corporate Accounting.
- 2.4 The final formal reporting period of the year at Quarter 3 saw a further worsening of the outturn position with the projected adverse variance increasing by £2.054m to £16.642m. The increase in the projected overspend arose due to increased pressures in Community Health and Adult Social Care (£0.864m), Place and Economic Growth (£5.442m) and Children's Services (£14.240m).

2.5 Outturn spend against the approved net revenue budget was £313.038m, an overall adverse variance against budget of £16.114m. To balance the budget and to prevent an impact on the Council's General Fund, an unbudgeted contribution from Earmarked Reserves of £16.114m was made to fund the overspend.

2.6 The graph below, highlights the budget movement during the year together with the forecast adverse position throughout 2023/24.



2.7 The Council's 2023/24 outturn position is shown in the following table:

Revenue Outturn 2023/24	Budget £000	Actual £000	Variance £000
Net revenue expenditure			
Community Health and Adult Social Care	81,764	83,189	1,424
Children's Services	72,322	86,018	13,695
Public Health	24,346	23,940	(406)
Communities	9,337	8,941	(396)
Place & Economic Growth	68,057	73,055	4,998
Corporate Services	32,636	30,411	(2,225)
Capital, Treasury and Technical Accounting	10,444	9,467	(978)
Net Directorate Expenditure	298,906	315,020	16,114
Financed by:			
Locally Generated Income	(163,006)	(163,006)	-
Government Grants	(119,120)	(119,120)	-
Capital Grants	(1,073)	(1,073)	-
Use of Earmarked Reserves	(11,577)	(11,577)	-
Technical Adjustment - Collection Fund	(4,130)	(4,130)	-
Total Financing	(298,906)	(298,906)	-
Current Net Overspend	-	16,114	16,114
Use of General Earmarked Reserves	-	(16,114)	(16,114)

The following major movements occurred across the directorates:

Community Health & Adult Social Care (CHASC)

- 2.8 The CHASC outturn position was a £1.424m overspend; an increase of £0.561m compared to £0.863m reported at Quarter 3. The overspend arose primarily due to increased costs in care packages.

Childrens' Services

- 2.9 Children's Services outturn position was an overspend of £13.695m. Much of the overspend (£12.849m) relates to pressures within the Children's Social Care and Preventative Services budget which funds social care placements, including high-cost external residential packages. The overspend is partially offset by increased Continuing Health Care funding, income receivable from the Home Office for Unaccompanied Asylum Seekers and foster carer payments. In addition, pressures in the Children's with Disabilities Service, assistance to families, and use of agency staff in the Fieldwork and Family Support created further overspends however these were in part offset by vacant posts across Business Support and Preventative Services.

Place & Economic Growth

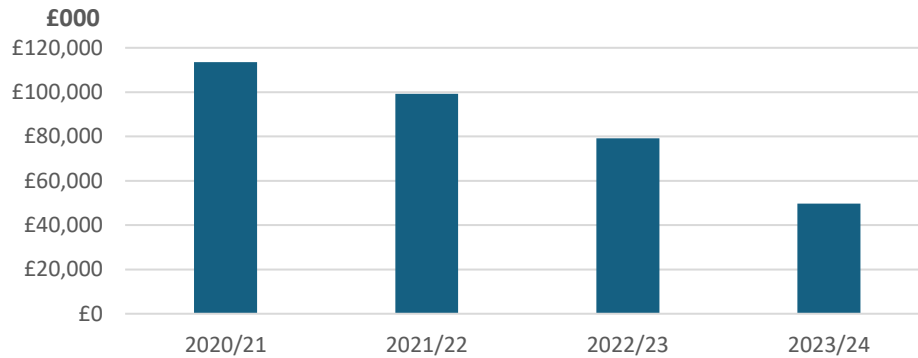
- 2.10 The Place & Economic Growth directorate overspent by £4.998m. Much of the pressures on the directorate budget arose from two main areas: firstly an increased demand for temporary accommodation leading to an overspend of £2.317m against the available budget. Secondly, a £2.565m overspend against the Estates and Property Management budget arose as a result of increased repairs and maintenance to the Council's asset base, increased expenditure on rates and the non-achievement of planned savings in respect of the Creating a Better Place Programme. Increased expenditure on day to day operations in Highways led to a £0.479m overspend in this area.
- 2.11 Overspends in the areas highlighted above were offset by underspends in Corporate Services, Public Health and Communities and Leisure, driven primarily through due to staff vacancies.
- 2.12 Transfers from Earmarked Reserves have been used to mitigate the impact of the overspend on the General Fund resulting in a nil change to the overall General Fund balance. As outlined elsewhere in this report, the use of Earmarked Reserves to combat overspends is a short-term measure and cannot be used indefinitely.

3 Implications for Future Years

- 3.1 The pressures facing the Council reflect nationwide issues affecting the Local Government sector as a whole. As the Quarter 1 Revenue report shows, this trend has continued into 2024/25. There is no indication that these trends will curtail in the future meaning the Council must continue to make difficult decisions to maintain financial resilience and continue to provide effective services in the future.

3.2 In 2023/24 and previous years, the Council has utilised its Earmarked Reserves to meet shortfalls in funding. The following graph shows the Earmarked Reserves balances since 2020/21. There has been a general downward trend in balances since that time and an overall decrease of 56.35%.

Earmarked Reserves balances



3.3 The continued use of reserves has had the impact of deferring the changes required to balance the revenue budget by on-going sustainable means but is no longer an option for future years.

4 Capital

- 4.1 The Capital budget for 2023/24 was approved at £110.305m at Budget council on 1 March 2023. The 2023/24 Capital Programme was subsequently revised to reflect anticipated reprofiling and consequently decreased to £79.466m following the Month 9 Monitoring Report. This was approved at Cabinet on 18 March 2024.
- 4.2 As shown in the table below, the total expenditure during the year was £81.211m, an increase of £1.745m against the latest revised budget. This incorporates months 10-12 approved movements of £2.418m and rephasing of £0.673m.

Directorate	Capital Strategy 2023-28	Revised Budget (M09)	Approved Virements (M10-M12)	Year End Rephase	Outturn 2023-24	Outturn v M09 Variance
	£000	£000	£000	£000	£000	£000
Community Health and Adult Social Care	3,023	5,302	71	1,573	6,946	1,644
Children's Services	10,258	4,281	1,708	(1,549)	4,440	159
Communities	400	186	-	(116)	70	(116)
Place and Economic growth	83,936	61,607	641	1,747	63,995	2,388
Housing Revenue Account	1,000	764	-	(700)	64	(700)
Corporate/Information Technology	5,958	4,726	(2)	(1,628)	3,096	(1,630)
Capital Treasury & Technical Accounting	4,238	2,600	-	-	2,600	-
Funding for Emerging Priorities	1,492	-	-	-	-	-
Overall Total	110,305	79,466	2,418	(673)	81,211	1,745

5 Housing Revenue Account (HRA)

- 5.1 As of 31 March 2024, the Council had a total housing stock of 2,085 dwellings. This comprises 1,231 Houses and Bungalows, and 854 Flats and Maisonettes, with the vast majority managed through two PFI schemes.
- 5.2 As shown in the table below, the overall balance on the HRA on 31 March 2024 was in surplus of £21.106m. This is expected to gradually increase over time until the PFI contract expires in 2036. The financial result for 2023/24 was a deficit of £1.479m.

Movement on the HRA Statement	Prior Year £000	Current Year £000
Opening Balance	(21,719)	(22,585)
(Surplus)/Deficit for the year on the HRA Income and Expenditure Statement	(231)	1,119
Adjustments between accounting basis and funding basis under statute	(634)	360
(Increase)/Decrease in the HRA Balance	(866)	1,479
Closing Balance	(22,585)	(21,106)

6 Dedicated Schools' Grant

6.1 The balance in respect of the Dedicated School Grant increased from £0.899m to £3.702m during 2023/24, an increase of £2.803m. Details are shown in the table below:

		2023/24		
		Central Expenditure	Individual Schools Budget	Total
Note		£000	£000	£000
F	Agreed initial budgeted distribution in 2023/24	61,138	118,245	179,383
G	In year adjustments	(101)	38	(63)
H	Final budget distribution for 2023/24	61,037	118,283	179,320
I	Less: Actual central expenditure	(55,460)	-	(55,460)
J	Less: Actual ISB deployed to schools		(117,960)	(117,960)
K	Plus: Local authority contribution for 2023/24	-	-	-
L	In Year Carry-forward to 2024/25	5,577	323	5,900
M	Plus: Carry-forward to 2024/25 agreed in advance			616
N	Carry-forward to 2024/25			6,516
O	DSG unusable reserve at the end of 2022/23			(2,814)
P	Addition to DSG unusable reserve at the end of 2023/24			-
Q	Total of DSG unusable reserve at the end of 2023/24			(2,814)
R	Net DSG position at the end of 2023/24			3,702

7 Collection Fund

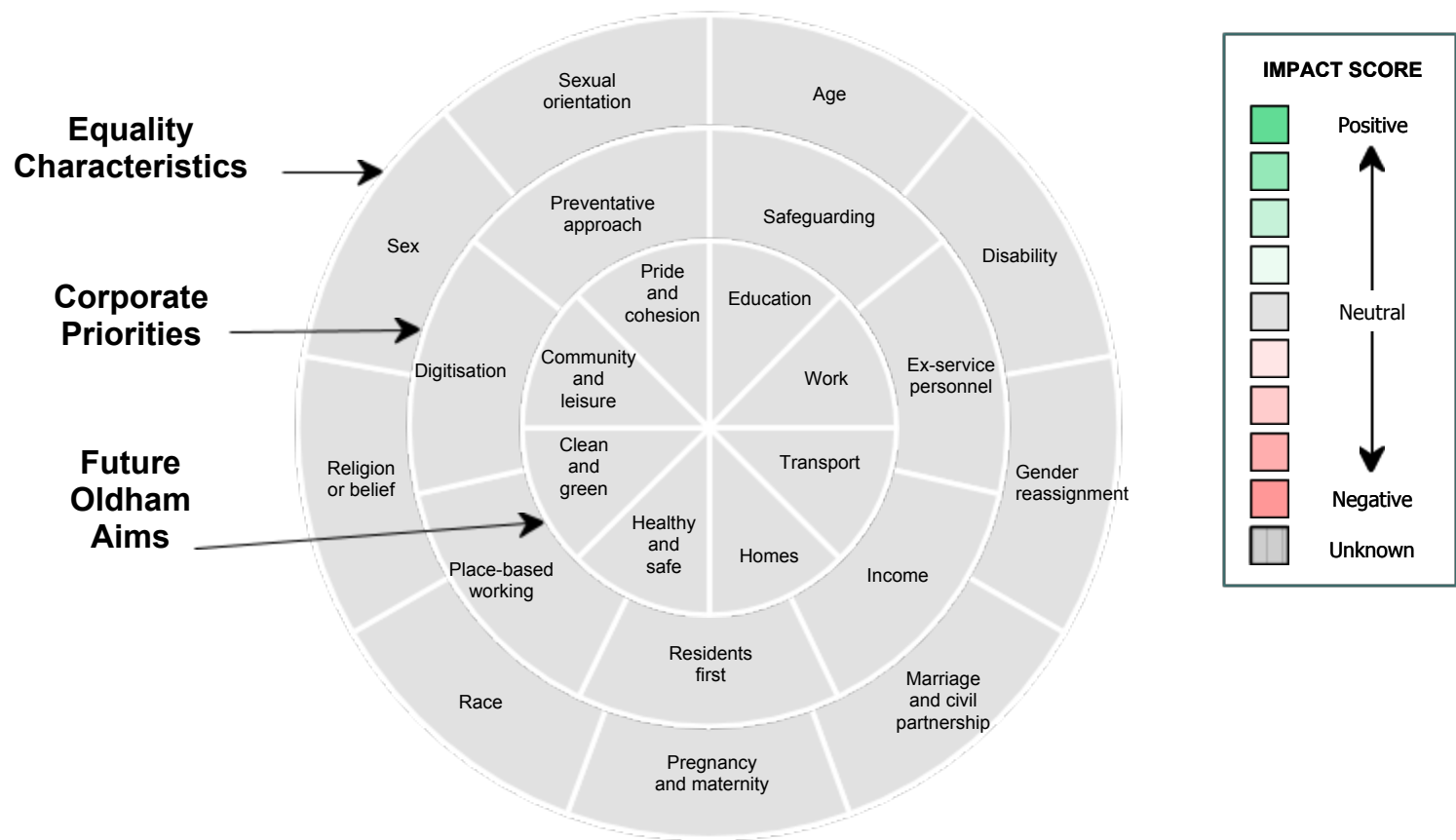
7.1 The Collection Fund incurred a deficit for the year of £2.767m during the year but this includes drawing down £4.130m to support the 2023/24 budget, as approved at Budget Council on 1 March 2024. The balance on the Collection Fund as at 31 March 2024 was £0.950m as shown in the table below:

Collection Fund	Council Tax £000	Business Rates £000	Total £000
Balance brought forward	410	(4,127)	(3,717)
Deficit for the year	(220)	2,987	2,767
Balance carried forward	190	(1,140)	(950)

7.2 This balance is allocated as follows:

Oldham Council	(969)
GMPCC	21
GMCA	(2)
Total	(950)

Annex 4 - EIA: Financial Monitoring 24/25 (Q01)



Annex 4- EIA: Financial Monitoring 24/25 (Q01)				
	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Possible	Short Term	The report considers the 2024/25 financial position of the Council at Quarter 1 (30 June 2024) and as such, in isolation has no direct impact on Equality
Disability	Neutral	Possible	Short Term	As Above
Gender reassignment	Neutral	Possible	Short Term	As Above
Marriage and civil partnership	Neutral	Possible	Short Term	As Above
Pregnancy and maternity	Neutral	Possible	Short Term	As Above
Race	Neutral	Possible	Short Term	As Above
Religion or belief	Neutral	Possible	Short Term	As Above
Sex	Neutral	Possible	Short Term	As Above
Sexual orientation	Neutral	Possible	Short Term	As Above
Corporate Priorities				
Safeguarding	Neutral	Possible	Short Term	The report considers the 2024/25 financial position of the Council at Quarter 1 (30 June 2024) and as such, in isolation has no direct impact on Equality
Ex-service personnel	Neutral	Possible	Short Term	As Above
Income	Neutral	Possible	Short Term	As Above
Residents first	Neutral	Possible	Short Term	As Above
Place-based working	Neutral	Possible	Short Term	As Above
Digitisation	Neutral	Possible	Short Term	As Above
Preventative approach	Neutral	Possible	Short Term	As Above
Future Oldham Aims				
Education	Neutral	Possible	Short Term	The report considers the 2024/25 financial position of the Council at Quarter 1 (30 June 2024) and as such, in isolation has no direct impact on Equality
Work	Neutral	Possible	Short Term	As Above
Transport	Neutral	Possible	Short Term	As Above
Homes	Neutral	Possible	Short Term	As Above
Healthy and safe	Neutral	Possible	Short Term	As Above
Clean and green	Neutral	Possible	Short Term	As Above
Community and leisure	Neutral	Possible	Short Term	As Above
Pride and cohesion	Neutral	Possible	Short Term	As Above

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Report to CABINET

Local Taxation and Benefits Discretionary Policies 2024/25

Portfolio Holder: Councillor Abdul Jabbar MBE, Deputy Leader and Cabinet Member for Value for Money & Sustainability

Officer Contact: Sarah Johnston, Director of Finance

Report Author: Adam Parsey, Exchequer Client Manager (Revenues)

19 August 2024

Reason for Decision

The purpose of the report is to seek approval for a number of amended Local Taxation and Benefits Discretionary Policies.

Executive Summary

This report provides the full detail of proposed updates to the discretionary policies used to support Local Taxation and Benefits administration i.e., Council Tax, Business Rates, Housing Benefits and Council Tax Reduction administration. The policies and proposed changes are:

- **The Discretionary Council Tax Discount Policy**
 - To introduce the option to award a discretionary discount under the Exceptional Hardship Payment (EHP) scheme to Council Tax arrears accrued outside of the current financial year. The EHP scheme is the means in which the Council consider requests for discretionary discounts from residents in Exceptional financial hardship under Section 13A (1)(c) of the Local Government Finance Act.
 - The proposed Discretionary Discount Policy is presented at Appendix 1.
- **The Discretionary Rate Relief Policy**

- Central Government have introduced additional discounts and reliefs for the 2024/25 financial year. They have been incorporated into the proposed Discretionary Rate Relief Policy 2024/25 which is presented at Appendix 2.
- **The Empty Property Premium Policy**
 - The Council currently applies an empty property premium for property unoccupied and unfurnished for over 2 years. From April 2024, the premium will be applied for properties unoccupied and unfurnished for at least 1 year. This will mean empty property premiums will be applied as set out below.
 - 100% premium on properties unoccupied and unfurnished for at least 1 year.
 - 200% premium on properties unoccupied and unfurnished for at least 5 years.
 - 300% premium on properties unoccupied and unfurnished for at least 10 years.
 - The policy has been amended to reflect the premium being applied to unoccupied and unfurnished after 1 year.
 - During the 2023/24 financial year, the Council received ten applications for an exception to the premium. Decisions were made regarding these applications within an average of 10 working days.
 - It is proposed that decisions regarding requests for an exception to the premium be delegated within the Council Tax team as follows:
 - Any applications received from property owners are determined by the Revenues Manager or Revenues Team Leader(s).
 - Any appeals are considered by the Exchequer Client Manager (Revenues) or the Assistant Director for Revenues and Benefits.
 - This is included at Appendix 5 of the report.
 - **Local Welfare Provision**
 - The policy has been amended to include the Council's commitment to reducing its carbon footprint. As part of this initiative, items awarded via the Local Welfare Provision scheme may be pre-loved. Any pre-loved items awarded are fully reconditioned and checked prior to being offered and come with a 12-month warranty.
 - **Discretionary Housing Payments**
 - The Discretionary Housing Payments (DHP) policy has also been subject to an annual review.
 - No proposals for changing the policy have been identified for 2024/25.

Recommendation

It is recommended that;

- 1) Approval is given to the proposed amendments to the existing Local Taxation and Benefits Discretionary Policies for 2024/25.
- 2) The Discretionary Policies presented as appendices 1-5 are adopted for 2024/25.

Local Taxation and Benefits Discretionary Policies

1 Background

- 1.1 This report reviews four discretionary Local Taxation and Benefits policies and proposes amendments to the policies where appropriate. Each policy will be set out in turn throughout the report.

Policy 1 - Discretionary Council Tax Discounts Policy

- 1.2 Local Authorities can reduce the amount of Council Tax payable by granting locally defined discounts under provisions contained in Section 13A of the Local Government Finance Act 1992.
- 1.3 The Local Government Act 2012 inserted a new section 13A in the Local Government Finance Act 1992, and this created two discounts.
- Section 13A (1)(a) and (b) requires the Council to operate a Local Council Tax Reduction Scheme. The implications under 13A (1)(a) and (b) are considered and agreed on an annual basis when deciding the Local Council Tax Reduction scheme.
 - Section 13A (1)(c) allows for a discretionary reduction which can be used in relation to any individual on a case-by-case basis or by determining a class of case for which the charge should be reduced. The intention behind this legislation is to allow billing authorities the discretion to create local discounts or exemptions to cater for local circumstances, for example flooding. The discount must be funded from the Council's own Revenue Budget (General Fund) and can amount to anything up to 100% of the Council Tax charged.
- 1.4 The Council currently makes use of Section 13A (1)(c) of the Local Government Finance Act 1992 to provide for a discount of up to 100% for care leavers under the Council Tax Discount for Care Leavers policy. This was approved by Cabinet on 24 April 2017 (discount up to the age of 21) and the discount was extended up to the age of 25 in a report approved by Cabinet on 25 March 2019.
- 1.5 Section 13A (1)(c) can also be used to support residents on a case-by-case basis, typically when they are experiencing exceptional financial hardship and Cabinet approved the introduction of an Exceptional Hardship Payments (EHP) scheme from 2019/20 to support residents to pay their Council Tax when experiencing financial crisis.

Policy 2 - Discretionary Rate Relief Policy

- 1.7 The Local Government Finance Act 1988 (LGFA 1988) and the Localism Act 2011 require the Council to maintain a Discretionary Rate Relief Scheme to award Business Rates Relief (also known as Non-Domestic Rates Relief) of up to 100% to certain organisations who operate within specified criteria. These criteria cover:

- Charitable bodies already in receipt of Mandatory Rate Relief of 80% – the Council has further discretion to ‘top up’ this relief to 100% of the rates due.
- Registered community amateur sports clubs (CASCs) already in receipt of Mandatory Relief of 80% – the Council has further discretion to ‘top up’ this relief to 100% of the rates due.
- Non-profit making organisations – the Council has discretion to grant Discretionary Rate Relief of between 0% -100% of the Business Rates due.

1.8 The Government has, in recent years, introduced several temporary Business Rate Relief schemes. Any awards made under these schemes are awarded under Section 47 of the LGFA 1988 i.e., under the provision enabling Councils to make discretionary payments. However, the Council is fully reimbursed by Central Government by way of grants awarded under Section 31 of the Local Government Finance Act 2003. These include:

- The Retail, Hospitality and Leisure Business Rates Relief scheme will continue into the 2024/25 financial year.
- Newspaper relief which applies a £1,500 Business Rates discount for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per property, and up to state aid limits. This relief is applied for the financial years 2017/18 to 2024/25.
- Heat Network Relief which applies to separately rated hereditaments that are wholly or mainly used for the purposes of a heat network and who expect over the next 12 months the heat to be generated from a low carbon source.

1.9 The Council also has the power to reduce or remit the Business Rates charged in certain circumstances where the business is enduring temporary financial difficulties. This is known as Hardship Relief (HR) and may be awarded where the Council is satisfied that:

- The ratepayer would sustain financial hardship if the Council did not do so; and,
- It is reasonable for the Council to grant relief with regard to the interests of its Council Tax payers.

1.10 The Council also receives requests from ratepayers asking that the rateable value of premises subject to Business Rates is split between the occupied and unoccupied portions. This means that the Council would only apply and charge Business Rates on the occupied portion of the property. The Council has discretion to accept or refuse a request that the rateable value is split between the occupied and unoccupied portions under Section 44a of the Local Government Finance Act 1988. If the request is accepted, then the Valuation Office Agency is asked to supply a certificate indicating the relevant values for the occupied and unoccupied portions and this certificate is binding upon the Council.

Policy 3 - Local Welfare Provision Policy

1.11 The Welfare Reform Act 2012 ended the provision of Community Care Grants and Crisis Loans for living expenses under the Discretionary Social Fund administered by the Department for Work and Pensions (DWP).

- 1.12 There was no statutory duty requiring Local Authorities to deliver a scheme, but Oldham Council considered it to be in the best interests of the residents of the Borough to do so.
- 1.13 Oldham's Local Welfare Provision (LWP) scheme has been operating since 1 April 2013, providing vulnerable residents, who meet the criteria of the policy, with furniture, beds, white goods and more in order to establish or maintain a home in the community.
- 1.14 Oldham's residents access the LWP scheme by making a claim online or over the phone. In most circumstances a decision is made within 24 hours. The assessor will then notify the applicant of the outcome and order any items awarded from the relevant suppliers.
- 1.15 All applicants are signposted to other external agencies or internal avenues of support such as the Department for Work and Pensions (DWP) or Welfare Rights Service as appropriate. This approach supports residents to address the longer-term issues which might have contributed to their crisis situation in the first place, helping to ensure that they have the tools they need (e.g., such as budgeting skills) to be able to manage an unexpected crisis in the future.

Policy 4 - Discretionary Housing Payment Policy

- 1.16 The Discretionary Housing Payments (DHP) Scheme gives local authorities power to make Discretionary Housing Payments (DHPs) to top up Housing Benefit or the Housing Element of Universal Credit to residents who are most in need.
- 1.17 Central Government provides funding for the scheme. The Department for Work and Pensions (DWP) allocation for Oldham DHPs for 2024/25 is £428,970.
- 1.18 The Council can add additional resources of its own to support the DHP budget up to a ceiling of 2.5 times the DWP allocation, should it wish to do so. For Oldham this would mean a maximum contribution of £1,072,425. There is no budgetary provision in 2024/25 for any additional contribution.
- 1.19 Awards of Discretionary Housing Payments are focused on enabling people to secure, retain and pay for appropriate and sustainable accommodation to support them through temporary difficulties (i.e. where Housing Benefit or the Housing Element of Universal Credit doesn't cover all the rent payable) This is in order to reduce the risk of homelessness and support the stability of families and communities.
- 1.20 All applicants are signposted to other external agencies or internal avenues of support such as the Department for Work and Pensions (DWP) or Welfare Rights Service as appropriate. This approach supports residents to address the longer-term issues which might have contributed to their crisis situation in the first place, helping to ensure that they have the tools they need (e.g., such as budgeting skills) to be able to manage an unexpected crisis in the future.

2 Current Position

Policy 1 - Discretionary Council Tax Discounts Policy

- 2.1 The Council currently provides a 100% Council Tax Discount for Care Leavers aged up to the age of 25.
- 2.2 The Council operates an Exceptional Hardship Payments (EHP) scheme to support residents who are experiencing exceptional financial hardship in paying their Council Tax. It is proposed that the Council provides the option to Officers to award a discretionary discount under the Exceptional Hardship Payment (EHP) scheme to Council Tax arrears accrued outside of the current financial year.
- 2.3 The proposed policy for 2024/25 can be found at Appendix 1.

Policy 2 - Discretionary Rate Relief Policy

- 2.4 The Council's existing Discretionary Rate Relief Policy outlines the areas of local discretion and the Council's approach to the various discretionary awards. This approach considers the impact:
- of granting Discretionary Rate Relief on the Council's wider financial position and Council Taxpayers.
 - on the organisations and businesses that currently receive or may apply for relief in the future.
 - for Oldham residents if relief is awarded and the regeneration benefits for the borough.
- 2.5 When deciding whether to award any Discretionary Rate Relief, the principal consideration is that in making the award there should be a resultant positive impact for residents and Council Taxpayers of Oldham. This consideration also includes long term benefits to both the community and the Council Taxpayer, such as increasing employment or improving amenities available to the local community.
- 2.6 The Government have introduced new legislation that allows local authorities to determine how far to consider backdated requests of Discretionary Rate Relief. Taking into account the cost to taxpayers it is proposed that the Council limits backdating of awards to the start of the preceding financial year (from the application date) unless the applicant can provide reasonable evidence as to why they were unable to apply in a timely manner.
- 2.7 The Government confirmed a number of additional Business Rates discounts and reliefs for the 2024/25 financial year that would be funded by a grant awarded under powers of Section 31 of the Local Government Act 2003. These are:
- Retail, Hospitality and Leisure Relief. The Government has announced the scheme will continue into the 2024/25 financial year.
 - Supporting Small Business Relief Scheme for ratepayers who are losing some or all of their small business rate relief as a result of a large rateable value increases following the 2023 revaluation. The scheme is available for the 2023/24 and 2024/25 financial years.
 - Newspaper relief. A £1,500 Business Rates discount for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per property, and up to state aid limits. This relief is applied for the financial years 2017/18 to 2024/25

2.8 The proposed policy for 2024/25 can be found at Appendix 1.

Policy 3 - Local Welfare Provision Policy

2.9 The current Local Welfare Provision (LWP) scheme has been in operation since 2013. This scheme is designed to meet short term emergency and immediate support needs of vulnerable residents and to assist them to establish or maintain a home in the community. Each application is treated strictly on its merits and all applicants are treated equally and fairly. The policy is subject to regular reviews to ensure it is fit for purpose.

2.10 The policy has been amended to include the Council's commitment to reducing its carbon footprint. As part of this initiative, items awarded via the Local Welfare Provision scheme may be pre-loved. Any pre-loved items awarded are fully reconditioned and checked prior to being offered and come with a 12-month warranty.

2.11 The proposed policy for 2024/25 can be found at Appendix 3.

Policy 4 - Discretionary Housing Payment Policy

2.12 The current policy specifies how the Council operates the Discretionary Housing Payment scheme and details some of the factors that are considered when determining whether a Discretionary Housing Payment can be made. Each case is treated strictly on its merits and all applicants are treated equally and fairly.

2.13 There are no proposed amendments to the policy for 2024/25 (See Appendix 4).

Policy 5 – Empty Property Premium Policy

2.14 Prior to April 2024, the Council applied an empty property premium for property unoccupied and unfurnished for over 2 years. From April 2024, the premium is applied for properties unoccupied and unfurnished for at least 1 year. This will mean empty property premiums will be applied as set out below.

- 100% premium on properties unoccupied and unfurnished for at least 1 year.
- 200% premium on properties unoccupied and unfurnished for at least 5 years.
- 300% premium on properties unoccupied and unfurnished for at least 10 years.
- To help provide guidance to affected property owners and to Council Officers administering the premium,

2.15 It is proposed that the policy is updated to reflect the application of the premium from 1 year.

2.16 It is expected that the change from 2 years to 1 year the Council will see a significant rise in the number of property owners requesting an exception to the Empty Property Premium.

2.17 During the 2023/24 financial year, the Council received ten applications for an exception to the premium. Decisions were made regarding these applications within an average of 10 working days.

- 2.18 As of the end of April 2024, the Council has received six applications for an exception to the premium. Decisions were made regarding these applications within an average of 7 working days. However, it is expected that this will be unsustainable if the number of applications continue to increase as expected.
- 2.19 The Empty Property Policy outlines that the Councils Exchequer Client Manager (Revenues) has the authority to authorise an exception to the premium. Any appeals are considered by the Assistant Director for Revenues and Benefits.
- 2.20 It is proposed that decisions regarding requests for an exception to the premium be delegated within the Council Tax team as follows:
- Any applications received from property owners are determined by the Revenues Manager or Revenues Team Leader(s).
 - Any appeals are considered by the Exchequer Client Manager (Revenues) or the Assistant Director for Revenues and Benefits.
- 2.21 It is hoped that providing authority to additional Officers will provide sufficient cover to ensure applications are processed efficiently.
- 2.22 This policy is presented at Appendix 5.

3 Options/Alternatives

3.1 The following options are available:

3.2 Option 1 - Do nothing.

Policy 1 - Discretionary Council Tax Discount Policy

The Council would continue to award a 100% Council Tax Discount for care leavers up to the age of 25 and consider requests from residents for Exceptional Hardship Payments. However, the Council would not be able to extend this support to residents with Council Tax arrears from previous financial years.

Policy 2- Discretionary Rate Relief Policy

The Council would still administer the temporary Business Rates discount and relief schemes introduced by Central Government. However, the Discretionary Rate Relief Policy would not provide guidance to ratepayers about the operation of the scheme.

Policy – 3 Local Welfare Provision Policy

The Local Welfare Provision scheme would still provider pre-loved items where possible.

Policy 4 - Discretionary Housing Payment Policy

No amendments are proposed to the Discretionary Housing Payments Policy in 2024/25 so this option would have no effect.

Policy 5 - Empty Property Relief Policy

Council Officers would continue to use guidance outlined within the policy to consider requests for removal of the premium. However, the background within the policy would not align with the Council's determination to introduce the Empty property premium for unoccupied and unfurnished properties after 1 year as opposed to 2 years.

The Council has seen an increase to the number of applications received in 2024/25 in comparison to previous financial years. If the Council does not approve the revisions to the policy to allow additional Officers to consider applications, it is expected these applications will take much longer to process.

3.3 **Option 2 – Approve the Local Taxation and Benefits Discretionary Policies**

Policy 1- Discretionary Council Tax Discount policy

Adopting a revised policy would enable the Council to consider a discretionary discount for former years arrears of Council Tax in relation to residents experiencing exceptional financial Hardship. This would allow the residents financial situation to be dealt with in an holistic way.

Policy 2 - Discretionary Rate Relief Policy

Adopting a revised policy for 2024/25 would ensure that it is clear to business ratepayers and Officers the circumstances in which a backdate of Discretionary Rate relief would be considered.

Policy 3 - Local Welfare Provision Policy

The proposed amendment would reflect the Councils commitment to reducing its carbon footprint and would also provide transparency to applicants that they may be providing with pre-loved items.

Policy 4 - Discretionary Housing Payment Policy

No changes to the policy are proposed.

Policy 5 - Empty Property Premium Policy

Adopting the new policy would ensure the policy aligns with the Council determination to introduce the Empty property premium for unoccupied and unfurnished properties after 1 year as opposed to 2 years and provide sufficient Officer cover in regard to decisions.

4 **Recommended Option**

- 4.1 Option 2 – The recommended option is to approve the updated Local Taxation and Benefits Discretionary Policies 2024/25 financial year.

5 **Consultation**

- 5.1 During the review of each policy, feedback has been obtained from relevant services involved in the application process.

6 Financial Implications

- 6.1 The proposed update to the policies outlined in this report will have the following direct financial implications:

Discretionary Council Tax Discounts Policy

The introduction of the ability to award a discretionary discount under the Exceptional Hardship Payment scheme (EHP) for Council Tax debts accrued outside of the current year will have a negligible impact on the amount of cash received but would allow the Council to more accurately assess its ability to recover any outstanding debts. The budgetary provision available for discretionary discount payments for 2024/25 is £74,850.

Discretionary Rate Relief Policy

Any costs associated with Retail Discount, Local Newspaper Relief, Supporting Small Business Relief and Low Carbon Heat Network Relief scheme will be reimbursed by the Government through Section 31 grants.

Local Welfare Provision Policy

The Policy has been amended to include the Council's commitment to reducing its carbon footprint. As part of this initiative items awarded via the Local Welfare Provision Scheme may be pre-loved. All payments are funded from an earmarked reserve.

Discretionary Housing Payment Policy

The discretionary Housing Payments (DHP) policy has been subject to an annual review. No proposals for changing the policy have been identified for 2024/25.

Central Government provides funding for the scheme. The Department for Work and Pensions (DWP) allocation for Oldham DHPs for 2024/25 is £428,970.

The Council can add additional resources of its own to support the DHP budget up to a ceiling of 2.5 times the DWP allocation, should it wish to do so. For Oldham this would mean a maximum contribution of £1,072,425. There is no budgetary provision in 2024/25 for any additional contribution.

Empty Property Premium Policy

The establishment of clear and transparent guidelines when assessing requests for both application and removal of Empty Property Relief, will help ensure that property owners who have made reasonable efforts to bring their empty properties back into use are not unduly financially penalised.

The impact of any Empty Property Premium removals under these circumstances will result in a negligible impact on the amount of cash received but would simultaneously help increase Council Tax collection rates in the future as stock comes back into use.

Prior to April 2024, the Council applied an empty property premium for property unoccupied and unfurnished for over 2 years. From April 2024, the premium is applied for properties unoccupied and unfurnished for at least 1 year.

There are currently 369 properties that have been unoccupied and unfurnished between 12 months and 24 months.

Based on current Council Tax charges it is anticipated that applying the premium from 12 months instead of 24 months an additional £606,211.21 would be raised with £413,994.21 collected

(Matthew Kearns – Finance Manager)

7 Legal Implications

- 7.1 Option 2, approval of the updated Local taxation and Benefits Discretionary Policies is supported. It is important that guidance is up to date and transparent. For example, the improved clarity on the guidance around Empty Property Premiums in the Borough is helpful to those who might contact the Council about the policy and help show clarity about decisions that have been made by the Council. This reduces the risk of any challenges around such decisions and helps to avoid reputational risks. Alex Bougatef – Group Solicitor – Litigation.

8 Equality Impact, including implications for Children and Young People

- 8.1 In taking financial decisions the Council must demonstrate that it has given “due regard” to the need to eliminate discrimination, promote equality of opportunity and promote good relations between different groups.
- 8.2 Demonstrating that “due regard” has been given involves:
- assessing the potential equality impacts of proposed decisions at an appropriate stage in the decision-making process - so that it informs the development of policy and is considered before a decision is taken;
 - ensuring that decision makers are aware of the equality duties and any potential equality issues when making decisions.

NB – having due regard does not mean the Council cannot make decisions which have the potential to impact disproportionately, it means that we must be clear where this is the case and must be able to demonstrate that we have consulted, understood and mitigated the impact.

- 8.3 To ensure that the process of impact assessment is robust, it needs to:
- Be specific to each individual proposal;
 - Be clear about the purpose of the proposal;
 - Consider available evidence;
 - Include consultation and involvement with those affected by the decision, where appropriate;
 - Consider proposals for mitigating any negative impact on particular groups;
 - Set out arrangements for monitoring the actual impact of the proposal.
- 8.4 The Equality Act 2010 extends the public sector equality duties to cover eight protected characteristics, namely: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion and belief and sexual orientation.

8.5 There is no duty to undertake an equality impact assessment (EIA) but an EIA is recognised as a useful tool in performing and recording the duty to have due regard. Equality Impact Assessment documents have been prepared for each policy and are included at Appendices 6 to 10.

9 Key Decision

9.1 Yes

10 Key Decision Reference

10.1 FCR-07-24

11 Background Papers

11.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: The background papers to this report are the Council Tax Discount for Care Leavers policy approved by Cabinet on 24th April 2017 (discount up to the age of 21) and The Local Taxation and Benefits Discretionary Policies approved by Cabinet on 28 March 2023. Both papers are publicly available at www.Oldham.gov.uk

Officer Name: Adam Parsey

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12 Appendices

12.1 Appendix 1 – Discretionary Council Tax Discount Policy

12.2 Appendix 2 – Discretionary Rate Relief Policy

12.3 Appendix 3 – Local Welfare Provision Policy

12.4 Appendix 4 – Discretionary Housing Payment Policy

12.5 Appendix 5 – Empty Property Premium Policy

12.6 Appendix 6 – Equality Impact Assessment – Discretionary Council Tax Discount Policy

12.7 Appendix 7 – Equality Impact Assessment – Discretionary Rate Relief

12.8 Appendix 8 – Equality Impact Assessment – Local Welfare Provision scheme

12.9 Appendix 9 – Equality Impact Assessment – Discretionary Housing Payments

12.10 Appendix 10 – Equality Impact Assessment – Empty Property Premium Policy

APPENDIX 1

Discretionary Council Tax Discount Policy

**Guidelines for the award of Discretionary
Discounts for Council Tax**

1 Introduction and Scope

- 1.1 This policy sets out the Council's approach to the awarding of Council Tax discretionary discounts and demonstrates that the Council is fair, consistent in its approach and sufficiently flexible to consider individual circumstances.
- 1.2 The policy has been developed to provide guidance in two areas. Section 2 sets out the guidance to support awards of Exceptional Hardship Payments (EHPs) which are available to support residents experiencing exceptional financial hardship in paying their Council Tax. Section 3 sets out guidance to support the award of discounts to care leavers.
- 1.3 Under The Local Government Finance Act 1992 (Section 13A (1) (c)) (as amended) and the Local Government Act 2003 (Section 76), Local Authorities can use discretion to reduce a part or all of the Council Tax liability where they are satisfied that the Council Tax payer would suffer hardship if it did not do so.
- 1.4 Section 13A(1)(c) allows for a discretionary reduction which can be used in relation to any individual on a case-by-case basis, or by determining a specific class of case for which the charge should be reduced.
- 1.5 Although the decision to reduce an individual's Council Tax liability is discretionary, the actual award (or refusal of) can be challenged by way of an appeal to a Valuation Tribunal.
- 1.6 Periodically the Government may introduce a specific scheme in response to an event such as a natural disaster (e.g. flooding). Where such schemes are introduced, funding is normally fully met by Government. Any such schemes that are introduced with the intention to be awarded under Section 13A (1) (c) of The Local Government Finance Act 1992 (as amended), will be administered in accordance with any instructions and guidance set out by Government.
- 1.7 This policy will be reviewed on an annual basis, or as required, in response to changes in legislation or the priorities of the Council. The Cabinet Member for Finance and Corporate Resources, in conjunction with the Director of Finance is authorised to vary the criteria, funding and application processes set out in this policy to ensure it continues to remain fit for purpose and within budget.

2 Exceptional Hardship Payments (EHPs)

2.1 Introduction and Scope

- 2.1.1 The Council is aware of its statutory duties under Section 13A(1)(c) of the Local Government Finance Act 1992 (as amended). This regulation allows billing authorities the discretion to reduce Council Tax in individual cases.
- 2.1.2 The Council has therefore made provision to assist residents who are facing exceptional financial hardship. Payment made under this provision will be known as Exceptional Hardship Payments (EHPs).
- 2.1.3 EHPs are not the same as payments made under the Council's Council Tax Reduction Scheme (CTR). Residents on low incomes should first explore whether there is an entitlement to CTR before making an application for EHP.
- 2.1.4 The Council will ensure each application received for EHP, will be treated on its own merits and all applicants will receive equal and fair treatment regarding accessibility to the fund and the decisions made.
- 2.1.5 EHPs are only intended as short-term assistance and should not be considered as a way of reducing Council Tax liability indefinitely.
- 2.1.6 The Council will give particular (but not exclusive) consideration to applications where the applicant is experiencing specific, exceptional or unforeseen situations which then impact on their ability to meet their Council Tax liability.
- 2.1.7 In considering an award the Council must be satisfied that:
- It is reasonable to expect other Council Tax payers to meet the cost of reducing the tax.
 - It would be unfair to ask the applicant to meet their Council Tax liability based solely on their own individual circumstances and not on circumstances that affect all or a significant proportion of the residents of Oldham.

2.2 Criteria for an application

- 2.2.1 The Council recognises the importance of protecting its most vulnerable residents. This policy has been created to ensure that an appropriate level of protection and support is available to those claimants most in need.
- 2.2.2 Hardship can be a result of many different and exceptional circumstances which could include, but are not limited to: -
- Multiple and complex issues facing the claimant and his/her household.
 - The death of a partner or dependant
 - Sudden increases in other expenses due to a family member's illness or incapacity
 - Sudden reduction in income due to loss of employment.

The Council will consider all relevant circumstances and resources. For example, it may not be appropriate to attempt to alleviate hardship through the award of financial assistance where advice and assistance in accessing other available support may be of greater benefit.

The Council will consider the full circumstances of the applicant before deciding whether to award an EHP. The Council will be looking for something out of the ordinary that makes it very difficult for the claimant to pay their Council Tax.

2.2.3 When assessing a claim for EHP, The Council must be satisfied that:

- The applicant is unable to meet either all or part of their Council Tax liability. .
- All reasonable steps have been taken to meet the full Council Tax liability prior to submitting the EHP application.
- The applicant's current circumstances are unlikely to improve during the period for which the EHP may be awarded, which would make payment of their Council Tax unlikely.
- There is evidence of exceptional hardship or exceptional personal circumstances that justify a reduction in Council Tax liability.
- The applicant has no assets that could be realised and used to pay Council Tax.
- Entitlement to all other reliefs, discounts, exemptions, discretionary payments and other available support have been considered.
- Non-payment of Council Tax is not due to the taxpayer's own wilful refusal or culpable neglect.

2.3 What an EHP does not cover.

2.3.1 EHPs cannot be awarded:

- To help towards payment of rent
- Where the applicants Council Tax liability is nil as a result of any other discount or exemption
- For any reason other than to reduce Council Tax liability.

2.4 Making an Application

2.4.1 The applicant, or a party authorised by the applicant such as an appointee or advocate, must complete and submit an EHP application form along with any evidence requested within the application form. To support applicants the Council will encourage the use of an online application form which will be available on the Council's website www.oldham.gov.uk.

(Applications will not be considered if they are made by landlords or managing agents of properties where the claimant is liable for Council Tax).

- The application must detail the hardship or personal circumstances upon which the request is based.
- Applicants are required to include evidence of their financial circumstances to enable the Council to make an informed assessment of their ability to pay. Financial evidence can include, but is not limited to, household income and expenditure details, utility bills, household bills and all debt.

- Further evidence may be requested that is relevant to the application (e.g., specific details about income and expenditure details and medical evidence) where appropriate.
- Applicants will be expected to provide further information in support of their claim within one month of submitting their application or the application will be rejected.
- The Council will not reimburse any costs an applicant may incur in making an application or in providing requested evidence.

2.5 Making an Award

- 2.5.1 Applications will be reviewed initially by the Council's Exchequer Client Manager (Revenues) and a recommendation made to the Council's Assistant Director, Revenues and Benefits for a decision.
- 2.5.2 EHPs are intended as short-term assistance and the claimant will be expected to have made clear attempts to improve their financial circumstances during any award.
- 2.5.3 Claimants may make subsequent applications once their initial award has expired or if their circumstances have changed or worsened since an original application was refused.
- 2.5.4 Awards will normally be paid only once. The reduction in liability will be applied to the relevant Council Tax account and a revised bill will be issued. No cash alternative to this approach is available.
- 2.5.5 An award will usually be a percentage of the net Council Tax liability (the amount payable following the award of any benefit, discount, exemption or relief) and be for a specified period. The award will not exceed 100% of Council Tax liability.
- 2.5.6 The claimant must inform the Council about any changes in their circumstances that might affect their claim for EHP within 21 days of that change.
- 2.5.7 Decisions will normally be made within one month of the application provided all supporting information has been received and will be notified to the applicant as soon as practicable thereafter. The award notification will set out:
- The amount of EHP awarded
 - The period of the award
 - When the award will be paid
 - The requirement to report changes in circumstances
 - What the claimant can do if they do not agree with the award decision, and
 - Details of where the claimant can obtain independent debt advice
- 2.5.8 If the application is not successful, the notification will include:
- The reasons for refusal and the appeal rights.
 - Details of where the claimant can obtain independent debt advice
- 2.5.10 If it is subsequently identified that an award was made as a result of false or fraudulent information, the Council will withdraw the award and recover the resulting sum due. The Council has a zero tolerance regarding fraud and reserves the right to report any suspected fraudulent claims to the Councils Counter Fraud team.

2.5.11 Under Section 16 of the Local Government Finance Act 1992, there is a right of appeal if a Council Taxpayer applying for a discretionary reduction under Section 13A(1)(c) is not satisfied with the Council's decision. The guidance detailing how to appeal is set out in Section 4.

3 Council Tax Discount for Care Leavers

3.1.1 Oldham Council wants to support care leavers in their transition to independent living by offering a 100% Council Tax discount up to the age of 25.

3.1.2 A care leaver is defined as a person who has been in the care of a local authority (looked after) for at least 13 weeks since the age of 14 and who was in care on their 16th birthday.

3.2 Qualifying Criteria

3.2.1 Confirmation will be sought from Oldham Council's Children's Social Care or other public body or professional organisation that care leaver status applies. Most discount cases will be referred directly by the Council's Children's Services team. However, care leavers can also make a direct application for a discount, and this will be made available on the Council's website www.oldham.gov.uk

3.2.2 The care leaver must live in the Borough at the address the award relates to and be the person responsible for payment of Council Tax to qualify for the discount.

3.2.3 The discount will not be means tested.

3.3 Discount Scheme

3.3.1 The care leavers discount was introduced in April 2017, as such care leavers who become responsible for Council Tax after this date will be granted the discount from the date of occupation.

3.3.2 The level of discount applied will be 100% of Council Tax liability after any entitlement to any national reliefs, exemptions or other discounts including entitlement to Council Tax Reduction have been calculated and awarded.

3.3.3 If, subsequent to an award, the care leaver's liability for Council Tax reduces during the period of the award, for example if the care leaver becomes entitled to a single person discount, the care leaver's discount will be amended to ensure the award does not exceed the care leaver's Council Tax liability.

3.3.4 Where awarded, the discount will remain in force until the care leaver reaches the age of 25 years or ceases to become responsible for Council Tax whichever date occurs first.

3.3.5 When a discount has been given, a Council Tax bill will be issued showing the detail. If a discount request is refused, a letter will be issued outlining the reasons for the refusal.

3.3.6 Under Section 16 of the Local Government Finance Act 1992, there is a right of appeal if a customer applying for a discretionary reduction under Section 13A(1)(c) is not satisfied with the Council's decision. The guidance detailing how to appeal is set out in Section 4.

4 Appealing a Decision

- 4.1 If an applicant disagrees with a decision, there is a right to request that the application is reviewed by the Assistant Director, Revenues and Benefits.
- 4.2 Any requests for a review of the decision must be made within one calendar month of the original decision letter being issued.
- 4.3 All applications for a review of the decision must be made in writing or via email and must outline the reasons why the applicant is disputing the decision.
- 4.4 The applicant will be notified in writing of the outcome of the review and the reasons for the decision.
- 4.5 If the applicant disagrees with the outcome of the internal review undertaken by the Assistant Director, Revenues and Benefits they can appeal to the Valuation Tribunal. Appeals must be made directly to the Valuation Tribunal.
- 4.6 The Valuation Tribunal can only consider whether the decision made by the Council was made reasonably by applying judicial review principles. The Valuation Tribunal cannot award discretionary reductions but may ask the Council to review its policy or decision again.

Discretionary Business Rate Relief Policy

Guidelines for the Award of Discretionary Business Rates Relief

1. INTRODUCTION AND SCOPE

- 1.1 Discretionary Rate Relief (DRR) is granted in accordance with Section 43 and Section 44a of the Local Government Finance Act 1988 (LGFA 1988) and Section 47 and 49 of the LGFA 1988 as amended by the Localism Act 2011.
- 1.2 Clause 69 of the Localism Act 2011 amended Section 47 of the LGFA 1988 to allow billing authorities the discretion to fund their own local discounts. Since April 2012, the Council has been able to grant Business Rates discounts entirely as it sees fit within the limits of the primary legislation and European rules on state aid. These powers can be used to encourage new business and investment, as well as to support local shops or community services.
- 1.3 The introduction of the Business Rates Retention scheme in 2013 meant that Local Authorities now have a financial stake in the income generated from Business Rates in their area. Since April 2017, the Council has participated in the 100% Business Rates Retention pilot scheme.
- 1.4 This means that Mandatory and Discretionary Relief is financed 99% by the Council and 1% by the Greater Manchester Combined Authority. The Government has pledged that Greater Manchester authorities will suffer no financial detriment as a result of participating in the 100% pilot scheme. This extends to the awarding of mandatory and discretionary rate reliefs.
- 1.5 In view of the direct cost of awarding Business Rates relief, the Council has determined that its DRR policy is reviewed annually to ensure that awards of DRR are appropriate and maximise benefits to Oldham residents.
- 1.6 This policy document outlines the areas of local discretion and the Council's approach to the various awards. This approach has regard to the impact:
 - Of granting DRR (including Section 44a Relief and Hardship Relief) on the Council's wider financial position and Council Tax payers;
 - On the organisations and businesses that currently receive or may apply for relief in the future;
 - For Oldham residents and any regeneration benefits to the borough.
- 1.7 The principal consideration when making an award is that any relief granted is in the best interests of the residents and taxpayers of Oldham and produces a local benefit. It will also be reflective of and complementary to the co-operative ethos of the Council.
- 1.9 The Government has introduced several rate relief schemes in recent years, some of which are available for specified years only. The criteria and funding for these schemes are detailed within Government guidance issued to Local Authorities. The Government funded schemes in relation to 2024/25 can be found in section 11.

2 CHARITABLE RELIEF (CHARITIES)

2.1 Mandatory Rate Relief of 80% is granted to charities in the following circumstances where the:

- Ratepayer of a property is a charity or the trustees of a charity; and
- The property is wholly or mainly used for charitable purposes (including charity shops, where the goods sold are mainly donated and the proceeds are used for the purpose of the charity).

2.2 The Council does not have any discretion regarding the award of Mandatory Rate Relief; however, the Council must be satisfied that the statutory criteria has been met. For this purpose, the Council will use guidance provided in both the LGFA 1988, and by reference to other enactments and case law.

2.3 The Council will refer to the Charity Register for evidence of charitable status however absence from the register does not mean an organisation has not been established for charitable purposes as certain organisations are exempt from registration under the Charities Act 1993.

2.4 In cases where a charity is in receipt of mandatory rate relief of 80%, the Council has discretion to grant up to 20% additional rate relief known as a DRR top up.

2.5 The Council will consider applications for a DRR top up from charities based on their own merits, on a case-by-case basis. However, the principal consideration is that the relief is in the best interests of the residents and taxpayers of Oldham and produces a local benefit as the Council must contribute to the cost of each award. As such, top up will be awarded generally to the following type of registered charities:

- Scouts, guides, cadets and other clubs/associations for young people;
- Community schemes encompassing organisations providing support for those over the age of retirement, community transport, those based on volunteering and residents' associations;
- Organisations providing support in the form of advice, training for employment, counselling;
- Organisations that provide services that address the consequences of ill health and disability;
- Charitable sporting clubs (also see CASCs);
- Locally based leisure and cultural organisations;
- Armed forces veteran's associations;
- Locally based charities;
- Charity shops (operated by either locally based or national charities);
- Local childcare providers registered as charities

3 REGISTERED COMMUNITY AMATEUR SPORTS CLUBS (CASC) RELIEF

3.1 Mandatory rate relief of 80% is granted to registered community amateur sports clubs (CASCs). To qualify as a CASC, a sports club must fulfil all the following criteria. It must be:

- Open to the whole community;
- Run as an amateur club;
- Non-profit making and
- Aiming to provide facilities for, and encourage people to take part in, eligible sport.

3.2 In cases where a CASC is in receipt of Mandatory Rate Relief of 80%, the Council has discretion to grant up to 20% additional rate relief as a DRR top up.

3.3 The principal consideration is that any relief is in the best interests of the residents and taxpayers of Oldham. However, in determining the application the following matters will be taken into consideration:

- How the CASC supports and links into the Council's corporate vision and priorities;
- A club should have an open access policy. If a club effectively discriminates by only accepting members who have reached a particular standard, rather than seeking to promote the attainment of excellence by enhancing access and the development of sporting aptitude, then it does not fulfil the requirements;
- Although clubs should be open to all without discrimination, single sex clubs may be permitted where such restrictions are not discriminatory in intent but a genuine result of physical restraints (such as changing room facilities) or the requirements of the sport. In such cases, the organisation will be required to provide proof of such limiting factors.

3.4 If the organisation applying for a DRR requires membership or an entry fee, the Council will consider whether:

- Membership is open to everyone, regardless of race, ethnic origin, sex, marital or parental status, sexual orientation, creed, disability, age, religious affiliation or political belief,
- The subscription or fee is set at a level which is not prohibitively high and considered to be affordable by most sections of the community
- Fee reductions are offered for certain groups such as, for example, under 18s or over 60s
- Membership is encouraged from groups who face social barriers, such as, for example, young people not in employment, education or training; people above working age; or people with disabilities
- Facilities are made available to people other than members.

3.5 It should be noted that sports clubs which run a bar are unlikely to be awarded relief if their main purpose is the sale of food or drink. However, if the sale of food or drink by the organisation aids the overall operation and development of the organisation in achieving its objectives, this would be permissible if the principal objectives of the organisation meet the eligibility criteria detailed at 3.1. If the bar makes a profit, this profit must be reinvested to support the organisation in achieving its principal objectives. Financial information will be required to evidence any profit and its use.

4 NON-PROFIT MAKING ORGANISATIONS INCLUDING COMMUNITY INTEREST COMPANIES (CIC)

4.1 The Council has the power to grant discretionary rate relief of up to 100% to non-profit making organisations. The main objectives of the organisation must be related to:

- Relief of poverty
- Advancement of religion
- Advancement of education
- Social Welfare
- Science
- Literature
- Fine arts
- Recreation
- Or be otherwise beneficial to the community

An organisation must be able to demonstrate how it:

- Meets local needs and benefits local people; and
- Provides a valuable service to the community; and
- Is open to all sections of the community and operates in such a way that it does not discriminate against any section of the community; and
- It is not conducted or established for the primary purpose of accruing profit.

4.2 The Council will consider applications for a DRR top up from non-profit making organisations based on their own merits, on a case-by-case basis. However, the principal consideration is that the relief is in the best interests of the residents and Council Tax payers of Oldham and produces a local benefit as the Council must contribute to the cost of each award. As such, top up will generally be awarded to the following type of non-profit making organisations:

- Scouts, guides, cadets and other clubs/associations for young people;
- Community schemes encompassing organisations providing support for those over the age of retirement, community transport, those based on volunteering and residents' associations;
- Organisations providing support in the form of advice, training for employment or counselling;
- Organisations that provide services that address the consequences of ill health and disability;
- Locally based leisure and cultural organisations;
- Armed forces veteran's associations.

4.3 If the organisation applying for DRR requires membership or an entry fee, the Council will consider whether:

- Membership is open to everyone, regardless of race, ethnic origin, sex, marital or parental status, sexual orientation, disability, age, religious affiliation or political belief,
- The subscription or fee is set at a level which is not prohibitively high and considered to be affordable by most sections of the community;
- Fee reductions are offered for certain groups such as under 18s or over 60s;

- Membership is encouraged from groups who face social barriers, , for example, young people not in employment, education or training; people above working age; or people with disabilities;
- Facilities are made available to people other than members.

4.4 Where the applicant organisation requires membership, at least 50% of the members should reside within the boundaries of the Borough of Oldham (evidence of this will be required).

5 LOCAL CHILD CARE PROVIDERS

5.1 The Council will consider applications for DRR from local childcare providers based on their own merits on a case-by-case basis. The principal consideration is that any relief is in the best interests of the residents and taxpayers of Oldham and produces a local benefit as the Council must bear a percentage of the cost of any relief granted. Criteria in relation to an award are:

- A local childcare provider is in receipt of Mandatory Rate Relief of 80% as a registered charity, in these cases the Council has the discretion to grant up to 20% additional rate relief.
- In cases where a local childcare provider is not in receipt of Mandatory Rate Relief the Council has the discretion to consider granting an award up to 100% of rate relief.
- If a local childcare provider applies for relief, they must not charge fees that would be considered unaffordable by most Oldham residents. The provider must also not restrict attenders with admittance policies that are deemed unfair.
- If a nursery charges unreasonable fees or if they make significant profits that are not reinvested into the business that they are unlikely to be awarded DRR.
- In reviewing an application from a childcare provider, there will be consultation with the Early Intervention and Families team to determine if providing relief would meet the aim of supporting local childcare provision.

6 RURAL RATE RELIEF

6.1 Organisations or businesses which operate within a designated rural settlement (with a population of 3,000 or less) may be eligible for Rural Rate Relief. Eligible organisations/businesses must be located in one of the settlements identified in the Council's rural settlement list, which is reviewed periodically:

- Current areas designated as rural settlements are:

Delph	Denshaw	Diggle	Dobcross
Grasscroft	Grotton	Scouthead	Woodhouses

6.2 Rural Rate Relief is open to any type of business within a classified rural settlement that satisfies the following criteria:

- The only qualifying village shop or post office with a rateable value of up to £8,500
- The only qualifying public house or petrol station with a rateable value of up to £12,500

- Within the boundaries of a qualifying rural settlement.

7 LOCALISM RELIEF

- 7.1 The Council is now able to grant Business Rates discounts entirely as it sees fit within the limits of the primary legislation and the UK Subsidy Control regime. The Council will place particular focus on using these powers to support the regeneration objectives of the Council, encouraging new business and investment in the Borough.
- 7.2 In reviewing an application from a business requesting DRR under these powers, there will be consultation with the Council's Business and Investment Team to determine if providing relief would support the economic objectives of the borough.
- 7.3 Applicants will also be signposted to the Council's Business and Investment team for support and for advice on other options available to the business prior to an award being considered.

8 HARDSHIP RELIEF

- 8.1 The Council has the power to reduce or remit the Business Rates charged in certain circumstances where the business is enduring temporary financial difficulties beyond their control. This is known as Hardship Relief.
- 8.2 The Council may grant Hardship Relief if it is satisfied that:
- The ratepayer would sustain financial hardship if the Council did not do so; and
 - It is reasonable for the Council to grant relief, with regard to the interests of its residents and Council Tax payers.
- 8.3 Loss of profitability due to increased competition would not generally be considered as Financial Hardship.
- 8.4 Hardship Relief is a temporary measure which should not be used to artificially sustain a failing business. Hardship Relief will be awarded where the applicant organisation is facing temporary financial difficulties and where the community would be significantly disadvantaged if the business were to close due to these temporary financial constraints.

9 SECTION 44A RELIEF (PARTLY OCCUPIED PROPERTIES)

- 9.1 The Council has discretion to consider requests from ratepayers asking that the rateable value of premises that is charged Business Rates is split between the occupied and temporarily unoccupied portions and that the Council then only charges rates of the occupied portion. This is permitted under Section 44a of the LGFA 1988.
- 9.2 The Council has the discretion to accept or refuse such a request. If the request is accepted, then the Valuation Office Agency (part of Her Majesty's Revenues and Customs (HMRC)) is asked to supply a Certificate indicating the relevant values for the occupied and unoccupied portions and this Certificate is binding on the Council.
- 9.3 The definition of 'temporary period' is not prescribed with the law and therefore Oldham Council has the discretion to decide the period of relief that should be awarded.

- 9.4 The law provides discretionary power, but the decision whether to exercise that power must be taken before the Valuation Officer's Certificate is requested, as the apportioned values are those upon which the charge must be levied once supplied. Discretionary power does not alter the general rule that occupation of part of a premise constitutes occupation of the whole of the premises.
- 9.5 The effect of the apportioned values applies to the **operative period**, which is defined as the period beginning with the day on which the premises became partly unoccupied and ending with the first day on which one or more of the following events occur.
- The occupation of any of the unoccupied part of the premises;
 - The ending of the financial year in which the apportionment was required;
 - The requiring of a further apportionment;
 - The complete occupation of the premises; or
 - The complete vacation of the premises.
- 9.6 The Authority is required to terminate this relief in the event of a change in the proportions of the premises occupied and unoccupied or at the end of a financial year, and then may, if appropriate consider requesting the Valuation Office to issue a further Certificate.
- 9.7 The amount of Rate Relief that is awarded is determined by statute and is calculated by reference to the Rateable Value attributed to the unoccupied area by the Valuation Office Agency.
- 9.8 Applications will only be considered in respect of unoccupied parts of a property that can be clearly defined and are reasonably segregated from the occupied part of the property.
- 9.10 The use of Section 44a is intended to apply to those premises where there are practical difficulties in either occupying the premises or vacating the premises. Therefore, it is not intended that all premises which temporarily become partly unoccupied should have their liability reduced.
- 9.11 No award shall be made where it appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purpose of applying for Rate Relief.
- 9.12 Rate Relief under this section will not be awarded in respect of partly occupied property where the partial occupation of the property may arise due to the ordinary day to day nature of the business (for example the operation of a warehouse) or where a ratepayer is incrementally moving out of the premises and leaving the borough.
- 9.13 The period of Relief will not exceed either 3 or 6 months depending on the type of property the claim has been made for, in line with the current legislation for part-occupied properties.
- 9.14 In determining the application, favourable consideration will be given (but not limited to) where:
- There is a partial occupation of a warehouse, factory or commercial premises

to facilitate relocation of the company into the borough or to extend the current portfolio and associated occupation levels in the borough; or

- Where fire, flood or other disaster prevents full use of the premises.

9.15 Favourable consideration would not normally be given:

- For a period that has now passed;
- For consecutive periods;
- To support a business moving its operation outside of the borough;
- Where the owner sublets part of the premises on a commercial basis;
- Where the part occupation is likely to continue for more than 3 months (6 months if industrial premises);
- Where there appears to be no effort to let, sell or occupy the empty part; or
- Where part occupation is seasonal or cyclical in nature.
- Where part occupation is due to refurbishment of the premises.

(N.B. This is not an exhaustive list.)

9.16 At all times consideration will be made for the regulations contained within Section 44a of the Local Government Finance Act 1988 and any relevant case law.

10 MAKING AN APPLICATION

10.1 Applicants will be encouraged to submit applications for DRR online at www.oldham.gov.uk

10.2 All Applications for Discretionary Rate Relief top up must be supported by, and include:

- The organisation's main purposes and objectives, as set out in, for example, a written constitution, a memorandum of association, or set of membership rules.
- A full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available, projected figures should be provided instead. (It is recommended that applicant organisations submit audited accounts dating back further than two years if such information is available.)
- Details of how the organisation meets the criteria outlined in these guidelines.

Localism Relief

10.3 Where applications seek rate relief in respect of new business set up etc., information provided should also include business plans and other information that demonstrate the regeneration or economic benefit to Oldham.

Section 44A Relief

10.4 The following information will be required to support written requests for Section 44a relief:

- A plan of the property showing the dimensions of the occupied and unoccupied area of suitable quality to enable the Valuation Office Agency to apportion the rateable value of the property between the occupied and unoccupied areas.

Applications will not be considered until such time as the plan is provided;

- The period to which the application relates;
- Contact details in order to inspect the site where necessary.

- 10.5 If an application is received without the necessary supporting information, the application will be considered ineligible.
- 10.6 The Council will inform applicants in writing of any decision. This notification will also confirm the period for which relief has been awarded and a revised bill will be issued.
- 10.7 Unsuccessful applicants will be notified and provided instructions on how they can appeal the decision.
- 10.8 The granting of relief will be reviewed annually and those in receipt of Discretionary Rate Relief will be asked to supply or confirm relevant information for the purpose of the review. If this information is not provided, no reminders will be issued, and the relief will be removed.
- 10.9 The Council can depart from its general policy if it sees fit to do so, taking into account the facts of each case and the interests of residents and Council Taxpayers.

11 Temporary Government funded Relief schemes

- 11.1 The Government has introduced several rate relief schemes in recent years, some of which are available for specified years only. The application process and eligibility criteria are individual to each relief scheme. The Council follows Government guidance in administering and awarding these reliefs.
- 11.2 The schemes available for 2024/25, and the applicable government guidance can be found using the links below.

Retail, Hospitality and Leisure Relief Scheme.

<https://www.gov.uk/guidance/business-rates-relief-202425-retail-hospitality-and-leisure-scheme>

Newspaper Relief

<https://www.gov.uk/government/consultations/the-case-for-a-business-rates-relief-for-local-newspapers>

Supporting Small Businesses Relief

<https://www.gov.uk/government/publications/business-rates-relief-2023-supporting-small-business-relief-local-authority-guidance>

Business Rates Heat Network Relief

<https://www.gov.uk/government/publications/business-rates-heat-network-relief-local-authority-guidance-2023-24/business-rates-heat-network-relief-local-authority-guidance-2023-24>

12 ASSESSMENT OF THE AWARD

- 12.1 The Council delegates the decision-making power for DRR awards to the Exchequer

Client Manager (Revenues) and the Assistant Director for Revenues and Benefits (or equivalent post holders).

- 12.2 Any officer or Member involved in the decision-making process for DRR must declare if they have an interest in or association with any organisation which is applying for relief.
- 12.3 In making decisions about applications the Council may:
- Grant relief up to a maximum of 100% of the rates due
 - Grant relief for a sum less than 100% of the rates due or
 - Refuse any application for additional relief.
- 12.4 When considering an application for Section 44A relief, a visit may be made to the premises to confirm the accuracy of the submitted plan. Independent evidence may also be requested, and this may be in the form of surveyors' reports, dated photographs, solicitors' letters and estate or letting agents' records (list not exhaustive).
- 12.5 The granting of relief will be reviewed annually and those in receipt of Discretionary Rate Relief will be asked to supply or confirm relevant information for the purpose of the review.
- 12.7 All awards of Discretionary Rate Relief will typically be awarded as a temporary measure for a limited period e.g., one financial year.
- 12.8 The maximum period for which the Council will consider backdating Discretionary Rate relief is the start of the preceding financial year. The Council will only consider backdating relief prior to the start of the preceding financial year if the applicant can reasonably demonstrate why they were unable to apply in a timely manner.
- 12.9 As a guide, for a charity, CASC or Non-Profit organisation to be eligible for DRR top up, the organisation must not have enough financial resources available in unrestricted funds to continue to operate for more than 12 months, nor should it have sufficient financial resources in unrestricted reserves to continue to operate for more than 12 months, unless a business plan exists detailing how these additional reserves are to be used to benefit the local community.
- 12.10 In exceptional cases, DRR will be granted to organisations which have enough financial resources in unrestricted funds to continue to operate for more than 12 months. This may include charities or community organisations which require large amounts of available resources to sustain the service they deliver to the community. In such cases, the organisation must be able to prove that it offers a service which the Borough's residents depend on, and which they would be unlikely to find elsewhere in the Borough.

13 APPEALS AGAINST DECISIONS

- 13.1 Any organisation requiring a review of a decision may submit a request by email to DiscretionaryRateRelief@oldham.gov.uk

- 13.2 Oldham Council can review a Discretionary Rate Relief, Hardship Relief or Section 44a decision in the event of a dispute or in light of any new information. Final decisions on appeals will be made by the Section 151 Officer (Director of Finance) and the Cabinet Member for Finance and Corporate Resources.
- 13.3 If the Ratepayer is further dissatisfied the only remaining route to challenge the decision would be by judicial review in line with Section 138 of the Local Government Act 1988. Such a review would only consider whether the decision-making process had been followed correctly; it may not necessarily change a decision.

14 STATE SUBSIDY

- 14.1 From 1st January 2021, the United Kingdom left the EU Single Market and Customs Union and is no longer subject to the De Minimis Regulations. The Government has introduced its own rules regarding state subsidies. Discretionary rate relief is considered a subsidy under the rules, but the matters that must be considered all relate to the effect of the subsidy on international trade. In making an award the Council must consider the award of relief:
- affects international trade;
 - is prohibited under World Trade Organisation (WTO) rules;
 - are in line with those agreed by the UK-EU Cooperation and Trade Agreement
 - are unlikely to trigger a dispute under WTO trade rules
- 14.2 It is expected that in most cases an award of discretionary relief would not breach State Subsidy rules. However, for cases where the Council believes a breach may be possible the recipient of the relief will be asked to complete and return a state subsidy declaration. If this is not completed and returned the application will be refused.

15 POLICY REVIEW

- 15.1 The Council will review the Discretionary Rate Relief policy on an annual basis, but the Council reserves the right to review and revise the policy at any time as a result of information gained through operating the policy or in response to Government initiatives.
- 15.2 The Cabinet Member for Finance and Corporate Resources in conjunction with the Director of Finance are authorised by Cabinet to agree any revisions to the policy.

Local Welfare Provision Policy

**Guidelines for the operation of the Local
Welfare Provision Scheme.**

1. Introduction

- 1.1 The Welfare Reform Act 2012 ended the provision of Community Care Grants and Crisis Loans for living expenses under the Discretionary Social Fund administered by the Department for Work and Pensions (DWP).
- 1.2 Funding was transferred from the DWP to Local Authorities (LAs) from 1 April 2013 to provide a locally administered scheme to help vulnerable residents in the Borough.
- 1.3 There was no statutory duty requiring LAs to deliver a scheme, but Oldham Council considered it to be in the best interests of the residents of the Borough to do so.. As a result of the reduction in funding the Council administered a scheme in a way that ensures the funding provides support to Oldham's most vulnerable residents.
- 1.4 Oldham's scheme is known as the Local Welfare Provision (LWP) scheme.
- 1.5 As a Co-operative Council, the Council is committed to making the most of the strengths that lie in communities and neighbourhoods across the borough. This is reflected in the LWP scheme, which makes use of the expertise and local knowledge of community groups, charitable organisations, and partner agencies in working together to support residents in difficult circumstances.
- 1.6 Oldham Council is also committed to supporting local people to find sustainable, long-term solutions, so that help is provided to prevent people from facing crises and needing support in the future. As part of the process of assessing a claim for LWP, the Council seeks to identify whether applicants could benefit from other forms of support (such as benefit, debt or budgeting advice) which gives them the tools to address the root causes of any short-term problems which are causing them to turn to LWP for help.

2. Purpose of the Scheme

- 2.1 The purpose of the Local Welfare Provision Scheme is to provide support:
 - To meet short term emergency/immediate support needs of vulnerable residents.
 - To assist vulnerable residents to establish or maintain a home in the community.
- 2.2 Examples of the types of residents and the circumstances where an award may be considered are:
 - Care Leavers under the age of 25
 - People who have suffered a disaster/crisis such as fire or flood
 - Families under exceptional pressure
 - Vulnerable older people

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- People fleeing domestic violence
 - People moving out of institutional or residential care
 - People moving to supported accommodation/independent living
 - People who are leaving prison or detention centres
 - People who are chronically or terminally ill
 - People with alcohol or drug issues
 - People with learning difficulties.
- This list is not exhaustive.

3. Principles of the Scheme

3.1 The LWP scheme is based around the following principles:

- The Council will treat each customer fairly and equitably with full consideration being given to their circumstances.
- The LWP scheme is a fund of last resort, this means that the Council will provide support to people who cannot access support through any other means. This will ensure that funding is retained to support those residents who are unable to access funding from other sources. The scheme is discretionary, which means an applicant does not have a statutory right to payment.
- The Council will consider making an LWP award to applicants who meet the qualifying criteria specified in this policy, providing that there is sufficient funding available.
- In each financial year the Council will spend no more on LWP awards than the DWP makes available in grant funding for the scheme.
- The Council reserves the right to vary the operation of the scheme during the year to ensure that the level of awards made does not exceed the funding available. This will be exercised through a formal review process.
- The Council will provide support to applicants by means of signposting or referrals to other partners, regardless of the outcome of their claim for LWP, to avoid a future need to claim LWP.
- The Council will consider bids for funding from groups / organisations who provide support to Oldham residents. Successful bids will be awarded monies from the fund providing there is sufficient funding.

4. Eligibility Criteria

4.1 To be eligible for an award the applicant must be:

- aged 16 or over
- be a resident of the borough or be able to demonstrate that they are about to become a resident of the borough
- in receipt of benefits such as, Income Support, Universal Credit, Personal Independence Payment, Housing Benefit, Council Tax Reduction.

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- Awards may be given in exceptional circumstances to applicants who are not in receipt of one of the above benefits but who are in crisis.

This list is not exhaustive.

4.2 An award will not be made where:

- help is likely to be available from other funds or schemes
- the applicant has access to other funds which could be used to cover the costs, such as savings.
- the applicant owns a property other than the one in which they live.
- the need for LWP has been self-imposed by the applicant e.g., a benefit sanction enforced, loss of employment due to misconduct etc. except in exceptional circumstances e.g., unjust sanction where there is no other support available. Must be supported by a trusted referrer or support worker.
- the applicant has received an LWP award in the past 6 months (in cases of significant exceptional need the criteria can be relaxed).

5. The Application Process

5.1 The application process is clear, transparent and accessible.

5.2 Applicants can request support through several access channels:

- online via the Council website
- through a dedicated telephone line
- through a trusted referrer - these will be in a wide range of organisations across the Borough.

5.3 The application can be made by:

- the person to whom the application relates (the applicant)
- another person on behalf of the applicant (the representative)

5.4 The application process is designed to provide consistent and fair decision making by gathering appropriate data and supporting information in an accessible way.

5.5 The Council may request reasonable evidence in support of an application for an LWP award.

- The applicant will be asked to provide the evidence within 10 working days of the request although this can be extended in appropriate circumstances.
- If the applicant is unable to or does not provide the required evidence within the timeframe stipulated, then the application will be treated as withdrawn by the applicant.
- The Council reserves the right to verify any information or evidence that the applicant supplies with third parties including other council departments, government agencies, other local authorities, external organisations or

individuals. The Council may also use the information for the detection and prevention of fraud.

- Under new data sharing powers contained within the Welfare Reform Act 2012 those administering the scheme will have access to DWP data in relation to benefits to support decision making.

5.6 The Council will signpost or refer the applicant to other sources of funding rather than make a LWP award.

6. Decision Making

6.1 In deciding whether to make a LWP award the Council will take a holistic look at the applicant's needs and circumstances, as well as the amount of funding available in the LWP fund and the anticipated demand for this funding.

6.2 The Council will consider:

- the financial circumstances of the applicant, their partner, their dependents, and anyone else who lives with them
- any sources of credit, such as cash cards, store cards, credit cards, cheque cards, cheque accounts, overdraft facilities and loans
- any other help which is likely to be available from other funds or schemes
- any expenditure of the applicant, any partner, their dependents and anyone else who lives with them
- the level of debt the applicant and their family has
- any medical issues, or other exceptional needs, of the applicant, their partner, their dependents, anyone else who lives with them
- whether an LWP award could address the needs of the applicant
- whether granting an award would help prevent further or additional needs.

6.3 If the Council decides that an LWP award can be made they will determine the type of support to be awarded.

7. Types of Support

7.1 LWP is available to help with the provision of:

- Beds and Bedding
- Essential domestic appliances/cookware
- Essential domestic furniture

The council is committed to reducing its carbon footprint and as part of this initiative, items awarded via the LWP scheme may be pre-loved. Any pre-loved items awarded are fully reconditioned and checked prior to being offered and come with a 12 month warranty.

7.2 LWP awards would not be given for:

- A television or satellite cost or repair
- Installation of a telephone or telephone line

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- Housing costs or arrears of rent
 - Costs which can be met from other sources
 - Debts
 - Motor vehicle expenses
 - TV licence
 - Costs associated with care provision

7.3 The Council has the discretion to determine which goods or services are essential and will consider the circumstances of each claim.

8. Methods of Support

8.1 The Council will determine the most appropriate method of support to be provided to successful applicants. The decision will be made based on the type of support required and the individual's circumstances.

8.2 The Council may make awards of support to:

- the applicant
- their partner

8.3 The Council will make awards in the following ways:

- Order and payment by the Council to suppliers of suitable goods or services

9. Notification

9.1 The applicant and any other interested party such as representative or trusted referrer will be notified of the outcome of the application on the day the decision is made.

9.2 The Council will notify the applicant of the decision by the most appropriate method. This may be by telephone call, letter or email.

9.3 Where the application is successful, the notification will include details of:

- the items awarded.
- signposting to any relevant websites and contacts for other support agencies.

9.4 Where the application is unsuccessful or the award does not meet the full level of support that the applicant requested, the notification will include:

- an explanation of the reasons why the application was unsuccessful
- details of the right to request a review
- signposting to relevant websites and contacts for other support agencies.

10. Rights of Review

10.1 LWP awards are not subject to a statutory appeals process.

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- 10.2 An applicant (or their representative) who disagrees with a decision may request an explanation of why their application was refused, or why they were not granted the full level of support they applied for.
- 10.3 The request must be received by the Council within 14 days of the date the decision was notified.
- 10.4 The request can be made
- By e-mail
 - By telephone through a dedicated telephone line
 - In writing
- 10.5 Where possible, the Council will try to resolve the matter by explaining the reasons for the decision to the applicant or their representative either verbally or in writing.
- 10.6 Where the applicant remains dissatisfied with the explanation provided, they may request a review of the decision.
- 10.7 Any request for review must be received by the Council within one calendar month of the LWP decision being notified to the applicant.
- 10.8 The Council will review the decision made in relation to the application. The review will be undertaken by an officer who was not involved in the original decision.
- 10.9 The Council may request additional evidence to support the review. The applicant will have one calendar month to respond to any request for further information. If no response is received within this period, a review will be undertaken based on the information already gathered by the Council.
- 10.10 The applicant (or their representative) will be notified in writing of the outcome of the review.
- 10.11 If the applicant (or their representative) is not happy with the outcome of the review, they will have the right to make a complaint to the Local Government Ombudsman.

11. Fraud and recovery of awards

- 11.1 If the Council becomes aware that the information contained in an application for a LWP award was incorrect or that relevant information was not disclosed either intentionally or otherwise the matter will be investigated.
- 11.2 Any applicant who tries to fraudulently claim a LWP award may be committing a criminal offence under the Fraud Act 2006, and this could lead to criminal proceedings.
- 11.3 The Council will seek to recover the value of any LWP award made as a result of a fraudulent application.

12. Monitoring

12.1 The scheme is subject to monthly reporting and review.

12.2 ICT systems have been implemented which provide detailed and robust management information to allow continuous monitoring and real time information in relation to:

- projected allocation of funds
- awards made
- equalities data
- speed of awards
- number of reviews
- outcome of reviews
- referrals or signposting to other agencies

13. Publicity

13.1 The Council will publicise the scheme and provide information to relevant agencies, stakeholders and other Council services, including a list of trusted referrers.

14. Scheme Review

14.1 The Council reserves the right to review and revise the scheme at any time based on information gained as a result of operating the scheme.

14.2 The Cabinet Member for Finance and Corporate Resources in conjunction with the Director of Finance are authorised by Cabinet to agree to any revisions to the scheme.

14.3 The latest version of the policy is available on the Council website

APPENDIX 4

Discretionary Housing Payment Policy

**Guidelines for the operation of the
Discretionary Housing Payment Scheme.**

1. Introduction

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- 1.1 In July 2001 the Discretionary Housing Payment Scheme was introduced giving Councils' powers to make Discretionary Housing Payments (DHPs) to top up Housing Benefit and Council Tax Benefit.
 - 1.2 The DHP policy has been revised to reflect changes to the benefits system introduced by the Welfare Reform Act 2012; this includes the introduction of Universal Credit, the size criteria and the benefit cap.
 - 1.3 From April 2013 Council Tax Benefit was replaced by a localised Council Tax Reduction (CTR) scheme and from that date, awards of DHP no longer covered help with paying Council Tax. From April 2019, the Council has instead made provision for the award of Exceptional Hardship Payments (EHPs) to support those facing exceptional hardship in paying their Council Tax. Information about EHPs can be found on the Council's website www.oldham.gov.uk
 - 1.4 This policy has been developed based on the Discretionary Housing Payments Good Practice Guide (updated May 2022) issued by the Department for Works and Pensions.
 - 1.5 All officers involved in the consideration and processing of DHP applications will adhere to this policy.
 - 1.6 The purpose of this policy is to specify how Oldham Council will operate the DHP scheme and indicate some of the factors that will be considered when assessing if a DHP can be made. Each case will be treated strictly on its merits and all customers will be treated equally and fairly.
 - 1.7 The Discretionary Housing Payments Government contributions for 2024/25 is £428,970. This budget will be allocated to support those most in need, including those affected by Welfare Reform.

2. Purpose of the Scheme

- 2.1 Oldham Council will consider making a DHP to customers who meet the qualifying criteria as specified in this policy. Oldham Council will seek through the operation of this policy to:
 - alleviate poverty
 - encourage and sustain people in employment
 - sustain tenancies and prevent homelessness
 - support vulnerable young people in the transition to adult life
 - encourage Oldham residents to obtain and sustain employment
 - safeguard residents in their homes
 - help those who are trying to help themselves
 - keep families together
 - support vulnerable or elderly in the local community
 - help claimants through personal crises and difficult events
 - promote good educational outcomes for children and young people
 - support those affected by welfare reform
 - support care leavers up to the age of 25

3. Principles of the scheme

3.1 The main features of the DHP scheme are that:

- DHP's are not payments of Housing Benefit (HB)
- there must be entitlement to the minimum amount of HB or Universal Credit including the housing element for rental costs (UCHE), for any period that a DHP is awarded.
- the operation of the scheme is for Oldham Council to determine
- it is a discretionary scheme
- a customer does not have a statutory right to a payment
- the amount that can be paid by Oldham Council in any financial year is cash-limited by the Secretary of State and may be reduced, or increased in subsequent years
- the support should be seen as short term. However, in some instances the award can be used to provide longer-term support.

DHP's cannot be used to;

- pay ineligible service charges
- minimise the effect of DWP sanctions
- make payment when HB/UCHE is suspended or
- when a customer does not have a minimum entitlement of HB or UCHE

N.B. The housing costs to which the DHP relates do not have to be the housing costs of the property for which the benefit is awarded. For example, DHP can be used for a rent deposit or rent in advance for a property that the claimant is yet to move into, if the applicant is already entitled to HB or UCHE for their present home.

4. The Application Process

4.1 A request for a DHP is made by the completion of an online application form which is available from the council website www.oldham.gov.uk/DHP

4.2 The claimant will be required to submit the e-form to the Council. The Council will request further information as required and/or verify any information or evidence provided. The Evidence must be provided within one month of the request, although this can be extended in appropriate circumstances. If the customer is unable to or does not provide the required evidence, the Council will still consider the application based on the information it does hold such as on the HB database and/or DWP systems.

4.3 Oldham Council will first explore options available to the claimant and will liaise with the homelessness prevention team in order to negotiate with the landlord a more affordable rent (where it is appropriate to do so.)

4.4 Oldham Council will make referrals to internal services and external advice agencies that can provide advice and information on managing finances and personal budgeting, where this could assist in providing a long-term financial

solution.

- 4.5 Oldham Council will also undertake proactive exercises to determine specific categories of claimant who may be eligible for a DHP. These cases may be awarded a DHP without completing an application form.

5 Deciding whether to award a DHP

5.1 In deciding whether to award a DHP, the Council will consider:

- the shortfall between HB/UCHE and rent liability;
- any steps taken by the customer to reduce their rent liability, such as seeking to take on more affordable accommodation
- the financial circumstances of the customer, any partner, their dependents and other occupiers of their household
- the income and expenditure of the customer, any partner, their dependents and other occupiers of their household
- any savings or capital the customer or any partner, their dependents and other occupiers of their household may hold
- the level of indebtedness of the customer and their family;
- any medical issues, or other special needs, of the customer, partner or dependents, or other members of their household;
- the nature of the circumstances of the customer, for example where the customer has moved house in order to find more affordable accommodation and the fares to their place of work are now considerably higher;
- whether the circumstances of the customer are such that a DHP would not alleviate the problems of the customer within a reasonable period (say 12 months);
- the Local Housing Allowance rates.
- the effect of the April 2013 Size Criteria changes for Social Housing Tenants; Priority will be given to those who:
 - have had a property significantly adapted to meet disablement needs
 - need additional space because of their disability
 - are taking the necessary steps to either downsize or take on a boarder/lodger, (but see circumstances when a DHP will not be awarded at 8.1 below)

-
- the effect of the Benefit Cap changes to Housing Benefit. Priority will be given to those who can demonstrate that they are;
 - taking the necessary steps to help themselves and are working towards getting a job or additional income to meet the loss in HB/UCHE
 - taking the necessary steps to move to cheaper alternative accommodation, but see circumstances when a DHP will not be awarded in 6.1 below
 - any other special circumstances the Council are aware of
 - the possible impact on the Council of not making such an award, e.g., the customer becoming homeless, fuel poverty, child poverty etc., and the costs associated with this
 - the amount available in the DHP budget (the Council's overall cash limit is determined by the Government);

5.2 The Council will decide how much to award based on all the circumstances. This will be any amount between the rental liability and the amount of benefit already awarded by the Council.

5.3 An award of DHP does not guarantee that a further award will be made at a later date even if the customer's circumstances have not changed.

6 Circumstances when a DHP will not be awarded

6.1 When a DHP application is received from a customer who cannot demonstrate that they are taking the necessary steps to help themselves i.e., they have not approached, or are not in continual engagement with relevant bodies that will help support them.

6.2 When a DHP application is received from a customer who is not considered to be a settled resident in Oldham i.e., is not living and claiming HB/UCHE in the boundary area for the borough.

6.3 When a DHP application is received from a customer that shows the overall income exceeds the outgoings or where the application shows there is unreasonable expenditure.

7 Period of Award

7.1 The Council will decide the length of time for which a DHP will be awarded based on the evidence supplied and the facts known.

7.2 The start date of an award will normally be:

- the Monday following the date the application for DHP is received, or

-
- the date on which entitlement to HB or UCHE commenced (providing the application for DHP is received within one calendar month of the claim for HB/UCHE being decided), whichever is the earlier or the most appropriate.
 - The Council will not usually award a DHP for a period exceeding 26 weeks. DHPs are intended as short-term assistance and the claimant will be expected to make clear attempts to improve their financial and housing circumstances during any award. In exceptional circumstances the Council will consider an indefinite award or until such a time the customer's circumstances change.
 - Claimants may make subsequent applications once their initial award has expired or if their circumstances have changed or worsened if their original application has been previously refused. There is no guarantee that future applications will result in a DHP award or at the same level of award, but each case will be treated on its own merits.
 - The Council will consider any reasonable request for backdating an award, but this consideration will normally be limited to the current financial year.

7.3 All awards will be dependent on the funding available to the Council.

8 Payment of One-Off Lump Sums

8.1 The Council will consider all reasonable requests for one off lump sum payments for example for; rent deposit, help with removal costs and rent in advance but usually only where benefit is not being paid direct to the landlord.

8.2 Any one-off lump sum payment for rent in advance and rent deposit will usually be restricted to a maximum that is equal to one-month contractual rent.

8.3 DHPs can be awarded for a rent deposit or rent in advance for a property that the claimant is yet to move into if they are already entitled to HB or UC at their present home.

8.4 When awarding DHPs for a rent deposit or rent in advance, it must be established that:

- the property is affordable for the tenant; and
- the tenant has a valid reason to move; and
- the deposit or rent in advance is reasonable; and
- The move is within the borough.

8.5 It must be established with the claimant whether they:

- are due to have a deposit or rent in advance in respect of their existing tenancy returned to them; or

-
- have received assistance from another department within the Council with a rent deposit (such as a rent deposit guarantee scheme or similar).

9. Change of Circumstances

9.1 The claimant must inform the Council if there has been a change in the claimant's circumstances.

10. Notification

10.1 Oldham Council will notify the customer of the outcome of their request within fourteen days of making a decision.

Where the application is successful, Oldham Council will inform the customer of:

- the weekly amount of the award;
- the period of the award;
- the reason for the award;
- the method of payment;
- the conditionality (requirement to undertake take certain activities), where appropriate;
- the need to report changes of circumstances;

Where the request for a DHP is unsuccessful Oldham Council will explain the reasons why the decision was made and explain their rights for a review of the decision.

11. Payment of a DHP

11.1 The Council will decide the most appropriate person to pay based on the circumstances of each case. This includes:

- the customer;
- their partner;
- an appointee;
- their landlord (or an agent of the landlord);
- any third party to whom it might be appropriate to make payment.

11.2 The Council will pay an award of DHP by electronic transfer

11.3 Payment frequency will normally be made in line with the HB/UCHE award.

12. Overpayments

12.1 The Council will seek to recover any DHP found to be overpaid. Normally this will involve issuing an invoice to the customer or the person to whom the award was paid.

12.2 The Council will not normally seek recovery for any overpayment of DHP caused through our error.

12.3 A decision that a DHP is overpaid will be notified by decision letter. The claimant may request a review of the decision based upon the grounds that:

- the calculation of the overpayment is incorrect
- the overpayment should not be recoverable as it was caused by Council error.

13. Fraud

13.1 Oldham Council is committed to the fight against fraud in all its forms. Where the Benefits Service suspects that such a fraud may have occurred, the matter will be investigated as appropriate, and this may lead to criminal proceedings being instigated. Any customer who tries to fraudulently claim a DHP might have committed an offence under the Theft Act (2006).

14. Review of a Decision

14.1 Oldham Council can review a DHP decision in the event of a dispute, either at the time of the initial rejection or after a cancellation or recovery.

14.2 A DHP decision cannot be appealed to a Housing Benefit Tribunal. However, the claimant may take any disputes to the local government ombudsman, where there is an allegation of maladministration.

15. Publicity

15.1 Oldham Council will publicise the scheme internally and externally through the Council's website and the use of partner organisations working with all interested parties to achieve this. A copy of this policy statement will be available on the Council's website.

16. Monitoring

- Oldham Council will retain overall responsibility for the monitoring of DHP awards against DHP budget, to ensure the scheme is administered in accordance with Council policy and within Government and Council budget.
- Discretionary Housing Payments may be delivered by other organisations on behalf of Oldham Council.

17. Further assistance and information

- Residents will be signposted and referred to other organisations which can provide assistance and support.
- Information will be available at http://www.oldham.gov.uk/info/100001/benefits_and_money

18. Policy Review

- 18.1 The Council reserves the right to review and revise the policy at any time based on information gained as a result of operating the scheme.
- 18.2 The Cabinet Member for Finance and Corporate Resources in conjunction with the Director of Finance are authorised by Cabinet to agree any revisions to the policy.

APPENDIX 5

Empty Property Premium Policy

Guidelines for the consideration of exceptions to the Empty Property Premium.

1 INTRODUCTION AND SCOPE

- 1.1 This policy sets out the Council's approach to requests from property owners to be exempted for payment of premiums regarding their long-term empty property. This guidance demonstrates that the Council is fair, consistent in its approach.
- 1.2 The Local Government Finance Act 2012 allowed Local Authorities the discretion to apply Council Tax Empty premiums for properties unoccupied and unfurnished (long-term empty) for over 2 years, and to determine its own discounts for unoccupied and unfurnished properties.
- 1.3 The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allowed the Council to increase the Empty Property premium up to 100% for properties considered long term empty for over 2 years, a 200% premium for properties considered long term empty properties for over 5 years from April 2020 and a further 300% premium for long term empty properties for over 10 years from April 2021.
- 1.4 The Levelling Up and Regeneration Act 2023, provides further discretion allowing the Council to introduce the 100% Empty Property premium for properties considered long term empty for 12 months.
- 1.5 The Council has determined to levy Council Tax Premiums as set out below:
- From April 2019 - A maximum 100% Empty Property premium for Properties considered long term empty over 2 years.
 - From April 2023 - A maximum 200% Empty Property premium for Properties considered long term empty over 5 years.
 - From April 2023: - A maximum 300% Empty Property premium for Properties considered long term empty over 10 years.
 - From April 2024 – A maximum 100% Empty Property premium for Properties considered long term empty over 1 year.
- 1.6 This policy will be reviewed on an annual basis, or as required, in response to changes in legislation or the priorities of the Council. The Cabinet Member for Finance and Corporate Resources, in conjunction with the Director of Finance is authorised to vary the criteria, funding and application processes set out in this policy to ensure it continues to remain fit for purpose and within budget.

2 PRINCIPLES OF THE EMPTY PROPERTY PREMIUM POLICY

- 2.1 The Council will consider waiving the Council Tax Premium for property owners who meet the qualifying criteria specified in these guidelines. The Council will treat all applications on their individual merits, and will seek through the operation of these guidelines to grant exceptions to liability for the Council Tax Premium:

-
- For those owners who are genuinely attempting to sell or let their property which has been vacant for at least two years.
 - Those owners who are experiencing particular legal or technical issues which are preventing the sale or letting of the property.
 - Cases where the dwelling has remained empty beyond a two-year period due to exceptional and unforeseen circumstances and/or any other circumstances that prove to be beyond the control of the owner/liable person.
 - Cases where imposition of the Council Tax Premium would result in hardship and a reasonable person would regard the imposition as unfair.

3 MAKING AN APPLICATION

- 3.1 Any application for the removal of an Empty Property Premium must be made on an application form provided by the Council and signed by the owner of the long-term empty property.
- 3.2 A Council Officer may make an appointment to visit any applicant who for whatever reason is unable to complete the application form or to confirm the details provided which may necessitate being given access to the premises.
- 3.3 The Council may request any (reasonable) evidence in support of an application, but the applicant will be asked to provide the evidence within one month of such a request although this may be extended in appropriate circumstances.
- 3.4 The Council reserves the right to verify any information or evidence provided by the Applicant, with third parties where appropriate.
- 3.5 Payment of Council Tax including the premium may not be withheld whilst awaiting the outcome of an application or the review of a previous decision.

4. PERIOD OF EXCEPTION

- 4.1 In all cases, the Council will decide the length of time for which an exception will be awarded based on the evidence supplied and the facts known.
- 4.2 The start date of an exception is normally the date the application is received by the Council, providing it is satisfied the reasons for the exception existed at that time and the exception will continue to the end of the financial year in which the application is made. If circumstances remain the same the applicant will need to submit a new claim for the new financial year.
- 4.3 The Council reserves the right to make routine inspections of the property at any point during the period of the exception.

4.4 The Council will comply with any Regulations issued by the Secretary of State in relation to any application and have regard to any related national policy guidance.

5 AWARDING AN EXCEPTION TO LIABILITY FOR THE COUNCIL TAX PREMIUM

5.1 In deciding whether to award an exception to payment of the Council Tax Premium, the Council will consider the following criteria:

5.1.1 For those owners who are genuinely attempting to sell or let their property which has been vacant for at least one year:

- Has professional advice and assistance been obtained?
 - A professional agent with specialist knowledge of the locality must have been engaged.
- Have any offers to purchase or rent the property been received?
 - If yes – why were those offers refused?
 - Written confirmation of the reasons for refusal will be required from a professional agent
- Is the sale price or rental in line with recent sale or rental prices for similar properties in the locality?
 - If not, does this property have special features that reasonably warrant a higher value or rent?
- Has the property been put up for sale by public auction?

5.1.2 Government guidance regarding consideration of the removal of premiums for properties for sale and rent can be found using the link below.

<https://www.gov.uk/government/publications/council-tax-empty-homes-premium/council-tax-empty-homes-premium-guidance-for-properties-for-sale-and-letting>

5.1.3 For those owners who are experiencing particular legal or technical issues which are preventing the sale or letting of the property

- Is there a legal difficulty or issue which is preventing the sale or letting of the property? (Other than waiting on planning or building control approvals).
 - A Solicitor's or Legal Conveyancer's letter should be produced in evidence detailing the reasons preventing sale or letting.
- Is a sale or letting being delayed by the actions of a Public Body?
 - Full details must be provided upon request.

5.1.4 Cases where the dwelling has remained empty beyond a one-year period due to exceptional and /or unforeseen circumstances and / or occasionally any other circumstances, proven to be beyond the control of the owner/liable person.

- Are the circumstances exceptional or unforeseen?
 - Decision to be based on evidence, considered on the merits of each individual case.

5.1.4 Cases where imposition of the Council Tax Premium would result in hardship and a reasonable person would regard the imposition as unfair.

- Will imposition of the Council Tax Premium result in the owner suffering hardship?
 - Granting an exception under this criterion is likely to be the exception rather than the rule as it is expected most exceptions will be granted under earlier criteria.

6 CHANGES OF CIRCUMSTANCES

6.1 The Council may need to revise the decision to grant an exception to the Premium if it becomes aware that the applicant's circumstances have materially changed. Individuals must advise the Council of any change in circumstances affecting the decision, within 21 days of the change. Failure to do so may result in the exception being revoked in full.

7 NOTIFICATION

7.1 The Council will inform the applicant in writing of the outcome of their application within 28 days of receipt, or as soon as possible after. Where the application is unsuccessful, the Council will set out the reasons why this decision was made and explain the right of review.

8 THE RIGHT TO SEEK A REVIEW

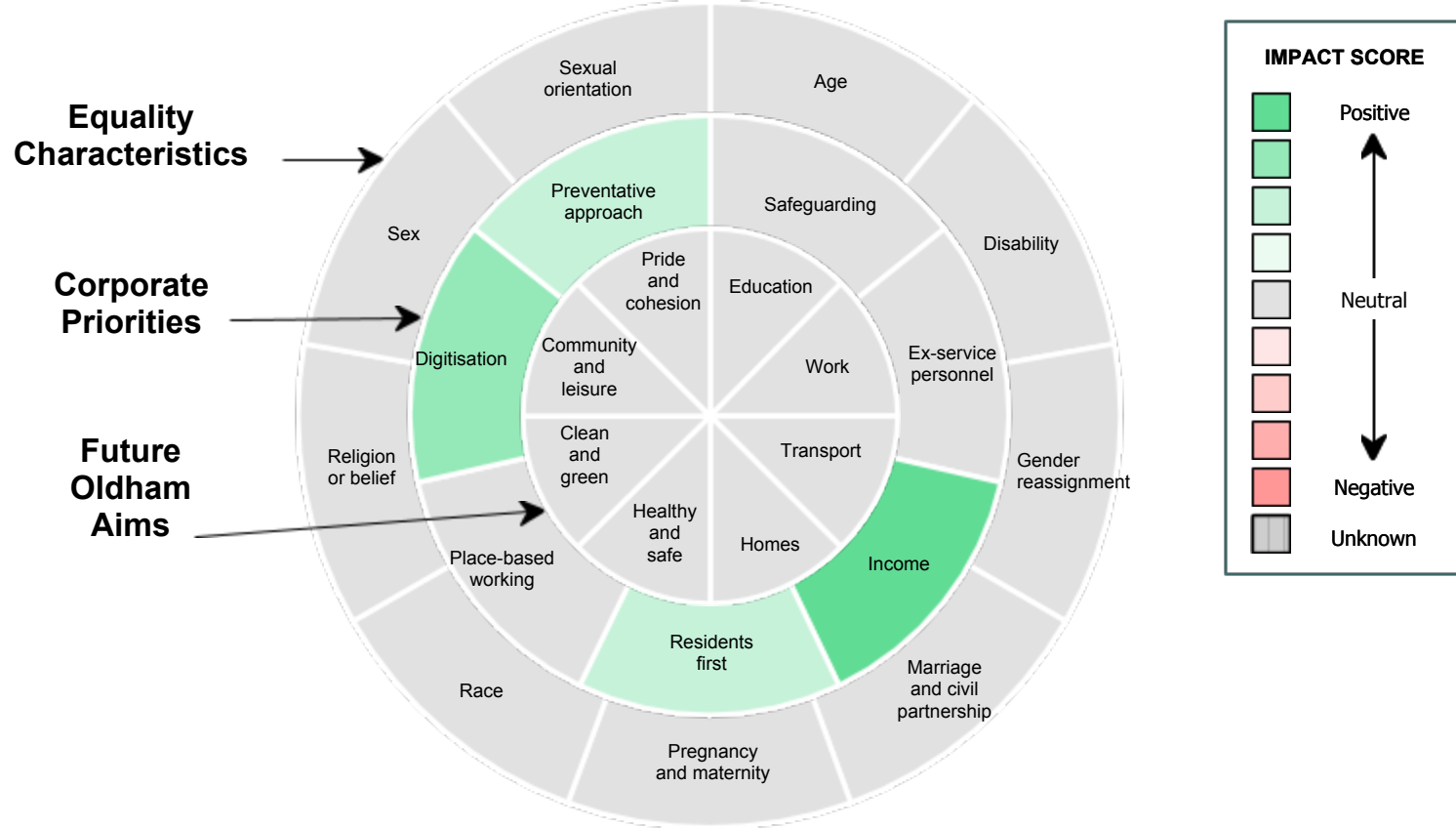
8.1 As the exceptions to the Premium in this policy are determined locally any decisions are not subject to a statutory appeals mechanism. The Council will therefore operate its own procedures for dealing with appeals against a refusal to award an exception to the Premium.

8.2 Decisions will be determined by the Revenues Manager or Revenues Team Leader(s).

8.3 An applicant (or their appointee or agent) who disagrees with a decision not to award an exception may dispute the decision. A request for a review must be made in writing within one calendar month of the written decision being issued.

-
- 8.4 Appeals will be considered by the Exchequer Client Manager (Revenues) or The Assistant Director, Revenues and Benefits. A review of all the evidence held be and may ask for further clarification to be provided. A decision will be made within 28 days of the request for a review. The decision will be notified to the claimant in writing, setting out the reasons for the decision.
- 8.5 There is no further right of appeal following this review, and a refusal will not be considered as a complaint under the Councils Complaints policy.

Discretionary Council Tax Policy



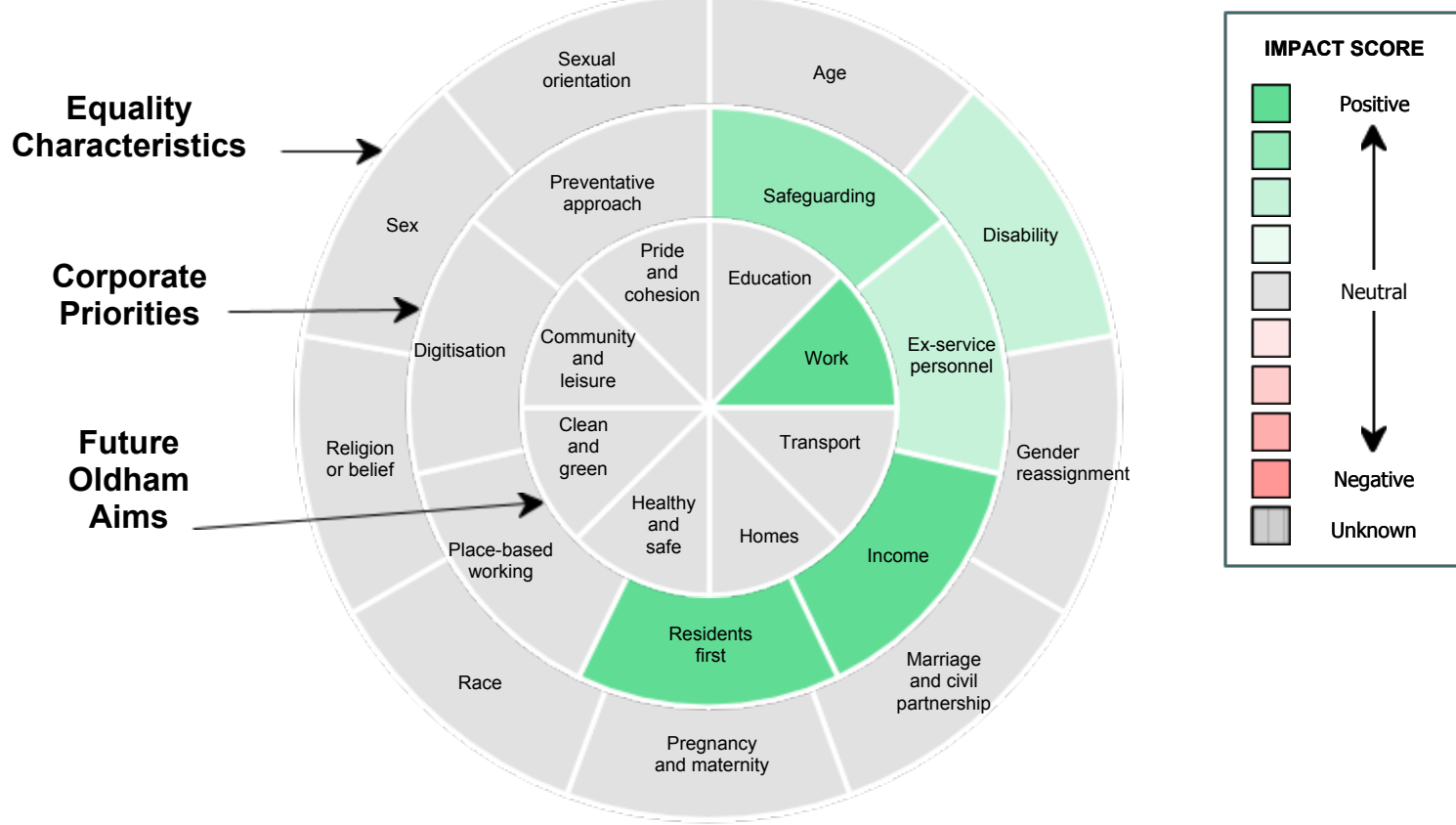
Discretionary Council Tax Policy				
	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Very Likely	Short Term	
Disability	Neutral	Very Likely	Short Term	
Gender reassignment	Neutral	Very Likely	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Neutral	Possible	Short Term	
Religion or belief	Neutral	Very Likely	Short Term	
Sex	Neutral	Very Likely	Short Term	
Sexual orientation	Neutral	Possible	Short Term	
Corporate Priorities				
Safeguarding	Neutral	Very Likely	Short Term	
Ex-service personnel	Neutral	Very Likely	Short Term	
Income	Strong Positive	Very Likely	Long Term	Residents experiencing a sudden exceptional drop in income causing financial hardship can apply for a discretionary reduction in Council Tax through Exceptional Hardship payment scheme.
Residents first	Moderate Positive	Very Likely	Short Term	The policy provides a mechanism and transparent criteria for residents experiencing exceptional circumstances an need request a Discretionary Council Tax discount.
Place-based working	Neutral	Possible	Short Term	
Digitisation	Moderate Positive	Very Likely	Long Term	The Policy allows residents to apply for a Discretionary Council Tax discount through an online form. This provides flexibility to residents but also provides a means for residents to contact who may be comfortable with telephone contact.
Preventative approach	Moderate Positive	Very Likely	Short Term	Residents experiencing exceptional circumstances that effects their ability to pay Council Tax can apply for an Exceptional Hardship payment at any time. This could help avoid recovery action or costs.
Future Oldham Aims				
Education	Neutral	Possible	Short Term	
Work	Neutral	Very Likely	Short Term	
Transport	Neutral	Possible	Short Term	
Homes	Neutral	Very Likely	Short Term	
Healthy and safe	Neutral	Very Likely	Short Term	
Clean and green	Neutral	Very Likely	Short Term	
Community and leisure	Neutral	Very Likely	Short Term	
Pride and cohesion	Neutral	Possible	Short Term	

Discretionary Business Rate Relief Policy



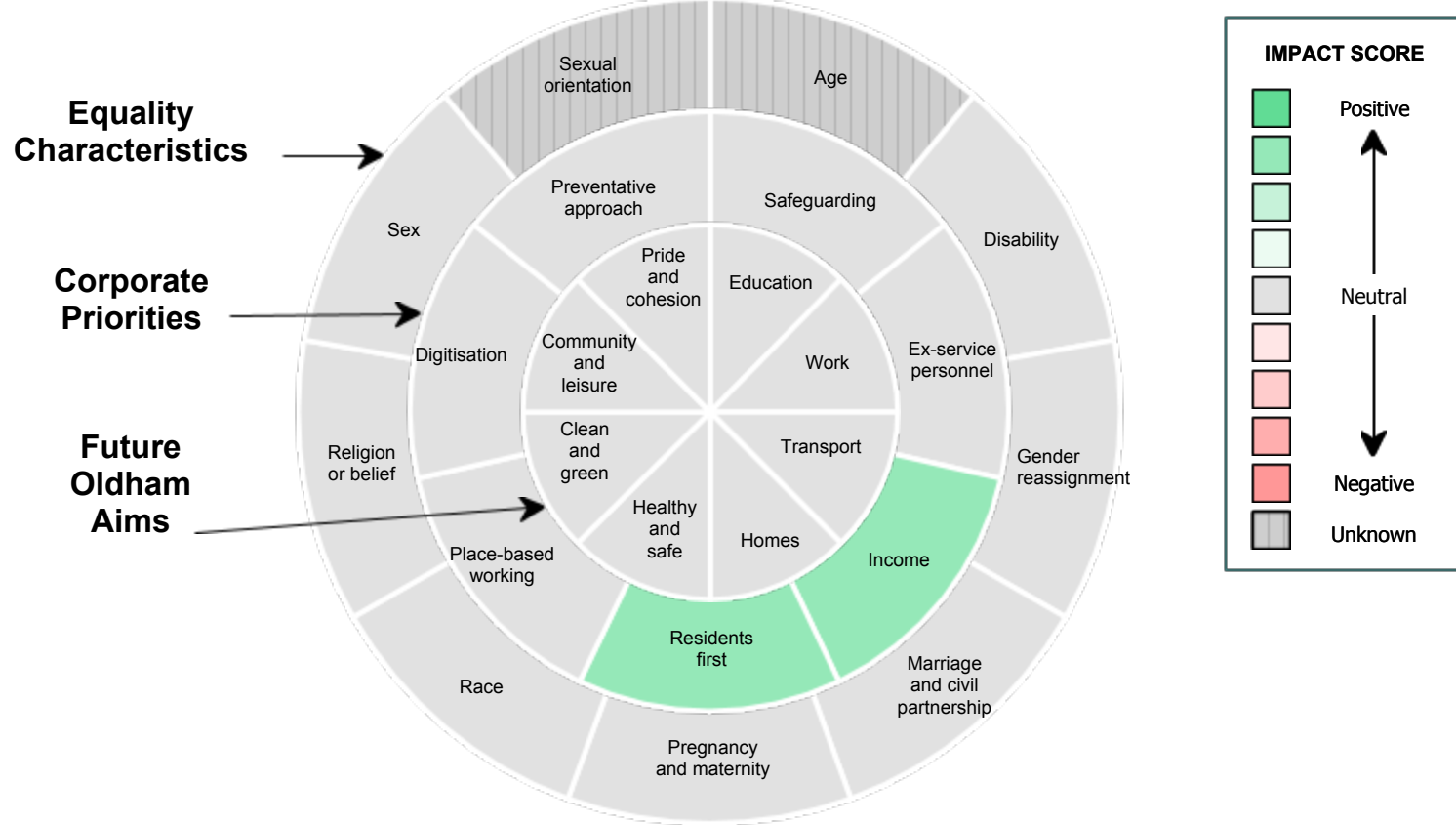
Discretionary Business Rate Relief Policy				
	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Possible	Short Term	
Disability	Strong Positive	Very Likely	Long Term	The policy allow the council to provide discretionary reductions to organisations providing support for those over the age of retirement, community transport, those based on volunteering and residents' associations, or provide services that address the consequences of ill health and disability
Gender reassignment	Neutral	Possible	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Neutral	Possible	Short Term	
Religion or belief	Neutral	Possible	Short Term	
Sex	Neutral	Possible	Short Term	
Sexual orientation	Unknown			
Corporate Priorities				
Safeguarding	Neutral	Very Likely	Short Term	
Ex-service personnel	Moderate Positive	Very Likely	Short Term	The Discretionary Business Rate Relief policy provides guidance on considering discretionary reductions of business rates for armed forces veterans associations
Income	Neutral	Very Likely	Short Term	
Residents first	Neutral	Very Likely	Short Term	
Place-based working	Neutral	Very Likely	Short Term	
Digitisation	Neutral	Possible	Short Term	
Preventative approach	Neutral	Very Likely	Short Term	
Future Oldham Aims				
Education	Neutral	Very Likely	Short Term	
Work	Neutral	Very Likely	Short Term	
Transport	Neutral	Very Likely	Short Term	
Homes	Neutral	Very Likely	Short Term	
Healthy and safe	Neutral	Very Likely	Short Term	
Clean and green	Moderate Positive	Very Likely	Short Term	The policy provides guidance on the application of Heat Network Relief. This applies to properties that are wholly or mainly used for the purposes of a heat network and who expect over the next 12 months the heat to be generated from a low carbon source.
Community and leisure	Strong Positive	Very Likely	Long Term	Charitable community organisations and community sports club receive a mandatory 80% reduction in business rates. The discretionary business rates policy allows the Council to consider a reduction for the remaining 20% for those organisations that can evidence the benefit Oldham residents.
Pride and cohesion	Neutral	Very Likely	Short Term	

Local Welfare Provision Policy



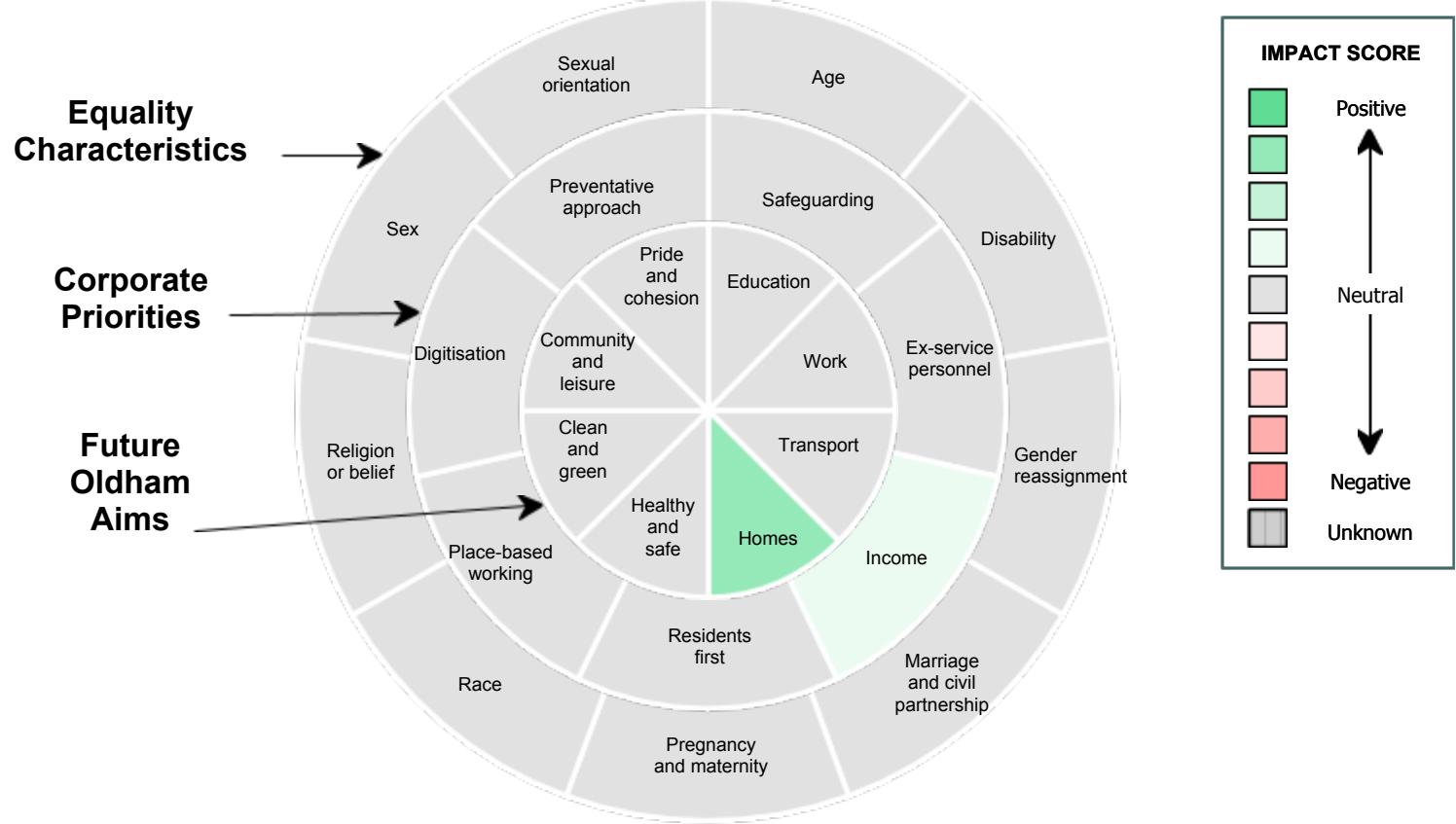
Local Welfare Provision Policy				
	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Very Likely	Short Term	
Disability	Moderate Positive	Very Likely	Short Term	Awards from LWP are considered to be a last resort, however if an applicant is ineligible, Officers will refer applicants to appropriate partner organisations for support
Gender reassignment	Neutral	Possible	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Neutral	Possible	Short Term	
Religion or belief	Neutral	Possible	Short Term	
Sex	Neutral	Possible	Short Term	
Sexual orientation	Neutral	Very Likely	Short Term	
Corporate Priorities				
Safeguarding	Moderate Positive	Very Likely	Long Term	Examples of potential recipients inc, Care Leavers, People fleeing domestic violence, People moving out of institutional or residential care, People who are chronically or terminally ill, People with alcohol or drug issues, and People with learning difficulties
Ex-service personnel	Moderate Positive	Very Likely	Short Term	Awards from LWP are considered to be a last resort, however if an applicant is ineligible, Officers will refer applicants to appropriate partner organisations for support
Income	Strong Positive	Very Likely	Long Term	The scheme is aimed at providing support to vulnerable low income residents on welfare benefits, however in exceptional circumstances who are not in receipt of welfare benefits may be considered.
Residents first	Strong Positive	Very Likely	Long Term	There is statutory duty to deliver this scheme, however the Council continues to fund the scheme to meet short term emergency/immediate support needs of vulnerable residents and to assist vulnerable residents to establish or maintain a home in the community.
Place-based working	Neutral	Possible	Short Term	
Digitisation	Neutral	Possible	Short Term	
Preventative approach	Neutral	Very Likely	Short Term	
Future Oldham Aims				
Education	Neutral	Very Likely	Short Term	
Work	Strong Positive	Very Likely	Long Term	The scheme can provide support to low income residents returning to work after a short term on welfare benefits.
Transport	Neutral	Very Likely	Short Term	
Homes	Neutral	Very Likely	Short Term	
Healthy and safe	Neutral	Very Likely	Short Term	
Clean and green	Neutral	Very Likely	Short Term	
Community and leisure	Neutral	Very Likely	Short Term	
Pride and cohesion	Neutral	Very Likely	Short Term	

Discretionary Housing Payment Policy



Click to refresh Table					Discretionary Housing Payment Policy				
	Impact	Likelihood	Duration	Comment					
Equality Characteristics									
Age									
Disability	Neutral	Possible	Short Term						
Gender reassignment	Neutral	Possible	Short Term						
Marriage and civil partnership	Neutral	Possible	Short Term						
Pregnancy and maternity	Neutral	Possible	Short Term						
Race	Neutral	Possible	Short Term						
Religion or belief	Neutral	Possible	Short Term						
Sex	Neutral	Possible	Short Term						
Sexual orientation									
Corporate Priorities									
Safeguarding	Neutral	Possible	Short Term						
Ex-service personnel	Neutral	Possible	Short Term						
Income	Strong Positive	Very Likely	Short Term	The scheme allows us to provide short term assistance to residents who have a gap between their Universal credit housing costs/Housing benefit and their rent so they have the time to adapt their income and expenditure accordingly					
Residents first	Moderate Positive	Very Likely	Long Term	The scheme provides a mechanism for the Council to support residents who advise us that they are unable to meet their rental liabilities.					
Place-based working	Neutral	Possible	Short Term						
Digitisation	Neutral	Possible	Short Term						
Preventative approach	Neutral	Possible	Short Term						
Future Oldham Aims									
Education	Neutral	Possible	Short Term						
Work	Neutral	Possible	Short Term						
Transport	Neutral	Possible	Short Term						
Homes	Neutral	Possible	Short Term						
Healthy and safe	Neutral	Possible	Short Term						
Clean and green	Neutral	Possible	Short Term						
Community and leisure	Neutral	Possible	Short Term						
Pride and cohesion	Neutral	Possible	Short Term						

Empty Property Premium Policy



Empty Property Premium Policy				
	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Possible	Short Term	
Disability	Neutral	Possible	Short Term	
Gender reassignment	Neutral	Very Likely	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Neutral	Possible	Short Term	
Religion or belief	Neutral	Possible	Short Term	
Sex	Neutral	Possible	Short Term	
Sexual orientation	Neutral	Possible	Short Term	
Corporate Priorities				
Safeguarding	Neutral	Possible	Short Term	
Ex-service personnel	Neutral	Possible	Short Term	
Income	Moderate Positive	Possible	Short Term	The policy provides a mechanism for residents with long term empty domestic properties to request an exemption from Council Tax premiums if they are unable to utilise the property for reasons outside their control and the application of the premium puts them in exceptional financial hardship.
Residents first	Neutral	Possible	Short Term	
Place-based working	Neutral	Possible	Short Term	
Digitisation	Neutral	Possible	Short Term	
Preventative approach	Neutral	Possible	Short Term	
Future Oldham Aims				
Education	Neutral	Possible	Short Term	
Work	Neutral	Possible	Short Term	
Transport	Neutral	Possible	Short Term	
Homes	Strong Positive	Very Likely	Short Term	The primary reason for applying premiums is to encourage property owners to bring long term empty domestic properties back into use. The scheme allows the Council to support property owners that are actively trying to achieve this but are unable to do so for reasons outside their control.
Healthy and safe	Neutral	Possible	Short Term	
Clean and green	Neutral	Possible	Short Term	
Community and leisure	Neutral	Possible	Short Term	
Pride and cohesion	Neutral	Possible	Short Term	



Report to CABINET

Debt Recovery Policies

Portfolio Holder:

Councillor Abdul Jabbar MBE, Cabinet Member for Value for Money & Sustainability

Officer Contact: Sarah Johnston, Director of Finance

Report Author: Adam Parsey, Exchequer Client Manager (Revenues)

19 August 2024

Reason for Decision

This report seeks approval to adopt the proposed Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

Executive Summary

The collection of Council Tax and Non-Domestic Rates (also known business rates) is a statutory responsibility of Oldham Council. The collection of sundry debts and commercial rent arrears, whilst not a statutory responsibility, are however imperative to maintaining and maximising the Council's revenue stream.

In undertaking income and debt recovery it is inevitable that the Council will be required to pursue the recovery of arrears from residents and businesses that may have trouble in paying. This policy aims to set out how the Council manages and collects debts to ensure consistency and best practice in such situations.

The purpose of the proposed Debt Recovery polices is to establish:

- The best practice principles for charging our residents and businesses and the methods of payment we will use.
- How the Council will deal with debt, should problems arise in collection.

The proposed policies apply to all debt and income due to the Council excluding Parking fines.

Recommendations

It is recommended that Cabinet approve the proposed Debt Recovery Policies.

Debt Recovery Policies

1 Background

- 1.1 The Council is committed to achieving the prompt collection of all sums of money it is due, while ensuring that a fair, proportionate, and consistent approach using the most effective recovery methods available is taken to the recovery of sums that are not paid when due.
- 1.2 Where a debt arises, and where all other reasonable avenues for recovery have first been exhausted, the Council will follow the appropriate legislative process to recover the debt owed.
- 1.3 The proposed policies provide guidance to Officers and transparency to residents and businesses regarding the recovery of monies owed to the Council.
- 1.4 The recovery of debts from those who are receiving care and support is a sensitive issue. As such it is proposed that a separate policy relating to debts accrued for those receiving care and support should be implemented given the potentially vulnerable nature of the client group.

2 Current Position

- 2.1 The current Corporate Fair Debt Policy was agreed by Cabinet in November 2010, and is no longer suitable to provide guidance to Officers for the following reasons:
 - Residents and businesses have disposable income due to significant economic events have occurred since the introduction of the policy such as the abolishment of Council Tax benefit, Welfare Reform, Covid-19 Pandemic and the increased cost of living.
 - Changes in legislation that effect the process in which debts can be collected.
 - New methods of contact and payment.
 - Availability of new technology.
- 2.2 There is currently no separate policy to cover the administration and collection of debts accrued for those receiving care.
- 2.3 The Council is increasingly receiving requests from the public to provide its debt recovery policies. As set out in section 2.1, the current Corporate Fair Debt Policy is not fit for purpose. This means Officers have had to dedicate time to explaining legislative recovery processes to provide a meaningful response to these requests.

3 Options/Alternatives

3.1 Option 1 Approve the Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

This would ensure transparent up to date guidance for Officers, residents and local businesses, and a separate transparent guidance relating to adult social care debt.

3.2 **Option 2 Do Nothing**

The Council would continue to use legislative processes to pursue arrears owed to the Council. However, as the current Corporate Fair Debt Policy is not fit for purpose, Officers would still be required to provide substantial additional context to residents and businesses.

4 **Preferred Option**

4.1 The preferred option is **Option 1**. This is recommended on the following basis:

- Approve the Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

5 **Consultation**

5.1 Feedback has been obtained from Officers within the Council responsible for the recovery of debt, and administration of Adult Social care.

6 **Financial Implications**

6.1 The preferred option as detailed in paragraph 4.1 is to approve the Council's Corporate Debt Policy and Debt Recovery policy for Adult Social Care Debt.

6.2 There are no direct financial implications associated with approving either policy, however, it will enable the Council to have more control of its debt collection processes.

Both policies have been written to provide clear guidelines to residents and officers on how the Council will carry out its debt collections duties.

6.3 Corporate Debt Policy

The Corporate Debt policy provides guidelines for the Collection of Non-Domestic Rates, Council Tax, Overpaid Housing Benefit, and Sundry Debts.

6.4 Adult Social Care Debt Recovery Policy.

This policy sets out the Council's approach to carrying out its function of the collection of Adult Social Care debt.

The new policy sets out clear guidelines and timeframes for residents to respond to any arrears accrued. These guidelines can be found between paragraphs 5.5 and 5.12 of the attached policy.

(Matthew Kearns – Finance Manager)

7 **Legal Implications**

7.1 It is vital that the Council have an up to date, proportionate and reasonable debt recovery policy. Failure to have a fit for purpose policy could leave the Council open to legal challenge as it will not be operating within its own policy framework.

7.2 The further benefit of having an accurate policy is that it not only assists officers in the debt collection process, which is a vital function, but also shows a considered and transparent approach to members of the public that the Council operates in a fair and equitable manner. (Alex Bougatef – Interim Assistant Director of Legal Services)

8 **Equality Impact, including implications for Children and Young People.**

8.1 The Equality Impact Assessment is set out at Appendix 3.

9 **Key Decision**

9.1 Yes

10 **Key Decision Reference**

10.1 FCR-08-24

11 **Background Papers**

11.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Background papers are included at Appendix 1, and 2

Officer Name: Adam Parsey, Exchequer Client Manager (Revenues)

Contact: adam.parsey@oldham.gov.uk

12 **Appendices**

12.1 Appendix 1 – Corporate Debt Policy
Appendix 2 – Debt Recovery Policy for Adult Social Care debt
Appendix 3 - Equality Impact Assessment

Corporate Debt Policy

Guidelines for the Collection of Non-Domestic Rates, Council Tax, Overpaid Housing Benefit, and Sundry Debts

August 2024

1 Introduction and Scope

- 1.1 This policy sets out the Council's approach to carrying out its function of the collection of debt and income due as detailed in 1.5.
- 1.2 Effective financial management is fundamental to being able to fund the services the Council provides. The most effective method of debt collection is the prevention of debt arrears, and this policy covers both prevention and recovery.
- 1.3 The Council is committed to achieving the prompt collection of all sums of money it is due, while ensuring that a fair, proportionate, and consistent approach using the most effective recovery methods available is taken to the recovery of sums that are not paid when due.
- 1.4 The Key Principles of the Policy are:
- **Collection of all money due** quickly, efficiently, and economically taking into account the financial circumstances and mental capacity of the individual.
 - **Prevention of debt arrears** by prompt and accurate billing and collection of money due, affordable repayment plans and early intervention when a customer is in arrears.
 - **Provision of a legal framework** to enable legal enforcement where necessary to recover debts.
 - **Compliance** with the Council's Constitution and Financial Procedure Rules.
- 1.5 This policy applies to all debt and income due to the Council excluding Adult Social Care debt. The Adult Social Care Debt Recovery Policy covers the collection and recovery of adult social care debt.
- 1.6 The Council's framework for achieving a fair, proportionate, and consistent approach is based on the following:

Fairness

The Council will treat all debtors fairly and, where appropriate, it will agree a repayment timetable to assist debtors in adverse financial circumstances. The Council will promote the use of qualified free debt advisory services such as the Citizen's Advice Bureau (CAB), National Debtline, Money Advice Service, and AdviceUK to assist debtors in managing their financial affairs. The Council will advise individual debtors as to whether they are maximising their benefit entitlement/income or make a referral to the Welfare Rights Service who may be able to provide additional support.

Openness

The Council will seek to prevent debt accruing by making prompt contact with debtors whenever an amount owed falls into arrears and advising them of options for repayment (considering their individual circumstances), and fully explain the consequences of non-engagement or failing to follow any advice given.

Responsibility

Every debtor has an obligation to repay the debt owed so that it does not impact on the Council's ability to provide future services. Those who pay promptly should not subsidise those who are not prepared to pay what they owe. There will be a clear distinction in the action to be taken between those debtors suffering genuine financial hardship and those who appear to be reluctant to pay. This distinction is reflected in the actions which will be taken to recover the debts owed, and the discretionary policies agreed by Council to assist those experiencing financial difficulties.

Working Together

Where follow up procedures identify that a debtor is experiencing genuine hardship, the Council will encourage the individual to work in partnership with qualified free to use debt advisors such as the Citizen's Advice Bureau (CAB), National Debtline, Money Advice Service, and AdviceUK so that the debts can be repaid in an appropriate way.

Accountability

The Council aims for the prompt collection of all debt due from customers, organisations, and individuals to protect the provision of its services. It is key, therefore, to maximise income collection and minimise the number and size of bad debts owed to the Council, whilst also ensuring that residents are maximising their own entitlement to any benefits, discounts or exemptions.

Respect

Council staff, representatives of the Council including Enforcement Agents, and staff of the Council's key partners, will always treat debtors with courtesy and respect. Enforcement Agents will conduct business in accordance with the recognised National Standards published by the Ministry of Justice. Enforcement Agents contracted to work for the Council must be voluntarily affiliated to the Enforcement Conduct Board (ECB), as the nationally recognised voluntary oversight body.

Democracy

The Council will publicise this agreed policy on its website. It will respond promptly to any concerns raised by residents, Elected Members, and partner organisations.

2 Legal Framework

- 2.1 This Corporate Debt Policy promotes and supports proper and equitable debt management processes for all major sources of income owed to the Council and to ensure the Council minimises debt and maximises rates of collection.
- 2.2 Council has a duty to ensure that all collection processes comply with relevant legislation, which includes but is not limited, to the following:
 - Administration of Estates Act 1925
 - Charging Orders Act 1979
 - Civil Procedure Act 1997
 - County Courts Act 1984
 - Insolvency Act 1986
 - Landlord and Tenant Act 1954
 - Landlord and Tenant Act 1985
 - Late Payment of Commercial Debts (Interest) Act 1998

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- Local Government Act 2003
 - Local Government Finance Act 1988 (as amended)
 - Local Government Finance Act 1992 (as amended)
 - Magistrates' Court Act 1980
 - Social Security Administration Act 1992
 - The Taking Control of Goods (Fees) Regulations 2014
 - The Tribunals, Court and Enforcement Act 2007
 - Taking Control of Goods (National Standards) 2014
 - Taking Control of Goods Regulations 2013
 - The Civil Procedure Rules 1998
 - The Council Tax (Administration and Enforcement) Regulations 1992
 - The Equality Act 2010
 - The Late Payment of Commercial Debts Regulations 2013
 - The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989

3 Principles for Debt Recovery

- 3.1 The Council has both a statutory duty and a responsibility to the people of Oldham to ensure effective income management and that the income due to the Council is paid promptly to support the delivery of essential services.
- 3.2 Where a debt arises, and where all other reasonable avenues for recovery have first been exhausted, the Council will follow the appropriate legislative process to recover the debt owed.
- 3.3 The Council is aware that there could be a variety of reasons why a debt has not been paid and the Council will always consider whether it is appropriate to take steps to recover the debt, considering both individual circumstances and any potential additional cost to local taxpayers.
- 3.4 The Council will also bear in mind that it is bound by the public law principle of always acting reasonably and must act in accordance with human rights legislation.
- 3.5 Debt recovery is the responsibility of all officers involved in the process, and the following principles must be borne in mind when approaching the recovery of debts:
 - Prompt and accurate billing
 - Clear and accurate communication
 - Consideration of individual circumstances, particularly in relation to vulnerability, financial resilience, and mental capacity.
 - Early Intervention and repayment plans based on ability to pay.
 - Disputes and queries dealt with promptly to avoid the accumulation of outstanding balances.
 - Signposting to qualified free to use debt advisors such as the Citizen's Advice Bureau (CAB), National Debtline, Money Advice Service, and AdviceUK.

4 Debt Recovery Process

- 4.1 Bills and invoices must be sent to the correct liable party with the correct address, including a postcode, with charges applied in accordance with the specific legislative requirements and, where feasible, the identification of any available entitlement to reliefs, exemptions, and discounts before the issue of the bill/invoice.

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- 4.2 The Council will produce bills/invoices in plain English, clearly showing the debt and the period of liability where applicable, detailing the amount due and, where appropriate, the instalment amounts and payment due dates. Bills and Invoices will make clear where and how to make a payment.
- 4.3 It is important that clear and prompt information is provided, and a range of communication services are available to customers upon request, including:
- Translation and interpretation services if English is not the first language.
 - Documents in alternative formats, for example Easy Read, Braille, large print, and audio.
 - Other options tailored to meet specific individual needs.
- 4.4 Bills and Invoices should be raised in line with statutory requirements, within 10 working days of delivering the goods or service, or of the commencement of the period where the service being delivered is covered. The bill/invoice will be sent via email wherever possible and to this end the relevant service is responsible for obtaining an email address at the point of agreeing to provide goods or services.

5 Method of Payment

- 5.1 The Council is committed to offering a range of flexible, convenient, and modern payment methods.
- 5.2 Where possible, Services should obtain payment in advance for the provision of goods and services, negating the need for a bill/invoice to be raised. Acknowledgements of the payment received will of course be provided.
- 5.3 The Council will use the most effective billing methodology such as periodic invoicing where appropriate.
- 5.4 Direct Debit is the Council's preferred payment method and will be actively promoted.

6 Collection and Recovery

- 6.1 Customers are proactively encouraged to make contact to discuss their situation and the options available to them to assist them to make payment before any necessary recovery or enforcement action is taken.
- 6.2 Customers will receive appropriate assistance, guidance and support through debt management and benefit advice. We will ensure that mutually agreed repayment arrangements are affordable and sustainable, and, that the customer understands the options available that will minimise costs and avoid unnecessary debt in the future.
- 6.3 The statutory recovery process for each type of debt covered by this policy is shown in Appendix 1. However, the Council reserves the right to add additional steps to any process to assist the customer on a case-by-case basis.
- 6.4 In some instances, customers will owe more than one debt to the Council. All debts will be taken into consideration when deciding on the most appropriate recovery action, and when making payment arrangements.

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- 6.5 The Council will always seek to make a suitable and mutually agreeable payment arrangement with customers. However, if this is not achievable will consider each statutory recovery method available regarding the enforcement of unpaid debt and document its decision-making process in each case.
- 6.6 The Council will use Enforcement Agents to collect debts only where there has been no engagement from the customer and where alternative recovery options have either not been successful or are not appropriate, and there is no indication of any vulnerability that would impact upon their ability to pay the debt.
- 6.8 The Council will monitor the use of Enforcements Agents closely to ensure compliance with our standards. Enforcement Agents should be able to quickly identify vulnerability, notifying the Council who will then consider whether the case should be recalled, along with relevant information that can be used to tailor subsequent recovery.
- 6.9 Not all cases identified as vulnerable will necessarily be recalled from Enforcement Agents. However, they must be dealt with by the Enforcement Agents trained Welfare staff once identified and accepted as vulnerable.
- 6.10 The Revenues Service will be the Council's point of contact for Breathing Space notifications under the Debt Respite scheme. Services will be required to undertake a search for any additional debts not listed and provide details to the Revenues Service. The full legislation and guidance can be found using the following links:
- Debt Respite Scheme (Breathing Space) guidance for creditors - GOV.UK (www.gov.uk)
 - Debt respite scheme (breathing space): Guidance on mental health crisis breathing space - GOV.UK (www.gov.uk).
- 6.11 Any member of staff, Elected Member or contractor who has an interest in any debt must not participate in the decision-making process regarding collection and recovery of that debt and must declare their interest.

For the purposes of this policy an interest includes those in the following list, however, the list is not intended to be exhaustive and where there is uncertainty as to whether there is an applicable interest, advice should be sought from a line manager or Internal Audit.

Examples of where an interest might occur is where the debt is owed by:

- a relative, including relatives by marriage;
- a relative of a current or former partner;
- a friend or neighbour.
- an organisation of which they are a member;
- an organisation in which a relative has membership; and
- a company or individual with which there is a business relationship.

This does not apply in the case of Elected Members, who, in the normal course of discharging their duty to represent their constituents on a wide range of matters, are required to discuss specific cases subject to the relevant constituent consent.

7 Refunds

- 7.1 The Council will not automatically refund any overpaid monies where the customer owes other monies to the Council but will seek to offset that amount against amounts owed. When a customer is also a supplier to the Council, the Council retains the right to offset any overdue debts against any monies owed to the supplier. All supplier contracts should include a clause clarifying this right to offset.

8 Writing Off Outstanding Debt

- 8.1 In certain circumstances a debt may need to be written off as irrecoverable. The circumstances leading to a recommendation for write off may include (but is not an exhaustive list) where the:
- Customer has died and there are no funds available in the estate.
 - Debt is too old to recover i.e., Statute barred
 - Balance is small, and the recovery costs would make the debt uneconomical to pursue.
 - Customer is experiencing severe financial hardship.
 - Individual (or the company) has become insolvent.
- 8.2 The Revenues Manager and the Invoice and Debt Recovery Manager are responsible for identifying suitable debts for write off. Recommendations for write-offs will be submitted at the end of each quarter of the financial year.
- 8.3 The Council's Exchequer Client team are responsible for reviewing recommendations for write-off and requesting authorisation from the delegated responsible Officers as set out in the Councils Constitution.
- 8.4 Before a write-off is considered, a detailed rationale should be prepared explaining the recommendation for the write-off. The decision to request a write off of a debt should be taken by an officer that has not previously been involved in a review of the case. However, in the case of individual debts less than £100, write-off can be approved by the Revenues Manager or the Invoice and Debt Recovery Manager.
- 8.5 The write-off of individual debts of over £100 and up to £5,000 can be approved by the Assistant Director, Revenues and Benefits.
- 8.6 The write-off of individual debts of over £5,000 and up to £10,000, can be approved by the Director of Finance.
- 8.7 Where an individual debt is over £10,000 and up to £30,000, write-off can be approved by the Cabinet Member with responsibility for Finance in consultation with the Director of Finance.
- 8.8 In the case of all individual debts over £30,000, the write-off must be approved by Cabinet.
- 8.9 A report will be provided on a quarterly basis to the Director of Finance detailing all debts approved or recommended for write-off by authorised Officers. The report will include the amount, debtor details and the rationale for the write-off.

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- 8.10 The reasons for write-offs will be reviewed on a quarterly basis to inform improvements in practice, policy and procedures which may prevent further instances of write-off if the same set of circumstances should arise in the future.

9 Policy Review

- 9.1 The Council reserves the right to review and revise the policy at any time due to information gained through operating the policy, or a change in legislation. The policy will, however, be reviewed at least on an annual basis.
- 9.2 The Cabinet Member responsible for Finance in conjunction with the Director of Finance are authorised to agree any revisions to the policy.

Appendix A – Statutory Debt Recovery Overview by Debt Type

Debt Type	Notification	Reminders	Final Notice/Demand	Summons	Recovery Options (following granting of a court order)
Sundry Debt	Invoice	The first reminder issued within 21 calendar days of the date of the invoice	The second reminder issued within 14 calendar days following the first reminder	County Court	<ul style="list-style-type: none"> • Information Order / Arrangement • Charging Order / Order for Sale • Enforcement Agent • High Court Enforcement Officer • Insolvency action • Attachment to Earnings • Third Party Debt Order • Withdrawal of service • Late payment fees • Interest due to late payment
Council Tax	Bill	Reminder Issued if payment not received by instalment date. A Maximum of two reminders will be issued.	Only if sums due following a first or second reminder have been paid but a subsequent instalment is missed. Otherwise not issued	Magistrates Court	<ul style="list-style-type: none"> • Attachment to Earnings or Attachment to Benefit • Attachment to Members Allowances • Enforcement Agent • Commitment to Prison • Insolvency action
Business Rates	Bill	Reminder Issued if payment not received by instalment date. A Maximum of two reminders will be issued.	Only if sums due following a first or second reminder have been paid but a subsequent instalment is missed. Otherwise not issued.	Magistrates Court	<ul style="list-style-type: none"> • Security for Unpaid Rates • Enforcement Agent • Commitment to Prison • Insolvency action • Information Order /Arrangement • Enforcement Agent • High Court Enforcement Officer • Attachment to Earnings • Third Party Debt Order
Housing Benefit Overpayment	Invoice (if unable to deduct from ongoing Housing Benefit Entitlement)	Reminder Issued if invoice not paid within 35 days or if the debtor has not contacted to agree an arrangement or lodged an appeal.	Second reminder issued 14 days after first reminder, and a final notice 7 days after the seconds	County Court	<ul style="list-style-type: none"> • Information Order / Arrangement • Charging Order / Order for Sale • Collection / Enforcement Agent • High Court Enforcement Officer • Insolvency • Attachment to Earnings • Third Party Debt Order • Deductions from Welfare Benefits

Adult Social Care Debt Recovery Policy

August 2024

1 Introduction and Scope

- 1.1 This policy sets out the Council's approach to carrying out its function of the collection of Adult Social Care debt.
- 1.2 Effective financial management is fundamental to being able to fund the services the Council provides. The most effective method of debt collection is the prevention of debt arrears, and this policy covers both prevention and recovery.
- 1.3 The Council is committed to achieving the prompt collection of all sums of money it is due, while ensuring that a fair, proportionate, and consistent approach using the most effective recovery methods available is taken to the recovery of sums that are not paid when due.
- 1.4 The Key Principles of the Policy are
 - **Collection of all money due** to the Council quickly, efficiently, and economically taking into account the financial circumstances and mental capacity of the individual.
 - **Prevention of debt arrears** by prompt and accurate billing and collection of money due, affordable repayment plans and early intervention when a client is in arrears.
 - **Provision of a legal framework** to enable legal enforcement where necessary to recover debts.
 - **Compliance** with the Council's Constitution and Financial Procedure Rules

This Policy is also supported by the Council's Community Health and Social Care Service, Social Care Policy (Adults) which is available at [**ASC Policy**](#); alongside operational procedures for staff within the Council.

2 Legal Framework

- 2.1 There are multiple pieces of legislation, regulations and guidance that impact on the way we approach social care. These are briefly outlined below.

The Care Act 2014

The Care Act 2014 places duties and responsibilities on Local Authorities regarding the care and support of adults.

Under the Care Act, as a Local Authority, we have a duty to those who live in our area to ensure that:

- People receive services that prevent a deterioration in their needs;
- People have access to information and advice to ensure they make informed decisions regarding their care and support; and
- We have high quality services in the area that can provide people with services to meet their needs.

The Care and Support (Eligibility Criteria) Regulations 2014

The national eligibility criteria set a minimum threshold for adult care and support and carer support. All Local Authorities must, at a minimum, meet needs at this level.

The Care and Support (Charging and Assessment of Resources) Regulations 2014

This outlines what the Local Authority needs to consider when assessing the financial resources of an individual to establish how much they can pay towards the cost of meeting their care needs.

The Mental Capacity Act (MCA) 2005

Under section 1(2) of the Mental Capacity Act 2005, all clients will be assumed to have capacity, and able to make relevant decisions for themselves unless it has been established, by assessment, that they lack capacity. In addition, under section 1(3) all practical steps ought to be taken to ensure that a client is supported to make their own decisions.

If a client is assessed as lacking capacity in relation to decisions regarding their property and financial affairs it is important that their representative is involved in those decisions.

3 Financial Assessments

3.1 Information on Financial Assessments can be accessed via the links below:

[Non-Residential Charging Policy](#)

[Residential Charging Policy](#)

[Deferred payment policy](#)

[Third Party 'Top Up' Policy](#)

4 Principles for Debt Recovery

4.1 Where a debt arises, and where all other reasonable avenues for recovery have first been exhausted, the Council may wish to proceed to the County Court to recover the debt owed. The individual should be given an opportunity to engage with the Council in mediation or other suitable alternative dispute resolution processes to discuss payment of the debt prior to the commencement of proceedings.

4.2 The recovery of debt from those who are receiving care and support is a sensitive issue given the potential vulnerability of the client group and the Council's ultimate responsibility to meet needs under the Care Act 2014.

4.3 The Council is aware that there could be a variety of reasons why the client has not paid their assessed charge and the Council should always consider whether it is appropriate to take steps to recover the debt, even though it has the power to do so. It may be that in some cases a debt may have accrued because of a service user's diminishing or lack

of mental capacity. In such cases, the Council may need to involve the social work team.

- 4.4 The Council will also bear in mind that it is bound by the public law principle of always acting reasonably and must act in accordance with human rights legislation, as well as the wellbeing principle set out in section 1 of the Care Act 2014.
- 4.5 It is important that court proceedings are only considered after all other reasonable avenues to obtain payment of the debt have been exhausted. If a claim does end up in court, it is likely that the court will consider the efforts made to resolve the debt without the need for proceedings.
- 4.6 Debt recovery is the responsibility of all officers involved in the process, and the following principles must be borne in mind when approaching the recovery of debts, especially when dealing with vulnerable clients and their representatives:
- Effective initial communication with service users around chargeable services;
 - Income maximisation in regard to the service users income has been explored.
 - Effective and efficient collection of all money due, whilst ensuring that the client's financial circumstances and mental capacity are considered.
 - Prevention of arrears by prompt billing and collection of money due, affordable repayment plans and early intervention.
 - Disputes and queries must be dealt with promptly to avoid the accumulation of outstanding balances.
 - Debts must be discussed with the client or their representative as soon as possible.
 - The Council must act reasonably at all times throughout the process.
 - Repayment plans should be agreed between the relevant parties and must be affordable; and
 - The Council will consider how different approaches could impact on a client's wellbeing.
- 4.7 Should the death of a recipient of care occur with a balance of funds still owed to the Council, legal advice may be sought should issues arise in respect of payment from the deceased's estate.

5 Debt Recovery Process

- 5.1 The Council's Financial Assessments team is responsible for calculating charges and issuing invoices. Clients will be contacted by the Accounts Receivable team to discuss any reasons for non-payment of debt and their individual circumstances in order that a repayment plan can be agreed, or payment obtained.
- 5.2 The Council will provide a range of flexible, convenient, and modern payment methods. Direct Debit is the Council's preferred payment method and will always be promoted.

First Reminder

- 5.3 The first reminder is issued within 21 calendar days of the date of the invoice, when clients have not paid the amount due or agreed to a repayment plan. At this point, the client will be given every opportunity to pay or agree a payment arrangement.

Second Reminder

- 5.4 The second reminder is issued within 14 calendar days following the first reminder date when clients have not paid the amount due, made a payment arrangement or

contacted the Accounts Receivable team to discuss the reasons for non-payment.

Further Action

- 5.5 Failure to pay or make contact by the deadline stated in the second reminder, will result in the Accounts Receivable team accessing the Adult Social Care system to check if there is any relevant information affecting the client's ability to repay the amount due. If there are no reasons to suspend recovery action, then the client or their representative will be contacted by an Accounts Receivable team member by telephone or email.
- 5.6 If the checks detailed at 5.5 indicate there is a dispute or a query outstanding in relation to the sum owed to the Council, or the Accounts Receivable team is notified of any dispute or query earlier in the process; recovery will be suspended until either the dispute or query is resolved, or for a period of one month, whichever is the shorter.
- 5.7 Officers within Adult Social Care must take steps to ensure that disputes or queries are resolved within one month of receipt. In any event, if not resolved within three months of receipt, the matter will be escalated to the Invoice and Debt Recovery Manager.
- 5.8 Any disputes or queries not resolved within the three months will be dealt with on a case-by-case basis. Recovery will be suspended pending resolution of the dispute. Any invoices for ongoing charges will still be issued.
- 5.9 The Council has a Debt Panel that meets to consider outstanding debts that are proving challenging to collect or to discuss cases with unresolved disputes. The Debt Panel consists of the Invoice and Debt Recovery Manager, and Adult Social Care representatives. Disputed cases will be referred to the next available Debt Panel following the expiry of the three-month period.
- 5.10 If the Debt Panel cannot achieve a resolution, the matter will be escalated to the Assistant Director Revenues and Benefits for consideration.
- 5.11 If there is no dispute or query, the debt may be referred to the Council's appointed external debt collection agents, where appropriate. There will be no fees applied to the debt at this stage.
- 5.12 For cases that have been held due to disputes/queries, a final letter will be issued to prompt contact or payment following the resolution of the query, before any further action is taken.
- 5.13 Cases returned from the debt collection agents, or not suitable for referral, will be passed to Legal Representatives for consideration of recovery in the County Court. If a case does proceed to the County Court, fees may be applied at this stage. The Council will seek to recover from the client any fees incurred.
- 5.14 Any member of staff, Elected Member or contractor who has a personal interest in any debt must not participate in the decision-making process regarding collection and recovery of that debt and must declare their interest.

For the purposes of this policy a personal interest includes those in the following list, however, the list is not intended to be exhaustive and where there is uncertainty as to whether there is an applicable interest, advice should be sought from a line manager or Internal Audit.

Examples of where a personal interest might occur is where the debt is owed by:

- a relative, including relatives by marriage;
- a relative of a current or former partner;
- a friend or neighbour;
- an organisation in which there is membership;
- an organisation in which a relative has membership; and
- a company or individual with which there is a business relationship.

This does not apply in the case of Elected Members, who, in the normal course of discharging their duty to represent their constituents on a wide range of matters, are required to discuss specific cases subject to the relevant constituent consent.

6 Writing Off Outstanding Debt

- 6.1 In certain circumstances an Adult Social Care debt may need to be written off as irrecoverable. For the purposes of this policy, Adult Social Care debt is deemed to be classed as sundry debt and the write off processes included in the Council's Financial Procedure Rules in relation to sundry debt apply.
- 6.2 The circumstances leading to a recommendation for write off may include (but is not an exhaustive list) where the:
- Customer has died and there are no funds available in the estate.
 - Debt is too old to recover i.e., Statute barred
 - Balance is small, and the recovery costs would make the debt uneconomical to pursue.
 - Customer is experiencing severe financial hardship.
 - Individual (or the company) has become insolvent.
- 6.3 The Invoice and Debt Recovery Manager is responsible for identifying suitable debts for write off. Recommendations for write-offs will be submitted at the end of each quarter of the financial year.
- 6.4 The Council's Exchequer Client team is responsible for reviewing recommendations for write-off and requesting authorisation from the delegated responsible Officers as set out in the Council's Constitution.
- 6.5 Before a write-off is considered, there should be detailed rationale prepared explaining the recommendation for the write-off. The decision to write off a debt should be taken by an officer that has not previously been involved in a review of the case. However, in the case of individual debts less than £100, write-off can be approved by the Invoice and Debt Recovery Manager
- 6.6 The write-off of individual debts of over £100 and up to £5,000 can be approved by the Assistant Director, Revenues and Benefits.
- 6.7 The write-off of individual debts of over £5,000 and up to £10,000, can be approved by the Director of Finance.

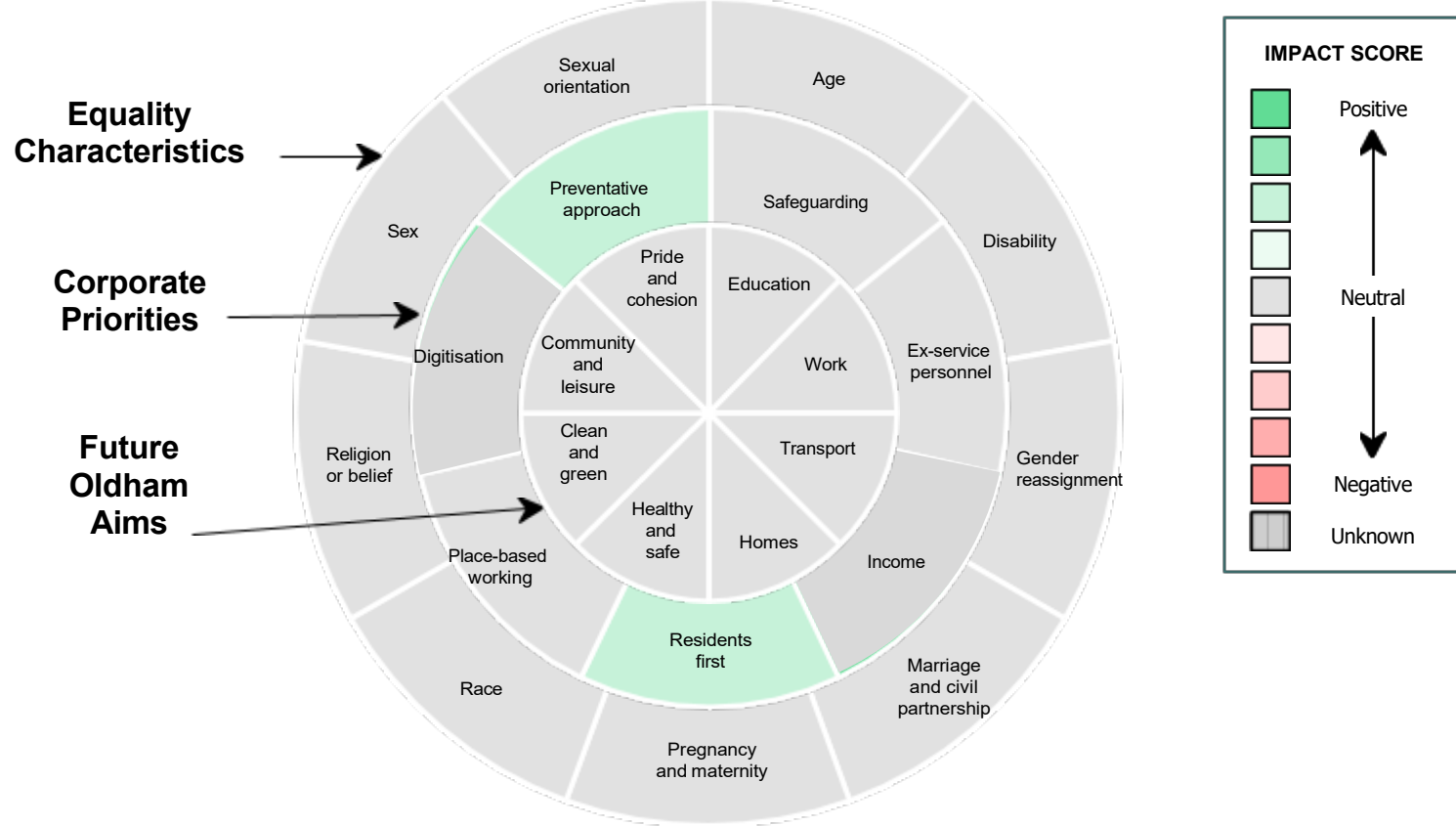
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- 6.8 Where an individual debt is over £10,000 and up to £30,000, write-off can be approved by the Cabinet Member with responsibility for Finance in consultation with the Director of Finance.
 - 6.9 In the case of all individual debts over £30,000, the write-off must be approved by Cabinet.
 - 6.10 A report will be provided on a quarterly basis to the Director of Finance detailing all debts approved or recommended for write-off by authorised Officers. off.
 - 6.11 The reasons for the write-off will be reviewed on a quarterly basis to inform improvements in practice, policy and procedures which may prevent further instances of write-off if the same set of circumstances should arise.

7 Policy Review

- 7.1 The Council reserves the right to review and revise the policy at any time because of information gained through operating the policy, or due to a change in legislation. The policy will, however, be reviewed at least on an annual basis.
- 7.2 The Cabinet Member with responsibility for Finance in conjunction with the Director of Finance, and the Director of Adult Social Services are authorised to agree to any revisions to the policy.

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Debt Recovery Policies



Discretionary Council Tax Policy				
Click to refresh Table	Impact	Likelihood	Duration	Comment
Equality Characteristics				
Age	Neutral	Very Likely	Short Term	
Disability	Neutral	Very Likely	Short Term	
Gender reassignment	Neutral	Very	Short Term	
Marriage and civil partnership	Neutral	Possible	Short Term	
Pregnancy and maternity	Neutral	Possible	Short Term	
Race	Neutral	Possible	Short Term	
Religion or belief	Neutral	Very Likely	Short Term	
Sex	Neutral	Very Likely	Short Term	
Sexual orientation	Neutral	Possible	Short Term	
Corporate Priorities				
Safeguarding	Neutral	Very Likely	Short Term	
Ex-service personnel	Neutral	Very Likely	Short Term	
Income	Strong Positive	Very Likely	Long Term	
Residents first	Moderate Positive	Very Likely	Long Term	The Debt Recovery policies outlining the principles we will follow collecting monies owed to the council. This provides transparency to residents and businesses and set out what they would reasonably expect to happen if they are subject to recovery action.
Place-based working	Neutral	Possible	Long Term	
Digitisation	Moderate Positive	Very Likely	Long Term	
Preventative approach	Moderate Positive	Very Likely	Long Term	It is hoped that outlining the principles of recovery will help residents and businesses to understand the impact of non-payment of monies owed to the Council and subsequently encourage payment before Enforcement action is taken.
Future Oldham Aims				
Education	Neutral	Possible	Long Term	
Work	Neutral	Very Likely	Long Term	
Transport	Neutral	Possible	Long Term	
Homes	Neutral	Very Likely	Long Term	
Healthy and safe	Neutral	Very Likely	Long Term	
Clean and green	Neutral	Very Likely	Long Term	
Community and leisure	Neutral	Very Likely	Long Term	
Pride and cohesion	Neutral	Possible	Long Term	



Report to CABINET

The Future of Mental Health Social Work

Portfolio Holder: Councillor Barbara Brownridge Portfolio holder for Adults, Health & Wellbeing

Officer Contact: Jayne Ratcliffe - Director of Adult Social Care (DASS)

Report Author: Daniel Powner - Head of Service for Learning Disability, Autism and Mental Health

19 August 2024

Reason for Decision

A decision needs to be made regarding how the Social Work statutory functions under the Care Act will be carried out within the field of Mental Health in the future.

Executive Summary

Under the current arrangements, Pennine Care Foundation Trust (PCFT) support the Council to meet its statutory requirements by managing Council Social Work staff. There is currently no formal 'Section 75' agreement or 'Memorandum of Understanding' in place. Many years ago, care co-ordination was introduced to the field of Mental Health, which saw the combining of several professional roles into a single role of a care coordinator. While this was an ambitious step towards integrated working, over the years the professional roles have become unclear. A new Community Mental Health Framework was developed in 2019, which recommends the separation of the professional roles, as it is now recognised that people would benefit from a multi-agency approach. Following a recent review of how Mental Health Social Work is conducted within Oldham, there is concern that the Council's functions are not being met in full. One of the main reasons for this is the inability to recruit social workers into care coordinator roles. The PCFT have the same recruitment concerns regarding Nurses and Occupational therapists.

There is a Greater Manchester (GM) project with Association of Directors of Adult Social Services (ADASS) and the PCFT currently underway, that aims to bring about change and progress to the current arrangements. However, this is unlikely to see any change until at least summer 2025. PCFT in Oldham is currently in business continuity, due to significant workforce challenges, this is therefore having an impact on capacity to meet the demands the service faces, including the use

of the IT recording system and commissioning of suitable provision. Consideration needs to be given whether the council needs to make a change to the current arrangements sooner than can be delivered under the project. If the project is successful, it will see a new section 75 agreement drawn up with the PCFT. However, the outcome of this work would result in PCFT continuing to manage the Councils Adult Social Care (ASC) statutory functions and responsibilities. If this situation the council would continue to hold responsibility and risk, with limited control of how its functions are managed, met and risk stratified. PCFT would remain in control of the day-to-day management of social work practice in Oldham. This would leave the council with all the responsibility but only limited opportunity to influence service operation.

The current arrangement poses a significant risk to ASC statutory functions and CQC assessments. Therefore, it is important to outline future arrangements and plans to reduce any risk to statutory duties and resident's needs.

The preferred option is option 3. This option enables the mental health service to continue to operate in line with current arrangements and supports the council to deliver its statutory functions, in accordance with the Mental Health field. The preferred option will see a defined split in professional roles, and under a partnership arrangement will allow professions to remain co-located, bringing together the ongoing benefits of integrated working anyway.

Option 3 enables the Council to focus on its ASC statutory responsibilities, and the introduction of a robust governance and accountability framework. It is recognized this proposed change will be a big step for partnership working the service remains committed to working in partnership with the PCFT to deliver the best outcomes for our residents.

The Future of Mental Health Social Work**1 Background**

- 1.1 A review of how the Council fulfils its functions under the Care Act and Mental Health Act has been undertaken over recent months. This has highlighted significant concern regarding how well the council are meeting its statutory duties. Whilst these functions can be delegated to a Trust by mutual agreement, the responsibility and risk of that function cannot be delegated. Therefore, the performance, statutory duty, and people's experience of social work within the Trust is still the Council's responsibility and will form part of the Care Quality Commission (CQC) local authority audits in the future. The Council would also remain responsible for any litigation risk.
- 1.2 Like most Councils many years ago, the Council integrated its Mental Health Social Work functions with Pennine Care Foundation Trust (PCFT) to provide a more seamless mental health service to service users and patients across Oldham. The vision was to create a joint role of a mental health professional/ care coordinator, using the care programme approach (CPA) as its approach to managing risk and meeting need. This approach enables health and care staff to sit together in integrated teams to meet the needs of patients and service users without passing them between two organisations. This way of working also saw the creation of the Mental Health professional role which incorporates a psychosocial model to intervention and therapy. As part of its function, the integrated teams would undertake the statutory function of social work within a joint role, meaning that Health professionals would also undertake social work tasks. In Oldham historically, a decision was made that the Council would continue to employ social work staff, but the line management of those staff would be by the PCFT. However, this approach was ended in 2018, with no formal section 75 agreement currently in place.
- 1.3 CQC last inspected PCFT's community-based mental health services for adults of working age in 2016, but this did not include Oldham. Overall, it was rated 'Requires Improvement' for several reasons, including poor record keeping, such as missing care plans and risk assessments, little evidence of staff routinely planning discharge for patients, a lack of regular clinical supervision taking place and a lack of evidence of supervision records.
- 1.4 It could be argued the statutory function of social work overtime has been minimalized and become what is perceived to be a form filling exercise rather than an intervention in itself. This situation is not unique to Oldham, as such by 2012, 40% of Council's had brought their Mental Health functions back under the management and governance of the Council. The British Association of Social Work (BASW) feedback at the time, concluded social workers in mental health trusts felt a move back to council management would boost their ability to advocate for patients and challenge mental health trust decisions. However, where councils had formal section 75 agreements, they were forced to pull out of these because they had to make considerable savings on Adult Social Care (ASC) budgets. At the time some councils decided that some of the work mental health social workers were undertaking when employed by health did not match the statutory responsibilities of ASC.
- 1.5 Current feedback from Oldham council staff managed within PCFT is that they feel separated and unsupported by the council. They still have council job descriptions as social

workers; however, it would appear this does not fully reflect their current role. PCFT also employ social workers as Mental Health professionals, the function of social work is completed by social workers and nurses in the joint role or care- coordinator.

- 1.6 At present the statutory functions of the council are still managed by PCFT, with the council having little to no Governance, influence, or oversight of these functions, despite being the responsible authority. PCFT Community Mental Health Teams in Oldham are currently in Business Continuity, mostly because of an inability to fully recruit, therefore they are prioritizing their workload accordingly to risk stratification.
- 1.7 The Council have no existing section 75 agreement or Memorandum of Understanding (MoU) in place with PCFT. Therefore, it is difficult to manage outcomes, seek assurance or manage expectations. In 2018 a MOU was offered to the PCFT, but this was rejected.
- 1.8 There is an understanding of the backlog of work required from a statutory perspective, including the progression of Safeguarding enquiries and reviews. However, without the ability to prioritize and allocate work, Oldham Council are unable to independently progress these pieces of work. As the PCFT and ASC use different recording systems, it can be challenging to measure and evidence performance and outcomes fully. This is a significant risk to the CQC assessment.
- 1.9 ASC are not assured statutory duties are being met with the current arrangements. This places the local authority at significant risk and poses challenges in relation to forthcoming CQC inspections and litigation.

2 **Current Position**

- 2.1 For many years, Social Work staff have sat within PCFT under a co-location arrangement, whereby the functions and activity across the teams is shared under a CPA approach with PCFT.
- 2.2 ASC directly employ Social Workers, Support Workers, AMHPs and a Team Manager that all sit within CMHT. However, the service continues to experience recruitment challenges both for social workers and nurses. The Team Manager and Senior Practitioner posts are vacant and there is a now approximately 50% deficit in staffing capacity. Use of agency workers are being explored, however there has been a lack of suitable applications. These workforce challenges are putting additional strain on an already fragile system. Currently social workers are undertaking a care co-ordination role, as well as social work and non-clinical health tasks.
- 2.3 While CPA does assess need and risk management, there is little to no evidence of Care Act or statutory compliance in terms of the Care Act and there is no data to evidence the work that has been undertaken in line with the Care Act and ASC statutory duties.
- 2.4 The current arrangements in place for social work in PCFT in Oldham does not cover all spectrums of work, and do not appear to have clear standard operating procedures. This has led to challenges with other teams in allocating work for residents experiencing mental illness, where a person does not meet the criteria for CMHT. A recent example which is highlighted for ASC and CMHT is when someone receives support from the Early Intervention Team (EIT) but may require a Care Act assessment or a Safeguarding investigation. This cannot be undertaken by the Early Intervention Team, as the social work resource for this was removed historically. This can create challenges and inconsistencies for the resident and the affected teams.
- 2.5 There have been escalated risk raised about the lack of governance, scrutiny, and oversight on budget management within the CMHT. This has led to an increasing financial pressure

to ASC which is affecting the council's ability to forecast an appropriately manage the budget. Council budget approval is given by CMHT managers (PCFT employees) for any service costs up to £750 per week. All other funding agreements are agreed at a joint High-Cost panel with the ICB.

- 2.6 There have been instances where residents care packages are not routinely being recorded correctly onto Mosaic. This has led to a large number of back-dated payments that have been required. This presents a significant Adult Safeguarding risk. If no contract/ Purchase order is in place, residents are not supported by any contracts/quality oversight, as there is no awareness that a contract is not in place.
- 2.7 The ASC employed workforce are currently provided with computer equipment by the PCFT. Residents' records are mostly recorded onto the PCFT computer system 'PARIS' and then information copied across to Mosaic, but this can be variable and intermittent. This creates challenges fulfilling statutory duties. To be Care Act Compliant, paperwork needs to be completed fully on Mosaic records. The lack of data recorded on Mosaic also affects the council's ability to accurately report data, measure and monitor performance outcomes appropriately.
- 2.8 In the current climate there are challenges in recruiting experienced social workers, including ASYE social workers. This does not provide assurance that we are providing a safe working arrangements to undertake the Mental Health care coordinator role within PCFT. The same challenges are being experienced in recruiting health professionals by the PCFT. The PCFT have reported that recruitment isn't as much of a challenge in a local authority where the social work role and the nurse role are defined and separated.
- 2.9 PCFT are currently progressing the development of 'Living Well'. To ensure that ASC and PCFT are aligned, we need clear plans and communication to understand how ASC are going to oversee statutory duties within Mental Health Social Work in ASC.
- 2.10 Following the Kings Speech, Mental Health reform has now been de-prioritised by central government, but the new 'Community Mental Health Framework' will continue to be implemented as planned, which will bring changes to the CPA approach. This framework also puts more emphasis on professionals undertaking the professional roles that they trained for, and specifically says that we should not just replace 'care coordinators' for 'key workers'. This means that social work tasks should be undertaken by social workers or social work professionals in the future.
- 2.11 The integration of health and social care has been a long-term aspiration for decades and this continues to be the case. There is currently a project group that is looking a new Section 75 for Mental Health across GM. The council will need to decide if they will sign up to this.
- 2.12 There are a number of risks noted within the body of the report and financial, legal and HR risks are detailed separately. The Council is facing a number of financial, reputational and operational risks under the current arrangements due to the concern that the statutory functions are not being met. Although the function is being carried out by the PCFT currently the risk and responsibilities are left with the Council, the recommended Option within this report will mitigate these risks. It is important that during the transition period that the service monitors the arrangements to ensure, that the statutory functions are met. It is imperative that all service users records are updated accurately and in a timely manner to safeguard individuals and ensure that the Council complies with its statutory requirement under the Care Act. The recommended Option will also ensure that social workers caseloads are manageable to reduce the impact of health and wellbeing of staff, but this needs to be balanced against the unsettling affect change can have on the workforce and the Council's current financial position.

3 Options/Alternatives

3.1 **Option 1** - Continue to work alongside the PCFT with no section 75 agreement or Memorandum of Understanding in place. No change to current arrangements.

3.2 Disadvantages

- No legal framework in place to enable the PCFT to manage the social work staff
- No delegated authority for PCFT managers to make decisions regarding spend of council resources.
- No delegated authority to make safeguarding decision on behalf of the council
- No delegated authority to make decisions regarding s117 aftercare planning on behalf of the council.
- Continued lack of control from the council of its functions under the Care Act and Mental Health Act.
- Continued financial risk because of a lack of day-to-day robust financial controls. It would not be appropriate or lawful for all financial decision to be made by a panel.
- Still no alignment of function for people who sit under the Early intervention team or open to primary care only without further investment from the council in terms of staffing budget.
- A continued lack of reportable performance data.
- Assessment pathways remain confusing and onerous to navigate.
- Significant risk to CQC assessment
- Risk of litigation

3.3 Advantages

- None

3.4 **Option 2** - Continue with the current integrated arrangements and sign up to the new Section 75 agreement or Memorandum of Understanding moving forward.

3.5 Disadvantages

- Continued lack of control from the council of its functions under the Care Act and Mental Health Act.
- Continued financial risk because of a lack of day-to-day robust financial controls. It would not be appropriate or lawful for all financial decision to be made by a panel
- Still no alignment of function for people who sit under the Early intervention team or open to primary care only without further investment from the council in terms of staffing budget.
- A continued lack of reportable performance data.
- Assessment pathways remain confusing and onerous to navigate.
- Significant risk to CQC assessment

3.6 Advantages

- No change for current staff or governance until the Living Well model is implemented and the MH Community Framework is introduced.

3.7 **Option 3** – Decide to bring social work staff back under council management and reduce the level of integration currently in place.

3.8 **Disadvantages**

- This change could affect staff moral and risk staff deciding to leave the council and apply for social work posts. This would lead to further staffing shortages and temporarily impact on the ability to meet statutory duties.
- Any withdrawal from the current system should be done slowly and sensitively due to the changes in worker that residents would experience as a result.

3.9 **Advantages**

- Bringing social work staff back under council management will increase the council's ability to mitigate paying care costs for longer than is necessary and provide more accurate financial forecasting.
- The council could embed new pathways and control its team criteria, rather than have to accept PCFT service specification criteria.
- The council could employ well-being assessors as well as social workers to understand less complex ASC tasks.
- A MoU or will need to be agreed even if this option is agreed, as this could take 12-18 months to implement.

4 **Preferred Option**

4.1 Option 3 is the preferred option. To continue to operate under the current arrangement prevents the council from delivering its statutory functions within the Mental Health field. While the ADASS and PCFT are currently working together with other GM LA's, this work could potentially take a year to resolve, which risks weakening the current arrangements further. The outcome of this work would still see the split of professional roles, but the PCFT would remain in control of the day to day management of social work practice in Oldham. Essentially leaving the council with all of the responsibility but only an opportunity to influence how things operate. Under the preferred option, there would still be a defined split in professional roles, the different professions would remain co-located, which would bring the majority of the benefits of integrated working anyway.

4.2 If the Council were to step away from the integrated arrangement with the PCFT, it would allow focus on statutory responsibilities and the introduction of a robust governance and accountability framework. This arrangement would align to the arrangements between the PCFT and the other social work teams within the council. While this would be a big step for partnership working, we remain committed to working in partnership with the PCFT to deliver the best outcomes for our residents.

5 **Consultation**

5.1 Jayne Ratcliffe DASS
Hayley Eccles AD ASC
Charlotte Walker AD Transformation
Daniel Powner HOS Learning Disability, Autism & Mental Health
Mark Boaler– PCFT Oldham Director
Maggie O'Malley – Service Manager - Mental Health

Karen Titchen – PCFT Service Manager
Kim Scott – Principle Social Worker

6 **Financial Implications**

- 6.1 The proposal is to end the management arrangements currently in place with the PCFT and restore the process that enables the Council to resume management oversight of the social work team.
- 6.2 It is expected that staff will continue to work from their current workplace and existing plans for co-location will not change, therefore presenting no adverse financial implication at this time in relation to estates.
- 6.3 The existing MH team are currently issued with PCFT laptops and telephones that will likely need replacing once the management arrangements have changed. The costs for 21 laptops and mobile devices are as follows:
- Laptops (at a unit cost of £1,123.74) is a total one-off cost of £23.6k
- Mobiles (at a unit cost of £125) is a total of one-off cost of £2.6k
- 6.4 The total cost of £26.2k is expected to be funded from the resultant saving to the MH service restructure, reported to be £29k and detailed in the DDR *The AMHP Function for Oldham* dated 4 April 2024.

(Andy Pearson, Accountant)

7 **Legal Implications**

- 7.1 It is clearly not acceptable for the Council to be in breach of its statutory requirements by not complying with its Care Act obligations. Should the current vulnerabilities of the Council continue, there is a very high risk of not only reputational harm to the Council but increasing legal challenges and the associated costs of this. As a Co-operative Council with a resident focus, the Council must align all departments to operate in a manner that best serves its residents. The service deals with some of the most vulnerable residents in the borough and it is therefore important that the service is suitably resourced for the task. The recommended option will bring control of its own statutory compliance within its own control.
- 7.2 The Council also has an obligation to its staff and it is a risk to be operating in such a disjointed manner with Council staff being managed by PCFT prioritising PCFT requirements.
- 7.3 The recommended option will not only help ensure statutory compliance but reduce the risk of litigation and assist in practical issues such as data sharing which has often been a time consuming and arduous task when in effect council data is stored on the PCFT system.
- 7.4 The service should work closely with HR colleagues should the option be approved and the gradual transition of staff be implemented. The service should also liaise with legal colleagues as and when any MOU document is required to be prepared or S.75 agreement is to be progressed.

(Alex Bougateg – Interim Assistant Director Legal Services)

8 **Equality Impact, including implications for Children and Young People**

- 8.1 Completed and attached at Appendix 2.

9 **Key Decision**

9.1 Yes

10 **Key Decision Reference**

10.1 The reference number of the item which gives notice of the intention to make this decision is HSC-04-24

11 **Background Papers**

11.1 None

12 **Appendices**

20.1 Appendix 1 – Mental Health Position Statement
Appendix 2 – Equality Impact Assessment

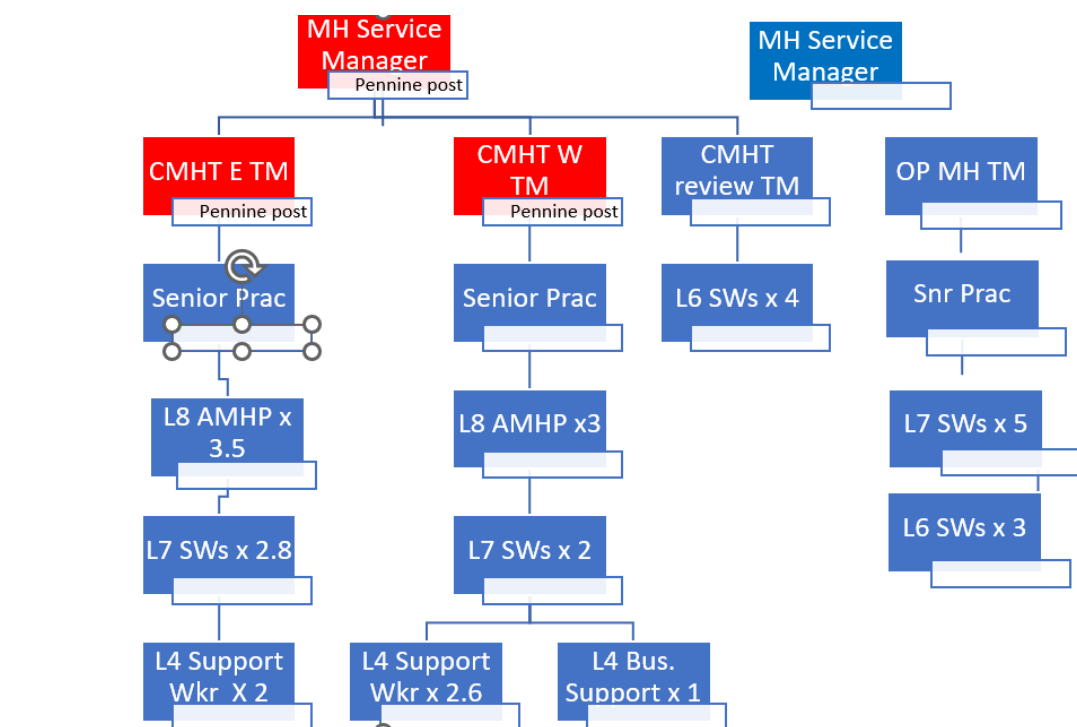
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Position Statement – Adult Social Care in Mental Health Services

1. This statement is intended to provide a position as of October 2023 in reference to both the Community Mental Health Teams (CMHT) and Older Peoples Mental Health (OPMH) Social Work Services. This statement will build on the original Position Statement completed by Stephanie Haddock in May 2023. It is intended to support discussions relating to the current co-location, and integrated functions of mental health social work staff into Pennine Care NHS Trust. The paper will consider available data, which although not exhaustive, provides a snapshot of the Teams. This statement will provide a view on how to move forwards.

Current Situation

2. Social work staff in the Working Age CMHT’s currently sit within Pennine Care under a co-location arrangement, whereby the functions and activity across the teams is shared under a CPA approach with PCFT. Recruitment also sits within this framework, although more recently an agreement has been reached that the Council Service Manager for mental health leads on this in conjunction with the Team Managers. This is slightly different in OPMH Services as there is one Team Manager that is managed by the council. There is a Council Manager that works alongside the PCFT Working Age CMHT managers, but this role mostly manages the Care Management and Review function. Structure chart below:



3. There is no current Section 75 agreement or Memorandum of Understanding to provide a framework and governance around the statutory duties required on behalf of Oldham Council.
4. A piece of work is being undertaken on behalf of all the Local Authorities across Greater Manchester in conjunction with the DASSs to progress a shared S75 agreement with all localities in the PCFT 'footprint'. However, this is ongoing at present.
5. Both CMHT & OPMH Services, are teams comprised of both social work and nursing staff, carrying mixed caseloads of both Local Authority statutory responsibilities and NHS mental health care co-ordination roles. All management, allocation, and quality assurance is undertaken by two PCFT Team Managers within CMHT, and two within OPMH one of whom directly reports to Oldham Local Authority.
6. All staff have access to both the NHS electronic recording system, PARIS and Oldham Local Authority recording system, MOSAIC, although the majority of work completed within the CMHT's, is inputted onto PARIS.
7. Training for Local Authority social work staff is agreed and sourced / facilitated by PCFT, in conjunction with the Principal Social Worker (PSW) and Local Authority OD team. AMHP lead should be ensuring training that AMHPs are up to date with support from PSW and OD.
8. The social work numbers and vacancies of qualified and unqualified staff in the respective services are:

CMHT

WAMH	FTE	Vacancies	Capacity
TM 10	1	1	-100%
SP 9	2	2	-100%
AMHP 8	6.5	4.5	-31%
SW 7	4.8	2.7	-66%
SW 6	4	1	-25%
CC 5	0		
Sup Wkr 4	4.6	1.6	-35%
Bus. Sup 4	1	0.5	-50%
AMHP lead	1	1	-100%
OPMH			
TM 10	1		100%
SP 9	1	1	-100%
SW 7	5	3	-60%
SW6	3	1	-25%

Overall Capacity in WAMH is:

Management/ leadership 0%

Social Work Assessment 47%

Overall Capacity in OPMH is:

Management/ Leadership 50%

Social Work Assessment 50%

There is currently 3 agency workers in post supporting assessment capacity. 2 in OPMH and 1 in WAMH.

9. The PCFT numbers and vacancies are:

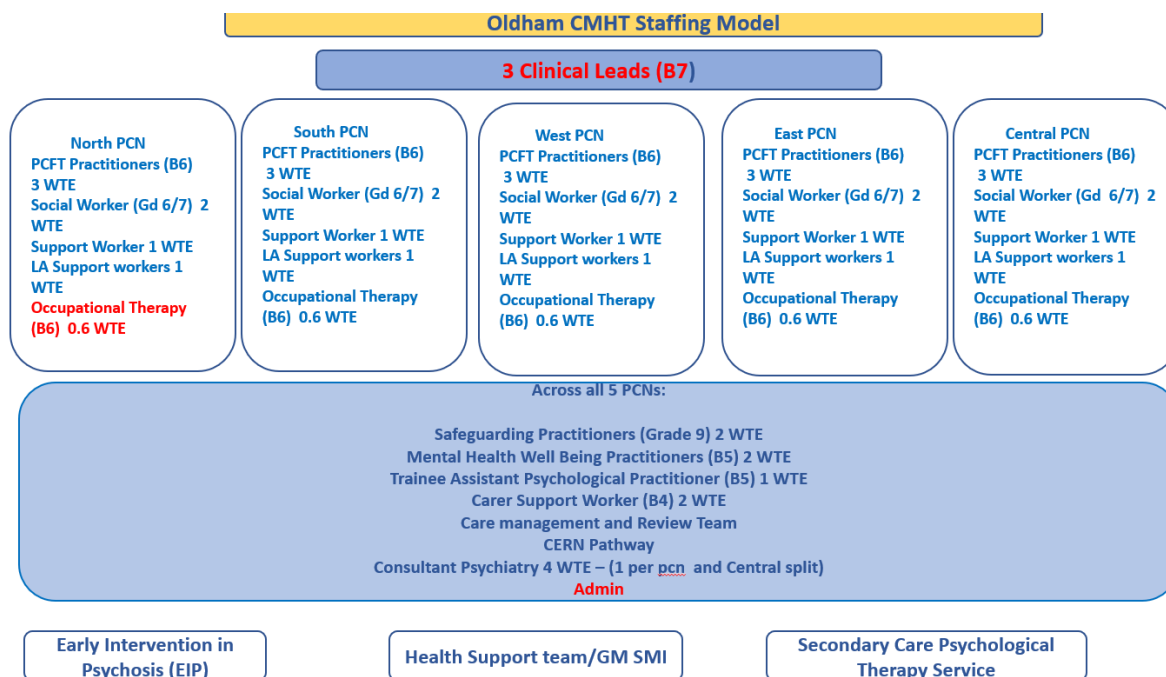
CMHT 16.8 WTE posts – 8 vacancies

OPMHT- 50% capacity

Since the original position statement was written. PCFT have gone into business continuity. They are reporting significant changes in recruitment of Health staff.

10. Early Intervention (EIT) and Personality Disorder Services are not integrated Teams. Any request for LA support within these Services is currently sent to ARCC and picked up via either ARCC or Clusters.

11. There are ongoing discussions around the alignment of social work within mental health services to the Living Well Model. However, these cannot be progressed without a clear agreement of how social care will look and be managed moving forwards.



12. There are discussions around how all services align with the Target Operating Model (TOM) and an agreement is needed regarding where social work sits within mental health services to support these discussions.
13. There is a criminal justice liaison team post sat within the assessment service that is currently vacant and requires recruitment. There needs to be a clear understanding of the need for a dedicated social work post within this area and how this will align with Local Authority statutory functions.

Approved Mental Health (AMHP)

14. Local Authorities have a statutory duty to provide Approved Mental Health Professionals (AMHP's) who are available for assessment across 24 hours seven days a week. The daytime AMHP Service sits within the CMHT providing cover between the hours of 9am – 5pm Monday to Friday, with evening, bank holiday and evening cover provided by the Emergency Duty Team Service (EDT).
15. Grade 8 social workers form part of the Approved Mental Health Professional (AMHP) Service, which provides assessment for those people who are felt may require compulsory admission to hospital under the Mental Health Act (1983). This is currently being reviewed as a separate piece of work (appendix A) however it is likely that the intention will be to amend the role of the AMHP to provide an AMHP and specialist practitioner role within mental health services, to include taking the lead in Adult Safeguarding Inquiries, Ministry of Justice (MoJ) cases and

those cases open to MAPPA and MARAC. This will necessitate a review in roles and job descriptions if agreed and progressed. This management of this Service sits with the CMHT's alongside the majority of AMHP's however support is also provided to the AMHP rota from Children's Services and EDT.

16. The AMHP Lead post currently sits under the Service Manager for Mental Health in Pennine Care NHS Trust. This post has overall responsibility for ensuring the rota provides statutory cover between the hours of 9am – 5pm Monday to Friday, AMHP training and the allocation of resources, peer support and supervision arrangements, re-registration procedures and practices and the identification and support for those undertaking AMHP training.

Social Care Assessments / Reviews

17. Social Care Assessments / Reviews for mental health are undertaken within the CMHT & OPMH Services and are undertaken by both social work and nursing staff. Within the CMHT's there are two social work posts aligned to specific review worker posts, with currently 166 reviews detailed by Pennine within their records, with 151 of these being out of date. These figures are not exhaustive and are based on information provided by Pennine Care and last updated in January of this year. Review data is available from MOSAIC and there is a piece of work being undertaken to match the data to provide a more accurate figure. Reviews for OPMH for cases who are closed to clinical care and settled are completed by Clusters.
18. Using PSR as a guide there are currently 238 people who have a PSR for Mental Health Support that are of working age.
19. Both Local Authority and Pennine Care staff undertake Care Act assessments, which is part of a historical arrangement. There is no trusted assessor status recognised within the Teams as all staff are integrated.
20. There is no formal process in place for social care reviews or Section 117 reviews within the CMHT.

Safeguarding Inquiries

21. Safeguarding Inquiries and the Safeguarding Adult Manager roles sit within Pennine Care, with both Local Authority and Trust staff within CMHT & OPMH completing investigations. These enquires should be working to the framework held across the OSAB partnership. There are current Safeguarding enquiries that require progressing within the CMHT's. However, the capacity and understanding of any open Inquiries within the CMHT is limited.
22. OPMH Safeguarding Inquiries are managed via the Team Manager with direct report to the Local Authority.

23. There are challenges around allocation within the CMHT's given capacity within the Teams and a recent request for the allocation of a practitioner to support with an Organisational Safeguarding has presented with some challenges.

Challenges

24. Oldham Council has delegated statutory services aligned under Mental Health to Pennine Care. There are few governance arrangements in place to ensure the timely completion and quality of these tasks from a Local Authority statutory perspective.
25. All Local Authority statutory tasks are allocated and prioritised by Pennine Care. This is challenging as the Teams and workloads are integrated, meaning Local Authority work is prioritised alongside NHS business.
26. Oldham Local Authority staff record predominantly on the NHS recording system, PARIS, which provides challenges in examining data for Local Authority assurance.
27. The allocation of Safeguarding Inquiry practitioners and Safeguarding Adult Managers within the CMHT's has been challenging. As is the allocation of Section 117 reviews to those People either closed to mental health Services or open to non-integrated Teams.
28. Local Authority CMHT staff use Pennine Care computers and phone equipment and connection to Local Authority systems within the current building Maple House, is difficult.
29. Requests for statutory work within EIT and Personality Disorder Services are sent to ARCC (as these Teams are not integrated) for allocation. This is a gap in Services that needs to be addressed. Discharge from section 117 is also a challenge from these Services, with no formalised framework for Local Authority involvement and support.
30. There is little understanding of Local Authority statutory work aligned to mental health Services as caseloads are integrated and data is limited.
31. The AMHP rota only has one AMHP on duty each day, with a back up on a Friday.

Positives

32. Relationships between Local Authority staff and Pennine colleagues are good and need to be maintained.
33. Pennine Care are currently reviewing caseloads to begin to understand pressures of both NHS and LA work.
34. There have been no gaps on the AMHP rota, despite staffing challenges within the Team.
35. The Service Manager within Pennine Care is very supportive of Local Authority staff and processes and is keen to work together moving forwards.

Summary

36. At present the statutory functions of the Local Authority are delegated to Pennine Care, with the Local Authority having little Governance and oversight of these functions. There is no current section 75 agreement or Memorandum of Understanding in place, which is a risk. At present there is a greater understanding of the backlog of work required from a statutory perspective, including the progression of Safeguarding inquiries and reviews, however, without the ability to prioritise and allocate, Oldham Council are unable to independently progress these pieces of work.
37. CMHT & OPMH are different in their workload and allocation processes so should be considered separately. The Team Manager in OPMH is a direct report to Oldham Council. OPMH report lower referral rates and caseloads, separate arrangements for low level and settled reviews, no responsibility for the AMHP Service and a Team Manager with direct report into the Local Authority. There are changes that need to be made to the Service, including increased oversight by the Service Manager / Head of Service for all statutory functions and a more defined framework for allocation. The Service runs well and although it would be helpful to align CMHT with OPMH, this would currently have a destabilising effect.
38. It is difficult to see, with the backlog of current work and staffing pressures within the CMHT's, how Local Authority statutory work can be progressed in a meaningful way and how it will be prioritised within the current integrated arrangements, as Pennine Care priorities will compete, given the nature of the client group and the level of risk managed within the Service.

Recommendations

39. The level of risk around statutory mental health services currently for Oldham Local Authority within CMHT's is high and requires the implementation of a robust framework to ensure accountability, governance, quality assurance and progression. It is my view that CMHT & OPMH should be considered separately with the following progressions:
40. Arrangements within OPMH Services should remain in situ. A governance arrangement is being introduced across GM for the Local Authority statutory element to provide necessary assurances and oversight, within the framework of a robust Section 75 agreement / Memorandum of understanding. This should be reviewed regularly and re-considered when LA work within CMHTs is up to date and understood.

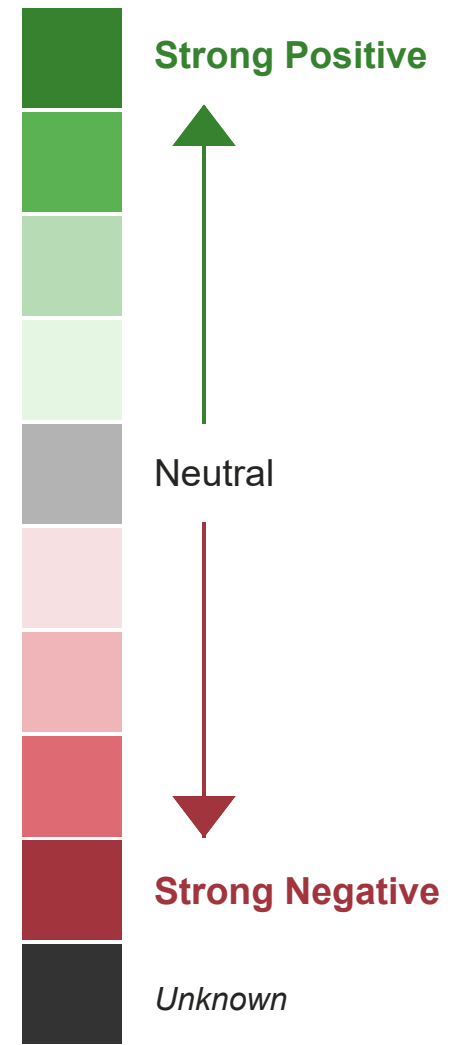
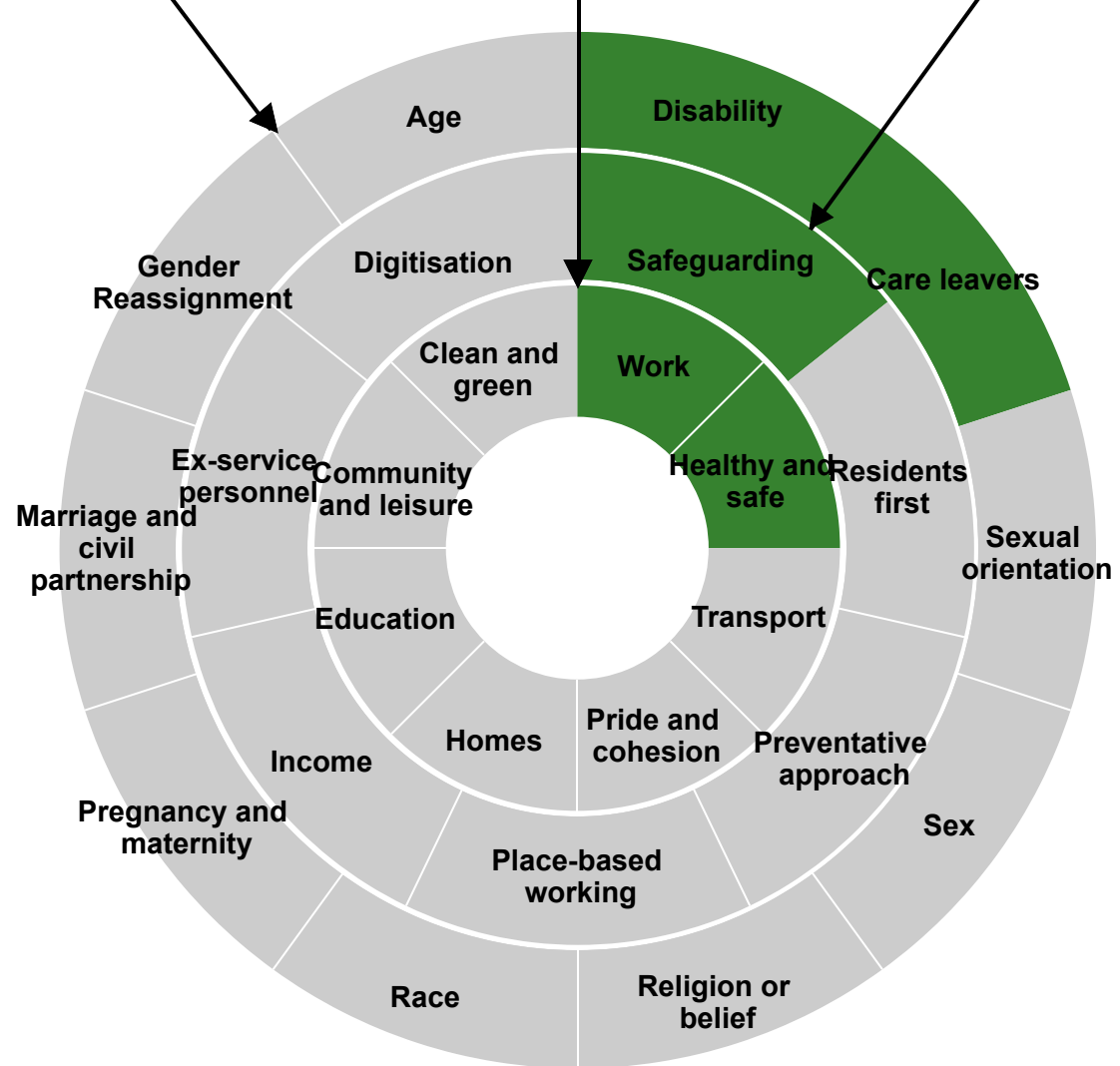
41. Oldham Local Authority staff should be stepped away from integration to allow a focus on statutory responsibilities and the introduction of a robust governance and accountability framework. A co-located arrangement should be progressed within a staged approach to ensure that neither area is left with unprecedented and unmanageable levels of risk. This should be detailed under a Service & Quality Improvement Plan and underpinned by a Section 75 agreement. This can be reviewed.

The Future of Mental Health Social Work

completed/last updated by Daniel Powner on 03/06/2024

Portfolio	
Health and Social Care	
Directorate	
PPL (People Services)	
Service/Team	
PPL - Adult Social Care	
Is this IA related to a Budget Reduction proposal?	<input type="text" value="No"/>

Equality Characteristics Future Oldham Aims Corporate Priorities



Equality Characteristics

Category	Impact	Likely	Duration	Impact Score	Comment
Age	Neutral	Possible	Long Term	0	
Gender Reassignment	Neutral	Very Likely	Long Term	0	
Marriage and civil partnership	Neutral	Very Likely	Long Term	0	
Pregnancy and maternity	Neutral	Very Likely	Long Term	0	
Race	Neutral	Very Likely	Long Term	0	
Religion or belief	Neutral	Very Likely	Long Term	0	
Sex	Neutral	Very Likely	Long Term	0	
Sexual orientation	Neutral	Very Likely	Long Term	0	
Care leavers	Strong Positive	Very Likely	Long Term	8	Care Leaver at a higher risk of experiencing mental illness.
Disability	Strong Positive	Very Likely	Long Term	8	People who experience Mental illness would have a better MDT approach.

Corporate Priorities

Category	Impact	Likely	Duration	Impact Score	Comment
Digitisation	Neutral	Possible	Long Term	0	
Ex-service personnel	Neutral	Possible	Long Term	0	Ex-service personnel are at higher risk of experiencing mental illness.
Income	Neutral	Possible	Long Term	0	
Place-based working	Neutral	Possible	Long Term	0	
Preventative approach	Neutral	Possible	Long Term	0	
Residents first	Neutral	Possible	Long Term	0	
Safeguarding	Strong Positive	Very Likely	Long Term	8	The proposed changes will focus on social workers and process and be more aware of safeguarding.

Future Oldham Aims

Category	Impact	Likely	Duration	Impact Score	Comment
Clean and green	Neutral	Very Likely	Long Term	0	
Community and leisure	Neutral	Very Likely	Long Term	0	
Education	Neutral	Very Likely	Long Term	0	
Homes	Neutral	Very Likely	Long Term	0	
Pride and cohesion	Neutral	Very Likely	Long Term	0	
Transport	Neutral	Very Likely	Long Term	0	
Healthy and safe	Strong Positive	Very Likely	Long Term	8	Hopefully, the proposed changes will promote peoples wellbeing.
Work	Strong Positive	Very Likely	Long Term	8	Managing social work well will focus outcomes for people including being employed, even where support is necessary.

Negative Impacts

Category	Impact	Likely	Duration	Impact Score	What action can be taken to mitigate the potential negative impacts?	Action(s)	Owner(s)	Timescale(s)	If the negative impacts can't be mitigated, why should the project/decision proceed?
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Strong Positive Impacts that are Possible

Category	Impact	Likely	Duration	Impact Score	What action can be taken to increase the likelihood that positive impacts are realised?	Action(s)	Owner(s)	Timescale(s)
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Part A - Report to CABINET

Laptop Hardware Refresh

Portfolio Holder: Councillor Abdul Jabbar, Deputy Leader and Cabinet Member for Value for Money & Sustainability

Officer Contact: Shelley Kipling, Assistant Chief Executive

Report Author: John Craig, Senior IT Project Manager

19th August 2024

Reason for Decision

This report seeks executive approval to rejuvenate our existing laptop device estate for Council staff. This strategic initiative aims to significantly enhance productivity, operational efficiency, and seamless compatibility with our existing suite of products across the Council.

Executive Summary

This report recommends procuring laptops and new VPN solution for staff.

The high number of requests for new hardware from our IT department underpin the urgency to procure laptops and VPN licenses and to reduce the reuse of outdated laptop devices, ensuring we maintain high customer satisfaction and operational excellence.

A planned and phased procurement and deployment of new devices offers best value rather than relying on ad-hoc, break-fix replacement assets. Proactively replacing the laptops now enables us to secure advantageous pricing.

Recommendations

It is recommended that:

- (a) Approval is granted to progress the procurement of laptops and VPN licenses on a phased basis.

Laptop Hardware Refresh

1 Background

- 1.1 Procuring new laptops will positively impact users within the Council across various departments and functions who currently rely on outdated laptop devices for their daily tasks.
- 1.2 Council IT receives requests for new hardware almost daily, highlighting the urgent need to stop procuring ad-hoc or reusing old Laptop devices to ensure best value.
- 1.3 Some of the council's core systems require upgrades by next year to versions which will be incompatible with our current laptop devices. This presents both operational risks in running key systems and security risks as current versions will become unsupported.

2 Current Position

- 2.1 This information is contained in PART B of this report.

3 Options/Alternatives

3.1 Option 1: Do Nothing

Under this option, we would continue to utilise the ageing laptops until the end of their usable life. This approach entails several risks and disadvantages:

- **Increased Operational Risks:** As these devices age, they will likely experience significant performance degradation, leading to reduced system efficiency and compromised service delivery.
- **Rising Support Costs:** Older hardware tends to generate more frequent IT support calls, increasing the workload on our IT department and associated costs.
- **Economic Inefficiency:** Relying on ad-hoc, break-fix replacements funded by service budgets rather than planned capital investments is not cost-effective and can lead to unanticipated financial strain.

- 3.2 **Option 2:** This information is contained in PART B of this report.

3.3 Option 3: Procure New Laptops and Implement a new VPN Solution

This option involves procuring new laptops.

- **Enhanced Productivity:** New laptops will ensure every staff member has a reliable and efficient device, significantly enhancing productivity and operational efficiency.
- **Cost Savings:** This information is contained in PART B of this report.

-
- **Future-proof Connectivity:** This information is contained in PART B of this report.
 - **Reduced IT Support Costs:** New, standardised hardware will decrease the volume of IT support calls, allowing our IT department to focus on strategic initiatives.
 - **Security and Compliance:** This information is contained in PART B of this report.
 - **Flexibility:** This information is contained in PART B of this report.

4 **Preferred Option**

4.1 **Option 3: Procure New Laptops and Implement a new VPN Solution**

Option 3 is the preferred course of action. It provides a comprehensive solution that addresses the current and future needs of the Council. By procuring new laptops and implementing the new VPN solution, we can enhance productivity, ensure secure and reliable connectivity, reduce operational and support costs, and maintain high standards of service delivery. This proactive investment in our IT infrastructure is crucial for sustaining operational excellence and supporting the Council's strategic objectives.

5 **Consultation**

5.1 None

6 **Financial Implications**

6.1 This information is contained in PART B of this report.

7 **Legal Implications**

7.1 This information is contained in PART B of this report.

8 **Equality Impact, including implications for Children and Young People**

8.1 Detailed at Appendix 1.

9 **Key Decision**

9.1 Yes

10 **Key Decision Reference**

10.1 FCR-6-24

11 **Background Papers**

11.1 None

12 **Appendices**

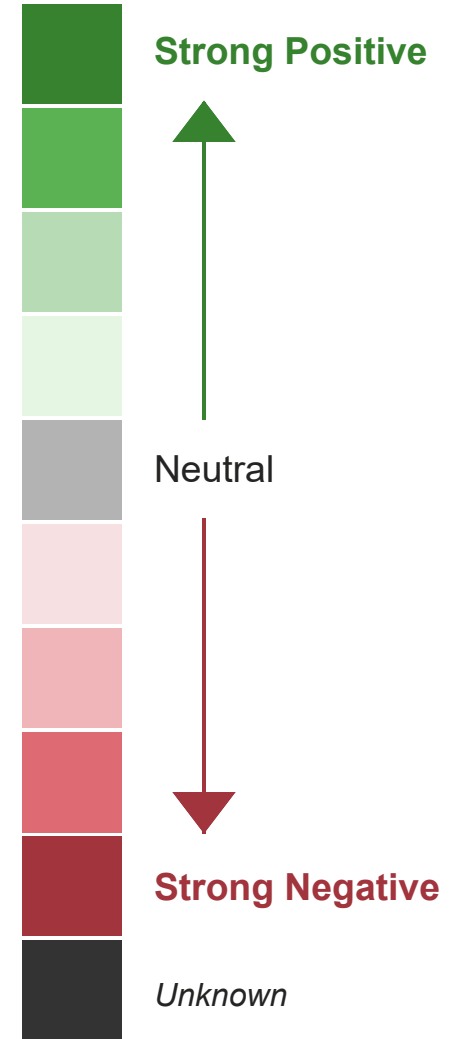
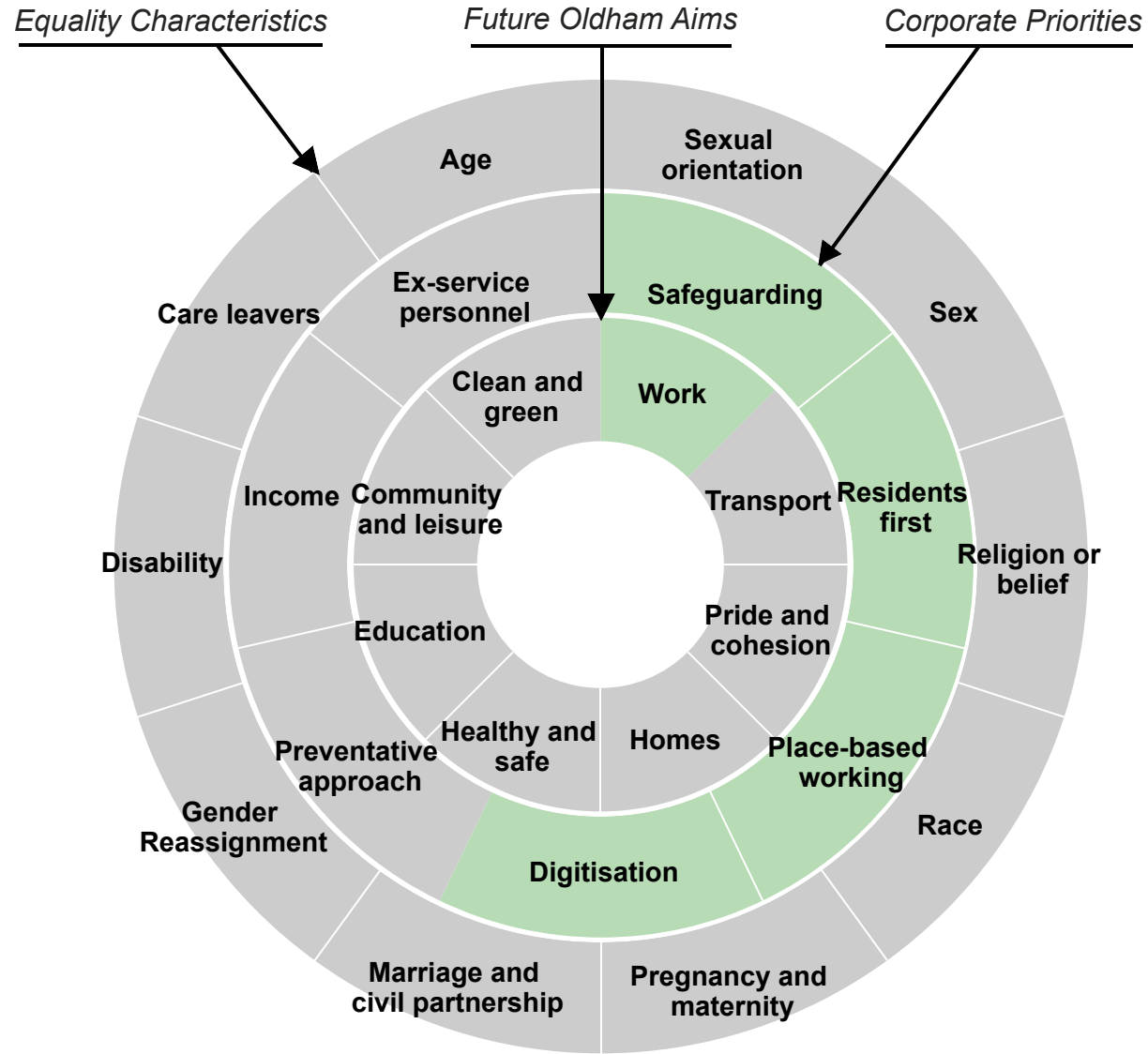
12.2 Appendix 1 - Oldham Equality Impact Assessment.



Laptop Hardware Refresh

John Craig : in progress

Portfolio	
Corporate Services	
Directorate	
Chief Executive	
Service/Team	
Chief Executive	
Is this IA related to a Budget Reduction proposal?	<input type="button" value="No"/>



Equality Characteristics

Category	Impact	Likely	Duration	Impact Score	Comment
Age	Neutral	Possible	Short Term	0	
Care leavers	Neutral	Possible	Short Term	0	
Disability	Neutral	Possible	Short Term	0	
Gender Reassignment	Neutral	Possible	Short Term	0	
Marriage and civil partnership	Neutral	Possible	Short Term	0	
Pregnancy and maternity	Neutral	Possible	Short Term	0	
Race	Neutral	Possible	Short Term	0	
Religion or belief	Neutral	Possible	Short Term	0	
Sex	Neutral	Possible	Short Term	0	
Sexual orientation	Neutral	Possible	Short Term	0	

Corporate Priorities

Category	Impact	Likely	Duration	Impact Score	Comment
Ex-service personnel	Neutral	Possible	Short Term	0	
Income	Neutral	Possible	Short Term	0	
Preventative approach	Neutral	Possible	Short Term	0	
Digitisation	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.
Place-based working	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.
Residents first	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.
Safeguarding	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.

Future Oldham Aims

Category	Impact	Likely	Duration	Impact Score	Comment
Clean and green	Neutral	Possible	Short Term	0	
Community and leisure	Neutral	Possible	Short Term	0	
Education	Neutral	Possible	Short Term	0	
Healthy and safe	Neutral	Possible	Short Term	0	
Homes	Neutral	Possible	Short Term	0	
Pride and cohesion	Neutral	Possible	Short Term	0	
Transport	Neutral	Possible	Short Term	0	
Work	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.

Negative Impacts

Category	Impact	Likely	Duration	Impact Score	What action can be taken to mitigate the potential negative impacts?	Action(s)	Owner(s)	Timescale(s)	If the negative impacts can't be mitigated, why should the project/decision proceed?
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Strong Positive Impacts that are Possible

Category	Impact	Likely	Duration	Impact Score	What action can be taken to increase the likelihood that positive impacts are realised?	Action(s)	Owner(s)	Timescale(s)
Digitisation	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.	Enable staff to work more effectively.	John Craig	.
Place-based working	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.	Enable staff to work more effectively.	John Craig	.
Residents first	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.	Enable staff to work more effectively.	John Craig	.
Safeguarding	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.	Enable staff to work more effectively.	John Craig	.
Work	Strong Positive	Possible	Short Term	2	Enable staff to work more effectively.	Enable staff to work more effectively.	John Craig	.



Report to CABINET PART A : Microsoft Licence Enterprise Agreement July 2024

Portfolio Holder: Cllr Jabbar, Deputy Leader and Portfolio Holder for Value for Money and Sustainability

Officer Contact: Shelley Kipling, Assistant Chief Executive

Report Author: Mark Edgar, Head of IT Operations and Cyber Security

~~19th August 2024~~

Reason for Decision

The Council's Microsoft Licensing Contract is approaching the end of its current procured contract, which has been running for 36 months since June 2021. Request is made to approve a new 3 year Enterprise Agreement with Microsoft via a procurement compliant Framework Agreement: CCS Technology Products and Associated Services 2, RM6098, Lot 3.

Executive Summary

The report seeks approval to enter into a contract with Microsoft to provide the Council's continued use of Microsoft Software, which is critical to the Council's workforce. Failure to procure and enter into a new contract would result in the expiry of all the essential licenses assigned to Oldham employees and all Microsoft applications no longer working. The consequence of this could be the issuing of fines for non-licence compliance. Oldham Council relies on the availability of Microsoft licences daily. Microsoft provide a secure online environment to enable Oldham Council to deliver services to Oldham residents and businesses. The ability to communicate internally and externally is central to the delivery of public and commercial services and to the Council's ability to communicate effectively to the residents of Oldham.

Recommendations

That Cabinet Approves:

- The procurement of a new Enterprise Agreement with Microsoft via the procurement compliant Crown Commercial Services Framework Agreement for Technology Products & Associated Services 2 (RM6098), Lot 3 - Software.
- Delegate authority to the Assistant Chief Executive in consultation with Cllr Jabbar, Deputy Leader and Value for Money and Sustainability Portfolio Holder, to approve the terms of the Call-Off Contract to be entered into under the CCS Framework and

to build flexibility into the Call-Off Contract to allow for the purchase of additional licenses as and when required and the purchase of additional support in accordance with the Framework Agreement and the relevant pricing schedule, subject always to budget availability and approval.

- Delegate authority to the Director of Legal Services to formalise any relevant legal requirements in order to attach and attest the Council's seal to the Call-Off Contract.

PART A: Microsoft Licence Enterprise Agreement July 2024**1 Background**

1.1 The Microsoft Enterprise Agreement is a long-standing arrangement under which software is licensed to Oldham Council and many other LAs. The Microsoft system plays a critical role in all the Council's Services. The current Enterprise Agreement is due to expire on 1st July 2024. Microsoft has agreed to a 90-day grace period to enable the Council to seek approval for a new Enterprise Agreement from Cabinet on 19 August 2024.

2 Current Position

2.1 Microsoft continues to be the supplier of critical software used by all Council employees.

2.2 The current Call-Off Contract, which was entered into under the now expired Crown Commercial Service (CCS) Contract for Technology Products and Associated Services, RM6068, Lot 3 (Software and Associated Services) will expire on 1 July 2024.

2.3 The Council requires continued use of Microsoft software and associated support services to allow all employees to continue delivering their roles and duties. Therefore, a new Enterprise Agreement is required, which will commence immediately following the expiry of the current Call-Off Contract. Microsoft has allowed a 90 day grace period to enable a request to be made to Cabinet for approval to enter into a new Enterprise Agreement under CCS Framework Agreement for Technology Products and Associated Services 2, RM6098, Lot 3 (Software) to be made to Cabinet. As a result of the grace period afforded by Microsoft, the commencement date would be backdated to 1 July 2024 and the term of the Call-Off Contract would be for 3 years.

2.4 The purpose of this report is to seek approval from Cabinet to negotiate and enter into a Call-Off Contract under Crown Commercial Service Framework Agreement for Technology Products and Associated Services 2, RM6098, Lot 3 (Software) for an Enterprise Agreement with Microsoft. The term would be 3 years and the commencement date would be backdated to 1 July 2024. The Council will ensure that it can, under the Call-Off Contract, remove licenses with effect from each anniversary of the commencement date, and purchase additional licenses and support as and when required.

2.5 The following licenses and quantities are to be included at commencement of the Call-Off Contract. It should be noted that the licenses are renewed on an annual basis and on the anniversary of the commencement date (1 July) Oldham Council shall have the right to reduce the licence numbers in line with requirements:

This Information is contained within part B of this report.

The licence that is used across the Council for staff is M365 E3.

The above table shows 2 prices because, when the Council transferred from ON Prem to Cloud, 2347 M365 E3 licenses were initially procured. CCS now negotiates with Microsoft on behalf of Local Authorities to ensure a clear pricing structure that will apply equally to all LAs, including all available discounts.

Based on the above quantities, and subject to the licence count remaining consistent for the next 3 years, the total contract value over 3 years is expected to be *this Information is contained within part B of this report*. However, IT Colleagues have already initiated a Project to review the E3 licence requirements, and over the next 12 months IT will be working with Microsoft Specialist to conduct a thorough review of the licence estate with the intention to reduce the E3 licenses and allocate a lower-level licence where possible.

This Information is contained within part B of this report.

3 Options/Alternatives

3.1 Option A – Approve a Call-Off Contract via Crown Commercial Services Framework Agreement RM6098 Lot 3 (Software) for an Enterprise Agreement with Microsoft and for the continued use of Microsoft Software and support.

Option B – Do not approve the proposed Call-Off Contract, Oldham Council are operating on Microsoft products, and without renewing, we would become non-compliant from a licensing model the Council would be unable to deliver digital services effectively. Failure to renew the Microsoft Licenses would result in all Oldham digital solutions expiring and all digital offerings no longer working. Additionally, there would be potential fines for statutory agreements and non-licence conformity.

4 Preferred Option

4.1 Option A – Approve a Call-Off Contract via Crown Commercial Services Framework Agreement RM6098 Lot 3 (Software) for an Enterprise Agreement with Microsoft and for the continued use of Microsoft Software and support.

5 Consultation

5.1 None

6 Financial Implications

6.1 There are sufficient resources built into the 24-25 ICT revenue budget to fund the proposals in this report. The cost of this contract will need to be closely monitored and a review of the licenses we hold will need to be carried out on a regular basis.

7 Legal Implications

7.1 Rule 4 of the Contract Procedure Rules requires the procurement process for a contract which has a financial value above the threshold relevant to the Public Contract Regulations 2015 (PCR 15) to be in line with the requirements of PCR 15.

7.2 PCR 15 allows for a call-off under a Framework Agreement which was put in place in accordance with PCR 15. The CCS Framework Agreement for Technology Products and Associated Services 2, RM6098, Lot 3 (Software) is a PCR 15 compliant Framework Agreement.

7.3 Therefore, provided the Commercial Procurement Unit is satisfied that a direct award can be made under the CCS Framework Agreement, to enable a Microsoft Enterprise Agreement, and provided the Commercial Procurement Unit ensures that the terms and

conditions of the Framework Agreement are complied with in putting a Call-Off Agreement in place, there are no known legal implications to the proposal.

- 7.4 The Call-Off Contract shall be in the form prescribed by the CCS Framework Agreement and no material changes shall be made to the Call-Off Terms and Conditions. Advice from Legal Services should be taken as and when required.

Sarah Orrell – Commercial and Procurement Solicitor

8 **Oldham Equality Impact Assessment, including implications for Children and Young People**

8.1 Yes

9 **Key Decision**

9.1 Yes

10 **Key Decision Reference**

10.1 FCR-10-24

11 **Background Papers**

11.1 None

12 **Appendices**

12.1 Appendix 1 Equality Impact Assessment



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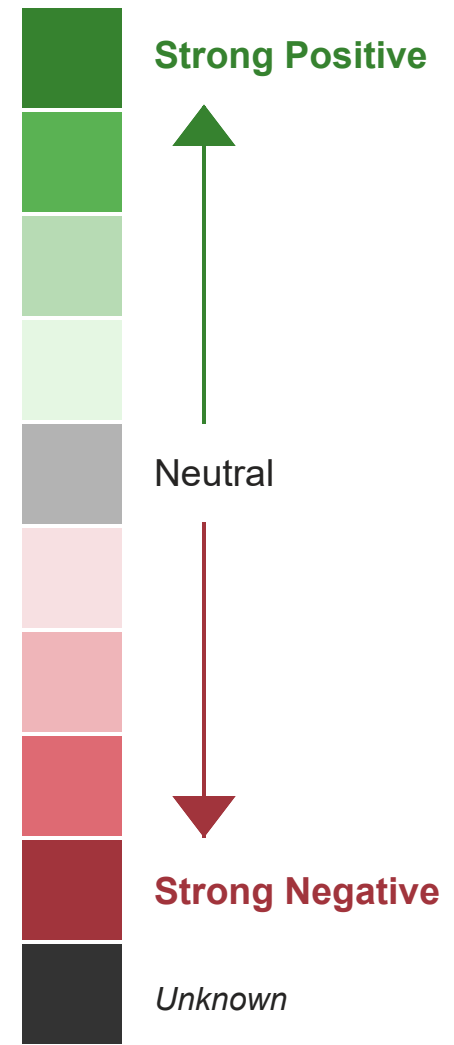
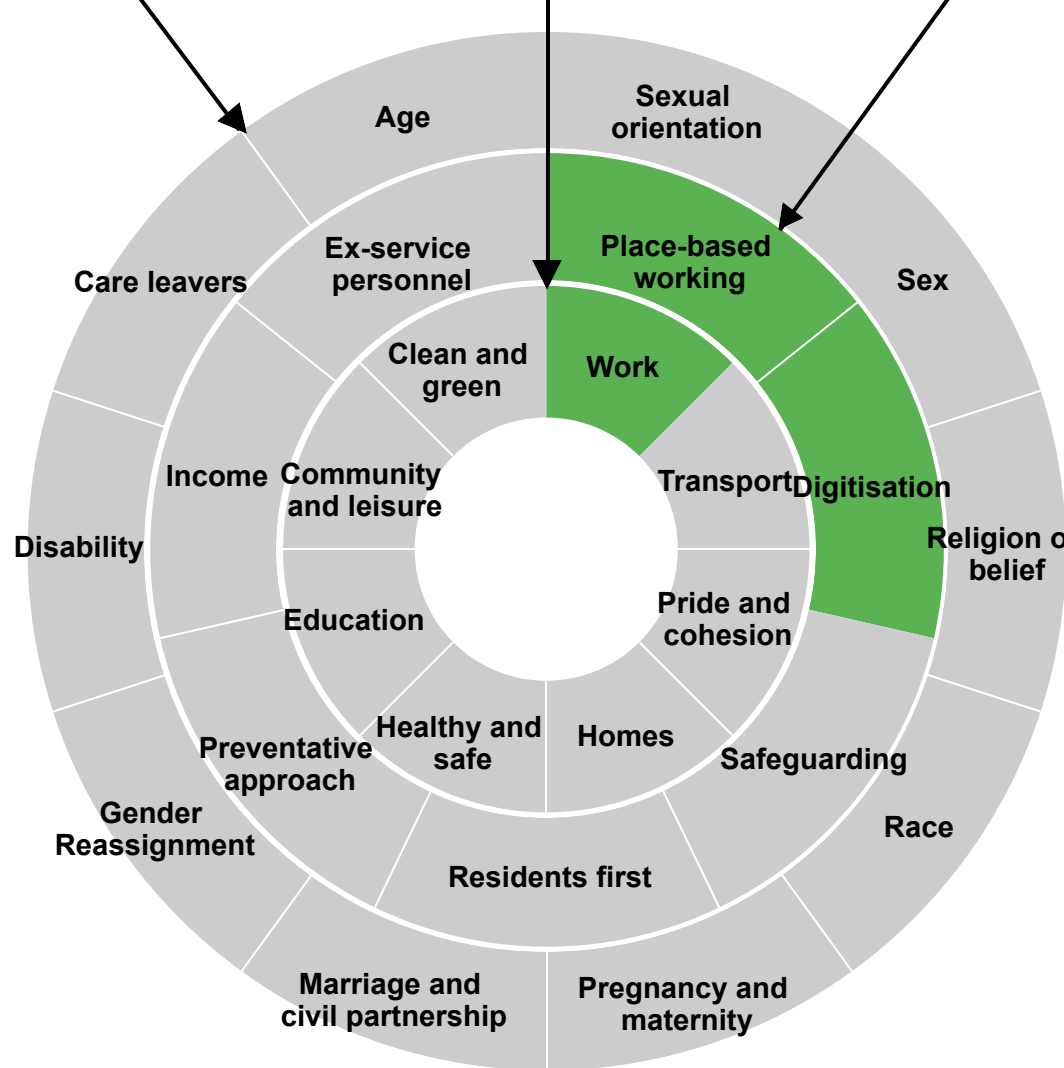
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Microsoft Licence Enterprise Agreement July 2024

completed/last updated by Senga Henstock on 12/08/2024

Portfolio	
Corporate Services	
Directorate	
Chief Executive	
Service/Team	
Chief Executive	
Is this IA related to a Budget Reduction proposal?	<input type="text" value="No"/>

Equality Characteristics Future Oldham Aims Corporate Priorities



Equality Characteristics

Category	Impact	Likely	Duration	Impact Score	Comment
Age	Neutral	Very Likely	Short Term	0	
Care leavers	Neutral	Very Likely	Short Term	0	
Disability	Neutral	Very Likely	Short Term	0	
Gender Reassignment	Neutral	Very Likely	Short Term	0	
Marriage and civil partnership	Neutral	Very Likely	Short Term	0	
Pregnancy and maternity	Neutral	Very Likely	Short Term	0	
Race	Neutral	Very Likely	Short Term	0	
Religion or belief	Neutral	Very Likely	Short Term	0	
Sex	Neutral	Very Likely	Short Term	0	
Sexual orientation	Neutral	Very Likely	Short Term	0	

Corporate Priorities

Category	Impact	Likely	Duration	Impact Score	Comment
Ex-service personnel	Neutral	Very Likely	Short Term	0	
Income	Neutral	Very Likely	Short Term	0	
Preventative approach	Neutral	Very Likely	Short Term	0	
Residents first	Neutral	Very Likely	Short Term	0	
Safeguarding	Neutral	Very Likely	Short Term	0	
Digitisation	Strong Positive	Very Likely	Short Term	4	Microsoft Contract Duration 3 years.
Place-based working	Strong Positive	Very Likely	Short Term	4	Microsoft Contract Duration 3 years.

Future Oldham Aims

Category	Impact	Likely	Duration	Impact Score	Comment
Clean and green	Neutral	Very Likely	Short Term	0	
Community and leisure	Neutral	Very Likely	Short Term	0	
Education	Neutral	Very Likely	Short Term	0	
Healthy and safe	Neutral	Very Likely	Short Term	0	
Homes	Neutral	Very Likely	Short Term	0	
Pride and cohesion	Neutral	Very Likely	Short Term	0	
Transport	Neutral	Very Likely	Short Term	0	
Work	Strong Positive	Very Likely	Short Term	4	Microsoft Contract Duration 3 years.

Negative Impacts

Category	Impact	Likely	Duration	Impact Score	What action can be taken to mitigate the potential negative impacts?	Action(s)	Owner(s)	Timescale(s)	If the negative impacts can't be mitigated, why should the project/decision proceed?
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Strong Positive Impacts that are Possible

Category	Impact	Likely	Duration	Impact Score	What action can be taken to increase the likelihood that positive impacts are realised?	Action(s)	Owner(s)	Timescale(s)
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Report to CABINET

Project Skyline Partnership Agreement

Portfolio Holder:

Cllr. Shaid Mushtaq, Cabinet Member for Children and Young People

Officer Contact: Gerard Jones, Managing Director, Children and Young People

Report Author: Andrea Weir, Head of Service for Children and Young People's Commissioning

August 2024

Reason for Decision

Provide an update on Project Skyline (GM proposal to create supply of children's homes to increase availability of Children Looked After placements in the GM region for some of the most vulnerable young people) and approve entering into a Partnership Agreement with the remaining Local Authorities in GM, GMCA and NHS GM for delivery of the project.

Recommendations

- Approval for the council to negotiate and enter into a Partnership Agreement for Project Skyline, as detailed in this report.
- Delegate to the Chief Executive/Director of Children's Services in consultation with the portfolio holder for Children and Young People, Treasurer and the Director of Legal Services to agree the terms of the Partnership Agreement.
- Delegate to the Director of Legal Services authority to execute and enter into the Partnership Agreement and any documentation required to give effect to the Partnership Agreement, detailed within this report.

Project Skyline Partnership Agreement**1 Background**

- 1.1 A combination of market composition/pressures, increased case complexity from some Independent Providers is leading to unprecedented financial pressures, relating to placements for Looked After Children, on Children's Services Departments across GM and nationally. A more recent review of the costs of independent sector placements has confirmed that these pressures continue.
- 1.2 This financial analysis sits alongside evidence of an increased proportion of children being placed outside of their home Local Authority/ the Greater Manchester area, making it harder than ever for children in care to experience the stable conditions needed to achieve positive outcomes.
- 1.3 Whilst many of these issues were recognised within the Independent Review of Children's Social Care commissioned by central government there emerged a strong sense that GM as a region needed to take more direct action to respond to these challenges. Within this context the idea for 'Project Skyline' was born – a proposal to create supply of children's homes to increase availability of LAC placements in the GM region for some of most vulnerable young people whilst tackling the significant costs associated with these types of placements.

2 Current Position

- 2.1 Building on one of the central aims of the GM LAC Sufficiency Strategy Project, Skyline has developed significantly over the last 12-18 months. Extensive modelling based on need has led to a proposal for ten new homes that can accommodate 24 children with complex mental health issues or Emotional Behavioural Difficulties.
- 2.2 This modelling has been refined over time through discussions with Local Authorities and market engagement with providers to get to a position where there is a clear specification that has been launched as part of a procurement exercise which is scheduled to commence in May 2024 and complete by the end of November 2024. GMCA is leading the procurement on behalf of the ten GM local authorities.
- 2.2 The services will be divided into three lots, one for each of the cohorts of children and young people to be supported by the project.
- 2.3 The procurement exercise will follow the competitive dialogue procedure prescribed in the Public Contracts Regulations 2015. Local Authority, GMCA and Health stakeholders are to be involved in the tender evaluations, with the awarded contracts due to commence in November 2024.
- 2.4 Local Authorities, the GMCA and GM NHS signed a Memorandum of Understanding for Project Skyline in January 2024. The MoU recognises the commitment of the ten local authorities, GMCA and GM NHS to the ambitions of the project.

-
- 2.5 At a GMCA meeting in March 2024 it was formally agreed that GMCA would allocate funding to acquire properties to be used for Project Skyline with the selection of properties determined by the Skyline Strategy Group (which is a cross organisational internal governance board) and then recommended to the GMCA for acquisition.
- 2.6 The criteria for the homes includes:
- 1) Sufficient distance from other residential properties identified for Project Skyline;
 - 2) Distance from other registered children's homes;
 - 3) Space configuration suitable to provide break away spaces;
 - 4) Space for staff;
 - 5) Any refurbishment works required.
- 2.7 It was agreed that GMCA would take the lead role in procuring the required services on behalf of the ten districts with a recommendation that one of the ten Local Authorities will be allocated with resources to be the contracting authority and manage the contract on an ongoing basis on behalf of the other Local Authorities and partners.
- 2.8 Recognising the importance of having a clear health offer within the children's homes, discussions have been taking place with NHS GM colleagues to ensure that the health offer within Skyline is aligned to the strategic objectives of the project. NHS GM will be a signatory to the Skyline Partnership Agreement alongside the local authorities.

Skyline 'Partnership Agreement'

2.9 The Partnership Agreement builds on the Memorandum of Understanding. It will be entered into between the ten local authorities, GMCA and NHS GM, and will govern the relationship of the parties, roles and responsibilities, and the sharing of liabilities. In particular the Agreement:

- includes the collaboration principles the parties are committed to (taken from the MoU that has already been signed);
- sets out governance arrangements for the project, including terms of reference for the Skyline Strategy Group;
- details arrangements regarding the Skyline Homes;
- states GMCA's commitment to pay Mobilisation Costs to the procured Care Providers, as required;
- sets out the role of GMCA and other parties in managing the procurement process for the identification of the most economically advantageous Care Providers;
- establishes principles regarding the management of each procured Care Provider's Agreement, including key decisions (e.g. termination) that the contracting party will need to bring to the partner authorities for approval;
- reflects the principle that the local authorities will share costs and underwrite any losses incurred by GMCA as a result of its investment in the Skyline homes.

Project Skyline Indicative Timeline

2.10 Phase 1 of Project Skyline will be monitored through the Skyline Programme Board with any changes reported to GM Directors of Children's Services and LA Skyline Champions.

3 Options/Alternatives

3.1 Option One

- Approval for the council to negotiate and enter into a Partnership Agreement for Project Skyline, as detailed in this report.
- Delegate to the Chief Executive/Director of Children's Services in consultation with the portfolio holder for Children and Young People, Treasurer and Director of Legal Services to agree the terms of the Partnership Agreement.
- Delegate to the Director of Legal Services to execute and enter into the Partnership Agreement and any documentation required to effect the Partnership Agreement, as detailed within this report.

3.2 Option 2

Do not enter the Partnership Agreement for Project Skyline, as detailed in this report. This option is not recommended as there is already significant pressure on the children's placement budget and placement sufficiency is a concern.

4 Preferred Option – Option 1

- Approval for the council to negotiate and enter into a Partnership Agreement for Project Skyline, as detailed in this report.
- Delegate to the Chief Executive/Director of Children's Services in consultation with the portfolio holder for Children and Young People, Treasurer and Director of Legal Services to agree the terms of the Partnership Agreement.
- Delegate to the Director of Legal Services authority to enter into the Partnership Agreement and any documentation required to effect the Partnership Agreement, as detailed within this report.

5 Consultation

5.1 Consultation is led by GMCA and includes a young person's group.

6 Financial Implications

6.1 Comments are contained in the report in the restricted part of the agenda.

7 Legal Implications

7.1 Comments are contained in the report in the restricted part of the agenda.

8 Equality Impact, including implications for Children and Young People

17.1 Comments are contained in the report in the restricted part of the agenda.

18 Key Decision

18.1 Yes

19 **Key Decision Reference**

19.1 EDS – 05 -24

20 **Background Papers**

None

21 **Appendices**

None

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Report to CABINET

Approval to delegate authority to award contract following a procurement process for the Replacement of Oldham's Cremators.

Portfolio Holder:

Cllr Chris Goodwin, Cabinet Member for Don't Trash Oldham

Officer Contact:

Emma Barton, Deputy Chief Executive, Place.

Report Authors:

Glenn Dale, Head of Environmental Services

Jayne Murphy, Senior Crematorium and Cemetery Officer

19th August 2024

Reason for Decision

This report requests delegated authority to approve a contract for the demolition and removal of three cremators and the supply, installation, and maintenance of three new Cremators at Oldham Crematorium, following a procurement exercise. This will ensure the result of the procurement can be enacted efficiently and implemented following the contract award.

Executive Summary

The current cremators components are now becoming obsolete and need replacing to ensure that Oldham Council can continue to provide the option of cremation. In addition, given the age of the current cremators, and the lack of ongoing technical support, the current cremators are unlikely to meet future emission standards and the council could be subject to legal action. Given these two significant risks, this report requests permission to undertake a procurement exercise as outlined above.

Recommendations

- That Cabinet notes the background to the current Cremators and options considered and agrees to the increase in the Capital allocation for the replacement cremators to £1.5m.
- That the Director of Environmental Services, be granted delegated authority to enter a contract following completion of the procurement process, in consultation with the Directors of Finance and Legal.

Approval to delegate authority to award contract following a procurement process for the Replacement of Oldham's Cremators.

1 Background

- 1.1 The cremators installed at Oldham in the late 1990's are The Evans Universal 300/2 Cremator which, in its day, was a robustly built cremator with a life expectancy of 20-25 years depending on usage. The cremators could potentially last another 5 to 10 years, but as each year passes, there is an increased risk that equipment fitted to the cremator is no longer supported by the original equipment manufacturer – this means that there will come a time in the future where a component fails and there is no replacement available.
- 1.2 One of the main components that is obsolete is the Cremator Control System. The cremator control system utilises a Mitsubishi controller which is now more than 25 years old and this controller is no longer manufactured or supported by the manufacturer. Failure of this controller will render a cremator inoperable.
- 1.3 It should also be noted that new modern cremators use less fuel and will also emit less CO₂, which would support reducing the Council's carbon emissions.
- 1.4 DEFRA have issued a consultation paper on reviewing the guidance relating to cremators ([PG5/2/12](#)) which will amend the current legislation on emissions. The paper indicates that all cremators will need to be fitted with flue gas treatment, including mercury abatement filtration equipment by 1 January 2027- see link below (NB at March 2024 this has still not been finalised and the date could be moved to later)
- <https://consult.defra.gov.uk/airquality/consultation-on-crematoria-guidance-review/>
- 1.5 The estimated cost to replace the 3 cremators and install abatement equipment is expected to be in the region of £1-1.5m and the project will mainly be funded from the 'Mercury Abatement' reserves scheme within the Environmental Services Capital Programme (approximate value at 2022/23 - £1.015m) plus contributions from revenue received annually. Further reports will identify the actual cost following tenders.
- 1.6 For clarity and further explanation on time scales [Annex A of the proposed new crematoria guidance](#) states the following:

3.3 Mercury Abatement (Flue Gas Treatment)

- From 1st January 2024, all new and replacement cremators will be fitted with flue gas treatment that includes mercury abatement.
- From 1st January 2027, all cremators will be fitted with flue gas treatment that includes mercury abatement. Otherwise, their operation will be limited to 100 hours per calendar year.

There are approximately 3 cremator manufacturers in the UK and with an estimate that 25% of crematoria will need to replace cremators. This report, and its timing is to ensure that Oldham has the full 3 years remaining (2024 to 2026) to replace the cremators in. Due to the shortage of suppliers; the number of crematoria needing replacement cremators, and the time needed to deliver the replacements (6-12 months), if the Council waits to procure the replacements, it may not be able to secure the replacements until after 1st January 2027. Should this be the case, the Council would have restrictions on the number of

cremations that could be carried out and would receive reduced income from the Cremations service until replacement cremators could be installed.

2 Current Position

- 2.1 The Yorkshire Purchasing Organisation (YPO) has in place a suitable framework that supports various crematorium services and works, including installation and maintenance of equipment.

It is proposed that a mini competition will be issued under this framework to suppliers on the framework ("This information is contained within Part B of this report") who are well known in the industry. Following the submission deadline, a full evaluation will take place of the tenders and a moderation meeting to identify the bidder which offers both value for money and quality.

3 Options/Alternatives

- 3.1 Option 1 – Do nothing. The risk in not replacing the cremators could result in reputational damage to the Council through delays or refusal of cremations due to malfunction, loss of income, through residents being forced to use facilities outside the borough, and potential additional costs of cremators needing major repair. There is also the risk of legal action should emissions exceed standards.

Option 2 – To allow for delegated approval to procure the replacement cremators through the YPO framework and increase the capital allocation for the replacement cremators ("This information is contained within Part B of this report")

4 Preferred Option

- 4.1 The preferred option is Option 2

5 Consultation

- 5.1 None

6 Financial Implications

- 6.1 The estimated cost to replace the three cremators and install abatement equipment is expected to be in the region of This information is contained within Part B of this report'.

- 6.2 The project will be funded as detailed below, should tenders be received at the upper cost estimate:

(This information is contained within Part B of this report')

- 6.3 The additional budget requirement, of up to "This information is contained within Part B of this report', will need to be met from Prudential Borrowing. The additional annual revenue impact of financing, ("This information is contained within Part B of this report") of Prudential Borrowing will need to be met from the income generated by the Crematorium over the life of the cremators, assuming the full ("This information is contained within Part B of this report'). These additional charges can be financed from within the existing service budget as charges in relation to current mercury emissions will cease once the new cremators come into operation.

-
- 6.4 Given the expected change in regulatory requirements, replacement of cremators before they become fully life-expired will prevent potential loss of income to the service if the existing cremators are retained past 1st January 2027, due to the limits on usage of the cremators resulting from the revised legislation.

John Edisbury Accountant

7 Legal Implications

- 7.1 None.

Alan Evans Group Solicitor

8 Equality Impact, including implications for Children and Young People?

- 8.1 None required as this is just replacing existing infrastructure - Jonathan Downs Corporate Policy lead.

9 Key Decision

- 9.1 Yes.

10 Key Decision Reference

- 10.1 NEI-08-24

11 Background Papers

- 11.1 None.

12 Appendices

- 12.1 None.

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