



**MINUTES OF THE MEETING OF THE
POLICY AND PERFORMANCE REVIEW COMMITTEE**

**TUESDAY 25 MARCH 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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Committee Members Present:

Councillor D Berry (Convener)
Councillor J Caldwell
Councillor J Goodfellow
Councillor P MacKenzie
Councillor J Williamson
Councillor J Gillies

Council Officials Present:

Ms M Patterson, Depute Chief Executive - Partnerships and Community Services
Mr A McCrorie, Depute Chief Executive - Resources and People Services
Mr R Montgomery, Head of Infrastructure
Mr M Leys, Head of Adult Wellbeing
Mr T Shearer, Head of Communities and Partnerships
Mrs K MacNeill, Service Manager - Licensing, Administration & Democratic Services
Mr I Dalgleish, Service Manager - Transport
Mr P Vestri, Service Manager- Corporate Policy and Improvement
Mr A Strickland, Policy Officer
Ms J Mackay, Media Manager

Clerk:

Mrs F Stewart

Apologies:

Councillor P McLennan
Councillor F McAllister

Declarations of Interest:

None

1. MINUTE OF PPRC MEETING ON 28 JANUARY 2014

The Minute of the PPRC meeting on 28 January 2014 was agreed to be a true record of the meeting.

2. ELECTRIC VEHICLE VALUATION

The Depute Chief Executive, Partnerships and Community Services, had submitted a report to provide the Committee with an opportunity to assess the use of electric vehicles within East Lothian Council.

Ian Dalgleish, Transport Service Manager, presented the report. He advised that the Council had leased three Nissan Leaf cars and had purchased one Ford Azure Connect van between May 2011 and March 2012. Leasing the Nissan Leaf electric vehicles would have had an annual leasing cost of £15,431 due to the relatively high capital cost of the vehicles, compared to a total lease cost of £8036 per annum for three Ford Focus cars. Transport Scotland had provided the funds to cover the difference in cost. The Ford Azure Connect was purchased at a cost of £39,005 and Transport Scotland had funded the additional £28,437 compared to the cost of a Ford Connect van. Comparison tables in the report showed that the cost of charging the electric vehicles was much less expensive than the equivalent diesel fuel cost for these fleet vehicles.

Mr Dalgleish advised that these pool cars were used by Councillors, Council Officers and the Mailroom staff.

In response to questions from Members, Mr Dalgleish advised that the Council paid a reduced price for electricity after 8pm and costs would be further reduced if timers could be fitted to the charging units and this was currently being investigated. He also advised that the Council did not pay maintenance charges for the vehicles.

Councillor MacKenzie, aware that prices of computers had fallen dramatically in recent years, enquired if the cost of electric vehicles was expected to fall. Mr Dalgleish replied that he did not anticipate a significant reduction in cost in the foreseeable future.

Councillor Goodfellow noted the low mileage on the Nissan Leaf cars. As the cost of charging these vehicles was negligible, he enquired if staff could be encouraged to use the vehicles more often. Monica Patterson, Depute Chief Executive, stated that the use of the pool vehicles was increasing and work could be done to promote the use of these cars further.

The Chair regarded the report on this new technology useful. However, as the striking saving on fuel was offset by the higher capital cost of the vehicles, he probed for a quantitative way of evaluating how this information would shape the Council's future policy on fleet vehicles. Ray Montgomery, Head of Infrastructure, stated that the acquisition of the present electric vehicles had been a successful venture for the Council due to Scottish Government's financial contributions. However, he considered that electric vehicles were some way from being a viable way forward. Considerable cost reductions had been identified using the electric vehicles, but until the cost of the vehicles came down, the Council was unlikely to consider paying the full purchase price of them.

Decision

The PPRC agreed to note the content of this report.

3. PERFORMANCE REPORT, Q3 2013-14

The Depute Chief Executive, Partnerships and Community Services, had submitted a report to provide the Committee with information regarding the performance of Council Services during Quarter 3 (October to December) 2013/14.

Andrew Strickland, Policy Officer, presented the report. He stated that Members of the Committee had reviewed the performance of the Council at a briefing on 25 February 2014. Responses to two of the questions they had raised were included in the report. They related to the number of flytipping incidents and the number of patients delayed discharge for more than 4 weeks. Appendix A to the report showed the quarterly Key Performance Indicators that were below target.

Councillor MacKenzie pointed out that, since the present Administration had abolished charges for private uplifts, householders were being asked to wait up to 6 months for an uplift. In his view, flytipping had increased as a result. Mr Strickland replied that the annual trend had increased substantially when the charge for uplifts had been introduced and had declined over the past three years. Ray Montgomery, Head of Infrastructure, stated that the length of waiting time for an uplift varied according to demand and stated that more people were making the effort to go to the excellent recycling sites within the county.

Councillor Caldwell had seen evidence of commercial flytipping, having twice had to clear a road. He asked if the Council followed up any reports of commercial flytipping and Mr Montgomery replied that any companies identified doing so, would be pursued. Councillor Caldwell asked if there were figures on the number of companies using recycling sites and Mr Montgomery said he could source this information. Mr Shearer added that contact information of those identified flytipping had been passed to the Council's Anti Social Behaviour team for investigation. A number of other issues relating to flytipping were raised and the Chair proposed that all the issues raised could be addressed in the report on flytipping due to come before the Committee in June.

Councillor Williamson enquired what assistance was being given to those in rent arrears. Paolo Vestri, Service Manager, Corporate Policy and Improvement, advised that tenants were encouraged to apply for assistance from the Discretionary Housing Payment fund. The Council also employed Tenancy Support Officers. Mr Shearer advised that early intervention was also a key factor which it was hoped would help to reverse the trend on arrears. A Rent Arrears Group, comprising of senior management, had also been established.

The Chair requested a report later in the year outlining the results of the rent arrears initiatives.

Councillor MacKenzie emphasised the importance of physical and mental wellbeing for all residents and wished to encourage the use of the excellent leisure facilities in East Lothian. Mr Montgomery advised that membership of *Enjoy* had greatly increased and that was likely to lead to increased use of the facilities. Mrs Patterson added that leisure facilities were also key for the Aging Well and Older People's Strategy.

Decision

The Committee agreed to consider whether any aspect of the Council's performance was in need of improvement or further investigation.

4. CHILD AND ADULT PROTECTION REPORTING TO ELECTED MEMBERS, CHIEF EXECUTIVE AND BOARD OF DIRECTORS

The Chief Social Work Officer had submitted a report giving an overview of the statistical information for Child and Adult Protection for Quarter 2 and Quarter 3 (2013-14).

Murray Leys, Head of Adult Wellbeing, summarised the report. He advised that between January 2013 and January 2014 there had been a 30% reduction in the number of children on the child protection register (from 64 to 43) and that the majority of children on the register were aged under 4 and *in utero*. The main geographical spread of registrations remained in the Tranent, Prestonpans and Musselburgh areas.

Mr Leys advised that, at the end of Quarter 3, the number of cases being managed under Adult Protection was 46, reflecting a slight decrease in the long term trend from 2012/13. He added that, although the number of referrals had remained broadly in line with last year, referrals progressing to enquiry had decreased by 41% from 2012/13.

Councillor MacKenzie enquired if there were any Looked After and Accommodated Children (LAAC) on the Child Protection Register and Mr Leys replied that this was unlikely as providing accommodation for children was in itself a protective measure. Councillor MacKenzie was also concerned that 54% of the children on the Register were aged 0-4 years and *in utero*. Mr Leys replied that two good reasons for this were that risks to children were being removed earlier and those decisions were being made earlier. He also acknowledged that there needed to be a balance as parents had rights too.

Councillor MacKenzie was concerned at the number of suicides in East Lothian and stated that he would like the Police to be a more caring agency with a pastoral role. Mr Leys agreed that the Police had a significant role to play in pastoral care. The Council worked closely with the Police, the Scottish Government and partnership agencies and it was hoped that this joint approach would begin to reverse the trend in suicides.

The Chair requested some guidance on how certain statistics in the report should be interpreted and Mr Leys suggested that a meeting could be arranged for that purpose.

ACTION POINT: Murray Leys to arrange circulation of the Mental Health Briefing to Members.

Decision

The Committee agreed to note the contents of the report.

5. CUSTOMER COMPLAINTS AND FEEDBACK

The Depute Chief Executive, Partnerships and Community Services, had submitted a report on the use of the Council's complaints handling procedure for the following 6 month period; Quarter 2: 1 July 2013 to 30 September 2013 and Quarter 3: 1 October 2013 to 31 December 2013.

Sarah Bogunovic, Customer Feedback Manager, summarised the report, giving a breakdown of complaints and compliments received. She reported that, compared to last year, there had been a 23% decrease in the number of complaints for Quarter 2 (260) and a 20% increase in the number of complaints recorded for Quarter 3 (226). This pattern was the reverse of the same period last year and no single cause for this had been identified. Ms Bogunovic was pleased to advise that there had also been a significant rise in the proportion of complaints being dealt with at Stage 1 of the complaints procedure, meaning they had been dealt with directly at Service level. This followed on from progress last year and was in line with best practice. She was also pleased to report that the number of compliments received over this period had risen, with 50 received in Quarter 2 and 71 received in Quarter 3. The number of complaints recorded about staff attitude/conduct had dropped by 25% over the same period last year.

Ms Bogunovic also reported on a number of new initiatives by the Customer Feedback team. A complaint leaflet for children had recently been produced to help raise awareness of the complaints procedure and of a child's right to make a complaint about the services they receive. This leaflet was now in circulation. The team would next look at producing appropriate information for adults with learning difficulties. Also, from 1 April 2014 surveys would be sent out to gather people's experience of making a complaint to the Council so that customer views can be taken into account as part of the continuous improvement of the complaint handling service.

Councillor MacKenzie enquired how many complaints had been referred to the Scottish Public Services Ombudsman (SPSO) and Ms Bogunovic replied that none had. Councillor MacKenzie was also aware that parents might complain directly to a school and enquired if there was a form to record those complaints. Ms Bogunovic replied that, previously, the schools had had a different complaints model. Now, more complaints were coming through the central system and work was being done to ensure that all complaints were handled in the same way. There was also a mediation service available to school staff and pupils.

The Chair observed from the report that almost double the number of Stage 1 complaints had been received in Quarter 3 compared to Quarter 2. Ms Bogunovic advised that the majority of these complaints related to property maintenance, a rise that commonly occurs over the winter months when adverse weather can impede repair programmes. The Chair was aware that working practices in the property maintenance had been streamlined over recent years and was disappointed not to see a downward trend in those complaints. On a more positive note, Ms Bogunovic stated that the majority of complaints were resolved within 5 working days (Stage 1).

Decision

The Committee agreed to note the report.

6. ANNUAL WORK PROGRAMME 2014 UPDATE

The Chair referred to the reports listed for the meeting on 29 April and suggested that the Impact of Welfare Reform report might be postponed until the June meeting. Darrin Nightingale was also due to contact Councillor MacKenzie to confirm that the report on Literacy Levels in East Lothian schools would be coming to the June meeting.

Signed

Councillor David Berry
Convener of the Policy and Performance Review Committee

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 29 April 2014

BY: Depute Chief Executive - Partnerships and Community Services

SUBJECT: Review of Effectiveness of Council Investment in Police and Community Wardens

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1 PURPOSE

- 1.1 To report on the effectiveness of Council investment in Police and Community Wardens.

2 RECOMMENDATION

- 2.1 The Committee notes the report and provides guidance on whether additional information is required.

3 BACKGROUND

- 3.1 Antisocial Behaviour has the potential to negatively impact on any community, adversely affecting the quality of life of people who live in, work in, and visit East Lothian. It is recognised that no single agency can necessarily tackle antisocial behaviour in isolation. In March 2014 Cabinet approved the Anti-Social behaviour Strategy 2014-2016 which sets out how the Council and the Police Service of Scotland will seek to meet the aim of reducing the number of people experiencing antisocial behaviour.
- 3.2 'Communities experience less anti-social behaviour' is one of the contributory outcomes to the strategic outcome in the Single Outcome Agreement: 'East Lothian is an Even Safer Place'.
- 3.3 The recent local consultation undertaken by Police Scotland to inform the development of the East Lothian Local Policing Plan and Ward Policing Plans identified antisocial Behaviour identified as one of the top four priorities in all seven Council wards. The public consultation survey conducted by Police Scotland to inform its strategic priorities found that issues such as youths causing annoyance, drunken behaviour in public and littering/ fly tipping were identified as the areas people were most concerned about in east Lothian

- 3.4 Reducing antisocial behaviour is one of the seven priorities in the Local Policing Plan but as the Plan acknowledges this will require partnership working between the council funded Policing Teams and the Council's Community Wardens.
- 3.5 This report provides information on the Council's Community Wardens service, the Council Funded Police and the CCTV service provided by the Council, which is extensively used by the Police. It concludes with an analysis of trends in antisocial behaviour as one basis for assessing the effectiveness of Council investment in Police and Community Wardens.

Community Wardens

- 3.6 East Lothian Council's Community Warden service is part of the range of measures introduced by the Council to tackle antisocial behaviour issues across East Lothian, including the Antisocial Behaviour Team and the Council funded Police officers.
- 3.7 There are seven community wardens and a Community Warden Co-ordinator. The community wardens work flexibly on a three week shift pattern which includes night shift working as part of the Council's night time noise team. The team is now part of the Safer Communities team which includes the Antisocial Behaviour team.
- 3.8 It is too early to evaluate the impact of bringing together the Community Wardens and Antisocial Behaviour Team under the same operational management but the expected benefits include:
- Estate Management and Community Safety is inextricably linked with antisocial behaviour, graffiti, unkempt gardens, littering, vandalism, dog related complaints can all be deemed as being antisocial.
 - Dealing with antisocial noise emanating from residential premises is, by its very nature, linked to the major provisions of the Antisocial Behaviour Policy and Strategy.
 - Community Wardens can investigate lower level antisocial behaviour complaints in accordance with the Antisocial Behaviour Policy. This would expand the knowledge and skill base of Officers.
 - Foot Patrols by Community Wardens form part of the preventative arm of the Antisocial Behaviour Strategy.
 - The Antisocial Behaviour Team has strong formal links with the Local Area Teams. We investigate their more serious antisocial behaviour complaints. This established bridge would allow the Community Wardens to integrate themselves more easily in to Local Area Teams.

- Bringing the Community Wardens in to the Safer Communities line management structure, would enhance the relationship between the Police and the Community Wardens. It would make the tasking of Officers on a daily basis easier. The Anti Social Behaviour team has direct and up to date information obtained via Police systems. Community Wardens could respond quicker to ongoing issues.
 - Having the Community Wardens under the direct line management of the Safer Communities Team Leader, would make it easier for that Officer to have more control of the deployment of integrated resources.
 - The Community Wardens will continue to support the Council's Night Time Noise Team as part of their substantive duties.
- 3.9 The community wardens aim to provide a high quality, flexible and responsive service in relation to investigation of, dealing with and reporting on antisocial behaviour and related environmental protection matters to help promote a clean, safe and secure environment for the local community in East Lothian. Individual community wardens develop local knowledge and community liaison in relation to one of the Council's electoral ward areas, but operational deployment is across East Lothian as directed by the senior warden/ team manager.
- 3.10 Their duties are wide and varied and include high visibility patrols and community engagement, enforcement of dog fouling and littering legislation including issuing of fixed penalties, dealing with low level ASB complaints and working closely with Anti Social Behaviour team. They also undertake joint patrols with police, estate inspections with Housing. They also attend monthly Community Action Police Partnership (CAPP) meetings, Community Council Meetings, Tenants and Residents group etc as appropriate. Appendix 1 provides a summary of wardens' activity in 2013/2014.

Council Funded Police

- 3.11 The East Lothian Community Policing Team was set up in 2008 with a role to reduce anti social behaviour and to focus on the outcomes of the Single Outcome Agreement. Funding from the Council to Lothian and Borders Police and subsequently, Police Scotland for Policing teams has increased since the original agreement. The current Service level Agreement provides a total of £526,851 funding from the Council for:
- Twelve police officers (two sergeants and ten constables) forming the East Lothian Community Action Team, whose remit covers the whole of East Lothian, and the Musselburgh Group Area Initiative Teams covering the Musselburgh, Preston/ Seton/ Gosford and Fa'side wards
 - One Antisocial Behaviour Police Liaison Officer

- One Information and Statistics Officer
 - One Administrative Assistant
 - The provision of two vehicles to support the work of the East Lothian Community Action Team and the Antisocial Behaviour Police Liaison Officer.
- 3.12 The Service Level Agreement between the Council and Police Scotland which sets out the basis for the funding as well as the aims and objectives and roles and responsibilities of the council funded police officers is provided in Appendix 2. There are ongoing discussions between the Council and Police Scotland about the Service Level Agreement and funding for, and deployment of, the local policing teams.
- 3.13 Police Scotland presented a report on the Council funded police officers to the Safe and Vibrant Communities Partnership (10 Feb 2014) (see Appendix 3). This report provides information on the activities of the council funded police officers and summarises some of their achievements.

CCTV

- 3.14 East Lothian Council's Town Centre CCTV scheme is managed through the Council's Contact Centre at Penston House in Macmerry. There are currently just over 80 fixed and mobile cameras spread across seven town centres namely Musselburgh (inc Wallyford), Prestonpans, Tranent, Haddington, Port Seton, North Berwick and Dunbar. The images from all of these cameras are continuously monitored and recorded and approximately 600 incidents per annum are observed by the monitoring staff and reported to Police Scotland. Copies of any relevant images from these incidents and others are also made available to Police Scotland upon their request and as part of their investigations.
- 3.15 Police Officers visit the Contact Centre almost every single day and spend an average of 30 minutes per visit viewing and/or collecting images and are supported by Contact Centre staff during each visit. During major incidents, such as murder investigations, this time can increase dramatically not only in terms of Police presence but in terms of the support provided by the Contact Centre staff.
- 3.16 Funding for the CCTV scheme is provided solely by East Lothian Council. Police Scotland have never provided any financial assistance towards the operation of the CCTV scheme although they are essentially the sole user of the service. In 2013/14 the CCTV budget had a total net expenditure of £120,000 which covered all costs associated with the operational delivery of this service. In addition some £12,000 was also spent during 2013/14 on the maintenance of the CCTV system with both costs being met in full by ELC.

- 3.17 Furthermore, in terms of development of the facility, the Police have never made any financial contribution towards improvements either. For example, in 2006 ELC was successful in receiving £105,000 in funding from the then Scottish Executive to purchase and deploy mobile cameras in Musselburgh and Tranent. As part of this bid ELC agreed to provide match funding which amounted to approximately £213,000 over a three year period. In addition the costs to deploy a camera can be between £300 and £2,000 for each deployment and these are also met by ELC alone. Similarly, between 2009 and 2011, a project to expand CCTV coverage into three towns and upgrade the CCTV monitoring suite was undertaken. This cost approximately £478,000 and was once again funded by East Lothian Council.

Outcomes

- 3.18 A key measure of the effectiveness of the Council funded police officers and the Community Wardens service is the impact they are having on antisocial behaviour. As is shown in the Update 2014 section of the report on the Council Funded Police Officers (Appendix 3) *'Since the instigation of the Funded Officers antisocial behaviour and youth disorder has steadily and in some areas dramatically fallen.'*
- 3.19 Total Antisocial Behaviour complaints has fallen from 7,710 in 2008/09 to 7,188 in 2012/13 (the last full year for which the figure is available) and in each month, apart from one, from April 2013 – December 2013 the number of complaints was lower than the three year average for that month. The fall in youth disorder complaints was even more significant having fallen from 4,096 in 208/09 to 1,926 in 2012/13.
- 3.20 The number of reported incidences of antisocial behaviour and youth disorder complaints is only one measure of the effectiveness of Council funded police officers and the Community Warden service. The monthly Community and Police Partnership meetings and the recent consultation around policing priorities in each ward reflect wider community concerns, in particular, substance misuse, theft and road safety, including speeding and inconsiderate parking. Further analysis is required to review the impact of Council funded police officers and the Community Wardens service in these priority areas.

4 POLICY IMPLICATIONS

The Council funded police officers and Community Wardens service contribute to the Single Outcome Agreement Outcome: 'East Lothian is an Even Safer Place' and the contributory outcome: 'Communities experience less anti-social behaviour'.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and Equality Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - none
- 6.2 Personnel - none
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Appendix 1: Community Warden Statistics 01/04/13 – 31/03/14
- 7.2 Appendix 2: Service Level Agreement Between East Lothian Council and Police Service of Scotland
- 7.3 Appendix 3: Police Scotland - Funded Officers; Report to the Safe and Vibrant Communities Partnership, 10 February 2014
- 7.4 Antisocial Behaviour Strategy 2014-2016; Cabinet, 11 March 2014

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DATE	17 April 2014

Appendix 1: Community Warden Statistics 01/04/13 – 31/03/14

- Involved in investigating and resolving 189 individual cases of antisocial behaviour as allocated by the Safer Communities Team Leader. This involved the taking of Antisocial Behaviour Policy action against perpetrators, the making of referrals to external agencies and the provision of support to complainers.
- Investigating and resolving 65 dog barking complaints.
- Attending to 349 dog fouling complaints, including, requests for clean-up, proactive patrols, positive engagement with dog walkers, the erection of relevant signage and the taking of enforcement action against offenders when necessary.
- Carrying out 53 lunch time litter patrols.
- Attending to 597 night-time antisocial behaviour noise calls.
- Carrying out 156 foot patrols in areas identified as being antisocial behaviour “hot spots” by the weekly Tasking and Co-ordinating Group.
- Participating in three (antisocial behaviour related) Problem Solving Partnerships.
- Attending 134 Community Council/Tenants and Resident Association/CAPP meetings (all evenings).
- Assisting with the “policing” of the Open Championship and “Ladies Day” at Musselburgh Race Course.
- Organising 15 “Bikeability” programmes within local schools.
- Assisting with the council’s response to stray dogs.
- Assisting the dog warden in dealing with aggressive dog cases.
- Undertaking 99 individual classroom presentations within 17 schools across East Lothian on the work of the community warden team. (*To promote citizenship and cover dog fouling, littering, graffiti and antisocial behaviour.*)
- Arranging and assisting with four school litter picks.
- Assisting police with traffic management issues around a number of local primary schools.
- Reporting abandoned vehicles (12 reported during relevant period).
- Participating in a number of diversionary programmes across East Lothian.

Appendix 2:

**SERVICE LEVEL AGREEMENT
BETWEEN
EAST LoTHIAN COUNCIL
AND
POLICE SERVICE OF SCOTLAND**

1 Lead Partners

- 1.1 East Lothian Council (ELC) and Police Service of Scotland (PSoS).

2. Context of Working Agreement

- 2.1 Antisocial behaviour (ASB) has the potential to negatively impact on any community, adversely affecting the quality of life of people who live in, work in, and visit East Lothian. It is recognised that no single agency can necessarily manage this in isolation.
- 2.2 This agreement sets out the terms and conditions by which ELC will provide funding for police officers and police staff whose primary role is to tackle antisocial behaviour.
- 2.3 The funding currently provides for an East Lothian Community Policing Teams, whose remit covers all of East Lothian, a Musselburgh Group Area Community Policing Team; these teams cover their respective local ward areas in Musselburgh; Preston/Seton/Gosford and Fa'side (see appendix A for summary of roles and responsibilities). One additional constable for each of the ELCPT and the MGACPT will be provided for by PSoS.
- 2.4 The funding also provides for ASB officers (the Antisocial Behaviour Police Liaison Officer, an Information and Statistics Officer and an ASB Administrative Assistant), all of whom are located within the Safer Communities Team (SCT). They play a pivotal role in researching ASB, supporting ELC in the pursuit of Antisocial Behaviour Orders, evictions and other interventions provided for under East Lothian Antisocial Behaviour Partnership's Antisocial Behaviour Policy.
- 2.5 The methodology of ELCPT, MGACPT and the ASB officers supports the aims and objectives of the East Lothian Antisocial Behaviour Strategy which focuses on prevention, early intervention, disruption and enforcement.
- 2.6 The activities of ELCPT, MGACPT and the ASB officers contribute to the short, medium and long-term priorities set out in East Lothian's Single Outcome Agreement (SOA).

3. Aims & Objectives

- 3.1 The aim of ELCPT, MGACPT and the ASB officers is to impact positively on life quality within the communities of East Lothian, concentrating on preventing antisocial behaviour and crime.
- 3.2 The aim of ELCPT, MGACPT and the ASB officers is to, through a partnership approach; provide sustainable long-term solutions to the

diverse range of antisocial behaviour and quality of life issues that affect those living in, working in, or visiting East Lothian.

- 3.3 Objectives include providing an enforcement and proactive capability to areas identified by intelligence analysis as being in need of additional attention. This will be a flexible, but intensive response involving the deployment of resources to the aforesaid areas.
- 3.4 ELCPT, MGACPT and the ASB officers will consider all avenues of engagement, problem solving and disposal methods, and may utilise a variety of tools, including early intervention and diversionary activities, to deal effectively with the early signs of antisocial behaviour. ELCPT, MGACPT and the ASB Officers form part of the wider SCT. Community Beat Officers (CBOs) have a separate but complementary role to play in tackling antisocial behaviour. CBOs are not directly funded by ELC.

4. Resources

- 4.1 Officers funded by ELC consist of:
- Twelve police officers (two sergeants and ten constables) forming part of ELCPT, MGACPT
 - One Antisocial Behaviour Police Liaison Officer (at the rank of constable)
 - One Information and Statistics Officer (grade 4)
 - One Administrative Assistant (grade 3)
- 4.2 The recruitment, selection and appointment of the funded officers within ELCPT, MGACPT and the ASB officers will be the primary responsibility of PSoS, who will have the final say with regard to the identification of any preferred candidate, although the Safer Communities Team Leader (ELC) will participate in the recruitment and selection of the two sergeants within ELCPT and the ASB Officers. Line management responsibility for all funded officers shall rest with PSoS.
- 4.3 Officers from ELCPT and MGACPT will be located in police accommodation and no routine additional charges will arise from this arrangement. PSS will absorb any associated costs (e.g. utilities, stationary etc.), however, ELCPT officers will be required to co-locate with the SCT should ELC be in a position to make available suitable accommodation. Such accommodation will be provided free of charge.
- 4.4 ELC funds the provision of two vehicles to support the work of ELCPT and the ASB Officer. The routine running costs associated with both vehicles are absorbed by ELC.

4.5 PSoS will invoice ELC on a quarterly basis for both staffing and ancillary (transport) costs. These invoices will be submitted by the tenth day of the month following upon the end of each quarter.

4.7 The annual agreed funding (from 1st April 2013 to 31st March 2014) is as follows:

ELCPT	£211,293.00
MGACPT	£222,500.00
Antisocial Behaviour Police Liaison Officer	£41,950.00
Information and Statistics Officer	£21,028.00
ASB Administrative Assistant	£23,080.00
Vehicles costs	<u>£7,000.00</u>
Total	<u>£526,851.00</u>

4.8 Any queries regarding the funding or invoicing arrangements should, in the first instance, be addressed to the Divisional Business Manager, Lothians and Scottish Borders Division, Police Service of Scotland, or Kenneth Black, Safer Communities Team Leader, East Lothian Council.

5. Deployment

5.1 Deployment of ELCPT and MGACPT resources will be made using an intelligence-led approach via the weekly multi-agency Community Safety Tasking and Co-ordinating Group (TACG). Tasks issued by the TACG shall be prioritised by funded officers. All requests for assistance from ELCPT and MGACPT from ELC staff shall be made via the TACG or through the Safer Communities Team Leader.

5.2 On a daily basis, the work of the ELCPT and MGACPT will be supervised by the respective team sergeants.

5.3 Officers from ELCPT and MGACPT may also be deployed on intelligence-led police operations, e.g. drug enquiries.

5.4 Officers from ELCPT and MGACPT will be deployed through a shift system designed to accommodate times when antisocial behaviour is most prevalent.

5.5 The Safer Communities Team Leader will meet with the Local Authority Liaison Officer (PSoS) on a three monthly basis in order to formally review this agreement.

6. Accountability

6.1 ELCPT, MGACPT and ASB officers will be accountable to the Local Police Commander and East Lothian Council's Head of Housing and Environment as represented by the Safer Communities Team Leader.

- 6.3 Unless there are “*exceptional circumstances*”, ELCPT, MGACPT and the ASB officers will not be abstracted from their core role. They will not be routinely utilised in any other capacity. The term “*exceptional circumstances*” will be defined by the local Police Commander.
- 6.4 Officers from within ELCPT, MGACPT and the ASB officers will ultimately remain under the direction of the Chief Constable of PSoS.

7. **Performance**

- 7.1 Performance information relating to ELCPT, MGACPT and the ASB Officers will be collated by PSS on a monthly basis and be submitted for scrutiny to ELC. The performance criteria will be determined by the Safer Communities Team Leader and the Local Authority Liaison Officer and will be subject to continuous review.

8. **Length of Agreement and Exit Strategy**

- 8.1 This agreement will last for a period of twelve months from 1st April 2013. It will supersede any existing agreement in relation to any officers of PSoS funded by ELC.
- 8.2 Recognising the staffing commitment, PSS will require a minimum of six months notice in writing to terminate the funding of ELCPT, MGACPT and the ASB officers.

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Signed.....Date:

() on behalf of Police Service of Scotland

Signed: Date:

() on behalf of East Lothian Council

Appendix

Funded Officers – Summary of Roles and Responsibilities

ELCPT, MGACPT

The teams will:

1. Focus on achieving the outcomes set by the East Lothian Community Planning Partnership to ensure that the outcomes of the SOA are achieved.
2. Develop and maintain links with local housing officers, tenants and residents associations, voluntary groups and organisations to ensure an effective flow of community intelligence between partners.
3. Undertake tasks as directed by the divisional tasking process (PSoS) and also through the multi-agency TACG process.
4. Engage in the intelligence-led targeting of antisocial behaviour activity and any other behaviour that has a significant negative community impact, both in high profile and covert capacities.
5. Undertake joint work with partners and participate in intelligence-led proactive policing in accordance with the principles of the community planning model, to enhance the quality of life for local tenants and residents and reduce antisocial behaviour, with a focus on repeat victims, offenders and locations.
6. Undertake intelligence-led joint patrolling with ELC partners in accordance with agreed protocols.
7. Patrol in a highly visible manner to provide public reassurance in identified areas with particular attention being given to ELC housing stock and premises.
8. Ensure effective liaison with other agencies in respect of Acceptable Behaviour Agreements and Anti Social Behaviour Orders.
9. Assist in the policing of local community events and provide effective operational coverage during such events.
10. Enforce East Lothian byelaws in respect of drinking alcohol in public places.
11. Act in accordance with existing information sharing protocols with ELC and work to develop new protocols as required.
12. Contribute to the delivery of the Police Scotland Divisional Diversity Action Plan objectives.
13. Develop and deliver local initiatives in line with Divisional and Force priorities.

ASB Police Liaison Officer

The officer will review all antisocial behaviour related crimes and incidents over the preceding 24 hours and identify at an early stage which partners require to be alerted/involved.

In addition, he/she will actively promote, and implement, antisocial behaviour antisocial behaviour legislation and policy. He/she will be co-located with the SCT. The officer will assist with enquiries generated from ELC staff and partners. He/she will carry out joint visits with ELC staff. He will attend all

relevant meetings. The officer will ensure that the Divisional Management Team (PSS) is kept apprised of all aspects of antisocial behaviour. The officer will facilitate and encourage communication between the police and partner agencies, enhance relationships and improve understanding of the requirements and aspirations of all parties with regard to antisocial behaviour.

Information and Statistics Officer

The Information and Statistics Officer will research and collate a wide range of data taken from across the partnership with a focus on antisocial behaviour, public protection, alcohol and young People. The officer will provide reports, which can be used in briefings by police and partnership staff to assist with resource deployment.

ASB Administration Assistant

This officer will provide administrative support to the Safer Communities Team.

Appendix 3: Police Scotland - Funded Officers Report ; Report to the Safe and Vibrant Communities Partnership, 10th February 2014

Introduction

The East Lothian Community Policing Team was set up in 2008 with a role to reduce anti-social behaviour and to focus on the outcomes of the Single Outcome Agreement. The Musselburgh Area Community Policing Teams were set up in 2011 with a similar localised remit. Throughout their existence antisocial behaviour and in particular youth disorder has reduced in East Lothian. The process works in partnership with the ASB Team, Community Officers and the Community Wardens.

Statement of Purpose

East Lothian Council and Police Scotland (formerly Lothian & Borders Police) are committed to working in partnership to build an East Lothian where everyone has the opportunity to lead a fulfilling life and which contributes to a fair and sustainable future for Scotland and the wider world.

Role and Remit

Police Scotland maintains the Funded Teams. The Funded Teams form part of the extended East Lothian Community Policing Team.

The principal role of the Funded Teams is to develop and maintain a proactive approach to tackling and reducing anti-social behaviour and other quality of life issues in the communities of East Lothian.

In pursuance of these objectives the Funded Teams, under the direct supervision of two dedicated police sergeants focus on the following activities:

1. Work towards achieving the outcomes set by the East Lothian Partnership to ensure that
 - Communities experience less anti-social behaviour
 - People experience less hate crime
 - People experience less domestic violence at home and elsewhere
 - Fewer people re-offend
 - There are fewer collisions, casualties and deaths on our roads

2. Develop and maintain links with local housing officers, tenants and residents associations, voluntary groups and organisations to ensure an effective flow of community intelligence between partners.
3. Undertake tasks as directed by the Divisional tasking process and also through the ASB TAC process with specific operational deployment being determined by Police Scotland
4. Intelligence-led targeting of anti-social behaviour activity and any other behaviour having a significant negative community impact, both in high profile and covert capacities.
5. Undertake joint work with partners and participate in intelligence-led proactive policing in accordance with the principles of the community planning model, to enhance the quality of life for local tenants and residents and reduce anti-social behaviour, with a focus on repeat victims, offenders and locations.
6. Undertake intelligence-led joint patrolling with ELC partners in accordance with agreed protocols.
7. Patrol in a highly visible manner to provide public reassurance in identified areas with particular attention being given to ELC housing stock and premises.
8. Ensure effective liaison with other agencies in respect of Acceptable Behaviour Agreements and Anti Social Behaviour Orders.
9. Assist in the policing of local community events and provide effective operational coverage following such events.
10. Enforce East Lothian byelaws in respect of drinking alcohol in public.
11. Act in accordance with existing information sharing protocols with ELC and work to develop new protocols as required.
12. Develop and deliver local initiatives in line with Divisional and Force priorities.

Deployment/Tasking

Weekly tasking comes from the ASB TAC meeting, which is a multi agency meeting comprising of ASB Team, Housing Dept., Funded Teams, Community Policing Teams, Community Learning and Development, Fire Service and Community Wardens. All potential hotspots are discussed as well as individuals subject to or being investigated for an ASBO.

The funded officers also undertake daily tasking relating to priorities relevant to Local Police and multi-member ward plans, and the managing threat, risk and harm to the communities of East Lothian.

Training

Police Scotland ensure that all officers receive relevant training to ensure they are effective in their role and make the best use of available technology and equipment. This includes Surveillance, Methods of entry, Prolaser Speed Gun and Presumptive Drug Testing. They also provide accommodation at various police stations and several vehicles.

Update 2014

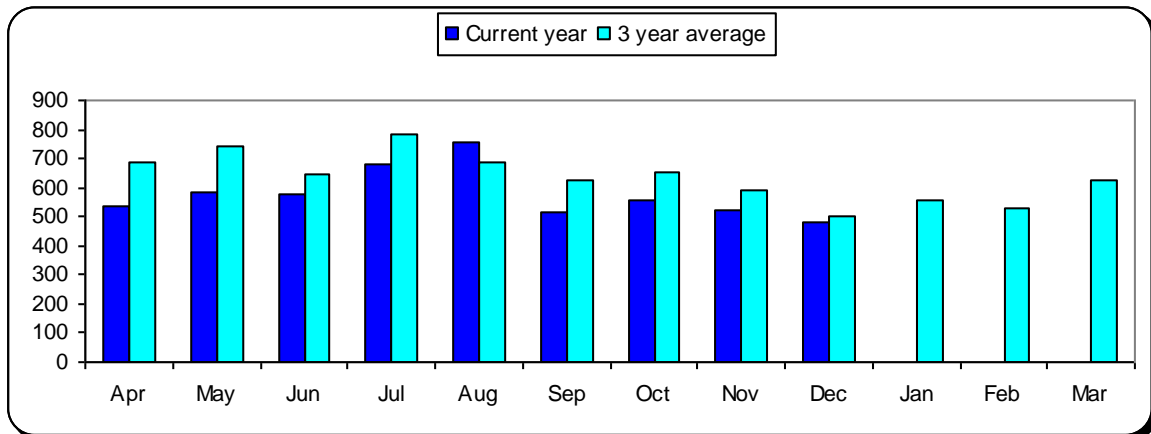
Antisocial behaviour

Since the instigation of the Funded Officers antisocial behaviour and youth disorder has steadily and in some areas dramatically fallen. The following tables show the levels of ASB complaints and Youth complaints in East Lothian from 2008 to 2014 and the current year against a 3-year average.

ASB Complaints

	2008/9	2009/10	2010/11	2011/12	2012-13
Total	7710	7985	7621	8066	7188

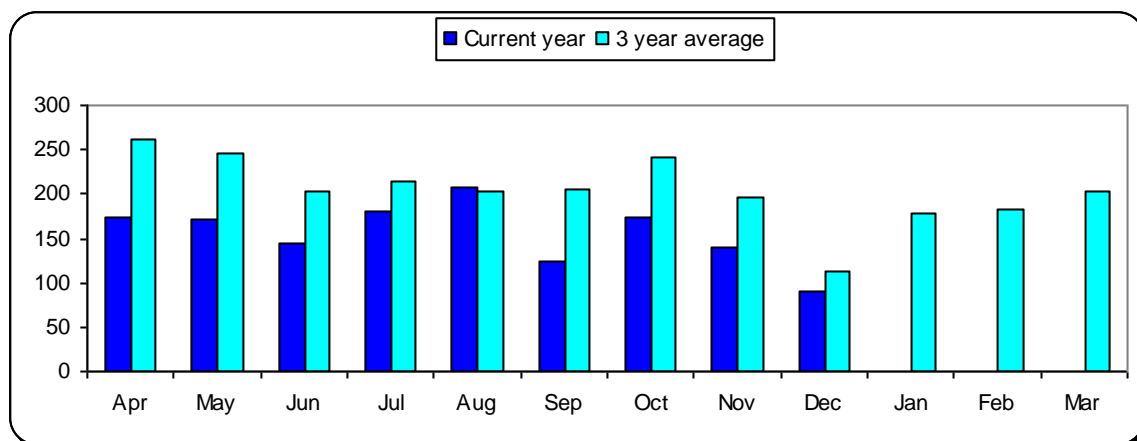
ASB Complaints East Lothian 2013/14



Youth Complaints

	2008/9	2009/10	2010/11	2011/12	2012/2013
Total	4096	3781	2783	2628	1926

Youth Complaints East Lothian 2013/14



Drugs

The Funded Teams have been highly effective in battling the drug supply in East Lothian. As an example a snapshot of some of the Funded Team success is illustrated by a monthly breakdown of 2012/2013 listed below: -

January - £1200 cash and cannabis from car stop in Musselburgh.

February - cannabis cultivation worth £11 000 in a house in Prestonpans.

March - £25 000 cash and large quantity of drugs from house in Stoneybank, Musselburgh.

April – Street search man found with £1600 worth of heroin and cash

May – Cannabis cultivation found in a house in Musselburgh

June - £1000 seized from known drug dealer in Haddington

July – Three men reported for serious assault in Haddington after a known drug dealer was slashed to the face.

August – Drugs recovered from house in Prestonpans

September – Cannabis and £4775 seized from houses in East Linton and Dunbar

October – Cannabis cultivation found in house in Cockenzie

November – Cannabis cultivation found in house in Humbie

December – Man found in possession of 100+ Diamorphine tablets and heroin by plain-clothes patrol in Haddington.

January 2013 – Operation Ergot recovery of large amount of cannabis and amphetamine from houses on Prestonpans and Musselburgh.

February – Cannabis cultivation found in flat in Dunbar

March – Made from Crime Action Days recovered a large quantity of drugs from houses over East Lothian

April – Female reported for inhaling hairspray in public toilets in Musselburgh

May – Cannabis cultivation found in Prestonpans. Large amount of heroin found in house in Musselburgh

June – Man arrested in Tranent for being unfit to drive due to drugs

July – Street search recovered cannabis from man in Prestonpans

August – Street search in Wallyford recovered 14 wraps of heroin concealed in man's mouth.

September – Two drugs warrants executed in Musselburgh and drugs recovered

October – Large cannabis cultivation found at Fenton Barns.

November – Cannabis cultivation found in Musselburgh

December – Street search in Musselburgh led to £1500 worth of cocaine and £7000 cash being seized

Joint patrols and visits

The Funded Teams have been effective in carrying out joint patrols not only with Community Wardens but also with the Dog Warden and other agencies.

Joint visits along with the Gangmasters Licensing Authority have been carried out on companies with a high proportion of migrant workers, which gained intelligence and also disseminated information in the form of leaflets.

Joint visits have been carried out with the Department of Work & Pensions to building sites and window cleaning firms to identify benefit fraudsters. DWP estimate that it has identified £210 830.51 total benefit fraud in East Lothian in 2012/13 as a result of similar initiatives. Similarly joint visits have been carried out to houses of multiple occupancy along with Environmental Officers.

Significant impact on Licensed Premises was achieved with the Funded Teams carrying out widespread swabbing of toilets for cocaine.

Visibility

The Funded Teams have been widely used for High Visibility foot patrols to reassure the public and to deter disorder. Targeted cycle patrols are also regularly used and are extremely well received by the public. The Funded Teams carry out a high proportion of licensed premises visits.

There was a great deal of joint work done with the management of First Bus and the Funded Teams have carried out high vis patrols on buses to reassure passengers and drivers and prevent disorder.

Achievements

The Funded Teams have achieved a great deal and it is impossible to list the total difference they have made to ensure the safety of the residents of East Lothian, however a short list of examples follows:

In 2011 the area around the Brunton Hall had a consistent issue with youths hanging about and causing Anti Social Behaviour. As a result it was designated a Problem Solving Package. Through the focussed work of many agencies including the Funded Officers and the co-ordination of the ASB Team TAC Process the Brunton Hall is no longer an area that causes any significant problems to the residents around or the employees within.

The Funded Teams played a significant part in the policing of the Olympic Torch Relay when it visited East Lothian in 2012.

Funded Teams played a significant role in the initial response to the murder that took place at Kopas Takeaway in Tranent.

Funded Teams fully dealt with a stabbing in MacMerry in 2012 resulting in a man being convicted.

Tranent Funded Team were then involved in capturing two thieves from the Council recycling yard. The culprits were seen by a member of staff who contacted the Police. The Team, who were in plain clothes, arrived first and noticed a vehicle leaving the scene. They instructed the marked vehicle behind to stop the vehicle in case the occupants were involved. CCTV at the yard confirmed both males had been stealing items from within the yard. Both were reported.

On Friday 14th June 2013 the Musselburgh Funded Team took part in policing the ever popular and very busy Ladies day at Musselburgh racecourse. 7500 people attended the event this year and as the weather remained dry a good time was had by all, except for one male who upon being ejected by security for being too drunk decided to keep trying different gates to regain entry. The officers were called to the main gate where the male would not take no for an answer and attempted to go for the officers. He was duly arrested and held in custody to be released when sober.

Operation Milford ran from the 27th and 28th of July 2013, which placed a significant emphasis on the detection of offensive weapons and any other criminal activities. As such, the Funded Teams placed themselves at the entrances to local licensed premises in order to search persons were appropriate as well as patrolling, both on foot and in vehicle, the known local hot spots for all potential crimes and anti social behaviour.

A sharp-eyed Funded Officer in Prestonpans spotted a local habitual domestic abuser heading towards his ex partners address. The officers turned around and saw the male breaching his bail conditions by approaching the victim. He was arrested and reported for this offence.

Played a large part in the policing of the Open Golf 2013 in Gullane.

Funded Teams were involved in two scenes of disorder in Tranent in August 2013. Firstly the violent arrest of two brothers arguing over the groom's choice of best man. One head butted the groom. This developed into a large fight. The groom then proceeded to head butt the rear window of a Police car, smashing the glass. Both brothers were arrested.

On 10th August 2013 the Funded Teams attended a disturbance in High Street; Tranent after a fight was observed on CCTV. As a result, two males were arrested for police assault and vandalism. Both males were held in police custody to appear at Haddington Sheriff Court.

During September 2013 Funded Teams took part in "Operation Caraway", a national initiative targeting scrap metal theft. Officers from the team worked with

staff from VOSA, Roads Policing and Special Constables to set up road checks. Numerous vehicles were stopped and examined, resulting in a variety of offences being identified. This contributed to the general efforts to keep the roads safer, which also resulted in numerous offenders being reported or issued with fixed penalty tickets.

Funded Teams assisted Divisional CID with the execution of a stolen property search warrant in the Galt's area of Musselburgh where almost £100,000 worth of NHS dental equipment was recovered.

Several prolific housebreakers have been the recipients of ASBOs in East Lothian by the ASB Team and the Funded Teams have been at the forefront of investigating reports and arresting for breaching their ASBOs.

From 1st – 13th December 2013, Funded Teams were seconded to Operation Blueprint targeting the increase in acquisitive crime in the Musselburgh area since August 2013. Numerous arrests have been made regarding various thefts from sheds, garages, thefts of motorcycles and golf buggies all in the Musselburgh area and the total solvency for the 6 week operation to 62 crimes solved out of 116 reported since 01/08/2013.

Funded Teams were involved in the rescue of a girl from the Forth on Hogmanay 2013 where one officer swam out in the pitch black and freezing water to locate her and bring her back to safety. He is being nominated for a meritorious conduct award.

Conclusion

In conclusion, the Funded Teams have played a significant part in reducing antisocial behaviour and youth disorder in East Lothian. They have consistently had an effect on drug supply and violence as well as road safety and other quality of life issues experienced by residents and visitors to the county.

The joined up approach to these issues is the envy of many other Local Authorities and is currently being set up in several, as a result of the successful model being shared, nationally. It is important that in the face of so many changes to the structures and processes of Local Authorities and emergency services that this approach provides a degree of consistency in the service of the people of East Lothian

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 29 April 2014

BY: Depute Chief Executive - Partnerships and Community Services

SUBJECT: Winter Service 2013 – 2014

3

1 PURPOSE

- 1.1 To advise PPRC of the Winter Service carried out by Road Services on behalf of East Lothian Council for the season 2013 – 2014.

2 RECOMMENDATIONS

- 2.1 PPRC is asked to note the contents of this report.

3 BACKGROUND

- 3.1 The Council's Infrastructure Section is responsible for providing the winter maintenance service on adopted roads throughout East Lothian. In Scotland the statutory responsibilities are defined by Section 34 of The Roads (Scotland) Act 1984 which requires that "A Roads Authority shall take such steps as it considers reasonable to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads". It is the Council's aim to provide an effective and efficient winter maintenance service within the resources available that will allow the safe movement of pedestrian and vehicular traffic appropriate to the prevailing weather condition.
- 3.2 East Lothian has 11 main gritting routes which are covered by large goods vehicles (LGV) and 4 town/villages routes covered by 7.5 tonne lorries. Footways and footpaths are treated by 10 mini-tractors when the weather dictates that gritting should be carried out.
- 3.3 Accurate weather prediction and information systems are the foundation for effective winter service delivery and East Lothian Council makes full use of weather forecast information from its current supplier. Road Services has access to meteorological forecasts and 6 road warning sensors strategically located at points in the Council area in accordance with the results of thermal surveys of main routes. The Met Office (MO)

provides the meteorological forecasts. The road sensor information is managed and administered by Viasala Services Ltd.

- 3.4 The sensors give various information relating to actual road conditions such as:
- Road condition, i.e., wet, dry, frost or snow
 - Residual salt levels
 - Road surface temperature
 - Air temperature
- 3.5 The locations of the stations within East Lothian are:
- Bara
 - Haddington
 - Oldhamstocks
 - Gladsmuir
 - Dirleton
 - Pencaitland
- 3.6 Road Services Weather Emergency facility is based at our Macmerry depot. This facility has access to computer terminals which analyse data at all of the sensors within East Lothian and also some sensors in adjoining Councils to identify weather trends and aid forecasting procedures. The information received from the stations is transmitted to the MO and Vaisala Services to be used in conjunction with other meteorological data collected separately to predict the weather conditions throughout the area.
- 3.7 Each day throughout our winter maintenance period the MO prepare and transfer, via the web, a 24 hour written forecast at 1200 hours and 2200 hours. This written forecast covers the following 24 hour period and is issued based on the traffic light colour system; green, amber or red. The definitions are:
- | | | |
|-------|---|--------------------------------------|
| Green | - | no snow or ice expected. |
| Amber | - | risk of snow or ice. |
| Red | - | snow, ice or drifting snow expected. |
- 3.8 The forecast will include a description of the forecast weather conditions, forecast minimum road surface temperature, times between which the road surface temperature and air temperature will be at or below zero degree Celsius, comments on weather conditions and weather hazards likely to affect road conditions, and start and end times of precipitation. Updates and/or amended forecasts will be issued as required. This will be done via the Internet, fax and phone call to the duty officer.

- 3.9 The quality of treatment decisions is the key factor in determining both the effectiveness of the winter service and also how it is perceived by users and the community. Priority routes are planned on the basis that completion of the route will not exceed 2 hours, although this can be extended in severe weather conditions.
- 3.10 Treatment of East Lothian Council's Network is carried out with the following hierarchy as approved by the Council:-

Carriageway Priorities

Priority	Type	Description/Comment
1	Primary Routes	Trunk Roads important principal roads and bus routes - to hospitals, ambulance depots, fire stations and local danger spots (e.g. very steep hills)
2	Secondary Routes	All other classified routes.
3	Tertiary Routes	Crossroads and connecting roads, access into industrial and residential areas
4	Minor Routes:	Residential areas, unclassified roads and cul-de- sacs

Footway Priorities

Priority	Type	Description/Comment
1	Urban Shopping Areas and Precincts	Footways in town centres and pedestrian Precincts
2	Other Areas of High Pedestrian Concentration	Routes to health clinics, hospitals, homes for the elderly and schools.
3	Main Routes to Residential Areas	Also steep hills in housing developments
4	Less used Urban Footways	

- 3.11 Under the Quality Assurance ISO 9001:2000 operated by Road Services, comprehensive and accurate records are kept of all the winter service activities, including timing and nature of all decisions, the information on which they were based and the nature and timing of all treatment.

- 3.12 Improvements/efficiencies have been put in place in recent years including the installation of a weigh bridge to assist with the management and stock stake of salt usage. A new salt barn at the Macmerry depot was constructed in 2012 increasing our salt stock capacity from 2500 tonnes to 9000 tonnes. Automatic data logging improving the accuracy of records and the ability to retrieve data has also been developed.
- 3.13 The Met Office has carried out a provisional assessment of the winter period of 2013-2014 across England, Wales and Scotland comparing the 1981 to 2010 averages. Winter 2013-2014 was an exceptionally stormy season with at least 12 major winter storms affecting the UK in two spells from mid-December to early January and again from late January to mid February. When considered overall, this was the stormiest period of weather experienced by the UK for at least 20 years. There were two severe weather events involving strong winds, storm surge and high tides affecting East Lothian in early December 2013 and early January 2014. However the impact on East Lothian was minimal in comparison to other locations in Scotland and England.
- 3.14 The persistent heavy rainfall through the season resulted in this being the wettest winter in the UK. There was major flooding with the Somerset Levels remaining underwater for much of the season and flooding also affected large sections of the River Thames. High winds combined with high tides and tidal surges to cause dangerous conditions and considerable damage to many coastal areas, particularly in the south west of England and Wales. The westerly and unsettled weather meant that conditions were mild, with snowfalls largely confined to the Scottish mountains and fewer air frosts for the UK than for any other winter in a series from 1961.
- 3.15 Mean temperatures were well above the long-term average with a mean winter temperature of 5.2 °c which is 1.5 °c above the average and the fifth highest in the series. There was a notable absence of frosts, and the lowest UK temperature of the winter, -7.7 °c at Altnaharra, Sutherland on 17th February was the highest such winter value for at least 50 years.
- 3.16 An assessment of the winter period of 2013-2014 from site specific temperatures forecast received from the Met Office for roads in East Lothian are as follows

Minimum road temperature between 0°c and -1°c = **35**

Minimum road temperature between -1°c and -10°c = **31**

Giving a total of 66 minimum road temperature forecasts between 0°c and -10°c

3.17 This in turn resulted in 62 morning patrols and 36 evening pre-grits being carried out to ensure the roads remained free of ice . A total of 3270 tonnes of salt was used on the network. This compares to 6127 tonnes during the same period last year and 3500 during 2011/2012. Total salt usage throughout Scotland by all local authorities and trunk road operating companies up to 26 March 2014 is 326,328 tonnes. This compares with salt usage during the same period last winter of 637,000 tonnes and salt usage of 642,340 tonnes in the winter of 2010/11 which was one of the most severe in years.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not directly applicable to the well being of equalities groups and Equality Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial – the expenditure for our Winter Service for 2013-2104 is contained within the identified budgetary provision in the Road Network budget.

6.2 Personnel – The service is provided by staff within ELC with the majority from Road Services and a number of LGV drivers from our colleagues within Amenity Services.

6.3 Other - None

7 BACKGROUND PAPERS

7.1 None

AUTHOR'S NAME	Alan Stubbs
DESIGNATION	Service Manager- Roads
CONTACT INFO	Ext 7630
DATE	24 April 2014

REPORT TO: Policy and Performance Review Committee
MEETING DATE: 29 April 2013
BY: Depute Chief Executive - Resources and People Services
SUBJECT: Audit Scotland Housing Benefit and Council Tax Benefit Risk Assessment Report

4

1 PURPOSE

- 1.1 To advise PPRC Members about progress being made in respect of the Benefits Service's action plans submitted in response to Audit Scotland Housing Benefits and Council Tax Benefit Risk Assessment Report.

2 RECOMMENDATIONS

- 2.1 That the PPRC note and consider the progress made by the Benefit Service in respect of the action plans.

3 BACKGROUND

- 3.1 Under statutory duties relating to Best Value and Community Planning Audit Scotland have responsibility for conducting a Housing Benefit/Council Tax Benefit, (HB/CTB) risk assessment programme. During a rolling programme of engagement the assessment takes account of the performance of HB/CTB administrations across all 32 Scottish Local Authorities and identifies 'risks to achieving continuous improvement within the service'.
- 3.2 Whilst the HB/CTB risk assessment does not represent a full audit of the Benefits Service it serves to determine the extent that the Council's Benefits Service is meeting its obligations to achieve continuous improvement in all its activities and provides some assurance for the Secretary of State for Social Security in respect of HB/CTB administration.
- 3.3 Following an initial risk assessment report carried out on East Lothian Council's Benefits Service in April 2009 which identified a number of risks to continuous improvement. The Council subsequently submitted an action plan to address the identified risks.

- 3.4 Following a second risk assessment carried out in December 2012 Audit Scotland produced its latest report in March 2013 which identified 15 risks which they carried forward from the initial report. In addition to these the March 2013 report identified a further 12 potential risks to continuous improvement of which 6 were linked to those previously identified.
- 3.5 In response to the later Risk Assessment Report the Council produced 2 further action plans in order to track the management of the identified risks. These action plans were accepted by Audit Scotland and since May 2013 have been factored in to the Benefits Service's plans for striving to achieve continuous improvement.
- 3.6 The March 2013 Audit Scotland report and the Benefits Service action plans were previously considered by members of the Policy and Performance Review Committee at the PPRC meeting on 24 September 2013. At this meeting the Service Manager and Ms Anne Cairns of Audit Scotland presented the risk assessment report along with the progress to-date made by the Benefits Service.
- 3.7 In addition to identifying risks to achieving continuous improvement the Audit Scotland report also noted some of the major changes that had taken place in the East Lothian Benefits HB/CTB administration and highlighted a number of areas where the Council had made a positive contribution to the delivery of the Service. The report also highlighted the significant impact which Welfare Reform was expected to have on local authorities and the services they provide. In addition it acknowledged the actions that the Council had taken to prepare for the welfare changes.
- 3.8 During the meeting on 24 September 2013 the PPRC agreed to note the content of the Audit Scotland Risk Assessment Report and the Benefit Unit's Action Plans. At this time the Chair of the PPRC also requested that an updated report to be brought back to PPRC in March or April 2014.
- 3.9 In submitting this further report to PPRC the Service Manager has included updated copies of the Benefit Service's action plans which show the progress made as at 17 April 2014. Taken together these reports show that the Service has completed a further 14 out of 16 actions which were outstanding in September 2013 leaving 2 actions which as at 17 April 2014 were beyond their agreed date but yet to be completed.
- 3.10 Of the 2 outstanding actions one relates to a need for the Benefits Service to carry out a customer consultation survey to inform the service's thinking in regards to the level and type of service needed by its service users. The second relates to the impact of Welfare Reform on Benefit processing performance and has been carried forward as an ongoing risk due to 'New Claims' processing performance for 2013/14 falling approximately 2 days short of target.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 East Lothian Council Audit of Housing and Council Tax Report, (dated March 2013)

7.2 ELC Progress against previous HB/CTB Risk Assessment Action Plan, (as @ 17 April 2014)

7.3 ELC HB/CTB Risk Assessment Action Plan, (as @ 17 April 2014)

AUTHOR'S NAME	John Cunningham
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DATE	17 April 2014

East Lothian Council

Audit of housing and council tax benefit

Risk assessment report



Prepared for East Lothian Council
March 2013

Audit Scotland is a statutory body set up in April 2000 under the Public Finance and Accountability (Scotland) Act 2000. It provides services to the Auditor General for Scotland and the Accounts Commission. Together they ensure that the Scottish Government and public sector bodies in Scotland are held to account for the proper, efficient and effective use of public funds.

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Introduction

1. This risk assessment was completed as part of Audit Scotland's housing benefit/council tax benefit (HB/CTB) risk assessment programme. It does not represent a full audit of East Lothian Council's benefits service.
2. The Local Government in Scotland Act 2003 introduced new statutory duties relating to Best Value and Community Planning. The key objective of the risk assessment is to determine the extent to which the benefits service is meeting its obligations to achieve continuous improvement in all its activities.
3. Specifically, the risk assessment considers the effectiveness of the benefits service in meeting the needs of the community and its customers, and delivering outcomes.
4. Information for this risk assessment was gathered from a range of sources including:
 - the self-assessment, supporting evidence, and updated action plan provided by the council
 - Department for Work and Pensions (DWP) indicators and other performance measures
 - scrutiny of internal and external audit reports
 - discussions with the appointed external auditor
 - discussions with senior officers in the council during our site visit in February 2013.

Executive summary

5. A risk assessment was previously carried out on East Lothian Council's benefits service in March 2009 when Audit Scotland identified 15 risks to continuous improvement. These were reported to the Chief Executive in April 2009 and the council submitted an action plan in May 2009 to address these risks which Audit Scotland accepted as satisfactory, if fully implemented.
6. Since our previous visit in 2009, there have been significant changes within the benefits unit. In 2011, a review was carried out which resulted in processing tasks being split between the two main benefit processing teams, with the private sector team taking on responsibility for processing CTB claims for owner-occupiers, and the public sector team taking on the responsibility for overseeing the Haddington revenues reception customer service duties and the scanning and indexing of benefits mail.
7. In late 2011, the fraud team lost the services of its part-time administration officer and an experienced fraud investigator who had recently been dismissed on the grounds of capability. In addition, during 2012, the benefits unit lost three experienced benefits processors and, although approval has been granted to recruit replacement staff, at the time of our site visit in February 2013 only one of these officers had been replaced. However, a further round of

recruitment was about to commence, and the council had also agreed to provide the benefits unit with two additional benefits officers under Scottish Welfare funding.

8. Since our previous visit, the council has successfully completed two major IT projects with the introduction of a new benefits IT system in December 2009, and an electronic document and records management system (EDRMS) in October 2012. In August 2012, the benefits unit adopted a risk-based verification approach to processing new claims which has helped maintain claims processing performance during a difficult period when the unit has been under-resourced.
9. In December 2012, the council submitted a current self-assessment along with supporting evidence, and an updated action plan. Of the 15 risks identified, the council has made some progress:
 - 3 actions fully completed
 - 7 actions on-going
 - 5 actions outstanding.

Appendix A covers this in detail.

10. In completing, or partially completing, 10 of these risks, the council has made a positive contribution to the delivery of the benefits service. In particular, by:
 - continuing to deliver a good level of performance in 2012/13 in processing new claims at an average of 23 days, and maintaining an excellent level of performance in processing changes of circumstances at an average of six days
 - regularly reporting progress against the key aims and targets within the *Benefits Unit Plan 2012/13* to the Senior Management Team (SMT) and Council Management Team (CMT)
 - carrying out a customer satisfaction survey in March 2012, and receiving positive feedback on the quality of the service it provides
 - having a documented approach to carrying out daily post payment accuracy checks, and carrying out a calculation check on all cases where a payment is in excess of £1000
 - successfully implementing a new benefits IT system, and using this system to facilitate the recovery of benefits overpayments from ongoing deductions in respect of council tenants which had not been previously possible
 - utilising local IT systems to help facilitate the recovery of benefits overpayments, and routinely monitoring the recovery of administrative penalties
 - having 100% of cases that were referred for consideration of a prosecution accepted by the Procurator Fiscal, and being a top performer in respect of the number of joint sanctions carried out with the DWP's Fraud Investigation Service (FIS) in 2011/12.
11. Although the council demonstrates awareness of what constitutes an effective, efficient and secure benefits service, there are five risks outstanding and seven risks where action is ongoing from our previous risk assessment. In order to ensure continuous improvement, the council needs to address these risks, and the new risks identified. These include:

- setting targets and formally reporting performance against all aspects of the benefits service to senior management and members
- re-commencing the Capita management checks that ceased in June 2012 to provide the council with assurance that benefit payments are accurate, safeguarded, and that the risk of fraud and error entering the system is reduced
- reviewing the benefits overpayment recovery process with a view to introducing more detailed analysis of the outcomes to help identify trends and patterns that could help develop and improve the service
- reconciling the £394,000 of outstanding overpayments that are unaccounted for on the council's reported data
- having sanctions decisions made by a senior officer not involved in the investigation process to ensure that sanctions are administered in compliance with guidance, and that customers are treated fairly and equitably.

Welfare Reform

12. In November 2010, the UK Government published a White Paper Universal Credit: welfare that works which set out proposals for reforming the welfare system for people of working age. The Welfare Reform Act received Royal Assent on 8 March 2012 and aims to simplify the benefits system. A range of working-age benefits, including housing benefit, will be brought together into a single streamlined payment of universal credit (UC) administered by DWP. The first applications for UC will be made in October 2013.
13. DWP sent a letter to each local authority Chief Executive in March 2012 entitled Planning for Welfare Reform from April 2013 which sets out key elements of the welfare reform. These include councils:
 - providing face to face support for those customers who will need help to access the on-line universal credit system
 - applying, in appropriate cases, a household benefit cap from April 2013
 - applying a social sector size criteria where there will be a reduction in the applicable maximum rent when a property is deemed to be under occupied
 - overseeing an increased discretionary housing payment budget in light of the planned changes.
14. This is the biggest change to the welfare system for over 60 years and will have a significant impact on local authorities and the services they provide. Effective planning is essential to meet the challenge of this large scale change. Factors that councils need to take into account include:
 - the cessation of new claims for housing benefit from October 2013 followed by a phased transfer of all housing benefit claims to UC by 2017

- the implementation of the Scottish Council Tax Reduction Scheme, and the administration of the Scottish Welfare Fund from April 2013
 - the likely increased liaison and face to face contact with customers and stakeholders in light of the many changes welfare reform will bring
 - the Single Fraud Investigation Service (SFIS) which will see local authority fraud staff operating under SFIS policies
 - the payment for housing support under UC being paid to the customer and not directly to the landlord.
15. Since the government's emergency budget of 2010, the council has been very proactive in its efforts to ensure that it is prepared for the changes arising from the implementation of the welfare reform agenda. This has included presenting a series of detailed reports to full Council, Cabinet members and members of the Audit and Governance Committee which outlined the impact that the welfare reform changes would have on the council, its customers, and the local economy.
16. In addition, the council has carried out a number of other initiatives to ensure that it communicates the welfare reform changes to its key external stakeholders and the wider community. This included:
- holding a welfare reform stakeholder event which was attended by over 120 people, including representatives from the Citizens Advice Bureau, local housing associations, the DWP, and local tenants groups.
 - interrogating the benefits IT system to identify customers that will be affected by the changes in respect of under-occupancy, and carrying out visits to those customers to provide advice and guidance on the options available to them
 - utilising local press and media, and making excellent use of the council website and the internet to communicate the welfare reform changes to its customers.
17. The council has also established a Welfare Reform Changes Group chaired by the Corporate Policy and Improvement Manager, and consisting of officers from across a number of council services, for example, revenues and benefits, welfare rights, corporate communications, education, and customer services. This group meets regularly and has a remit to identify cross cutting issues and present options for changes to CMT and members. In addition, four sub-groups have been established and tasked with looking at specific work streams as follows:
- Information and communication
 - Data sharing
 - Training
 - Service migration.
18. At the time of our site visit, the group had developed a draft Welfare Reform Strategy based on the Improvement Service's 'Local Authority Preparatory Checklist' and we were told that once this strategy is approved, it will form the basis of an action plan to drive the required service changes.

Risk to continuous improvement	
1	The use of benefits unit staff to work on the implementation of the welfare reform agenda, or any slippage in the council's Welfare Reform action plan targets, could have a detrimental effect on claims processing performance.

Business planning

19. An effective business plan provides an opportunity for the council to set out the aims and objectives for each service and should contain key deliverables against which performance can be measured, monitored and reported.
20. The benefits unit is responsible for providing an HB/CTB service to the residents of East Lothian. As part of this service the unit also undertakes fraud investigations and pursues the recovery of benefits overpayments. It also works closely with key internal stakeholders to meet a shared objective of providing and sustaining affordable housing within the council area.
21. The council has a formal business planning process which commences in February and concludes in June each year. We were told that individual service business plans follow a corporate template, and that there is limited scope to produce a business plan outside the structure of the template.
22. The *Benefits Unit Plan 2012/13* sets out the key priorities and challenges for the unit and details its two key performance indicators which are to maintain or improve new claims and changes of circumstances processing performance. The key priorities include:
 - the introduction of risk-based verification for new claims
 - maintaining or improving new claims and changes of circumstances performance
 - preparing for the changes arising from welfare reform, and for the introduction of universal credit.
23. There are clear links between the *Benefits Unit Plan 2012/13* and the council's other key strategic documents, most notably the *Single Outcome Agreement* (SOA) which has two outcomes that link directly to the work of the benefits unit. These are:
 - fewer people experience poverty in East Lothian (SOA6)
 - in East Lothian people in housing need to have access to an appropriate type, tenure and standard of housing and are prevented from becoming homeless (SOA10).
24. Audit Scotland identified two risks to continuous improvement during the previous risk assessment in that:
 - although the business plan details the key activities to be carried out in order to achieve targets, there is no audit trail to demonstrate the systematic monitoring of progress throughout the year

- pre-implementation planning for the new IT system will be included in the *Benefits Unit Plan 2009/10*. However given the size of the task, more detailed planning is required breaking down the critical activities that must be carried out prior to the key milestone dates in the current IT implementation project plan.
25. We consider that both of these risks have been addressed, as the new benefits IT system has been successfully implemented, and the Benefits Manager regularly reports progress against the *Benefits Unit Plan 2012/13* at the monthly CMT and quarterly SMT meetings.

Risk to continuous improvement

2	Although it is acknowledged that the council has a business plan for the benefits unit, there are only two targets that relate to the work of the unit. In addition, there is no counter-fraud business plan setting out the aims, objectives, targets, monitoring and reporting arrangements for the work of the fraud team. We therefore consider that there is limited assurance that the benefits unit is being actively monitored against all aspects of its work and that, when appropriate, performance is being challenged by senior management and members.
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Performance reporting

26. The regular reporting of performance to senior management and members is an essential component of service delivery and provides senior managers and members an opportunity to:
- challenge an under-performing service
 - recognise and give credit to the service when performance meets or exceeds expectations
 - gain assurance that a service is operating effectively, efficiently and economically.
27. The council uses an online corporate performance management system to record the performance of the benefits unit. This system is populated directly with performance information from the DWP's monthly single housing benefit extract taken from the benefits IT system, and we were told that it is available to view by staff in the Policy and Performance Unit, senior management, and members.
28. Although the performance management system holds detailed benefits performance information, it is mainly used by the Benefits Manager to monitor new claims and changes of circumstances performance, which are the two key indicators in the *Benefits Unit Business Plan 2012/13*. We were told that new claims and changes of circumstances performance is regularly reported to staff at team meetings, and formally reported monthly to CMT and quarterly to SMT.
29. Despite the council having the facility to set targets for all aspects of its work, and a mechanism to record, monitor and report against these targets, the lack of a suite of

performance indicators means that there is limited information available for senior management or members to which to challenge the service.

30. We were told that in the last twelve months the Policy Performance and Review Committee, which provides the framework for members to monitor and challenge council services, has challenged the Benefits Manager on the council's cost per case, and on the priority for recovering rent arrears against benefits overpayments. However, members have not challenged the benefits unit in respect of the percentage of in-year overpayments recovered, or the accuracy of claims, despite performance in both areas being below local targets since 2010/11.
31. Audit Scotland identified one risk to continuous improvement during the previous risk assessment in that performance targets had not been set, and performance had not been monitored within the benefits unit for appeals, reconsiderations, overpayments recovery and intervention activity.
32. We consider that this risk is ongoing as, although the council has some targets in place for the recovery of overpayments, these are not being routinely monitored or reported to senior management and members, and there are no formal targets for other areas of the business.

Risk to continuous improvement	
3	As there is limited reporting of the benefits unit's performance, senior management and members are not provided with regular opportunities to challenge performance that does not meet local targets.

Meeting the needs of the user and the community

33. Encouraging benefit take-up, providing customers with easy access to skilled and knowledgeable staff, taking account of the needs of the local community, and managing customers' expectations when things go wrong are essential components of an effective and efficient benefits service.
34. The council aims to provide the best possible service to its customers as set out in its *Customer Care Charter* which outlines its commitment to meeting this aim, and to delivering continuous improvement in service delivery. The charter also details the council's customer service performance targets. These include:
 - answering telephone calls within seven rings
 - resolving written enquiries within 20 days
 - acknowledging written and email correspondence within 20 days.

35. There is good access to the benefits unit at the council's main offices in Haddington, and customers can submit an application for HB/CTB at any of the council's area offices and local libraries. Customer service staff at area offices have been trained to provide customers with general benefits advice and guidance, and a weekly benefits surgery is held at the Musselburgh area office which is attended by benefits unit staff.
36. The council website provides customers with quick access to comprehensive benefits information, including an electronic HB/CTB application form that can be downloaded for offline completion, and an online benefit calculator which can be used to determine the amount of benefit a customer could be entitled to before submitting an application.
37. The council told us that it has good working relationships with its key internal and external stakeholders. This includes:
 - holding quarterly meetings with its main housing associations
 - participating in the housing-led private landlord forums
 - attending six-monthly meetings with the Dundee Pensions Service
 - working closely with revenues and community housing to ensure council tenants receive their benefit.
38. In March 2012, the benefits unit conducted a customer survey by sending a questionnaire to 820 customers. Of these approximately 280 questionnaires (34%) were returned and subsequent analysis provided the benefits unit with positive feedback on its customer service provision. For example:
 - 85% of respondents rated the benefits unit administration as good or very good
 - 88% of respondents were satisfied, or very satisfied, at how quickly and fairly the benefits unit handled their claim or enquiry
 - 84% of respondents agreed or strongly agreed that benefits unit staff were knowledgeable and able to answer their query.
39. Audit Scotland identified two risks to continuous improvement during the previous risk assessment in that:
 - the benefits unit's performance against corporate customer service standards was not being monitored
 - there were no routine consultations with customers and the wider community on the level and type of service they need.
40. Although it is acknowledged that the benefits unit has engaged with its customers, the survey questions were focused on the general experience of the customer in dealing with the service. In order to get more meaningful feedback on the quality of service provided, the council should consider conducting a benefits-specific customer survey.
41. We were told that there is limited telephony data available to monitor the benefits unit's performance in answering calls within seven rings. In addition, although there is an automated process for acknowledging e-mail enquiries, as a consequence of the volume and

complexity of mail handled by the benefits unit, it does not have sufficient resources to monitor performance against the key correspondence performance indicators. We therefore consider that action to address these risks is ongoing.

Risks to continuous improvement	
4	The council has not met the target to respond to 100% of complaints within 20 days since 2010/11, and was unable to provide data for 2012/13 due to a problem with the customer relationship management system.
5	Although the council has good relations with key external stakeholders, it has not been in regular contact with its local benefits delivery centre at Bathgate. This has led to a breakdown in communication and delays when requesting information in respect of DWP clerical claims which could have a detrimental affect on claims processing times.

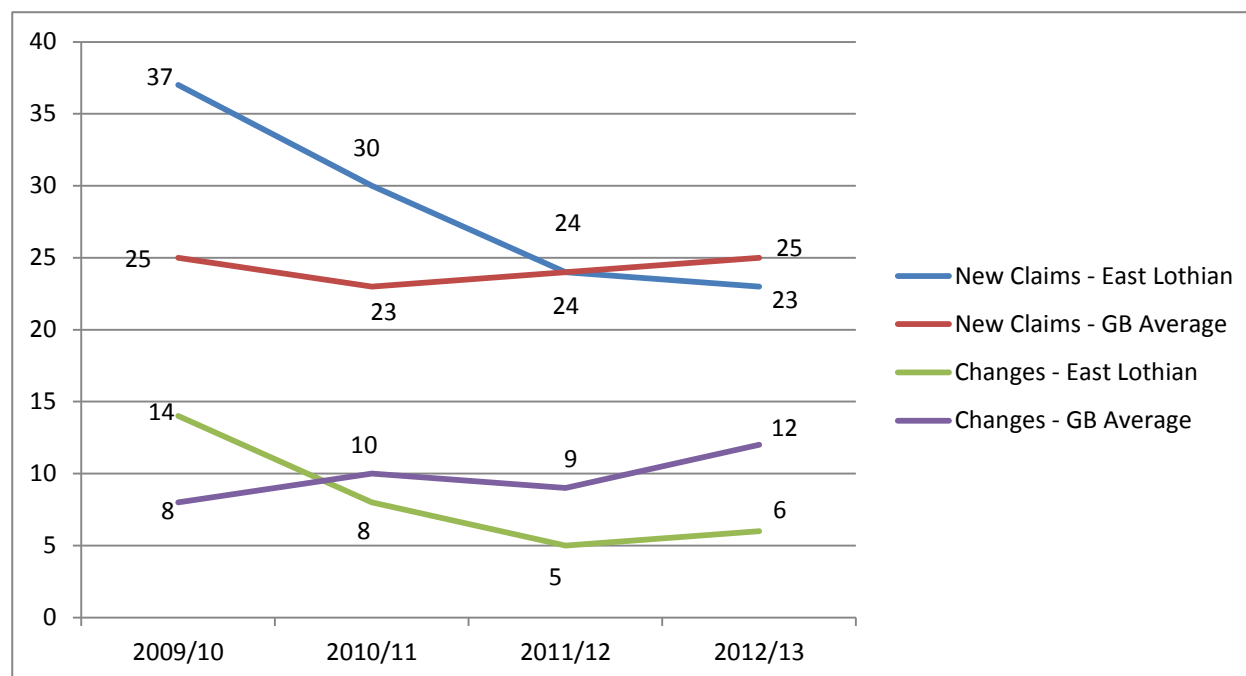
Delivering outcomes

42. Effective operational processes and IT systems, along with skilled staff help benefit services deliver sound performance and continuous improvement.

Speed of processing

43. When customers claim benefits, it is a time of financial uncertainty for them and, as such, it is essential that the service has sufficient fully trained and effective benefit processors in place that can make informed decisions on complex benefit claims and pay benefits promptly.
44. In 2009/10, the council processed new claims and changes of circumstances in an average of 37 days and 14 days respectively. In 2010/11, challenging targets were set for processing new claims and changes of circumstances in an average of 26 days and eight days respectively. While the council did not meet its new claims target, it delivered continuous improvement by processing new claims in an average of 30 days and changes of circumstances in an average of eight days.
45. In 2011/12 the council continued to deliver continuous improvement by processing new claims in an average of 24 days and changes of circumstances in an average of five days. Based on the DWP's published figures for 2011/12, this level of performance placed the council 16th out of 32 Scottish councils for new claims, and 3rd for changes of circumstances.
46. In 2012/13 the council has continued to deliver a good level of performance in the time to process new claims at an average of 23 days, and has maintained an excellent performance in the time taken to process change of circumstances at an average of six days, at 31 December 2012.

47. Exhibit 1 illustrates the council's current and historic performance. We have compared the council's most recent performance at 31 December 2012, against the Great Britain averages at 30 September 2012, which is the most recently published DWP data available.



Source: DWP and East Lothian Council

48. Although the improvement in the time taken to process new claims could be attributable to the implementation in August 2012 of a risk-based verification approach to gathering evidence, it is nonetheless commendable in the current economic climate, and during a period when the benefits unit lost three experienced processors, that the council has continued to deliver a good level of performance.

Accuracy

49. The accurate and secure administration of HB/CTB should be a key priority for every council, and to support this it should have a robust quality assurance framework in place.
50. The council has a clear management checking process in place which consists of a pre-payment calculation check where a payment is in excess of £1,000, and a daily Capita post payment accuracy of eight cases randomly selected from a benefits IT system report.
51. The daily Capita post payment checks are carried out by senior officers within the benefits unit and are full case checks which are documented on a comprehensive management check sheet on the benefits IT system which provides a clear audit trail of action taken. Where errors are found the claim is passed back to the processor for corrective action and once completed, the benefits training and development officer carries out a 10% check of these cases to ensure that the correct action has been taken.

52. The benefits training and development officer carries out additional management checks as part of the benefits unit's management checking regime. These include:
- a 5% check of non-automated ATLAS decisions to establish the quality and accuracy of the changes actioned
 - a 100% check of the work new staff, and staff who are under-performing. We were also told that this check is also carried out in respect of the work of high-performing staff to provide assurance over the quality of the work being carried out.
53. Although the outcomes from the Capita post payment checks are recorded on an electronic spreadsheet, only limited information is recorded, for example, whether the error has resulted in a financial or non-financial change to the claim.
54. Exhibit 2 below details the council's reported post payment accuracy performance.

Exhibit 2: Reported post-payment accuracy performance		
Year	Target	Achieved
2010/11	97%	96%
2011/12	97%	95%
2012/13 (31 Dec)	97%	96%

Source: East Lothian Council

55. When we analysed the council's post-payment accuracy data provided as part of the evidence to support its self-assessment, we were unable to reconcile it against the information reported on the performance matrix completed by the council as part of the self-assessment process. Exhibit 3 below details the council's post-payment accuracy performance based on Audit Scotland's analysis.

Exhibit 3: Post-payment accuracy performance (Audit Scotland)		
Year	Target	Achieved
2010/11	97%	92%
2011/12	97%	90%
2012/13 (31 Dec)	97%	88%

Source: East Lothian Council & Audit Scotland

56. We consider that the reason for this anomaly is that the council had included the results of its high-value payment accuracy checks, which are carried out before the payment is made, as part of its reported post-payment accuracy performance.
57. Audit Scotland identified two risks to continuous improvement during the previous risk assessment in that:

- the council has no documented policy or guidance covering pre-notification checks and, as a result, the sample population and the method of selection are unclear. As an example in the quarter ending December 2008, 348 cases were selected for checking but only 197 had actually been checked. It is unclear what happened to the remaining 151 cases. While the number checked exceeded the quarterly target, the methodology gives limited assurance that the quality checking regime is effective and secure
- the majority of checks are carried out after benefit notifications and indeed payments have been issued. Consequently the council's ability to prevent fraud and error entering the system, and reduce the numbers and amounts of any resultant overpayments is decreased.

58. As the council now has a documented procedure for its Capita post-payment checks, we consider that this risk has been addressed. However, although the majority of accuracy checks continue to be carried out post-payment, we accept that there is an element of pre-payment checking being carried out in respect of payments in excess of £1,000 and therefore we consider that work to address this risk remains ongoing.

Risks to continuous improvement

6	Due to the limitations of the benefits IT system, the council is unable to carry out any pre-payment accuracy checks. In addition, there has been no Capita post-payment checks carried out since June 2012, and therefore there is an increased risk of fraud and error entering the system unchecked.
7	At the time of the on-site visit Audit Scotland was unable to reconcile the accuracy performance reported on the Audit Scotland performance matrix with the accuracy information provided by the council in support of its self-assessment.
8	Although outcomes from management checks are recorded on a spreadsheet, it is not to the level of detail that could help the council identify trends, patterns and areas for learning and development of the service.

Interventions

59. To minimise error in the caseload, councils must encourage customers to report changes of circumstances on time and have a robust intervention programme to identify changes and take appropriate corrective action.
60. The benefits unit's notification letters advise customers of the requirement to report any change in circumstances, and the council website contains detailed information and examples of the types of changes of circumstances that should be reported, including a facility for customers to download a changes of circumstances form.
61. Although the council told us that, as a consequence of losing three benefits processors in 2012, it had reduced its proactive intervention activity to focus on ensuring that claims processing times were maintained, some proactive interventions work has been carried out.

62. During the period April 2012 to December 2012, the council carried out 132 proactive interventions either by visit, telephone, or by post. In addition, the council told us that it reviews self-employed cases on a six monthly basis to help identify any un-reported changes of circumstances.
63. However, we were told that the outcomes from interventions activity are not fully recorded, and therefore there is limited information which could help the council determine the effectiveness of its approach, or identify areas for learning and development of the service.
64. Audit Scotland identified one risk to continuous improvement during the previous risk assessment in that the council did not have effective processes in place to routinely gather and analyse information on the effectiveness of its risk criteria to ensure its activity is efficiently targeted.
65. The council's recently introduced risk-based verification approach for new claims has provided an opportunity to identify high-risk claims for further scrutiny. While we acknowledge that this approach helps the council to focus its activity on these high-risk cases, we consider that work to address this risk remains ongoing as there is insufficient information on the outcomes of its activity to ensure that it is effective.

Overpayments

66. To protect public funds, councils should take appropriate steps to ensure that overpayments are minimised and, when they do occur, they are correctly classified and rigorously recovered.
67. The *HB/CTB Overpayments Recovery Policy* details the council's aim to ensure that customers that have been overpaid are treated fairly, while maintaining its responsibility to the local taxpayer. The policy also sets out the council's approach to the management of overpayments and provides guidance to staff on:
 - whether an overpayment is recoverable
 - who the overpayment should be recovered from
 - methods of recovery
 - recovery rates.
68. During our previous visit in 2009, the council was unable to recover overpayments from ongoing benefit in respect of council tenants as the legacy IT systems did not support this functionality. However, the council implemented a new benefits IT system in December 2009, and since then, this option has been available to, and fully utilised by the benefits unit.
69. We were told that benefits processors are responsible for ensuring that overpayments are recovered by ongoing deductions where appropriate and, where a customer is no longer in receipt of benefit, that a dedicated overpayments recovery officer is responsible for monitoring invoices that have been issued. To help facilitate the recovery of overpayments, the overpayments officer utilises the DWP's Customer Information System and other commercial IT systems to trace customers who are no longer claiming benefit in the local authority area.

70. Additionally, at the time of the on-site visit, the benefits unit had recently entered into an arrangement with the council's external debt recovery partner to seek recovery of old benefits debt on its behalf, and planned to setup a small claims court process to provide further options to recover outstanding overpayments.
71. Exhibit 4 illustrates the council's reported current and historic performance.

Exhibit 4: Overpayment levels and recovery performance				
Performance measure	2009/10	2010/11	2011/12	2012/13 (31 Dec)
Value of overpayments carried forward	£1,333,000	£1,467,448	£1,979,404	£1,772,398
HB debt raised in-year	£598,229	£945,322	£666,939	£523,192
Total debt	£1,931,229	£2,412,770	£2,646,343	£2,295,590
HB debt recovered in-year	£301,998	£344,733	£340,536	£356,649
% recovered of total HB debt	16%	14%	12%	16%
% recovered of in-year debt	50%	36%	51%	68%

Source: East Lothian Council

72. When we scrutinised the performance information the council provided to Audit Scotland as part of its self-assessment, we were unable to reconcile the figures. Based on Audit Scotland's analysis, the value of overpayments outstanding at the beginning of 2012/13 council was £2,166,719 and not the reported £1,772,398. This represents a difference of £393,881.
73. Audit Scotland identified four risks to continuous improvement during the previous risk assessment in that:
- there is no audit trail detailing the number of overpayment decisions checked or the number and type of errors found
 - there is no routine analysis of overpayments raised to identify any necessary changes or additions to processes, procedures or training that could improve accuracy and minimise official and claimant error overpayments
 - the council reports that the service it receives from DWP's Debt Management has declined since the office providing the service for East Lothian Council has changed. The council needs to invoke the escalation procedures within the Service Level Agreement to ensure it is receiving an effective level of service.

- despite a commitment in its Overpayment Policy, the council does not routinely monitor the recovery of fraud overpayments and administrative penalties to ensure they are rigorously recovered and that benefit fraud is deterred.

74. As we were told that the overpayments officer monitors the recovery of administrative penalties, we consider that the risk to monitor the recovery of fraud overpayments and administrative penalties has been met in part, and is therefore ongoing. However, we consider that the remaining three risks are outstanding.

Risks to continuous improvement	
9	At the time of our site visit, the overpayments data provided to Audit Scotland as part of the council's self assessment submission was inaccurate. Based on our analysis, there is approximately £394,000 of additional debt that is unaccounted for.
10	The council has not met its in-year overpayments recovery targets since 2008/09. In addition, fraud overpayments and administrative penalties are not prioritised for recovery.
11	Due to the limitation of the council's debt recovery system there is only limited analysis of overpayments data.

Appeals and Reconsiderations

75. Customers who disagree with the council's decision on the manner in which their benefit application is processed have a right to request the claim to be reconsidered, and to appeal against the decision.
76. The council told us that reconsiderations received by the benefits unit are dealt with by senior benefit officers or team leaders, and are given a high priority within the EDRMS. We were also told that, to ensure an independent review of the claim is carried out, the officer dealing with the reconsideration is not the person that processed the claim.
77. Historically the council has received very few appeals, and between 2008/09 and 31 December 2012, only five appeals were submitted to the Tribunals Service. The council told us that it considered the reasons that few appeals were received was customers' high degree of satisfaction with the HB/CTB decisions being made by the benefits unit, and the changes to DWP regulations which have reduced the scope for customers submitting an appeal. For example, in 2008, the maximum time a council could backdate benefit was reduced from twelve months to six months for working age claimants, and from twelve months to three months for claimants of a pensionable age.
78. However, when we scrutinised the council's reconsiderations data for 2011/12 and 2012/13 (to 22 Jan 2013), we found an exceptionally high number of reconsiderations were revised in favour of the customer. Without detailed analysis it cannot be established why the council's

original decision was revised in each case, however, it could be considered a reason for the low number of subsequent formal appeals. Exhibit 5 details our findings.

Exhibit 5: Requests for reconsideration outcomes

Year	No. Received	No. Revised	No. Unchanged
2011/12	90	70 (78%)	20 (22%)
2012/13 (to 22 Jan)	68	54 (79%)	14 (21%)

Source: East Lothian Council & Audit Scotland

79. Audit Scotland identified two risks to continuous improvement during the previous risk assessment in that:
- the council does not monitor the progress of reconsiderations or appeals and as a result it does not measure the level of service it delivers to its customers making such requests
 - there is no routine analysis of reasons for reconsiderations and appeals with a view to informing training, processes or procedures to deliver continuous improvement.
80. We consider that both of these risks remain outstanding.

Risk to continuous improvement

12	A significantly high percentage of requests for reconsideration received by the council in 2011/12 and 2012/13, to 31 December 2012, were revised in favour of the customer.
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Counter-fraud

81. The prevention, detection and investigation of fraudulent claims are important aspects of a secure and effective benefits service. Counter-fraud activities help to protect public funds by ensuring that fraudulent claims are identified and sanctions are applied where appropriate.
82. Since our previous visit, and as detailed under *Business Planning*, there have been significant changes within the counter-fraud team. In late 2011, the fraud team lost the services of its part-time administration officer and an experienced fraud investigator who had recently been dismissed on the grounds of capability.
83. Operationally, fraud staff have been trained to Professionalism in Security (PINS) standards, and make good use of a fraud case management system to record the receipt of fraud referrals and monitor the progression of investigations. When a referral is initially received, it is scored using a risk scoring matrix and, when a referral meets or exceeds the minimum acceptable risk score, it is accepted for investigation and logged onto the fraud case management system.

- 84. The fraud team has excellent working relationships with its key stakeholders. In particular, there is a close working relationship with the Police and the DWP's FIS who have an investigation officer based at the council two days per week to work on joint investigations and other initiatives.
- 85. The success of this arrangement can be demonstrated by the number of joint sanctions the council has carried out in association with FIS. In 2011/12, of the 23 councils that provided joint prosecution data, the council carried out approximately 4.8 joint sanctions per 1,000 caseload. This level of performance showed the council to be the leading authority in Scotland in respect of joint sanctions carried out. This is commendable.
- 86. When a sanction has been administered, there is a clear decision-making process in place which is fully documented in the council's *Prosecutions and Sanctions Policy*. The policy states that the Benefits Manager or a PINS qualified officer will administer a sanction when appropriate. All sanctions decisions are recorded on the fraud case management system to ensure a full audit trail.
- 87. Exhibit 6 illustrates the council's current and historic performance.

Exhibit 6: Benefit fraud sanctions performance			
Sanction type	2009/10	2010/11	2011/12
Administrative Cautions	13	15	15
Administrative Penalties	15	14	9
Referred for prosecution	25	19	26
Total	53	48	50

Source: East Lothian Council

- 88. Since 2008/09, the council has submitted 91 cases for consideration of a prosecution to the Procurator Fiscal, and all were accepted. This is highly commendable and testament to the quality of the investigative work, and the preparation and completeness of prosecution files.
- 89. The council has also developed a good working relationship with the local press and media and successful prosecutions receive publicity in the local papers which helps to raise the profile of the fraud team, and act as a deterrent to potential fraudsters.
- 90. Audit Scotland identified one risk to continuous improvement during the previous risk assessment in that the council's HB/CTB Sanctions Policy stipulates that the decision to apply a sanction will be taken by the Investigations Team Leader and/or the Benefits Manager. However all decisions had been taken solely by the Investigations Team Leader. Consequently, assurance on impartiality and equality of treatment, when administrative cautions or penalties are administered, was reduced.

91. Although we acknowledge that the Benefits Manager discusses sanctions cases with the Investigations Team Leader, the majority of sanctions decisions continue to be made by the Investigations Team Leader. We consider that, to ensure that sanctions are administered in compliance with guidance, and that customers are treated fairly and equitably, sanctions decisions should be made by a senior officer not involved in the investigation process. We therefore consider that work to address this risk remains ongoing.

Appendix A

Progress against action plan dated September 2012	
Risk identified	Status
The benefits service's performance against corporate customer service standards is not monitored.	Ongoing
There are no routine consultations with customers and the wider community on the level and type of service they need.	Ongoing
Although the business plans detail the key activities to be carried out in order to achieve targets, there is no audit trail to demonstrate the systematic monitoring of progress throughout the year.	Completed
Pre-implementation planning for the new IT system will be included in the Benefits Unit Plan 2009/10. However given the size of the task, more detailed planning is required breaking down the critical activities that must be carried out prior to the key milestone dates in the current IT implementation project plan.	Completed
The balanced scorecard presents a broad picture of the benefits service's performance to senior managers and members. However, performance in other areas is not given the same attention. Performance targets have not been set, and performance has not been monitored within the unit, for appeals, reconsiderations, overpayments recovery and intervention activity.	Ongoing
The majority of checks are carried out after benefit notifications and indeed payments have been issued. Consequently the council's ability to prevent fraud and error entering the system, and reduce the numbers and amounts of any resultant overpayments is decreased.	Ongoing
The council has no documented policy or guidance covering pre-notification checks and, as a result, the sample population and the method of selection are unclear. As an example in the quarter ending December 2008, 348 cases were selected for checking but only 197 had actually been checked. It is unclear what happened to the remaining 151 cases. While the number checked exceeded the	Completed

Progress against action plan dated September 2012	
quarterly target, the methodology gives limited assurance that the quality checking regime is effective and secure.	
The council does not have effective processes in place to routinely gather and analyse information on the effectiveness of its risk criteria to ensure its activity is efficiently targeted.	Ongoing
There is no audit trail detailing the number of overpayment decisions checked or the number and type of errors found.	Outstanding
There is no routine analysis of overpayments raised to identify any necessary changes or additions to processes, procedures or training that could improve accuracy and minimise official and claimant error overpayments.	Outstanding
The council reports that the service it receives from DWP's Debt Management has declined since the office providing the service for East Lothian Council has changed. The council needs to invoke the escalation procedures within the Service Level Agreement to ensure it is receiving an effective level of service.	Outstanding
Despite a commitment in its Overpayment Policy, the council does not routinely monitor the recovery of fraud overpayments and administrative penalties to ensure they are rigorously recovered and that benefit fraud is deterred.	Ongoing
The council does not monitor the progress of reconsiderations or appeals and as a result it does not measure the level of service it delivers to its customers making such requests.	Outstanding
There is no routine analysis of reasons for reconsiderations and appeals with a view to informing training, processes or procedures to deliver continuous improvement.	Outstanding
The council's HB/CTB Sanctions Policy stipulates that the decision to apply a sanction will be taken by the Investigations Team Leader and/or the Benefits Manager. However all decisions have been taken by the Investigations Team Leader. Consequently, assurance on impartiality and equality of treatment, when administrative cautions or penalties are administered, is reduced.	Ongoing

ELC Progress against previous HB/CTB Risk Assessment Action Plan (As @ 17th April 2013)

Risk No	Description of Risk	Assessed status of Risk	Responsibilities	List of tasks to be carried out to remove risk	By when	Link to New Action Plan	Status as at 17 April 2014	Context
1	The benefits service's performance against corporate customer service standards is not monitored.	Ongoing	Benefit Manager/Customer Feedback Manager	Liaison between Benefits Unit & Customer Feedback Team to be reviewed and Feedback system issues to be addressed.	30-Jun-13	<i>Linked to point 4 in May 2013 Action Plan</i>	Completed (31 August 2013)	Completed
2	There are no routine consultations with customers and the wider community on the level and type of service they need.	Ongoing	Benefit Manager	To repeat annual Benefits Unit Customer Survey, (using CIPFA Housing and Council Tax Benefit model survey)	30-Sep-13	N/A	Revised Completion date of 30th September 2014	As yet the Benefits Service has been unable to issue its own survey. However some customer feedback relating to the Benefits Service has been gleaned from the Tenant Satisfaction Survey 2013.
3	Although the business plans detail the key activities to be carried out in order to achieve targets, there is no audit trail to demonstrate the systematic monitoring of progress throughout the year.	Completed	Benefit Manager	Completed	N/A	N/A	Completed	Completed
4	Pre-implementation planning for the new IT system will be included in the Benefits Unit Plan 2009/10. However given the size of the task, more detailed planning is required breaking down the critical activities that must be carried out prior to the key milestone dates in the current IT implementation project plan.	Completed	Benefit Manager	Completed	N/A	N/A	Completed	Completed
5	The balanced scorecard presents a broad picture of the benefits service's performance to senior managers and members. However, performance in other areas is not given the same attention. Performance targets have not been set, and performance has not been monitored within the unit, for appeals, reconsiderations, overpayments recovery and intervention activity	Ongoing	Benefits Manager/CMT/PPRC	CMT Monthly Updates to include Key Benefit Performance Measures.	31 May 2013 Monthly thereafter and when required by CMT & PPRC	<i>Linked to points 3 in new Action Plan</i>	Completed	Completed
6	The majority of checks are carried out after benefit notifications and indeed payments have been issued. Consequently the council's ability to prevent fraud and error entering the system, and reduce the numbers and amounts of any resultant overpayments is decreased.	Ongoing	Benefit Manager/Benefit Team Leaders	Accuracy checking process to be re-introduced for 2013/14 claims processing work.	30th June 2013 (Revised date 30th November 2013)	<i>Linked to point 6 in new Action Plan</i>	Revised Completion date of 30th November 2013	Reviewed post payment accuracy checking process re-introduced November 2013.
7	The council has no documented policy or guidance covering pre-notification checks and, as a result, the sample population and the method of selection are unclear. As an example in the quarter ending December 2008, 348 cases were selected for checking but only 197 had actually been checked. It is unclear what happened to the remaining 151 cases. While the number checked exceeded the quarterly target, the methodology gives limited assurance that the quality checking regime is effective and secure.	Completed	Benefits Manager/Benefit Team Leaders	Completed	N/A	Completed	Completed	Completed

8	The council does not have effective processes in place to routinely gather and analyse information on the effectiveness of its risk criteria to ensure its activity is efficiently targeted.	Ongoing	Benefit Manager/Benefit Performance Officer	RBV Policy in place since August 2012 and automated risk scoring facility implemented as part of Capita New Claims process. However reporting issues need	30-Sep-13	N/A	Completed	Completed
9	There is no audit trail detailing the number of overpayment decisions checked or the number and type of errors found.	Outstanding	Benefits Team Leaders/Training and Development Officer	Accuracy checking/recording process to be reviewed to include effective analysis & feedback loop	30th June 2013 (Revised date 30th November 2013)	<i>Linked to point 8 in new Action Plan</i>	Revised Completion date of 30th November 2013	Reviewed post payment accuracy checking process re-introduced November 2013.
10	There is no routine analysis of overpayments raised to identify any necessary changes or additions to processes, procedures or training that could improve accuracy and minimise official and claimant error overpayments.	Outstanding	Benefits Team Leaders/Training and Development Officer	Accuracy checking/recording process to be reviewed to include effective analysis & feedback loop	30th June 2013 (Revised date 30th November 2013)	<i>Linked to point 8 in new Action Plan</i>	Revised Completion date of 30th November 2013	Reviewed post payment accuracy checking process re-introduced November 2013.
11	The council reports that the service it receives from DWP's Debt Management has declined since the office providing the service for East Lothian Council has changed. The council needs to invoke the escalation procedures within the Service Level Agreement to ensure it is receiving an effective level of service.	Outstanding	Benefit Manager/Benefits Performance Officer	A further approach will be made to reinstate referral process between ELC and DWP Debt Management.	30 September 2013 (Revised date 31st March 2013)	N/A	Revised Completion date of 31st March 2014	Contact with the new DWP External Relationship Manager established enabling re-statement of referrals process with DWP Debt Management. (Completed by February 2014)
12	Despite a commitment in its Overpayment Policy, the council does not routinely monitor the recovery of fraud overpayments and administrative penalties to ensure they are rigorously recovered and that benefit fraud is deterred.	Ongoing	Benefits Manager/Benefits Performance Officer	Review overpayment recovery targets set in Benefits Unit Business Plan 2013/14 and review overpayment process to allocate appropriate priority to the recovery of fraud overpayments and administrative penalties.	31-May-13	<i>Linked to point 10 in new Action Plan</i>	Completed	Completed
13	The council does not monitor the progress of reconsiderations or appeals and as a result it does not measure the level of service it delivers to its customers making such requests.	Outstanding	Benefits Manager/Team Leaders	Review reconsiderations and appeals monitoring process to establish the potential for carrying out more detailed analysis of appeals/reconsideration requests	30th September 2013	<i>Linked to point 12 in new Action Plan</i>	Q2 Analysis will be completed W/C 30 September 2013	Analysis of reconsiderations requests in first 2 Quarters of 2013/14 carried out. This showed that only 28% of reconsideration requests were revised.
14	There is no routine analysis of reasons for reconsiderations and appeals with a view to informing training, processes or procedures to deliver continuous improvement.	Outstanding	Benefits Manager/Team Leaders	Review reconsiderations and appeals monitoring process establish the potential for carrying out more detailed analysis to inform training, processes & procedures	30st September 2013	<i>Linked to point 12 in new Action Plan</i>	Q2 Analysis will be completed W/C 30 September 2013	Analysis of reconsiderations requests in first 2 Quarters of 2013/14 carried out. This showed that there were no specific concerns for training & development.
15	The council's HB/CTB Sanctions Policy stipulates that the decision to apply a sanction will be taken by the Investigations Team Leader and/or the Benefits Manager. However all decisions have been taken by the Investigations Team Leader. Consequently, assurance on impartiality and equality of treatment, when administrative cautions or penalties are administered, is reduced.	Ongoing	Benefits Manager/Investigation Team Leader	Will undertake review of HB/CTB Prosecution and Sanctions Policy.	30-Sep-13	N/A	Due to complete by 30 September 2013	Investigation function transferred into Revenues, (Sept 2013). Revenues Manager & Investigation Team Leader continue to case conference decisions relating to sanctions as per HB/CTB Prosecutions & Sanctions Policy which was reviewed to take account of changed arrangements in September 2013.

ELC HB/CTB Risk Assessment Action Plan 17 April 2014

Risk No	Description of Risk	Action to be Taken	Responsibilities	List of tasks to be carried out to remove	By when	Link to Previous Action Plan	Status as at 17 April 2013	Context
1	The use of benefits unit staff to work on the implementation of the welfare reform agenda, or any slippage in the council's Welfare Reform action plan targets, could have a detrimental effect on claims processing performance.	ELC Welfare Reform Action Plan activities to be supported by Policy & Improvement resources	Corp' Policy & Improvement Manager/Benefit Manager	Welfare Reform Action Plan to be implemented	31-Jan-14 (subsequent actions subject to on-going planning)	N/A	Ongoing Ongoing	The Welfare Reform Action Plan has required the Benefit Services's staffing resource to implement the SWF Service and to integrate the CCFU Financial Assessment service. Inevitably these actions have had a detrimental impact on HB Processing in 2013/14. HB Processing performance will be balanced with other services being delivered by Unit
2	Although it is acknowledged that the council has a business plan for the benefits unit, there are only two targets that relate to the work of the unit. In addition, there is no counter-fraud business plan setting out the aims, objectives, targets, monitoring and reporting arrangements for the work of the fraud team. We therefore consider that there is limited assurance that the benefits unit is being actively monitored against all aspects of its work and that, when appropriate, performance is being challenged by senior management and members.	Benefits Unit Plan 2013/14 currently under development will include further targets relating to HB/CTR admin'. In addition to this a separate business plan will be drafted to reflect the work of the Benefits Fraud Investigations Team. Both business plans will be available for the Council Management Team and Council Members to review, monitor and challenge.	Benefits Manager/CMT/PPRC	Benefits Unit Business Plan 2013/14 to be finalised & published Benefits Investigation Team Plan 2013/14 to be finalised and Published	31 May 2013 (Signed off for publication on 4th July 2013).	N/A	Completed Completed Completed	Completed Completed Completed
3	As there is limited reporting of the benefits unit's performance, senior management and members are not provided with regular opportunities to challenge performance that does not meet local targets.	Monthly updates to the Council Management Team, (CMT) will include information relating to the Benefits Unit's performance against a selection of key targets. The Council's Policy and Performance Review Committee, (PPRC) will also have the opportunity to challenge underperformance.	Benefits Manager/CMT/PPRC	CMT Monthly Updates to include Key Benefit Performance Measures.	31 May 2013 Monthly thereafter and when required by CMT & PPRC	<i>Linked to point 5 'ongoing' from previous Action Plan</i>	Completed	Completed
4	The council has not met the target to respond to 100% of complaints within 20 days since 2010/11, and was unable to provide data for 2012/13 due to a problem with the customer relationship management system.	Feedback reporting arrangements to be reviewed and system issues to be addressed.	Benefit Manager/Customer Feedback Manager	Liaison between Benefits Unit & Customer Feedback Team to be reviewed and Feedback system issues to be addressed.	30-Jun-13	<i>Linked to point 1 'ongoing' from previous Action Plan</i>	Completed (31 August 2013)	Completed
5	Although the council has good relations with key external stakeholders, it has not been in regular contact with its local benefits delivery centre at Bathgate. This has led to a breakdown in communication and delays when requesting information in respect of DWP clerical claims which could have a detrimental effect on claims processing times.	The Benefits Unit Management Team will seek to re-instate effective liaison arrangements with the Bathgate DWP Benefits Delivery Centre, (BDC).	Benefit Manager/DWP External Relations Manager	Meeting to be arranged with (DWP External Relationship Manager) to discuss potential for re-instatement of regular, joint operational liaison meetings.	30th June 2013 (Revised date 31 March 2014)	N/A	Completed	Contact with the new DWP External Relationship Manager established enabling re-enstatement of referrals process with DWP Debt Management. (Completed by February 2014)

6	Due to the limitations of the benefits IT system, the council is unable to carry out any pre-payment accuracy checks. In addition, there has been no Capita post-payment checks carried out since June 2012, and therefore there is an increased risk of fraud and error entering the system unchecked.	The Benefits Unit Management Team to re-establish the Capita post-payment accuracy checking process.	Benefit Manager/Benefit Team Leaders	Accuracy checking process to be re-introduced for 2013/14 claims processing work.	30th June 2013 (Revised date 30th November 2013)	<i>Linked to point 6 'Ongoing' from previous Action Plan</i>	Completed	Reviewed post payment accuracy checking process re-introduced November 2013.
7	At the time of the on-site visit Audit Scotland was unable to reconcile the accuracy performance reported on the Audit Scotland performance matrix with the accuracy information provided by the council in support of its self-assessment.	The Benefits Unit Management Team to review the process for recording the results of post-payment accuracy checking.	Benefit Manager/Benefit Team Leaders	Accuracy checking/recording process to be reviewed prior to being re-introduced for 2013/14 claims processing work.	30th June 2013 (Revised date 30th November 2013)	N/A	Completed	Reviewed post payment accuracy checking process re-introduced November 2013.
8	Although outcomes from management checks are recorded on a spreadsheet, it is not to the level of detail that could help the council identify trends, patterns and areas for learning and development of the service.	The Benefits Unit Management Team to review the process for analysing the results of post-payment accuracy checking.	Benefits Team Leaders/Training and Development Officer	Accuracy checking/recording process to be reviewed to include effective analysis & feedback loop	30th June 2013 (Revised date 30th November 2013)	<i>Linked to points 9 & 10 'Outstanding' from previous Action Plan</i>	Completed	Reviewed post payment accuracy checking process re-introduced November 2013.
9	At the time of our site visit, the overpayments data provided to Audit Scotland as part of the council's self assessment submission was inaccurate. Based on our analysis, there is approximately £394,000 of additional debt that is unaccounted for.	The Benefits Unit Management Team will work with the Council's Finance Team to improve analysis of overpayment recovery performance and accounting for outstanding HB debt.	Benefits Manager/Benefits Performance Officer/Departmental Accountant	Review procedure for recording overpayment recovery performance. Review accounting arrangements for HB Debt	30th June 2013 (Revised date 31st March 2014)	N/A	Completed Completed	Review of overpayment recovery data by the Benefits Performance Officer has improved the Service's understanding of outstanding HB debt. Arrangements now in place for more effective monitoring of HB Debt.
10	The council has not met its in-year overpayments recovery targets since 2008/09. In addition, fraud overpayments and administrative penalties are not prioritised for recovery.	In drafting the 2013/14 Benefits Unit Business Plan the Benefits Unit Management Team will review its overpayments recovery targets to ensure they are 'achievable' whilst still promoting continuous improvement. The overpayment recovery process will also be reviewed to optimise recovery methods for recovery of fraud overpayments and administrative penalties.	Benefits Manager/Benefits Performance Officer	Review overpayment recovery targets set in Benefits Unit Business Plan 2013/14. Review overpayment process to allocate appropriate priority to the recovery of fraud overpayments and administrative penalties.	31 May 2013 (Signed off for publication on 4th July 2013). 31 May 2013 (Signed off for publication on 4th July 2013).	<i>Linked to point 12 'Outstanding' from previous Action Plan</i> <i>Linked to point 12 'Outstanding' from previous Action Plan</i>	Completed Completed	Completed Completed
11	Due to the limitation of the council's debt recovery system there is only limited analysis of overpayments data.	The Benefits Unit Management Team will endeavour to develop available systems functionality to optimise overpayments data analysis.	Benefits Manager/Benefits Performance Officer	Review current systems capability in order to develop or enhance wherever possible.	31st March 2014	N/A	Completed	Review of overpayment recovery process has improved the Service's understanding of outstanding HB debt.
12	A significantly high percentage of requests for reconsideration received by the council in 2011/12 and 2012/13, to 31 December 2012, were revised in favour of the customer.	The Benefits Unit Management Team will carry out further analysis of reconsiderations to better understand reasons for reconsideration decisions.	Benefits Manager/Benefit Team Leaders	Develop system to facilitate analysis of reconsiderations	30th September 2013	<i>Linked to points 13 & 14 'Outstanding' from previous Action Plan</i>	Completed	Analysis of reconsiderations requests in first 2 Quarters of 2013/14 carried out. This showed that only 28% of reconsideration requests were revised. This is not considered significantly high.

REPORT TO: Policy and Performance Review Committee
MEETING DATE: 29 April 2014
BY: Depute Chief Executive - Resources and People Services
SUBJECT: Welfare Reform Update

5

1 PURPOSE

- 1.1 To provide an update to PPRC Members on the changes introduced as a consequence of the Welfare Reform Act (2012).
- 1.2 To continue to develop an understanding of what these changes have meant for East Lothian households sustaining affordable tenancies or contending with other hardship.
- 1.3 To develop an understanding of what these changes have meant for a number of Council services and to highlight the measures the Council is continuing to take to try to minimise potentially negative impacts of welfare reform in the community.

2 RECOMMENDATIONS

PPRC agrees to:

- 2.1 note the potential impact of welfare reform on individuals and families.
- 2.2 note the potential impact of welfare reform on the delivery of associated Council services.
- 2.3 note the potential impact on the Council's revenues and council house rental Income.

3 BACKGROUND

- 3.1 This report is the latest in a series of reports to Elected Members providing information on the UK Government's welfare reforms, the consequential changes to Council Services and the continuing impact on East Lothian residents.

- 3.2 Over the course of the last 21 months the Welfare Reform Task Group has considered the service implications of the various welfare reforms and in response has produced a Welfare Reform action plan which has been continually reviewed and updated. The Council's Corporate Risk Register was reviewed in 2013 to include Welfare Reform as a risk to a range of Council services.
- 3.3 A Welfare Reform Reference Group has facilitated liaison between Council Services, partners and stakeholders who share an interest in welfare reform. Members of this group include; Housing Associations, Health, East Lothian Tenants & Residents Panel, (ELTRP), DWP and Advice Agencies. Quarterly meetings of the group provide the opportunity for welfare reform updates and information sharing.
- 3.4 With the implementation of a number of significant welfare changes on 1st April 2013 Council Services have had to adapt the way they deliver services to ensure that they remain effective in keeping the detrimental effects on East Lothian residents to a minimum. Whilst this has been a challenging task it should be noted that further reforms associated with the introduction of Universal Credit have been delayed. This slippage has meant that in addition to coping with changes to the existing schemes the Council is obliged to continue to deliver a Housing Benefit Service for longer than had initially been envisaged.

Council Tax Reduction Scheme

- 3.5 The ELC Benefits Service has been administering the Scottish Government's Council Tax Reduction, (CTR) scheme since 1 April 2013. Whilst the legislative and funding framework for the CTR scheme is fundamentally different from the Council Tax Benefit scheme it replaced, the fact that claimants have experienced little or no change financially in their CTR awards throughout 2013/14 has meant that the overall change has had a low impact on East Lothian Council Tax Payers.
- 3.6 Since its implementation the Scottish Government has appointed the Scottish Tribunal Service to provide an independent [review panel for Council Tax Reduction scheme](#) decisions made by local authorities. The ELC Benefits Service is yet to submit any cases to the CTR Review Panel. In the meantime Housing Benefit appeals are still being heard by the Tribunals Service.

Scottish Government funding for the CTR scheme in 2014/15 will remain unchanged from 2013/14 levels however the increasing number of properties which Council Tax is charged on raises the possibility of an increase in the number of CTR claims having to be met from an already cash limited, fixed sum. (This differs from the previous Council Tax Benefit funding arrangement which was demand led).

Scottish Welfare Fund

- 3.7 Since 1 April 2013 the ELC Benefits Service has been administering Crisis Grants, (CGs) and Community Care Grants, (CCGs) as part of the

Scottish Government's '2 year' interim Scottish Welfare Fund, (SWF) scheme. These grants replaced 2 elements of the Social Fund, (loans) scheme which were previously administered by the DWP. The Scottish Government have confirmed that SWF will become a permanent scheme to be administered by Councils from April 2015.

- 3.8 During the period April to December 2013 the Benefit Service was able to support 2238 claimants by making SWF awards. Some of these people were experiencing hardship which posed a threat to their health and safety whilst others were at risk of losing their ability to live independently. The awards ranged from cash payments averaging £96.00 and store vouchers made in respect of Crisis Grants, (CGs) to the supply and fitting of white goods, carpeting, bedding and furniture in respect of Community Care Grants, (CCGs) averaging £503.00.
- 3.9 A further Welfare Reform video is currently being produced to publicise how a CG award can help support people whose ability to sustain independent living could be at risk. This video has been based on a real-life case study and hopes to highlight the positive effect that a Community Care Grant can have.
- 3.10 In its first year of operation, SWF expenditure across Scotland has varied widely however an overall under spend of the fund is expected for 2013/14. During the first 2 quarters of 2013/14 SWF expenditure in East Lothian was below the projected spend profile. However, following the Scottish Government's easing of SWF Guidance in October 2013 East Lothian exceeded its profiled SWF expenditure during the second half of 2013/14 ensuring that a 100% disbursement of the £390,238 SWF budget was achieved by 31 March 2014. It is evident that now this level of demand has been established the SWF will need to be carefully managed throughout 2014/15 in order to remain within budget.
- 3.11 The Council's SWF budget for 2014/15 remains unchanged for the second year of the scheme. Aside from the 'program' funding of £390,200 the Benefits Service will also receive a SWF administration grant of £57,1200 which will continue to be used to sustain Benefit Service staffing levels through a period of ongoing Housing Benefit Administrative Subsidy cuts and Efficient Workforce Management savings.
- 3.12 Whilst the Benefits Service has successfully implemented and embedded the Scottish Welfare Fund administration in a way that ensures that a holistic service is available to East Lothian Residents, the additional work involved has equated to a 26% rise in caseload. This has meant that there has been a consequential negative impact on HB/CTR performance. During 2013/14 HB/CTR claims performance fell from an average of 23 to 27 days for processing 'new claims', (2 days short of the Service's 25 days target). Weekly work counts of HB/CTR caseload regularly show a 50% to 55% increase in outstanding work due to the priority being given to SWF assessments.

- 3.13 Indications from the first year of operation suggest that Local Authorities are exercising good stewardship of the SWF and are in the main achieving better outcomes for clients than those previously achieved by the Social Fund. Decisions are being made promptly and awards are being made within the timescales set by the SWF Guidance. There have been very few requests for 1st tier review of SWF decisions, and only one that has progressed to a 2nd tier review.
- 3.14 The preferred means of accessing the SWF service is through the on-line claim form however the majority of claimants have been accessing the service either via the telephone or by submitting paper based claims. A significant number of claims have been assisted by Tenancy Support staff and other Council Officers who are in a position to advise residents dealing with hardship. Meanwhile the Benefits Service is continuing to raise awareness amongst Customer Services, advice agencies, Adult and Children's Wellbeing colleagues to ensure optimal co-ordination between the various forms of support available from the Council. Currently crisis payments are paid from the Haddington and Musselburgh offices. The option to extend payment facilities to other local offices is being considered however this will be determined by the available capacity for the Benefit Service to exercise sufficient financial control.
- 3.15 The Benefits Service has endeavoured to provide as holistic a service as possible and will continue to develop its contacts to improve its capacity for signposting and referring clients on for further support and advice. The Unit already has established links to a number of Third Sector organisations which operate within the County and is currently the East Lothian Food Bank's largest referral agency.
- 3.16 From the Benefits Unit's perspective staff have had to become used to exercising more discretion than previously required when making HB/CTR decisions. Whilst the holistic approach to delivering the service has been beneficial for clients, each case represents a major time commitment in liaising between clients, internal/external agencies and the contracted domestic goods providers.
- 3.17 The Benefits Service has continued to be represented at CoSLA's SWF Practitioner's Group meetings in order to maintain its currency in SWF practice and the SWF service is frequently a topic of discussions held with stakeholders at Welfare Reform Reference Group meetings.
- 3.18 As the programme of welfare reforms continues it is evident that the Scottish Welfare Fund will continue to be an important component in the Council's efforts to minimise the effects of poverty and hardship on the lives of East Lothian residents. To assist in this a Scottish Welfare Fund Policy will be developed to ensure that the Fund is administered within an East Lothian context in line with SWF Guidance supplied by the Scottish Government. The development of this Policy will also draw on the Unit's experience to-date in delivering this new service.

Housing Benefit Under Occupancy

- 3.19 On 1 April 2013 a Housing Benefit Under Occupancy Supplement was introduced. Commonly referred to as the 'Bedroom Tax' the supplement is actually a restriction applied to the amount of Housing Benefit awarded to claimants who are under occupying their Council or Housing Association tenancy. Tenants under occupying by 1 bedroom are subject to a 14% reduction in the eligible rent used to calculate their HB whilst Tenants under occupying by 2 or more bedrooms are subject to a 25% reduction.
- 3.20 In preparation for this change the Council's Benefits and Community Housing Services worked together to identify those that would be affected by under occupancy and sought to engage with Council Tenants that were to be affected in order to make them aware of both the change and options that may be available to them. The Benefit Unit also worked closely with Housing Associations in order to facilitate similar work carried out by them on behalf of their tenants.
- 3.21 In the months preceding April 2013 approximately 840 Council tenants received 2 separate letters to alert them to how the changes would affect their Housing Benefit. In addition to this the under occupancy change was publicised in the 'Homefront' tenant's newspaper. Each letter issued contained a copy of a leaflet entitled 'Important Changes to Housing Benefit' along with further information about options for downsizing etc. This information continues to be available through local offices, libraries and the Council's [Welfare Reform web pages](#) have been updated to include information about under occupancy and other Welfare Reforms.
- 3.22 Since its introduction Area Housing Officers and Rent Income Officers have continued to engage with tenants affected by under occupancy, offering to meet them face to face to advise on their options including downsizing and mutual exchanges. Advice on claiming Discretionary Housing Payments, (DHP) has also been provided as well as information on where to get money advice and tenancy support has been offered where appropriate.
- 3.23 In an effort to limit how under occupancy affects new tenants Housing Officers are now advising all new tenants allocated houses with bedrooms they will under occupy about the charge and confirming that they understand they will be liable for the additional rent charge even when awarded maximum HB.

In an effort to encourage residents concerned about under occupancy, rent arrears or welfare reform related matters to seek appropriate help and advice the Council has produced a range of videos entitled 'East Lothian Debt, Benefits and Housing Advice'. These videos are available to view through the Council's [Youtube page](#) and stress the need for people to seek advice as early as possible.

- 3.24 Since October 2012 when the Council began engaging with households regarding under occupancy the Community Housing service has seen an increased number of transfer and mutual exchange applications from

tenants. Analysis of transfers and mutual exchanges is being carried out to monitor how the under occupancy change is affecting Tenant's behaviour. However the lack of appropriately sized housing stock is likely to continue to restrict housing options for those currently under occupying.

- 3.25 Since its introduction the Rent Income Team have been monitoring the affect of the under occupancy charge on rent collection. Whilst it is estimated that this change resulted in £345,000 less Housing Benefit being awarded to the Council Tenants affected, analysis of actual non payment of rent throughout 2013/14 has suggested that rent arrears have increased by £132,000 due to under occupancy. However it should be noted that the dynamics associated with under occupancy makes analysis of these figures very difficult. Whilst rent arrears are directly affected by this change it is more difficult to assess what other factors may be impacting on a tenant's ability to pay. It should be borne in mind that aside from the ongoing issues affecting employment and the economy it is also likely that East Lothian households relying on Housing Benefit for assistance with paying their rent may have also experienced cuts in other welfare benefits which have been changed by the welfare reforms.
- 3.26 Despite offers of advice and the potential assistance available from (DHP) awards, some tenants affected by under occupancy have not engaged with either Rent Income, Community Housing or Benefit Service staff and consequentially many have incurred rent arrears as a result of not paying the under occupancy element of their rent. It is likely that a number of these cases will be served with a notice of repossession.
- 3.27 HRA funding allocated to help with rent collection has provided additional staffing resource, enabling the Rent Income Team to manage the increased workload which has arisen due to the impact of the welfare reforms, (including under occupancy). The Team has significantly increased the number of visits to tenants in their own homes, where Officers will negotiate repayment, promote direct debit, signpost financial advice and encourage benefit take up. The team also work with Community Housing colleagues when under occupancy arrears are identified and Housing options need to be explored.

Additional 'Scottish Legal Aid Board' (SLAB) funding has also been secured by the Council to provide 2 temporary Tenancy Support workers who have been deployed within the Homelessness Team. This provides welfare benefits, money and debt advice to tenants of East Lothian Council and other social landlords. Advice is provided on a face-to-face basis, in locations throughout the council. These posts are funded until March 2015.

- 3.28 As part of the combined effort being made by Council Services involved in responding to under occupancy HB claimants who are affected are being advised about and (where appropriate) assisted in claiming Discretionary Housing Payments, (DHPs). Whilst DHPs are not intended to be a long term solution for under occupancy charges, in many cases

they are providing a temporary measure which allows the claimant a transition period in which to adjust to paying the revised rent charge.

- 3.29 Throughout the course of 2013/14 DHP has come to be seen as an important element of mitigation for the impact of the under occupancy changes. As such it has attracted additional funding from both the DWP and Scottish Government. (See DHP section below).

Benefit Cap

- 3.30 After an initial delay in implementing the Benefit Cap this welfare change was rolled out across Scotland over a 4 week period which started week commencing 15 July 2013. The principle of this cap is to ensure that no one in receipt of welfare benefits will be allowed to exceed average earnings. In order to achieve this, the level of Housing Benefit is reduced in order to apply the overall Benefit Cap.
- 3.31 It was established that approximately 30 East Lothian households were affected. In addition to the DWP corresponding with those affected the Benefit Unit liaised with the Community Housing Service and Housing Associations in order to inform any proactive work that could be done by them to help reduce their tenant's exposure to the cap.
- 3.32 As a result of this work and decisions made by individual tenants to reduce their housing costs the final total of households actually affected by the Benefit Cap in East Lothian was managed down to 18. Of these 2 were Council tenants, 2 were Housing Association tenants, 4 were Homelessness clients housed in Private Sector Leasing temporary accommodation and the remainder were claimants renting in the private sector.
- 3.33 Whilst the management of these cases has helped reduce the number of East Lothian HB claimant's exposed to the Benefit Cap it should be noted that the implications for those still affected can be significant. Such cases are rare since they normally feature larger families housed in expensive, often temporary accommodation. However the Benefit Cap creates an imperative for the small number of cases to be managed into more affordable accommodation.

Discretionary Housing Payments

- 3.34 In anticipation of the potential detriment likely to be experienced by claimants affected by various Welfare Reforms introduced on 1 April 2013 the DWP initially allocated £125,982 towards East Lothian Council's 2013/14 DHP funding pot. The Council approved additional DHP funding provision of £80,000 within the 2013/14 Revenues & Benefits Budget providing a total DHP fund of £205,982 to be administered by the Benefits Service.
- 3.35 Subsequently, (on 31 July 2013) the DWP informed the Council that the Government contribution would increase to £137,196 taking the total available DHP fund to £217,196. In response to this the DHP Policy, was revised to take account of the additional funding and this informed the Benefits Service's approach to DHP decision making.

- 3.36 On 2 October 2013 the Scottish Government made additional funding available for Councils to top up their contributions towards DHP budgets. This required a further review of the DHP Policy and provided the Council's DHP fund with an additional £203,724. If added to the existing ELC and DWP contributions this would have given an overall total which would have significantly exceeded the maximum permitted total of **£342,990** set by the DWP.
- 3.37 The announcement of this funding so late in the financial year presented the Benefits Service with a major challenge. To make best use of all available funds only £2,070 of the original ELC contribution was used to bring SWF funding up to the maximum permitted total, (i.e. **£342,990**) and the balance of the Council's contribution was retained within the Benefit Service's budget to be used to provide a temporary staffing resource for a DHP Take-Up Campaign. This has ensured that the Benefits Service has had sufficient resource to disburse the 100% of all available DHP funding in 2013/14. As a result the campaign was allocated 3 temporary Grade 4 Benefit Assistants and has been managed by the Benefits Training and Development Officer as an additional duty.
- 3.38 From 17 December 2013 the Benefits Unit DHP Take-Up Campaign has been used to augment the work of the Benefits Processing Teams by providing a telephone and visiting capability. By 31 March 2014 the Benefit Service had made 715 DHP awards, (298 as a result of the campaign). This work along with referrals made by Rent Income, Community Housing and other Officers has ensured that 100% of the available DHP budget has been used to minimise housing related detriment being experienced by East Lothian residents.
- 3.39 Of the 715 DHP awards, 450 of them have been made to Council tenants receiving Housing Benefit who were also experiencing difficulty in maintaining their rent payments. These awards have contributed **£144,220** towards Council rent accounts and have provided a level of mitigation for increasing levels of rent arrears attributed to under occupancy and other welfare reform related hardship. A total of 265 DHP awards totalling £187,787 have been made to Housing Association tenants and HB claimants renting private sector tenancies. These awards have helped Housing Benefit claimants maintain their Private Sector and other Social Sector tenancies, thereby reducing pressure on the Council's Homelessness Service and Housing stock.
- 3.40 In deciding DHP awards Benefit decision makers must consider a range of factors including the extent of any rent shortfall, the reasons for it and whether the claimant has any alternative means of meeting it. Whilst Under occupancy has become a major factor in this assessment it should be borne in mind that DHP is also continuing to assist people experiencing hardship for an increasing number of reasons.

Wider Welfare Reforms

- 3.41 Aside from the impact of the reforms on the Benefits administered directly by the Council it must be borne in mind that East Lothian residents continue to be affected by ongoing changes to other welfare benefits. Whilst in many instances these changes may have a neutral effect, in others it may result in both less income to the household and a higher rent to pay, (where the result of such a change impacts on the Housing Benefit and Council Tax Reduction assessment).
- 3.42 Since October 2013 the DWP have been working through a program which will eventually see people aged 16 to 64 who are currently entitled to receive Disability Living Allowance, (DLA) migrate on to Personal Independence Payments, (PiPs). In cases where the transfer takes place little or no detriment should occur however in some instances the review process could result in entitlement to either DLA or PiP being withdrawn or see a disability premium awarded at a rate which can have a detrimental effect on HB/CTR claimant's non dependant disregards.
- 3.43 The DWP are also continuing to migrate Incapacity Benefit claimants on to Employment Support Allowance, (ESA). Whilst this program has been underway since before the current welfare reforms started its roll out is now involving an increasing number of people. Those that are awarded ESA at a lower rate may receive some transitional protection however in many cases the associated 'Work Capability Assessment' (WCA) is resulting in claimants failing to qualify for ESA. The UK Government expects 50% of those found fit for work by the WCA to move on to Job Seeker's Allowance, 20% to move on to another benefit and 30% to move off Benefits altogether.
- 3.44 Due to the significant financial impact of WCA decisions many have been challenged. ELC Welfare Rights report that work associated with ESA related advice and involvement in representing clients at Social Security Appeals Tribunals continues to increase as a result.
- 3.45 In introducing the current Welfare Reforms the DWP is introducing a higher degree of 'conditionality' into the administration of claims. In October 2013 the Job Centre introduced the '[Claimant Commitment](#)' as part of the Jobseeker's agreement. This outlines what actions a claimant must carry out whilst receiving Job Seeker's Allowance, (JSA). It emphasises the claimant's responsibility to do all they can to look for work in return for the support they receive from the state.
- 3.46 In order to enforce the conditionality associated with the Claimant Commitment Job Centre Plus staff are able to apply sanctions to claimant's benefit entitlement where they have not complied with the Job Seeker's agreement. Lower level sanctions resulting in a disentitlement of JSA for a period ranging from 4 to 13 weeks can be applied in respect of a claimant failing to attend interviews or not actively seeking work. Higher level sanctions resulting in disallowance for a period of up to 3 years can be applied in respect of a claimant leaving a job or failing to take a job without good cause.

- 3.47 In its dealings with Job Centre Plus the Benefits Service's early experience of the recently introduced sanction regime to date has seen little in the way of a knock on impact for householders in receipt of JSA who are claiming HB/CTR. In discussions held at Welfare Reform Reference Group Meetings and other partnership forums, conditionality and sanctions remain a concern for Welfare Rights, Social Landlords and third sector agencies. It is believed that young people may be particularly at risk and in response a further welfare reform video aimed at informing this group on how to avoid sanctions is being produced.
- 3.48 As part of the Welfare Reform program the UK Government has decided to rationalise its approach to Benefit and Tax Credit fraud investigations. This rationalisation involves the creation of a Single Fraud Investigation Service, (SFIS) which will encompass DWP, HMRC and Local Authority Benefit Fraud Investigation elements.
- 3.49 Whilst the Council is yet to be informed of the exact timeframe involved it is understood that the ELC Benefit Fraud Investigation Team is to become part of an SFIS Team based in DWP offices. This change will see ELC Fraud Investigation staff transfer into DWP under a 'Cabinet Office Statement of Practice, (COSOP) agreement. The Revenues Manager and ELC Human Resources staff are currently liaising with their DWP counterparts to achieve as smooth a transition as possible.
- 3.50 It should be noted that in recent years the ELC Benefits Fraud Investigation Team has enjoyed a high degree of success in its prosecution rates. Given these changes the Benefits Service will be looking to establish a Service Level agreement with the new SFIS service which provides assurance that Housing Benefit Fraud in East Lothian is investigated thoroughly and that cases referred by the service are considered for prosecution in order to provide a continuing high level of deterrence to potential benefit fraud.

Universal Credit

- 3.51 The DWP's original plan for Universal Credit, (UC) was to start rolling it out for new claims for working age claimants by October 2013. It was understood that the migration of HB claims into UC would see a decline in the associated financial support given to Councils in respect of HB administration. In response the ELC Benefits Services had planned for a migration of the working age HB caseload throughout 2014/15 and prepared by integrating other welfare/financial assessment functions within the service in order to provide funding from a mix of sources, (as well as provide a more holistic Benefits service). Delays in the Universal Credit program have meant that to-date only a small number of DWP districts have been involved in pilot projects which have seen only limited groups of claimants move on to Universal Credit.
- 3.52 Currently the Inverness Job Centre is the only one in Scotland involved in administering claims as part of the UC pilot. A date for roll out in the Lothians is yet to be confirmed however once it begins it will eventually see a managed migration of Housing Benefit caseload away from Local Authority administration to the DWP. At this point in time it is expected

that it will be 2016 before we see any significant amount of UC claims in Scotland however the DWP have stated that the migration of claims will be completed by 2017. In the meantime it is expected that the DWP will continue to reduce the financial support associated with HB administration.

- 3.53 As the Universal Credit programme moves towards national roll-out it is becoming apparent that UK Ministers and U.C. Programme Managers are seeking a partnership with Local Authorities to assist in its delivery. Currently this is being referred to a Local Support Services Framework. Whilst the detail of this framework is yet to be agreed it is likely that 'digital inclusion' will be a key feature. With this in mind the Welfare Reform Task Group plans to submit a bid to the Scottish Government 'Welfare Reform Resilience Fund' seeking funding to implement the Council's Digital Inclusion Strategy.
- 3.54 The potential role for Local Authorities under the support framework is likely to be in providing a face to face service and facilitating on-line access to Universal Credit for customers who may experience difficulties in doing so themselves. Whilst 'East Lothian Works' will continue to provide a hub for supporting East Lothian residents back into employment in the future Local Offices and Libraries will be required to work in partnership with other agencies and volunteers playing a key role in supporting people access their state benefit entitlement.
- 3.55 At the point of writing the DWP have yet to confirm how the Local Support Framework might be funded in the long term and this continues to be a subject for discussions taking place between CoSLA, the UK and Scottish Governments.

4 POLICY IMPLICATIONS

- 4.1 A Scottish Welfare Fund Policy will be developed to facilitate the consistent delivery of Crisis Loans and Community Care Grants elements of the Scottish Welfare Grants Service. Policy development will be informed by the Scottish Government SWF Guidance and will draw on the Benefits Unit's early experience in delivering the service.
- 4.2 The Discretionary Housing Payments, (DHP) Policy will be reviewed and amended to reflect the available funding for 2014/15.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 Equalities impact assessments will apply to both policy documents.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – it is currently anticipated that all of the areas reported upon within this report will be managed within existing approved budgets. However, it should be noted that with SWF demand established by the first year of operation and funding fixed at 2013/14 rates there is a risk

associated with any potential unforeseen variances in demand/workload during 2014/15.

- 6.2 Financial – It should also be noted that the Scottish Government are engaged in discussions with the DWP relating to the use of DHP as a means of mitigation for the Under Occupancy Supplement. Whilst this may result in the raising of the maximum permitted total allowing additional Scottish Government funding to be committed there is a risk that funding may be transferred to an alternative mitigation scheme.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Welfare Reform Key Actions summary
- 7.2 Corporate Risk Register entry (ELC CR4)
- 7.3 DHP Policy

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DATE	17 April 2014

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 29 April 2014

BY: Depute Chief Executive - Partnership and Services for Communities

SUBJECT: Local Government Benchmarking Framework 2012/13

6

1 PURPOSE

- 1.1 To report the results of the Local Government Benchmarking Framework (SOLACE benchmarking indicators) to the Policy and Performance Review Committee.

2 RECOMMENDATIONS

- 2.1 Committee notes the results of the Local Government Benchmarking Framework 2012/13 and the update on various benchmarking exercises that are being undertaken by the Council.

3 BACKGROUND

- 3.1 The Local Government Benchmarking Framework has been developed to help councils compare their performance using a standard set of indicators. The indicators have replaced the Accounts Commission's Statutory Performance Indicators. The results for 2012/13 were published by the Improvement Service on 27 March 2014.

- 3.2 The Improvement Service notes that:

'The core purpose of the exercise is benchmarking: making comparisons on spending and performance between similar councils so that councils can identify strengths and weaknesses, learn from councils who seem to be doing better and improve their local performance.'

- 3.3 Benchmarking – undertaking an exercise to find out the underlying reasons why performance differs – is vital to help interpret many of the indicators. In some cases it is clear what constitutes good performance. However, in the case of other indicators, particularly the cost indicators, good performance is less clear cut. For example, councils could take

decisions to maintain or increase high levels of expenditure on services for various reasons.

- 3.4 The range of results across Scotland can be large due to demographic, economic and environmental differences between councils. In order to help compare like-with-like a number of 'family groups' of similar councils have been identified. East Lothian belongs to two family groups; one that includes similar councils based on demographic and social factors, and another that is based on the distribution of the population in rural and urban areas.
- 3.5 The use of relevant family group for benchmarking performance measures should help to remove many reasons for differences in service costs that are beyond the control of the Council (e.g. large differences in population size). Benchmarking, through detailed comparative analysis, can then focus upon the processes or policies that influence the cost of service provision to identify good practice. However, in some instances, service costs will simply reflect the different priorities pursued by each council.
- 3.6 The Improvement Service is facilitating two pilot exercises to help establish a process for benchmarking. School leaver destinations and roads maintenance are the subjects of the pilot exercise. Meetings have been held for each of the pilot exercises to help understand why the results differ between councils. The final report from each pilot exercise is currently in preparation.

Analysis of 2012/13 results

- 3.7 The Local Government Benchmarking Framework includes almost 60 indicators across eight areas. Details of all of the indicators can be found on the Improvement Service website at:

<http://www.improvementservice.org.uk/benchmarking/councils/reports/ea-stlothian.pdf>
- 3.8 Appendix A provides an analysis of the indicator at national level and an analysis of the performance of East Lothian Council. The appendix displays the indicators of the Framework for which:
 - there is a notable change over time
 - East Lothian Council differs significantly from its family group
- 3.9 The Appendix includes a graph for each indicator showing the trend in comparison to the Scottish average and a graph that shows the result for East Lothian for 2012/13 compared to each council in its family group.
- 3.10 Overall the indicators present a mixed picture of East Lothian Council in terms of performance and service costs, although it should be noted that satisfaction with services is exceptionally high.

- 3.11 When reviewing the cost indicators it is worth noting that there can be a relatively large degree of variation between years and also between councils. The cost data is derived from the Local Financial Return (LFR) that all councils report to the Scottish Government. While being adequate for its original purpose the LFR data is less well suited to benchmarking as definitions for some categories are open to a wide degree of interpretation. The Improvement Service is developing an alternative method of collecting data regarding service costs.

Progress on benchmarking

Local Government Benchmarking Framework pilot exercises

- 3.12 Two benchmarking pilot exercises regarding roads maintenance and school leaver destinations are currently being undertaken under the auspices of the Improvement Service (see para 3.6). East Lothian Council is participating in both of these exercises. The final report for each exercise is in preparation.

Areas highlighted in the 2011/12 Local Government Benchmarking Framework results

- 3.13 Following the publication of the 2011/12 Local Government Benchmarking Framework results (reported to PPR Committee in April 2013) The Council Management Team identified five indicators for which East Lothian Council was well below the Scottish average and ranked in the lowest quartile. Desk based exercises have been carried out to provide further information on these indicators.
- 3.14 ***Children 6 and 7: % of pupils from deprived areas gaining 5+ awards at level 5 and level 6***

Education Committee considered a report on the 2013 SQA Performance (25 March 2014). The report did not include detail on the attainment of pupils from more deprived areas. However, the improvement actions and activities being undertaken by schools and the education service take account of the need to improve the attainment of pupils in deprived areas:

- Schools using data more effectively to provide appropriate and targeted support for pupils both in Senior Phase and in Broad General Education
- Continue to provide high quality support in line with GIRFEC (Getting It Right For Every Child) with the aim of assisting all pupils including those in the lowest 20% to achieve to their potential.

- 3.15 ***Culture and Leisure 4: Cost of parks and open spaces***

The 'cost of parks and open spaces' was highlighted as being the highest in Scotland in 2011/12 and this remains the case in 2012/13. However, the indicator is based on gross costs and does not take account of income from areas such as Garden Aid, work on capital projects or from

work recharged to Roads. Further work is required to understand whether East Lothian's reported high costs for parks and opens spaces is a result of what is included or not included in the LFR or whether there are other reasons.

3.16 ***Environment 1 & 2: Gross cost of waste collection and disposal per premise***

East Lothian Council appeared to have high gross costs for waste collection in 2011/12. The results for 2012/13 show that the cost has subsequently reduced to below the Scottish average. From next year the indicator on gross costs will be replaced by an indicator on net costs as quite a large amount of income was being excluded.

3.17 ***Housing 1: Current tenants' rent arrears as a percentage of net rent due***

The Depute Chief Executive (Partnerships and Community Services), the Head of Council Resources and the Head of Communities and Partnerships have established a working group to monitor rent arrears and review the effectiveness of action being taken to reduce rent arrears. An action plan bringing together the various actions being taken by the Community Housing and Finance services to reduce the level of rent arrears has been prepared.

3.18 ***Percentage of repairs completed within target times***

The Council reported the lowest proportion of 'repairs completed within target time' in 2011/12. The proportion of repairs within target has subsequently improved and the Council is now ranked 24th out of 26 councils for this measure. Direct comparisons using this measure are difficult as each council determines its own target times. Each council also determines how to categorise repairs, therefore they can have a different number of categories from one another, each with a different target.

Charging for services

3.19 Audit Scotland published a report on 31 October 2013 entitled 'Charging for services: are you getting it right?' The report suggested that East Lothian Council raises a relatively low proportion of its income from charges. Work has started on an exercise to benchmark the level of income that the Council raises via charging for services.

4 POLICY IMPLICATIONS

4.1 The Local Government Benchmarking Framework represents an important component of East Lothian Council's performance management arrangements and the drive to deliver Continuous Improvement.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none
6.2 Personnel – none
6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 Appendix A: Analysis of Local Government Benchmarking Framework 2012-13

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Appendix A: Analysis of Local Government Benchmarking Framework 2012-13

Education and Children’s Wellbeing

Educational attainment (CHN 4, 5, 6 & 7)

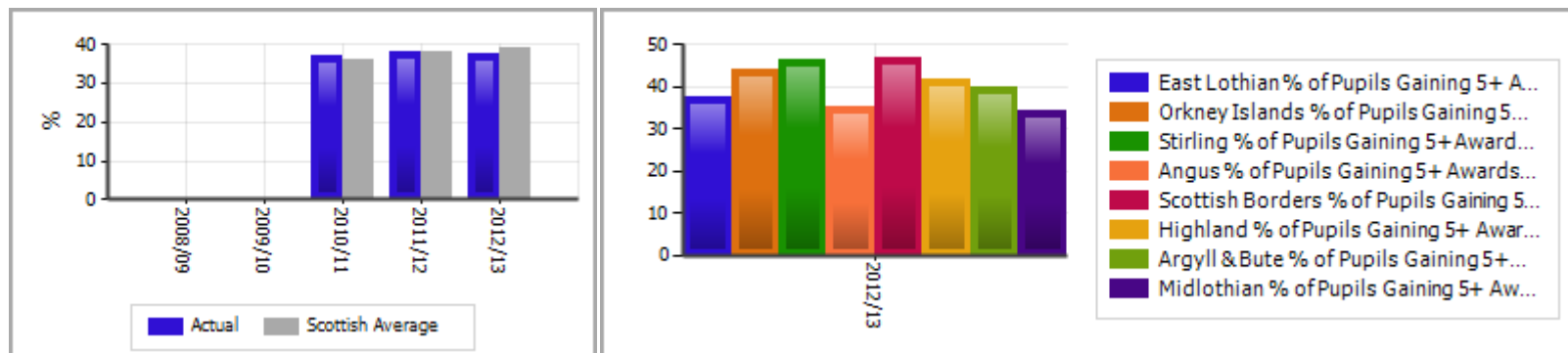
National overview

An improving trend can be seen in the SQA level 5 and level 6 data across the three years for which we have collated data. The total percentage of young people gaining five awards at level 5 and level 6 is increasing, and the percentage for young people from deprived areas achieving that level of award is also increasing. This trend can be tracked back across the last 10 years, with the performance of children from the most deprived backgrounds having improved by 17% across the period since 2002. The “equality gap” between the most and least disadvantaged pupils has narrowed by much less because all pupils have improved their performance across the period.

East Lothian analysis

CHN 4: % of pupils gaining 5+ awards at level 5

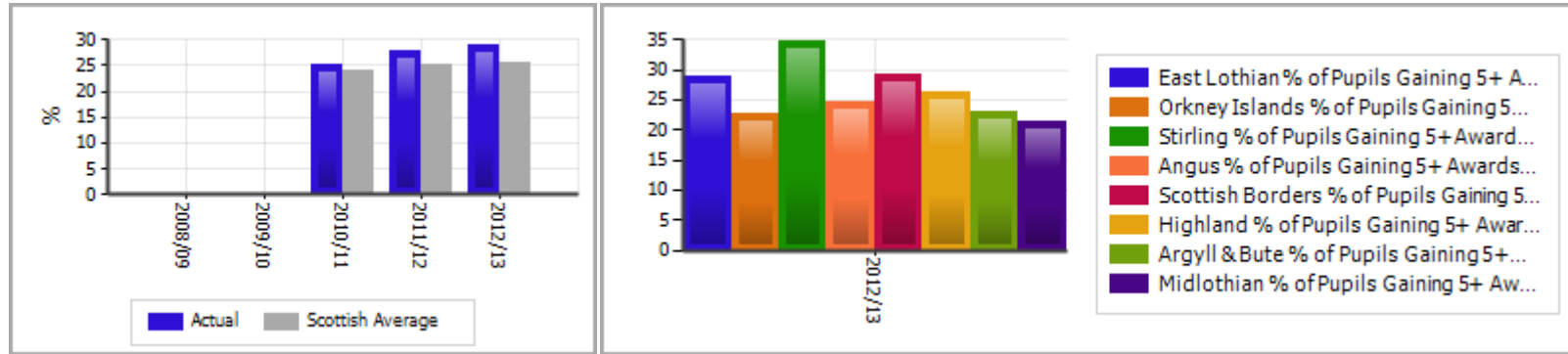
East Lothian recorded a slight fall between 2011/12 and 2012/13. The results for East Lothian over the period between 2010/11 and 2012/13 have been relatively static when compared to the Scottish average, which has increased from being lower than East Lothian in 2010/11 to higher in 2012/13. East Lothian records the 6th highest result out of the 8 councils in its family group.



Year	East Lothian	Scotland
2012/13	37.66	39.30
2011/12	38.00	38.00
2010/11	37.00	36.00

CHN 5: % of pupils gaining 5+ awards at level 6

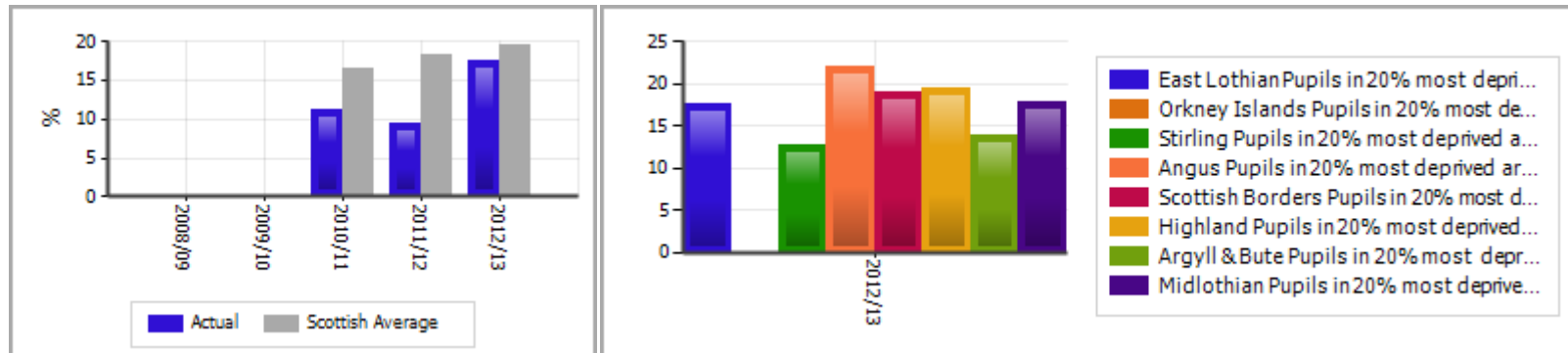
East Lothian has improved more strongly than the Scottish average for this measure. East Lothian records the 3rd highest result in its family group.



Year	East Lothian	Scotland
2012/13	28.94	25.70
2011/12	28.00	25.00
2010/11	25.00	24.00

CHN 6: % of pupils from deprived areas gaining 5+ awards at level 5 & CHN 7: % of pupils from deprived areas gaining 5+ awards at level 6

Relatively small numbers of pupils in East Lothian live within the 20% most deprived areas in Scotland. The results for these indicators will fluctuate due to the small cohort. CHN 6 has improved by 8 percentage points between 2011/12 and 2012/13 while CHN 7 has declined by 6 percentage points over the same period. The results for East Lothian are similar to those of comparator authorities.



Year	East Lothian	Scotland
2012/13	17.85	19.50
2011/12	9.52	18.30
2010/11	11.32	16.50

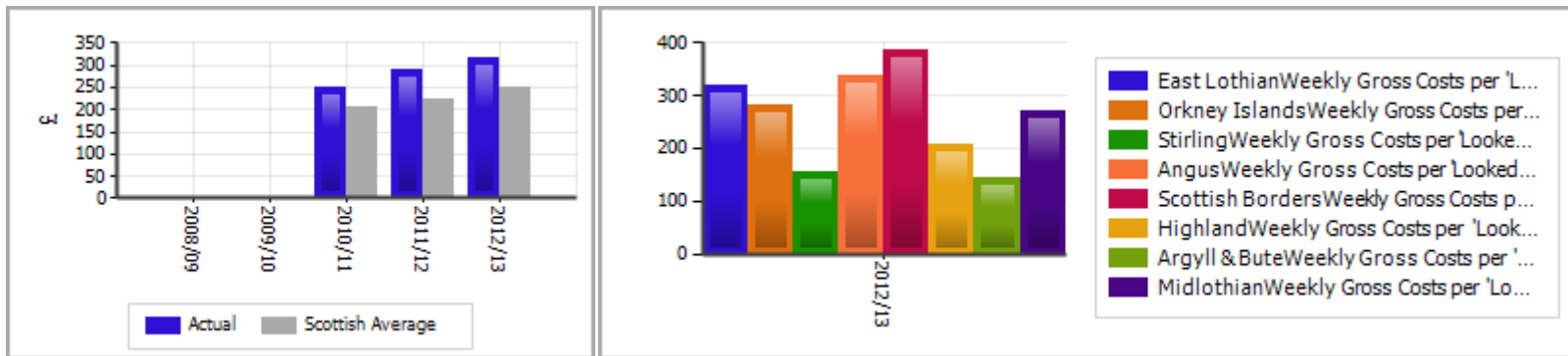
CHN 8b: The gross cost of “children looked after” in a community setting per child per week

National overview

The average cost per looked after child in a community setting in 2012/13 was £249 per week, which represented a 17.1% increase in real terms since 2010/11, with the rate of increase accelerating in the last 12 months. This change reflects an increase in gross spending in this area whilst the numbers of children being looked after has remained relatively constant.

East Lothian analysis

East Lothian’s costs appear to be relatively high, both in relation to the Scottish average and the family group. Costs have risen steadily in East Lothian over the past three years from £250.22 in 2010/11 to £317.59 in 2012/13.



Year	East Lothian	Scotland
2012/13	317.59	249.70
2011/12	288.35	221.20
2010/11	250.22	204.80

Corporate Services

CORP 1: Support services as a % of total gross expenditure & CORP 2: Cost of democratic core per 1,000 population

National overview

Corporate support services within councils cover a wide range of functions including finance, human resources, corporate management, payroll, legal services and a number of other corporate functions.

In 2012/13 the Scottish average among councils for the cost of support services as a percentage of the total revenue budget of a council was 4.7%. This was a slight increase from 2010/11 when the figure was 4.6%. In 2012/13 the range across councils is from 2.2% to 7.9% with a significant difference between urban, rural and semi-rural councils. In general terms, rural authorities displayed a higher percentage than urban and semi-rural area councils; the rates were 6.1% on average for rural councils, 3.9% for urban councils and 4.0% for semi-rural councils.

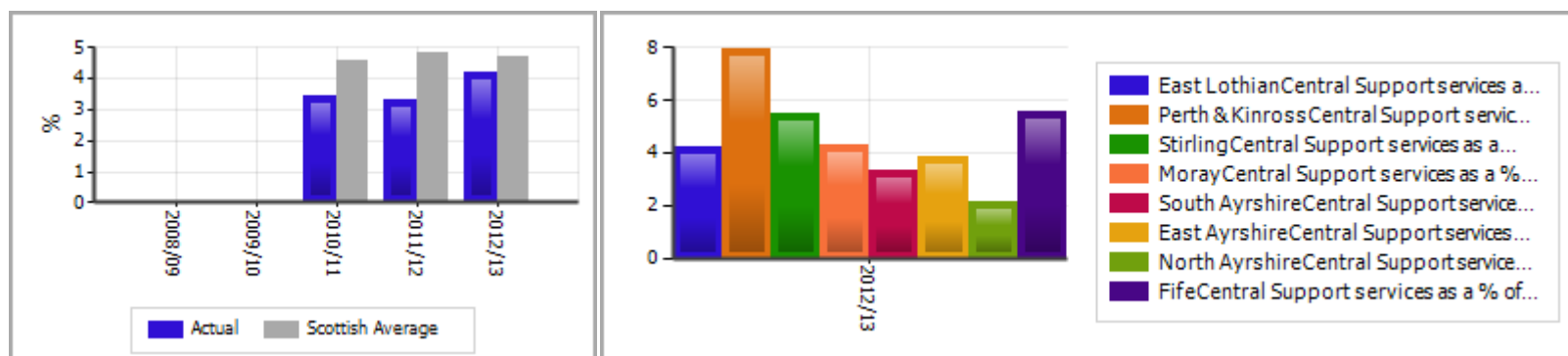
The democratic core service of local authorities covers all the services, including committees, that are necessary to support the council in discharging its democratic functions on behalf of the community.

In 2012/13 the Scottish average for the cost of the democratic core per 1000 of population was £31,778. The range across councils was from £15,610 to £241,447, with rural councils having significantly higher costs than urban/semi-rural equivalents. If the island councils are removed from this range it reduces from £13,610 to £48,448. These figures indicate the higher costs rural and island councils face associated with the distances elected members have to travel to attend meetings plus accommodation and other expenses incurred as a consequence of this. Over the three year period 2010/11 to 2012/13 the cost reduced by -8.8% in real terms. The rate of reduction has slowed in recent years from -8.1% in real terms from 2010/11 to 2011/12 to -0.8% in real terms from 2011/12 to 2012/13.

East Lothian analysis

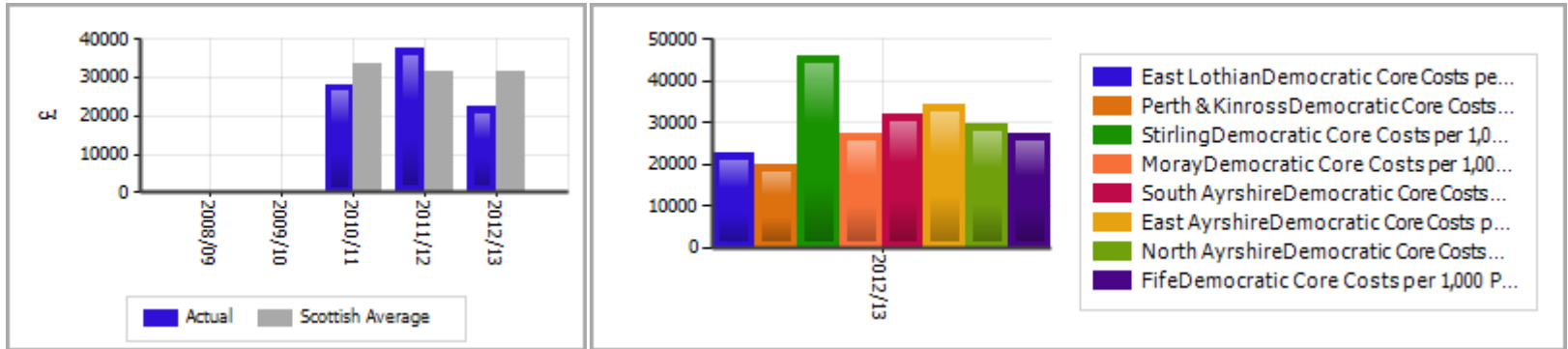
CORP 1 has increased significantly between 2011/12 and 2012/13, although there has been a significant decrease in CORP 2 over the same period. The change in these indicators may, to some extent, reflect the way in which these central support services are accounted for. The results for both indicators are lower than the Scottish average.

CORP 1



Year	East Lothian	Scotland
2012/13	4.20	4.70
2011/12	3.30	4.80
2010/11	3.46	4.60

CORP 2



Year	East Lothian	Scotland
2012/13	22478	31778
2011/12	37577	31469
2010/11	28225	33475

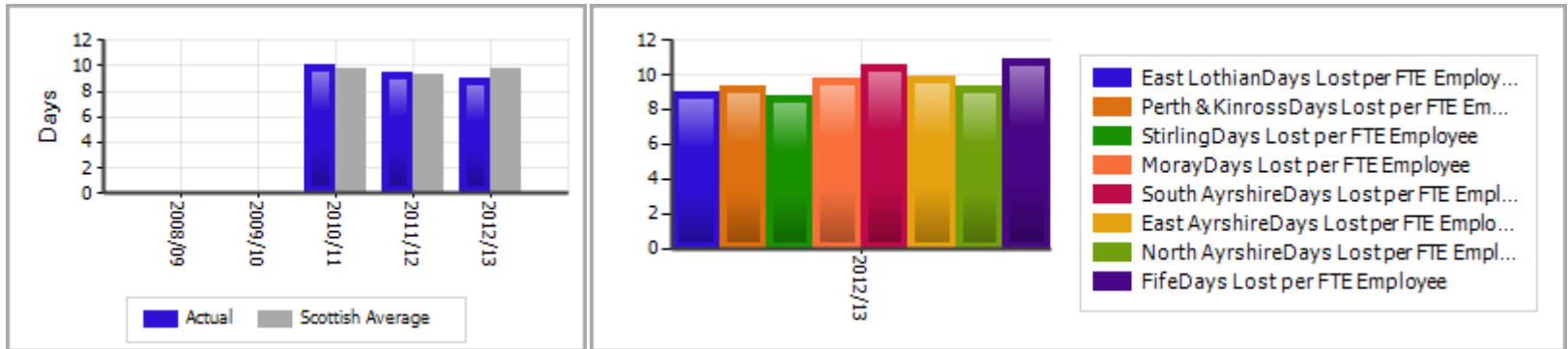
CORP 6: Sickness absence days per employee

National overview

The management of sickness absence is a major priority for councils in their efforts to manage their costs. The rate has remained flat at 10 days average from 2010/11 to 2012/13. There is little variation based on the urban rural nature of a council or size.

East Lothian analysis

Sickness absence levels in East Lothian have declined from being above the Scottish average in 2010/11 to below average in 2012/13. East Lothian has the second lowest level of sickness absence amongst the 8 councils in its family group.



Year	East Lothian	Scotland
2012/13	9.06	9.80
2011/12	9.40	9.30
2010/11	10.10	9.80

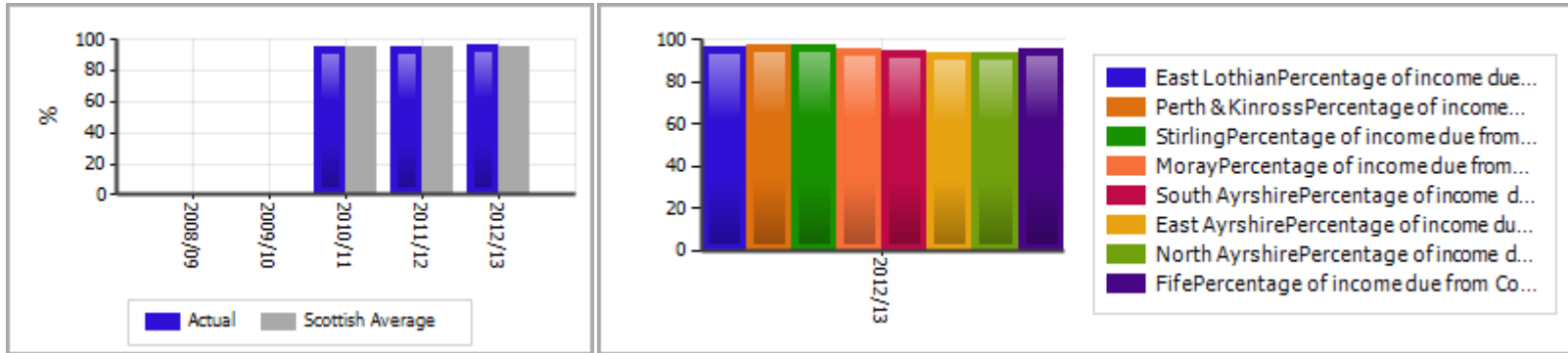
CORP 7: Percentage of income due from Council Tax received by the end of the year

National overview

The Scottish average overall rate of in-year collection for council tax was 95.2% in 2012/13; a figure that has remained steady since 2010/11. To achieve this level of collection during a period of significant economic pressure is testimony to the hard work of councils and their finance staff.

East Lothian analysis

The percentage of Council Tax collected in East Lothian has increased more rapidly than the Scottish average. East Lothian collected the third highest proportion of Council Tax out of the 8 councils in its family group during 2012/13.



Year	East Lothian	Scotland
2012/13	96.45	95.20
2011/12	95.82	95.10
2010/11	95.34	94.70

Adult Wellbeing

SW 1: Older persons (Over 65) home care costs per hour

National overview

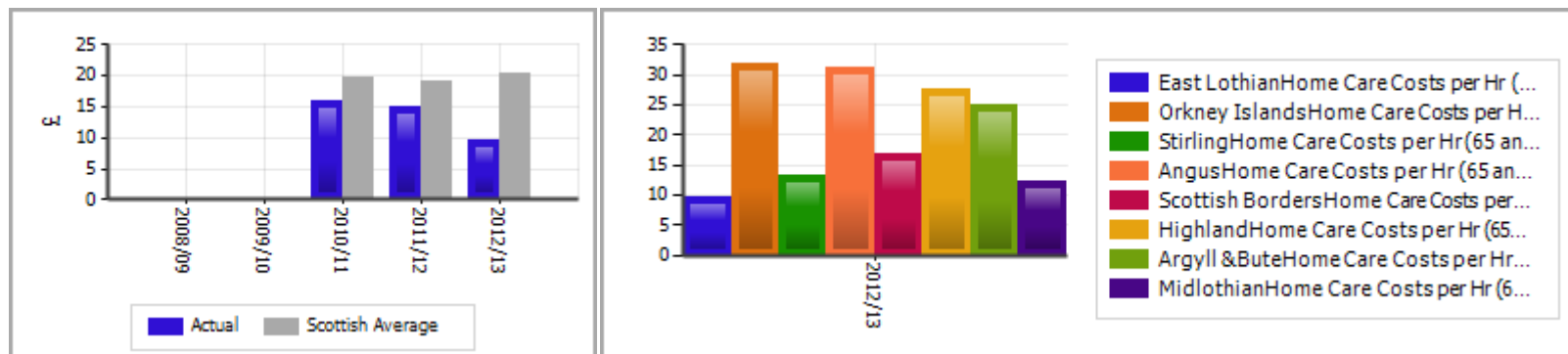
Council spend on home care services has been standardised around home care costs per hour for each council. The average spend per hour in 2012/13 was £20.48 per hour with the range in spending per hour going from £9.70 per hour to £43.11.

From 2010/11 there has been, in real terms, a -0.6% reduction in spending per hour on home care for people over 65. The rate of change has gone from a reduction of -5.1% between 2010/11 and 2011/12 to a real growth of 4.7% from 2011/12/ to 2012/13.

When the data is examined, there is no strong connection between costs per hour and sparsity, deprivation levels or size of the council. It is important to note that the age structure of the local population does not drive cost in this area. It is often assumed that the older a population group is, the higher the costs for service providers, although this is not borne out by the data. Of more significance is the needs profile of the local population which is not simply determined by its age structure. The level of vulnerability across the population is a key factor in driving demand pressures.

East Lothian analysis

Home care costs decreased sharply in East Lothian from 2011/12 to 2012/13. The costs reported for East Lothian are less than half the level of the Scottish average and are also lower than all of the councils in the family group. The change in costs raises a question over the accuracy of the data.



Year	East Lothian	Scotland
2012/13	9.70	20.48
2011/12	14.92	19.22
2010/11	15.97	19.79

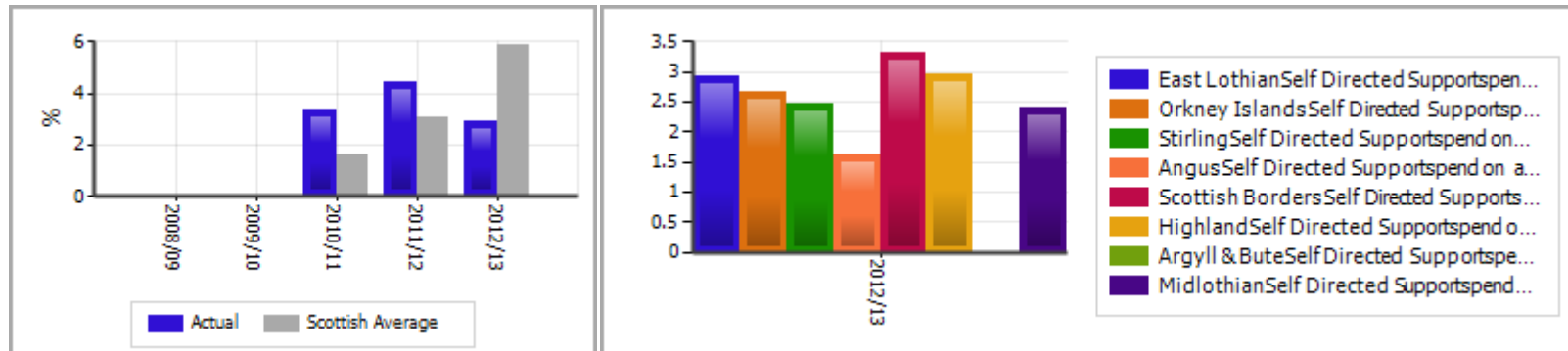
SW 2: SDS spend on adults 18+ as a % of total social work spend on adults aged 18+

National overview

In 2012/13 the range in the percentage of social work spend on adults (18+) via direct payments as a percentage of total social work spend on adults 18+ was 0.8% to 29.8%. The Scottish average in 2012/13 was 5.9%. Between 2010/11 and 2012/13 there was an increase in the number of clients making use of self-directed spend opportunities, the rate of improvement was 4.3%. The majority of this growth occurred in Glasgow where there has been a growth of 28.5%. Glasgow City Council was part of a national project to drive increases in direct payments and we will work with the council to better understand how they have achieved growth in this area and share that practice with other councils. The range between the highest and lowest performance on this measure is such that we will work with all 32 councils and ADSW to better understand its robustness and to identify service practices that are driving some councils forward at a faster rate than others.

East Lothian analysis

SDS spend in East Lothian decreased in East Lothian between 2011/12 and 2012/13. The Scottish average increased significantly, although it should be noted that this is to some extent due to an outlier in Glasgow, which records a result of almost 30%. East Lothian's result is broadly similar to those of the authorities in its family group.



Year	East Lothian	Scotland
2012/13	2.93	5.90
2011/12	4.40	3.10
2010/11	3.40	1.60

SW 3: % of people aged 65+ with intensive care needs receiving care at home

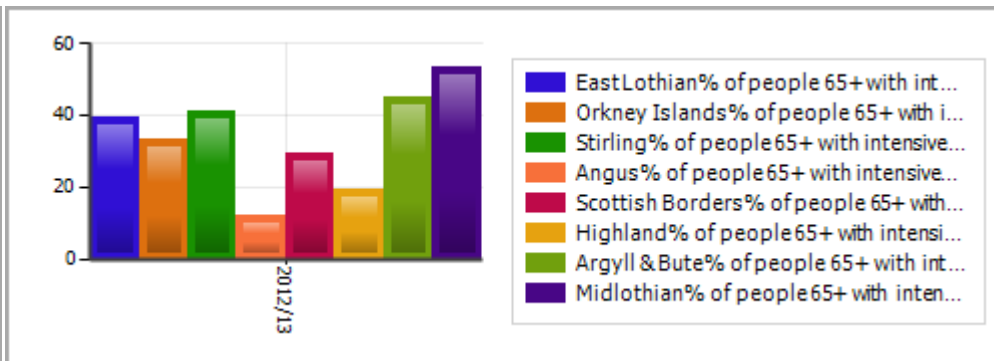
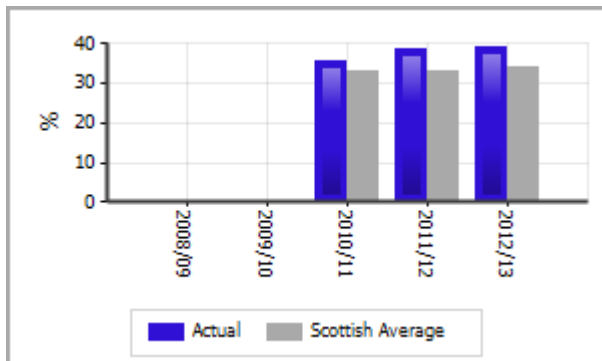
National overview

As part of the effort to care for more people in their own home rather than in institutional settings such as hospitals, this is an area of growing importance. In 2012/13 the range was 12.3% to 53.6%, with the Scottish average being 34%. In comparison the equivalent Scottish average in 2010/11 was 33%

The range of figures appears to be related to council size with smaller councils on average achieving higher levels of intensive home care provision. However, there are no systematic connections between balance of care levels and population sparsity or deprivation.

East Lothian analysis

The proportion in East Lothian has increased more rapidly between 2010/11 and 2012/13 than the Scottish average. The result for East Lothian is higher than the Scottish average and the 4th highest in the family group.



Year	East Lothian	Scotland
2012/13	39.37	34.10
2011/12	38.42	33.30
2010/11	35.47	33.10

SW 5: average weekly cost per resident

National overview

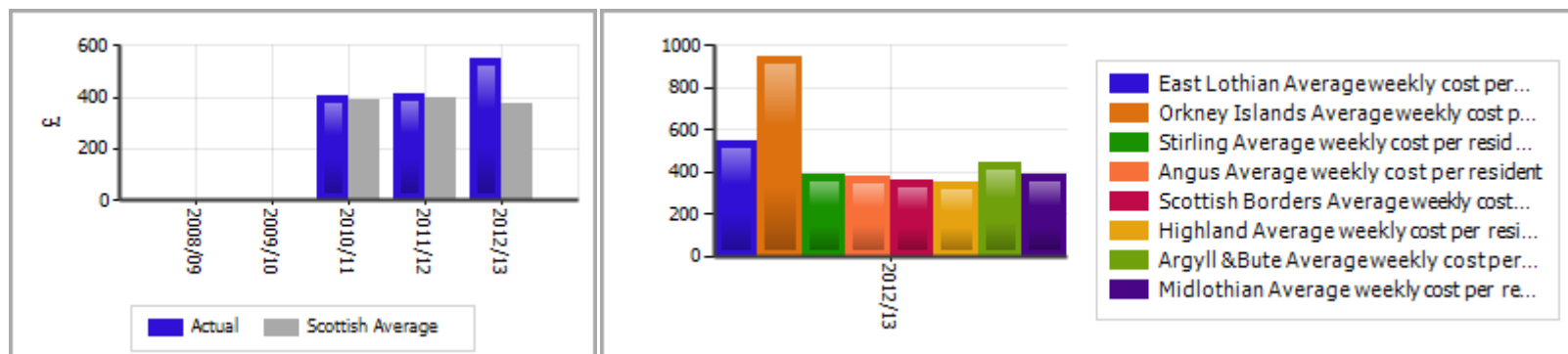
The measure has been standardised by looking at residential costs per week for people over the age of 65. In 2012/13, the average cost across Scotland was £373 per week per resident. Analysis of the data reveals considerable levels of variation across councils with island councils in particular reporting significantly higher costs. When island councils are excluded, costs ranged from £182 to £546, with island councils each reporting costs above £900 per resident. There are no systematic patterns in costs in relation to population sparsity, size of council or level of deprivation when island councils are excluded from the analysis. In real terms the weekly cost has reduced since 2010/11. In 2010/11 the weekly cost in real terms was £404 and in 2012/13 it was £373. In percentage terms this represents a -7.9% change. The rate of change has moved from a 0.2% growth from 2010/11 to 2011/12 to a reduction of -8.1% in 2011/12 to 2012/13. However it is important to note that the figures for 2012/13 have, in agreement with the local government Directors of Finance, excluded a support cost component which was included in previous years, and therefore the costs across the years are not directly comparable.

Local authorities purchase most care home places for older people from private and voluntary care home providers. Local authorities which have retained their own council-owned, "in-house" care home capacity, may have higher net costs, as staff salaries and pension costs are generally lower in the private and voluntary sectors. In the absence of reliable indicators regarding the outcomes for this service, it is not possible to comment on the relative merits of the two service delivery models.

Net expenditure on residential care is defined as gross expenditure minus income. Up to and including 2014/15, the National Care Home Contract for residential care for older people will, to a large extent, have standardised the gross cost per resident per week, apart from enhancements that some councils may pay for specialist dementia care or respite as required by local market conditions. Net expenditure is affected by income, and therefore by the ability of residents to contribute to the costs of their care, and the extent to which other sources of income, such as NHS Resource Transfers, are counted as a contribution to the local authority's costs for providing or funding care home placements. Variations in net expenditure between local authorities will also be affected by variations in the numbers of eligible wealthier older people in care homes for whom the council is paying free personal and nursing care.

East Lothian analysis

The cost for East Lothian increased significantly between 2011/12 and 2012/13, which the Scottish average remained consistent. East Lothian now has the highest costs in the family group (with the exception of Orkney). The sharp increase in costs raises a question over the accuracy of the data.



Year	East Lothian	Scotland
2012/13	546.49	372.63
2011/12	409.74	398.31
2010/11	402.02	388.60

Culture & Leisure

C&L 1: Cost per attendance at sports facilities

National overview

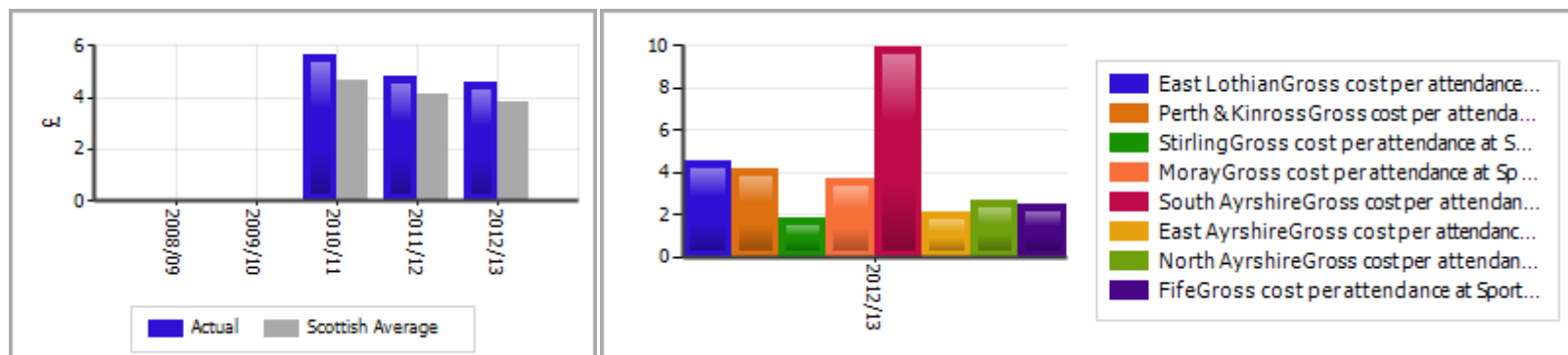
With respect to the cost to each council of an attendance at a sports facility, in 2012/13 the range in cost per visit was £1.82 to £9.92. The average cost per visit across Scotland was £3.82. Over the three year period from 2010/11 to 2012/13 the average cost fell from £4.82 to £3.82 in real terms. In percentage terms this represents a -20.8% reduction in real terms. The rate of reduction slowed from -12.3% in real terms in 2010/11 to 2011/12 to -9.8% between 2011/12 to 2012/13.

The cost per attendance figures on their own do not give a complete picture of what has been happening in sports services over the last three years. While the cost to the council per attendance has been declining the number of people using council provided sports services has risen significantly. The increased numbers of users means that the cost per attendance figure has declined by -20.8%. The average total spend across Scotland over the three years by councils on sports services has not reduced as sharply; this has fallen by -6.4%.

Visitor numbers have increased by 13.5% over the three years covered by the LGBF while the unit cost of sports attendances has fallen. This indicates that leisure and recreation services have managed to attract more people into using their facilities and to do so while managing significant financial pressures. It is also worth noting that this increase in the productive use of council provided community assets has been achieved against a backdrop of a major economic recession and significant pressure on household spending.

East Lothian analysis

The cost for East Lothian has decreased at a faster rate than the Scottish average over the period between 2010/11 and 2012/13. However, the result for 2012/13 remains higher than the Scottish average and is the second highest in the family group. According to the figures provided for the previous Statutory Performance Indicators, the number of attendances at sports facilities increased in East Lothian between 2010/11 and 2011/12, but declined between 2011/12 and 2012/13.



Year	East Lothian	Scotland
2012/13	4.56	3.82
2011/12	4.84	4.15
2010/11	5.67	4.63

C&L 2: Cost per library visit

National overview

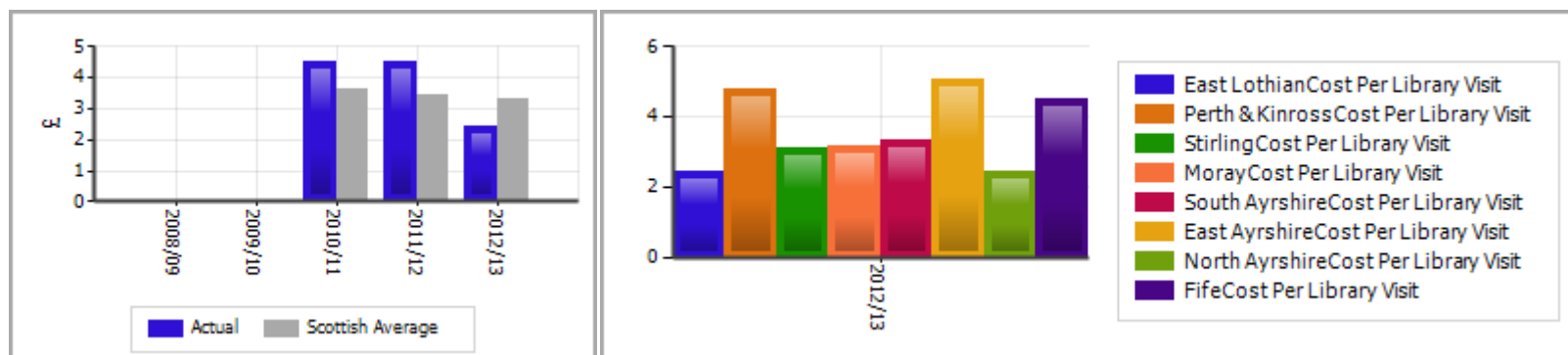
With respect to library services there is a clear effect of population density, with urban councils typically having lower cost per visit than rural equivalents. In rural areas the costs involved in providing the service to smaller populations dispersed over larger areas pushes costs up in comparison to densely populated parts of the country.

The average cost per library visit in 2012/13 in Scotland was £3.31. The range in cost per visit in 2012/13 was from £2.00 to £6.42. In 2010/11 the Scottish average cost per visit was £3.75 in real terms. Over the three year period this represents a reduction of -11.7%. As in other service areas the rate of reduction has slowed over the three year period moving from a reduction between 2010/11 to 2011/12 of -6.9% to -5.1% from 2011/12 to 2012/13.

Over the three year period covered by the LGBF, gross spending on library services across Scotland fell by -4.5%, whereas the unit cost per visit fell by -11.7%. At the same time visitor numbers increased across the country by 3.8%. Again this indicates that against a difficult financial backdrop council services have achieved a growth in people using the service and, as a consequence, reduced the unit cost per visit to the council by a substantial margin.

East Lothian analysis

The cost per library visit dropped significantly in East Lothian between 2011/12 and 2012/13. The main factor influencing this change relates to the methodology used to record visits, rather than a significant change in performance.



Year	East Lothian	Scotland
2012/13	2.44	3.31
2011/12	4.52	3.43
2010/11	4.54	3.61

C&L 3: Cost of museums per visit

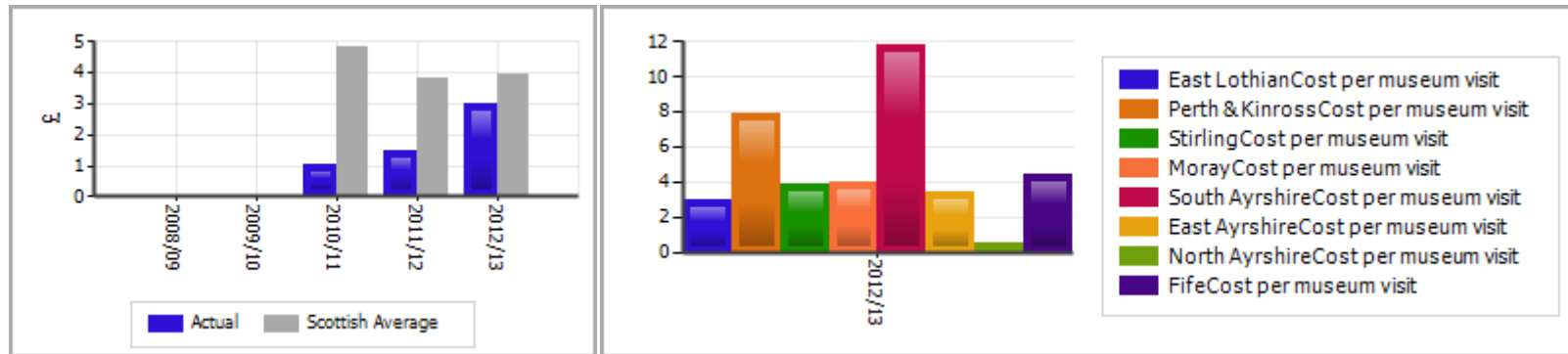
National overview

With respect to museum services similar patterns occur as with library services. In 2012/13 the range in cost per visit was from £0.34 to £18.92 and the Scottish average cost per visit in 2012/13 was £3.94. Over the three year period this represents a reduction of -21.9% in real terms. As with libraries and sports services the trend has been for a lower reduction in 2012/13 than in previous years. The reduction between 2010/11 and 2011/12 was -23.2% in real terms whereas between 2011/12 and 2012/13 it was a growth of 1.8% in real terms.

The average spending on museum services across Scotland has fallen by around -2.6% since 2010/11 but in the same period visitor numbers have increased by 19.6%. The combined effect of this increase in the productive use of the service has been to reduce significantly the unit cost as measured by the cost per visit indicator.

East Lothian analysis

The cost of museums per visit increased in East Lothian between 2011/12 and 2012/13. However, it remains below the Scottish average and below all but one of the councils in the family group. According to the previous Statutory Performance Indicator for museums the number of attendances made in person to museums in East Lothian increased significantly between 2011/12 (32,366) and 2012/13 (52,840).



Year	East Lothian	Scotland
2012/13	2.98	3.94
2011/12	1.47	3.81
2010/11	1.05	4.85

C&L 4: Cost of parks and open spaces

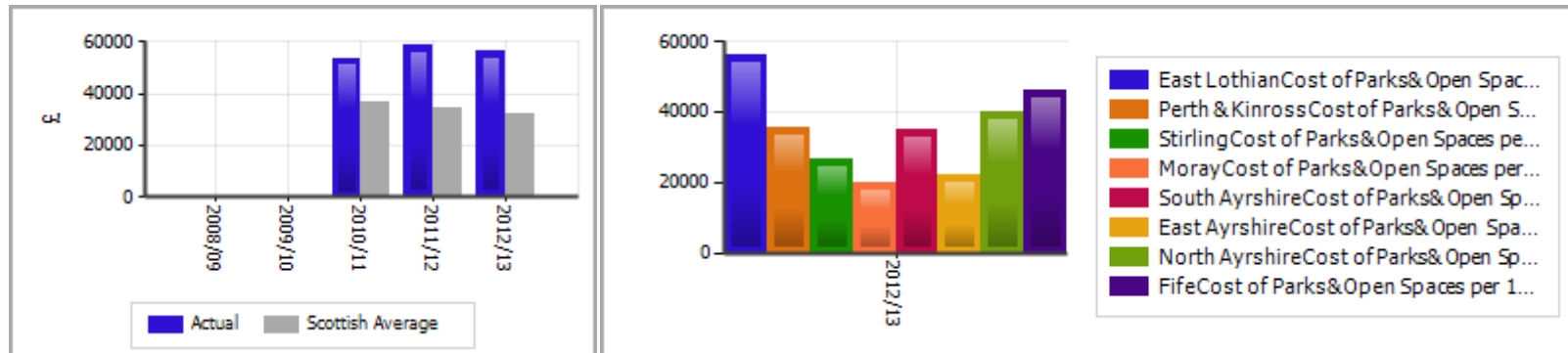
National overview

In terms of parks and open spaces the information suggests that the geographical nature of the area a council covers is the most important point in shaping the cost of providing the service. In 2012/13 the Scottish average of the service measured on a per 1000 population basis was £32,256, the range in cost was from £1851 to £56,440. Over the three year period from 2010/11 to 2012/13 the change in real terms was -15%. The rate of change has remained consistent across the 3 year period, with a -8.2% real terms reduction in 2010/11 to 2011/12 and a 7.4% reduction between 2011/12 and 2012/13.

In examining the data, rural councils typically have lower costs but councils covering a semi-rural area have typically the highest costs. This is largely down to the concentration of open space in more urban areas meaning that the cost to maintain those spaces is reduced as a result and in rural areas there is less publically maintained open space. In semi-rural areas though there are urban communities requiring access to open space but these facilities will be dispersed across a much wider geography than in a purely urban council area and so higher costs to semi-rural councils are evident.

East Lothian analysis

East Lothian records the highest cost for this indicator. The results are significantly higher than the Scottish average and the councils in the family group.



Year	East Lothian	Scotland
2012/13	56440	32256
2011/12	58724	34237
2010/11	53220	36448

Environmental Services

ENV 1: Gross cost of waste collection per premise & ENV 2: Gross cost of waste disposal per premise

National overview

In 2012/13 the Scottish average cost (gross) of waste collection per premise was £77.78 but in net terms the average cost per premise was £59.12. The range in 2012/13 across Scotland on a gross basis was from £45.45 to £176.72. This range is however distorted by the impact of factors such as rural sparsity and the tenemental structure of local housing on the service. Across rural councils the average gross cost per premise was £84.18, in urban councils it was £59.95 and in semi-rural councils it was £76.83.

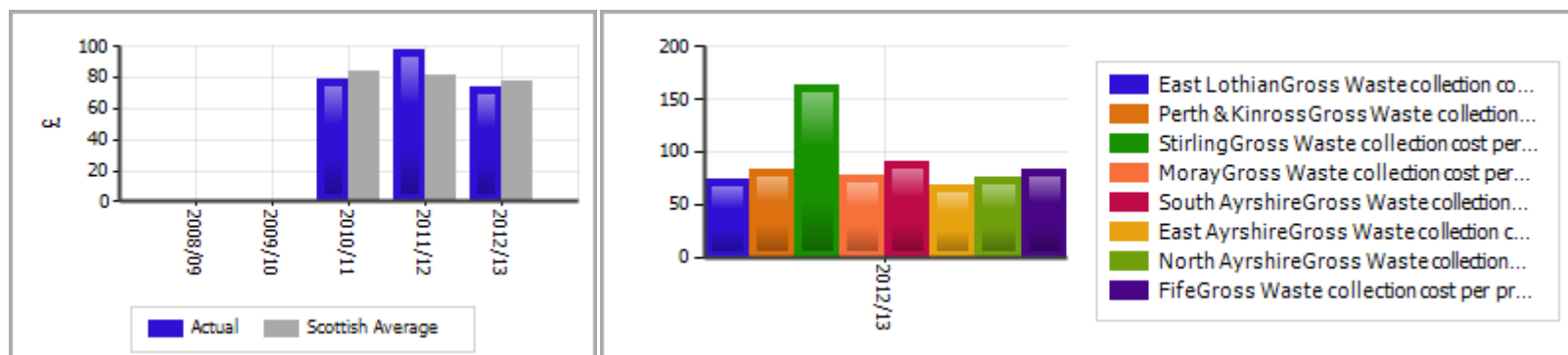
When the figures are examined on a net basis the same broad trend occurs with urban councils delivering the service at a lower cost. The average among urban councils was £46.20, among rural councils £65.24 and in semi-rural council areas £63.54. Over the three year period from 2010/11 to 2012/13, the Scottish average cost per premise for waste collection (on a gross basis only) reduced by -11.4% in real terms. The rate of annual improvement in cost has been relatively steady over the three period at around -6% per annum in real terms.

In 2012/13 the Scottish average gross cost of waste disposal per premise was £108.65; in net terms the cost was £92.28. The range across councils was from £66.29 to £325.69. The average gross cost for urban councils was £110.56, for rural councils it was £120.90 but in semi-rural council areas it was £91.57. On a net basis, the figures for 2012/13 were an average of £105.45 for urban councils, £97.87 for rural councils and £77.25 for semi-rural council areas. In both cases the island councils typically face higher costs due to the nature of the island communities and the associated costs of supporting the local populations within the islands. Over the three year period from 2010/11 to 2012/13, the Scottish average gross cost of waste disposal has increased in real terms by 3.7%, from £104.80 in 2010/11 to £108.65 in 2012/13. The rate of increase has slowed in recent years from a 2.3% increase in real terms from 2010/11 to 2011/12 and an increase of 1.3% from 2011/12 to 2012/13. In future years we will replace the gross cost per premise data with the net cost data.

East Lothian analysis

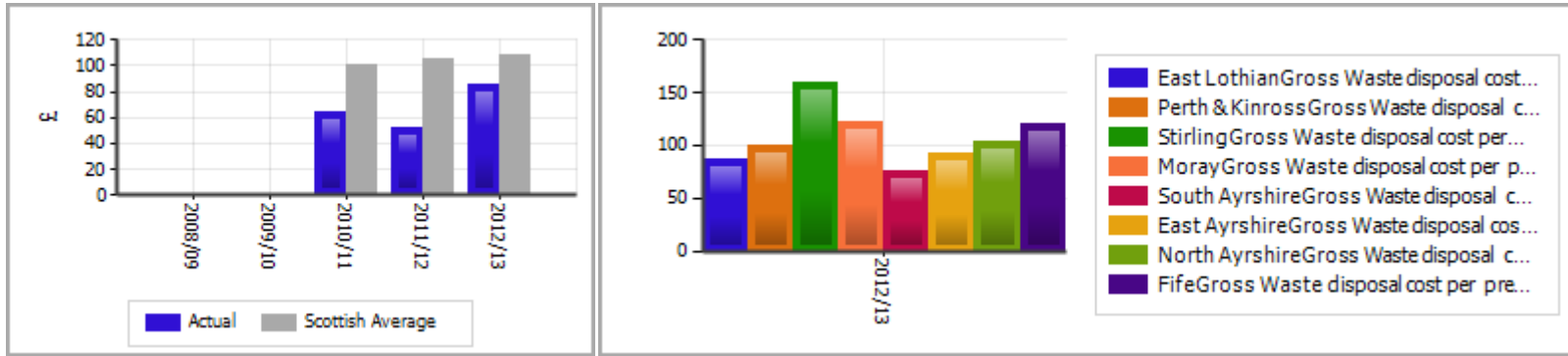
The decrease in ENV 1 appears to be in direct proportion to the increase in ENV 2. These indicators are closely related and it may be that much of the change reflects accounting practices rather than performance. In both cases the results for East Lothian are lower than the majority of councils in the family group.

ENV 1: Gross cost of waste collection per premise



Year	East Lothian	Scotland
2012/13	73.32	77.78
2011/12	97.53	81.06
2010/11	78.73	84.34

ENV 2: Gross cost of waste disposal per premise



Year	East Lothian	Scotland
2012/13	86.26	108.65
2011/12	51.71	105.40
2010/11	64.92	100.64

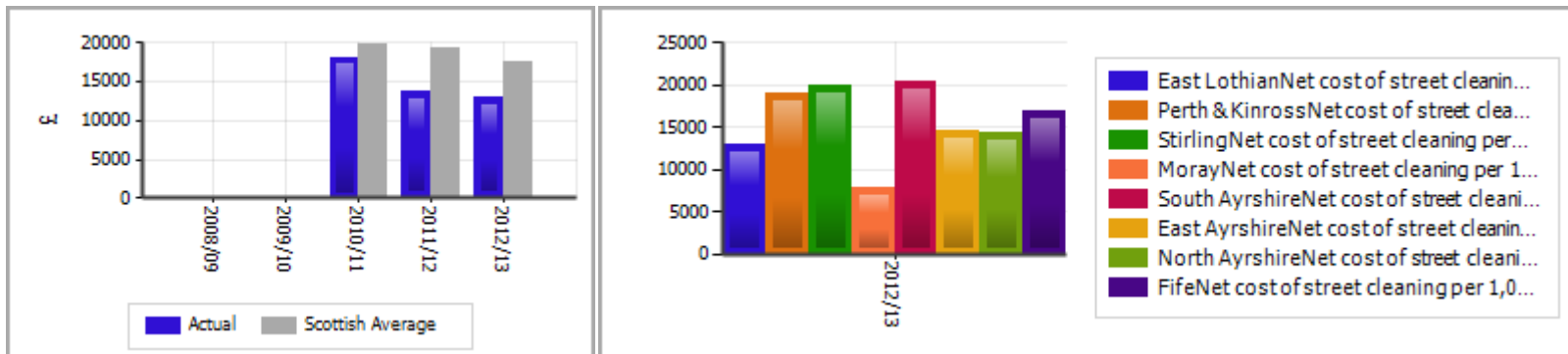
ENV 3a: Net cost of street cleaning per 1,000 population

National overview

Over the past three years, the Scottish average for net cost of street cleaning has reduced in real terms by -15.2%. This rate of reduction has increased in recent years from -4.6% in real terms from 2010/11 to 2011/12 to -11.1% from 2011/12 to 2012/13. The range across councils varies significantly (from £7327 to £29,621, with the Scottish average at £17,534) with significantly higher costs in urban areas.

East Lothian analysis

The cost for East Lothian has decreased more rapidly than the Scottish average. East Lothian's costs are the 2nd lowest in the family group of 8 similar councils.



Year	East Lothian	Scotland
2012/13	13009	17534
2011/12	13792	19380
2010/11	17948	19852

ENV 4a: Cost of maintenance per kilometre of roads

National overview

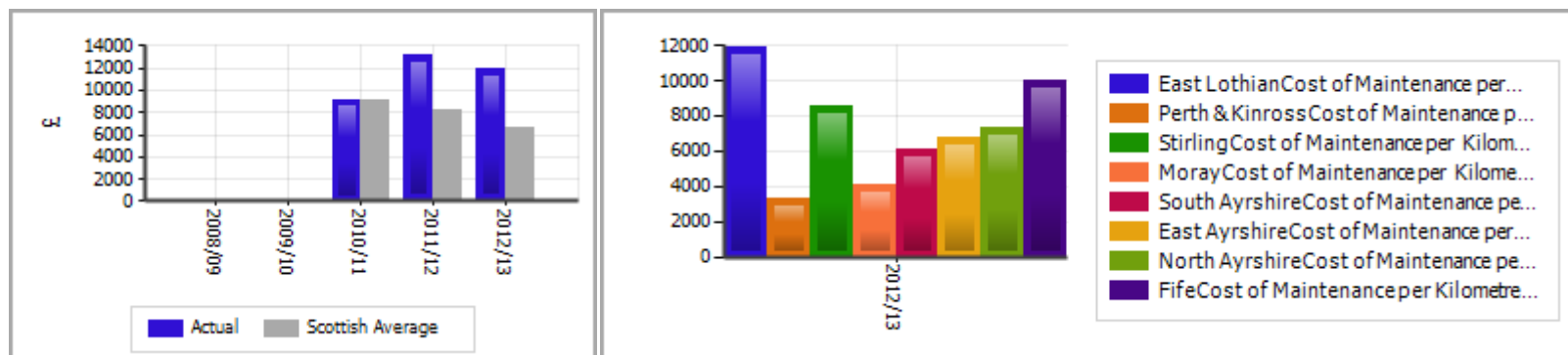
In terms of the cost of road maintenance per kilometre of road, the Scottish average was £6655. The range of cost per kilometre in 2012/13 was from £2619 to £25,598. There is a significant difference in costs between urban, rural and semi-rural councils. The average in 2012/13 for urban councils was £10,278 per kilometre, for rural councils it was £3414 and for semi-rural area councils it was £9641. The higher traffic volumes experienced in urban and semi-rural areas, where some large towns are located, is a key factor behind the variations in spending.

For the three years for which we have data, the Scottish average cost per kilometre fell in real terms by -12.3%. The rate of reduction has altered significantly over the three years as in 2010/11 to 2011/12 there was a real terms reduction of -16.7% whereas in 2011/12 to 2012/13 there was a growth in real terms of 5.3%.

East Lothian analysis

ENV 4a should be treated with a large degree of caution. It has become apparent through the pilot benchmarking exercise that councils account for roads expenditure in a variety of different ways. The cost data for this indicator is drawn from the Local Financial Return (LFR) which accounts for revenue expenditure. However, some councils classify a large proportion of their expenditure on roads as capital expenditure.

East Lothian's costs are significantly higher than the Scottish average and are the highest in the family group by some margin. The Scottish average showed a steady decrease between 2010/11 and 2012/13. East Lothian showed a slight decrease in costs between 2011/12 and 2012/13, although it remains substantially higher than the position in 2010/11.



Year	East Lothian	Scotland
2012/13	11911	6655
2011/12	13163	8265
2010/11	9044	9029

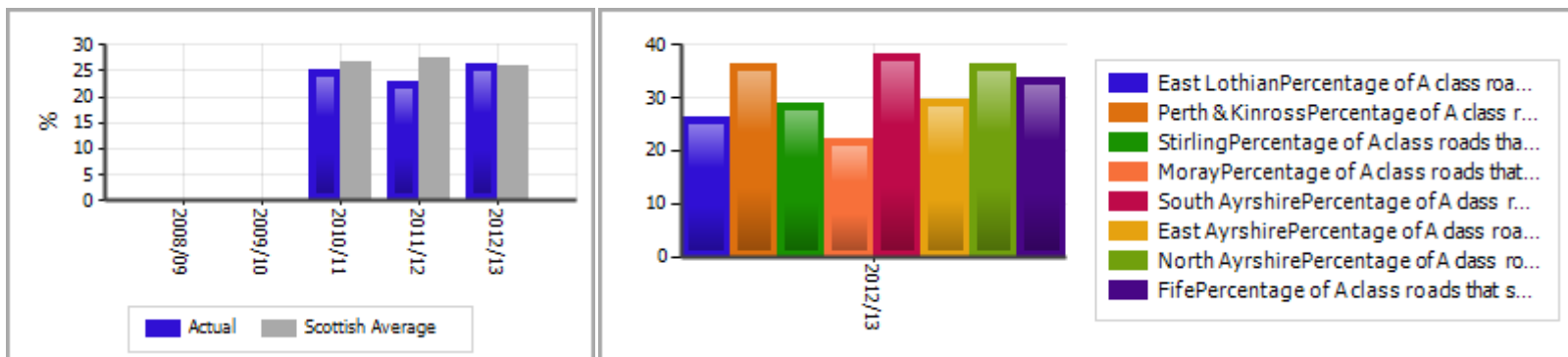
ENV 4b: Percentage of A class roads that should be considered for maintenance treatment & ENV 4c: Percentage of B class roads that should be considered for maintenance treatment

National overview

For class A roads in urban areas, the percentage needing repair in 2012/13 was 25%, in semi-rural area councils it was 26.1% and in rural areas it was 28.9%. Similar patterns prevailed across B and C class roads too. Over the three year period covered by this report the overall percentage of A,B and C class roads in need of repair has remained at similar levels. For A class roads it has remained around 30% on average across Scotland, 36% for B class roads and 35% for C class roads. So despite the overall reductions in spending, the condition of the roads network has remained at broadly the same level over the three year period; a trend highlighted by the Accounts Commission in its 2013 review of roads maintenance.

East Lothian analysis

The proportion of A and B class roads requiring maintenance in East Lothian has increased from being below the Scottish average in 2011/12 to being above it in 2012/13. However, East Lothian still fares relatively well in comparison to the other councils in the family group. East Lothian had the 2nd lowest proportion of A roads in need of maintenance and the 3rd lowest proportion of B roads in need of maintenance in 2012/13.



Year	East Lothian	Scotland
2012/13	26.20	26.00
2011/12	23.01	27.30
2010/11	25.17	26.80

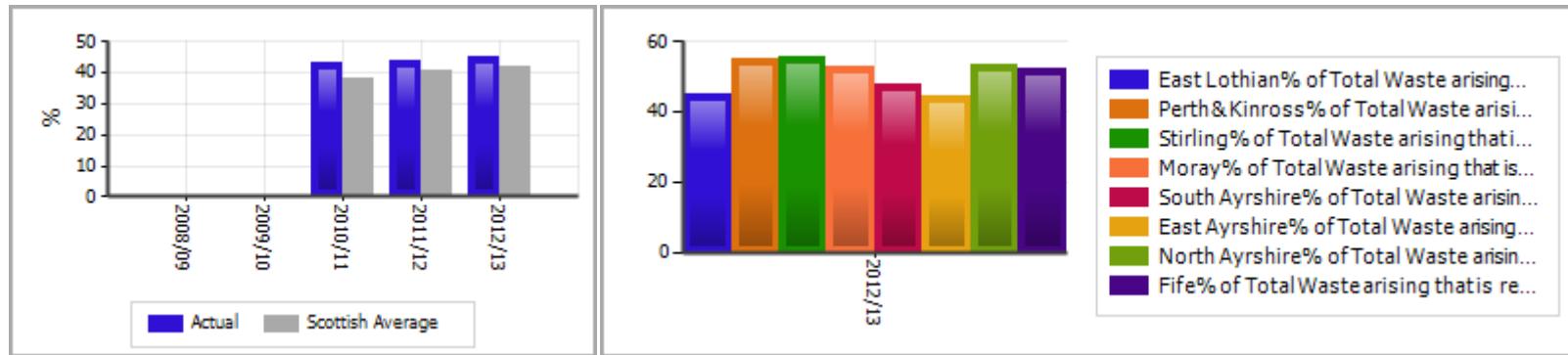
ENV 6: The % of total waste arising that is recycled

National overview

Over recent years councils have put greater emphasis on the recycling of waste in compliance with the National Zero Waste Plan. For the two years for which we have consistent data, councils have achieved a Scottish average recycling rate of 41% in 2011/12 and 41.7% in 2012/13. The range in recycling rates achieved is significant, ranging from 14.1% to 57% in 2012/13. Rural councils achieved on average a rate of 33.5%, with urban councils achieving an average of 40.1% rate and semi-rural area councils achieving an average of 50.1%. Within these groups it would seem that, in general, medium-sized, mixed area councils achieve the highest rates of recycling.

East Lothian analysis

The proportion of waste recycled in East Lothian is increasing and is higher than the Scottish average. However, rates of recycling are relatively low when compared to the other councils in the family group (East Lothian has the lowest level among the 8 councils).



Year	East Lothian	Scotland
2012/13	45.10	41.70
2011/12	43.70	41.00
2010/11	43.40	38.20

Housing

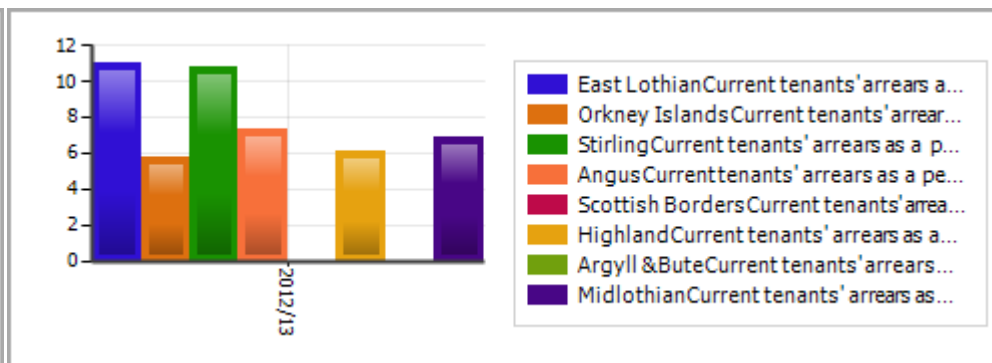
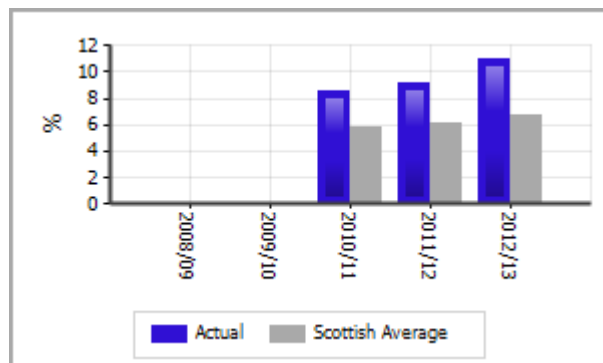
HSN 1: Current tenant's rent arrears as a percentage of the net rent due

National overview

A likely effect of welfare reform can be seen in the increase in tenants' arrears as a percentage of net rent due since 2010/11, with the rate of this increase accelerating in the past year. The range across authorities in 2012/13 was 3.34% to 11%, with urban authorities reporting the highest arrears.

East Lothian analysis

Arrears have been rising in East Lothian at a faster rate than the Scottish average. East Lothian recorded the highest level of rent arrears in Scotland in 2012/13.



Year	East Lothian	Scotland
2012/13	11.00	6.80
2011/12	9.20	6.10
2010/11	8.58	5.90

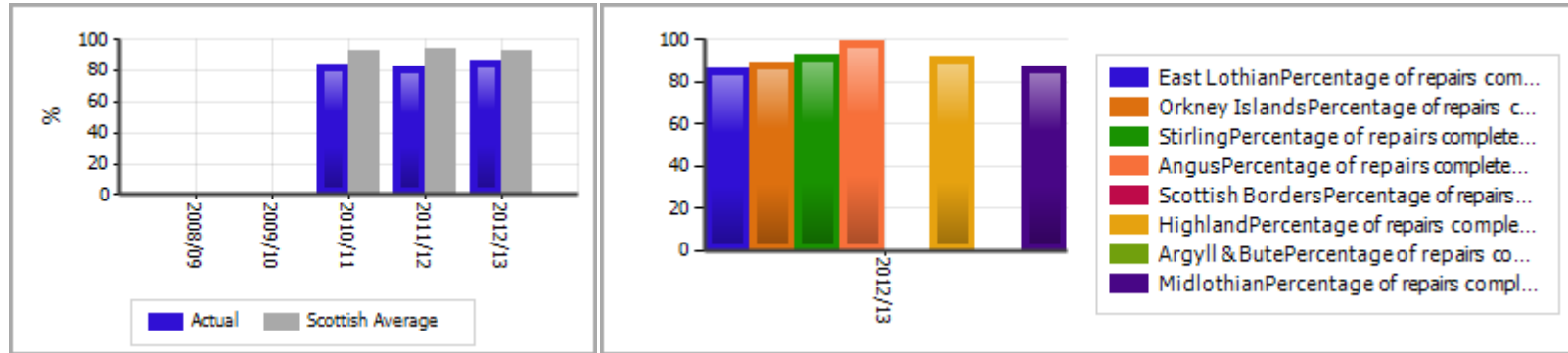
HSN 4: Percentage of repairs completed within target times

National overview

The percentage of repairs completed within target times has been consistently averaging 93% for the past three years, and is highest in areas of low deprivation.

East Lothian analysis

The percentage remains lower in East Lothian than the Scottish average; however, it has improved more quickly than average, meaning that the gap has narrowed. East Lothian reported the lowest percentage of the councils in its family group.



Year	East Lothian	Scotland
2012/13	86.60	93.10
2011/12	82.30	93.60
2010/11	83.70	93.30

Economic Development

ECON 1: % unemployed people assisted into work from Council operated / funded employability programmes

National overview

This year, for the first time, the framework includes an economic development. Most councils participate in employment-related support – either via direct provision or via funding delivery by third parties. Employability support is often delivered in partnership and this measure seeks to capture data on employability services where the council has either directly delivered and/or funded the intervention. The measure is an indication of the proportion of unemployed people in a council area that are participating in employability responses led or supported by the council. Currently this measure utilises part of the data submitted by councils as part of their annual Scottish Local Authorities Economic Development group (SLAED) return. In 2012/13, the Scotland average for 'percentage of unemployed people assisted into work from council funded/operated employability programmes' was 9.6% of total unemployed. There is a considerable range across councils, from 0.6% to 18%, with a tendency for higher rates being achieved in areas with higher levels of deprivation. Most rural councils tend to have lower rates. Some of the variation is likely to be due to differing priorities and approaches to employability across councils.

East Lothian analysis

East Lothian did not provide a result for this indicator.

Satisfaction questions

The questions regarding satisfaction with services are drawn from the Scottish Household Survey. Results for the Survey are provided for every Council area once every two years. The sample varies widely between areas. East Lothian's results are based on a sample of 270 people, although the sample for individual questions can be even smaller (due to the fact that not all people have experience of using a service). Due to the small sample size the true result could vary by up to 7% either way for the satisfaction figures (there is a 95% chance that the result lies within 7% of the estimate).

East Lothian records relatively high levels of satisfaction across a range of services. Indeed, for some services the level of satisfaction in East Lothian is the highest in Scotland.

Service	East Lothian Result (2012/13)	Ranking in Scotland (out of 32 where 1 is the highest level of satisfaction)
Local schools	91%	6
Social care or social work	65%	10
Libraries	94%	3
Parks & open spaces	96%	1
Museums & galleries	88%	6
Leisure facilities	93%	2
Waste collection	94%	2
Street cleaning	87%	2

Policy and Performance Review Committee: Annual Work Programme 2014 Update (April 2014)

Date	Performance Monitoring/ Inspection Reports	Reports requested by members/ Other Reports
29 th Apr 2014	Follow up to Housing Benefit performance report SOLACE / Improvement Service Performance Indicators	Review of Effectiveness of Council Investment in Police and Community Wardens Impact of Welfare Reform Report on Winter Roads Maintenance (Cllr McAllister) Work Programme Update
17 th June 2014	Q4 Performance Indicators	Report on Fly-tipping Report on dog fouling (Cllr McAllister) Report on the impact of the Voluntary Early Retirement Scheme / Efficient Workforce Management Report on Literacy Levels in East Lothian schools (Cllr McKenzie) Work Programme Update
Sept 2014	Q1 Performance Indicators Draft Council Annual Performance Report Adult and Child Protection performance monitoring report Social Work Complaints and Feedback Annual Report Customer Feedback – six monthly report	Report on provision of outdoor learning to schools (Cllr Williamson) Report on Use of Council Bus Fleet Work Programme Update
Nov 2014	Q2 Performance Indicators 2012/ 1013 Statutory Performance Indicators Comparison Report	Report on Rent Arrears Work Programme Update