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If calling please ask for
Anne Cogle
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Date: 19 March 2014

Dear Sir/Madam

You are invited to the following meeting:

Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 26 March 2014 at 10 a.m.

Apologies for absence should be notified to Anne Cogle at the above number.

Yours faithfully

Signed

Executive Manager – Governance and Law

Convener: M Bell
Leader: G Robinson

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest - Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.
- (d) Convener's Opening Remarks
- (e) Confirm Minutes of Meetings held on: (a) 12 February and (b) 26 February 2014, enclosed.

Item		Pages
1	Chair's Report – Education and Families Committee: Blueprint for Education 2012-17: Change of Date for Statutory Consultation on the Proposed Closure of Burravoe Primary School <i>SIC-0326-CS-05</i>	3 - 4
2	Chair's Report – Harbour Board: Three Tug Berthing <i>SIC-0326-PH-07</i>	5 - 6
3	Chair's Report – Executive Committee: ICT Strategy <i>SIC-0326-ICT-01</i>	7 - 8
4	Chair's Report – Executive Committee: Asset Investment Plan Progress Report <i>SIC-0326-CPS-03</i>	9 - 18
5	Chair's Report – Executive Committee: Asset Investment Plan - Service Need Case Report: Town Hall and Lystina Conservation Project <i>SIC-0326-CPS-04</i>	19 - 20
6	Chair's Report – Executive Committee: Annual Investment and Treasury Strategy for 2014/15 <i>SIC-0326-F-015</i>	21 - 22
7	Chair's Report – Executive Committee: Shetland Islands Council Pension Fund Investment Strategy 2014-2027 <i>SIC-0326-F-012</i>	23 - 24
8	Our Corporate Plan 2013/17 – 2014 Update <i>IP-06</i>	25 - 50
9	Constitutional Report – Update Report <i>CE-02</i>	51 - 58
10	Community Development Fund <i>DV018</i>	59 - 82
11	Meeting Dates and Business Programme 2014/15 <i>GL-02</i>	83 - 115
12	Care and Support Charging Policy <i>CC-11</i>	116- 186

END



Shetland Islands Council

26 March 2014

Chair's Report –Education and Families Committee – 5 March 2014

Report No. SIC-0326-CS05

Blueprint for Education 2012-17: Change of Date for Statutory Consultation on the Proposed Closure of Burravoe Primary School

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Education and Families Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report recommending that the Council RESOLVE to approve a change to the timing of statutory consultation on the proposed closure of Burravoe Primary School from 2014, to 2015. This was to ensure that statutory consultation only commences once the future of Mid Yell Junior High School, the proposed receiving school, has been determined.
- 1.3 The Committee approved the recommendation.

2.0 Decision Required

- 2.1 That the Council RESOLVE to adopt the recommendation from the Education and Families Committee that it approves a change to the timing of statutory consultation on the proposed closure of Burravoe Primary School from 2014 to 2015.

3.0 Report

- 3.1 This change to the timing of the statutory consultation on the proposed closure of Burravoe Primary School does not substantially change the decision taken on 20 September 2012.
- 3.2 It will ensure Children's Services can correctly follow the requirements of the Schools (Consultation) (Scotland) Act 2010 with respect to proposal to close Burravoe Primary School and transfer the pupils to Mid Yell Junior High School.
- 3.3 Children's Services has now published a timeline for all its agreed statutory consultations up to 2016. Statutory consultation on the

proposal for Mid Yell Junior High School will commence in August 2014.

- 3.4 Mid Yell Junior High School is the proposed receiving school for the pupils from Burravoe Primary School, should that proposal be agreed. The Schools (Consultation) (Scotland) Act 2010, requires local authorities to provide an Educational Benefits Statement in every proposal paper. In order to do this fully, it must be able to accurately describe the receiving school. Mid Yell Junior High School, as the receiving school for the proposal to close Burravoe Primary School cannot be fully described until the statutory consultation on the proposal to remove Secondary 3 and Secondary 4 has taken place and the outcome is known.
- 3.5 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Ms V Wishart, Chair of Education and Families Committee
5 March 2014

List of Appendices

None

Background documents:

Education and Families Committee – 5 March 2014

<http://www.shetland.gov.uk/coins/Agenda.asp?meetingid=4308>

END



Shetland Islands Council

26 March 2014

Chair's Report – Harbour Board – 6 March 2014

Report No. SIC-0326-PH07

Three Tug Berthing

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Harbour Board in relation to a report requiring a Council decision.
- 1.2 The Board was presented with a report recommending that the Council RESOLVE suspend the implementation of the decision in respect of three tug berthing pending the outcome of a review into the appropriate towage arrangements for Sullom Voe.
- 1.3 The Board approved the recommendation.

2.0 Decision Required

- 2.1 That the Council RESOLVE to adopt the recommendation from the Harbour Board that the implementation of the decision in respect of three tug berthing (Council Minute 95/06) be suspended pending the outcome of a review into the appropriate towage arrangements for Sullom Voe owing to the changes in circumstances, particularly the level of acceptable risk to BP operations, since the original decision was made in May 2006.

3.0 Report

- 3.1 In 2013 the Terminal operator, BP, advised that the Terminal's lifespan was expected to be extended to 2040-2050.
- 3.2 In line with Port Marine Safety Code requirements a formal risk assessment of the three tug berthing method was undertaken in 2010 and this showed that the risk to the operation would increase.
- 3.3 Current level of risk acceptance by the oil industry has been significantly reduced from that acceptable in 2006 owing to a number of incidents (not necessarily related to tanker / tug operations). This has particularly been the case within BP after the Deepwater Horizon incident in the Gulf of Mexico in April 2010. Accordingly the original endorsement by BP of the

three tug berthing system has been changed with current advice being that it is “unlikely that BP will support the use of less than 4 tugs”. BP have advised that at Hound Point BP required a change from three tug to four tug operation.

- 3.4 Following the suspension of the decision to proceed to a three tug operation, a full review of the options for the towage service will be completed. This will include assessment of the safety of the models proposed, a costing of the models and the vessels required for each model. The assessment of the models will be undertaken in liaison with BP to assist the Harbour Board in determining their preferred option for future towage operations.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Ms A Manson, Chair of the Harbour Board
12 March 2014

List of Appendices

None

Background documents:

Harbour Board - 6 March 2014

<http://www.shetland.gov.uk/coins/Agenda.asp?meetingid=4309>

END



Shetland Islands Council

26 March 2014

Chair's Report –Executive Committee – 17 March 2014

Report No. SIC-0326-ICT01

ICT Strategy 2014-19

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Executive Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report which set out the Council's ICT Strategy for the 5 years from 2014 – 2019, outlining plans and costs for the following four main strands of work:
 - PC/LAN
 - Schools ICT
 - SPSNet (Shetland Public Service Network)
 - Photocopiers
- 1.3 The Committee approved the Strategy, with an amendment to the objective in relation to the SPSnet (the network),

2.0 Decision Required

- 2.1 That the Council RESOLVE to:
 - 2.1.1 adopt the recommendation from the Executive Committee, namely to approve the ICT Strategy 2014-19 with the following change to the second bullet point on page 5 – SPSnet (the network):

“To continue to work to improve the Council's broadband availability and bandwidth throughout Shetland by co-operative joint working arrangements with Economic Development's “Shetland Telecom” Project, HIE BDUK Next General Broadband Project and Community Broadband Scotland and reporting, where appropriate, through the ICT Network Strategy Programme Board or the Shetland Telecom Stakeholder Group.”; and

- 2.1.2 Approve the ICT Strategy as part of the Council's Strategic Framework, to be performance managed by the Executive Committee.

3.0 Report

- 3.1 The report presented the ICT Strategy for the Council for the next 5 years. This includes four main strands of work, PC/LAN, Schools ICT, SPSNet, and Photocopiers. In addition, the strategy describes the main ICT initiatives planned, more details of which can be found in the Strategy.
- 3.2 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr G Robinson, Chair of Education and Families Committee
17 March 2014

List of Appendices
None

Background documents:
Executive Committee – 17 March 2014
<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16075>

END



Shetland Islands Council

26 March 2014

Chair's Report –Executive Committee – 17 March 2014

Report No. SIC-0326-CPS-03

Progress Report – Asset Investment Plan

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Executive Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report which advised the Council on the progress on the projects contained within the Asset Investment Plan, and included a summary of the financial status and predicted outturn for the full life of each project.
- 1.3 The Committee approved the recommendation in the report.

2.0 Decision Required

- 2.1 That the Council RESOLVES to notes the progress on the projects within the AIP.

3.0 Report

- 3.1 The report presented an overview of the full life of each project, based on the original budget and the predicted outturn.
- 3.2 Where projects take place over a number of financial years, this report summarises the position from the beginning to completion of the project. Rolling programmes are not included in this report.
- 3.3 Quarterly monitoring reports on capital expenditure are now provided by the Executive Manager - Finance, detailing the progress of capital projects within the current financial year. These reports include information on rolling programmes.
- 3.4 The detailed project information is attached as Appendix A.
- 3.5 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr G Robinson, Chair of Education and Families Committee
17 March 2014

List of Appendices

Appendix A - Progress Report - Asset Investment Plan

Background documents:

Executive Committee – 17 March 2014

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16076>

END

Capital Projects - Full Life Project Costs

CPS-03-14 Appendix A

Directorate	Service Area	Budget				Funding		Expenditure	
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Spend to Date £	Project Cost Outstanding £
Childrens Services	Schools	676,376	42,560,240	43,136,453	100,163	28,322,336	14,814,117	538,131	42,598,322
		676,376	42,560,240	43,136,453	100,163	28,322,336	14,814,117	538,131	42,598,322
Community Care Services	Adult Service	2,657,083	0	2,859,233	(202,150)	0	2,859,233	617,471	2,241,762
	Occupational Therapy	3,027,500	0	3,094,272	(66,772)	1,534,000	1,560,272	2,997,964	96,307
		5,684,583	0	5,953,505	(268,922)	1,534,000	4,419,505	3,615,436	2,338,070
Development Services	Economic Development	2,867,871	0	2,846,408	21,463	457,384	2,389,024	2,448,396	398,012
	Housing	8,003,105	0	7,835,784	167,321	900,000	6,935,784	6,032,484	1,803,300
	Shetland College	5,190,301	0	5,198,357	(8,056)	2,309,000	2,889,357	4,110,758	1,087,599
		16,061,277	0	15,880,549	180,728	3,666,384	12,214,165	12,591,638	3,288,911
Infrastructure Services	Environment & Transport	1,889,181	400,000	2,230,438	58,743	0	2,230,438	927,313	1,303,125
	Ferry Operations	7,804,978	0	7,804,978	0	0	7,804,978	716,578	7,088,400
	Roads	3,370,779	0	3,325,779	45,000	0	3,325,779	1,504,864	1,820,915
	Ports & Harbours	20,047,842	0	19,262,686	785,156	112,500	19,150,186	18,151,391	1,111,295
		33,112,780	400,000	32,623,881	888,899	112,500	32,511,381	21,300,147	11,323,734
	Total All Funds	55,535,016	42,960,240	97,594,389	900,867	33,635,220	63,959,169	38,045,352	59,549,036

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Spend to date £	Project Cost Outstanding £	
GCE1221	Happyhansel PS Extension	557,163	0	457,000	100,163	322,336	134,664	384,718	72,282	Within budget but December completion date slipped due to inclement weather and delays in material procurement.
GCE1304	Anderson High School Replacement	119,213	42,560,240	42,679,453	0	28,000,000	14,679,453	153,413	42,526,040	New Project Requests submitted to HubCo. Environmental, Archaeological, Geological Assessments, Design Work and Land Purchase all being progressed.
Total		676,376	42,560,240	43,136,453	100,163	28,322,336	14,814,117	538,131	42,598,322	

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Spend to date £	Project Cost Outstanding £	
GCA0241	Extensions to ET & Taing Houses - <i>Spend to Save Project</i>	2,657,083	0	2,859,233	(202,150)	0	2,859,233	617,471	2,241,762	Projected overspend due to error when setting budget for 13/14. Phase 1 on site and approx 85% complete but some slippage to 14/15 required due to
GCA0233	Occupational Therapy Resource Centre	3,027,500	0	3,094,272	(66,772)	1,534,000	1,560,272	2,997,964	96,307	Building officially opened on 24 July with NHS jointly funding this project. The outstanding enabling works budget was not carried forward which has resulted in an overspend.
Total		5,684,583	0	5,953,505	(268,922)	1,534,000	4,419,505	3,615,436	2,338,070	

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Net Spend to date £	Total SIC Project Cost Outstanding £	
GCY5141	Landfill Capping	920,000	0	846,000	74,000	0	846,000	51,631	794,369	BRO anticipates Phase 1 will be 74k less than budget, with some slippage to 14/15 required. Further phases programmed for 14/15,15/16 & 17/18.
GCY5501	Gremista Work/shp Recladding	677,886	0	692,886	(15,000)	0	692,886	672,592	20,294	Completion of works programmed for 13/14, BRO anticipates that this will be overspent by 15K.
GCY5506	Sellaness Biomass Boilers - Spend to Save	140,000	0	140,257	(257)	0	140,257	140,257	0	Spend to save budget complete with minor overspend, previously slipped from last year.
GCY5507	Town Hall and Lystina Conservation Project	35,000	400,000	435,000	0	0	435,000	6,050	428,950	Subject to gateway process. BRO anticipates this will be 23K underspent in 13/14 and requires slippage to 14/15 this is also the subject of a separate report.
GCY6125	B9071 Bixter to Aith Phase 2	1,452,563	0	1,432,563	20,000	0	1,432,563	1,397,992	34,571	Contract works complete and Final A/C paid 13/14. BRO anticipates saving against project with only further 10K to be spent on landscaping, this may need to be carried forward to 14/15.
GCY6205	Laxaburn Bridge Replacement	240,000	0	240,000	0	0	240,000	25,777	214,223	Works programmed for 14/15
GCY6207	Strand Loch Bridge	445,000	0	445,000	0	0	445,000	0	445,000	Works programmed for 14/15, BT refund received for payments made in 11/12
GCY6208	Effirth Bridge	235,000	0	210,000	25,000	0	210,000	57,679	152,321	Works programmed for 13/14 due to urgency of replacement, BRO anticipates 25K underspend with c/f of 10K required to complete in 14/15.
GCY6209	Burra Bridge Bearings	498,216	0	498,216	0	0	498,216	23,416	474,800	Consultants report completed in 12/13, Works contract programmed for 14/15.
GCY6210	Trondra Bridge Bearings	500,000	0	500,000	0	0	500,000	0	500,000	Consultants report 14/15, works contract programmed for 15/16.
GCY7216	Viking Bus Terminus/Shelters	60,000	0	60,000	0	0	60,000	0	60,000	Works dependent on purchase and BRO anticipates only 15K will be spent in 13/14.; with a 45K c/f required to 14/15.
GCY7255	Community Care Vehicles - Spend To Save	56,295	0	56,295	0	0	56,295	56,783	-488	Purchase of more efficient vehicles for care homes. Spend to save budget approved 16/06/13 - now complete with minor overspend.
GCY7632	Leirna Life Extension	1,000,000	0	1,000,000	0	0	1,000,000	593,505	406,495	Works underway, BRO anticipates slippage of 150K will be required to 14/15
GCY7633	Filla Marine Evacuation System Replacement - Spend to Save	70,000	0	70,000	0	0	70,000	24,500	45,500	Life raft system already purchased. Installation (balance) to be actioned in 13/14.
GCY7634	Ticket Machines - Spend to Save	134,978	0	134,978	0	0	134,978	98,573	36,405	BRO advises that 33K slippage to 14/15 is required to complete project.

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Net Spend to date £	Total SIC Project Cost Outstanding £	
GCY7635	Bigga Life Extension	900,000	0	900,000	0	0	900,000	0	900,000	Works scheduled for 14/15
GCY7636	Geira Life Extension	2,000,000	0	2,000,000	0	0	2,000,000	0	2,000,000	Works scheduled for 15/16
GCY7637	Fivla Life Extension	2,000,000	0	2,000,000	0	0	2,000,000	0	2,000,000	Works scheduled for 16/17
GCY7638	Hendra Life Extension	1,700,000	0	1,700,000	0	0	1,700,000	0	1,700,000	Works scheduled for 18/19
GCM2313	Tugs for Sellaness	16,014,303	0	15,229,147	785,156	0	15,229,147	15,184,989	44,158	Tugs delivered and modifications have been actioned.
GCM2316	Walls Pier	3,023,539	0	3,023,539	0	112,500	2,911,039	2,870,259	153,280	Expected practical completion by end of March 2014. Only road markings and other minor works outstanding.
PCM2141	Lerwick Terminal Life Extension	107,000	0	107,000	0	0	107,000	32,048	74,952	Reduced specification of works to linkspan deck plating and hydraulics only, BRO had anticipated this would be complete last year so 13/14 budget of 32K has been created from revenue. Further contract works scheduled for 14/15
PCM2142	Bressay Terminal Life Extension	107,000	0	107,000	0	0	107,000	32,048	74,952	Ditto above
PCM2143	Belmont Terminal Life Extension	167,000	0	167,000	0	0	167,000	32,048	134,952	Ditto above
PCM2144	Gutcher Terminal Life Extension	250,000	0	250,000	0	0	250,000	0	250,000	Works scheduled for 14/15
PCM2145	Ulsta Terminal Life Extension	67,000	0	67,000	0	0	67,000	0	67,000	13/14 budget of 27K to be fully spent, further works scheduled for 14/15
PCM2146	Toft Terminal Life Extension	67,000	0	67,000	0	0	67,000	0	67,000	13/14 budget of 27K to be fully spent, further works scheduled for 14/15
PCM2147	Vidlin Terminal Life Extension	50,000	0	50,000	0	0	50,000	0	50,000	Works scheduled for 14/15
PCM2148	Laxo Terminal Life Extension	50,000	0	50,000	0	0	50,000	0	50,000	Works scheduled for 14/15
PCM2149	Symbister Terminal Life Extension	85,000	0	85,000	0	0	85,000	0	85,000	Works scheduled for 14/15 & 15/16
PCM2150	Hamars Ness Terminal Life Extension	60,000	0	60,000	0	0	60,000	0	60,000	Works scheduled for 16/17
Total		33,112,780	400,000	32,623,881	888,899	112,500	32,511,381	21,300,147	11,323,734	

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Spend to date £	Project Cost Outstanding £	
GCD1576	Fibre Optic Project - Phases I, II & III	1,347,264	0	1,347,264	0	277,000	1,070,264	930,415	416,849	Phase 1 & 2 complete. Phase 3 amended to landward route and delayed by consent approvals. Blackgaet to Maywick loop to be tendered. Final works slipped into 14/15.
GCD1577	Fibre Optic Project - Phases IV, V & VI	1,084,158	0	1,102,669	(18,511)	0	1,102,669	1,129,506	-26,836	Works complete with only retention to be paid, shortfall in budget to be addressed within directorate. Expenditure of 43K has been posted here incorrectly - journal correction progressed.
UCL5203	Shetland College Extension	5,190,301	0	5,198,357	(8,056)	2,309,000	2,889,357	4,110,758	1,087,599	Main project expected to be complete by end of March 2014, some minor works will be carried out summer 14/15.
GCD7002	Skerries South Mouth	307,098	0	266,551	40,548	51,034	215,517	258,550	8,000	Works contract and dive survey complete, recharges to be posted YE.
GCD8001	Harrison Square	129,350	0	129,924	(574)	129,350	574	129,924	0	Works complete. Claim submitted to Scottish Government and income received in previous year.
Total		8,058,172	0	8,044,765	13,407	2,766,384	5,278,381	6,559,154	1,485,611	

Code	Project Name	Budget				Funding		Expenditure		Update
		Approved Budget £	Provisional Earmarked Funding £	Predicted Project Outturn £	Under (Over) Budget £	External Funding £	Cost to SIC £	Spend to date £	Project Cost Outstanding £	
HCH3304	Brae New Housing	1,797,624	0	1,797,624	0	0	1,797,624	1,080,060	717,564	Building contract on site, practical completion estimated July 2014
HCH3305	Hoofields New Housing	3,908,253	0	3,740,933	167,320	900,000	2,840,933	3,616,925	124,008	Project practically complete - only snagging works, final A/c and recharges still to be paid. Project Manager anticipates underspend on project.
HCH3706	Heating Replacement Programme	400,000	0	400,000	0	0	400,000	238,520	161,480	Programme of works identified and being progressed.
HCH3711	Retentions/ Final Accounts	20,000	0	20,000	0	0	20,000	0	20,000	Budget held for outstanding final A/Cs.
HCH3712	Housing Quality Standard	1,200,000	0	1,045,450	154,550	0	1,045,450	421,104	624,346	Numerous contractual appointments made (Kitchens / Windows / Insulation, etc.).
HCH3714	Replacement MIS System	0	0	50,000	(50,000)	0	50,000	22,648	27,352	Part 1 implemented, part 2 commenced. Housing advise additional funding will be required to complete project, this will be funded from already approved budgets.
HCH3715	Landward Crudens (Voe / Whalsay)	677,228	0	781,778	(104,550)	0	781,778	653,228	128,550	Additional costs on project caused by delays and difficulties on site. Housing anticipate an additional 105K will be required to complete project, this will be funded from already approved budgets.
Total HRA		8,003,105	0	7,835,784	167,321	900,000	6,935,784	6,032,484	1,803,300	



Shetland Islands Council

26 March 2014

Chair's Report –Executive Committee – 17 March 2014

Report No. SIC-0326-CPS-04

Asset Investment Plan – Service Need Case Report: Town Hall and Lystina Conservation Project

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Executive Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report which set out a Service Need Case (SNC) relating to the Town Hall and Lystina Conservation Project. Funding of £400K already sits provisionally within the Council's Asset Investment Plan (AIP) 2014-19 for this project, subject to the gateway process.
- 1.3 The Committee approved the recommendation in the report subject to a further resolution relating to the need to ensure that the longevity of the stone is taken account of during investigations.

2.0 Decision Required

- 2.1 That the Council RESOLVES to approve the recommendations from the Executive Committee, namely to:
 - Approve the lodging of an application to Historic Scotland to have Lerwick Town Hall relisted to Grade A;
 - Instruct the Executive Manager – Executive Services to submit grant applications to all potential funding bodies based on the proposal set out at paragraph 10.4 in Appendix A to the report; and
 - To ensure that any future investigation must look at the longevity of the stone.

3.0 Report

- 3.1 The report presented a Service Need Case (SNC) relating to the Town Hall and Lystina Conservation Project.

- 3.2 The project described in the report relates to conservation works to Lerwick Town Hall and Lystina House. The priority element is the increasingly urgent protection and repair works to the stained glass windows in the Town Hall, but repairs to the stonework and roofing are also required to both buildings.
- 3.3 Funding of £400K for the project described in this report is provisionally programmed for 2014/15 in the AIP for 2014-19 however, it should be noted that the Council's contribution to the project will likely be very much dependent on the eventual scope of the works and the level of external funding that is forthcoming. The timing of the project may also be dependent on external funding.
- 3.4 One of the principles of the Council's Gateway process is that development work is not commissioned until a project is fully defined and approved by the Council. Recognising that any decision on the final scope of the work is difficult to take without knowing the extent of any external funding, this report recommends that an exception to that policy is made and that work be commissioned to prepare grant applications to all potential funding bodies as a preliminary step.
- 3.5 By agreeing to the recommendations of this report, Members will be committing approximately £100K to the project. Once the funding situation is clarified, a further report will be presented that will set out the cost of each option as well as the contribution needed from the Council.
- 3.6 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr G Robinson, Chair of Education and Families Committee
17 March 2014

List of Appendices

None.

Background documents:

Executive Committee – 17 March 2014

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16077>

END



Shetland Islands Council

26 March 2014

Chair's Report –Executive Committee – 17 March 2014

Report No. SIC-0326-F015

Annual Investment and Treasury Strategy for 2014/15

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Executive Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report which proposed an Annual Investment and Treasury Strategy for the Council for the financial year 2014/15. This report also includes certain clauses, policy statements and practices to be adopted in line with the CIPFA Code of Practice for Treasury Management in the Public Services 2011.
- 1.3 In line with the Scottish Ministers consent under The Local Government Investments (Scotland) Regulations 2010 an Annual Investment Strategy must be reported to the Council and approved before the start of the financial year.
- 1.4 The Committee approved the recommendation in the report.

2.0 Decision Required

- 2.1 That the Council RESOLVES to approve the recommendations from the Executive Committee, namely to:
 - 2.1.1 Approve the Annual Investment Strategy Statement to be followed for the financial year 2014/15, as set out in Appendix 1 section 2.
 - 2.1.2 Approve the Treasury Management Strategy to be followed for the financial year 2014/15, as set out in Appendix 1 section 3.
 - 2.1.3 Approve the Treasury Management Prudential Indicators for 2014/15 to 2016/17, as set out in Appendix 1 section 4.
 - 2.1.4 Review the four clauses within the CIPFA Code of Practice as set out in Appendix 1 section 5.

2.1.5 Review the Treasury Management Policy Statement as set out in Appendix 1 section 6, and

2.1.6 Review the Statement of Treasury Management Practices as set out in Appendix 1 section 7.

3.0 Report

3.1 The report presented the Annual Investment and Treasury Strategy for the Shetland Islands Council to be followed for the financial year 2014/15.

3.2 This investment strategy meets the requirements of the minister's consent and complies with CIPFA's Code of Practice for Treasury Management in the Public Services 2011.

3.3 The CIPFA Code of Practice for Treasury Management in Local Authorities also suggests that before the start of the financial year the Council should review its approved clauses, its Treasury Management Policy Statement and its Treasury Management Practices Statement.

3.4 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.

4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr G Robinson, Chair of Education and Families Committee
17 March 2014

List of Appendices

None

Background documents:

Executive Committee – 17 March 2014

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16080>

END



Shetland Islands Council

26 March 2014

Chair's Report –Executive Committee – 17 March 2014

Report No. SIC-0326-F012

Shetland Islands Council Pension Fund Investment Strategy for 2014/15

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Executive Committee in relation to a report requiring a Council decision.
- 1.2 The Committee was presented with a report which proposed a new Investment Strategy for the Pension Fund to the Pension Fund Consultative Panel, the Executive Committee and Shetland Islands Council.
- 1.3 The strategy forms part of the aim to achieve a 100% funding position before contributions and benefits equal each other, which was calculated by Hymans Robertson to be around 2027.
- 1.4 If Members agree this Investment Strategy, a number of changes to the current fund manager structure will be required to implement it.

2.0 Decision Required

- 2.1 That the Council RESOLVES to approve the recommendations from the Executive Committee, namely to:
 - 2.1.1 adopt the Investment Strategy 2013-2027 by:
 - 2.1.2 Approving the proposed Investment Strategy as set out in section 3.4 to 3.12 of Appendix 1 to the report presented to the Executive Committee;
 - 2.1.3 Approving the fund manager structure as set out in section 3.13 to 3.17 of Appendix 1 to the report presented to the Executive Committee; and
 - 2.1.4 Granting delegated authority to the Executive Manager – Finance to implement the policy by making the necessary changes to fund manager arrangements.

3.0 Report

- 3.1 The Finance Service started a review of the Pension Fund Investment Strategy in September 2013. Due to the importance of the Pension Fund to Shetland it was necessary to ask Hymans Robertson, the Pension Fund's investment consultants to provide professional advice, use financial modelling and to propose an appropriate investment strategy. The cost of their January 2014 Review of Investment Structure Report was £10,000.
- 3.2 An investment consultant from Hymans Robertson will be in attendance at the Executive Committee meeting to answer any questions that Members might have on the proposed strategy.
- 3.3 The detailed Investment Strategy for the Pension Fund is attached as Appendix 1 to the report presented to the Executive Committee.
- 3.4 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr G Robinson, Chair of Education and Families Committee
17 March 2014

List of Appendices

None

Background documents:

Executive Committee – 17 March 2014

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16079>

END

**Shetland Islands Council****26 March 2014****Our Corporate Plan 2013/17 – 2014 Update****Report No: IP-06-F****Report by : Chief Executive****Chief Executive****1.0 Summary**

- 1.1 This report presents the updated version of Our Corporate Plan developed through a range of events with Members, and through the service and directorate planning activity recently undertaken by managers.

2.0 Decisions Required

- 2.1 That the Council RESOLVES to:
- 2.1.1. Approve the objectives, priorities and proposed actions set out in the Plan.
 - 2.1.2 Delegate authority to the Chief Executive to have further work done to the Corporate Plan and Directorate Plans to ensure they are all fully aligned, consistent and concise and as clear and readable as possible for further sharing with partners, staff and the community; and
 - 2.1.3 Agree to the production of a “public” version of the final plan emphasising key messages to the public, service users and partners.

3.0 Detail

- 3.1 This Council adopted “Our Corporate Plan” in June last year after a wide range of consultation events building on top of the 2012 elections and Members’ manifestos.
- 3.2 That Plan identified clear priorities which the Council wanted to pursue across its full term of office and those priorities were reflected through financial and other planning exercises.

- 3.3 The plan also set out what the Council expected to be done in the short term to make progress towards those medium term goals and has had regular updates on how that is going.
- 3.4 As part of the Planning and Performance Management Framework (PPMF) the Council is required to review and update its plans to see that they are still relevant and current, and identify any changes to priority and refreshed short term objectives.
- 3.5 The Plan presented today is the outcome of that process and has been informed by three all Members' seminars, a number of one to one interviews, the planning work that managers have been doing on Directorate and Service plans and the work being done by partners through strategic links under the Shetland Community Planning partnership.
- 3.6 The Council is now formally invited to review and discuss the contents of the updated Plan and make any suggestions for amendment or further update.
- 3.7 The draft Plan attached is formatted as a working document for Member and management business purposes. Once the final version is approved then further work will be done to produce a version that communicates the key messages to the public, service users and partners. It is anticipated that this formatted version will return to the Executive Committee and the Council at the end of May for final approval.

4.0 Implications

Strategic

- 4.1 Delivery On Corporate Priorities – Effective Planning and Performance Management are key features of a well run organisation meeting the obligations of Best Value. The regular review and update of key plans is an important feature of the Council's PPMF and a specific action in the current Corporate Plan.
- 4.2 Community /Stakeholder Issues – Effective performance management and continuous improvement are important duties for all statutory and voluntary sector partners in maintaining appropriate services for the public.
- 4.3 Policy And/Or Delegated Authority – The Councils Constitution – Part A Governance - specifies the Executive Committee as the managing body for the Corporate Plan but decision making responsibility is reserved to the full Council.
- 4.4 Risk Management – Embedding a culture of continuous improvement and customer focus are key aspects of the Council's improvement activity. Effective performance management is an important component of that which requires the production and consideration of these reports. Failure to deliver and embed this increases the risk of the

Council working inefficiently, failing to focus on customer needs and being subject to further negative external scrutiny.

4.5 Equalities, Health And Human Rights – The Council is required to make sure our systems are monitored and assessed for any implications in this regard.

4.6 Environmental – NONE

Resources

4.7 Financial – The actions, measures and risk management described in this report have been developed within the resource limits of existing approved budgets.

4.8 Legal – NONE

4.9 Human Resources - NONE

4.10 Assets And Property – NONE

5.0 Conclusions

5.1 This was the first Council to develop and endorse a Corporate Plan which clearly identified priorities, short and medium term actions and then integrated them with it's financial planning and directorate & service planning arrangements.

5.2 This joined up planning has allowed services to understand what is expected of them in terms of development and change and allowed a very demanding programme of work to be taken forward.

5.3 The 2014 update to Our Corporate Plan 2013-17 presented today builds on those foundations and presents a clear plan of how Shetland can achieve those objectives and be best assured of good quality and sustainable services and properly managed and sustainable finances in the medium term.

For further information please contact:

John Smith, Executive Manager – Performance & Improvement, 01595 744513
jrsmith@shetland.gov.uk

Links to Background documents:

Directorate & Service Plans for 2014/15

Appendices

Appendix 1 – Our Corporate Plan 2013-17 – 2014 Update

Our Priorities

Providing vital services for children and adults and the transport services we all need

We must cost-effectively provide the essential services that people in Shetland really need. We will have to change how we do some things to make services more efficient and to make sure we can continue to provide them in the long term, but we will do that with people, not to them.

Helping build a healthy economy

We know we can't take direct action the way we used to, but we will work with individuals and businesses in existing and new business areas to help the Shetland economy to be as strong as possible, to expand wherever possible and to encourage existing and new businesses in all parts of Shetland.

Encouraging strong communities

Successful places depend on individuals families, third sector organisations, community groups, public bodies and businesses all working together to find the best ways to do things, their own solutions to problems and the new ideas to help their communities adapt and stay strong and vibrant in a changing world.

Being a properly led and well-managed council, dealing with the challenges of the present and the future, and doing that within our means.

We are determined that Shetland Islands Council will always be run to the very highest standards; that we will take difficult decisions when we have to, and that we will balance the books.

Mindful of how change could affect vulnerable and disadvantaged people

People who do not have easy access to income, employment and good housing are often less able to meet challenges and deal with change. We will bear that in mind when we are making decisions and seek to do our best to protect those in most need.

Working with all our partners to achieve the best results possible.

We will work closely with individuals, communities and partners in the public, private and voluntary sectors to generate ideas, solve problems and meet challenges. By doing so, we can be more effective and achieve much more

1 - Supporting adults to be independent

What we want to achieve

Providing high-quality care and support to an ageing population is a basic principle of social justice and is an important hallmark of a caring and compassionate society. The elderly population in Shetland continues to rise and so does the number of adults with complex needs. Everyone wants to live an active independent life for as long as possible. We need to find ways to make that possible, including providing help when needed. The way we provide help will often have to be different to the labour-intensive and sometimes inflexible ways we have used in the past. We have to concentrate on helping people to keep or regain their own independence, an approach sometimes called re-ablement. We will meet highest levels of assessed need first and find ways to help others to provide services when that actually works best.

We have already:

- carried out a wide-ranging review of staffing in community care and agreed a number of actions that are now being put in place; and
- made some difficult decisions about changes in the way we provide services and placed a greater focus on providing services to those with the highest level of need.
- reviewed and streamline staffing levels across all services and establishments to make the efficiencies needed to meet our Medium Term Financial Plan;
- successfully implemented the councils contributing to your support policy, with the first invoices sent out January 2014. Further work is currently underway to ensure the policy is in line with recent guidance issued by COSLA.
- successfully completed the Independent Living Centre was, in partnership with NHS Shetland. It now supports Community Occupational Therapy, Speech and Language Therapy, Support at Home, Community Nursing and Wheelchair Services. Partnerships are also in place with the Red Cross and the RNIB. This is proving to be a great success.
- In place a newly appointed Director for Community Health and Social Care.
- Community Health and Social Care Management staff co-located on upper floor Montfield.
- Made positive progress on the Integration Programme and its 3 subsidiary work streams, with a project started in early 2014 on locality working.

OUR CORPORATE PLAN – 2014 Update final draft

Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Implement the Reshaping Care for Older People Change Plan 2014/15, and prepare a comprehensive exit strategy for 2014/15 which is the final year of the Reshaping Care national programme.
- Review the feasibility study and proposals for day services for people with learning disabilities to ensure any new build is affordable in terms of both capital and revenue and meets the needs of this care group in a way that is effective and sustainable in the longer term.
- Implement findings outlined within 'Dementia Deep Dive' and Mental Health review to ensure quality and efficiency within these service areas.
- Undertake a full review of the Supported Living Model for adults with learning disabilities.
- continue with the Viewforth re-provision project
- Review Shetland's single shared assessment process, With You For You and associated policies and procedures on care/case management and anticipatory care
- Complete Phase 2 of ET/Taing extension
- Develop and implement a Self Directed Support Strategy to implement the provisions of the SDS (Scotland) Act 2013.
- Continue with the Health and Social Care Integration Programme of work.
- Develop a Primary Care Strategy
- Continue to develop the implementation of Telecare & Telehealth care
- Work with our third sector colleagues to develop a shared understanding of current and future needs in supporting people to remain active and independent
- Review & redesign Drug & Alcohol services to drive efficiencies and achieve consistently better outcomes for customers.

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- redesigned services for elderly people, and adults with a learning disability, physical disability or mental-health problem to help them live as independently as possible;
- increased services that help people to live longer independently in their own homes, and provided extra-care housing options to provide supported homely settings;
- provided people with direct payments and personal budgets where they want that, so that they can make the choices they want for their lives.

It is recommended that this objective (it is part of bullet 2)

- improved the range and effectiveness of reablement services

is replaced by these;

- arrangements in place for locally based integrated Health and Social Care resource allocation and management
- built on established relationships with Third Sector Partners to help partners to further develop effective capacity

2 - The best possible start for every child

What we want to achieve

All children and young people deserve the best chances in life. We are determined that all our young people will have the best chance to be successful learners, confident individuals and responsible citizens who contribute effectively to society. We will continue to focus on ensuring all children are safe and protected from harm and to provide high quality services to children and young people who are looked after. We will also continue to focus on education so that pupils can have a high quality education, provided in an appropriate environment, with as many opportunities as possible including implementing Curriculum for Excellence in accordance with national timescales and milestones. We will support people of all ages to get the most out of Shetland Library including through early years literacy, IT skill development and one to one support. We will strive towards increased levels of physical activity and encourage more people to take part in sport and other cultural activities. We will provide the very best services we can within the resources available. We will make changes where we can make services better or more sustainable. We will make sure we communicate well with service users and our partners both within the Council and externally.

We have already:

- agreed a timetable for refreshing the Blueprint for Education;
- secured funding to build a new Anderson High School;
- consulted on a new youth strategy and restructuring youth services;
- Established six major Change Projects to ensure we provide high quality services within the resources available, these projects are The new Anderson High School, The Schools Reconfiguration Project, The Shetland Learning Partnership Project, the Additional Support Needs action plan, the Review of Catering and Cleaning and the Review of Sports and Leisure facilities and Services in Shetland.
- Continued to examine our schools and continued to carry out consultations on primary and secondary schools in line with the agreed Strategy for Secondary Education and the Blueprint for Education for Primary Schools;
- Reported on independent reviews of youth strategy and musical instrument tuition and taken actions as recommended;
- Continued to provide opportunities for young people to develop skills and confidence in and out of the classroom through the 'curriculum for excellence';
- Begun work with local and national partners to develop plans for people in Shetland to benefit in the future from major national 2014 events such as Homecoming, the Queen's Baton Relay and the Commonwealth Games.
- carried out projects for change to achieve our targets within the Medium Term Financial Plan;
- Continued to provide opportunities for young people to develop skills and confidence in and out of the classroom which include the concepts of 'Curriculum for Excellence'.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- continue to work in partnership with other agencies to secure early intervention, where required, for children both pre birth and early years.
- Implement a new strategy for Looked after Children
- achieve Financial Close and planning permission for the new Anderson High School so that by March 2015 construction will be underway.
- undertake the first stages of the Shetland Learning Partnership Project to develop an ambitious partnership between Shetland High schools and Further and Higher Education and to develop a Shetland learning campus.
- create an ambitious partnership between Shetland High schools and the Further and Higher Education sector in Shetland, and align the implementation of this partnership with the current proposals for Tertiary Education, Research and Training.
- undertake a number of statutory consultations under the auspices of the Schools Reconfiguration Project
- undertake a review of Sports and Leisure Services

By the end of this plan we will have:

It is recommended that these objectives are retained

- Built and moved into a new Anderson High School.
- Continued to provide high-quality services to children and young people who are looked after.
- Worked to embed further the revised multi-agency approach to Getting it Right for Every Child in Shetland.
- Reconfigured the school estate to provide the best possible service within the resources available.
- Supported people of all ages to get the most out of Shetland Library including through early years literacy, IT skill development and one to one support.
- Increased levels of physical activity and encouraged more people to take part in sport and other cultural activities.

It is recommended that this objective

- put in place improved arrangements for childcare, an increased focus on children and young people who have experienced domestic abuse, better child-protection procedures (involving a range of agencies), improved residential and short-break services and provided essential family support services to those most in need, including parenting support;

is replaced by these

- Continued to provide a full range of child protection services to ensure children and young people are protected from harm.
- Implemented the Curriculum for Excellence and other government requirements in accordance with national timescales and milestones.
- Developed educational opportunities by establishing a partnership between secondary education and further and higher education and developing a Shetland Learning Campus.

3 - The transport services we need most

What we want to achieve

Shetland is a group of islands. Nothing can change our basic geography and it is essential that our internal and external transport systems meet our individual and business needs, and are efficient, sustainable (can be maintained in the long term without harming the area for future generations), flexible and affordable.

Communities have told us that supporting economic activity, local businesses and access to jobs is the top priority for internal transport and that access to services and social facilities is not as important to them.

We have taken steps to make our internal transport services more efficient by implementing the Ferry Review in partnership with the communities and businesses who depend on these transport links most. This reduced the budget by £3.1 Million. This has not been easy and savings of this size has impacted on service levels but developed a more sustainable service into the future. The 6 month review of the impacts of the service change has been completed and will the impacts will continue to be monitored.

External transport is one of the most significant issues for Shetland's medium- and long-term economic growth and social well-being. We have been campaigning hard to make sure these needs are properly understood regionally and nationally so transport has been a key theme in the Our Islands, Our Future discussions.

Now that the major service review has been completed we need to look further forward and are developing a long term infrastructure investment plan, looking ahead 50 years. This is an important step in the process of deciding how we meet Shetland's main transport needs cost-effectively, including deciding whether fixed transport links are a realistic and affordable alternative to ferries.

We have already:

- reviewed arrangements for school, public, additional support needs, and community-care bus transport to link services more efficiently;
- finished introducing the outcomes of the ferries review;
- maintained the very valuable roads network we already have with better targeting of the reduced maintenance budget.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Implement and monitor new contracts for school, and public bus transport to more efficiently link together services, and to achieve this within the medium term financial plan budget.
- Support the development of community transport initiatives;
- Develop new arrangements for additional support needs, and community care bus transport to more efficiently link together services, and to achieve this within the medium term financial plan budgets.
- Complete the 12 month assessments of the Ferry Review to establish the impacts of the changes for individuals, communities, and businesses.
- Increase usage of smart cards, chip and pin facilities and online booking facilities for internal ferry travel
- Undertake a ferry fares review to develop a fares structure that takes into account affordability, equality and wider socio economic impacts.
- Refresh the Shetland Transport Strategy
- Establish the Council's current investment in our Transport infrastructure and the future investment required to maintain transport services by developing a 50 year infrastructure investment plan.
- Provided the Scottish Government with proposals for our external ferry provision as the current contract ends in 2018

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- Implemented transport arrangements that meet people's current needs and which we can afford to maintain in the medium term;
- the most effectively used and looked after medium term transport assets possible, including roads which are being maintained properly;
- a long term infrastructure investment plan to target capital expenditure on internal transport systems and options over the next 50 years, with a realistic funding programme
- a programme of potential changes to our long-term external transport systems to meet our economic-growth needs, again with a realistic funding programme.

4 - Healthy economy

What we want to achieve

We can't take action like we used to, but we can work with individuals and businesses to understand what would help them to turn an idea into a business, expand an existing company or find a new market. Shetland has many resources and a lot of talent. We need to work together to make the best of these. If everyone has the opportunity to work, improve their skills and make a positive contribution to the islands' increasing prosperity, we will create a wealthier, fairer and smarter Shetland. We want to see more high skill and well paid jobs across Shetland, for those jobs to be in a wider range of business areas than they are at the moment and a resident labour force suitably skilled and qualified to take up those jobs.

We have already:

- helped local companies and individuals to get contracts and jobs at the new gas plant;
- completed the review of the Shetland Telecomm project and had new action plan agreed
- installed fibre-optic high-speed broadband connections from Sandwick to the Sullom Voe Oil Terminal; and
- Renewed the Promote Shetland contract for a period of 3 years to help attract people to Shetland to live, work, study and invest.
- Made representation to retain Shetland's EU Assisted Area Status
- Completed New Strategy and Business Plan for LEADER funding 2015-20
- Conducted a Survey of bus passenger service requirements and socio-economic study as part of the bus network review
- Agreed an Economic Development Statement for 2013-17
- Adopted the new Economic Development Grant Scheme and Business Start Up Scheme
- Created a Skills, Learning and Employability Action Plan
- Decided on the Governance structure for the new Tertiary Education organisation.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Improve and develop engagement with local industry.
- Work with partners and communities to deliver high speed broadband
- Research and communicate supply chain information relating to larger scale developments in Shetland.
- Assess the capacity in Shetland to provide the workforce training & skills development required by Shetland industry
- Complete new commercial lending mechanism within the Council

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- a wider business base, and a closer partnership with both traditional and emerging sectors;
- maintained Shetland's overall high rates of employment.
- high-speed broadband available to 84% of the Shetland population

It is recommended that these objectives are added

- more high skill and well paid jobs across Shetland,
- those jobs to be emerging in a wider range of business areas than they are at the moment
- a developing resident labour force suitably skilled and qualified to take up those jobs.

5 - Strong communities

What we want to achieve

Shetland has a very proud history of strong and capable communities and we understand that people are more able to live fulfilling lives and achieve their social and economic potential in strong, resilient and supportive communities.

Successful places depend on individuals families, third sector organisations, community groups, public bodies and businesses all working together to find the best ways to do things, their solutions to problems and the new ideas to help their communities stay strong and vibrant in a changing world.

We will listen to communities so we understand their needs, and we will talk and listen to them when we are making decisions.

We have already:

- Concluded Minimum Income Research – Actions from community engagement fed into Fairer Shetland Partnership
- Made representation to retain Shetland's EU Assisted Area Status
- Completed New Strategy and Business Plan for LEADER funding 2015-20
- Conducted a Survey of bus passenger service requirements and socio-economic study as part of the bus network review
- consulted extensively with both geographical and communities of interest around the many service changes made during the last two years
- completed a Local Development Plan.
- Revised the Action Plan of our Renewable Energy Strategy ready for presentation to committee
- completed Supplementary Guidance to the Local Development Plan for Onshore Wind Energy

OUR CORPORATE PLAN – 2014 Update final draft

Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Work with partners and communities to deliver high speed broadband
- Through joint working with Planning and Hjaltsland Housing Association and other partners to deliver on the Local Housing Strategy
- Develop a community benefit policy to cover all industry sectors and including developer contribution.
- Investigate participatory budgeting and associated community engagement
- Continue to work with communities to identify viable projects, maximise return from community assets, increase resilience and create jobs in remote areas.
- Encourage growth in commercial activity through development of unused or under-utilised local assets
- Fully implement the findings of the Community Planning & Development Service Review, recognising that 2014/15 will be a transitional year for community funding
- Develop and implement the Strengthening Community Involvement Project
- Participate in the Improvement Service supported work around enhancing and supporting the role of Community Councils
- Develop a community asset transfer policy
- Support communities to develop the transport solutions that meet their needs

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- more resilient and long-lasting communities and community enterprises across Shetland;
- found ways to help increase supply of affordable housing across Shetland;
- maintained working-age population levels throughout Shetland.

6 - Working with partners

What we want to achieve

No agency working on its own can solve some of the deep-rooted problems around inequalities that have existed in society for years. We must work together with our public-sector partners, the voluntary sector, businesses and communities to share resources, skills, ideas and solutions if we are going to get the best results.

It's not just our organisation that is going through difficult financial times. Individuals, communities, businesses and other public bodies are having to manage with less money as well.

We can achieve the most when we genuinely work with each other.

We have already:

- set up the new Shetland Community Planning Partnership
- continued our work on reforms to the police and fire services.
- progressed Social Care & Health integration
- developed the Our Islands, Our Future campaign with neighbouring island Councils

OUR CORPORATE PLAN – 2014 Update final draft

Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Ensure robust Governance, HR and Financial arrangements are in place to comply with the Health & Social Care Integration which is effective from 1 April 2015
- Agree role of the Third Sector in relation to the recommendations from the National Review of Community Planning
- Through joint working with Planning and Hjaltsland Housing Association and other partners to deliver on the Local Housing Strategy
- Work with Community Planning Partners to develop a plan to attract people to Shetland to live, work, study, and invest.
- Further develop our approach to constitutional change into a shared lobbying strategy with Orkney and the Western Isles.
- make sure that key partnership plans such as the Shetland Single Outcome Agreement are complete and approved and that they deal with the issues highlighted;

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- established a fully integrated Health and Social Care Partnership;
- a shared understanding of the financial, physical and human resources available across the Shetland Partnership and the best way to use these together;
- made sure that we are making the best choices between public-, private- and voluntary-sector partners providing services;
- removed any barriers that stop more efficient and effective use of private- and voluntary-sector organisations providing more services; and
- a greater understanding about what each organisation can do and involved the private and voluntary sector more in service areas they haven't previously been involved in.

7 - Vulnerable and disadvantaged people

What we want to

People who do not have easy access to income, employment and good housing often experience higher levels of ill health, are often less able physically and psychologically to meet challenges, and have less power and influence to bring about change. To understand this better and develop an evidence base we have contributed to the development of a Minimum Income standard for remote and rural Scotland to better understand the costs for households living in Shetland and establish the incomes levels required to sustain an acceptable standard of living that achieves positive health and well-being outcomes.

Poverty and inequality not only reduce levels of opportunity and life experience, but also damage Shetland's economic success and well-being as a community. We have developed an integrated assessment tool to ensure that the changes we have to make to services consider the needs of the most vulnerable people. For everything we do, we need to consider the effect it will have on the most vulnerable people in our communities.

We are also committed to concentrating services and resources on taking action early to tackle some of the reasons why people become vulnerable and disadvantaged in the first place.

We have already:

- worked with partners to prepare for welfare reform, supported households to understand the changes and reduce the impacts of it, including helping them to claim all the benefits they are entitled to;
- helped individuals and families learn how to reduce household bills, manage on a budget and reduce debt;
- supported initiatives that provide supported work placements to increase employability skills for those furthest from long term employment;
- promoted the home energy-efficiency programme to provide energy efficiency packages to the fuel poor and most vulnerable households; and
- contributed to research to establish the Minimum Income standard for remote and rural Scotland, holding a local conference to promote the findings using it to inform future work of the Fairer Shetland Partnership

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This coming year we will:

- Continue to implement statutory and regulatory changes required as part of the Welfare Reform agenda and work with partners to support households through the changes;
- Continue to use the Minimum Income Standard for Remote and Rural Scotland findings to access external resources and influence local and national policy;
- Support the development of initiatives that reduce household outgoings such as grow-your-own, recycling household items and clothing or improve access to ICT;
- Support initiatives which provide food and household goods to those in crisis;
- Work with partners to deliver the Fairer Shetland framework to tackle poverty disadvantage and exclusion;
- Support Community Transport Initiatives to reduce isolation and provide access to work, support services and social opportunities;
- Continue to develop opportunities for work experience and supported employment in the private, public and social enterprise sector to support the most vulnerable people moving into work;
- Combat fuel poverty by continuing to deliver on the Local Housing Strategy and providing energy efficiency packages to reduce household bills for the vulnerable and fuel poor.

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- concentrated our resources and services on the people who need them most and protected these people from the worst effects of change;
- provided the right support, at the right time, to help each person find long-term employment opportunities;
- worked with people who need our help to improve their chances in life;
- provided opportunities to develop positive community connections, to make sure people feel more a part of their community and take part in a wider range of activities; and
- identified and addressed new forms of inequality such as not having access to the internet and online services, sometimes called digital exclusion.

8 - A properly led and well-managed council

What we want to achieve

To be able to provide high-quality and cost-effective services to people and communities in Shetland, our organisation has to be run properly. We are determined that we will be run to the very highest standards. In these challenging circumstances all decisions have to be taken properly and every service has to be highly professional and very efficient. We must make sure that we take the right actions now to protect the long-term well-being of Shetland. We have established a clear vision and sense of purpose, which reflects local needs, and we can demonstrate linked-up planning and use of resources to make it happen. We will have strong improvement-led and performance-driven culture and systems, and we have a systematic approach to identify risk and develop effective responses. We will provide good-quality information regularly through a variety of ways to tell people how we are doing and to make sure we take responsibility for our decisions.

We understand that we have to run our organisation professionally and efficiently to provide high quality services over the long term. That means that we, as councillors, must prepare, train, practise, deliver and review all aspects of our decision-making and other behaviour to make sure that we are meeting the highest possible standards.

We have already:

- taken the improvement plan forward so that the Accounts Commission have released us from special measures;
- had our accounts approved by Audit Scotland without any qualification for the first time in seven years; and
- created new arrangements with the Human Resources Partnership Group to better involve staff and inform them of the changes we are making.
- had new members take part in a learning and development programme;
- have a leadership and development programme in place for all managers;
- seen senior councillors, the chief executive and the corporate management team take the lead in developing the Corporate Plan and telling the public and staff about it;
- fully aligned the timetables, time spans and approaches for financial planning relating to the medium-term yearly budgeting with council, directorate and service planning;
- made sure risk registers are being maintained and used actively in all directorates.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Support effective change throughout the Council by leading the Change Programme and improving support for it through effective programme management arrangements.
- Conduct the Corporate Governance Review and implement its recommendations
- Support the Mid Term Review of Senior Councillor appointments
- Introduce more effective ways to record, respond to and learn from complaints across the Council.
- Ensure Strategic and Departmental Risk Registers are brought up date and kept up to date
- Centralisation of all employment support administration to streamline processes and reduce administration.
- Implement CPD Framework for Elected Members
- Develop and implement a Workforce Strategy . This will include reviewing policies to support effective people management

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- made the decisions we needed to make, and we will have done that properly, on time and with a proper assessment of risk;
- made many, and sometimes radical, changes in how we provide services, and we will have done that through proper consultation with communities and staff;
- demonstrated that we are providing best value in all our services after having had a successful cross-council review from Audit Scotland; and
- regained the confidence of the Shetland public.

9 - Dealing with challenges effectively

What we want to achieve

As councillors, we serve the people of Shetland and they rightly expect us to do our very best in every way as we go about our work on their behalf.

We are the representatives of all Shetland's people and we have a duty to protect their interests, provide community leadership where necessary and speak up on their behalf here and in regional, national and international forums. The strength of Shetland's voice should never be damaged by any failure of councillors or the council. We will have to become a smaller commissioning body, with fewer staff working with a wider range of other service providers and partners.

This approach means that we can continue to meet priorities and help local people and communities to help themselves. We no longer have the money to react to problems and demand pressures by further spending. These problems and pressures will still arise, but we must have better plans in place for dealing with them and for covering the cost of their effects within existing budgets.

We have already:

- created a risk management based approach to managing financial growth pressures that stops costs spiralling out of control;
- identified the issues and opportunities created by possible constitutional change and mapped out a way forward with our neighbouring islands;
- identified the key legislative changes that will affect Shetland;
- identified the challenges we must cope with – an ageing population, increases in additional support needs among both children and adults, and climate change; and
- make sure all these plans link to each other; and
- make sure we regularly collect, scrutinise and report on information about our workforce
- make sure we carry out equality impact assessments for all new strategies and policies.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans)

- Develop Long Term Asset Investment Plan in conjunction with Directorates
- In partnership with Communications, research options, to improve employee engagement identifying budget required and draw up plan to take forward in 2015-16
- Conduct an Equal Pay audit across Shetland Islands Council employees will identify any risks of equal pay claims to allow action to be taken to avoid these.
- The Council has engaged effectively with partners and is able to show that it has understood the potential impacts on Shetland of various constitutional options, and has lobbied effectively to secure the best outcome for Shetland.
- Develop the Council and Shetland Partnership's thinking on potential constitutional reform, concluding with an agreed lobbying strategy.
- Provide support to members with the Our Islands Our Future campaign to ensure information and analysis is available to support the case for greater local decision making.

That will mean by the end of this plan we will have:

It is recommended that these objectives are retained

- dealt with pressures, issues and problems within existing budgets;
- developed and put in place sustainable-development (development that doesn't harm the area for future generations), carbon-management and waste-management arrangements to make sure we protect and, where possible, improve our stunning environment;
- made sure that in making any changes we have considered and dealt with any equalities, health and human rights issues; and
- secured the best for Shetland in any constitutional change following the referendum.

10 - Living within our means

What we want to achieve

We will have reliable arrangements in place to make sure we can manage our finances over the long term. We will make spending decisions that realistically reflect the money we have. We will make the best economic, efficient and effective use of our buildings and other physical assets. We will meet our supply needs economically and efficiently. We can't continue to spend more than our income without completely exhausting reserves. We need to reduce our spending to balance our finances and still maintain a significant proportion of our reserves.

We have already: (things we had done before last years plan was approved)

- agreed a Medium Term Financial Plan that will give ongoing financial strength by 2017;
- reduced our spending from reserves (it reached £36 million in 2012/2013, in 2013/2014 it was budgeted to be £28 million but is anticipated to turn out lower.
- meet our 2013/14 budget targets set out in the Medium Term Financial Plan;
- put in place all the internal efficiencies we have identified;
- keep challenging everyone across the whole council to make further savings;
- dispose of a further seven buildings, raising a further £750,000;
- update our standing orders about contracts and buying goods and services to provide best practice;
- renegotiate contracts with our biggest suppliers to achieve savings;
- work with public-sector partners to buy things cheaper together; and
- train relevant staff to use online buying systems and other forms of electronic ordering.

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Key actions for 2014/15 will be (further actions are detailed in directorate plans):

- Re-fresh Medium Term Financial Plan to reflect progress made, changing financial environment and evolution of the Corporate Plan.
- Lead on the development of the 2015-16 Council budget, in line with the parameters of the MTFP.
- Support the delivery of the 2014-15 budget through the provision of high quality financial information.
- Develop HR management information systems (CHRIS and HR21)
- Develop a Programme Support Office with capacity to facilitate a wide range of change support activity and reduce consultancy needs
- General Review of Charging Policy
- Options for future use of existing AHS site at Knab to be developed
- Undertake Long Term Financial Planning exercise, in line with SOLACE recommendation, including funding for key infrastructure.

By the end of this plan we will have:

It is recommended that these objectives are retained

- stuck to the Medium Term Financial Plan and be financially strong;
- a well-developed risk based approach to dealing with spending pressures;
- made better use of technology to both cut costs and maintain and improve services;
- raised more income where there are opportunities to do that; and
- made further significant savings by reducing the number of buildings we have.

and that this objective

- at least £125 million left in our reserves;

is replaced by (to align with the Medium Term Financial Plan)

- at least £150 million left in our reserves;

ends

**Shetland Islands Council****26 March 2014****Constitutional Reform – update report****Report No: CE-02-F****Report by: Chief Executive****Chief Executive's
Department****1.0 Summary**

- 1.1 This report provides an up to date briefing for Members on the Council's constitutional reform project and the Our Islands Our Future campaign.

2.0 Decisions Required

- 2.1 That the Council RESOLVES to:

2.1.1 Note the update that is provided in this report and endorse the approach that is being taken to pursue this campaign on behalf of Shetland.

3.0 Detail

- 3.1 A project was set up in February 2013 with an aim of assisting the Council to order its thinking on potential constitutional reform, and ensure regular liaison was taking place with Western Isles and Orkney Islands Councils.
- 3.3 In order to develop some strategic thinking on the subject a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis was carried out with elected Members on 11 March 2013. MSP for Shetland, Tavish Scott was in attendance and participated in that exercise. The outputs from the SWOT were used to develop a set of lobbying strands. These were reported to Council on 23 April 2013 and, once endorsed, were used as the basis for the Council's work going forward. (See Appendix 1)
- 3.4 Soon after the Council had provided its endorsement to the strands, the three islands Councils came together to develop an organised campaign. This was launched on 17 June 2013, under the banner "Our Islands Our Future".
- 3.5 Although a Joint Position Statement was used to launch the campaign, it was acknowledged at the time of launch, that this was interim, and that further detailed work had to be done to develop an organised set of campaign goals. This took place during the summer of 2013, with Leaders and Chief

Executives meeting with project officers to develop a lobbying structure for the campaign. In Shetland's case, the 7 lobbying strands that had been endorsed by Council were fed in to that process. These very closely aligned with the other islands' priority areas, and therefore helped to set the strategic aim for the overall OIOF campaign. The campaign, after July 2013, was organised around three "Areas", with one island taking lead status on an area. Shetland has 'lead island' status on Campaign Area 1 – Marine Resources and Energy. The other areas were Area 2 – Economic Drivers and Area 3 – Constitutional arrangements.

- 3.6 During any campaign or lobbying activity it is important to create the opportunity to lobby at the relevant level and then be taken seriously and hopefully achieve the desired outcome. A stated objective of the campaign from the outset was to engage on an equal footing with both the Scottish and UK Governments, as well as the parties not currently in power. This was to reinforce the apolitical nature of the campaign and the fact that we were focused on achieving the best possible outcome for the islands, regardless of the outcome of the independence referendum.
- 3.7 Delivery on two of those objectives was significantly progressed in July 2013 when the First Minister for Scotland made the "Lerwick Declaration" in support of the concept of increased local decision making and announced the establishment of an Islands Ministerial Working Group (IAMWG). The IAMWG was set up to meet 6 times with agenda topics being taken from the campaign lobbying plan. The IAMWG has now met 5 times, with the most recent meeting coming in Stornoway on 24 March. It has been attended by the Political Leader and Chief Executive, with additional officers only attending to present papers or in an observer capacity.
- 3.8 On 18 September 2013 the Our Islands Our Future Conference was held in Kirkwall, with wide representation from across public sector agencies, Government as well as a range of international speakers. The conference report is available on the Council's OIOF webpages at www.shetland.gov.uk.
- 3.9 In line with the campaign's aim to be apolitical, letters with questionnaires were sent to all main political parties in Holyrood and to the UK Government and Labour Party leader. Meetings with civil servants and the Secretary of State for Scotland took place in Westminster in October and that was followed up with a meeting in Stornoway in November. The result of that engagement was the proposal to agree a Concordat between the islands authorities and UK Government. This is being worked on and, in line with the timeline of activity attached as Appendix 3, is expected to be delivered in May 2014.
- 3.10 The IAMWG meeting format has followed a standard process. As the agenda topics were set at the start of the process, scoping papers are developed by the Islands authority with lead status for that campaign area. These are circulated for approval and professional input, before being sent to Scottish Government civil servants. Final papers are then put to the group and briefing papers provided for the Leaders and Chief Executives attending.
- 3.12 The campaign sought to engage with the wider public – towards the end of 2013. Members met representatives of the business community who were not able to attend the Orkney Conference, a Twitter feed was established, 1000 A5 leaflets were printed in-house at low cost and distributed across public service outlets, a dedicated webpage and email address were also set up.

Members met the Youth Voice Forum in January. A meeting of all Members and Shetland community councillors has been arranged for Saturday 5 April and two public engagement sessions will take place later in the month.

- 3.13 At the seminar earlier this month, Members asked for the full list of campaign “Asks”. Many of these have already appeared in public as part of post-Ministerial Working Group communications and the OIOF leaflet. However, these are outlined as Appendix 2.

5.0 Implications

Strategic

- 5.1 Delivery On Corporate Priorities – Securing the best for Shetland, now and in the future, is at the heart of Shetland Islands Council’s and the Shetland Partnership’s objectives. Maximising the opportunities and managing the risks in significant constitutional reform is key to that.
- 5.2 Community /Stakeholder Issues – Comments on the campaign continue to be welcome through the existing routes. Further engagement work has been planned and will take place in April.
- 5.3 Policy And/Or Delegated Authority –
- 5.3.1 The implications of this potential scale of constitutional reform could affect any of the arrangements with the Council’s Policy framework and indeed the Council’s constitution itself. Approving, adapting or amending any plan within the policy framework is reserved to full Council (Part A - 3(1)).
- 5.4 Risk Management – This potentially major constitutional reform offers potentially significant opportunities for Shetland, but equally recognised, also present possible threats. Fundamentally this whole exercise is about strategic risk management and specific risk assessments will need to be part of individual option appraisals. This project is featured as a priority in the Council’s Corporate Risk Register.
- 5.5 Equalities, Health And Human Rights – No specific implications.
- 5.6 Environmental – No specific implications.

Resources

- 5.7 Financial – All expenditure on the OIOF campaign to date has been met by prioritising existing budgets. Travel has been minimised by arranging meetings at times when other engagements were taking place (such as COSLA Leaders’ meetings). However, Members acknowledged that there would be a cost involved of running a campaign at this level. To date a £10,000 contribution has been made towards the costs of the Orkney Conference and ongoing secretariat costs. A further £10,000 contribution is being sought, to see the

campaign through to the final stages. This will again be met from existing budgets.

5.8 Legal – No specific issues arising from this report.

5.9 Human Resources - No specific issues arising from this report.

5.10 Assets And Property – NONE

6.0 Conclusions

6.1 This report has sought to update Members on the progress of the Constitutional Reform project. Although an update report has been at Council in December and Members have been updated regularly throughout the year, this report has summarised the campaign highlights over the past 12 months.

For further information please contact:

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Report finalised: 18 March 2014

List of Appendices

Appendix 1 – Lobbying Strands

Appendix 2 – Our Islands Our Future Our Asks

Appendix 3 – OIOF timeline

Constitutional Reform project

Lobbying strands endorsed by Shetland Islands Council

23 April 2013

A greater local role in all aspects of inshore marine resource management and utilisation.

Ongoing and extended participation in the very significant Oil and Gas exploitation which continues to be carried out around Shetland.

The effective development of Shetland's world class renewable energy resources with genuine community participation and benefits.

Potential changes to fiscal arrangements to allow Shetland to benefit more directly from the exploitation of local resources.

Recognition at EU level of Shetland's status.

More local influence on external and internal Transport arrangements to obtain better solutions in light of our geography.

Better local decision making and greater efficiency opportunities arising from public sector reform.

Three recurring features, mentioned during discussions, link these strands together:

Shetland must seek to retain its position as a distinct islands authority post-referendum. If there is to be a Scottish Constitution, this must make specific provision for island authorities.

All of the powers currently devolved to Shetland must be protected.

Shetland's interests would be better served if it had a greater ability to influence and control its own affairs.

The underpinning argument for devolution of powers is that decisions being taken by local bodies that are closer to the people of the area and know the particular challenges being faced, represents an altogether more democratic system of government.

This ability to create and deliver solutions appropriate to local need unpins social justice and creativity. Constitutional change cannot just be about transfers of power between Westminster and Edinburgh, but must extend across Scotland's communities.

These general points will be taken as the underpinning drivers for the Council's position going forward.



Our Islands Our Future - Our 'Asks'

Crown Estate	Oil & Gas	Aquaculture
<p>Transfer powers to each island group to</p> <ul style="list-style-type: none"> • set the level of rental charges • keep the majority of the income raised and • spend and/or invest that income as each island sees fit <p>for use of the seabed out to 12 miles.</p>	<ul style="list-style-type: none"> • a new partnership in Oil & Gas production that gives real community benefit to the islands • recognition of infrastructure costs that are already being borne by the islands • greater local involvement in the oil and gas supply chain & decommissioning 	<ul style="list-style-type: none"> • streamline regulation and management by reducing the number of national bodies involved • encourage on-island processing and local added value • transfer Crown Estate income to islands for community benefit
Renewables	Island Proofing	Transport
<ul style="list-style-type: none"> • strong local control over planning and consenting • fair pricing and transmission charging regimes <p>fair levels of community benefits from developments for local interests</p>	<ul style="list-style-type: none"> • legislation to make island proofing a legal duty and mandatory across and throughout governments • the principle of island proofing is enshrined in any changes to constitutional arrangements 	<ul style="list-style-type: none"> • fair and transparent fare support arrangements across all island services recognising one size will not fit all <p>ensure greater involvement in decision-making by communities served</p>
Marine Planning	Economic Drivers	Tourism
<ul style="list-style-type: none"> • devolve inshore marine planning and marine licensing to the islands along with the resources to do it • make sure the islands have a real voice in offshore marine planning out to the edge of the continental shelf 	<ul style="list-style-type: none"> • each island group will be designated an "islands innovation zone" with incentives for businesses to invest 	<ul style="list-style-type: none"> • improve transport capacity and integration issues • address price/distance to travel to the islands to minimise it as an inhibitor • strengthen relationships across the sector

Fisheries <ul style="list-style-type: none"> stronger islands representation on regional management groups support for further islands based fisheries management proposals as they emerge investment & development in ports, transport and other key infrastructure 	Crofting <ul style="list-style-type: none"> consideration of regional delivery of crofting regulatory and development functions better islands and crofting representation at Scottish/UK/EU levels 	Construction <ul style="list-style-type: none"> support local sourcing and local procurement through islands proofing the procurement directive consider derogations on discretionary costs to help level playing field
Digital <ul style="list-style-type: none"> a better partnership to achieve 100% broadband coverage in the islands find ways to improve mobile coverage across the islands 	Constitution <ul style="list-style-type: none"> islands authorities will keep all the special powers they have at the moment islands powers will be consolidated, developed and extended as a continuing process 	Public Sector <ul style="list-style-type: none"> each islands will be granted powers to determine how the public sector should be organised locally the islands will get enhanced community planning powers to align resources within their areas
Revenues <ul style="list-style-type: none"> the islands will get a fair and equitable funding settlement the islands will obtain greater control over the financial resources needed to deliver locally 	State Aid <ul style="list-style-type: none"> re-examination of criteria to determine assisted area status raise the de-minimis ceilings for state aid in the islands promote the extension of transport aid presently authorised in outmost regions to include OIOF islands 	Land Planning <ul style="list-style-type: none"> allow full cost recovery for major projects raise the scale of projects which require national determination an enhanced role in the control of development affecting our historic environment
Culture & Creative <ul style="list-style-type: none"> develop a shared vision for OIOF islands to become internationally recognised creative cluster capitalise on our indigenous strengths in the development of innovative products and services which can create jobs and add value 	Europe <ul style="list-style-type: none"> formal recognition of Article 174 in UK and Scottish legislation insularity to be promulgated as an equality issue. Islands interests to be better represented at EU level 	Community Benefit <ul style="list-style-type: none"> all large scale developments on and around the islands should deliver tangible community benefits the type and level of those community benefits should be determined on each island Islands should be able to decide how benefits are spent or invested

OIOF Timeline – March to June 2014

Date	Item
24 th March	IAMWG Meeting 5 - Stornoway <ul style="list-style-type: none"> • Single Public Authority • Legal & Constitutional Status • Revenues & Funding Settlement • Creative Industries • Terrestrial planning
26 th March	SIC Council Meeting
5 April	All Community Councillors and Members engagement event
Middle to end April	Public engagement sessions
May	Concordat expected with UK Govt
3 June	IAMWG final meeting - Kirkwall <ul style="list-style-type: none"> • Prospectus for the islands

Meetings are being sought with the Scottish Conservative Party, Scottish Labour Party and Scottish Green Party within the above timeframe.

**Shetland Islands Council****26 March 2014**

Community Development Fund	
Report No: DV018-F	
Report Presented by: Executive Manager – Community Planning & Development	Development Services Department

1.0 Summary

- 1.1 The purpose of this report is to inform Members of the review of the Community Development Fund (CDF) grant aid scheme and to seek approval of revised guidelines.

2.0 Decision Required

- 2.1 That Shetland Islands Council RESOLVES:
- 2.1.1 To approve revised Community Development Fund grant application guidelines; and
- 2.1.2 To award delegated authority to the Executive Manager – Community Planning & Development, or her nominee, to approve grant payments within the scheme guidelines, subject to available budget.

3.0 Background

- 3.1 On 20 February 2013, Shetland Islands Council agreed to ring fence a 30% reduction in funding to Community Councils and to establish a scheme whereby Community Councils and eligible Community Development organisations can apply for grant funding towards projects, subject to a separate report being presented to the Council on the criteria to be applied to such a scheme (Min ref 09/13).
- 3.2 Guidelines for a Community Development Fund grant aid scheme were drawn up and presented to Council on 24 April 2013. At that meeting the Council resolved to:

- Consult urgently and actively with Community Councils on the draft Community Development Fund grant application guidelines;
 - Report to the Council on 12 June 2013 on the outcome of the consultations and on the next steps and timetable in the new scheme development (Min Ref 27/13).
- 3.3 Consultation was duly carried out by Community Planning & Development service in May 2013 which included a workshop and a meeting with the Association of Shetland Community Councils / Shetland Islands Council Joint Liaison Group (JLG).
- 3.4 On 12 June 2013, Shetland Islands Council approved the introduction of the Community Development Fund grant aid scheme (Min Ref 52/13). The Community Development Fund had an approved budget of £68,000 for financial year 2013/14.

4.0 Detail

- 4.1 The 2013/14 Community Development Fund budget of £68,000 has been fully allocated and all grants paid out. A list of approvals is attached as Appendix A. Appendix A also includes details of approved core funding for Community Councils in 2014/15.
- 4.2 Following completion of grant payments and administration of the Community Development Fund, Community Planning & Development staff commenced a review of the CDF scheme in January 2014.
- 4.3 All Community Councils and eligible Community Development organisations were sent a survey form about the CDF scheme on 20 January 2014 with a return date of 28 February 2014. A total of 17 completed forms were received from a possible 33 issued (51%). Almost 90% of Community Councils replied (16/18) with 6% of Community Development organisations returning a survey form (1/15).
- 4.4 Survey responses were collated and analysed, and in the main responses are considered positive. A summary of survey feedback is attached as Appendix B. The majority of responses highlighted the difference that the fund had made to local community groups and projects in their area. Feedback also highlighted that the CDF scheme had resulted in additional workload for Community Council clerks and members, and that there had been delays for applicants being able to start projects and/or spend its Distribution Fund.
- 4.5 Staff from the Community Planning & Development service met with the Association of Shetland Community Councils / Shetland Islands Council Joint Liaison Group on 7 March 2014. The purpose of this meeting was to share the survey results and to discuss options for the CDF scheme. The following options were discussed:
1. Continue the CDF scheme, but implement some minor amendments to criteria and process;

2. Continue the CDF scheme, but amend the scheme to focus on certain priority groups such as supporting young people and/or senior citizens;
3. Change the focus of the CDF scheme to become a Challenge Fund with more emphasis on regeneration projects, community led services;
4. Discontinue the CDF scheme and reinstate monies to core funding for Community Councils;
5. Discontinue the CDF scheme and save monies.

4.6 Following extensive and very constructive discussions, the Joint Liaison Group fully endorsed Option 1 as detailed above in paragraph 4.5. The Joint Liaison Group supports the continuation of the Community Development Fund and requested that some minor changes be implemented for 2014/15. Specifically, the Joint Liaison Group recommended that the following points be considered:

- a. That the Community Development Fund be continued;
- b. That Community Councils continue to be prioritised for funding;
- c. That the application forms for Community Councils be simplified;
- d. That the procedures for accounting for CDF monies are simplified;
- e. That application bidding rounds be brought to allow applications to be considered earlier in the financial year and to minimise/reduce delays for community projects and activities;
- f. That Community Councils have more discretion how to allocate Distribution Funds;

In addition to these suggestions, the Joint Liaison Group members also highlighted the importance of Community Councils and Community Development organisations working together for the benefit of their local communities. It was pointed out that Community Councils cannot legally own capital assets such as property and have limited access to external funding opportunities so Community Development organisations have an important role going forward, as communities seek to maintain and develop local facilities and services.

4.7 Members should note that operation of the CDF scheme, and recent transfer of the Community Council core funding to Community Planning & Development Service, has worked well. Continuation of the CDF scheme has good links to and compliments other areas of activity within the Service. This includes:

- Community Planning and the Strengthening Community Involvement research, which identified a key role for Community Councils in strengthening community involvement in Shetland.

- Work being carried out by the Improvement Service in relation to ways in which the role and function of Community Councils can be enhanced and supported.
 - It also compliments the Community Grants review, linked to the overall reduction in community grant funding in 2014/15 and beyond.
- 4.8 Following completion of the CDF review, a few areas have been identified to improve the scheme. A summary of issues and proposed actions are listed in Appendix C and revised guidelines are attached as Appendix D. It is proposed that existing scoring criteria should remain the same as detailed in Appendix E.

5.0 Implications

Strategic

- 5.1 Delivery on Corporate Priorities – This report links to the Council's corporate priorities, defined in its corporate plan, specifically in relation to sustainable matching of resources to community needs and priorities.
- 5.2 Community /Stakeholder Issues – Feedback has been sought from Community Councils and Community Development organisations. Comments have also been sought from Association of Shetland Community Councils / Shetland Islands Council Joint Liaison Group.
- 5.3 Policy and/or Delegated Authority – The development of new policy is a matter reserved to Shetland Islands Council.
- Continued delegated authority to the Executive Manager – Community Planning and Development is sought to approve grant payments under the scheme, in line with available budget.
- 5.4 Risk Management – There is a risk if the Community Development Fund is not continued that the Council's relationship with Community Councils and communities would be negatively affected.
- 5.5 Equalities, Health and Human Rights – None.
- 5.6 Environmental – None.

Resources

- 5.7.1 Financial – the total budget for the Community Development Fund is £68,000 in 2014/15 as agreed by the Council in 11 December 2013 (Min Ref 109/13).
- 5.8 Legal – None.
- 5.9 Human Resources – None.
- 5.10 Assets and Property – None.

6.0 Conclusions

- 6.1 The Community Development Fund scheme has been deemed a success, enabling a wide range of community groups, local projects and activities to be supported.
- 6.2 A small number of areas of improvement have been identified which, if approved by Council, should make the process more streamlined and focused for applicants.
- 6.3 The CDF scheme fits well within the wider work of the Community Planning & Development service.

For further information please contact:

Vaila Simpson, Executive Manager – Community Planning & Development
01595 744375, vaila.simpson@shetland.gov.uk
14 March 2013

List of Appendices

- Appendix A CDF Awards
- Appendix B CDF Review Summary of Feedback
- Appendix C Summary of issues and proposed actions
- Appendix D CDF Revised Guidelines
- Appendix E Scoring Criteria

Community Development Fund - Summary of Awards 2013/14						
Description	Name of Group	Award Date	Total Cost	Grant Approved	Budget Balance	Community Work Area
					68,000.00	
Distribution fund	Northmaven Community Council	28.08.2013	3,000.00	3,000.00	65,000.00	North Mainland & Whalsay
Distribution fund	Sandness & Walls Community Council	28.08.2013	3,000.00	3,000.00	62,000.00	West & Central Mainland
War Memorial repairs	Sandness & Walls Community Council	28.08.2013	4,000.00	1,000.00	61,000.00	West & Central Mainland
Information Map & Trail Panels	Lerwick Community Council	28.08.2013	4,000.00	1,000.00	60,000.00	Lerwick, Gulberwick & Bressay
Distribution fund	Lerwick Community Council	28.08.2013	3,000.00	3,000.00	57,000.00	Lerwick, Gulberwick & Bressay
Install information Board & fence/benches - Breckon beach	Yell Community Council	28.08.2013	1,000.00	1,000.00	56,000.00	North Isles
Distribution fund	Yell Community Council	28.08.2013	3,000.00	3,000.00	53,000.00	North Isles
Purchase community marquee	Sandwick Community Council	28.08.2013	1,500.00	1,000.00	52,000.00	South Mainland
Distribution fund	Sandwick Community Council	28.08.2013	3,000.00	3,000.00	49,000.00	South Mainland
Distribution fund	Fetlar Community Council	28.08.2013	3,000.00	3,000.00	46,000.00	North Isles
Distribution fund	Unst Community Council	28.08.2013	3,000.00	3,000.00	43,000.00	North Isles
Distribution fund	Dunrossness Community Council	28.08.2013	3,000.00	3,000.00	40,000.00	South Mainland
					40,000.00	
Distribution fund	Gulberwick, Quarff & Cunningsburgh Community Council	28.08.2013	3,000.00	3,000.00	37,000.00	South Mainland
Manage two public toilets	Sandsting & Aithsting Community Council	28.08.2013	1,000.00	1,000.00	36,000.00	West & Central Mainland
Distribution fund	Sandsting & Aithsting Community Council	28.08.2013	3,000.00	3,000.00	33,000.00	West & Central Mainland
Recycling pilot project	Unst Partnership Ltd	28.08.2013	2,884.28	2,884.00	30,116.00	North Isles
					30,116.00	
Distribution fund	Tingwall, Whiteness & Weisdale Community Council	29.08.2013	3,000.00	3,000.00	27,116.00	West & Central Mainland
					27,116.00	
Distribution fund	Scalloway Community Council	16.09.2013	3,000.00	3,000.00	24,116.00	West & Central Mainland
Environmental improvements	Scalloway Community Council	16.09.2013	800.00	800.00	23,316.00	West & Central Mainland
Equipment purchase	Living Lerwick Limited	16.09.2013	7,600.00	3,000.00	20,316.00	Lerwick, Gulberwick & Bressay
					20,316.00	
Distribution fund	Whalsay Community Council	25.09.2013	3,000.00	3,000.00	17,316.00	North Mainland & Whalsay
					17,316.00	
Distribution fund	Delting Community Council	06.11.2013	3,000.00	3,000.00	14,316.00	North Mainland & Whalsay
Distribution fund	Nesting & Lunnasting Community Council	06.11.2013	3,000.00	3,000.00	11,316.00	North Mainland & Whalsay
Distribution fund	Bressay Community Council	06.11.2013	3,000.00	3,000.00	8,316.00	Lerwick, Gulberwick & Bressay
Distribution fund	Skerries Community Council	06.11.2013	3,000.00	3,000.00	5,316.00	South Mainland
Distribution fund	Burra & Tronda Community Council	06.11.2013	3,000.00	3,000.00	2,316.00	West & Central Mainland
Construct community path	Langsound Community Development Group	06.11.2013	4,947.16	2,316.00	-	West & Central Mainland

	2014/15 Approved Core Budgets	Function 1 : ADMIN	Function 2 : ENVIRONMENT SERVICES	Function 3 : GRANTS TO LOCAL/ DISTRICT GROUPS (LOCAL1)	Function 5 : ROADS	TOTAL GRANT DISTRIBUTION
	Aithsting & Sandsting	3,968	355.60	2,100.00	3,794.00	10,218
	Bressay	2,335	356.00	1,132.00	1,979.00	5,802
	Burra & Trondra	2,918	356.00	1,983.00	741.00	5,998
	Delting	3,968	356.00	3,062.00	3,931.00	11,317
	Dunrossness	3,968	356.00	2,762.00	2,460.00	9,546
	Fetlar	2,335	356.00	510.00	425.00	3,626
	Gulberwick, Quarff & Cunningsburgh	3,968	356.00	2,519.00	3,080.00	9,923
	Lerwick	10,332	356.00	9,727.00	508.00	20,923
	Nesting & Lunnasting	3,968	356.00	1,429.00	1,374.00	7,127
	Northmavine	3,968	356.00	1,718.00	6,625.00	12,667
	Sandness & Walls	3,968	356.00	1,453.00	3,450.00	9,227
	Sandwick	3,968	356.00	1,827.00	1,883.00	8,034
	Scalloway	3,968	356.00	2,302.00	632.00	7,258
	Tingwall, Whiteness & Weisdale	3,968	356.00	2,704.00	1,278.00	8,306
	Unst	3,968	356.00	1,543.00	2,556.00	8,423
	Whalsay	2,918	356.00	2,059.00	2,363.00	7,696
	Yell	3,968	356.00	2,022.00	2,185.00	8,531
	Skerries	2,334	356.00	566.00	170.00	3,426
		70,788	6,407.60	41,418.00	39,434.00	158,048

**Community Development Fund
Summary of Survey Results**

Summary of returns

33 survey forms emailed out on 20th January 2014

17 survey forms returned by deadline of 28th February 2014 (51.5%)

16/18 Community Councils responded (88.89%)

1/15 Community Development organisations responded (6.67%)

Whalsay and Bressay Community Councils did not respond

Unst Partnership Ltd only Community Development organisation to respond

The main comments received have been summarised below.

Brief update on Distribution Fund/Project

17 indicated that the CDF grants have been mostly spent and/or are in the process of being fully allocated. No significant issues to report.

Distribution Funds have been used to support the following activities:

- Community hall repairs and new equipment
- Local church repairs
- Senior citizens group
- Local playing field
- Mother & toddlers group
- Local school
- Youth club
- Local Development organisations
- Makers group
- History groups / Community museums (equipment)
- Christmas parties (Pre school Groups and Senior Citizens)
- Festival costs (Unst Fest & Winter Festival)
- Local Up Helly Aa (JUHA shed rent, SMUHA tools)
- Transport costs
- Voar Redd Up
- Youth centre
- Community swimming pool
- Community piers and marina
- Public toilets
- Guides and Brownies
- Environmental / maintenance work and footpaths
- Produce a walking guide
- New arts display system, interpretation resources
- Grass cutting works & road signs

Project grants awarded funding for the following:

- Recycling pilot project
- Purchase of projector equipment
- Construction of community path
- War memorial upgrade
- Information map and trail panels
- Notice board and picnic bench area and fencing
- Purchase a community marquee
- Manage two public toilets
- Maintain community garden

What's worked well?

11 reported it was positive receiving funds to allocate to local groups and carry out projects
3 reported good support from SIC staff
1 reported grant process relatively quick and straightforward
2 reported too early to comment/no comment

What's not worked so well?

5 reported uncertainty of receiving funding and/or time delay until funding awarded e.g. August or November 2013
8 reported additional administration and workload for clerks and/or extra accounting requirements
1 reported lack of clarity with criteria
1 reported project grant turned down
1 reported no comment
1 reported no problems with application process

What do you think of application packs and process?

1 reported some confusion with application packs
5 reported the process was straightforward
8 reported additional workload and bureaucracy and time consuming for clerks
2 reported it was overly complicated and sought simpler method
1 reported project criteria was not clear enough

Has the funding made a difference?

1 reported it has enabled a community desktop aspiration to become a project which could lead to further development and business opportunities in the area
13 reported it will make a difference to community groups and projects in their area
1 reported not known if made a difference. Will take time to get Community groups on board
1 reported only way it will make a difference is if the funding had been lost to Community Councils
1 reported it has impacted on Community Council members and the clerk through additional workload

Any other comments?

2 reported they would like to be able to apply again/hope CDF scheme is continued

2 reported no comments

2 reported it may be better if Community Councils had more discretion how to apportion between a Distribution Fund and a project grant

4 reported that without this funding many smaller groups and facilities will struggle financially and they would not be able to support them to any noticeable extent. Community Councils also have better local knowledge of what community groups achieve

3 reported CDF scheme has created another layer of bureaucracy

2 reported the previous system worked very well for years so it should be re-instated

1 reported the CDF scheme was well intended by Elected Members, but either the Council should allow Community Councils to distribute funds, or channel it into some other community support

1 reported that if CDF scheme to continue, Community Council clerks would benefit from training in how to submit a strong application

Conclusions from survey

- All responses have reported that CDF monies are being spent and/or committed and on schedule to be fully used within 12 month requirements.
- The most frequent response was that CDF has enabled funding to be allocated to local groups and projects.
- The most frequent response was that the CDF scheme created some uncertainty and there were delays in relation to applying for and securing funding, which meant significant delays to support local projects and community groups.
- The most frequent response was that the CDF scheme application packs and process created additional bureaucracy, workload and accounting requirements.
- The most frequent response was that the CDF scheme has made a difference to the local community groups and projects that were supported from it.
- The most frequent response was that without CDF monies many smaller community groups and facilities could struggle financially. Also the scheme has created more bureaucracy

Community Development Fund

Issue / Query	Proposed Action	Reason
Is it possible to simplify the CDF application form in order to reduce workload on clerks and reduce bureaucracy?	<p>It is proposed to introduce an abbreviated application form to Community Councils. This will reduce the existing application form from 11 pages to 3 pages. This form will only require details of their proposed project or Distribution Fund.</p> <p>Community Development organisations will be required to complete the full application form.</p>	<p>With CP&D administering core funding applications from Community Councils, much of the details required in a CDF application are already on file. Therefore the application form can be simplified so Community Councils only submit details about what the funding is for.</p> <p>Community Development organisations do not apply annually so they must complete the full application form.</p> <p>CP&D will continue to offer guidance in completing the form, along with support and / or training to any applicant on request. The ASCC / SIC also meet regularly with clerks, and training can be delivered during those meetings.</p>
Is it possible to speed up the process and bring forward bidding round dates?	<p>It is proposed to run with 3 bidding rounds again in 2014/15 as follows:</p> <p>30 April 2014 30 June 2014 31 August 2014</p> <p>The simplified forms for Community Councils should also enable CP&D to process applications quicker.</p>	<p>In 2013/14 the delay in awarding grants was largely down to the timing of the CDF scheme being approved by Council.</p> <p>If this report is approved, the application process for 2014/15 can start in April and in turn grants will be awarded much earlier in the financial year.</p>
Is it possible to minimise accounting requirements at year end?	<p>It is proposed that the guidelines and grant offer letters be amended to specify that all CDF monies must be spent by 31 March each year.</p>	<p>This is in line with the Core funding awarded to Community Councils and will minimise workload at year end.</p> <p>In 2014/15, it would mean applicants have less than one year to spend CDF monies. However in future years it may be possible to consider applications earlier still as systems develop.</p>

Issue/ Query	Proposed Action	Reason
Is it possible for Community Councils to have more discretion about how to use a Distribution Fund? E.g. use it to pay for grass cutting and gardening at public amenities, erecting road signs, community skip hire, transport etc.	It is proposed that CDF grants awarded as a Distribution Fund be solely used as a Fund to award grants to local groups for projects and activities that fit within the scheme aims and Single Outcome Agreement outcomes.	Community Councils already receive core funding from the Council which they may use for local projects and other services at their own discretion. CP&D will offer to work individually with Community Councils, which have particular issues to consider options for them e.g. it may be possible to transfer something normally paid for from core grant funding to the CDF scheme or vice versa.
Is it possible to improve the eligibility criteria within the scheme guidelines?	It is proposed that the CDF guidelines be updated to clarify the eligibility criteria and deadlines.	Amended guidelines would reduce/remove any misunderstandings from applicants.

Community Development Fund Guidelines

This grant aid scheme is designed to support Community Councils and Community Development Organisations to further the aims and objectives of their organisation, within the geographical area of Shetland for which they are constituted, and which are in line with the Single Outcome Agreement and Council's Corporate Plan.

This grant scheme supports Community Councils and Community Development Organisations to deliver services, activities and initiatives in relation to the priority areas of children and young people; families at risk; older people; transport; safer & stronger communities; reducing offending; health inequalities & physical activity; employment and economic recovery & growth.

We hope this scheme makes a real difference to the quality of life for people living in Shetland and would encourage organisations to be both imaginative and innovative in designing bids which will impact positively on as many members of their respective communities as possible.

What our grants are for –

This grant scheme aims to support projects and activities that: -

- Encourage participation in community life, in particular those focusing on children, young people, older people and those most disadvantaged
- Assist in the process of sustaining and regenerating fragile rural areas
- Ensure organisations are open to those who want to take part and that they actively encourage more people into their organisation
- Promote individual and community achievement

We expect all funded applications to demonstrate that: -

- It meets a community need
- It represents value for money
- It is well planned
- There are long term benefits
- It makes a difference to the community
- The project expenditure can be accounted for

Who can apply?

You can apply for a Community Development Fund Grant if: -

- You are a Community Council; **OR**
- You are a Community Development Organisation constituted with an open constitution; and
- You are based in Shetland
- You have a constitution or set of rules which clearly defines your organisation's aims, objectives and procedures

- You have a bank or building society account in the name of your organisation which requires at least 2 signatures on each cheque or withdrawal
- You can enclose your most recent annual accounts which have been certified as true by a person independent of your organisation
- you spend the grant within a year

Constitutions

A constitution should include:

- An organisation's name, aims and objectives
- Details of how it achieves those objectives
- Details of how its committee is elected or appointed
- Details of how people can join the organisation
- Details of what will happen to the assets of the organisation if it closes
- The date when the constitution was adopted and signed on behalf of the organisation

How do we apply / making an application

It is a requirement of this scheme that all applications for grant assistance are submitted prior to your project commencing.

Bidding Round 1

Completed applications must be received by no later than 30 April 2014 – subject to the availability of finance

Bidding Round 2

Completed applications must be received by no later than 30 June 2014 – subject to the availability of finance

Bidding Round 3

Completed applications must be received by no later than 31 August 2014 – subject to the availability of finance

All applications received will be acknowledged within 5 working days identifying any further information required to complete the application. All applications requiring further information must be completed within a maximum period of two months from the date of receipt of the original application. The Council reserves the right to defer incomplete grant applications to the next bidding round.

Applications are available on the Council's website at http://www.shetland.gov.uk/grants/about_grant_aid.asp and can be submitted electronically.

Alternatively an application pack can be requested or collected from the Grants Unit – see contact details on page 8. You should also contact staff at the earliest opportunity to discuss your organisation's project eligibility and to get assistance with completing the application form.

What can we apply for?

We will consider providing 'seed corn' funding to, or 'pump priming' projects in the area covered by your organisation, which are related to the following priority areas: -

children and young people; families at risk; older people; transport; safer & stronger communities; reducing offending; health inequalities & physical activity; employment and economic recovery & growth

Examples we will consider funding: -

- Community Councils applying for a Distribution Fund
- Projects that develop local services
- Regeneration and income generating projects
- Facility upgrades
- Tourism related projects
- Projects that "spend to save" or "spend to earn"
- Environmental improvements

Projects should meet local needs and priorities and seek to deliver maximum benefits and impact in the community.

Examples we will not fund: -

- Loan or endowment payments
- Projects with no long-term sustainability
- Second hand vehicles and second hand equipment (unless valued or certified by an independent / qualified assessor)
- Projects / activities that have already taken place
- Business or commercial ventures
- Fundraising expenses
- Meals and subsistence costs
- General entertainment costs
- Schools projects or costs for competing in Schools competitions
- Unadopted roads
- Clerks wages and administration costs
- Political or religious activities
- Recoverable VAT

How much can we apply for?

Community Councils

Community Councils can apply for between £500 and £4,000.

The maximum Community Council's can apply for a Distribution Fund is up to £3,000.

The maximum Community Council's can apply for a project is up to £3,000.

Community Councils may apply for any combination of grant aid for a Distribution Fund and/or project within the above limits. Community Council applicants will be restricted to a maximum of £4,000.

A Distribution Fund may only be used to award grants to community groups and voluntary organisations to assist projects and activities that meet local area needs and priorities and that fit within the overall scheme objectives. It cannot be used to pay for revenue costs such as grass cutting, road signage, skip hire etc.

Community Councils applying for funding towards a project must directly delivered the project. Community Councils in receipt of CDF project grant cannot award the funding to a third party.

Community Development Organisations

Eligible Community Development Organisations can apply for between £500 to £3,000 to assist with the costs of delivering local projects and/or services. Community Development Organisations are required to demonstrate they have the support of their local community council(s) as part of their funding application.

General

There is no restriction on the number of applications you can make within the year, but you will be restricted to a maximum of £4,000 per Community Council applicant or to a maximum of £3,000 per eligible Community Development organisation applicant per Council financial year. Applicants are also limited to one grant per project, and each project will only be eligible for a single grant.

The maximum grant per applicant will be lifted in bidding round 3 if there is budget remaining and no other qualifying applications are received.

Please note that we will not award more than the amount you request in your application. If you are unsure about how much funding you can apply for, please contact the Grants Unit in advance of submitting your grant application for guidance and assistance.

Application Process

Once you have completed your grant application in full, attached all the necessary documents and worked through the checklist, please send the completed application form and enclosures to the Grants Unit for processing and consideration.

- On receipt of your application we will check if it is complete and ensure all the necessary information has been enclosed.
- We will acknowledge receipt of your application within 5 working days or return your application if not complete, and will let you know what else you need to do.
- Your completed application will be assessed and prioritised alongside all other Community Development Fund applications received at each bidding round.
- You will be informed of the decision in writing in no more than 6 weeks of receiving the completed application.
- Successful applications will be issued with a grant offer letter and acceptance docquet.
- Once your organisation has accepted the terms and conditions of the grant and returned the acceptance letter the grant will be paid in full directly into your organisations' bank account.
- You must comply with grant conditions and use the grant only for the purpose set out in your application form.
- You must complete a Project Evaluation form and a certification of expenditure form together with details of all relevant expenditure within 12 months of the date of the grant offer letter.

If your grant application is unsuccessful

We will tell you the main reasons why in a letter within 6 weeks of receiving the completed application. You may also find it useful to contact the Grants Unit as appropriate for advice and further assistance.

Following receipt of the explanation your organisation may wish you to revise your Community Development Fund grant application form and resubmit it or appeal the original decision.

If you want to appeal the decision to refuse your application, then a letter of appeal should be submitted to the Grants Unit within three months of the date that you were notified of this decision.

Data Protection Act 1998 / Freedom of Information (Scotland) Act 2002

The Shetland Islands Council is registered as a Data controller in terms of the Data Protection Act 1998. The information provided by you will be stored by the council on a central electronic database and will be used in a number of ways by different departments of the Council when processing any funding applications made by your organisation. The information will not be transferred outwith the council without your explicit consent. Please contact us if you have any queries about how your information will be used.

The Freedom of Information (Scotland) Act 2002 gives members of the public the right to request any information that we hold. The council regularly releases information about grant awards and information regarding your application may be made available to the public. Any personal information provided will be processed in accordance with the Data Protection Act 1998.

Protection of Vulnerable Groups requirements

From 1st April 2011, if your organisation is applying for grant assistance from this scheme, your group/ organisation will need to decide whether you have anyone (staff or volunteers) involved in 'Regulated Work' with children (and/or protected adults)*. If your organisation has individuals involved in Regulated Work then those individuals will need to apply to become a member of the PVG Scheme, and your group must also have policies and procedures in place that adequately cover adult and child protection and welfare issues.

You will need to decide whether or not your group has individuals involved in 'Regulated Work' with children and young people under the age of 18, and/or 'Regulated Work' with protected adults (from the age of 16, generally, in receipt of specified services)*

If either of these conditions applies to your group, then you will need to ensure that you have in place **all** of the following: an Adult and Child Protection Policy and an Adult and Child Protection Procedures; for organisations working with children and young people a Code of Conduct for staff and volunteers; an Equal Opportunities Policy. Templates for these documents are available from the Community Planning & Development Service or at www.shetland.gov.uk/grants/PVG_Templates.asp and must be approved and signed by committee members of your group. Your organisation must undertake a PVG Scheme Membership check when appointing staff, volunteers or helpers who are doing 'Regulated Work' to make sure they are not barred from working with children/protected adults and as part of checking their suitability for the particular post.

*There are various stages to go through to decide whether someone is doing 'Regulated Work.' The Child Protection Shetland website www.childprotectionshetland.com/ includes links to sources of help, in particular a self-assessment tool produced by Disclosure Scotland which will help you work through the various stages: www.disclosurescotland.co.uk/pvg_training/self-assessment/

In case of doubt, you may wish to seek further advice from either the Central Registered Body for Scotland (CRBS), on 01786 849777, or Disclosure Scotland on 0870 609 6006. Contact details for local support on this subject and more information are available on the Child Protection Shetland website: www.childprotectionshetland.com/

Help and information about training courses is also available from your local Community Work Office or from Voluntary Action Shetland, who undertake free checks for volunteers.

Other considerations

- The total value of the Community Development Fund is £68,000
- No applications can be considered for expenditure already incurred, except with the prior agreement of the Executive Manager – Community Planning & Development.
- All grant offers are subject to the Shetland Islands Council's approved grant conditions and availability of finance.
- All Distribution grant monies must be fully paid out during the financial year it is awarded. Any unspent monies at 31 March may be repaid to the Council
- The fund is cash limited. Once the fund is fully subscribed there shall be no further funding made available in the current year.
- Applications shall be assessed strictly on merit.
- Advice and assistance is available on other sources of funding from the Grants Unit or the Community Development Team.
- In the event that your actual project expenditure is underspent your organisation may be required to repay part of the grant assistance back to Shetland Islands Council. If this happens you will be contacted in writing and asked to repay the identified underspend.
- Groups with savings, reserves, cash or investments greater than £10,000 may not be considered for grant assistance if they are unable to confirm that these funds are restricted or designated funds for a specific purpose.
- All Council grant awards must be acknowledged on all publicity and marketing material.
- Your organisations contact details must be included in the Council's online Community Directory and you will be responsible for making any changes to your organisation's details as necessary. If you have not joined the community Directory please contact the Grants Unit for information, or look up the website at <http://www.communitydirectory.shetland.gov.uk/>

Service pledges

In order to improve service delivery of the department's various grant aid schemes we have the following service pledges:

- The Grants Unit will provide accurate information about their grant aid schemes and application procedures.
- All grant application forms requested will be sent out within 2 working days.
- All grant application forms received will be acknowledged within 5 working days.
- All organisations receive a decision on completed grant application forms within 6 weeks
- All organisations that have had a grant application rejected will receive a written explanation of why it was unsuccessful.
- All organisations that have had a rejected grant application advised in writing have the right to appeal against the decision.

Please note this timescale only applies to grant Schemes that are delegated to officers within the Council's Community Planning and Development Service

Contact details

Staff are available to give advice and guidance on your project and with the completion of grant applications. You should contact staff at the earliest opportunity and prior to completing a grant application.

Grants Unit

Community Planning & Development
Solarhus
3 North Ness Business Park
Lerwick
ZE1 0LZ
Tel. (01595) 743827 / 743828

Or email grants.unit@shetland.gov.uk

Community Development Team

Community Planning & Development
Solarhus
3 North Ness Business Park
Lerwick
ZE1 0LZ
Tel. (01595) 743888

Assessment criteria for Community Development Fund

Criteria	Indicator	Points Available	Justification	Score awarded
Need for project?	Little/no need	0	The applicant does not describe what need(s) exist or potentially exist and no reason is provided for seeking funding. Or, the applicant does not link its project back to the CDF scheme aims.	
	Evidence of need	10	The application will address a specific need, which has been identified and communicated by the applicant.	
	Strong need	20	In addition to the above, the application will demonstrate strong evidence of need will include a description and / or evidence of the research and consultation that has taken place with existing or potential beneficiaries to establish need.	
No. of Beneficiaries?	Individuals	0	The applicant has not clearly indicated who will benefit from the project, or the project is open only to a small number of beneficiaries.	
	Specific group(s)	10	The applicant has indicated that the project will be open to all potential beneficiaries	
	Wider community benefits	20	The applicant has indicated that as well as the project being open to all potential beneficiaries as above, they have identified that there is a particular group of potential beneficiaries who do not traditionally participate in the group's activities AND they have described plans to target and involve them.	
Meets scheme aims?	Meets no aims	0	The applicant cannot describe (and it cannot be identified from other information) how the project will help to deliver any of the scheme aims.	
	Weak fit with one or more aims	10	The applicant has indicated that the project will meet one or more of the scheme aims, but it is not clear how the project activities will support this.	
	Good fit with one or more aims	20	The applicant has indicated that the project will meet one or more of the scheme aims <u>and</u> it is likely that the project activities will support this.	
	Strong fit with one or more aims	30	The applicant has clearly described how the project will meet one or more of the scheme aims <u>and</u> how the project activities will have a direct impact on the outcomes.	

Criteria	Indicator	Points Available	Justification	Score awarded
Contributes to Shetland's Single Outcome Agreement? (Performance Framework outcomes)	Contributes to < 3 SOA outcomes	10	The applicant has indicated that the project will meet less than 3 Shetland SOA outcomes	
	Contributes to 3 – 5 SOA outcomes	20	The applicant has indicated that the project will meet at least 3 but no more than 5 Shetland SOA outcomes	
	Contributes to > 5 SOA outcomes	30	The applicant has indicated that the project will meet more than 5 Shetland SOA outcomes	
Applicant status?	Community Council	20	Community Council applicants are prioritised for funding	
	Community Development Organisations	10	Community Development Organisations have lower priority	
Community involvement?	No involvement	0	No evidence of community involvement or consultation has taken place prior to the application being submitted	
	Some involvement	10	Some evidence of community involvement or consultation has taken place prior to the application being submitted	
	Strong involvement	20	A significant level of community involvement or consultation has taken place prior to the application being submitted	
Number of applications submitted per Community Council area per bidding round?	First application per area	30	The first application received from the Community Council area*	
	Second application per area	20	Second application received from the same Community Council area based on date order	
	Third application or more per area	10	Third application or more from the same Community Council area based on date order will receive least points	
TOTAL SCORE		Maximum – 170 Minimum – 30		

* It should be noted if more than one application is received from an area in the same bidding round, the Community Council application will be deemed as first application. All other applications will be awarded points in relation to date received by the Council.

Applicant _____ Score _____

Conducted by _____ Date _____



Shetland Islands Council

26 March 2014

Meeting Dates and Business Programme 2014/2015

GL-02-F

**Report Presented by
Executive Manager – Governance & Law**

Corporate Services Department

1.0 Summary

- 1.1 The purpose of this report is to seek Council's approval for the schedule of meetings for 2014/15. Along with the schedule of meeting dates is the proposed Business Programme, which identifies the business to be conducted by the Council and its Committees over the next financial year.

2.0 Decision Required

- 2.1 That the Council **RESOLVES** to approve:
- 2.1.1 the attached schedule of meetings and Business Programme for 2014/15; and
 - 2.1.2 the parameters to be applied to the Business Programme as set out in section 3.3.

3.0 Background

- 3.1 At its meeting on 11 December 2013, the Council approved the Business Programme and schedule of meetings for 2014/15.

3.2 At its meeting on 12 February 2014, the Council further resolved to

- approve the formalising of the Business Programme which will enable consistent and timely scrutiny of the budget and performance of each functional Committee and the Council; propose that a six-weekly cycle of meetings be retained as well to allow for policy making and public debate around regular Council business to be transacted in an equally consistent and timely fashion, and where there is no business requiring consideration, the meeting should be cancelled.
- That the process for updating the Business Programme and the remaining schedule of meetings for 2014/15 is aligned to the process for the Council's Corporate, Directorate and Service Plans,
- Meetings to be scheduled on Mondays to Wednesdays and for meetings to be held in both morning and afternoon, and
- The final schedule of meetings for 2014/15 be reported to the Council on 26 March 2014.

3.3 Accordingly, the revised schedule of meetings is attached as **Appendix 1**, and the accompanying revised Business Programme is attached as **Appendix 2**. Members are also asked to note and agree that the following parameters will be applied to the Business Programme:

- Tbc = to be confirmed;
- Ordinary meetings have been scheduled, although some have no scheduled business at this stage. Where there is still no scheduled business within 2 weeks of the meeting, the meeting will be cancelled;
- Special meetings have been called on specific dates for some items – other agenda items can be added, if time permits;
- PPMF = Planning and Performance Management Framework meetings have been called for all Committees and Council once per quarter. These meetings are time restricted, with a specific focus on PPMF only, and therefore no other business will be permitted on those agendas;
- Budget = Budget setting meetings – other agenda items can be added, if time permits, or if required as part of the budget setting process; and
- In consultation with the Chair and relevant Members and Officers, the time, date, venue and location of any meeting may be changed, or special meetings added.

- 3.4 If approved, the Business Programme for 2014/15 will be presented by Committee Services to the Council and each Committee, on a quarterly basis, for discussion and approval, particularly in relation to the remaining projects and reports which are listed at the end of the business programme page for each Committee, as still to be scheduled.

4.0 Implications

Strategic

- 4.1 Delivery On Corporate Priorities – The recommendation in this report is consistent with the following corporate priorities:

Our Corporate Plan 2013-17

- To be able to provide high quality and cost effective services to people in Shetland, our organisation has to be run properly.
 - Fully align the timetables, time spans and approaches for financial planning relating to the medium term yearly budgeting with Council, directorate and service planning.
- 4.2 Community /Stakeholder Issues – No consultation has taken place with the community or stakeholders, but the final Business Plan will provide the community and other stakeholders with important information, along with the Council's Corporate and Directorate Plans, as to the planned business for the coming year.
- 4.3 Policy And/Or Delegated Authority – Section 18.2 of the Council's Standing Orders for meetings states "The dates of ordinary meeting of the Council and other bodies which are part of the political management framework will be decided by the Council on the basis of a programme of meetings which will normally be decided each year."
- 4.4 Risk Management – The risks associated with setting the Business Programme are around the challenges for officers meeting the timescales required, and any part of the business programme slipping and causing reputational damage to the Council. Equally, not applying the Business Programme would result in the status quo, with decision making being unplanned and haphazard and aligning the Council's Business Programme with the objectives and actions contained in its corporate plans could mitigate against those risks.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

Resources

- 4.7 Financial – The proposals in this report do not have any direct financial implications, but indirect costs may be avoided by optimising Member and officer time.
- 4.8 Legal – None.

4.9 Human Resources – None.

4.10 Assets And Property – None.

5.0 Conclusions

5.1 The setting of a comprehensive Business Programme for the Council and its Committees has addressed the issues raised by Members with regard to the timing of meetings, and puts an emphasis on the business decisions that will be required over the next year. Taken alongside the Council's Corporate Plan and Service Plans, the Business Programme will illustrate the Council's continued improvement towards planning and performance management, and helps to communicate the Council's objectives and priorities, as well as providing a reference point for Members, Officers, the community and stakeholders.

For further information please contact:
Anne Cogle, Team Leader - Administration
01595 744554 anne.cogle@shetland.gov.uk
18 March 2014

List of Appendices

Appendix 1 – Schedule of Council / Committee Meetings 2014/15

Appendix 2 – Business Programme 2014/15

Background documents:

None.

END

Council / Committee Meeting Dates 2014/15 – V0.2

Quarter 1		
Cycle 1		
Committee	Date of Meeting	Time
SIALB	Tuesday 15 April 2014	10 a.m.
Licensing Committee	Tuesday 15 April 2014	11 a.m.
Planning Committee	Tuesday 15 April 2014	2 p.m.
Employees JCC	Wednesday 16 April 2014	11 a.m.
Development	Wednesday 23 April 2014	10 a.m.
Environment and Transport	Wednesday 23 April 2014	2 p.m.
<i>European Pre-Election Period - Thursday 24 April to Thursday 22 May</i>		
Education and Families	Monday 28 April 2014	10 a.m.
Audit and Standards	Tuesday 29 April 2014	10 a.m.
Harbour Board	Wednesday 30 April 2014	10 a.m.
Shetland College Board	Wednesday 30 April 2014	2 p.m.
Social Services	Thursday 1 May 2014	2 p.m.
Executive	Monday 5 May 2014	10 a.m.
Sp Shetland Islands Council	Monday 12 May 2014	2 pm.
SIALB	Tuesday 13 May 2014	10 a.m.
Licensing Committee	Tuesday 13 May 2014	11 a.m.
Planning Committee	Tuesday 13 May 2014	2 p.m.
Shetland Islands Council	Wednesday 14 May 2014	10 a.m.
Sp Shetland Islands Council	Wednesday 21 May 2014	9.30 a.m.
Cycle 2 – Performance Monitoring Meetings		
Committee	Date of Meeting	Time
Education and Families	Monday 26 May 2014	10 a.m.
Social Services	Monday 26 May 2014	11.30 a.m.
Development	Monday 26 May 2014	2 p.m.
Environment and Transport	Monday 26 May 2014	3.30 p.m.
Audit and Standards	Tuesday 27 May 2014	10 a.m.
Harbour Board	Tuesday 27 May 2014	2 p.m.
Executive	Wednesday 28 May 2014	10 a.m.
Shetland Islands Council	Wednesday 28 May 2014	2 p.m.
Shetland College Board	Thursday 29 May 2014	2 p.m.
Cycle 3		
Committee	Date of Meeting	Time
Education and Families	Monday 9 June 2014	10 a.m.
Sp Shetland Islands Council	Monday 9 June 2014	2 p.m.
SIALB	Tuesday 10 June 2014	10 a.m.
Licensing Committee	Tuesday 10 June 2014	11 a.m.
Planning Committee	Tuesday 10 June 2014	2 p.m.
Social Services	Wednesday 11 June 2014	10 a.m.
Development	Monday 16 June 2014	10 a.m.
Environment and Transport	Monday 16 June 2014	2 p.m.
Employees JCC	Tuesday 17 June 2014	11 a.m.
Audit and Standards	Wednesday 18 June 2014	10 am.
Harbour Board	Thursday 19 June 2014	10 a.m.
Shetland College Board	Thursday 19 June 2014	2 p.m.
Executive	Monday 23 June 2014	10 a.m.
Shetland Islands Council	Wednesday 2 July 2014	10 a.m.

Wednesday, 19 March 2014

Council / Committee Meeting Dates 2014/15 – V0.2

Quarter 2		
Cycle 4		
Committee	Date of Meeting	Time
SIALB	Tuesday 15 July 2014	10 a.m.
Licensing Committee	Tuesday 15 July 2014	11 a.m.
Planning Committee	Tuesday 15 July 2014	2 p.m.
Social Services Committee	Thursday 31 July 2014	2 p.m.
SIALB	Tuesday 12 August 2014	10 a.m.
Licensing Committee	Tuesday 12 August 2014	11 a.m.
Planning Committee	Tuesday 12 August 2014	2 p.m.
Sp Development Committee	Wednesday 13 August 2014	10 a.m.
Sp Education and Families	Wednesday 13 August 2014	11.30 a.m.
Cycle 5 – Performance Monitoring Meetings		
Committee	Date of Meeting	Time
Education and Families	Monday 18 August 2014	10 a.m.
Social Services	Monday 18 August 2014	11.30 a.m.
Development	Monday 18 August 2014	2 p.m.
Environment and Transport	Monday 18 August 2014	3.30 p.m.
Audit and Standards	Tuesday 19 August 2014	10 a.m.
Harbour Board	Tuesday 19 August 2014	2 p.m.
Executive	Wednesday 20 August 2014	10 a.m.
Shetland Islands Council	Wednesday 20 August 2014	2 p.m.
Shetland College Board	Thursday 21 August 2014	2 p.m.
<i>Referendum Pre-Election Period - Thursday 21 August to Thursday 18 September</i>		
Cycle 6		
Committee	Date of Meeting	Time
SIALB	Tuesday 16 September 2014	10 a.m.
Licensing Committee	Tuesday 16 September 2014	11 a.m.
Planning Committee	Tuesday 16 September 2014	2 p.m.
Sp Audit and Standards	Tuesday 23 September 2014	9.30 a.m.
Sp Shetland Islands Council	Tuesday 23 September 2014	11.30 a.m.

Wednesday, 19 March 2014

Council / Committee Meeting Dates 2014/15 – V0.2

Quarter 3		
Cycle 7		
Employees JCC	Tuesday 30 September 2014	11 a.m.
Education and Families	Wednesday 1 October 2014	10 a.m.
Social Services	Wednesday 1 October 2014	2 p.m.
Development	Monday 6 October 2014	10 a.m.
Environment and Transport	Monday 6 October 2014	2 p.m.
Audit and Standards	Tuesday 7 October 2014	10 a.m.
Harbour Board	Wednesday 8 October 2014	10 a.m.
Shetland College Board	Wednesday 8 October 2014	2 p.m.
SIALB	Tuesday 14 October 2014	10 a.m.
Licensing Committee	Tuesday 14 October 2014	11 a.m.
Planning Committee	Tuesday 14 October 2014	2 p.m.
Executive	Monday 27 October 2014	10 a.m.
Social Services	Thursday 30 October 2014	2 p.m.
Sp Education and Families Committee	Tuesday 4 November 2014	10 a.m.
Shetland Islands Council	Wednesday 5 November 2014	10 a.m.
SIALB	Tuesday 11 November 2014	10 a.m.
Licensing Committee	Tuesday 11 November 2014	11 a.m.
Planning Committee	Tuesday 11 November 2014	2 p.m.
Cycle 8 – Performance Monitoring Meetings		
Education and Families	Monday 17 November 2014	10 a.m.
Social Services	Monday 17 November 2014	11.30 a.m.
Development	Monday 17 November 2014	2 p.m.
Environment and Transport	Monday 17 November 2014	3.30 p.m.
Audit and Standards	Tuesday 18 November 2014	10 a.m.
Harbour Board	Tuesday 18 November 2014	2 p.m.
Executive	Wednesday 19 November 2014	10 a.m.
Shetland Islands Council	Wednesday 19 November 2014	2 p.m.
Cycle 9 – Budget Setting Meetings		
Harbour Board	Tuesday 25 November 2014	10 a.m.
Development	Tuesday 25 November 2014	11.30 a.m.
Environment and Transport	Tuesday 25 November 2014	2 p.m.
Education and Families	Wednesday 26 November 2014	10 a.m.
Social Services	Wednesday 26 November 2014	11.30 a.m.
Shetland College Board	Wednesday 26 November 2014	2 p.m.
Executive	Monday 8 December 2014	10 a.m.
Shetland Islands Council	Tuesday 17 December 2014	10 a.m.

Wednesday, 19 March 2014

Council / Committee Meeting Dates 2014/15 – V0.2

Quarter 4		
Cycle 10		
SIALB	Wednesday 10 December 2014	10 a.m.
Licensing Committee	Wednesday 10 December 2014	11 a.m.
Planning Committee	Wednesday 10 December 2014	2 p.m.
SIALB	Tuesday 13 January 2015	10 a.m.
Licensing Committee	Tuesday 13 January 2015	11 a.m.
Planning Committee	Tuesday 13 January 2015	2 p.m.
Employees JCC	Monday 19 January 2015	11 a.m.
Education and Families	Tuesday 20 January 2015	10 a.m.
Development	Wednesday 21 January 2015	10 a.m.
Environment and Transport	Wednesday 21 January 2015	2 p.m.
Social Services	Thursday 29 January 2015	2 p.m.
Audit and Standards	Tuesday 3 February 2015	10 a.m.
Harbour Board	Wednesday 4 February 2015	10 a.m.
Shetland College Board	Wednesday 4 February 2015	2 p.m.
Executive	Monday 9 February 2015	10 a.m.
Sp Education and Families	Monday 9 February 2015	2 p.m.
Sp Shetland Islands Council	Wednesday 11 February 2015	10 a.m.
SIALB	Monday 16 February 2015	10 a.m.
Licensing Committee	Monday 16 February 2015	11 a.m.
Planning Committee	Monday 16 February 2015	2 p.m.
Shetland Islands Council	Wednesday 18 February 2015	10 a.m.
Cycle 11 – Performance Monitoring Meetings		
Education and Families	Monday 23 February 2015	10 a.m.
Social Services	Monday 23 February 2015	11.30 a.m.
Development	Monday 23 February 2015	2 p.m.
Environment and Transport	Monday 23 February 2015	3.30 p.m.
Audit and Standards	Tuesday 24 February 2015	10 a.m.
Harbour Board	Tuesday 24 February 2015	2 p.m.
Executive	Wednesday 25 February 2015	10 a.m.
Shetland Islands Council	Wednesday 25 February 2015	2 p.m.
Shetland College Board	Thursday 26 February 2015	2 p.m.
Cycle 12		
Committee	Date of Meeting	Time
SIALB	Tuesday 10 March 2015	10 a.m.
Licensing Committee	Tuesday 10 March 2015	11 a.m.
Planning Committee	Tuesday 10 March 2015	2 p.m.

Wednesday, 19 March 2014



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Audit and Standards Committee			
			<i>D= Delegated R=Referred</i>
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	D/R
	<i>Ordinary</i> 29 April 2014 10 a.m.	Internal Audit – Annual Report 2013-14	D
		Internal Audit – Operational Plan 2014-15	D
	<i>PPMF & Ordinary</i> 27 May 2014 10 a.m.	Audit Scotland - Assurance and Improvement Plan Update 2014-17	D
		SIC Review of Internal Controls 2013-14	R Ex 28 May
		Pension Fund Review of Internal Controls 2013-14	R Ex 28 May
		Audit Scotland Reports	D
		Committee Business Programme 2014/15	D
	<i>Ordinary</i> 18 June 2014 10 a.m.	tbc	
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	<i>PPMF & Ordinary</i> 19 August 2014 10 a.m.	Statutory Performance Indicators	D
		Audit Scotland Reports	D
		Committee Business Programme 2014/15	D
	<i>Special</i> 23 September 2014 10 a.m.	Pension Fund Final Audited Accounts 2013-14 & Report to those Charged with Governance	R SIC 23 Sept
		SIC Final Audited Accounts 2013-14 & Report to those Charged with Governance	R SIC 23 Sept



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Audit and Standards Committee - Continued

D= Delegated R=Referred

Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	<i>Ordinary</i> 7 October 2014 10 a.m.	tbc	
	<i>PPMF & Ordinary</i> 18 November 2014 10 a.m.	Statutory Performance Indicators 2013/14	D
		Internal Audit – Six Monthly Internal Audit Progress Report	D
		Audit Scotland Reports	D
		Code of Corporate Governance – 6 Monthly Update	D
		Committee Business Programme 2014/15	D
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	<i>Ordinary</i> 3 February 2015 10 a.m.	tbc	
	<i>PPMF & Ordinary</i> 24 February 2015 10 a.m.	Audit Scotland Reports	D
		Audit Scotland Annual Audit Plan 2014-15 - SIC	D
		Audit Scotland Annual Audit Plan 2014-15 – Pension Fund	D
		Committee Business Programme 2015/16	D

Planned Committee business still to be scheduled as at Wednesday, 19 March 2014

- None

Audit and Standards Committee - END



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Education and Families Committee			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	<i>Ordinary</i> 28 April 2014 10 a.m.	Early Years and Child Care Provision – 125 hrs extension	tbc
	<i>PPMF</i> 26 May 2014 10 a.m.	Management Accounts – Quarter 4	D
		Children’s Services Directorate – Performance Overview – Quarter 4	D
		Development Services Directorate – Performance Overview – Quarter 4	D
		Committee Business Programme2014/15	D
	<i>Ordinary</i> 9 June 2014 10 a.m.	Strategy for Secondary Education – Sandwick JHS	R SIC 9 June
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	<i>Special</i> 13 August 2014 11.30 a.m.	Shetland Child Protection Committee – Annual Report and Business Plan	D
		Corporate Parenting – Annual Report	D
		Looked After Children Strategy	D
		Chief Social Work Officer – Annual Report	D
	<i>PPMF</i> 18 August 2014 10 a.m.	Management Accounts – Quarter 1	D
		Children’s Services Directorate – Performance Overview – Quarter 1	D
		Development Services Directorate – Performance Overview – Quarter 1	D
		Committee Business Programme2014/15	D
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	<i>Ordinary</i> 1 October 2014 10 a.m.	tbc	
	<i>Special</i> 4 November 2014 10 a.m.	Blueprint for Education – Northmavine	R SIC 5 Nov
	<i>PPMF</i> 17 November 2014 10 a.m.	Management Accounts – Quarter 2	D
		Children’s Services Directorate – Performance Overview – Quarter 2	D
		Development Services Directorate – Performance Overview – Quarter 2	D
		Committee Business Programme2014/15	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Education and Families Committee - Continued

D= Delegated R=Referred

Quarter 3 1 October 2014 to 31 December 2014 <i>Continued</i>	Date of Meeting	Business	
	<i>Budget</i> 26 November 2014 10 a.m.	Children's Services Directorate Plan 2015-16	D
		Development Services – Directorate Plan 2015-16	D
		2015-16 Budget and Charging Proposals	R Ex 8 Dec
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	<i>Ordinary</i> 20 January 2015 10 a.m.	tbc	
	<i>Special</i> 9 February 2015 2 p.m.	Strategy for Secondary Education – Baltasound	R SIC 11 Feb
		Strategy for Secondary Education – Mid Yell	
		Strategy for Secondary Education – Whalsay	
	<i>PPMF</i> 23 February 2015 10 a.m.	Management Accounts – Quarter 3	D
		Children's Services Directorate - Performance Overview Quarter 3	D
		Development Services Directorate - Performance Overview Quarter 3	D
		Committee Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- Shetland Tertiary Education Research and Training Project
- Catering and Cleaning Rationalisation
- Anderson High School
- Shetland Learning Partnership – Annual Report

Education and Families Committee - END



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Social Services Committee			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	<i>Ordinary</i> 1 May 2014 2 p.m.	Health and Social Care Integration – Update	D
		CHCP Agreement 2014-17	D
		CHCP Action Plan – Main Priorities	D
		Reshaping Care for Older People	D
		Mental Health Strategy	R Exec 5 May
		Allocation Policy Annual Review	D
	<i>PPMF</i> 26 May 2014 11.30 a.m.	Management Accounts – Quarter 4	D
		Children’s Services Directorate – Performance Overview – Quarter 4	D
		Development Services Directorate – Performance Overview – Quarter 4	D
		Community Health and Social Care Services Directorate – Performance Overview – Quarter 4	D
		Committee Business Programme 2014/15	D
	<i>Ordinary</i> 11 June 2014 10 a.m.	Social Work Service Policy and Procedures Update	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Social Services Committee - Continued

D= Delegated R=Referred

	Date of Meeting	Business	
Quarter 2 1 July 2014 to 30 September 2014	<i>Ordinary</i> 31 July 2014 2 p.m.	Health and Social Care Integration – Update	D
		CHCP Agreement - Update	D
		CHCP Risk Register	D
	<i>PPMF</i> 18 August 2014 11.30 a.m.	Management Accounts – Quarter 1	D
		Children’s Services Directorate – Performance Overview – Quarter 1	D
		Development Services Directorate – Performance Overview – Quarter 1	D
		Community Health and Social Care Services Directorate – Performance Overview – Quarter 1	D
		Committee Business Programme 2014/15	D
Quarter 3 1 October 2014 to 31 December 2014	<i>Ordinary</i> 1 October 2014 2 p.m.	tbc	
	<i>Ordinary</i> 30 October 2014 2 p.m.	Health and Social Care Integration - Update	D
		Reshaping Care for Older People	D
		Adult Support and Protection Committee Biennial Report	D
		Chief Social Work Officer – Annual Report	D
	<i>PPMF</i> 17 November 2014 11.30 a.m.	Management Accounts – Quarter 2	D
		Children’s Services Directorate – Performance Overview – Quarter 2	D
		Development Services Directorate – Performance Overview – Quarter 2	D
		Community Health and Social Care Services Directorate – Performance Overview – Quarter 2	D
		Committee Business Programme 2014/15	D
	<i>Budget</i> 26 November 2014 11.30 a.m.	Children’s Services Directorate Plan 2015-16	D
		Development Services Directorate Plan 2015-16	D
		Community Health and Social Care Services Directorate Plan 2015-16	D
		2015-16 Budget and Charging Proposals	R Ex 8 Dec



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Social Services Committee - <i>Continued</i>			
		<i>D= Delegated R=Referred</i>	
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	<i>Ordinary</i> 29 January 2015 2 p.m.	Health and Social Care Integration – Update	D
		CHCP Action Plan – Main Priorities	D
		CHCP Risk Register	D
	<i>PPMF</i> 23 February 2015 11.30 a.m.	Management Accounts – Quarter 3	D
		Children’s Services Directorate - Performance Overview Q3	D
		Development Services Directorate - Performance Overview Q3	D
		Community Health and Social Care Services Directorate - Performance Overview Q3	D
		Committee Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- Mental Health Strategy
- Review of Sport and Leisure
- Days Services for People with Complex Needs

Social Services Committee - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Environment and Transport Committee			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	<i>Ordinary</i> 23 April 2014 2 p.m.	Shetland Waste Strategy	tbc
		Road Conditions Report	D
	<i>PPMF</i> 26 May 2014 3.30 p.m.	Management Accounts – Quarter 4	D
		Infrastructure Directorate – Performance Overview – Quarter 4	D
		Committee Business Programme 2014/15	D
	<i>Ordinary</i> 16 June 2014 2 p.m.	Vehicle Fleet Review	R Exec 23 June
		Building Efficiencies Project	tbc
		Black Gaet & Brig o Fitch Junctions – Accident Investigations	D
		Haggersta to Cova	D
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	<i>PPMF</i> 18 August 2014 3.30 p.m.	Management Accounts – Quarter 1	D
		Infrastructure Directorate – Performance Overview – Quarter 1	D
		Committee Business Programme 2014/15	D
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	<i>Ordinary</i> 6 October 2014 2 p.m.	Climate Change Plan	tbc
		Infrastructure Investment Plan	tbc
		Pedestrian Crossing Review	tbc
		Street lighting Reductions	tbc
		12 month Review of Ferries Review	tbc
	<i>PPMF</i> 17 November 2014 3.30 p.m.	Management Accounts – Quarter 2	D
		Infrastructure Services Directorate – Performance Overview – Quarter 2	D
		Committee Business Programme 2014/15	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Environment and Transport Committee - Continued

D= Delegated R=Referred

Quarter 3 1 October 2014 to 31 December 2014 <i>Continued</i>	<i>Budget</i> 25 November 2014 2 p.m.	2015-16 Budget Proposals and Charges	R Ex 8 Dec
		Infrastructure Services Directorate Plan 2015-16	D
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	<i>Ordinary</i> 21 January 2015 2 p.m.	Tbc	
	<i>PPMF</i> 23 February 2015 3.30 p.m.	Management Accounts – Quarter 3	D
		Infrastructure Services Directorate - Performance Overview Q3	D
		Committee Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- None

Environment and Transport Committee - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Development Committee			
D= Delegated R=Referred			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	Ordinary 23 April 2014 10 a.m.	tbc	
	PPMF 26 May 2014 2 p.m.	Management Accounts – Quarter 4	D
		Development Services Directorate – Performance Overview – Quarter 4	D
		Economic Development Investments - Update	D
		Committee Business Programme 2014/15	D
	Ordinary 16 June 2014 10 a.m.	Tbc	
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	Special 13 August 2014 10 a.m.	Economic Development Policy Statement 2014-17	D
		SDT Annual Accounts 2013-14	D
	PPMF 18 August 2014 2 p.m.	Management Accounts – Quarter 1	D
		Development Services Directorate – Performance Overview – Quarter 1	D
		Economic Development Investments - Update	D
		Committee Business Programme 2014/15	D
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	Ordinary 6 October 2014 10 a.m.	tbc	
	PPMF 17 November 2014 2 p.m.	Management Accounts – Quarter 2	D
		Development Services Directorate – Performance Overview – Quarter 2	D
		Economic Development Investments - Update	D
		Committee Business Programme 2014/15	D
	Budget 25 November 2014 11.30 a.m.	Development Services Directorate Plan 2015-16	D
		2015-16 Budget and Charging Proposals	R Ex 8 Dec



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Development Committee -Continued			
		<i>D= Delegated R=Referred</i>	
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	Ordinary 21 January 2015 10 a.m.	tbc	
	PPMF 23 February 2015 2 p.m.	Management Accounts – Quarter 3	D
		Development Services Directorate - Performance Overview Q3	D
		Economic Development Investments - Update	D
		Shetland Amenity Trust Architectural Heritage Programme 2015-16	D
		Committee Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- School and Public Transport Review
- ASN & Social care transport review
- Ferries Review – impact of changes
- Ferry Fares Review
- Transport Infrastructure project, including Fixed Links
- Community Planning and Development – Review Update
- Community Assets Transfer Policy and Scheme
- Renewable Energy Development Plan
- Shetland Development Trust Assets
- Investments policy
- Community Benefit Policy
- Shetland Local Development Plan
- Next Generation Access, Broadband Project
- Shetland Tertiary Education Research and Training project, business model and implementation plan

Development Committee - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Executive Committee			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	Ordinary 5 May 2014 10 a.m.	Mental Health Strategy	R SIC 14 May
	PPMF 28 May 2014 10 a.m.	Executive Committee Management Accounts – Quarter 4	D
		Overall SIC Management Accounts – End of Year	R SIC 28 May
		SIC Review of Internal Controls 2013-14	R SIC 28 May
		Pension Fund Review of Internal Controls 2013-14	R SIC 28 May
		Move to Fund Managers SIC meeting 21 May	R SIC 28 May
		Asset Investment Plan – Progress Report – Quarter 4	R SIC 28 May
		Corporate and Executive Services Directorate – Performance Overview – Quarter 4	D
		Council Wide – Performance Overview – Quarter 4	R SIC 28 May
		Change Programme - Update	R SIC 28 May
	Ordinary 23 June 2014 10 a.m.	Single Outcome Agreement 2014/15	R SIC 2 July
		Corporate Plan 2014/15	R SIC 2 July
		Vehicle Fleet Review	D
		Committee Business Programme 2014/15	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Executive Committee - Continued

D= Delegated R=Referred

Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
PPMF 20 August 2014 10 a.m.		Executive Committee Management Accounts – Quarter 1	D
		Overall SIC Management Accounts – Quarter 1	R SIC 20 Aug
		Asset Investment Plan – Progress Report – Quarter 1	R SIC 20 Aug
		Corporate and Executive Services Directorate – Performance Overview – Quarter 1	D
		Council Wide – Performance Overview – Quarter 1	R SIC 20 Aug
		Major Capital Investment in Councils – Audit Scotland Report	D
		Change Programme - Update	R SIC 20 Aug
		Committee Business Programme 2014/15	D
	Ordinary 27 October 2014 10 a.m.	tbc	
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
PPMF 19 November 2014 10 a.m.		Executive Committee Management Accounts – Quarter 2	D
		Overall SIC Management Accounts – Quarter 2	R SIC 19 Nov
		Pension Fund – 2014-15 Mid Year Investments Performance Review Report	R SIC 19 Nov
		Council Reserves – 2014-15 Mid Year Investments Performance Review Report	R SIC 19 Nov
		Asset Investment Plan – Progress Report – Quarter 2	R SIC 19 Nov
		Corporate and Executive Services Directorate – Performance Overview – Quarter 2	D
		Council Wide – Performance Overview – Quarter 2	R SIC 19 Nov
		Change Programme - Update	R SIC 19 Nov
		Committee Business Programme 2014/15	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Executive Committee - Continued

D= Delegated R=Referred

Quarter 3 1 October 2014 to 31 December 2014 <i>continued</i>	Date of Meeting	Business	
Budget 8 December 2014 10 a.m.		2015-16 Executive Committee Budget and Charging Proposals	R SIC 17 Dec
		2015-16 HRA Budget and Charging Proposals	R SIC 17 Dec
		Chair's Reports on 2015-16 Budget and Charging Proposals (from each of the Committees/Harbour Board/College)	R SIC 17 Dec
		5 Year Asset Investment Plan	R SIC 17 Dec
		Corporate Services Directorate Plan 2015-16	D
		Executive Office Directorate Plan 2015-16	D
		2015-16 SIC Budget Book	R SIC 17 Dec
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	Ordinary 9 February 2015 10 a.m.	SIC Investment Strategy 2015-16	R SIC 25 Feb
		Treasury Management Strategy 2015-16	R SIC 25 Feb
		Committee Business Programme 2015/16	D
	PPMF 25 February 2015 10 a.m.	Executive Committee Management Accounts – Quarter 3	D
		Overall SIC Management Accounts – Quarter 3	R SIC 25 Feb
		Asset Investment Plan – Progress Report – Quarter 3	R SIC 25 Feb
		Corporate and Executive Services Directorate - Performance Overview Q3	D
		Council Wide – Performance Overview – Quarter 3	R SIC 25 Feb
		Single Outcome Agreement – Annual Report 2013/14	R SIC 25 Feb
		Change Programme - Update	R SIC 25 Feb

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- Annual Report – Complaints
- Workforce Strategy
- Communications Strategy

Executive Committee - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Harbour Board			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	Ordinary 30 April 2014 10 a.m.	Small Ports Survey	D
	PPMF & Ordinary 27 May 2014 2 p.m.	Management Accounts – Quarter 4	D
		Pilotage Accounts – Quarter 4	D
		Harbourmaster's Report – Quarter 4	D
		Capital and Revenue Project Progress Report - Quarter 4	D
		Commercial Report – Quarter 4	D
		Infrastructure Directorate – Performance Overview – Quarter 4	D
		Port Marine Safety Code – DP's Annual Report	D
		Harbour Board Business Programme 2014/15	D
	Ordinary 19 June 2014 10 a.m.	Business Plans – Scalloway	D
		Shore Power	tbc
		Working Patterns and Safe Operations	tbc
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	PPMF & Ordinary 19 August 2014 2 p.m.	Management Accounts – Quarter 1	D
		Pilotage Accounts – Quarter 1	D
		Harbourmaster's Report – Quarter 1	D
		Capital and Revenue Project Progress Report – Quarter 1	D
		Commercial Report – Quarter 1	D
		Infrastructure Directorate – Performance Overview – Quarter 1	D
		Harbour Board Business Programme 2014/15	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Harbour Board - continued			
D= Delegated R=Referred			
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	Ordinary 8 October 2014 10 am.	Business Plan - Sullom Voe Harbours	D
	PPMF & Ordinary 18 November 2014 2 p.m.	Management Accounts – Quarter 2	D
		Pilotage Accounts – Quarter 2	D
		Harbourmaster's Report – Quarter 2	D
		Capital and Revenue Project Progress Report – Quarter 2	D
		Commercial Report – Quarter 2	D
		Infrastructure Services Directorate – Performance Overview – Quarter 2	D
		Harbour Board Business Programme 2014/15	D
	Budget 25 November 2014 10 a.m.	2015-16 Budget Proposals and Charges	R Ex 8 Dec
		Infrastructure Services Directorate Plan 2015-16	R E&T 25 Nov
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	Ordinary 4 February 2014 10 a.m.	tbc	
	PPMF & Ordinary 24 February 2015 2 p.m.	Management Accounts – Quarter 3	D
		Pilotage Accounts – Quarter 3	D
		Harbourmaster's Report – Quarter 3	D
		Capital and Revenue Project Progress Report – Quarter 3	D
		Commercial Report – Quarter 3	D
		Infrastructure Services Directorate - Performance Overview Q3	D
		Harbour Board Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- None

Harbour Board - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Shetland College Board			
<i>D= Delegated R=Referred</i>			
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	Ordinary 30 April 2014 2 p.m.	tbc	
	PPMF & Ordinary 29 May 2014 2 p.m.	Management Accounts – Quarter 4	D
		Student Enrolment Update – Quarter 4	D
		Principal's Update – Quarter 4	D
		UHI Regional Board Update – Quarter 4	D
		Shetland College Board Business Programme 2014/15	D
	Ordinary 19 June 2014 2 p.m.	tbc	
Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	PPMF & Ordinary 21 August 2014 2 p.m.	Management Accounts – Quarter 1	D
		Student Enrolment Update – Quarter 1	D
		Principal's Update – Quarter 1	D
		UHI Regional Board Update – Quarter 1	D
		Shetland College Operational Plan 2014/15	D
		Education Scotland Annual Engagement Visit Report	D
		Shetland College Board Business Programme 2014/15	D
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	Ordinary 8 October 2014 2 p.m.	tbc	



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Shetland College Board - continued			
<i>D= Delegated R=Referred</i>			
Quarter 3 1 October 2014 to 31 December 2014 <i>continued</i>	Date of Meeting	Business	
	<i>PPMF</i> <i>Budget & Ordinary</i> 26 November 2014 2 p.m.	Management Accounts – Quarter 2	D
		Student Enrolment Update – Quarter 2	D
		Principal's Update – Quarter 2	D
		UHI Regional Board Update – Quarter 2	D
		Annual Report on Institution-Led Review of Quality 2013/14	D
		Shetland College Board Business Programme 2014/15	D
		2015-16 Budget Proposals and Charges	R Ex 8 Dec
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	<i>Ordinary</i> 4 February 2014 2 p.m.	tbc	
	<i>PPMF & Ordinary</i> 26 February 2015 2 p.m.	Management Accounts – Quarter 3	D
		Student Enrolment Update – Quarter 3	D
		Principal's Update – Quarter 3	D
		UHI Regional Board Update – Quarter 3	D
		Shetland College Operational Plan 2014/15 – 6 month update	D
		Shetland College Board Business Programme 2015/16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- Shetland Tertiary Education Research and Training Project

Shetland College Board - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Shetland Islands Council			
			<i>D= Delegated R=Referred</i>
Quarter 1 1 April 2014 to 30 June 2014	Date of Meeting	Business	
	<i>Special</i> 12 May 2014 2 p.m.	Bus Contracts	D
	<i>Ordinary</i> 14 May 2014 10 a.m.	Mental Health Strategy	D
	<i>Special</i> 21 May 2014 9.30 a.m.	SOTEAG Annual Report & Presentation	D
		Pension Fund Management – Annual Review 2013-14	D
		Fund Management – Annual Investment Report 2013-14	D
	<i>PPMF</i> 28 May 2014 2 p.m.	Overall SIC Management Accounts – End of Year	D
		SIC Review of Internal Controls 2013-14	D
		Pension Fund Review of Internal Controls 2013-14	D
		Asset Investment Plan – Progress Report – Quarter 4	D
		Change Programme - Update	D
		Council Wide – Performance Overview – Quarter 4	D
	<i>Special</i> 9 June 2014 2 p.m.	Strategy for Secondary Education – Sandwick JHS	D
	<i>Ordinary</i> 2 July 2014 10 a.m.	Medium Term Financial Plan	D
		Single Outcome Agreement 2014/15	D
		Corporate Plan 2014/15	D
		Irrecoverable Debt 2013/14	D



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
Version 0.2 - Wednesday, 19 March 2014

Shetland Islands Council - Continued

D= Delegated R=Referred

Quarter 2 1 July 2014 to 30 September 2014	Date of Meeting	Business	
	PPMF 20 August 2014 2 p.m.	Overall SIC Management Accounts – Quarter 1	D
		Small Trusts – Annual Report and Accounts 2013-14	D
		Asset Investment Plan – Progress Report – Quarter 1	D
		Council Wide – Performance Overview – Quarter 1	D
		Change Programme - Update	D
	Special 23 September 2014 11.30 a.m.	Pension Fund Final Audited Accounts 2013-14 & Report to those Charged with Governance	D
		SIC Final Audited Accounts 2013-14 & Report to those Charged with Governance	D
Quarter 3 1 October 2014 to 31 December 2014	Date of Meeting	Business	
	Ordinary 5 November 2014 10 a.m.	Blueprint for Education – Northmavine	D
	PPMF 19 November 2014 2 p.m.	Overall SIC Management Accounts – Quarter 2	D
		Pension Fund – 2014-15 Mid Year Investments Performance Review Report	D
		Council Reserves – 2014-15 Mid Year Investments Performance Review Report	D
		Asset Investment Plan – Progress Report – Quarter 2	D
		Council Wide – Performance Overview – Quarter 2	D
		Change Programme - Update	D
	Special 17 December 2014 10 a.m.	2015-16 SIC Budget Book	D
Quarter 4 1 January 2015 to 31 March 2015	Date of Meeting	Business	
	Special 11 February 2015 10 a.m.	Strategy for Secondary Education – Baltasound	D
		Strategy for Secondary Education – Mid Yell	
		Strategy for Secondary Education – Whalsay	
	Ordinary 18 February 2015 10 a.m.	tbc	



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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Shetland Islands Council - Continued			
			<i>D= Delegated R=Referred</i>
Quarter 4 1 January 2015 to 31 March 2015 <i>continued</i>	Date of Meeting	Business	
	PPMF 25 February 2015 2 p.m.	Overall SIC Management Accounts – Quarter 3	D
		Asset Investment Plan – Progress Report – Quarter 3	D
		Treasury Management Strategy 2015-16	D
		SIC Investment Strategy 2015-16	D
		Pension Fund Investment Strategy 2015-16	D
		Council Wide – Performance Overview – Quarter 3	D
		Change Programme - Update	D
		Single Outcome Agreement – Annual Report 2013/14	D
		SIC Business Programme and Diary of Meetings 2015-16	D

Planned Committee business still to be scheduled - as at Wednesday, 19 March 2014

- Senior Councillor Re-appointments

Shetland Islands Council - END



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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SIALB – Licensing Committee – Planning Committee

Quarter 1 1 April 2014 to 30 June 2014	Committee	Date	Time
	SIALB	Tuesday 15 April 2014	10 a.m.
	Licensing Committee	Tuesday 15 April 2014	11 a.m.
	Planning Committee	Tuesday 15 April 2014	2 p.m.
	SIALB	Tuesday 13 May 2014	10 a.m.
	Licensing Committee	Tuesday 13 May 2014	11 a.m.
	Planning Committee	Tuesday 13 May 2014	2 p.m.
	SIALB	Tuesday 10 June 2014	10 a.m.
	Licensing Committee	Tuesday 10 June 2014	11 a.m.
	Planning Committee	Tuesday 10 June 2014	2 p.m.
Quarter 2 1 July 2014 to 30 September 2014	SIALB	Tuesday 15 July 2014	10 a.m.
	Licensing Committee	Tuesday 15 July 2014	11 a.m.
	Planning Committee	Tuesday 15 July 2014	2 p.m.
	SIALB	Tuesday 12 August 2014	10 a.m.
	Licensing Committee	Tuesday 12 August 2014	11 a.m.
	Planning Committee	Tuesday 12 August 2014	2 p.m.
	SIALB	Tuesday 16 September 2014	10 a.m.
	Licensing Committee	Tuesday 16 September 2014	11 a.m.
	Planning Committee	Tuesday 16 September 2014	2 p.m.
Quarter 3 1 October 2014 to 31 December 2014	SIALB	Tuesday 14 October 2014	10 a.m.
	Licensing Committee	Tuesday 14 October 2014	11 a.m.
	Planning Committee	Tuesday 14 October 2014	2 p.m.
	SIALB	Tuesday 11 November 2014	10 a.m.
	Licensing Committee	Tuesday 11 November 2014	11 a.m.
	Planning Committee	Tuesday 11 November 2014	2 p.m.
	SIALB	Wednesday 10 December 2014	10 a.m.
	Licensing Committee	Wednesday 10 December 2014	11 a.m.
	Planning Committee	Wednesday 10 December 2014	2 p.m.



Shetland Islands Council - Meeting Dates and Business Programme 2014/15
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SIALB – Licensing Committee – Planning Committee - *continued*

Quarter 4 1 January 2015 to 31 March 2015	SIALB	Tuesday 13 January 2015	10 a.m.
	Licensing Committee	Tuesday 13 January 2015	11 a.m.
	Planning Committee	Tuesday 13 January 2015	2 p.m.
	SIALB	Monday 16 February 2015	10 a.m.
	Licensing Committee	Monday 16 February 2015	11 a.m.
	Planning Committee	Monday 16 February 2015	2 p.m.
	SIALB	Tuesday 10 March 2015	10 a.m.
	Licensing Committee	Tuesday 10 March 2015	11 a.m.
	Planning Committee	Tuesday 10 March 2015	2 p.m.

Employees JCC

Committee	Date	Time
Employees JCC	Wednesday 16 April 2014	11 a.m.
Employees JCC	Tuesday 17 June 2014	11 a.m.
Employees JCC	Tuesday 30 September 2014	11 a.m.
Employees JCC	Monday 19 January 2015	11 a.m.

END OF BUSINESS PROGRAMME as at Wednesday, 19 March 2014

Tbc = to be confirmed

PPMF = Planning and Performance Management Framework meetings – no other business to be added

Budget = Budget setting meetings – other items can be added if time permits

Ordinary = Ordinary meetings – other items can be added

Special = Special meetings arranged for particular item(s) – other items can be added if time permits

**Shetland Islands Council****Date 26 March 2014****Care and Support Charging Policy****CC-11-14-F****Report by Executive Manager Occupational Therapy****1. Summary**

- 1.1 This report presents the Draft Care and Support Charging Policy 2014/15 (previously known as Contributing to Your Support Policy). It outlines the changes made to the 2013/14 policy in response to updated COSLA guidance and feedback from stakeholders.
- 1.2 The report highlights issues surrounding the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 - regulations made under the Social Care (Self-directed Support) (Scotland) Act 2013 which come into force on 1 April 2014. Implementation of the regulations will affect the income from the charges for care services set by the Council in December 2013.
- 1.3 The report indicates the impact of the changes on the Community Care department's budgets and contribution to the Medium Term Financial Plan in 2014/15.

2. Decision Required

Shetland Islands Council is asked to

- 2.1 NOTE the information presented in this report and its appendices;
- 2.2 NOTE the work undertaken to ensure the policy supports the principles of co-production
- 2.3 NOTE the change of title to Care and Support Charging Policy
- 2.3 APPROVE the policy and the work to be undertaken by the service to develop the policy further over the next year.

3. Detail

- 3.1 In February 2013 it was agreed that the Community Care Directorate should implement a policy of charging for selected community care services in line with COSLA Guidance. The Council approved the policy for Contributing to Your Support on 12 June 2013 and agreed that the policy should be implemented as of 1st July 2013. Following a further report to Social Services Committee on 3rd July 2013 the implementation date was delayed until 2nd September 2013.
- 3.2 The policy was implemented on 2nd September 2013. Throughout the implementation phase and since the 2nd September, the Executive Manager Occupational Therapy has collated feedback received from stakeholders.
- 3.3 The Draft 2014/15 COSLA Guidance was released in January 2014. This guidance was drafted in consultation with a range of representative of organisations including Scottish Government, the Association of Directors of Social Work, Age Scotland, Coalition of Carers, Independent Living in Scotland, the Scottish Consortium for Learning Disability, Alzheimer's Scotland, and Capability Scotland. The guidance can be found at Appendix 1.
- 3.4 Whilst the COSLA guidance emphasises that the contribution to sustainable community care services from charging should not be underestimated, it also emphasises that any policies on charging should be "co-produced" with the people who are affected by the policy. Appendix 2 notes the main concerns highlighted by the COSLA guidance, as well as the main themes of formal and informal feedback received by COSLA's Community Health and Social Care Directorate. The appendix describes the responses provided for in the Draft Care and Support Charging Policy (Appendix 3). It should be noted that some of the areas of concern can be dealt with from April 2014, and others will require further work during 2014-15.
- 3.5 A specific area of concern to stakeholders is the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 regulations made under the Social Care (Self-directed Support) (Scotland) Act 2013. It has recently been confirmed that these regulations come into force on 1 April 2014.
- 3.6 The Guidance accompanying the Draft Regulations states:
- "Carers are providers of services who save the health and social care system in Scotland over an estimated £10 billion each year. Moreover, much of the support to carers should be preventative in nature. Providing preventative support helps to avoid more significant costs in the longer term, both in support to carers and in the cost of providing services to service users. There will, for example, be reduced hospital admissions and people will be living in their own homes and communities"

The regulations set out various types of services with circumstances in which the local authority is required to waive the charge and the extent to which the charge is to be waived. The regulations can be seen at <http://www.legislation.gov.uk/ssi/2014/65/contents/made>.

- 3.7 The intention of the guidance is that Carers should not be charged where they provide substantial replacement care to the cared for person. For this reason the draft policy states that where appropriate we will not charge for support provided to carers to enable them to provide care to a cared-for person.
- 3.8 In terms of Section 15(2) of the Council's Standing Orders for meetings, it is only competent to make a decision within 6 months of a previous decision (in this case relating to charging) if a report discloses a material change of circumstances. The Executive Manager, Governance and Law is satisfied that the material change is the new Regulations and guidance, as adopted by COSLA.

4.0 Implications

Strategic

4.1 Delivery On Corporate Priorities

Implementing the Care and Support Charging Policy will generate income that will help the Community Health and Social Care Directorate to meet its obligations in relation to the Medium Term Financial Plan.

4.2 Community /Stakeholder Issues

Feedback from stakeholders has been collated during the implementation stage and the first 7 months of the (former) Contributing to Your Support policy. The revised COSLA guidance already addressed many of the concerns, and where they are not specifically addressed by the guidance, the Care and Support Charging Policy has been adapted locally to address concerns. Further monitoring and review will take place during the course of 2014/15.

4.3 Policy And/Or Delegated Authority

In accordance with Section 2.3.1 of the Council's Scheme of Administration and Delegations, the Social Services Committee has responsibility for functional matters within its remit which includes community care. Changes to the charging policy require a decision of the Council. Given the timing of the publication of the regulations, this report is being presented directly to the Council. A more detailed report on the further development of the charging policy for social care services, will be presented to Social Services Committee in due course.

4.4 Risk Management

Financial risk

Failure to reduce the net ongoing running costs of the Council carries a significant risk of the Council's financial policies not being adhered to and will require a further draw from reserves which is not sustainable.

There is a risk regarding the impact that the increase of disregarded capital allowance for people aged 59 or below from £6K to £10K will have on the estimates put forward in the budget proposals. This increase in disregarded capital could reduce the weekly charge for up to 90 clients, but will only affect them if they have previously had over £6000 in capital. An additional risk is the change in assessed income from savings for people aged 59 or below. Those with savings over £10k will be deemed as having £1 of income for every £500 of savings above £10k, as opposed to £1 of income for every £250 as in the previous policy. This amount will only be quantified once 2014/15 financial assessments are undertaken.

There is an additional risk that waiving the charges for carers will reduce the income to the council, however until carer's and financial assessments are reviewed in 2014 it is not possible to quantify this reduction in income.

Social risk

There is a risk that people will refuse services to meet their assessed need and in doing so may increase their vulnerability. Such cases have been monitored since implementation and will continue to be monitored closely. The policy sets out the procedure for reviewing, waiving or abating charges where necessary.

4.5 Equalities, Health And Human Rights

All of the Human Rights protected by the European Convention on Human Rights (ECHR), in the Human Rights Act and in subsequent ratified conventions have been adhered to in the development and implementation of the policy. The Equality Act 2010 places duties on Local Authorities which has relevance to such a policy. Due consideration has been made to the impact on this policy particularly with reference to disregards based on age.

An Equality Impact Assessment has been completed and can be found at Appendix 5.

4.6 Environmental – None.

Resources – The resources required to continue implementation of this policy have been reviewed, and some adjustments to how financial assessments are processed have been made. From April 2014 this process will be monitored by the Directorate's financial assessment officer, with administration assistance supplied from existing resources.

4.7 Financial

Continued implementation of this policy plays a significant part in the Community Health and Social Care Directorate meeting its obligations under the Medium Term Plan. Not meeting these obligations would put further pressure on reserves which is not sustainable.

The income expected in the 2014/15 budget from the 'Care and Support Charging Policy' is £802k. It is recognised that income in 2014/15 may be reduced due to the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014, regulations to accompany the Social Care (Self-directed Support) (Scotland) Act 2013, and the

changes to the capital thresholds and income from savings. The reduction in income cannot be quantified until all 2014/15 financial assessments have been completed. However, any shortfall in income will be met from within existing Directorate resources.

4.8 Legal

The legislative framework that supports the Contributing to Your Support policy includes services provided under the Social Work (Scotland) Act 1968. This legislation sets out services that customers can be expected to contribute towards and those that they cannot be expected to contribute towards.

Recent changes under the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 -, to come into effect in April 2014. This is expected to affect the charges that can be made for services provided to support carer's in their caring role and legal support will be required to ensure compliance with the legislation.

4.9 Human Resources

The ongoing workload has and will continue to be absorbed within existing administrative staffing levels.

4.10 Assets And Property

None

5.0 Conclusions

5.1 Continuing with this policy will make a significant contribution to the Community Health and Social Care Directorate's ability to operate successfully within its set budget. Not successfully operating within the agreed budgets puts pressure on current service provision and Council reserves which is not sustainable.

5.2 The 2014/15 COSLA guidance has been reviewed and now takes account of many of the concerns expressed locally by stakeholders. The draft policy has ensured that additional concerns have been addressed where not taken account of in the COSLA Guidance.

5.3 The Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 come into force on 1st April 2014. The Draft Policy takes account of these changes, which are expected to relieve the financial burden on carers.

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Appendices

APPENDIX 1 – COSLA guidance on charging for non-residential care

APPENDIX 2 - Responses to feedback

APPENDIX 3 - Draft Care and Support Charging Policy

APPENDIX 4 – Equality Impact assessment

DRAFT



COSLA

National Strategy & Guidance

Charges Applying to Non-residential Social Care Services

2014/15

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COSLA CHARGING GUIDANCE - 2014/15

Executive Summary

This Guidance covers charging for non-residential care services that enable people to remain in their own homes. It updates the document originally issued by COSLA in 2002, subsequently amended in 2006, 2009, 2010 then revised in 2012 and 2013. It does not require councils to charge, nor does it prevent them from adopting a more generous treatment of the supported person's circumstances than is set out in this paper. It provides a framework that aims to maintain local accountability and discretion while encouraging councils to demonstrate that in developing their charging policies they have followed best practice. It aims to create an enabling environment for local authorities to work together to achieve greater consistency across Scotland in terms of the charges levied on people who use services.

Revisions

This version of the COSLA Guidance represents ongoing progress toward reaching the outcomes identified in our review of the Charging Guidance for Non-residential Social Care Services in Scotland. This year a number of key additions have been made to the guidance notably to disability related expenditure (DRE) and consideration of partner's income. In terms of routine changes amendments have been made to reflect the uprated DWP benefits used to set the charging thresholds and example tables of tapers have been amended accordingly. Additions to the Substantive Guidance can be found in Section 7.

Within this context, Council Leaders have collectively agreed that, where councils decide to apply charges for community care services:-

- These policies, at both a national and local level should be accessible, transparent, fair and equitable, and developed from a human rights perspective;
- They should be co-produced with the people who might be affected by a charging regime;
- Councils should balance the utility of additional charging income to improve the quality or scope of social care services against the impact on the quality of life for those who are charged;
- Measures should be taken to ensure that people who use services understand the reasons for charging and its contribution to supporting social care services and that the charges for particular services are clear;
- There should be transparency over what services are chargeable, and at what levels, and use should be made of the local charges information template attached at Annex A;
- Every council should publish its charging policy, a copy of which will be held on the COSLA website;
- Any individual user of services who is looking to move between local authority areas should be entitled to a description of any charges which would apply to them *as an individual* in advance of the move (the current and receiving local authority should work together to facilitate this);
- Charging policies should define the financial decision making processes that ensure the personal, social and economic circumstances of individuals are given due regard in determining whether charges should apply;
- Every council should nominate an officer to participate in a community of practitioners whose responsibility is to ensure that effective benchmarking is undertaken and consistency delivered.

Future Work

Further policy development work remains to be undertaken in respect of a number of areas. These include the use of tapers and thresholds, appropriate alignment with new DWP benefits - once the old ones are deleted - and the potential impact of alternative charging regimes on councils' finances.

The on-going work required to complete improvements identified by the review of the charging guidance is being informed by the following set of agreed outcomes each of which require the application of resources from the stakeholders involved in the Charging Guidance Working Group.

Good progress has been made toward a number of elements of this work but further challenges remain to be tackled. Work will continue to be progressed against each of these outcomes over the coming months with ongoing improvements made on an annual basis.

Outcome	Output
1. Partners' Income A fair and consistent approach is used in the treatment of partners' income and assets in establishing a service user's means to pay a charge for the community care service they use.	The treatment of partners' income better defined with national guidance.
2. Understanding Information People who use community care services understand the charges they pay and the cost to the council of providing each of the services they receive.	All councils' community care charging policies and tariffs are published and copies are accessible on the COSLA website. Comparative analysis of councils' charges is published on COSLA website
3. Facilitating Movement People who use community care services are able to make fully informed decisions about the costs and care options available to them before moving from one local authority area to another.	A national protocol is developed which enables officers to provide, on request, clear information to people who use community care services and are considering a move to another local authority area. A tool to estimate potential charges is publically available.
4. Benchmarking Councils are able to benchmark their cost bases, service charges, rates charged per service, and use of income buffers and tapers.	Officers have access to the information they need to fully consider the wider charging context within which they are developing their local community care charging policies.
5. Financial Assessment To create an enabling environment for local authorities to work together to generate greater consistency across Scotland in the charges levied on people who use services.	A policy position on a CRAG style (regulation based) guidance is developed. A standard needs assessment & financial assessment template is produced.
6. Disability Related Expenditure Policies should define the financial	An agreed approach to the consideration of disability related expenditure (DRE).

decision making processes that ensure the personal, social and economic circumstances of individuals are given due regard in determining whether charges should apply.	
7. Personalisation Individuals are able to consider charges for services or support within the context of a personal budget or direct payment.	A policy position on the application of charges within an SDS context is developed.
8. Local Priorities Councils balance the utility of additional charging income to improve the quality or scope of social care services against the impact on the quality of life for those who are charged.	A set of policy options with outline impact assessment.

Standard Financial Assessment Template

In addition to the developments outlined above COSLA Politicians have now endorsed further work on the development of a standard financial assessment template comprising a set of core elements with a view to the alignment of non-residential charging policies in all Scottish Councils.

The financial assessment process comprises a key element of the process of engagement between people who use non-residential social care services and the local authority. As such it is seen as a key candidate area for improved consistency. Whilst there will be legitimate variation in the cost of providing services across local authority areas a standard approach to financial assessment will go a long way toward improving fairness from the service user perspective.

In order to give this ambition effect COSLA are currently collecting information on the likely costs councils would need to bear as a result of such a commitment and will aim to introduce the template as soon as possible.

Section 1 – High Level Principles

- 1.1 This Guidance defines the set of principles that should underpin councils' charging policies for non-residential care services. It has been written in consultation with representatives of a range of organisations including Scottish Government, the Association of Directors of Social Work, Age Scotland, Coalition of Carers, Independent Living in Scotland, the Scottish Consortium for Learning Disability, Alzheimer's Scotland and Capability Scotland and it has been endorsed by the political leadership of COSLA.
- 1.2 The National Guidance is intended to assist councils in determining whether to charge for non-residential social care services, taking into consideration the full range of legal, financial and policy drivers. Where councils decide to charge, the guidance also sets out the parameters of the charging regime that should apply. Charging policies at both a national and local level should be accessible, transparent, fair and equitable, and developed from a human rights perspective. To that extent, the Guidance describes a number of best practice steps that councils should cover in developing a charging policy.
- 1.3 Starting from the legal position that although there is no 'duty' placed upon councils to charge for community care services, they are currently empowered by the statute to make decisions about whether or not to charge for community care services, and, if they choose to, to develop and administer local charging policies. This Guidance has six over-arching objectives:
 - To assist councils in determining whether to charge for community care services, taking into consideration the full range of legal, financial and policy drivers;
 - To assist local authorities in developing a framework of charges for non-residential social care services that is fair, equitable, accessible and transparent;
 - To create an enabling environment for local authorities to work together to generate greater consistency across Scotland in the charges levied on people who use services;
 - To define financial decision making processes that ensure the personal, social and economic circumstances of individuals are given due regard in determining whether charges should apply;
 - To ensure that people who use services understand the reason for charging, its contribution to supporting social care services and are able to contribute to the development of charging policies at a national and local level; and
 - To ensure that councils have considered the contribution of community care to the human rights of supported people and the financial implications of charging on the supported person's quality of life, in terms of both their standard of living and their social and economic participation within the community.
- 1.4 At the heart of this Guidance lies a recognition that the role of the local authority is to create an enabling environment to support people who use care services – and their carers - building on their right to participate in society and supporting them to live independently, with control, freedom, choice, and dignity.
- 1.5 In developing this guidance, we promote a human rights based approach, drawing on the PANEL¹ approach, to generate the following principles:

¹ UN endorsed approach to human rights

- **Participation** in the development of charging policies, drawing on the principles of co-production in order to develop an honest dialogue about the rationale for charging and the nature of its implementation. It also recognises that the provision of community care advice, services and support can be a pre-requisite for participation in civic life.
- **Accountability** for the charging regime – including decisions around whether or not to charge – in terms of its public reporting, its transparency, its contribution to the range and quality of social care and support available to the local population and the financial impact this may have on existing users. Accountability also includes access to complaints mechanisms and remedies so that individuals can challenge the application of charging policies which they believe contravene their human rights. Furthermore, charging policies should demonstrate that they have taken account of the specific circumstances of the people who are subject to it, including for example, their economic and social status. There is a duty to assess the impact of policies to ensure they are compatible with human rights.
- **Non-discrimination and equality** in the way that charges are applied, and in terms of the impact of charging on the equality of opportunity of those who are charged, ensuring that charging policies have been subject to an Equality Impact Assessment. Local Authorities should seek to meet their obligations by assessing the impact their policies have on equality of opportunity between the general population and people who are charged for community care services.
- **Empowerment** of individuals to ensure that they are able to engage with the LA and the local community in terms of decisions on charging. It is also about ensuring individuals are fully aware of, and understand the rationale for, charges being applied and that they are empowered to effectively contribute to decisions on this. Councils should work with citizens to ensure that charges do not contribute to unacceptable levels of poverty, or act as a barrier to accessing the full range of human rights or adversely impact on the availability of support, and are generally consistent with preventive approaches to social care and anti poverty strategies. This will require welfare rights advice and other services to be in place to ensure that personal income is maximised and a full range of services and support can be accessed, including support to access the labour market.
- **Legality** in all decisions made, honouring the rights and entitlements of individuals within the context of the Human Rights Act and statute more generally. Individuals have the right to accessible information about charging policies, how charges are calculated and, where the person disagrees with the decision, the right to seek remedy through an effective compliant and appeal procedures.

1.6 Councils must not act in ways which are incompatible with the European Convention on Human Rights (ECHR) under section 6 of the Human Rights Act 1998. Many of the Articles of the ECHR are relevant to this Guidance but in particular Article 8 (right to private and family life, including autonomy in decision making, the right to work and the right to live with dignity) and Article 14 (non-discrimination on a number of grounds, including “any other status”). These articles speak directly to the issues that connect to local charging policies for non-residential social care, including portability of care, equality within and across jurisdictions, and issues around income maximisation. Human rights compatible outcomes should therefore underpin the development of charging policies.

1.7 This Guidance also draws on the principles of the European Charter of Local Self-Government, which was adopted under the auspices of the Congress of the Council of

Europe. The Charter provides that local authorities, acting within the limits of the law, should be able to regulate and manage a substantial share of public affairs under their own responsibility in the interests of the local population. It considers that public responsibilities should be exercised by the authorities closest to the citizens.

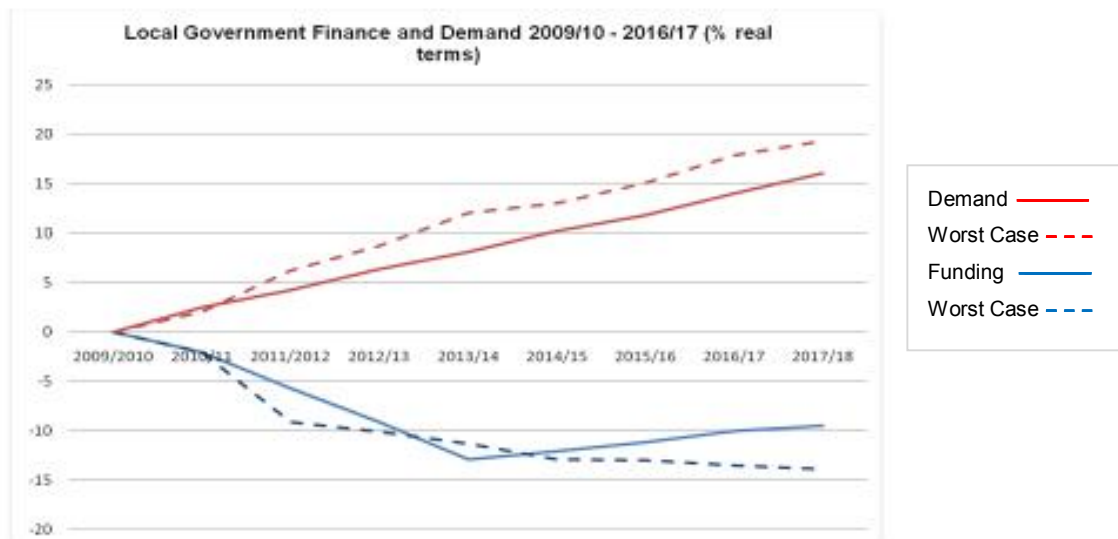
- 1.8 The Charter is an important foundation in the development of local charging arrangements because it recognises the principle that councils should be empowered to raise income in order to ensure that the provision of local services are optimised and maximally responsive to the needs of residents in a way which accords with human rights compatible outcomes. It holds that democratic accountability at a local level embeds a system of governance that holds the public bodies levying those charges to account.
- 1.9 It is recognised that there are tensions between a pure interpretation of the local autonomy of councils and a pure interpretation of equity across jurisdictions. Nonetheless, if a human rights based approach informs the development of policy at a local and national level, allied to a framework of cooperation between local authorities, then we believe that those tensions can be largely resolved. There will, ultimately, be a need for balance in the way that local authorities administer charges for care services: to ensure that the range and quality of local services are optimised on the one hand, and yet on the other, prevent people who are charged for services from falling into poverty.

Section 2 – Financial and Policy Context

Financial Context

- 2.1 Councils decide whether to use their legal powers to charge for non-residential social care services within an overall context of financial and demographic pressures. Since 2009-10, public expenditure has faced a long period of restraint, with revenue funding for Scottish local government falling in real terms:

Figure 2.1: Local Government Finance & Demand



Source: COSLA/Improvement Service

- 2.2 Figure 2.1 shows the real terms percentage gap rising to 35% from 2009/10 to 2016/17 (worst case scenario = dotted line) or 25% (best case = solid line). This is based on modelling work which forecast a £3bn funding gap by 2016/17. The red line above the horizontal axis shows demand and the blue line below shows cash cuts.
- 2.3 Attempts have been made to reduce the gap, for example through pay freezes, but to close it more radical measures are needed to reduce demand such as prevention/early intervention services together with efficiencies and service re-design.
- 2.4 Demand for social work services is continuing to grow, largely as a result of demographic change. In particular, councils and their partners will have to support significantly increased numbers of older people who are frail, increasing numbers of disabled people of all ages, and – as a result of economic recession – increasing numbers of people with mental health issues, and alcohol and drug misuse.

Social Work Spend and Income from Charging

- 2.5 Local authorities' financial returns for 2011-12 (the latest available) indicate that a total of £3.7 billion was spent on social work services in that year. Of this, £2.8 billion was spent on older people and adults, of which £1.3 billion was recorded as being spent on residential care and £1.5 billion on non-residential services for people living at home. Gross expenditure on children and families social work was nearly £801 million, of which £548 million was non-residential.

- 2.6 Total income from charges to social work service users for non-residential services was £47.7 million in 2011-12, of which £24.8 million was for services for older people, £20.5 million for adults aged 18-64, and £2.3 million was for children and families social work:

Figure 2.2: Council charging income from people who use non-residential social work services, 2011-12

	2008-09	2009-10	2010-11	2011-12	Change 2010-12	
	£'000	£'000	£'000	£'000	£'000	%
Children and Families	1,441	1,543	1,665	2,323	658	40%
People aged 18-64, with:						
physical or sensory disabilities	3,279	3,663	3,444	3,571	127	4%
learning disabilities	11,513	12,366	13,934	14,631	697	5%
mental health problems	681	687	806	1,365	559	69%
addictions/ substance misuse	863	681	620	887	267	43%
HIV/ AIDS	2	0	0	0	0	0%
Subtotal: people aged 18-64	16,338	17,397	18,804	20,454	1,650	9%
Older Persons	25,478	25,241	23,068	24,782	1,714	7%
Criminal Justice social work services	1,812	1,368	1,299	179	-1,120	-86%
Service Strategy	29	126	79	0	-79	-100%
TOTAL SOCIAL WORK	45,098	45,675	44,915	47,738	2,823	6%
<i>Of which:</i>						
ADULT SOCIAL CARE	41,816	42,638	41,872	45,236	3,364	8%

Source: LFR3 analysis, ADSW (December 2013)

- 2.7 Income from non-residential charges for all Social Work services increased overall by £2.8 million (6%) between 2010-11 and 2011-12. There was a bigger increase for Adult Social Care (i.e. services for older people and adults) of £3.4 million (8%): the reason why the total Social Work increase in charging income is lower than that for Adult Social Care is because charging income from Criminal Justice Social Work Services *fell* by over £1 million, from £1.3 million in 2010-11 to just £179k in 2011-12. (Since there are relatively few CJSW services that can be charged for, this change may well reflect an improvement in data quality).
- 2.8 Charging income for services for older people increased (by 7%) for the first time in many years. Previously year on year reductions in charging income for older people reflected increases in personal care at home, which since 2002 has been non-chargeable under Free Personal Care legislation.
- 2.9 Charging income from people with physical or learning disabilities has continued to increase – by 4% and 5% respectively, compared with 2010-11. Although larger percentage increase in charging income are show for adults with mental health problems or addictions, and for children and families, the proportion of gross expenditure funded by these charges is still well below average for these groups.

Figure 2.3: Council charging income from people who use non-residential social work services, 2011-12

	Children and Families	Older Persons	Adults aged 18-64	Adults 18-64 with physical disabilities	Adults 18-64 with learning disabilities	Adults 18-64 with mental health problems	Adults 18-64 with addictions/ HIV	TOTAL ADULT SOCIAL CARE	TOTAL SOCIAL WORK
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Homecare	109	15,913	10,370	2,385	6,881	949	155	26,283	26,392
Day care	1,732	2,112	2,210	147	1,994	67	2	4,322	6,054
Meals	6	3,071	199	20	64	110	5	3,270	3,276
Equipment and adaptations	10	1,784	305	270	13	21	1	2,089	2,099
Assessment and casework	140	616	649	278	92	21	258	1,265	1,405
Direct Payments	88	199	4,680	228	4,452	0	0	4,879	4,967
Other non-residential services	238	1,087	2,041	243	1,135	197	466	3,128	3,366
TOTAL NON-RESIDENTIAL CHARGING INCOME	2,323	24,782	20,454	3,571	14,631	1,365	887	45,236	47,559
Charging income as % of Gross Expenditure	0.4%	3.3%	2.8%	2.2%	3.5%	1.3%	1.8%	3.1%	2.3%
Total Gross Non-Residential Expenditure	547,853	743,441	739,119	161,046	422,562	106,054	49,457	1,482,560	2,030,413

Source: As for Fig 2.2. Total Gross Non Residential Expenditure in this table excludes £113m on CISW, £31m on Service Strategy, £2.7m on Children's Panels and £0.5m on Asylum Seekers.

2.10 **In conclusion**, these figures indicate that charges provide a significant source of funding for local authority non-residential social care services, worth **over £47.5 million** in 2011-12. However, this still represents a relatively small proportion of total spend on social work services. For older people, charging income of £24.8 million for non-residential care services in 2011-12 represented 3.3% of gross expenditure; and for adults aged 18-64, charging income of £20.5 million represented 2.8% of gross expenditure (ranging from 1.3% for mental health to 3.5% for learning disability services. (For children and families social work services to corresponding figure was lower still at £0.4 million).

Policy Context

Report on the Future Delivery of Public Services

2.11 In 2010, the Scottish Government established a Commission on the Future Delivery of Public Services to examine how Scotland's public services can secure improved outcomes for communities across the country. The Commission reported its recommendations in June 2011.

2.12 Among the priorities the Commission identified for public services to consider, the following are particularly relevant to our approach in charging for non-residential social care:

- Recognising that effective services must be designed with and for people and communities - not delivered 'top down' for administrative convenience
- Maximising scarce resources by utilising all available resources from the public, private and third sectors, individuals, groups and communities
- Working closely with individuals and communities to understand their needs, maximise talents and resources, support self-reliance, and build resilience
- Prioritising preventative measures to reduce demand and lessen inequalities
- Identifying and targeting the underlying causes of inter-generational deprivation and low aspiration
- Tightening oversight and accountability of public services, introducing consistent data-gathering and performance comparators, to improve services

Independent Living

- 2.13 Independent living has implications for policy and service delivery across and beyond local government. COSLA has signed up to and is committed to a vision for independent living in Scotland, alongside the Scottish Government, the NHS in Scotland and the disabled people's independent living movement. The Vision is available here <http://www.scotland.gov.uk/Resource/0041/00418828.pdf>.
- 2.14 COSLA has adopted the interpretation of independent living as set out in the vision and believes it should apply to any disabled person, any person who has long-term condition or any person who has developed a frailty. We are committed to making sure that everyone can take part in the community and live an ordinary life. This approach is supported by a range of initiatives already in place around the self-directed support agenda, and in the work across local government to promote coproduction in policy making and service planning. This encompasses health and social care, and other key policy areas such as housing, transport, education and employment.
- 2.15 Independent living is based on the core principles of choice, control, freedom and dignity, whereby supported people have equality of opportunity at home and work, in education and in the social and civic life of the community.
- 2.16 It is with reference to these concepts that councils should determine whether they want to charge for non-residential social care services and if so, the manner in which charging policies should be developed. These themes are expanded in Section 3.

Carers Strategy

- 2.17 The National Carers Strategy for Scotland recognises that carers, whatever their circumstances, should be able to enjoy the same opportunities in life as other people without caring responsibilities and be able to achieve their full potential as citizens.
- 2.18 Carers should be considered as equal partners in care, where they are supported to manage their caring responsibilities with confidence and in good health and to have a life of their own outside of caring. Carers should be fully engaged in the planning and development of their own support and of the services for the people they care for. Carers should not be disadvantaged, or discriminated against, by virtue of their caring role.
- 2.19 All of these principles should be considered in the production and implementation of charging policies.

Anti-poverty Measures

- 2.20 Although income generated from charging for 'non-residential services' amounts to only 3% of the £3.6b gross expenditure on social care in Scotland, it is important to understand this from the point of view of the supported person. For the supported person, community care charges can amount to 100% of their available weekly income.

Welfare Reform

- 2.21 Welfare Reform is used as a shorthand for a complex package of major reforms as well as detailed changes to existing benefits. The Welfare Reform Act 2012 contains provisions for the introduction of Universal Credit to replace existing benefits and tax credits. It is

intended to incentivise work and simplify the benefits system. It also replaces Disability Living Allowance (DLA) with a new benefit 'Personal Independence Payment (PIP).'

- 2.22 The introduction of the Universal Credit and PIP will impact upon a range of services currently delivered by Scottish councils and on the lives of disabled people. Personal Independence Payments will provide 2 levels of support rather than 3 under the DLA care component. Since the UK Government is already seeking to reduce the overall cost by 20% the impact of new assessment criteria is expected to particularly affect those with lower levels of disability.
- 2.23 All of this suggests that Welfare Reform will change the financial context for charging: reductions in the income of people who use services may well take more individuals below charging thresholds and consequently place additional demands on stretched social work resources.
- 2.24 Consideration is currently being given by the Scottish Government to mitigating the impact the changes will have on benefits and services received through pass-ported assessment processes.

Health and Social Care Integration

- 2.25 Effective partnership working between the NHS and local authorities is widely recognised as a prerequisite for achieving good health and social care outcomes. For the last decade in Scotland the focus has been on achieving better outcomes through partnership working, service redesign and the development of integrated clinical and care pathways.
- 2.26 COSLA is working with the Scottish Government to develop integrated health and social care arrangements. Within this context, there will be a significant challenge in respect of working out how charging for social care services interfaces with healthcare which is free at the point of use.

Section 3 – Legal Issues

Legal Context

- 3.1 The current legislative framework for charging includes services provided under the **Social Work (Scotland) Act 1968 Section 87**.
- 3.2 In terms of the guidance on charging set out in the Scottish Office Circular SWSG1/1997 and with regard to subsequent development of this COSLA guidance, councils have the power to charge for a range of adult non-residential social care services, including:
- care at home
 - day care
 - lunch clubs
 - meals on wheels
 - domiciliary services
 - wardens in sheltered housing
 - community alarms and telecare
 - laundry services
 - aids and adaptations
 - after car services for people with a mental illness
 - care and support services for those who have or have had a mental illness
 - transport
- 3.3 Circular SWSG1/1997 also sets out a number of services which cannot be charged for and include those listed below. It should be noted that some information legislation detailed in the Circular has been superceeded:-
- Nursing Care and Personal Care for people aged over 65
 - Services for people who are subject to Compulsion Orders under the Criminal Procedure (Scotland) Act 2003

Free Personal Care: Preparation of Food

- 3.4 Charges may not be applied to the preparation of, or the provision of any assistance with the preparation of, a person's food including (without prejudice to that generality)-
- defrosting, washing, peeling, cutting, chopping, pureeing, mixing or combining, cooking, heating or re-heating, or otherwise preparing food or ingredients;
 - cooking, heating or re-heating pre-prepared fresh or frozen food;
 - portioning or serving food;
 - cutting up, pureeing or otherwise processing food to assist with eating it; and
 - assisting in the fulfilment of special dietary needs, but not the supply of food (whether in the form of a pre-prepared meal or ingredients for a meal) to, or the obtaining of food for, the person, or the preparation of food prior to the point of supply to the person.
- 3.5 A statutory instrument was passed by Parliament to these effects and came into force on April 1st 2009. Councils should have regard to this in designing their charging policy.

Human Rights

- 3.6 Community care is one essential tool among others, which ensures that people in need of support can live their life in the way they choose, at home, at work and in the community. Without it, many people cannot enjoy the human rights they are entitled to or live a productive life.
- 3.7 The UN Convention on the Rights of Persons with Disabilities (UNCRPD) strengthens and contextualises these rights and recognises the role of community care in doing so. Article 19 of the UNCRPD indicates that to ensure disabled people equally enjoy the rights laid out in the ECHR states must ensure that “disabled people have a right to live in the community, with the support they need and can make choices like other people do”.
- 3.8 All of the human rights protected by the European Convention on Human Rights (ECHR), in the Human Rights Act and in subsequent ratified Conventions should be considered in decisions on whether or not to charge and, if charges are to be applied, in the development of charging policies.
- 3.9 Councils must not act in ways which are incompatible with the European Convention on Human Rights (ECHR) under section 6 of the Human Rights Act 1998. Many of the Articles of the ECHR are relevant to this Guidance but in particular Article 8 (right to private and family life, including autonomy in decision making, the right to work and the right to live with dignity) and Article 14 (non-discrimination on a number of grounds, including “any other status”). These articles speak directly to the issues that connect to local charging policies for non-residential social care, including portability of care, equality within and across jurisdictions, and issues around income maximisation. Human rights compatible outcomes should therefore underpin the development of charging policies.

Equality Act 2010

- 3.10 The Equality Act 2010 places both a general duty and a specific duty on local authorities, both of which are relevant to the development of charging policies. The general duty requires local authorities have due regard to the need to:
- eliminate discrimination, harassment and victimisation,
 - advance equality of opportunity,
 - promote good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.11 This duty relates to disability, age, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 3.12 As a result of the general duty local authorities must consider how to promote equality and ensure that no group are put at a disadvantage by their charging policy. This should involve taking steps to ensure policies minimise any disadvantage experienced by any people of a protected characteristic, ensuring their specific needs are met, rights upheld and encouraging participation in the development of relevant policies.
- 3.13 The Equality Act 2010 also gives Ministers in Scotland the power to impose specific duties on local authorities. It is good practice for local authorities to carry out Equality Impact

Assessments on their non-residential care charging policy in order to identify whether there is a disproportionate impact on people of a protected characteristic.

- 3.14 Equality Impact Assessments (EIA) can help local authorities to identify whether there is a disproportionate impact of a policy on people of a protected characteristic/group compared to those out with that group. Councils should undertake an Equality Impact Assessment of their Non-Residential Charging Policy.

Financial Assessment – Couples

- 3.15 Where one member of a couple is in receipt of non-residential services most Scottish Local Authorities take account of their joint income and capital in the financial assessment.
- 3.16 While paragraph 28 of the Scottish Office Circular SWSG1/97 states that “*under section 87(1A) of the 1968 Act authorities may charge only the person receiving the service and should have regard only to that individual’s means in assessing his or her ability to pay*”, it goes on to state in paragraph 29 that “*Local authorities may, in individual cases, wish to consider whether a client has sufficient reliable access to resources, other than his or her own resources, for them also to constitute his or her means for the purposes of Section 87(1A). The most likely instances of this kind will arise in relation to married or unmarried couples. It will be for the authority to consider each case in the light of their own legal advice*”.
- 3.17 It is recognised that this is an ambiguous area of law. To that end, COSLA has undertaken further work with its partners on establishing clarification of the policy in this area further details are set out in Section 7 of this guidance.

Section 4 – Developing Local Policies

4.1 The decision about whether to charge – and what to charge for – is a matter to be decided by the local authority. It is important that if a council chooses to develop a local charging policy that it adheres to the following principles.

- Policies should be co-produced with the people who might be affected by a charging regime and reference should be made to the PANEL approach set out at the beginning of this document;
- Councils should balance the utility of additional charging income to improve the quality or scope of social care services against the impact on the quality of life for those who are charged;
- Councils should ensure that people who use services understand the reasons for charging and its contribution to supporting social care services;
- There should be transparency over what services are chargeable, and at what levels, and use should be made of the standard template attached at Annex A;
- Policies should define the financial decision making processes that ensure the personal, social and economic circumstances of individuals are given due regard in determining whether charges should apply;

Co-production

4.2 The involvement of people in the planning of the services they use is a core principle in promoting equality and is at the heart of co-production. Being involved is not the same as being asked or consulted. It means people who use services and policy makers working in partnership right from the start. It allows for the trading of skills, information and expertise and assists in achieving mutual objectives.

4.3 Co-production engages people who use services as equal citizens: to help create or improve systems and structures, to better inform planning and decision making processes, and to deliver better outcomes. In recognition of their role as ‘equal and expert partners’ local charging policies should be developed in co-production with unpaid carers and their representative organisations. Scotland has a well established network of local carer organisations and local carer forums who can help to facilitate carer involvement. In addition, efforts should be made to engage the representatives of different population groups and their representative groups.

4.4 It is recognised that the co-production of charging policies could be perceived to be problematic given that the natural position of people who use services might be to resist charging, either out of principle or from a position of self interest (both are legitimate positions to hold). Recognising this, it may be that local groups or people who use services can help to both; work with LA’s at the point at which they are considering applying charges in order to support them to consider the human rights impacts and the other potential options available; and, where a LA still wishes to apply charges, to develop policies that are as fair as possible within the context of the overall quantum of resource councils propose to raise through charging for non-residential care. It will also be important to balance the input of those who are affected by charges with those who stand to gain from the enhanced quality or scope of social care services that accrues from raising additional income.

- 4.5 It is also recognised that decisions on charges will be reviewed on an annual basis by councils as part of their budget setting processes. While it is important not to lose the principles of co-production within this context, councils should assess the requisite level of engagement with people who use services, carers and groups relative to the extent of the changes to policy being suggested. It is also recognised that in deciding to charge, councils will have to take account of a broader range of pressures and other levers to raise income including other service charges (such as car parking) and council tax.

Balancing Income against Impact

- 4.6 In coming to a view about the quantum of resource to be raised through charges, it is important to have a sense of the opportunity cost associated with different policy options. For example, a decision to completely eliminate charges would deliver maximum relief to those who would otherwise have been charged but will restrict the quality or range of services that might have been provided by a council to the general population. On the other hand, a charging regime that focuses solely on raising additional income could place at risk the overall well-being of those who pay the charges.
- 4.7 In making these relative judgements, it will be important to give consideration to the work of other councils. COSLA has established a community of practitioners to ensure that best practice is shared across Scotland. This matter is further explored in the next section.

Communicating the Purpose of Service Charges

- 4.8 It is important that the people who are charged for a service understand the purpose of a charging regime. To that end, it is recommended that councils should produce public information that describes:
- What services are charged for and what each charged for service provides in practice;
 - The total resource raised through charging for non-residential social care services;
 - The percentage of non-residential care expenditure made up from charging income;
 - The delivery cost of each chargeable service (allowing the supported person to gauge what proportion of that service is supported by their contribution);
 - An assessment of the added value of charging income in terms of the quality or scope of care and support available to the general population;
- 4.9 Councils should use a variety of media to promote this information, including the council website.

Delivering Transparency

- 4.10 It is important that people are given good and clear information about the services that are available and the charges that might apply to the services they use. This will ensure that customers/consumers are able to come to an informed view about whether or not they want to draw upon a chargeable service. It will also help individuals to come to a view about the types of charges that might apply should they move between local authority areas.
- 4.11 In order to deliver transparency and facilitate comparability across councils, it is recommended that all councils should use the template attached at **Annex A** to record charging information, which should then be published on the council website.

- 4.12 Where the supported person has difficulty in meeting the approved charge for the service due to their financial circumstances, it is recommended that Councils use their powers to abate or waive charges on a case by case basis. It is important within this context that councils take a holistic approach, and consider the full impact of all prospective combined charges on the well-being and independence of the supported person. Care should be taken to ensure that those who use more than one type of service are not unduly disadvantaged.
- 4.13 Allied to this, it is recommended that all Local Authorities should be proactive in promoting benefit take up for people who use services. Doing this would not only be beneficial to the individual but could contribute to the revenue of councils and to their local economy. Where possible, Local Authorities should ensure that there are dedicated staff to promote and assist with Income Maximisation processes for people who use services. The benefits entitlement of supported people should be reviewed on a regular basis.
- 4.14 Employability and supported employment services are also capable of tackling poverty by assisting people into work. Local authorities should continue to develop local services in line with the national guidance and local service priorities.²

² <http://www.scotland.gov.uk/Publications/2010/02/23094107/0>

Section 5 – Achieving Greater Consistency

- 5.1 As indicated in the first section of this document, this Guidance draws on the principles of the European Charter of Local Self-Government, which was adopted under the auspices of the Congress of the Council of Europe. The Charter provides that local authorities, acting within the limits of the law, should be able to regulate and manage a substantial share of public affairs under their own responsibility in the interests of the local population. It considers that public responsibilities should be exercised by the authorities closest to the citizens.
- 5.2 The Charter is an important foundation in the development of local charging arrangements because it recognises the principle that councils should be empowered to raise income in order to ensure that the provision of local services are optimised and maximally responsive to the needs of residents in a way which accords with human rights compatible outcomes. It holds that democratic accountability at a local level embeds a system of governance that holds the public bodies levying those charges to account.
- 5.3 It is recognised that there are tensions between a pure interpretation of the local autonomy of councils and a pure interpretation of equity across jurisdictions. On the one hand, councils have a legitimate capacity to raise income in response to local need or policy goals. On the other hand, local government in Scotland wants to create a level playing field, facilitating portability of care, respecting human rights and delivering equity for people who use services.
- 5.4 It is inevitable since councils are empowered to charge differentially that some variation will emerge in terms of the amount charged for across different services across different local authorities. Councils should seek to ground accountability for their charging policy in local democratic decision making **and** in taking a human rights based approach, recognising that tensions will have to be managed within this context.
- 5.5 In order to manage these tensions, this guidance recommends:
- That every council should nominate an officer to participate in a community of practitioners whose responsibility is to ensure that effective benchmarking is undertaken and consistency delivered;
 - The benchmarking community should collectively work to identify levels of tolerance for the variable elements of charging defined in this guidance, ensuring a robust approach to self-regulation.

Benchmarking

- 5.6 The core purpose of a benchmarking approach is to encourage councils to review their own performance and to better understand how other comparable authorities achieve their results.
- 5.7 The outputs of the benchmarking exercise should be publicly reported to enhance accountability.

- 5.8 In pursuit of this ambition, in early 2010 COSLA launched a Community of Practice web based resource to provide a secure environment for local authority officers involved in the development and application of local charging policies to compare and contrast their approaches. Each Scottish council currently has one or more officers registered on the community of practice and the site has proved useful in sharing ideas and information about local charging policies.
- 5.9 Council officers involved in the development, revision and implementation of community care charging policies are encouraged to register and make use of the information and discussion forum available on the website.³

Portability of Care

- 5.10 Portability of care is a principle that has been strongly advocated by a number of stakeholders, including Independent Living in Scotland. A human rights based approach requires that local authorities engage with this matter and this guidance therefore recommends that any individual user of services who is looking to move between local authority areas should be entitled to a description of any charges which would apply to them *as an individual* in advance of the move and any material differences in the nature of the service provided by the relevant authorities. The current and receiving local authority should work together to facilitate this.
- 5.11 In the medium term, COSLA will explore whether an online calculator might be developed that would allow people who use services to retrieve information about prospective charges should they move to another local authority area.

COSLA Charging Guidance Surveys

- 5.12 COSLA also runs an annual survey of councils, which collects information on charging for non-residential care. These returns provide a valuable source of information which is shared across local authorities in an effort to engender greater consistency across Scotland.
- 5.13 Whilst COSLA will manage the surveys and data in such a way as to limit the reporting burden on councils we would urge that councils continue to maintain this helpful practice by continuing to make returns in response to these surveys (returns will often require updating a few elements of data).

Local Financial Returns (LFR) 3

- 5.14 The other key source of information on community care charging is the Scottish Government Local Financial Returns (LFR). The LFR information is used to monitor local authority expenditure for policy purposes and of specific interest is LFR3 which deals with Social Work expenditure.
- 5.15 There have been a range of data quality issues in respect of the LFR3 returns. It is recommended that in the interest of consistency councils adhere to the guidance issued on the completion of LFR3⁴

³ <http://www.communities.idea.gov.uk/comm/landing-home.do?id=3298236>

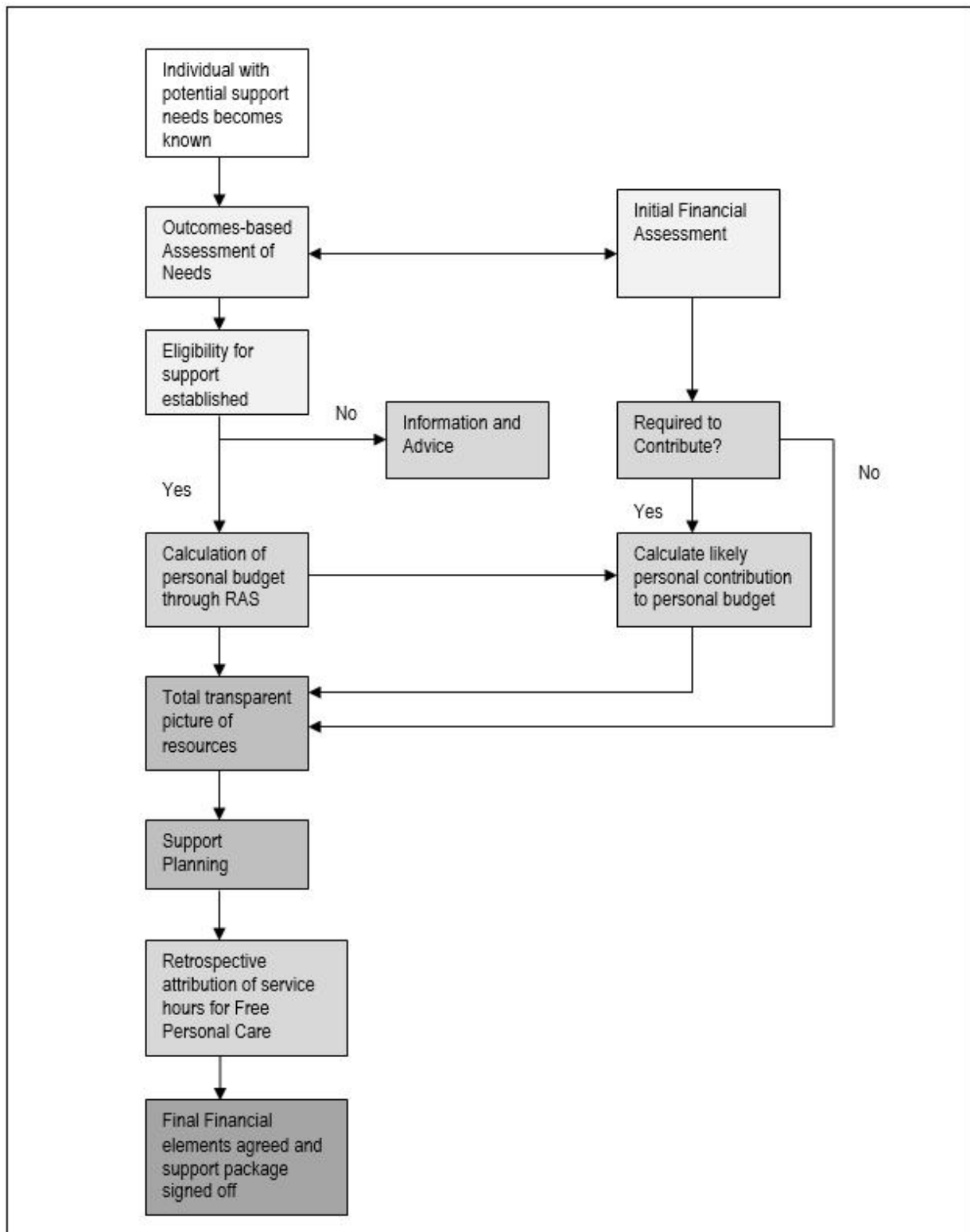
⁴ <http://www.scotland.gov.uk/Resource/Doc/933/0084212.doc>.

Section 6 – Self-Directed Support

- 6.1 Self-Directed Support (SDS) is the term used to describe how people can exercise choice and control over the support or services that allow them to live independently. To achieve this control, SDS helps people to exercise control over the use of resources identified to meet agreed outcomes. This requires the person to be aware of the financial value attributed to meeting their needs – known as an individual budget – to allow them to make an informed choice about how it is used to meet their needs.
- 6.2 The Social Care (Self-directed Support) (Scotland) Act 2013 will require local authorities to provide a range of options, with varying levels of choice and control, to people with eligible support needs. Scottish Ministers will decide a commencement date for the Act in due course however authorities should prepare for it coming into force in early 2014. Notwithstanding this, authorities are already rolling out self-directed support options to individuals. Self-directed Support processes present a variety of challenges for how authorities calculate and impose charges, and so it is important to consider fair and effective charging policies in the context of SDS.
- 6.3 Good practice in self-directed support relies on outcome-based assessment and review. Instead of developing a menu of service types which will have fairly set charges, the typical self-directed approach involves the development of plans based on outcomes and the selection of support within an identified budget. The underlying structure of the traditional system of charging is linked to services. However, in a personalised or self-directed system of support, the focus shifts to enabling people to control and adjust their support at the point of delivery in order to meet their needs and achieve their outcomes. As such, the connection between ‘the service’ and ‘the charge’ becomes less well defined – and in some cases will disappear altogether. In view of this, a conceptual shift will have to be made in respect of how councils charge for services
- 6.4 This guidance recognises that councils will be seeking to make a transition to new arrangements. Some local authorities have changed their approach to a system predicated on a general ‘care and support charge’. Under these arrangements, subsequent to a financial assessment, those individuals with the ability to pay may be required to fund a proportion of their overall budget, which has been calculated as appropriate to meet their needs and achieve their outcomes. This ‘care and support charge’ may be linked to their personal budget and their ability to pay rather than the services that they ultimately utilise to meet their needs.
- 6.5 We have chosen to describe this arrangement as the ‘care and support charge’. While councils should come to a view about how to describe any new charging regime, the change in vocabulary towards a ‘contribution’ based system is something that some people with support needs will find challenging and euphemistic. Third sector organisations have argued that the notion of a ‘contribution’ implies a voluntarism or willingness to pay for charges that might not exist in practice. To that end, councils should give careful consideration to how any new arrangements are described.

Making Sense of Charging for SDS

- 6.6 The previous iteration of guidance included case studies to illustrate how this system operates in practice. Since then these approaches have evolved and are currently undergoing revision; we plan to incorporate updated information on this in a later edition.
- 6.7 Notwithstanding the different approaches that will emerge in each local authority area, it may also be possible to illustrate – at a high level of generalisation - the various components of charging within an SDS context through a systems map. This is set out below.



Collecting the Care and Support Charge

- 6.8 The current position set out in the National Guidance on Self-Directed Support (Circular No. CCD 7/2007) indicates that 'Local authorities are required to make direct payments on a gross basis and to recover the individual's contribution later. This ensures that people on self-directed support are on an equal footing with people receiving other local authority services. It also enables there to be clear distinction between the individual budget and the service user's own funds.'
- 6.9 Nevertheless, it remains standard practice for councils to operate SDS on a net payment basis. Councils report a cost saving in identifying a net personal budget (where the overall quantum of public funding is reduced by the value of the care and support charge levied on an individual) inasmuch as it eliminates retrieval costs.
- 6.10 There may be circumstances where an individual is in the process of disputing the level of charges he/she has been asked to pay. Where an individual in receipt of traditional community care services disputes the level of charges, and does not pay whilst the dispute is being settled, the local authority cannot withdraw or reduce the service.
- 6.11 Draft regulations and guidance to accompany the SDS Act will further clarify the gross/net issue and will be considered by Parliament in early 2014.

Treatment of Free Personal Care and other Non-Chargeable Services

- 6.12 By framing the discussion around a general care and support charge levied on the individual, the concept of free or subsidised services can be difficult to sustain. When people are required to fund a proportion of their personal budget, they are not paying towards the cost of specific services.
- 6.13 From a council's point of view, therefore, managing a system that includes free services creates additional complexity in the administration of SDS. If the Council simply chose to reduce the care and support charge for those people accessing free services, this might be deemed to be unfair to other supported people and hence may be open to legal challenge.
- 6.14 The main issue for councils in Scotland arises in respect of Free Personal Care. While there may be a number of ways to ensure compliance with the legislation, SDS may require some retrospective attribution of 'service hours' to an individual's support package. The collection of the care and support charge can therefore only be finalised once the details of the support plan have been taken into consideration.

Transition to SDS-compatible arrangements

- 6.15 In making the transition to a charging policy that is compatible with SDS, it is important to consider the impact on people who are being supported. The following checklist is designed to ensure any transition is fair and transparent:
- Councils should carry out a desktop analysis to determine the impact of changes to the policy on both individuals and income to the authority as a whole;
 - Councils should ensure that any new policy is co-produced with citizens and communities of interest;
 - An equality impact assessment should be undertaken;

- Councils should consider what (if any) transitional arrangements may be needed where the amount an individual is charged changes significantly. Any transitional protection should compare the amount that an individual paid under the previous charging regime against the amount he or she is required to pay under the new arrangements. Transitional protection should have a clear timeframe which should apply equally to all, be transparent and recorded in a policy.

6.16 Consultation with stakeholders on any policy charges is essential. Any consultation document would need to help people to understand why these changes are being introduced and how it will affect the way people engage with councils and partner organisations.

Power to charge carers under SDS legislation

6.17 Section 3 of the Self-directed Support (Scotland) Act 2013 will give local authorities the power to provide carers with support to help them continue in their caring role and, where the authority has decided to provide support, confers a duty on the local authority to offer the self-directed support options.

6.18 Section 16 of the Act establishes a general power for local authorities to charge for support provided to carers under Section 3. However, Scottish Ministers indicated during the course of the Act's Parliamentary progress that they intend to introduce Regulations which will in fact prevent councils from imposing any such charges. The draft Regulations which will eventually impose this restriction local authority discretion will be subject to a full public consultation and they will not take effect until the commencement of the Act. However local authorities should prepare for the introduction of Regulations on the assumption that charges for support to carers under Section 3 of the SDS Act will be waived.

Section 7 – Substantive Guidance

- 7.1 This section comprises the detailed material guidance to which local authority officers should refer when developing or revising local charging policies. This will also be of significant interest to a wider audience of stakeholder organisations and the general public.
- 7.2 The following paragraphs comprise the practical elements councils need to accommodate within their charging policies. It includes recommended approaches to the treatment of income in terms of minimum income, charging thresholds and maximum contributions or charges required from a supported person.
- 7.3 Welfare Reform will result in wide ranging changes to both universal and disability benefits over the next few years. During the period of transition the out-going benefits system will run in parallel with the new system. Whilst the introduction of Universal Credit will eventually replace Income Support and Disability Premiums, these benefits along with Pension Credit will continue to be awarded and will continue, this year, as the agreed basis for calculating the **charging threshold** referred to below.
- 7.4 In terms of the potential disregards which are set out in figure 7.1 and at annex C it is suggested that councils treat the mobility component of PIP in the same way as the mobility component of DLA.

Charging Thresholds

- 7.5 A charging threshold is the set level of personal income below which a person can receive community care service(s) without needing to pay a contribution or charge toward the cost of the service(s) they receive.

People whose income falls below the charging threshold do not need to pay a contribution or charge toward the community care services they are assessed as needing.

DWP Rates

- 7.6 At the moment and in the absence of any other suitable national index the **charging threshold** is linked to rates set by the UK Government Department for Work & Pensions. These are rates of benefit which provide a top up of weekly income to a **guaranteed minimum amount** and are set out below.

Income Support - Personal Allowance	2014/2015 (weekly)
Single Person	72.40
Couple	113.70

Disability Premium	2014/2015 (weekly)
Single Person	31.85
Couple	45.40

Pension Credit - Guarantee Credit	2014/2015 (weekly)
Single Person	148.35
Couple	226.50

Figures from DWP Schedule of benefit rates from April 2014 (released December 2013).

Buffer

- 7.7 In order to provide more help to those on low income and to recognise that not all of a user's income above these rates should be taken in charges, a **buffer** is added to the income levels above. This buffer is currently set at **16.5%** (see fig 7.2. for an illustration of how the maximum charge is reached).
- 7.8 The **charging threshold** is worked out by adding the buffer (16.5%) to the appropriate DWP rate(s) for groups of people as set out in the following tables (*all thresholds are rounded up).
- 7.9 For people aged below state pension qualifying age the **Income Support Personal Allowance** and the **Disability Premium** are added together with the buffer added to the sum of these two rates as shown below.

	Income Support - Personal Allowance	Disability Premium	Buffer 16.5%	Charging Threshold* (weekly)
Single Person	72.40	31.85	17.20	£122
Couple	113.70	45.40	26.25	£186

- 7.10 For people aged state pension qualifying age or above the **Pension Credit Guarantee** is used as the basis for the charging threshold calculation with the buffer added as shown below (whilst at this time there is no change to the charging guidance on these age thresholds councils may wish to be aware of the information on the DWP alignment of pension ages set out at Annex B).

	Pension Credit - Guarantee Credit	Buffer 16.5%	Charging Threshold* (weekly)
Single Person	148.35	24.47	£173
Couple	226.50	37.37	£264

- 7.11 It is recommended that the charge thresholds be uprated on an annual basis, using the approach outlined in the above paragraphs. The benefit uprating figures are normally announced in November each year allowing Local Authorities to make any necessary adjustments in their charge arrangements to take effect at the beginning of the financial year.
- 7.12 Earlier guidance recommended that local authorities should specify different rates for persons under and over 60; this was based on previous DWP Guidance. However, councils

may now wish to give consideration to this in the context of the Equality Act 2010⁵ and the on-going DWP alignment of state pension qualifying age for men and women (Annex B).

Income

- 7.13 **This describes all user income which needs to be taken into account to establish the income level for comparison with the charging threshold.** Local Authorities should consider adopting a common approach to the treatment of income (see fig 7.1. for an illustration of the calculation process).

Income from all sources should be considered and should take account of net earnings and all social security benefits with the exception of the mobility component of the Disability Living Allowance/Personal Independence Payment.

- 7.14 There may be local circumstances, where individual local authorities want to make local policy decisions to exclude or disregard other sources of income to reflect local needs. Examples include disregarding war pensions and gallantry awards and disability premiums. **The use of such discretion is not limited by this guidance.**
- 7.15 The threshold figures should be **net** of housing and council tax costs (if applicable). Housing costs will include rent and mortgage interest payments and costs for Council Tax should also be deducted. Local authorities may wish to consider including in the disregard water and sewerage costs and household insurance premiums as other housing costs. Councils may also wish to disregard other specific costs of living, for instance disability related expenditure.

Case law suggests that where a local authority does not provide ‘night time’ services, it is inappropriate to have regard to the higher rate of Disability Living Allowance (DLA) or Attendance Allowance (AA) in the financial assessment (R v. Coventry City Council, November 2000). In these circumstances only the middle rate for DLA and the lower rate for AA should be taken into account.

Earnings

- 7.16 Where a supported person or their partner is in receipt of earned income when assessing chargeable income Local Authorities should only take account of net earnings. In addition they should also apply minimum earnings disregard of at least £20.

Partners

- 7.17 Where one member of a couple is in receipt of non-residential services most Scottish Local Authorities take account of the joint income and capital in the financial assessment. The basis for charging for non-residential care charges is S87 of the Social Work (Scot) Act 1968.
- 7.18 While paragraph 28 of the Scottish Office Circular SWSG1/97 states that “*under section 87(1A) of the 1968 Act authorities may charge only the person receiving the service and should have regard only to that individual’s means in assessing his or her ability to pay*”, it

⁵ The Equality Act (2010) includes powers to ban discrimination against older people in the provision of goods, facilities, and services. However, provisions that benefit older people, such as free bus passes, are still allowed. Within this context, it may be that preferential thresholds for people over 60 will continue to be lawful.

goes on to state in paragraph 29 that *“Local authorities may, in individual cases, wish to consider whether a client has sufficient reliable access to resources, other than his or her own resources, for them also to constitute his or her means for the purposes of Section 87(1A). The most likely instances of this kind will arise in relation to married or unmarried couples. It will be for the authority to consider each case in the light of their own legal advice”.*

- 7.19 COSLA is has secured opinion from Senior Legal Counsel on this matter as follows; *“it is only the ‘means’ of the disabled person that can be taken into account. **However, the means of the disabled person could include an estimate of the value of the benefit provided by the partner in supporting the disabled person;** i.e. the amount that is paid in respect of the disabled person's food; share of housing costs; payment of normal bills etc. on behalf of the disabled person.”*
- 7.20 To secure further clarification the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR) agree that “. . . whilst it is right that the ‘means’ of the person receiving care services should be taken into account when determining their contribution toward the cost of those services, it is not right to *routinely include all* of a partners financial resources/income as part of those means; although it may be appropriate to include a proportion of that resource.
- 7.21 Local Authorities should determine what is a reasonable and proportionate value of any such benefit either on a case by case basis or by setting a reasonable flat rate for all. In light of the legal opinion referred to here, it is important that local authorities consider the proportion of a partner’s income or capital that can be taken into account in the financial assessment. The table below sets out possible options that local authorities may wish to consider for how income/capital should be treated in the financial assessment.

Ownership of income/capital	Treatment of Income/capital
Solely owned by Individual	Taken into account subject to normal disregards
Solely owned by Partner	Should not routinely be taken into account as part of financial assessment. See paragraph 7.20 – 7.22 above. However the local authority should look at this on a case by case basis.
Jointly owned	Normally the individual is considered to be in possession of an equal share of any joint financial resources.
Social security benefits paid to one member of a couple at couples rates, for example, pension credit, income support etc.)	It would be appropriate for a local authority to consider what proportion of such income is “reasonable” to consider as part of the individual’s means. It is for the local authority to decide what a reasonable proportion is.

Compensation Payments

- 7.22 Whilst Councils’ charging policies may currently follow DWP guidance in relation to capital, for the purposes of compensation payments (including compensation payments held in

Trust) it is recommended that Councils should establish the breakdown of any compensation award and consider whether some elements of compensation payments should be included when assessing a supported person's ability to pay a charge.

Dependent Children

- 7.23 It is recommended that income derived from all benefit paid for, or on behalf of, a dependent child should be disregarded.

Capital

- 7.24 It is recommended that capital should be treated in a similar way as means-tested benefits. However, there should be no upper capital limit at which people would be refused a service, as a provision of non-residential services should always be based on need rather than the ability to pay. Capital can be considered as a source of income as such councils may choose to include income based on capital held by the supported person by using the following approach.

	Disregard Capital Below	Weekly Tariff Income
Below state pension qualifying age	£6,000	£1 per £250
State pension qualifying age or above	£10,000	£1 per £500

- 7.25 It should be noted that where a supported person has capital in excess of the amount to be disregarded and is in receipt of Income Support, there will be no requirement for the Local Authority to calculate the capital tariff contribution as this exercise will have been carried out by the Department of Work & Pensions (DWP) with an appropriate adjustment to the amount of Income Support paid to the supported person.

Only available capital shall be taken into account. This precludes taking into account the value of the supported person's home in charging for domiciliary home care services.

Tapers

- 7.26 The previous section deals with setting a level of income below which a user is not required to pay a charge or contribution toward the cost of the services they receive. So essentially it determines whether or not a contribution is needed – a yes or no trigger.

If a user's income is of sufficient level for a charge or contribution to be required the amount the user pays for their service will be determined by individual Local Authorities.

- 7.27 Having arrived at the charging threshold it is recommended that councils should not base the contribution required from the supported person on all the remaining income. Instead councils calculate the maximum contribution by determining a percentage of the remaining income which is available to the supported person over the threshold figure – this determines the maximum total contribution required from the supported person for the services they use regardless of the cost of providing those services.

An additional requirement is that the contribution should not exceed the cost of providing the service(s).

- 7.28 Local authorities are free to agree locally the percentage of excess income which can be required as a contribution. This could range from 0% up to any higher percentage of the excess income which can be justified by the local authority.

Single Person - Below state pension qualifying age			Maximum Contribution (£) % determined by council							
Weekly Income (£)	Charging Threshold (£)	Excess Income (£)	30%	40%	50%	60%	70%	80%	90%	100%
100	122	-22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
120	122	-2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
140	122	18	2.70	7.20	9.00	10.80	12.60	14.40	16.20	18.00
160	122	38	5.70	15.20	19.00	22.80	26.60	30.40	34.20	38.00
180	122	58	8.70	23.20	29.00	34.80	40.60	46.40	52.20	58.00
200	122	78	11.70	31.20	39.00	46.80	54.60	62.40	70.20	78.00
220	122	98	14.70	39.20	49.00	58.80	68.60	78.40	88.20	98.00

Single Person - State pension qualifying age or above			Maximum Contribution (£) % determined by council							
Weekly Income (£)	Charging Threshold (£)	Excess Income (£)	30%	40%	50%	60%	70%	80%	90%	100%
150	173	-23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
170	173	-3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
190	173	17	2.55	6.80	8.50	10.20	11.90	13.60	15.30	17.00
210	173	37	5.55	14.80	18.50	22.20	25.90	29.60	33.30	37.00
230	173	57	8.55	22.80	28.50	34.20	39.90	45.60	51.30	57.00
250	173	77	11.55	30.80	38.50	46.20	53.90	61.60	69.30	77.00
270	173	97	14.55	38.80	48.50	58.20	67.90	77.60	87.30	97.00

- 7.29 In setting the percentage taper which people who use services will contribute, Local Authorities will be influenced by a number of factors, not least, their requirement to raise income which is required to maintain good quality services.

It is recommended that authorities make a number of calculations based on alternative considerations of assessed income (known as a “better off” calculation) to ensure that those people who use services who have higher incomes, who require low levels of services, are not financially disadvantaged through the operation of an income based charge.

Disability Related Expenditure

- 7.30 The Social Work (Scot) Act provides the legal basis for charging for non-residential care. Under s87 of the Act charges must be both “reasonable and practicable” for an individual to pay. Understanding the associated additional daily living costs of living with an illness or a disability is essential if local authorities are to ensure charging levels meet this test. Failure to take Disability Related Expenditure (DRE) into account as part of the financial assessment

could result in charging levels which cause financial hardship and undermine the right of people living with an illness or disability to live independently.

- 7.31 To ensure the extra costs of being disabled are taken into account by charging policies councils should be proactive in considering further disregard of income where additional expenditure is incurred by a service user as a result of living as a disabled person.
- 7.32 It is recommended that local authorities are proactive in gathering information about additional disability related expenses as part of their financial assessment process. Ideally, questions about disability related expenditure should be included in the financial assessment form. This will enable a local authority to decide whether to disregard more of a person's income or capital, over and above any existing disregards, to take account of any disability related expenditure.
- 7.33 Additional costs may relate to, but will not be restricted to:
- additional heating requirements
 - purchase, maintenance and repair of disability related equipment
 - specialist dietary requirement
 - specialist clothing
 - help with cleaning and other domestic tasks
- 7.34 Councils may wish to adopt their own approaches to the consideration of disability related expenditure (DRE) as part of the financial assessment process but this should be set out in their local charging policy.

Hardship

- 7.35 Where a supported person has difficulty in meeting the approved cost of the service due to their financial circumstances, it is recommended that Councils use their powers to abate or waive charges on a case by case basis.

It is unlikely that charging policies will be able to make provision for the full range of personal circumstances. This means that councils should exercise local discretionary powers to apply flexibility in cases deemed appropriate. It is neither necessary nor desirable to issue guidance on how these powers would be applied as such guidance would remove discretion and impose prescription.

- 7.36 It is recommended that all local authorities provide adequate information on their policies for waiving and abating charges (see section on information). This should include details of the processes by which the authority considers such requests.
- 7.37 In designing charging policies, councils should give consideration to the impact of such policies on the well-being of carers, many of whom may experience hardship.

Public Information

- 7.38 In setting out public information on charges, it will be incumbent on Local Authorities to provide plain English explanations of the basis of their charge arrangements, both in policy terms and for billing purposes. Such information should be provided in a variety of

accessible formats, including translations into minority languages where appropriate. It would be good practice to secure a Crystal Mark for this information.

A standard format for charging information is seen as an essential element to a consistent and transparent approach to community care charging and there is broad agreement that that formats should be accessible to the person requiring the information.

- 7.39 As an aid to greater consistency templates for the presentation of charging information and other elements are included at appendix I. These will be added to over subsequent revisions of the guidance.

Leaving Hospital

- 7.40 Older people leaving hospital who are assessed as requiring new, intermediate or additional home care services should receive this free, for a period of up to 42 days; if they are aged 65 or over on the day of discharge and have been in NHS in-patient care for more than one day (24 hours) for treatment, assessment or rehabilitation, or had surgery as an NHS day case.
- 7.41 Relief from charging should not apply to discharges following admission on a regular or frequent basis as part of the person's on-going care arrangements. This would cover, for example, admissions for respite care or for on-going but episodic treatment.

<p>Only new, intermediate or additional services provided after a person comes out of hospital will be free for a limited period. Services that were in place pre-admission and continue after discharge will continue to be chargeable.</p>

This recommendation was set within the context of the Scottish Executive Circular No. CCD 2/2001 "Free Home Care for Older People Leaving Hospital".

- 7.42 After the 42-day period, local authorities will revert to their normal charging practices for home care services.

Income Maximisation & Benefit Take Up

- 7.43 It is recommended that all Local Authorities be proactive in promoting benefit take up for people who use services. Where possible Local Authorities should ensure that there are dedicated staff to promote and assist with Income Maximisation processes for people who use services. Benefit entitlements should be reviewed on a regular basis.
- 7.44 A number of local authorities have negotiated arrangements to share information with the local benefits agency, particularly on the notification of decisions. It is recommended that all local authorities which do not have such arrangements in place should take steps to implement them.

Collection of charges through third party suppliers

- 7.45 Local authorities should be mindful that the collection of charges is their responsibility. Some local authorities pay third party suppliers net of the individual's charge and ask suppliers to collect any charge directly from the individual. In many cases this will be convenient for the individual. In some cases this may not be appropriate and may cause distress to the individual or their family, for example, where a supplier delivers meals to a

person with dementia and asks for cash on delivery. Any such arrangement should be considered on a case by case basis and should only be made with the agreement of the individual and after taking account of the person's capacity to consent to and manage such arrangements safely.

Figure 7.1: Supported Person's Income / Contribution Calculation Process

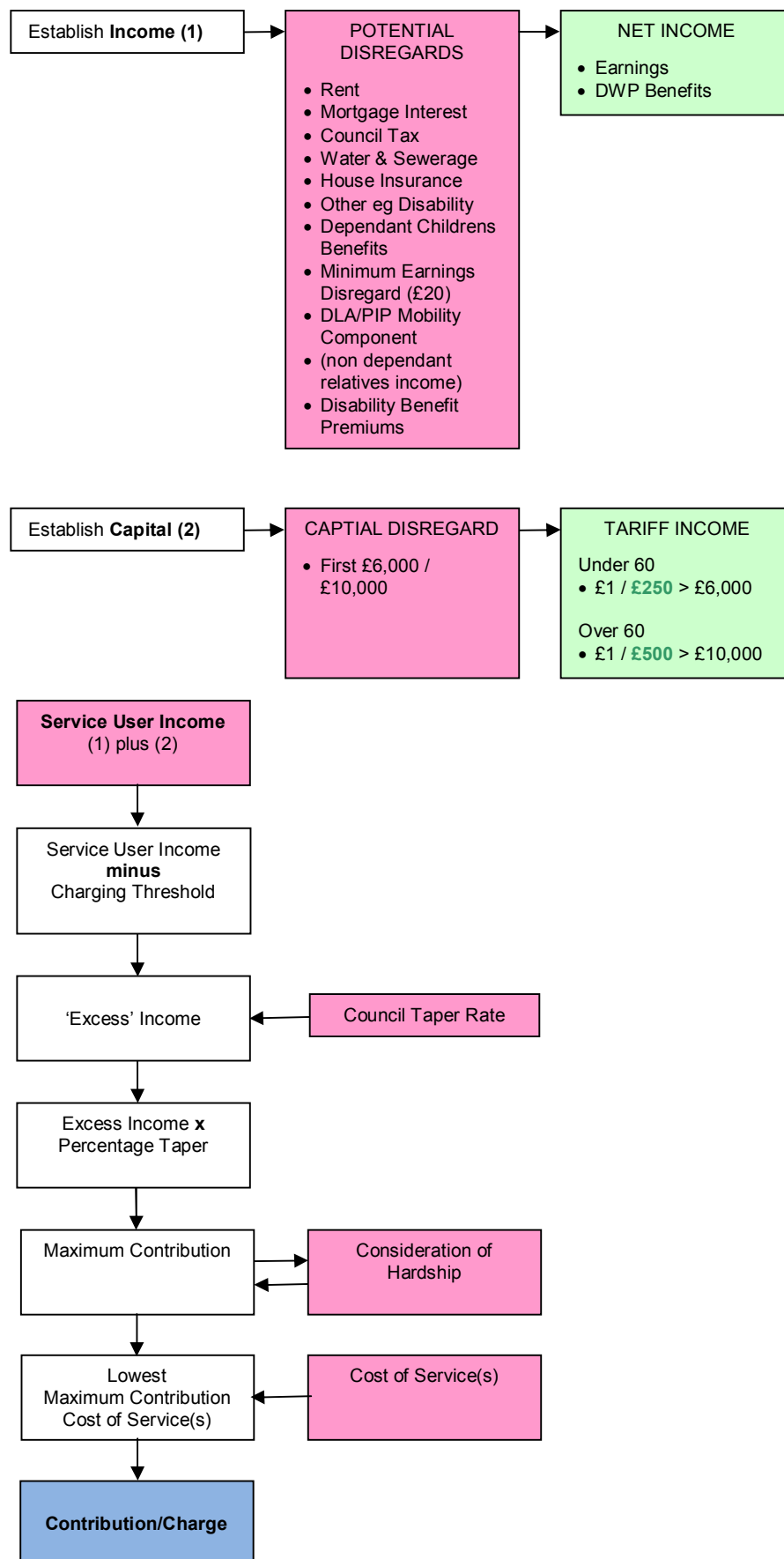
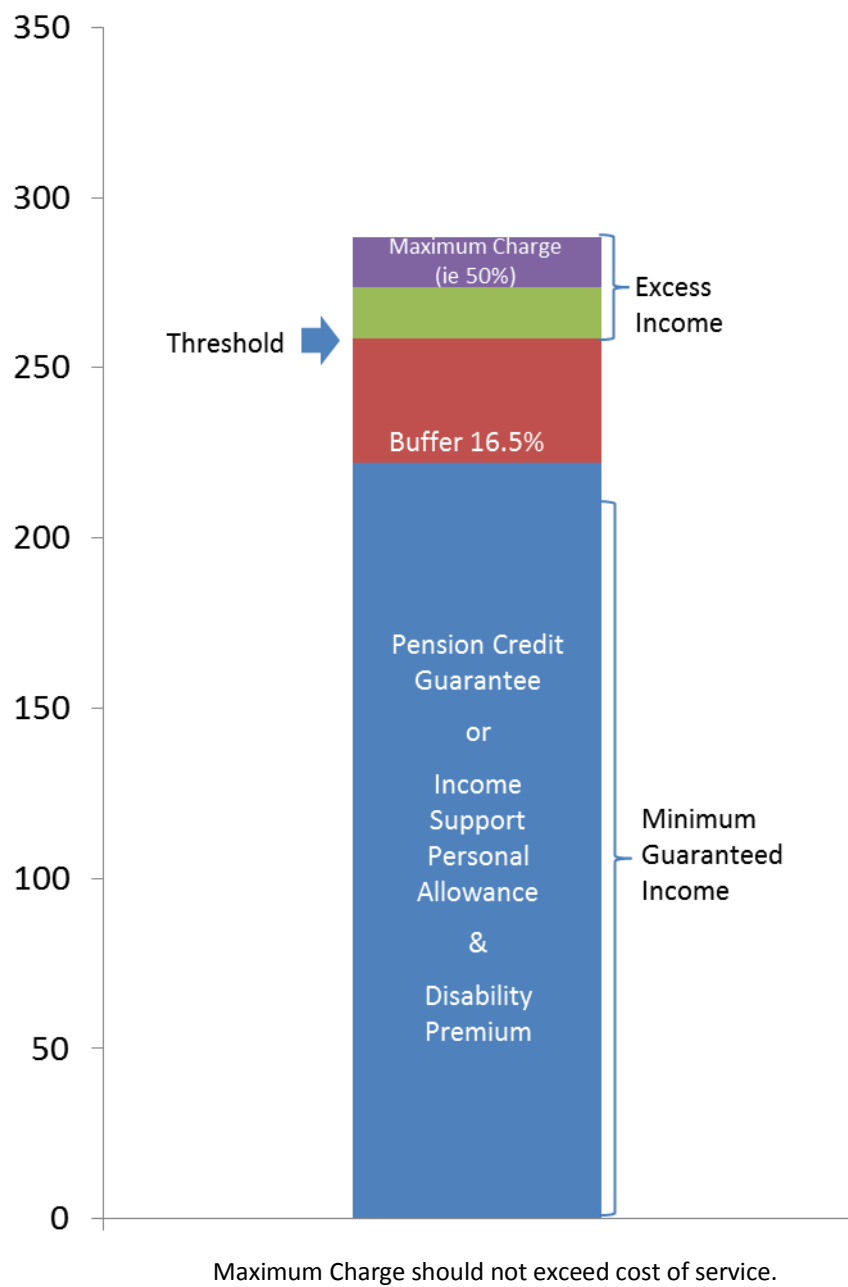


Figure 7.2 : Maximum Charge - Illustration
(example – Couple 60+)



Annex A – Local Charges Information Template

TEMPLATE FOR LOCAL AUTHORITIES PUBLIC INFORMATION – CHARGING FOR NON-RESIDENTIAL CARE

<p>Information on Charging for Services in your Home</p>	<p><area> Council wants to help people live at home independently, safely and for as long as possible. To help us to continue to provide services to people with a range of needs, we may need to charge you for some care and support services.</p> <p>These charges might affect you if you are getting services from us at the moment or if you need them in the future. Charges apply whether the service is provided by <area> Council or is purchased from an external provider.</p> <p>The figures in this guide are correct for the financial year <date> to <date>.</p>
<p>Why is there a charge?</p>	<p>Local Authorities don't have to but are allowed by law to charge adult users of non-residential services provided or arranged under the Social Work (Scotland) Act 1968 and the Mental Health (Care and Treatment) (Scotland) Act.</p> <p>These charges must be "reasonable" for people to pay having regard to the type of service provided and a person's ability to meet the cost. Any charges should not exceed the cost of providing the service.</p> <p>For means-tested services this charge will be determined by a financial assessment.</p> <p>You can find out more about financial assessments below.</p>

Annex A – Local Charges Information Template

What can I be charged for?	If you receive care at home from <area> Council's social work service you may be required to contribute towards the cost of the services you receive.
Will all services be charged for?	<p>Not all services provided to support people at home are subject to charges. The following services are chargeable: <remove/retain as required></p> <ul style="list-style-type: none"> • Care at Home (including Supported Accommodation, Supported Living, and Housing Support Services) • Day Care • Community Alarms & Telecare • Laundry Services • Meals on Wheels • Lunch Clubs • Aids and Adaptations • After Care Services for people with a mental illness • Care and Support Services for those who have or have had a mental illness (in or not in hospital) • Transport <p>The following services are free and are NOT subject to a charge:</p> <ul style="list-style-type: none"> • Criminal Justice Social Work Services • Information and Advice • Needs Assessment • Care Management • Personal Care for Older People • Home Care services for 42 days on discharge from hospital

Annex A – Local Charges Information Template

Who is exempt from being asked to pay?	<p>The following people cannot be charged for care services:</p> <ul style="list-style-type: none">• People who are terminally ill• People aged over 65 just receiving Personal Care• People with a mental illness who are subject to a Compulsion Order															
Who will be asked to pay?	<p>For all other users of non-residential services the Charging Guidance suggests a level of weekly income <i>below which</i> someone cannot be asked to pay care charges. These are known as minimum income thresholds and are:</p> <table><tr><td></td><td>2013/14</td><td>2014/15</td></tr><tr><td>Single person under pension qualifying age</td><td>£120</td><td>£122</td></tr><tr><td>Couple under pension qualifying age</td><td>£183</td><td>£186</td></tr><tr><td>Single person over pension qualifying age</td><td>£170</td><td>£173</td></tr><tr><td>Couples over pension qualifying age</td><td>£259</td><td>£264</td></tr></table> <p>If your assessable weekly income is less than your income threshold figure you should not be charged for a service.</p> <p>If your assessable weekly income is more than your income threshold figure you may be charged for a service.</p> <p><% taper> of the difference between a person's (or couple's) assessed income and this threshold will be the maximum charge for the following services:</p> <p><insert relevant services></p>		2013/14	2014/15	Single person under pension qualifying age	£120	£122	Couple under pension qualifying age	£183	£186	Single person over pension qualifying age	£170	£173	Couples over pension qualifying age	£259	£264
	2013/14	2014/15														
Single person under pension qualifying age	£120	£122														
Couple under pension qualifying age	£183	£186														
Single person over pension qualifying age	£170	£173														
Couples over pension qualifying age	£259	£264														
How will charges be calculated?	<p>The services you receive will always be based on your needs and the charge will be based on your ability to pay.</p>															

Annex A – Local Charges Information Template

	<p>When we assess your income to see how much you can pay, this is known as a financial assessment.</p> <p>A financial assessment will be carried out if you receive a chargeable service.</p>
What happens during a financial assessment?	<p>An officer from the council will come and visit you at home to undertake a financial assessment.</p> <p>The officer is required to have proof of all income and capital held.</p> <p>You should therefore have available for inspection any Pension or Benefit statements, and bank or savings books relating to your financial affairs.</p>
Q and As about financial assessments <ul style="list-style-type: none"> • What information must I provide? • What if I refuse to provide this information? • What income and expenditure is taken into account in the Financial Assessment? • What income and expenditure are excluded? • What costs are to be deducted in arriving at the assessable income level? • Will my partner's information be included in the financial assessment? • I have children, will that affect my financial assessment? • Will my savings be taken into account? • How will my capital be calculated? • Will the capital value of my house be taken into account? 	

Annex A – Local Charges Information Template

<ul style="list-style-type: none"> • Will my Benefits be taken into account? • I get payment from the Independent Living Fund. Will this be counted in the income and expenditure assessment? • What happens if someone's finances are managed by another person? • Can I get a full benefits check at the same time? • Do I have to have a financial benefits check done? • Do I have to tell you if my income or savings change? • Do I have to pay if no care or support service is provided because I am in hospital or on holiday? • If my Home Carer is on holiday do I have to pay? • Will I be charged for the full hour if only part of an hour of care or support is given? • If I need more than one home carer will I be charged for both? • Will my Self-Directed Support or Direct Payments be affected? • Will I have to contribute if I am 65 or over? • What happens if I can afford to pay but do not? • What should I do if I am finding it difficult to pay? • What happens to the information I give you? • When will the financial assessments begin? • What if I am unhappy with any part of the financial assessment? 	
Financial assessment examples	<insert three worked examples of financial assessments>

Annex A – Local Charges Information Template

<p>What calculation is made to determine my care charge?</p>	<p>To determine the maximum amount you can afford to contribute towards your care package, the following calculation will be completed:</p> <p><u>Example A</u></p> <p>Total Assessed Income (A) Less Applicable Housing Costs (B) Less Applicable Disregards (C) Less Relevant Income Threshold (D) Equals residual income (E) Maximum charge (F) is equal to residual income (E) multiplied by a taper of <taper %>.</p>
<p>In what circumstances would charges be waived?</p>	<p><i>Information about any capacity the council has to abate or waive charges under ‘Cases of Hardship’ and details of what types of issue are considered hardship for either client or carer which warrant abatement.</i></p>
<p>Further questions</p>	<p>If you have any further questions please phone us on <telephone number> or email us on <email address>.</p>

Annex B – Disability Related Expenditure (DRE) Example Approaches

DWP Alignment: Pension Credit & Women Pension Age / Men Pension Age
State Pension age for women affected by the equalisation of State Pension Age

Date of birth	Date of State Pension age
6 March 1952 to 5 April 1952	6 March 2014
6 April 1952 to 5 May 1952	6 May 2014
6 May 1952 to 5 June 1952	6 July 2014
6 June 1952 to 5 July 1952	6 September 2014
6 July 1952 to 5 August 1952	6 November 2014
6 August 1952 to 5 September 1952	6 January 2015
6 September 1952 to 5 October 1952	6 March 2015
6 October 1952 to 5 November 1952	6 May 2015
6 November 1952 to 5 December 1952	6 July 2015
6 December 1952 to 5 January 1953	6 September 2015
6 January 1953 to 5 February 1953	6 November 2015
6 February 1953 to 5 March 1953	6 January 2016
6 March 1953 to 5 April 1953	6 March 2016
6 April 1953 to 5 May 1953	6 May 2016
6 May 1953 to 5 June 1953	6 July 2016

Annex B – Disability Related Expenditure (DRE) Example Approaches

6 June 1953 to 5 July 1953	6 September 2016
6 July 1953 to 5 August 1953	6 November 2016
6 August 1953 to 5 September 1953	6 January 2017
6 September 1953 to 5 October 1953	6 March 2017
6 October 1953 to 5 November 1953	6 May 2017
6 November 1953 to 5 December 1953	6 July 2017
6 December 1953 to 5 January 1954	6 September 2017
6 January 1954 to 5 February 1954	6 November 2017
6 February 1954 to 5 March 1954	6 January 2018
6 March 1954 to 5 April 1954	6 March 2018
6 April 1954 to 5 May 1954	6 May 2018
6 May 1954 to 5 June 1954	6 July 2018
6 June 1954 to 5 July 1954	6 September 2018
6 July 1954 to 5 August 1954	6 November 2018
6 August 1954 to 5 September 1954	6 January 2019
6 September 1954 to 5 October 1954	6 March 2019
6 October 1954 to 5 November 1954	6 May 2019

Annex B – Disability Related Expenditure (DRE) Example Approaches

6 November 1954 to 5 December 1954	6 July 2019
6 December 1954 to 5 January 1955	6 September 2019
6 January 1955 to 5 February 1955	6 November 2019
6 February 1955 to 5 March 1955	6 January 2020
6 March 1955 to 5 April 1955	6 March 2020
6 April 1955 to 5 April 1959	65th birthday

DWP Alignment: Pension Credit & Women Pension Age / Men Pension Age

Annex C – Potential Disregarded Benefits/Income List

Adoption (Scotland) Act 1978 (section 51A) Payments
Age-Related payments Act 2004 Payments
Armed forces compensation scheme (£10 per week)
Armed Forces Independence Payment
Backdated Benefits
Bereavement Payment
Budgeting Loan
Capital – various different levels of disregard
Carers Allowance (previously Invalid Care Allowance)
Carers Premium
Certain payments made to trainees
Charitable and special funds
Child Benefit
Child related premiums paid to pre April 2003 Income Support Claimant
Child Support Maintenance Payments
Child Tax Credits
Children's Benefits
Christmas bonus
Christmas Bonus paid with benefits
Cold Weather Payments
Concessionary Coal payments
Council Tax Benefit / Council Tax Reduction
Dependency increases paid with certain benefits
Difference between higher and lower rate of Attendance Allowance and higher and middle rate of DLA care when the person is not receiving night-time services
Difference between enhanced and standard rate of Personal Independence Payment (Daily Living Component) when the person is not receiving night-time services
Direct Payments made by a local authority under Section 12B of the Social Work (Scotland) Act 1968 to Individuals in respect of a care service that they or a dependent child have been assessed as requiring
Disability benefits paid to client's partners where the partner is not a service user
Disability Living Allowance (Mobility component)
Disability payment in respect of child
Discretionary Housing Payments
Earnings
Far East Prisoner of War payment
Gallantry Awards (e.g. GC, VC, similar from abroad)
Guarantee Credit
Guardian's Allowance
Housing Benefit
Income from a "home income plan" annuity
Income from a mortgage protection policy

Annex C – Potential Disregarded Benefits/Income List

Income frozen abroad
Income in kind
Income Support
Independent Living Fund Payments
Industrial Disablement Benefit
Industrial Injuries Benefit
Industrial Injury Disability Benefit
Kinship Care payments
Personal Independence Payment (Mobility Component)
MOD Pension
Non-dependent child payments
Non-therapeutic Earnings
Partner's earnings
Personal property, such as household goods, family car etc.
Scottish Welfare Fund – Community Care Grants
Scottish Welfare Fund – Crisis Grants
Social Fund payments
Student Loan Repayment
Sure Start Maternity Grant
Tax Credits
The Macfarlane Trust
The value of any ex-gratia payments from the Skipton Fund to people infected with Hepatitis C as a result of NHS treatment with blood or blood products
Therapeutic Earnings
Trainees' training premium and travelling expenses
Victoria Cross/Japanese Prisoner of War Payments
Victoria or George Cross payments
War Pensioner's Mobility Supplement;
War Widow(er)'s supplementary pension
War Widow's Pension (but not War Widows' Special Payments).
War Widows Pension (pre 1973)
War widows special victims awards
War Widows/Widowers Pension and War Disablement Pension.
War Widows' Special Payments
Where the Service User is a student, any grant payment for a public source intended for the childcare costs of a child dependent
Winter Fuel Payments
Work expenses paid by employer, and expenses paid to voluntary workers
Earnings disregard of £20.00 per week.

The following are also disregarded in calculations

- Contributions towards rent / mortgage after housing benefit
- Contributions towards Council Tax / Water & Sewerage.

Appendix 2

Summary of Stakeholder feedback and responses

Issue (raised via COSLA consultation or via local feedback)	Response
<p>Concern regarding inequity of capital disregard between those aged under or over 60 years of age</p> <p>Aged 59 and under: £6000 with £1 in every additional £250 counted as income</p> <p>Aged 60+: £10,000 with £1 in every additional £500 counted as income</p>	<p>COSLA allows for this to continue but warns of potential equality issues.</p> <p>The draft policy therefore proposes a flat rate of £10,000 with £1 in every additional £500 counted as income for all ages.</p> <p>This potentially reduces the charge for up to 90 clients but will only do so if they have more than £6000 capital.</p>
Concern that no “agreed lodging allowance” specified	An agreed lodging allowance has been specified in the draft policy which takes account of the expenses a family might be liable for when they have disabled adult offspring or siblings residing with them.
Concern that there was no facility for listing disability related expenditure in the 2013/14 financial assessment	COSLA Guidance suggests that local authorities should be proactive in gathering information about additional disability related expenditure, and ideally questions regarding this should be included in the financial assessment form. Collation of this information is proposed for the new financial assessment form. This can include, for example, data on additional heating requirements, specialist dietary requirement or specialist clothing.
Charging of carers	The regulations which come into force on 1 st April 2014, makes allowance for waiving the charges for carer’s in relevant circumstances. These will be specified more clearly once the regulations are made public.
Title of policy	COSLA guidance notes concerns from third sector organisations regarding the use of the term “Contribution”. The guidance suggest that councils can decide on their own terminology but chooses to describe the charges as “Care and Support Charge”. This is the title it is proposed to adopt locally.
Style and clarity of invoices	This has been discussed with appropriate staff and improvements will be in place for invoices from the new financial year onwards.
Assistance for people requiring help with completing financial assessments	Provision has been made within the Directorate’s Financial Assessment Officer’s role to be available for more complex financial assistance, and to provide advice to other staff where required.
Clearer procedures around waiving or abating of charges and hardship	Clearer procedures around waiving or abating of charges and issues of hardship have been written into the policy.
Ready reckoner	A number of queries have been received regarding the availability of a “ready reckoner” or self-assessment tool. This is not available locally but COSLA have the development of a tool to estimate local charges as part of their work plan for the next year.



Shetland Islands Council

Community Health and Social Care

Care and Support Charging Policy

2014/15

DRAFT

Approved by Shetland Islands Council date...

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Appendix 1 Table of Charges

1. Policy Statement

This Care and Support Charging Policy, which was agreed by Shetland Islands Council on (date), explains how we will work out how much customers should be charged towards the cost of the services they receive. The policy covers non-residential services for all people using social care services.

The policy is intended to help staff working for the Council, service providers, customers and other interested groups to understand how we will calculate charges.

Shetland Islands Council will charge for services where there is a statutory power to do so. We will not charge for 'personal care' services for people 65 years and over, as defined by the Community Care and Health (Scotland) Act 2002.

2. Principles on which the Care and Support Charging policy is based

Ability to Pay – all customers will contribute towards the cost of services they use, on the basis of their available income and cash assets.

Maximum charge – we will not charge more than the cost of providing the service

Equity – all service users will be treated equally

Transparency – service users will know how and why they are being charged for a particular service

Compliance with national guidance – the charging policy complies with COSLA's Guidance on charging policies for non-residential services that enable people to remain in their own home – 2014-2015, the National Assistance Act 1948 and the National Assistance (Assessment of Resources) Regulations 1991.

3. Aims of the Care and Support Charging Policy

The policy explains:

What income, savings and capital we take into account when working out how much someone has to pay towards the cost of the service they receive. This is called the financial assessment.

How we treat that income, savings and capital.

What allowances are made for an individual's circumstances.

What happens if a customer can't pay or won't pay.

4. Charges for Community Care Services

4.1 Services for which we may ask the customer to contribute.

We will ask customers to meet the costs of the provision of the following services which have a set charge and are excluded from customer financial assessments.

- Community Alarm provision
- Cost of meals provided at Day Care
- Meals on Wheels

We may ask customers to contribute to the cost of the provision of the following services.

- Attending Day Services
- Care at Home
- Domestic Support
- Supported Living and Outreach Services
- Mental Health services

4.2 Services that are provided free of charge

- Personal care tasks as defined by the Community Care and Health (Scotland) Act 2002 for people 65 years of age and over.
- Service for people with a mental illness who are subject to a Compulsory Treatment Order.
- Services provided by the Criminal Justice Service.
- New or additional services for people age 65 and over who are being discharged from hospital. In this circumstance they will not be expected to contribute to their support for a period of 42 days.
- People who are terminally ill.

4.3 Charging for services provided to carers

In some circumstances we will not charge for support provided to carers to enable them to provide replacement care to a cared-for person. In these circumstances, the carer must have been in receipt of an assessment of their own needs, and must have been assessed as providing a substantial amount of care on a regular basis. This area will be subject to review from April 2014, and clearer guidelines will be provided in due course.

4.4 Charging threshold

The charging threshold is the set level of personal income below which a person can receive community care service(s) without needing to pay a contribution or charge towards the cost of the service(s) they receive. We will not ask you to pay a charge where your income falls below the charging threshold.

The amounts set are linked to the rates set by the UK Government for the Department of Work and Pensions. For people under state pension qualifying age, we also allow a disability premium. A further 16.5% **buffer** is set on top of this amount to allow more help for people on low income.

For people aged below state qualifying age, the Income Support Personal Allowance and the Disability Premium are added together with the buffer added to the sum of these two rates as below:

	Income Support - Personal Allowance	Disability Premium	Buffer 16.5%	Charging Threshold (weekly)
Single Person	72.40	31.85	17.20	£122
Couple	113.70	45.40	26.25	£186

For people aged state qualifying age or above, the Pension Credit Guarantee is used as the basis for the charging threshold calculation with the buffer added as below:

	Pension Credit - Guarantee Credit	Buffer 16.5%	Charging Threshold (weekly)
Single Person	148.35	24.47	£173
Couple	226.50	37.37	£264

4.5 Financial assessment and household income

Customers will be asked to complete a financial assessment form.

If a customer does not want to provide financial information for the assessment we will charge the full cost of providing the service. This may mean that we may charge more than we would have done had we carried out a financial assessment.

Customers will be financially re-assessed on an annual basis unless their total package is covered by Free Personal Care, or the services they receive are not subject to a financial assessment. If a customer's circumstances changes in the mean time they can request a new financial assessment.

4.6 Partners

The customer and their partner's income and capital will be taken into account for the provision of services which benefit both, i.e. domestic care tasks.

Where services are only provided to one member of the household, the following will apply:

Ownership of income/capital	Treatment of Income/capital
Solely owned by Individual	We will take this into account subject to normal disregards
Solely owned by Partner	We will not routinely take this into account as part of financial assessment.
Jointly owned	We will normally consider the individual to be in possession of an equal share of any joint financial resources.
Social security benefits paid to one member of a couple at couple's rates, (for example, pension credit, income support etc.)	It would be appropriate for a local authority to consider what proportion of such income is "reasonable" to consider as part of the individual's means. It is for the local authority to decide what a reasonable proportion is.

4.7 Income maximisation and benefit take-up

We will advise and draw customer's attention to sources of advice and help concerning their entitlement to receive state and other benefits.

4.8 Income disregarded in the financial assessment

We will disregard the income from the following sources when calculating how much people should pay towards the cost of the services they receive:

- Mobility component of Disabled Living Allowance
- All benefits paid for or on behalf of dependent children e.g. Child benefit
- Tax Credit
- Disability payment in respect of child
- War widows supplementary pension

We will take all other income into account, including net earnings and all social security benefits.

4.9 Earnings

Where a supported person or their partner is in receipt of earned income, when assessing income, we will only take account of net earnings. In addition, we will apply a minimum earnings disregard of £20.

4.10 Compensation payments

Where a person is in receipt of a compensation award, we will establish the breakdown of any payments and consider whether some elements should be included when assessing a supported person's ability to pay a charge.

4.11 Capital rules

We will take into account available capital such as savings held in a bank, building society, post office or other savings account, bonds, stocks and shares, value of PEPs, ISAs, etc. The value of a supported person's home is not taken into account for the purposes of this policy.

We will disregard capital below £10,000. £1 per £500 of capital above £10,000 will be counted as a source of income for the purposes of this policy.

Where a person has capital in excess of £10,000 and is in receipt of income support, we will not treat the excess as a source of income as this exercise will have been carried out by the Department of Work and Pensions with an appropriate adjustment to the amount of Income Support paid to the supported person.

4.12 Tapering arrangements

A taper is a method for dealing with income available to the service user that is over the threshold figure. We will disregard 30% of the income above the threshold amount. Charges will be based on the remaining 70%.

4.13 Mortgage payments and housing costs

We will deduct all rent payments made after application of housing benefit by people living in rented accommodation when calculating their available income.

We will deduct all capital and interest payments made by owner-occupiers towards mortgages on their primary residence (usual residence where a person owns more than one property) when calculating their available income.

We will deduct the agreed lodging allowance for people who reside at home with their parent/s. The agreed lodging allowance has been set at £59.54 for the purposes of this policy.

We will deduct payments made by owner occupiers and tenants for council tax, water, sewerage and household insurance for building costs when calculating their available income.

4.14 Discharge from hospital

We will not charge people 65 years of age and over on the day of discharge from hospital for 42 days from the date of discharge for any new, intermediate or additional services. This does not apply in cases where admission to hospital is on a regular basis or a frequent basis as part of regular treatment or ongoing care arrangements. Services that were in place pre-admission will continue to be charged for.

4.15 Disability related expenditure

Disability related expenditure is the additional daily living costs of living with an illness or disability. We will collect information on disability related expenditure to ensure that we are taking account of these when calculating your ability to pay. These items will be considered by a Community Health and Social Care panel before a recommendation can be made to waive these charges.

4.16 Cases of hardship and non payment of charges

Where a supported person has difficulty in meeting the approved cost of the service due to their financial circumstances, we will consider abating or waiving the charge. A decision to abate or waive the charge will be made by the Director of Community Health and Social Care, following consideration by the Executive Manager of Social Work at a case review. Any decision to waive all or part of the weekly charge must be reviewed annually at the time of financial re-assessment.

Shetland Islands Council will pursue all assessed charges not paid by people assessed as being able to pay, through the Corporate Council Debt Recovery procedure.

The Director of Community Health and Social Care can recommend a debt for write-off once all normal Council Debt Recovery procedures have been followed. Write-off of debt for non-residential services can only be considered on the following grounds:

- Financial reasons – the customer has died and has left no estate or has absconded
- Social grounds – to pursue the debt would be at the detriment of the customer's well-being

4.17 Temporary or emergency admission to hospital or care home

If a customer was receiving community based services before a temporary admission to hospital or care home, we will not charge for services while they are away from home. The customer would be required to meet any cost for residential services if this was the case.

There may be times when care has to be provided at short notice and thus the financial assessment is not completed at the same time. Under these circumstances payments will be begin from the date of assessment.

4.18 Incorrect Financial Assessment

Where we have been given the correct financial information by the customer, or his/her representative, and have calculated the charge wrongly, we will reimburse the full amount of any over-charge. We will seek to recover any amount by which they have been under-charged.

If any under-charge results from the customer, or their representative, providing us with incorrect financial information, we will seek to recover any amount by which they have been under-charged. If a customer, or their representative, provides us with incorrect financial information and this results in their being over-charged, we will refund the amount by which they have been over-charged.

4.19 Information for customers on Care and Support Charges

Customers will be given information about contributions at the time of assessment and charges will be applied from the first date the service is received, unless the customer is the age of 65 years and over and are being discharged from hospital. They will then have a period of 42 days where they will not be expected to contribute.

4.20 Changes to charge rates

All charges will be reviewed regularly. Details of any changes to expected contributions will be published.

4.21 Care and Support Charge appeals and reviews

Customers not satisfied with the calculation or outcome of their financial assessment will be encouraged to discuss their concern with staff involved in the assessment process or the member of care staff working with them. This would normally be their key worker.

Customers who remain dissatisfied will be entitled to pursue their complaint through the Department's complaint procedure.

http://www.shetland.gov.uk/community_care/documents/SC02rev-ComplaintsLeaflet-Jul12.pdf

Appendix 1

Table of charges

Shetland Islands Council

Equality Impact Assessment

Part 1

Title of document being assessed	Care and Support Charging Policy
Is this a new or an existing policy, procedure, strategy or practice being assessed?	Existing policy with modification and updates from 2013/14.
Please give a brief description of the policy, procedure, strategy or practice being assessed	The policy is with regard to charging for non- residential services provided to clients of the Community Health and Social Care service
What is the intended outcome of this policy, procedure, strategy or practice?	The intended outcome is that where individuals are able to they will contribute to the cost of their care package. This will support the council's ability to maintain provisions to meet assessed need whilst also undergoing service redesign and internal efficiency measures.
Please list any existing documents which have been used to inform this Equality and Diversity Impact Assessment	COSLA National Strategy and Guidance, Charges applying to Non-residential Social Care Services. This includes references to high level principles including non-discrimination and equality, anti-poverty measures, and the Equality Act 2010, and Human Rights Act 1998.
Has any consultation, involvement or research with people from protected characteristics informed this assessment? If yes please give details.	In drawing up the guidance, COSLA undertook consultation with a range of organisations including representatives of Age Scotland, Coalition of Carer's, Independent Living in Scotland, Scottish Consortium for Learning Disability, Alzheimer's Scotland and Capability Scotland.
Is there a need to collect further evidence or to involve or consult people from protected characteristic on the impact of the proposed policy? (Example: if the impact on a group is not known what will you do to gather the	There is a need to collate information regarding the impact on people subject to this policy. Therefore the new financial assessment will allow for collation of information on disability related expenditure. The policy allows for the waiving or abating of charges on an individual basis where it is considered that people will experience hardship as a result of the policy.

information needed and when will you do this?)	
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Part 2

Which protected characteristics will be positively or negatively affected by this policy, procedure or strategy?

Please place an X in the box which best describes the overall impact. It is possible for an assessment to identify that a positive policy can have some negative impacts and vice versa. When this is the case please identify both positive and negative impacts in Part 3 of this form.

If the impact on a protected characteristic is not known please state how you will gather evidence of any potential negative impacts in the relevant section of Part 1.

	Positively	Negatively	No Impact	Not Known
Ethnic Minority Communities (consider different ethnic groups, nationalities, language barriers)			X	
Gender			X	
Gender Reassignment (consider transgender and transsexual people. This can include issues such as privacy of data and harassment)			X	
Religion or Belief (consider people with different religions, beliefs or no belief)			X	
People with a disability (consider attitudinal, physical and social barriers)	X	X		
Age (consider across age ranges. This can include safeguarding, consent and child welfare)			X	
Lesbian, Gay and Bisexual			X	

Pregnancy and Maternity (consider working arrangements, part-time working, infant caring responsibilities)			X	
Other (please state)				

Part 3

Have any positive impacts been identified? (We must ensure at this stage that we are not achieving equality for one group at the expense of another)	Continued implementation of this policy will assist in ensuring that the standard of care provided can be maintained across Shetland
Have any negative impacts been identified? (Based on direct knowledge, published research, community involvement, customer feedback etc.)	<p>Individuals may feel that they cannot afford charges that apply. We need to ensure that the financial assessment is being undertaken accurately and consistently.</p> <p>Previous feedback has been collated and the policy has been adapted to take account of concerns.</p> <p>Data on disability related expenditure will be collated, and there is a process for abating or waiving charges where hardship is expected.</p> <p>Previous negative age related differences in charging have been removed.</p> <p>Feedback from clients will continue to be monitored, and efforts will be made to adapt the policy in response to concerns in future.</p>
What action is proposed to overcome any negative impacts? (e.g. involving	As above.

community groups in the development or delivery of the policy or practice, providing information in community languages etc)	
Is there a justification for continuing with this policy even if it cannot be amended or changed to end or reduce inequality without compromising its intended outcome? (If the policy shows actual or potential unlawful discrimination you must stop and seek legal advice)	Yes – the policy has been altered in response to feedback.
How will the policy be monitored? (How will you know it is doing what it is intended to do? e.g. data collection, customer survey etc)	Formal and informal feedback will continue to be collated.