

Swindon Borough Council

Cabinet

Wednesday, 5 February 2020

Committee Room 6, Civic Offices

At 6.00 p.m. or at the Conclusion of the Cabinet Open Forum

Conservative Councillors

David Renard (Chair)

Oliver Donachie

Brian Ford

Dale Heenan

Russell Holland

Mary Martin

Cathy Martyn

Maureen Penny

Gary Sumner

Keith Williams

Committee Officer: Douglas Campbell (Telephone 07779 413886)

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(Telephone 01793 445500)

AGENDA

NOTE:

A Cabinet Open Forum is held at 6:00 p.m. prior to the start of each scheduled Cabinet Meeting. The Open Forum is similar to the 'public question time' that happens at most Council meetings. It provides the chance to meet with Cabinet Members as well as Corporate Directors and Directors to discuss matters relevant to the Cabinet and its responsibilities. It provides an opportunity to raise issues and give views. The Cabinet Meeting will commence at the Forum's conclusion.

1. Apologies for Absence.

2. Declarations of Interest.

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes. (Pages 5 - 14)

To receive the minutes of the meeting held on 4th December 2019.

4. Public Question Time.

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Exempt Items - Exclusion of Press and Public.

Certain items are expected to include the consideration of exempt information and the Cabinet is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act".

<u>Item No.</u>	<u>Paragraph No.</u>
16	3

PART ONE (PUBLIC ITEMS)

- 6. Budget 2020/2021 and Beyond (Minute for Confirmation) CDFA (CM: RH) All Wards (Pages 15 - 48)**
- 7. Capital Programme 2020/2021 (Minute for Confirmation) CDFA (CM: RH) All Wards (Pages 49 - 82)**
- 8. Treasury Strategy Statement 2020/21 (Minute for Confirmation) CDFA (CM: RH) All Wards (Pages 83 - 88)**
- 9. Housing Revenue Account - Rents and Charges 2020/21 CDFA (CM: CM) All Wards (Pages 89 - 102)**
- 10. School Admission Arrangements 2021-22 and Home to School Transport Policy CEPPA (CM: MM) All Wards (Pages 103 - 190)**
- 11. Swindon Pay Policy Statement (Minute for Confirmation) DHROD (CM: KW) (Pages 191 - 194)**
- 12. Transfer of the Community Meals Service to AGE UK Wiltshire HS (CM: MP) All Wards (Pages 195 - 200)**
- 13. Transfer of Parish Services to Parish Councils HS (CM: MP) CE; CL; ET; GP; LE; LF; MW; OT; PS; RC; SH; SA; WP (Pages 201 - 208)**
- 14. References from Other Council Bodies - Health and Wellbeing Board CLO (CM: BF) All Wards (Pages 209 - 234)**
- 15. Wichelstowe Joint Venture - NHBC Guarantee CDCH WW (Pages 235 - 240)**

PART TWO (TO BE CONSIDERED WITHOUT THE PUBLIC OR PRESS PRESENT)

- 16. Land in Central Swindon HTCD (CM: DH) CE (Pages 241 - 254)**

Date of Despatch: 29 January 2020

Key:

Officers:

CDCH - Corporate Director Communities and Housing

CDFA	Corporate Director of Finance and Assets (Section 151 Officer)
CEPPA	Commissioner Education Place Planning and Admissions
CLO	- Chief Legal Officer (Monitoring Officer)
DHROD	Director of Human Resources and Organisational Development
HS	Head of StreetSmart
HTCD	Head of Town Centre Development

Wards

CE	Central
CL	Chiseldon and Lawn
ET	Eastcott
LE	Liden, Eldene, and Park South
LF	Lydiard and Freshbrook
MW	Mannington and Western
OT	Old Town
PS	Penhill and Upper Stratton
RC	Rodbourne Cheney
SH	Shaw
SA	St Andrews
WP	Walcot and Park North

Cabinet Members Responsible for the Service Area concerned:

DR	-	David Renard	Leader of the Council and Chair of Cabinet
RH	-	Russell Holland	Deputy Leader of the Council, Vice-Chair of Cabinet, and Cabinet Member for Commercialisation, Education and Skills
OD		Oliver Donachie	Cabinet Member for Economy and Place
BF	-	Brian Ford	Cabinet Member for Adults and Health
DH	-	Dale Heenan	Cabinet Member for the Town Centre
MM	-	Mary Martin	Cabinet Member for Children's Services
CM		Cathy Martyn	Cabinet Member for Housing and Public Safety
MP	-	Maureen Penny	Cabinet Member for Highways and the Environment
GS		Gary Sumner	Cabinet Member for Strategic Planning
KW		Keith Williams	Cabinet Member for Corporate Services and Operational Excellence

Diversity Impact Assessments

Diversity Impact Assessments (DIA's) are important to ensure the services we deliver are helping us to meet our vision to make Swindon an equal society ; we are also required by the Equality Act 2010 to demonstrate the equality analysis we have undertaken to support decision making, DIAs are our method of doing this.

Diversity Impact Assessments produced in respect of items to be considered at this meeting can be inspected via the following link:

http://www.swindon.gov.uk/info/20029/people_and_communities/309/diversity_impact_assessments

Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing

applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Chief Legal Officer, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council

Meetings Protocol and Guidance" available on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

CABINET

WEDNESDAY, 4 DECEMBER 2019

PRESENT:- Councillors David Renard (Chair), Oliver Donachie, Brian Ford, Dale Heenan, Russell Holland, Mary Martin, Cathy Martyn, Maureen Penny, Gary Sumner and Keith Williams

There were no apologies

The following councillors attended the meeting in respect of the following Minutes: Councillor Emma Bushell, Minute 51; Councillor Jim Grant, Minutes 49 and 58; Councillor Vinay Manro, Minute 56; Councillor Bob Wright, 52, 55, 57, and 58

44. Councillor Des Moffatt

The Chair advised that Councillor Des Moffatt, a long-serving Thamesdown and Swindon Borough Councillor, had sadly recently died. He expressed his and the Council's condolences to Councillor Moffatt's family.

The Cabinet held a Minute's Silence in memory of Councillor Moffatt.

45. Declarations of Interest.

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting.

46. Minutes.

Resolved – That the minutes of the meeting held on 16th October 2019 be confirmed and signed as a correct record.

47. Public Question Time.

Mr Gary Llewellyn, a town planner, Highworth resident, and Warneford School governor asked Councillor Sumner, the Cabinet Member for Strategic Planning:

- a) To confirm whether the land at Shrivenham Road and Redlands phase two were in the Strategic Housing and Economic Land Availability Assessment (SHELAA) document and
- b) To clarify why officers had informed a developer that a site could have 250 housing units when it was specified for 200

Councillor Sumner responded at the meeting.

Mr Roy Warman, Haydon Wick resident, asked a series of questions about the availability of responses to the initial consultation, the five-year land supply figure and the possible effect of accelerated house construction on that figure. The Service Manager – Planning Policy responded at the meeting.

48. Budget Management 2019/20

Councillor Russell Holland, the Cabinet Member for Finance, Skills, and Education

and the Corporate Director of Finance and Assets submitted a joint report updating the position in relation to the 2019-20 forecast budget outturn and the work underway to address the financial challenge in the period to March 2021. In addition, Councillor Holland and the Corporate Director of Finance and Assets stated that the report was to meet the requirement to publish initial proposals for the Budgetary and Policy Framework at least two months before the Framework must be adopted, in accordance with (paragraph 2 (a), Budget and Policy Framework Procedure Rules, part 4 of the Council's Constitution.

Councillor Holland added that the report set out how Cabinet and officers were working to reduce the current projected overspend to end the financial year in balance. Councillor Holland elaborated on how the Council was responding to changes in the local Council Tax benefit scheme in order to ensure recipients were not adversely affected. In response to Council's resolution about Fair Tax (7th November 2019), Councillor Holland drew Cabinet's attention to the joint report and stated how the Council would retain its current procurement processes.

Resolved:-

1. That the in-year forecast outturn position for 2019/20 be noted along with the responding management actions that continue to be employed to eliminate the projected yearend overspend;
2. That the proposed budget and policy framework to address the estimated budget gap of £48m over the four year period to March 2024 be noted;
3. That it be noted that the Local Government Finance Settlement for 2020/21 has yet to be published and therefore the funding position for that year remains uncertain;
4. That it be noted that the council tax base for 2020/21 will be 75,878.9;
5. That the Council's approach to promoting tax compliance through its procurement process be noted;
6. That the virements set out in Appendix 2 to the main report be agreed;
7. That it be agreed that the Local Council Tax Support (benefits) scheme in 2020/21 be amended in line with the national scheme in that, applicable amounts and non-dependant deductions will be increased and mixed age couples claims, where one of the couple becomes a pensioner, will be processed as a working age couple claim;
8. That it be agreed that the Local Council Tax Support (benefits) scheme in 2020/21 be amended to clarify the intention that households where children become 18 and have benefited from the disabilities protection under the local scheme, continue to be protected and do not have their support limited to 80% of the Council Tax liability;
9. That it be agreed that the Council Tax on unfurnished and unoccupied properties in excess of five years be increased from 200% to 300% with effect from 1st April 2020, in accordance with the Rating and Council Tax Act 2018, to encourage their owners to bring them back into use;
10. That it be agreed that the Council's share of the estimated surplus on the council tax element of the Collection Fund as at 31 March 2020 is £991k.

The reasons for the decision and alternative options are as set out in the report to the meeting.

49. Capital Monitoring Quarterly Reports - second quarter 2019/20

Councillor Russell Holland, the Cabinet Member for Finance, Skills, and Education and the Corporate Director of Finance and Assets submitted a joint report setting out the second quarter's monitoring position for the Council's capital programme and some proposed changes to the programme. Councillor Holland welcomed the Planning Committee's recent decision in support of the Southern Connector Road.

Councillor Jim Grant asked a question about what would happen to the Government funding if the compulsory purchase orders did not proceed.

Councillor Gary Sumner, Cabinet Member for Strategic Planning responded in part at the meeting and undertook to provide a full written response.

Resolved:-

1. That the forecast capital expenditure set out in Table 1 & 2 of the joint report and Appendices 1 and 2 be noted.
2. That the changes detailed at paragraphs 3.2 to 3.3 of the joint report be noted.
3. That the additions to the programme noted at section 3.4 of the joint report be approved.
4. That the contents of Appendix 3 regarding the 2018-19 Community Infrastructure Levy (CIL) and its publication on the Council's website be approved;
5. That the annual retention of 5% of the total annual CIL receipts to cover administration costs as per paragraph 3.5 to 3.12 of the joint report be approved;
6. That the intention to allocate CIL receipts to support capital programme proposals will be taken to Cabinet in February 2020 as part of the annual capital budget setting process be noted.

The reasons for the decision and alternative options are as set out in the report to the meeting.

50. Treasury Management Performance 2019/20

Councillor Russell Holland, the Cabinet Member for Finance, Skills, and Education and the Corporate Director of Finance and Assets submitted a joint report setting out the mid-year Treasury Management performance for 2019/20. The joint report noted that the CIPFA Treasury Code of Practice recommends that Treasury Management performance is reported at least twice a year.

Councillor Holland drew Members' attention to possible increases interest rates that might affect the Council's investment priorities. Councillor Mary Martin, Cabinet Member for Children's Services, asked about whether the change in Public Works Loan Board interest rates affected existing loans, to which Councillor Holland responded at the meeting.

Resolved:- That the mid-year Treasury Management performance be noted.

The reasons for the decision and alternative options are as set out in the report to the meeting.

51. Housing Revenue Account - Housing Development Sites

Councillor Cathy Martyn, the Cabinet Member for Housing and Public Safety, and the Corporate Director of Communities and Housing submitted a joint report seeking approval from Cabinet to allocate the proposed housing site at Bromley Close in order for the Council, through the Housing Revenue Account (HRA), to continue developing social housing for the residents of Swindon. The joint report note that the identified site has been selected following Member engagement and the initial undertaking of due diligence by the Council's Planning Department in terms of constraints. In addition, the joint report sought to inform Cabinet of the intended development of the site at Windmill Hill and how this would be brought forward, as well as to provide an update for Members on the intention of developing an options appraisal regarding a High-Rise strategy within the Walcot and Park North Wards.

Councillor Emma Bushell asked the Cabinet Member questions regarding the number of council properties that might be provided, the possible tenancy mix, the design, the engagement with ward members, tenants, and leaseholders, and the need to keep the same level of maintenance, especially in the high rise blocks. Councillor Cathy Martyn responded at the meeting.

Resolved:-

1. That the allocation of the land at Bromley Close, detailed on the plan attached at Appendix 1 to the joint report, be approved as a future housing development site to be delivered through the HRA.
2. That the Head of Property Assets in consultation with the Chief Legal Office be delegated the authority to take all necessary steps to appropriate the land at Windmill Hill, detailed on the plan attached as Appendix 2 to the joint report, from the General Fund to the HRA at a value to be determined, to enable it to be developed through the HRA with potential collaboration with the Swindon Housing Company.
3. That a budget of £50K be approved, to be allocated from the HRA, to progress the detailed feasibility and design for the sites at Bromley Close and Windmill Hill, as well as the work to progress the development of Milverton and Torrington Courts

The reasons for the decision and alternative options are as set out in the report to the meeting.

52. Swindon Borough Local Plan Review - Regulation 19 Consultation (submission draft) (Minute for Confirmation)

Councillor Gary Sumner, the Cabinet Member for Strategic Planning and the Head of Planning, Regulatory Services, and Heritage submitted a joint report seeking Cabinet's recommendation to Council to approve undertaking public consultation on the submission draft Swindon Borough Local Plan Review for a period of 6 weeks in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Councillor Sumner added that the consultation would be for a six week period and that the draft text would be checked prior to publication.

Councillor Brian Ford, Cabinet Member for Adults and Health, spoke on behalf of Councillor Cathy Martyn, Cabinet Member for Housing and Public Safety in their roles as Wroughton and Wichelstowe Ward councillors. Councillors Ford and Martyn advised that they both supported the recommendation that the Local Plan

continue to the next round of consultation. They requested that it be recorded in the minutes that this did not mean they agreed with the proposed site allocations for Wroughton. Councillor Ford added that they would be encouraging residents to respond to the draft. Councillor Ford requested that Councillor Sumner and relevant officers arrange a meeting in Wroughton to inform and consult residents.

Councillor Bob Wright and Councillor Dale Heenan, Cabinet Member for the Town Centre asked questions about:

- How the Local Plan would identify sufficient land for additional tree planting,
- How it would assist the Council in preserving the Borough's existing trees, and
- Whether it would consult on the contraction of the town centre shopping area in line with changing retail trends.

Councillor Sumner and Councillor Keith Williams, Cabinet Member for Customer Services and Operational Excellence responded at the meeting.

Resolved:-

1. That Special Committee be recommended that the Head of Planning, Regulatory Services, and Heritage be authorised to undertake public consultation on the Draft Swindon Borough Local Plan Review as attached at Appendix 1 in accordance with the arrangements set out in paragraph 3.24 of the joint report.
2. That Special Committee be recommended that the Head of Planning, Regulatory Services, and Heritage, in consultation with the Cabinet Member for Strategic Planning, and the Chief Legal Officer, be authorised to make minor non-material changes to the content of the documents if required, prior to publication.

The reasons for the decision and alternative options are as set out in the report to the meeting.

53. Corporate Customer Feedback Policy

Councillor Keith Williams, Cabinet Member for Corporate Services and Operational Excellence and the Head of Customer Services, Registrars and Bereavements submitted a joint report setting out proposed alterations to the Council's current Corporate Customer Feedback Policy following a recent review. The joint report noted that the Corporate Customer Feedback Policy was previously reviewed in February 2015 and therefore required reviewing following the outcome to the Annual Local Government and Social Care Ombudsman's Report 2018-19.

Councillor Williams thanked officers for their work in producing the draft policy and informed Members that the changes reflected common practice in other local authorities and would continue to ensure a consistent approach across the Council.

Resolved:-

1. That it be agreed that the policy be renamed the Customer Feedback and Complaints Handling Policy.
2. That it be agreed that the purpose of the Customer Feedback and Complaints Handling Policy is to provide customers with clear guidance about how to achieve a prompt resolution to complaints in a fair and consistent fashion.

3. That the adoption of the reviewed and updated Customer Feedback and Complaints Handling Policy be authorised as the Council's method for handling all relevant complaints to ensure that, where possible, complaints are resolved internally before such matters are referred to the Local Government Ombudsman (LGO).
4. That the adoption of a new Customer Behavioural Policy be authorised to replace the Council's current Persistent and Vexatious Customer section within the current Corporate Customer Feedback Policy.

The reasons for the decision and alternative options are as set out in the report to the meeting.

54. Amending the Diversity Impact Assessment Process to strengthen Swindon Borough Council's role as a Corporate Parent

Councillor Keith Williams, the Cabinet Member for Customer Services and Organisational Excellence and the Director of Performance, Organisational Improvement and Communications submitted a joint report to update Cabinet on some key actions driven by the Children's Service Improvement plan. The report also sought Cabinet's approval to adopt the equality and diversity strategy, which would lead to an amendment of the Council's current Equality & Diversity policy and process, (Cabinet Minute 132, 2009/2010 refers), to ensure that the needs of Children in Care and Care leavers are at paramount when proposing any policy or service changes across Swindon Borough Council (SBC).

Councillor Williams drew Members' attention to the fact that while children in care and care leavers were not protected characteristics set out in law, the proposals reflected the Council's wider duties towards those young people in and leaving its care.

Councillor Mary Martin, Cabinet Member for Children's Services and Councillor Russell Holland, Cabinet Member for Finance, Education, and Skills, both spoke about the importance of helping young people through the transition stages of care as well as councillors' duty as corporate parents.

Resolved:-

1. That the Equality and Diversity strategy considered by both the Equality Task Group and Equality Advisory Group CMAG in 2018 be approved and that the Equality and Diversity Policy be aligned to deliver the strategy.
2. That beyond the statutory definitions, it be approved that children in care and care leavers be included as a tenth characteristic for the Council's diversity impact assessment process at Swindon Borough Council.
3. That the Chief Executive and relevant officers be authorised to implement the updated diversity impact assessment policy as part of the Council's decision-making processes.

The reasons for the decision and alternative options are as set out in the report to the meeting.

55. Adult Community Learning Plan 2019-21 (Minute for Confirmation)

The Cabinet Member for Finance, Education, and Skills along with the Head of

Skills, Employment and Life Long Learning submitted a joint report setting out the findings or a review of the needs of adult learners in Swindon. The report requested that Cabinet recommend Council approve and implement the new Adult Community Learning Plan 2019-2021 and note the Theory of Change as appended to the main report. Councillor Holland requested that Members note the success rate of the courses provided as reflected in the tables in the joint report.

Councillor Mary Martin, Cabinet Member for Children's Services, asked how the Council was seeking to engage with hard to reach groups, particularly those who had come to Swindon without much experience of formal education or similar opportunities. Councillor Holland responded at the meeting. Councillor Bob Wright asked a question about the numbers who were completing courses and then finding employment. The Head of Skills, Employment and Life Long Learning undertook to provide a written response

Resolved:-

1. That Council be recommended to approve the ACL Plan 2019-21 and the 'Theory of Change' attached at Appendix 1 to the main report and to note the summary of performance.
2. That, subject to Council approving the ACL Plan, that the Head of Skills, Employment and Lifelong Learning be authorised to implement it.

The reasons for the decision and alternative options are as set out in the report to the meeting.

56. Natural England District Licensing Project for Great Crested Newts Habitats

Councillor Gary Sumner, the Cabinet Member for Strategic Planning and Councillor Keith Williams, the Cabinet Member for Customer Services and Operational Excellence, along with the Head of Planning, Regulatory Services and Heritage & Head of Property Assets, submitted a joint report seeking authority for Swindon Borough Council to become part of the national roll-out by Natural England of District Level Licensing (DLL) for Great Crested Newt habitats. This would provide an alternative mechanism for protecting newts, which is intended to reduce the costs on developers and which would enable newt populations to flourish in suitable locations.

Councillor Sumner introduced the joint report, informing Members that a site had been identified and additional sites would be sought.

Councillor Brian Ford, Cabinet Member for Adults and Health, and Councillor Vinay Manro asked question about the size of the great crested newt population and the proposed site. Councillor Sumner and the Planning Manager responded at the meeting. Councillor Dale Heenan, Cabinet Member for the Town Centre, welcomed the report and noted how it would support future development in the Borough.

Resolved:-

1. That the Head of Planning, Regulatory Services and Heritage in consultation with the Chief Legal Officer be authorised to enter into a Memorandum of Agreement to progress the Council's involvement in Natural England's District Level Licensing project for Great Crested Newts (GCN) on such

terms and conditions that are necessary in order to protect the Council's interests.

2. That the Head of Property Assets, in consultation with the Head of Planning, Regulatory Services and Heritage be authorised to:
 - a) Utilise the land at Mouldon Hill, Swindon as shown on the plan attached as Appendix 1 to the main report, for GCN habitat purposes.
 - b) Identify further Council owned land, which is assessed as suitable for GCN habitat and unsuitable for any alternative development, and in consultation with the Cabinet Member for Corporate Services and Operational Excellence, to utilise that land for GCN habitat purposes in line with the District Level Licencing initiative.
3. That the Head of Property Assets in consultation with the Chief Legal Officer be authorised to enter into an agreement with Natural England to regulate the use of land identified in 2(a) and 2(b) above as GCN habitat on such terms and conditions that are necessary in order to protect the Council's interests.

The reasons for the decision and alternative options are as set out in the report to the meeting.

57. Carriage Works Regeneration - Phase II

Councillor Dale Heenan, the Cabinet Member for the Town Centre, and the Head of Town Centre Development submitted a joint report setting out how in 2017 Cabinet approved capital investment of £3.6m for the refurbishment of units 7/9/11 on the basis that the works would only proceed on a pre-let basis. The joint report sought approval for an uplift in the previously agreed budget to £4.6m as well as approval for funds for major structural works to units 7/9 to be released in advance of pre-lets.

Councillor Heenan introduced the joint report by summarising the improvements in phase one and how these proposals, if adopted, would support attracting further jobs as well as promote the Railway Village by opening up the undercroft spaces. Councillor Bob Wright asked a question about financial details, to which Councillor Heenan undertook to provide a written response.

Resolved:-

1. That an increase in the budget for units 7/9/11 of £530,000 funded through borrowing be approved, of which the debt charges will be financed from the existing capital financing budget in year 1, and from rental income beyond that.
2. That it be agreed that a budget of £480,000, funded through borrowing, for additional works to the undercroft as set out at paragraph 3.5 of the joint report. Further, that it be agreed that resulting debt charges will be financed from the existing capital financing budget in year 1, and from rental income beyond that.
3. That it be approved that £0.9m of the total revised budget to be released in advance of prelets.

The reasons for the decision and alternative options are as set out in the report to the meeting.

58. Nythe Road/Oxford Road Capacity Enhancement Scheme: New

Eastern Villages (NEV)

Councillor Gary Sumner, the Cabinet Member for Strategic Planning, and Councillor Maureen Penny, the Cabinet Member for Transport and the Environment, along with the Corporate Director for Communities and Housing submitted a joint report to respond directly to concerns raised by local residents, by petition, to the Nythe Road/Oxford Road Capacity Enhancement Scheme (Draft Council Minute 45, 2019/2020 refers). The joint report outlined the benefits of the scheme, which is being delivered as a part of mitigation requirements for the New Eastern Villages (NEV) development.

Councillor Sumner introduced the draft report and requested that paragraph 1.3 be deleted as this was retained in error from an earlier draft, to which Cabinet consented.

Councillor Russell Holland, Cabinet Member for Finance, Education, and Skills spoke as a ward councillor about the concerns of residents but the greater investment that had been secured for the transport infrastructure. Councillor Dale Heenan, Cabinet Member for the Town Centre, noted the need to make the changes to ensure traffic kept flowing.

Councillors Jim Grant and Bob Wright asked a number of questions relating to:

- Why the Council was not widening some existing roads that had the land to permit this,
- The pattern of traffic flows,
- The degree of concern felt by residents at the proposals affecting Oxford Road, and
- The lack of improvements reported by residents when major works were undertaken at Bruce Street Bridges.

Councillor Gary Sumner responded at the meeting.

Resolved: -That, in light of the residents' petition and Council's resolution, the Corporate Director of Communities and Housing in consultation with the Cabinet Member for Strategic Planning and Cabinet Member for Transport and the Environment, be authorised to proceed with delivering the scheme as it relates to the Oxford Road/Nythe Road junction as approved by Cabinet on July 2019 (Cabinet Minute 21, 2019/20 refers) and summarised in the body of the report

The reasons for the decision and alternative options are as set out in the report to the meeting.

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Budget 2020/21 and Beyond

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Finance, Education and Skills
Corporate Director of Finance and Assets

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 This report proposes a Budget for 2020/21 and sets out the financial context for 2021/22 and beyond.
- 1.2 Under the Council's Constitution, the Cabinet is required to recommend a budget to Council as part of its formal Council Tax Setting responsibilities.
- 1.3 The effective management of financial resources through robust financial planning processes underpins the Council's ability to achieve its plans and priorities.

2. Recommendations

Cabinet is recommended to:

- 2.1 The medium term financial context and impact on Swindon of the draft Local Government Finance settlement;
- 2.2 The projected out-turn for 2019/20;
- 2.3 The consultation feedback summarised in Appendix 2,
- 2.4 The detailed Dedicated Schools budget for 2020/21, based on a provisional funding envelope of £198.28m;
- 2.5 That, in line with the requirements of the Local Government Act 2003, the Corporate Director of Finance and Assets, confirms the robustness of the estimates underlying the recommended Budget and adequacy of reserves in the context of the earmarked reserves and proposed budget risk contingency.

Cabinet is requested to:

- 2.6 Endorse the medium term financial strategy, set out in Appendix 5;
- 2.7 Agree the specific reserves held in support of the 2020/21 Revenue Budget set out in Appendix 4;
- 2.8 Agree that the proposed DSG budget deficit should be recovered from within DSG income;

Further information on the subject of this report can be obtained from Mick Bowden, Direct Dial 07392 109917, mbowden@swindon.gov.uk

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- 2.9 Authorise the Corporate Director of Finance and Assets to balance any changes between the provisional and final local government finance settlements by adjusting the Budget Risk Contingency;

Minute for Confirmation

- 2.10 Recommend to Council, subject to any changes resulting from the Government's announcement of the final local government finance settlement for 2020/21, that:-

2.10.1 The 2020/21 Budget be set at £149.074m;

2.10.2 The council tax be increased by 3.99%, comprising 1.99% for the basic amount of council tax and a specific adult social care precept of 2%, and;

2.10.3 It be determined that the proposed increase in the basic amount of Council Tax for 2020/21 is not excessive in accordance with Schedule 5 of the Localism Act 2011 and therefore does not trigger the requirement for a referendum.

3. Detail

The Forecast Out-turn for 2019/20

- 3.1 The starting position for the 2020/21 budget is the current year's budget for 2019/20. Table 1 below and Appendix 1 set out the forecast position to 31st March 2020, which shows that the forecast overspend is £1.5m. This position has improved by £1m since the last report to Cabinet.
- 3.2 The significant changes since the last report to Cabinet are:
- 3.2.1 An improvement in the forecast overspend within Children's Social Care. This is due to staff costs and expenditure on No Recourse to Public Funds being lower than previously forecast (£0.6m). This is mitigating pressures relating to placements costs (£0.3m);
- 3.2.2 An increase in the cost of Special Educational Needs transport (£0.1m);
- 3.2.3 Increased waste disposal costs due to the temporary closure of overseas solid recovery fuel plant facilities (£0.4m);
- 3.2.4 Increase in the rental income from investments in commercial property (£0.2m);
- 3.2.5 Release of budget risk contingency to mitigate the pressure arising on waste disposal (£0.4m) and a further release reflecting the progress made against savings delivery (£0.5m).

Further information on the subject of this report can be obtained from Mick Bowden, Direct Dial 07392 109917, mbowden@swindon.gov.uk

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- 3.3 Based on the current rate of improvement in the projected overspend position and the ongoing work across all service areas to identify further savings it is expected that the final outturn for 2019/20 will be delivered within budget.

Table 1 – Forecast Out-turn 2019/20

Department	Budget 2019/20 £'000	Full-Year Projected Outturn £'000	Projected Variance £'000	Movement since last report £'000
Adult Services	61,105	61,482	377	(7)
Children Services	42,759	43,844	1,085	(290)
Communities and Housing	25,580	27,019	1,439	579
Economy	1,240	1,167	(73)	7
Resources	11,811	10,454	(1,357)	(1,279)
Total General Fund	142,495	143,966	1,471	(990)

Dedicated Schools Grant (DSG)

- 3.4 The position at the end of December is that the DSG is forecast to be overspent by £1.79m. This forecast is an adverse movement of £80k since the last report.
- 3.5 The main changes are:-
- 3.5.1 Increased pressure for rising demand and complexity of need in pupils requiring High Needs funding top ups (£61k);
 - 3.5.2 Increased demand for bespoke packages as the primary Pupil Referral Unit is full (£45k);
- 3.6 These pressures are partially mitigated by reduced business rates costs for a primary school following its academy conversion earlier this year (£28k).

Housing Revenue Account (HRA)

- 3.7 The position at the end of December is that the HRA is forecast to be underspent by £268k, an improvement of £173k since the last report.
- 3.8 The key changes resulting in this improvement are:-
- 3.8.1 Further staff savings due to vacancies, primarily in the Supervision and Management area which have risen by £68k;
 - 3.8.2 Expenditure on Responsive Repairs has risen to reflect additional staff and material costs but is anticipated to be offset by increased recharges to

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capital projects and a reduction in spend on external contractors resulting in a small underspend of £23k.

The 2020/21 Provisional Finance Settlement

- 3.9 The Government published the provisional 2020/21 local government finance settlement on 20th December 2019.
- 3.10 The key issues arising from the provisional settlement are:
- 3.10.1 Social Care Grant - following the announcement of additional funding across adults' and children's social care of £1bn in the September Spending Round, the government has now indicated how this will be allocated. Based on the proposed distribution methodology the Council will receive £2.7m in 2020/21, in addition to the £1.3m announced the previous year.
- 3.10.2 New Homes Bonus - the provisional settlement confirmed that no change would be made to the current system for 2020/21 and therefore, in line with the increase in properties in the borough, the level of grant will be £5.2m.
- 3.10.3 Council Tax – the Government confirmed the council tax referendum limit would be in line with previous announcements. Therefore, the maximum allowable increase for SBC in 2020/21 (without a referendum) is 3.99%.
- 3.11 The overall net impact of the announcements in the provisional settlement is to improve the funding for 2020/21 by £3.1m. The long-term implications remain uncertain, given the changes to funding of local government for 2021/22 as outlined in Appendix 5.

Council Tax 2020/21

- 3.12 In line with Government expectations and the feedback from other Councils, it is proposed that the Council increases the basic amount of council tax by 1.99% and raises an adult social care precept of 2%.
- 3.13 If agreed, the total 3.99% increase will be broken down on the face of the council tax bill, in line with national guidance, to explain that 2% of the increase is specifically to respond to the rising demand for adult social care.
- 3.14 A 3.99% increase would increase the average Council Tax bill by £4.54 per month, excluding precepts from other bodies.

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Feedback from Scrutiny Committee

- 3.15 On 13th January 2020, the Scrutiny Committee considered a report on the 2020/21 budget setting process. The Committee resolved that the current budget position be noted.

Consultation Feedback

- 3.16 The Council undertook consultation with the business community via a meeting with business representatives from Swindon, on behalf of non-domestic rate payers on 7th January 2020.
- 3.17 The feedback from consultation is set out in Appendix 2.

The Proposed Budget for 2020/21

- 3.18 Table 3 summarises the changes to the current financial year in arriving at the proposed budget for 2020/21. The detailed proposals are set out in Appendix 3.

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Table 3 – Summary of Budget Changes

	2020/21 £m
Base Budget	142.5
Funding Changes	(1.7)
Inflation	5.4
Cost Pressures	14.7
Identified Savings	(11.3)
Reduction in Budget Risk Contingency	(0.5)
Proposed Budget for 2020/21	149.1
Funded By:	
Revenue Support Grant	4.3
Business Rates	36.0
Council Tax	107.8
Surplus on Council Tax Collection Fund	1.0
Total Funding	149.1

Relationship between Revenue and Capital Budgets

- 3.19 The 2020/21 revenue budget includes allowance for the estimated increase in debt charges to finance the capital programme being delivered during 2019/20 and any interest incurred on schemes starting in 2020/21.
- 3.20 The 2020/21 capital programme is set out elsewhere on the agenda and any significant increase in the proposed programme that is financed from borrowing will have an estimated impact on the annual revenue budget of between £40k-80k per £1m, subject to the nature of the capital investment.

Approach to Funding Transitional Costs

- 3.21 In accordance with the freedom given by central government it is the Council's existing approach to use the capital receipts flexibility to meet expenditure related to the delivery of future long term savings. It is proposed that this is continued where it is in the Council's financial interest to do so, with specific reference to:
- 3.21.1 Costs of delivering projects within the Council's improvement programme,

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- 3.21.2 Reorganisation and restructuring costs that deliver financial savings
 - 3.21.3 Transitional investment that delivers long-term financial benefits by reducing future service costs.
 - 3.22 The 2019/20 budget reflected the use of the remaining £2.5m from the £7.5m reserve previously established to deal with the short-term pressures in Children's social care and put in place the arrangements to enable the service to be financially sustainable in the longer term.
 - 3.23 The use of reserves in such a manner can only be a time-limited in nature to ensure the ongoing financial sustainability of the Council. The forecast level of reserves available to meet specific existing commitments, and support the management of the overall budget, is set out in Appendix 4.
 - 3.24 Each of the savings proposals put forward as part of the budget setting cycle has been risk assessed. The level of contingency built into the proposed budget for 2020/21, alongside the level of general and earmarked reserves, reflects the overall potential risk associated with delivering the budget proposals.
 - 3.25 The following significant risks have been identified in relation to the council's budget:
 - 3.25.1 The total value of savings contained within the budget for 2020/21 is lower than that identified for 2019/20. However it still represents over 7% of the Council's net revenue budget and this, in itself, provides a source of risk to the Council's financial position;
 - 3.25.2 There are a number of savings proposals which are still subject to ongoing activity and therefore the precise level of saving is uncertain;
 - 3.25.3 The Council also faces risks in managing the costs associated with the major demand led services, particularly in adult and children's social care, parking income and waste disposal. The investment of funding and resource to manage pressures provides some mitigation against these risks. However, it is recognised that these services will continue to be a potential challenge to the Council's financial position and will therefore be the subject of close scrutiny in the budget management process for 2020/21.
 - 3.26 Based on this assessment, and risks within the existing base budget, it is proposed that the budget risk contingency is set at £3.0m.
 - 3.27 In light of this, and the specific reserves held to support the budget (set out in Appendix 4), the Director of Finance and Assets, as part of his Section 151 responsibilities, is content that the 2020/21 budget as proposed is deliverable, taking into account the level of specific and general reserves held by the Council.
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General Reserves

- 3.28 In general, it is considered that uncommitted reserves of around 5% of net revenue expenditure provides for a reasonable level of support to manage risks, subject to the specific circumstances of each authority. This implies a level of around £7.5m for Swindon. However, protection against budget risks is also provided through earmarked reserves and contingencies and the Council's experience of managing budget pressures without using general reserves. In this context, it is recommended that the level of general reserves the Council holds is maintained, as a minimum, at the current level of £6.6m and should gradually increase over the medium term to increase the Council's financial resilience.

Schools' Budgets 2020/21

- 3.29 The provisional Dedicated Schools Grant (DSG) for 2020/21 is £198.28m, the majority of which is passported directly to schools. The Council prepared its budgets based on existing spend, inflation and known increases in demand. Due to the significant increases in demand for specialist places and High Needs top ups it has not been possible to produce a balanced budget, within the available funding and a budget gap of £1.47m is forecast. The Schools Forum considered the proposed budget at its meeting on 15th January 2020 and agreed the allocation of the budget as set out in Table 5 below.
- 3.30 The Government stated, in October 2019, that "The Government's intention is that DSG deficits should not be covered from general funds but that over time they should be recovered from DSG income". Consistent with this approach, and given the Council's overall financial position, it is recommended to Cabinet that the DSG cumulative deficit be addressed through a DSG Deficit Recovery Plan. The Council is working with the High Needs Sub Group of Schools Forum to find effective and efficient solutions to the budget position, which will include the need for all schools and academies to be more inclusive, reduce demand on services and ensure DSG Schools Block funding, including Notional SEN, is used effectively to meet pupils' needs.
- 3.31 The DSG 2019/20 balance to be carried forward is forecast to be a deficit of £1.48m, and less than 1% of the overall 2019/20 DSG allocation (£184m) by 31st March 2020, therefore a formal Deficit Recovery Plan is not now expected to be required by the Department for Education in June 2020. An internal DSG Deficit Recovery Plan will be used as a tool to monitor and track the DSG as it is brought back into balance over the next three years and a draft Deficit Recovery plan will be submitted to Schools Forum in July 2020.
- 3.32 The DSG 2020/21 budget gap is £1.47m plus the forecast 2019/20 deficit of £1.48m to be carried forward into 2020/21. After taking account of the DSG reserve of £0.3m, the cumulative deficit for 2020/21 would be £2.95m. This deficit represents 1.49% of the DSG 2020/21 allocation. Based on current legislation, a

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formal Deficit Recovery Plan to the Department for Education would be required for 30th June 2021.

Table 5 - Overall DSG Funding and Expenditure 2020/21

	£m	£m
DSG Funding 2020/21		(198.28)
Early Years Expenditure	14.90	
Mainstream School Expenditure	148.34	
High Needs Expenditure	35.48	
Central Schools Services Expenditure	1.03	
Total Expenditure		199.75
DSG Budget Gap		1.47
Estimated overspend on DSG for 2019/20		1.79
Use of DSG reserve brought forward from 2018/19		(0.3)
Cumulative DSG balance at 31/03/2021		2.96
Cumulative DSG balance as a percentage of 2020/21 DSG funding		1.49%

4. Alternative Options

- 4.1 The Cabinet could amend the package of budget proposals at the assumed council tax increase of 3.99% for 2020/21, which would require the amendments to be cost neutral.
- 4.2 The Cabinet could also choose to recommend a different council tax level to Full Council, and amend the package of proposals within the new net budget. Each 1% on council tax equates to approximately £1.1m.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The projected overspend in the current financial year is £1.5m and based on the current rate of improvement it is expected that the final position will be within budget. However any residual overspend will be a call on the Council's reserves.
- 5.2 Where there are financial implications these have been reflected in the body of the report and in the appendices.

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Legal and Human Rights Implications

- 5.3 All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

Climate Change Impact

- 5.4 The recommendations would bring about a reduction in the Council's carbon footprint through: the commitment of £0.2m for climate change initiatives, including the Air Quality Action plan and the implementation of energy reduction through the installation of LED lighting

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 The proposals included in this budget will result in approximately 50 full time equivalent posts being deleted from the Council's staffing establishment. A significant number of these are vacant posts as a result of the planned approach to savings delivery ensuring that unfilled posts are not recruited to unless essential.

Diversity Impact Assessment

- 5.6 In line with the Public Sector Equality Duty (Equality Act 2010) Swindon Borough Council is required to pay due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between different protected groups when making decision. Where known, the equality impact of change must be disclosed. This year SBC's cabinet introduced Children in Care and Care Leavers as an additional characteristic to consider when we make key decisions to strengthen our role as a Corporate Parent.
- 5.7 All saving proposals have been subject to the Council's DIA screening process to assess their potential/likely impact, if any, on service users with protected characteristics. For some proposals where there is no change to service or staffing a DIA has not been completed. Other proposals, which are at an early stage of development, have initial DIAs – however in these cases the potential areas of impact have been identified. In some cases the service changes have been proposed to create greater equity in terms of access and customer service. Where risks have been identified, mitigations have been proposed.
- 5.8 Where it is not possible at this stage to fully assess the impact from individual proposals, these will be subject to separate decisions informed by a separate DIA prior to implementation.
- 5.9 However, officers' current assessments conclude that the impact of adopting these proposals on front-line services or vulnerable groups would be minor. This is not to imply that there would not be any adverse impact on service users, if the

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proposals are approved. As part of our dynamic assessment process, should this position change, we would review each DIA, update and publish this. These are routinely reviewed by our Equality Task Group members which includes members from the wider Swindon community and voluntary agencies.

- 5.10 There are a small number of staff that will be affected by this year's proposals as the majority of the posts which are proposed for deletion, are currently vacant posts. The Council's Managing Change, Restructuring, Redeployment & Redundancy Policy provides a framework to be followed during times of organisational change to minimise the risk of a negative impact on any equality groups. The Managing Change Policy requires that staffing changes undergo a specific DIA per proposal to ensure that the restructure process is conducted in a fair, transparent and non-discriminatory manner. All of these are reviewed by the Human Resources Business Partners and members of the equality task group so that we can understand the impact not just of reductions in staff but the corresponding impact on service levels and workload to make sure proposals are realistic and sustainable.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

6.1.1 The Corporate Director of Finance and Assets (s151 Officer) cleared this report for publication on 24th January 2020.

6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication on: 28th January 2020.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1: Forecast Out-turn by Directorate 2019/20.
- 8.2 Appendix 2: Consultation Feedback.
- 8.3 Appendix 3: Detailed Budget Proposals 2020/21.
- 8.4 Appendix 4: Reserves Policy and Specific Reserves held to support the 2020/21 Budget.
- 8.5 Appendix 5: Medium Term Financial Strategy Update.

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9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 The Council's Budget will be determined by the full Council on 20th February 2020. This is therefore not a key decision for the Cabinet at this meeting. It is included in the Cabinet Work Programme and Forward Plan for February 2020.

Fund	Tier 1 Pillar	Tier 2 Function	Budget 2019/20 £'000	Full-Year Projected Out-turn £'000	Projected Variance £'000	Movement since last report	Commentary on Reasons for Variance
General Fund	Resources	Finance, Property & Audit	(1,995)	(3,540)	(1,545)	(1,185)	Release of budget risk contingency of £425k to mitigate the pressure on Streetsmart linked to adverse market conditions for the disposal of SRF and a further £500k reflecting progress made against savings delivery to date. Increase in the rental income forecast as a result of investments in commercial property and increases in existing rental income (£227k).
		Human Resources and Digital Services and Corporate Programmes Performance,	2,273	2,154	(119)	0	Vacancy savings and an improvement in the Registrars service income forecast.
			7,213	7,484	271	(86)	
			4,320	4,356	36	(8)	
	Economy		11,811	10,454	(1,357)	(1,279)	
		Strategic Growth	615	582	(33)	0	Additional feasibility expenditure.
		Town Centre	625	585	(40)	7	
	Children Services		1,240	1,167	(73)	7	
		Routes to Employment & Libraries	2,025	1,945	(80)	(40)	Savings from operational budgets across Routes to Employment (£10k) and Libraries (£30k).
		Skills & Attainment	2,118	2,679	561	32	Increased pressure for statutory SEND team £27k and slippage in filling Ed Psych vacancies has led to Agency support to meet statutory duties in relation to Education, Health and Care plans (EHCP) £14k, partially offset by savings offered up across Skills and Attainment £10k
		Children, Families and Community Health Services	38,616	39,220	604	(282)	Pressures relating to placements and placement related costs have increased by £326k, this pressure has been mitigated by a reduction in spend on No Recourse to Public funds of £152k and staff savings of £456k, which is due to a number of factors including issues with availability of suitable agency social workers and the number of vacant posts.
	Adult Services		42,759	43,844	1,085	(290)	
		Adults	60,780	61,502	722	(7)	The service continues to actively manage demand through close working with our Health partners and strength based conversations. This ongoing work is mitigating emerging pressures linked to unprecedented demand being experienced by GWH which is impacting on ASC. We have responded by supporting a 20% increase in the discharge of patients from hospital to over 1,000 between April and Nov 19. There are also challenges in the ability to recruit qualified social workers and agency staff are having to be used at a higher cost to ensure service demands are met.
		Public Health	325	(20)	(345)	0	
	Communities and Housing		61,105	61,482	377	(7)	
		Streetsmart and Supported Employment	15,318	16,268	950	425	Reductions in the amount of vehicles hired from external providers £82k; Additional waste disposal costs of £425k due to temporary closure of overseas facilities by third parties and subsequent price increases. This cost pressure will continue into 2020/21. Trade waste projections £136k worse reflecting both reduced income forecasts and increased expenditure forecasts. Other income budgets had improved forecasts.
		Housing Services	(321)	(326)	(5)	(4)	Updated forecasts across the service area.
		Highways & Transport	6,919	7,850	931	169	Additional increase in Special Educational Needs transport costs of £85k due to additional taxis requirements (inappropriate student behaviour and out of borough placements). Updated forecasts for concessionary transport of £24k based on Quarter 2 data; highway maintenance forecasts updated £25k higher
		Planning, Regulatory and Heritage Services	1,331	909	(422)	(2)	Updated forecasts across the service area.
		Facilities Management	2,333	2,318	(15)	(9)	Updated forecasts across the service area.
		25,580	27,019	1,439	579		
General Fund Total			142,495	143,966	1,471	(990)	

Fund	Tier 1 Pillar	Tier 2 Function	Budget 2019/20 £'000	Full-Year Projected Out-turn £'000	Projected Variance £'000	Movement since last report	Commentary on Reasons for Variance
Health	Health Adults	Health Adults	5,847	5,867	20	11	Health share of demand pressures for equipment needed to support hospital discharge from GWH
		Health Adults - CCG funding	(5,847)	(5,867)	(20)	(11)	Health funding to meet health share of demand pressure.
	Health Children's	Children's Health Delivery	1,341	1,265	(76)	(72)	
		Children's Health Delivery	(1,341)	(1,265)	76	76	
		Children's Health	2,466	2,390	(76)	(80)	
		Children's Health	(2,466)	(2,390)	76	76	
Health Total			0	0	0	0	
Dedicated Schools Grant	DSG Commissioning	DSG Skills and Attainment	79,858	78,224	(1,634)	(397)	Reduction in overall pressure due to Primary school budget will be paid directly Education and Skills Funding Agency (ESFA) following academy conversion , DSG funding will be retained for this purpose as below (£478k) plus reduced business rates costs for a primary school following academy conversion earlier this year (£28k) and minor variances net (£25k) saving. Savings partially offset by increased pressure for High Needs top ups +£61k, and increased demand for bespoke packages for permanently excluded Primary age pupils as the Primary Pupil Referral Unit is full +£45k
Dedicated Schools Grant	DSG Commissioning	DSG Skills and Attainment	(79,858)	(76,433)	3,424	477	Funding retained by Education and Skills Funding Agency to pay directly to a primary following conversion to academy status £478k
Dedicated Schools Grant Total			0	1,790	1,790	80	
Housing Revenue Account	Housing Revenue Account	Supervision & Management	(36,234)	(36,391)	(157)	(68)	A combination of forecast underspends due to staff vacancies, reduced training costs and savings on other operational costs.
		Special Services	668	580	(88)	(6)	
		Repairs	10,780	10,757	(23)	(99)	It is anticipated that capitalisation of further repairs work will mitigate the small overspend previously forecast.
		HRA Capital Financing	24,786	24,786	0	0	
Housing Revenue Account Total			0	(268)	(268)	(173)	

BUDGET CONSULTATION - NATIONAL NON-DOMESTIC RATEPAYERS

TUESDAY, 7 JANUARY 2020

PRESENT: Councillors David Renard (Leader of the Council) and Russell Holland (Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills).

Swindon Borough Council: Mr Mick Bowden (Corporate Director of Finance and Assets).

Representatives of Swindon Non-Domestic Rate Payers: Vince Ayris (Vince Ayris Ltd), Roger Shakles (Sewcraft Swindon Ltd), Ian Durston (Swindon and Wiltshire Local Enterprise Partnership), Olly Spence (First City Nursing), Di Powell and Rachael Youd (In Swindon Bid Co Ltd).

1. Welcome and Introduction

Councillor David Renard, Leader of the Council, welcomed the invited representatives of local businesses to the meeting and explained that the meeting was designed to give local businesses an opportunity to voice their views on issues impacted by Council spending and that may have direct or indirect implications for the local Business Community and the economy of Swindon. He referred to the impact of the general election on Central Government's announcement of the Local Government Finance Settlement for 2020/21, resulting in a delay to the Council finalising the local budget.

2. Budget Management 2019/20

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, opened discussion by explaining that the meeting was part of the Council's statutory duty to consult annually with non-domestic rate payers on its budget proposals. He confirmed that the budget proposals were being finalised and would be presented to Cabinet on the 5th February 2020 and Council on the 20th February 2020 and advised that legally the Council had to produce a balanced budget. He referred to the Chair's comments regarding the delay in finalising the budget and drew attention to the pressures on the current budget. Councillor Holland referred to pressures not only being experienced against the budgets of Children's Services and Adult Social Care Services, but also across the Council generally.

Mr Mick Bowden, Corporate Director of Finance and Assets, referred to the budget report, previously circulated, which Cabinet had considered on 4th December 2019. He explained that the Council was coming towards the end of its current two-year savings programme and, as indicated in the report, officers were focusing on the development of a strategy to March 2024.

Mr Bowden expanded on the faced by Adult Social Care and Children's Services where the issue of demographic pressures, particularly the ageing population and the impact on the demand for adult social care provision, had to be addressed. He also referred to the pressures within Children's Services, particularly due to the

increase in demand for the support of children with Special Educational Needs. He confirmed that even though cost savings had been undertaken, the Council was focussing on its approach to the community in order to build in long term sustainability. He explained that these initiatives were being incorporated in budgets over the next four years.

The business representatives:

- Confirmed that Swindon businesses were aware of the pressure on the budget and enquired whether the Council was aware of any negative impact on town centre businesses following the publication of the 2020/21 budget.
- Enquired on:
 - The funding received from Central Government.
 - The actions being taken by the Council to reduce the current budget deficit.
 - How the Council was to be affected by the increase of the minimum living wage.
- Expressed their concerns regarding:
 - a) Future town centre funding.
 - b) The competition for town centre businesses from satellite business parks
- Made the following suggestions:
 - a) The need to review weekday/ weekend car parking charges to address the adverse financial impact on businesses and the Council's income revenue due to the decrease in footfall to the town centre in order stimulate business growth.
 - b) Recommend the introduction of a chargeable fast track lane at the recycling centre to enable customers to complete their site visit quickly.
- Confirmed that the reduction of footfall into town centres was a national issue and how In Swindon Bid Co Ltd was engaging with businesses to promote Swindon nationally.

The Chair, Councillor Holland and Mr Bowden responded to questions and comments put by the representatives at the meeting and advised that:

- The budget proposals were still being finalised but at this stage Council was not aware of any significant direct impact on Swindon businesses
- The Council's decision to introduce free parking on a Sunday in the town centre to help increase footfall in the area had an adverse effect on the Council's income generation.
- Data available did not evidence the success of the Sunday free car parking scheme.
- The Council welcomed suggestions by local businesses to increase footfall in the town centre and that it would be beneficial for proposals to be cost neutral for the Council, as the current free parking scheme had made a detrimental financial impact on the current budget.
- The Council would ensure the legality of any recommendations received.
- Whilst a grant for Adult Social Care had been received from Central Government, a long-term solution to address the increase in demand for Adult Social Care Services and Children Services was still a priority.
- Work was being undertaken to promote the town centre that included discussions with Historic England to develop a Heritage Action Zone to improve the linkage between the town centre and the Outlet village.

- The North Star development would include leisure related businesses.
- The Council was not expecting to see any significant changes to the revenue budget for the Town Centre team and that it was working with other organisations and partners to facilitate major projects in Swindon.
- Proposals on how to reduce the deficit gap were to be tabled at the next Cabinet meeting on the 5th February 2020 and that whilst the Council had a general reserve of £6.6m to cover potential issues that may arise during the year, it was not financially prudent to plan to use it.
- Consideration was given to wage inflation when setting the budget.
- 70% of the budget was apportioned to Adult Social Care Services and when pressures were made on one sector of the budget, additional actions in other areas would have to be taken to ensure a balanced budget.
- The vacancy savings as indicated in Appendix 1 of the Cabinet report related to a vacant position that had not been filled this year.

3. Conclusion of the meeting

The Chair thanked the representatives of the business community and non-domestic ratepayers for attending and hoped they found the meeting useful. He confirmed that the budget proposals would be submitted to Cabinet for consideration on the 5th February 2020 and that recommendations would then be made to the Council meeting on the 20th February 2020.

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2020-21 Budget - Detailed Proposals
Service Area - Resources and Economy

	Changes Proposed for 20/21
Proposal	£'000
<u>Cost Pressures (positive numbers)</u>	
Pay Inflation @ 2%	1,669
Contract Inflation - variable rates	4,352
Income inflation - aligned to market conditions	(559)
Reduction in Education Function recharge due to schools converting to Academies during 2019/20	24
Increase in capital financing costs	1,515
Customer Services - additional capacity required to meet demand on service	187
Non-delivery of anticipated saving on furnace maintenance contract following procurement of new contract	30
Reduction in income from Crematorium due to new commercial facility in North Swindon.	450
Additional administration resource in the Cabinet Office	17
Strategic Growth	50
Climate Change initiatives	100
<u>Savings (negative numbers)</u>	
Deletion of vacant posts across the Finance and Property function	(231)
Increase in income from commercial properties net of financing costs	(100)
PFI Insurance Saving	(80)
Wichelstowe JV - additional equity fee	(800)
Human Resources and Organisation Development - deletion of vacant post and operational efficiencies	(125)
HR Contract Procurement Savings	(45)
Delete vacant post in Cemetery grounds maintenance team	(30)
Productivity saving in Registrars Service	(13)
Capita Private Cloud Migration - invest in on premise infrastructure to host IT systems locally.	(152)

2020-21 Budget - Detailed Proposals**Service Area - Resources and Economy**

	Changes Proposed for 20/21
Proposal	£'000
Reconfiguration of vacant posts within IT Operations Team	(30)
Reduction in IT operational budgets	(40)
IT project resource to be funded by project budgets	(95)
Children's Business Support - productivity and co-location (year 2 savings)	(125)
Print and Postage savings due to the continued reduction in print volumes	(66)
Education appeals income reflecting current income levels	(10)
Deletion of vacant post in the Communications Team	(30)
Barnfield solar energy - increase in income from electricity generated - reflecting current income forecasts	(60)
Reduction in Budget Risk Contingency	(500)
Net increase in Homes and Communities Agency income	(17)
Economy grant income	(15)
<u>Funding Changes</u>	
Removal of one off Levy surplus grant	487
Net changes to S31 grants and levy on Business Rates	(654)
Increase in New Homes Bonus	(307)
Increase in Social Care grant	(2,725)
Repay final FSL pension instalment from reserve	(370)
Reserve contribution to fund investment in Strategic Growth and Climate Change initiatives	(150)
Total	1,552
Total Savings	(2,532)

2020-21 Budget - Detailed Proposals**Service Area - Adults**

	Changes Proposed for 20/21
Proposal	£'000
<u>Cost Pressures (positive numbers)</u>	
Demand Pressure - Older People care packages, increasing numbers of service users and increasingly complex social care needs.	1,011
Demand Pressures - Learning Disabilities care packages through Children transitioning into Adult Social Care services.	3,000
Demand Pressure - Learning Disability, increased number of older adults requiring social care services.	800
Demand pressures - mental health services. Increasing numbers of clients and increasingly complex social care needs.	100
Deprivation of Liberty assessments - increased demand due to updated legislation.	200
Additional staffing in Social Care and Safeguarding to effectively manage increased demand and deliver savings plans	577
OK4U - partial saving from £510k target not achieved in 19/20	191
Extra Care and Day Care - partial saving from £741k target not achieved in 19/20	413
Air Quality Action Plan Kingshill - one off expenditure. To provide additional signage to support driver behaviour change. Engagement with bus companies, local residents, schools and businesses to raise awareness and provide more detailed action plans.	85
<u>Savings (negative numbers)</u>	
Additional procurement savings achieved in 19/20	(158)
Managing Learning Disability Transitions & long term demand cost of social care packages by supporting service users to be as independent as possible.	(1,523)
Learning Disability Commissioning - review of contracts with providers to ensure they are meeting the needs of clients in the most effective ways possible.	(600)
Managing OPPD demand through strength based conversations to support service users to be as independent as possible.	(1,200)
Older People Commissioning - review the use of the homeline services to assist in meeting the needs of clients	(73)

2020-21 Budget - Detailed Proposals**Service Area - Adults**

	Changes Proposed for 20/21
Proposal	£'000
Funding Community and Health services from Public Health grant as effective preventative services.	(237)
Transfer funding of post and post holder from ASC Commissioning to Public Health as main aim of role is to commission preventative public health services.	(44)
General Fund contribution towards Public Health Drug and Alcohol service is no longer required due to efficiencies in the delivery of the service.	(88)
<u>Funding Changes</u>	
Air Quality Action Plan - DEFRA grant to cover one off costs	(85)
Total	2,369

2020-21 Budget - Detailed Proposals**Service Area - Children**

	Changes Proposed for 20/21
Proposal	£'000
<u>Cost Pressures (positive numbers)</u>	
Investment in the SEND team to deliver service improvements, statutory compliance and also to meet the needs of our residents including the significantly increased demand for statutory assessments and requests for additional funding from mainstream schools and special provisions.	544
Pressure relating to increased demand for External Placements	290
Pressures relating to the increase in costs of supporting Disabled Children to remain at home.	600
Agency staffing pressure due to on-going issues with the recruitment of Permanent staff.	1,200
Pressure relating to the Adopt Thames Valley contract due to increases in our number of adoptions.	300
<u>Savings (negative numbers)</u>	
Children In Need review work of cases which have been open for over 3 years.	(100)
Savings from reducing the number of agency workers through permanent recruitment by 10%	(250)
Savings relating to the review of High cost Residential Placements	(458)
Impact of the Family intervention and Support service on the number of children requiring statutory intervention. The impact will be a reduction in temporary staff needed in line with reducing demand.	(169)
Savings from the Pilot scheme relating to Independent Living units.	(45)
Re-unification of children relating to legacy cases by the end of March 2021 will see a reduction in Social worker capacity.	(20)
Introduction of traded services model for Family Contact and Early Years Training	(64)
Removal of the Foster panel post in the Fostering service from April 2020.	(63)
Reduced cost requirement relating to the set up of the Parenting hub.	(50)

2020-21 Budget - Detailed Proposals**Service Area - Children**

	Changes Proposed for 20/21
Proposal	£'000
Placement cost reduction relating to the reduction of Children Looked After numbers by 15 in 20/21.	(295)
Increased contribution from Plas Pencelli.	(20)
Productivity savings in Children Services	(56)
Education Standards and Quality – review of service area structure	(42)
Review of contributions for Virtual School and Exclusions & Re-integrations	(23)
Skills & Employment – reduction in contract payment.	(25)
Changes in the provision of Semi-independent placements and review of expected provision levels.	(800)
Additional income relating to staffing in the Skills & Employment budget	(12)
<u>Funding Changes</u>	
Removal of planned use of reserves in 19-20	2,500
Total	3,007

2020-21 Budget - Detailed Proposals
Service Area - Communities and Housing

	Changes Proposed for 20/21
Proposal	£'000
<u>Cost Pressures (positive numbers)</u>	
Public Power Solutions Ltd - shortfall in delivery of proposed £800k of savings in 2019/20 across waste, power and financing proposals	293
Waste disposal and collection - additional rounds for each of waste, recycling and plastics along with increased tonnages for disposal due to growth in the number of houses in the town	835
One off cost to continue the food waste trial for the existing 11k homes to 31st August 2020 (net of savings on disposal costs)	60
Grounds and street cleaning - Additional staff member to deliver enhanced service on the gateways into Swindon.	25
Enterprise works - shortfall in delivering cost neutral operating model in 2019/20.	15
Community meals - shortfall in delivering cost neutral operating model with third party in 2019/20	10
Waterside Depot utility costs - proposed reductions from using LED lighting which were not delivered in 2019/20 deferred to 2021/22	20
Stores team restructure - was not delivered in 2019/20	32
Transport - non delivery of savings from application of SEN policy	150
Transport - increase in demand to provide transport for additional 54 pupils from September 2019 school year	170
Highway Maintenance - Additional resource to reduce backlog of potholes	100
Highway Maintenance - Additional resource for gully cleaning and drainage to mitigate flooding risk	100
Car parking - proposed restructure did not take place and saving from contactless machines not achieved	77
Shopmobility - reduced cost to SBC will occur in future years	14
Car parking - proposed additional income did not take place in 2019/20	86
Car parking - shortfall in P&D income due to reduced demand and changes to tariff structures in 2019/20	209
Car parking - shortfall in season ticket income due to reduced demand in 2019/20	155
Swindon Lottery - implemented but did not deliver anticipated savings	24

2020-21 Budget - Detailed Proposals
Service Area - Communities and Housing

	Changes Proposed for 20/21
Proposal	£'000
Planning - costs to deliver Local Plan and related studies previously funded by a reserve that has now been depleted.	111
Building control - shortfall in delivery of restructure	12
Security - additional staff costs net of external income	80
Shortfall on income budgets in Highways and Transport, Streetsmart, Museums & Heritage and Planning	319
Taxi licencing - Joint operational request for taxi marshals in Old Town by Wiltshire Police and the Council. Wiltshire Police expected to contribute £12,500.	13
<u>Savings (negative numbers)</u>	
Deletion of vacant posts across the Communities & Housing directorate	(121)
Waste & Recycling - review of waste and recycling operation	(222)
Waste & Recycling - increase in tonnages diverted to recycling as a result of changes introduced to service in 2019/20.	(130)
Waste & recycling - additional sales of green waste subscriptions	(50)
Trade Waste - decommission service operated by SBC to concentrate on core services. There are sufficient alternative local providers in the market.	(12)
Grounds Maintenance and Management - move to cost neutral service delivery	(120)
Fleet - reduced repairs aligned to approval of capital bid for new vehicles which will be under warranty for 3 years	(34)
Fleet - reduced use of vehicles on long term hire	(95)
Street Lighting - Electricity savings from LED replacement programme over 2 year installation programme	(140)
Highway operations - efficiencies derived from new mobile working technology	(104)
Highways - saving from refurbishing traffic signals with LED components	(31)
Highways - achieve a consistent approach to recovery of costs from capital schemes based on benchmarking of fees	(40)
Car parking - additional on street income received due to increased demand	(40)

2020-21 Budget - Detailed Proposals**Service Area - Communities and Housing**

	Changes Proposed for 20/21
Proposal	£'000
Car parking - identified reductions in operating expenditure	(15)
Car parking - saving on electricity costs following the LED replacement programme.	(160)
Car parking - increased income due to additional parking contraventions by drivers. Assumes same level of contraventions as 2019/20.	(140)
Culture - Overachievement of contract renegotiation saving	(16)
Culture - Reduce grants to organisations	(80)
Heritage - reduced property costs to store museum artefacts	(15)
Heritage - additional operational benefits from one-off investment in support for Lydiard House & Park	(90)
Transport Planning - restructure in the team	(50)
Highways - application of developer income to match costs incurred	(350)
Street naming and numbering - review of fees & charges to cover direct service costs	(20)
Planning - External funding for Heritage Action Zone officer	(41)
Architecture & Construction - restructure to create efficiencies	(35)
Review of expenditure budgets - control spend on discretionary budgets across the directorate	(600)
Communities and Housing Service Improvement Plan savings	(450)
Funding Changes	
Reserve contribution to fund food waste trial	(60)
Total	(351)

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Reserves Policy and Specific Reserves held to support the 2020/21 Budget

Swindon is a very ambitious Council with plans to continue improving services and the local area at a time when the finances of local government are under pressure. The pace of change at the Council and the scale of savings being delivered bring with them risks in relation to the Council's capacity to deliver the planned stepped changes. These risks are both in relation to the complexity of some of the changes required to deliver the ongoing budget savings and secondly in respect of the potential need for funds to pump-prime work on future changes. The Council is managing these risks using a number of means:

Risk Assessment

Each of the savings proposals put forward as part of the Budget setting cycle has been individually risk assessed against a number of factors, namely:

- Impact on service
- Complexity of implementation
- Impact on equalities
- Contribution to strategic plans

Contingencies

The Council has a budget risk contingency fund of £3m to support its 2020/21 Budget.

Reserves

It is recommended that the minimum level of General Reserves the Council needs to hold to support the 2020/21 Budget is £6.6m, whilst aiming to gradually increase that figure over the medium term. The Corporate Director of Finance and Assets advises that this is adequate in the context of the earmarked reserves held, specific contingencies and the proposed budget risk contingency of £3m.

Alongside the General Reserve, the Council is holding a number of specific reserves to support key risks and future commitments. These have been established following a thorough review of risks and needs.

By the start of 2020/21, the Council expects to be holding around £43.8m of reserves, of which £27.6m is earmarked to support the General Fund. By holding these reserves, the Council is accruing investment interest of around £207k per annum (assuming investment returns of around 0.75%). If the Council decided to hold lower levels of reserves in future, every £1m brought back into the revenue budget could reduce council tax by 0.9%. However, funding on-going revenue expenditure from reserves, other than on a transitional basis, would increase the level of risk within the annual budget and make future years' budgets increasingly unsustainable. The Council has incorporated the planned use of significant levels of reserves in each of its last three budgets to support both the overall budget and provide targeted support for Children's Services. In the light of this the Corporate Director of Finance and Assets would not recommend any further significant allocation of reserves to support the overall budget.

The £43.8m reserves expected to be held in 2020/21 is summarised below. Full details will be brought back to Cabinet early in the next Financial Year as normal for consideration and approval:

General Fund (£27.6m)

- **£2.4m** relates to the PFI equalisation reserve. This reserve fluctuates depending on the yearly cash flows of the PFI and will be fully depleted by the end of the project's life.
- **£1.0m** relates to infrastructure and regeneration funding. This is fully allocated for feasibility works and commitments in the budget including strategic growth initiatives (£100k), Honda Taskforce (£200k) and FSL pension costs (£370k).
- **£14.2m** of general 'cash flowing' reserves to fund programmes of work to deliver future years' budgets and manage budget risks.
- **£10m** of service specific reserves set out below:

Insurance Fund	£2.2m	This fund is set at an industry standard level of covering twice the aggregate excess liability in any financial year. The level of reserve is reviewed annually based on an assessment of claims, both past and future.
Other	£7.8m	A number of smaller service-specific reserves often financed from external funding or earmarked for committed projects

Other Funds (£16.2m)

- **£4.7m** of Schools balances representing the combined total of all individual schools' rolled-forward balances (£4.4m) and the non-schools retained DSG reserve (£0.3m).
- £11.5m** of HRA Balances comprising the HRA minimum working balance (£4m), the general reserve (£6.3m) and specific reserves (£1.2m).

Swindon Borough Council

Medium Term Financial Strategy and Efficiency Statement

1 Background and Scope

- 1.1 The Council's Medium Term Financial Strategy agreed by Cabinet in February 2019 set out the financial context for the Council up to 2023/24. This document updates the strategy for the latest known funding position and the Council's approach for addressing the financial challenge over the next few years.
- 1.2 Alongside increasing demands for services, councils nationally have seen cumulative reductions in Government funding since 2010/11. As part of the multi-year settlement arrangements introduced from 2016/17 the Council is required to produce an efficiency statement demonstrating its high-level funding position and responding strategies to ensure medium-term financial sustainability. The efficiency statement is incorporated within this document.

2 Forecast Resources

- 2.1 The final year of the multi-year settlement was 2019/20. It was anticipated that a national spending review would take place during 2019, providing a new multi-year funding settlement for local government and that this would provide the basis for a refresh of the Council's financial plans. In September 2019 a Spending Round was announced for 2020/21 only, meaning that the future funding arrangements for the Council are uncertain beyond that point and will be shaped by three main issues:
 - 2.1.1 Spending Review 2020 – this is expected to establish the total funding for local government nationally for 2021/22 and future years
 - 2.1.2 Business Rates Retention – the government is working with local government, led by the Local Government Association, to develop the arrangements for councils to retain 75% of the growth in business rates (compared to 50% currently)
 - 2.1.3 Fair Funding Review – this will establish the assessment of relative needs between authorities and take into account the ability of councils to raise income and will therefore form the basis of the redistribution of resources between councils
- 2.2 In the absence of any further information the central planning assumption is that the funding levels for the Council will remain at the same level as 2020/21. This incorporates the current funding streams of Revenue Support Grant, Better Care Fund, Social Care Grant and the baseline level of retained business rates. The exception to this being New Homes Bonus as the Government has indicated that this will start to reduce as part of a wider review of how to incentivise and reward growth in future years.
- 2.3 For 2020/21 the limit of core council tax increases, without requiring a referendum, is 1.99%. There is also the opportunity to raise an Adult Social Care precept of up to

2%. The planning assumption used in the medium term projections is that the same level of increases will be applied annually over the period to 2023/24.

- 2.4 Allowance has been made for growth in the council tax base (£1.2m per annum) and business rates (£0.8m per annum, except for 2021/22 which will potentially be affected by a reset of the system)

3 Forecast Expenditure

- 3.1 Following the experience of recent years the key expenditure pressures are anticipated to be related to demand pressures in children and adults social care. More generally the council will face pressures relating to population growth - particularly waste collection and disposal costs - and pay and price inflation and estimates of these have been produced for future years.

4 The Council's Strategy

- 4.1 Building on the Swindon Programme, which runs to March 2020, the Council will continue to maintain a focus on developing the Council to be a modern, efficient and effective organisation. The commercialisation work will continue to be a priority, particularly the commercial investment strategy and Council's companies, both wholly owned and the joint venture. In order to address the demand pressures over the period to March 2024 the following cross-cutting themes have also been identified:

- Transitions – to ensure that young people make a successful transition to adulthood achieving as much independence, choice and control as is possible so they can lead independent and successful lives.
- Strength based working - to ensure local people and families receive support that is responsive, community based and focused on resilience and keeping them in control of their lives.
- Place based working - to help the most vulnerable children, young people and adults living in Swindon to achieve better outcomes and, by maximising our use of resources with partners, deliver services more efficiently and effectively at lower cost.
- Housing – this will be key to the successful delivery of the areas above and ensure that sufficient good quality homes that met people's needs are available to support Swindon's residents.

- 4.2 The overriding purpose of these themes is to give residents greater opportunities to live safe, fulfilling and independent lives and to ensure that the Council's limited resources can be targeted effectively to manage the demand pressures it faces.

5 Financial Plan

- 5.1 The approach to addressing the financial challenges includes extending the detailed financial planning period beyond the annual budget setting cycle, to reflect the time period to plan and implement the savings proposals required. This will be on a rolling basis to ensure that the Council is best placed to respond strategically to the difficult and uncertain funding position it faces.
- 5.2 In line with national guidance from the Chartered Institute of Public Finance and Accountancy the council has developed its capital strategy to set out the long-term context in which capital expenditure and investment decisions are made, reflecting both the delivery of council priorities and the associated risks and rewards.
- 5.3 In March 2016 the Secretary of State issued statutory guidance on the flexible use of capital receipts. This will enable council's to finance certain revenue expenditure from capital receipts. The key criteria to use when deciding whether expenditure can be funded using the capital receipts flexibility is that it is forecast to generate on-going savings. The guidance sets out some examples of expenditure that could be financed using this flexibility, including:
- Sharing services
 - Service reform
 - Collaboration between councils
 - Service reconfiguration, restructuring or rationalisation
 - Setting up alternative delivery models.
- 5.4 The Council will incur expenditure of this nature in order to deliver the savings specified above. Specific areas being explored which could require up-front investment to realise future savings include increased use of digital channels the costs of restructuring and reconfiguring services. The Council may therefore utilise the capital receipts flexibility to meet expenditure that it incurs in order to realise the savings set out in this efficiency plan.
- 5.5 This flexibility will not be applied rigidly. Expenditure incurred in delivering the efficiency plan will be monitored continuously and the decision on whether or not to use the flexibility will be taken based upon the Council's best financial interests at the time.

Table - Financial Projections from 2021/22

	2021/22	2022/23	2023/24
	£m	£m	£m
<u>Pressures:-</u>			
Pay and Prices Inflation	6.0	6.0	6.0
Adult Social Care Demand	4.8	4.8	4.8
Children's Social Care Demand	3.3	3.2	3.0
Capital Financing	2.0	2.0	2.0
CPI Team		1.0	
Other Pressures	1.0	1.0	1.0
Reduction in Collection Fund Surplus	0.2	0.3	0.3
Total Cost Pressures	17.3	18.3	17.1
<u>Funding Changes:-</u>			
Council Tax Increase - Core Element	(2.1)	(2.2)	(2.3)
Council Tax Increase - ASC Precept	(2.1)	(2.2)	(2.3)
Increase in council tax base	(1.2)	(1.2)	(1.2)
New Homes Bonus	2.3	2.1	0.8
Retained business rate growth	0.0	(0.8)	(0.8)
Total Funding Change	(3.1)	(4.3)	(5.8)
Savings needed	14.2	14.0	11.3
<u>Indicative Savings:-</u>			
Children's Improvement Plan	(3.0)	(2.9)	0.0
Cross-cutting initiatives to address demand management	(5.5)	(5.5)	(5.5)
C&H Service Improvement Plans	(1.2)	(1.2)	(1.2)
Commercial Income	(0.5)	(0.5)	(0.5)
Major commissioning / price inflation	(1.5)	(1.5)	(1.5)
Efficiency / Productivity Targets	(2.5)	(2.4)	(2.6)
Total Indicative Savings	(14.2)	(14.0)	(11.3)

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

Authors: Cabinet Member for Finance, Education and Skills
Corporate Director of Finance and Assets

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To provide an update to the Capital Strategy and report new capital investment requirements through to 2024/25.
- 1.2 The effective management of financial resources through robust financial management processes underpins the Council's ability to achieve its plans and priorities.
- 1.3 Responsible budget management underpins the Council's strategic objective of consistently making the best use of all available resources as well as providing focus for its change programmes.

2. Recommendations

Cabinet is requested to:

- 2.1 Recommend to Council:
 - 2.1.1 the additions to the Capital Programme and funding sources for the schemes set out at Appendix 1;
 - 2.1.2 that further updates to the Capital Programme can be approved by Cabinet within the approved capital financing revenue budget and prudential indicators;
 - 2.1.3 approval of the Capital Strategy attached at Appendix 2
- 2.2 Note the impact on long term borrowing of the approvals sought in this paper as set out at paragraph 3.9;
- 2.3 Approve a budget for £24,922 in 2019/20 funded from S106 contributions for speed reduction measures on Thamesdown Avenue as set out at paragraph 3.6;
- 2.4 Approve that schools capital funding is distributed as detailed in paragraph 3.17.

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 07500 884 176 or Email psmith2@swindon.gov.uk

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

3. Detail

Capital Programme to 2024/25

- 3.1 The Council has historically approved a Capital Programme for the following financial year with indicative costs for future years which reflects the Government's approach to approve grants on a yearly basis.
- 3.2 The CIPFA *Prudential Code for Capital Finance in Local Authorities* Code ("the Code") introduced the requirement for authorities to produce a capital strategy and this was approved at Cabinet in February 2019 (minute 57(7) refers). The purpose of the capital strategy is to firmly place decisions around borrowing in the context of the overall longer term financial position of the authority and to provide improved links between the revenue and capital budgets.
- 3.3 This report therefore sets out the investment requirements that are subject to approval of this report and the impact of the additional borrowing requirement on the revenue budget to provide better budgetary links between capital investment plans and the Medium Term Financial Plan.
- 3.4 An annual capital programme report will still be submitted annually, but this will provide updates to the 5 year programme rather than focusing purely on the following financial year as has previously been the case. Schools capital funding will still be set out annually and is set out in detail elsewhere in this report.
- 3.5 The capital strategy, attached at Appendix 2, has been updated to reflect the approvals sought in this report.
- 3.6 In addition to approvals up to 2024/25, Cabinet is asked to approve a budget of £24,922 in 2019/20 for speed reduction measures on Thames Avenue funded from S106 contributions. It is reported that the current traffic speeds on Thames Avenue are greater than the current restricted road status of 30mph and residents have expressed concern. Much of this traffic using Thames Avenue is generated from developments in the Haydon area and the impact of this traffic has been the cause of concern to the local community.

Capital Programme to 2024/25

- 3.7 Appendix 1 sets out the approvals sought for the period through to 2024/25 and the proposed source of funding.
- 3.8 Where no borrowing is required, there is no impact on the revenue budget as these proposals are either of a "spend to save" nature (ie they either generate savings or reduce costs in excess of the related borrowing costs) or they are fully funded from either grant or capital receipts.

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 07500 884 176 or Email psmith2@swindon.gov.uk

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

- 3.9 The new approvals set out in this report require additional borrowing of £34.981m over the 5 years to 2024/25. The resulting estimated debt charges will be built into the Medium Term Financial Plan.

Education Services Schemes

- 3.10 The Government allocates two main capital grants to support expenditure on school assets; maintenance grant and basic need grant. Maintenance funding is provided for maintenance and repair to existing school buildings, and Basic Need funding supports the Councils statutory requirement to provide new pupil places in new or expanded maintained schools. The Basic Need funding does not include any uplift to reflect the higher costs of providing Special Educational Needs places. Neither grant is ring-fenced to schools, but given the pressures in this area it is recommended that these funds are used as proposed in this paper.
- 3.11 **No Basic Need grant** has been awarded for 2020/21, and currently no funding has been notified for 2021/22. The DfE expects that any schools required as a result of development are to be funded from S106 contributions, Basic Need grant is not provided to support new developments. Any schools provided as a Free School would be funded directly through the Education and Skills Funding Agency ("ESFA") and where this school is required as a result of a new development any S106 receipts will be required to support this provision.
- 3.12 Currently there are no specific schemes that require funding in 2020/21 although there is an expectation that the Council will need to fund either expansion or new construction in the town centre to meet demand in 2021/22. A capital bid will be brought forward to a future meeting once the full requirements are known.
- 3.13 **Capital Maintenance grant** for 2020/21 has not been notified at the date of writing this report but is estimated at c£0.9m (2019/20 £1.0m). The level of grant is reduced every time a school converts to an academy as academies are funded directly from the EFA. Notification of the exact sum is not expected until spring 2020. Currently only £0.7m of this grant has been allocated to schemes, leaving £0.2m as a contingency to deal with any emerging condition issues at schools.
- 3.14 There is a demand for new schools to be opened over the next 3 years that were expected to be provided by the free school programme, however there is currently no information on when the next bidding round will open and what types of school may be eligible for funding from this source. In the event that these are not approved an update will be provided to Cabinet outlining alternative options to meet the need for these schools.

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 07500 884 176 or Email psmith2@swindon.gov.uk

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

- 3.15 The Council has to meet the cost of expanding schools to meet need where it is not practical to build new schools. In addition the LA has responsibility for maintaining its special school and special resource provision.
- 3.16 Cabinet has previously been notified of the **Special Education Needs and Disability (SEND) Capital investment Fund Strategy** Grant of £978k that has been awarded to Swindon over a three year period, 2020/21 will be the 3rd year of this funding.
- 3.17 This report seeks approval for the following Education Services schemes:-
- 3.17.1 £700,000 required for condition works, funded from Maintenance grant, This relates to high priority condition issues outside of the schools ability to fund from their own delegated funding, such as replacement heating systems.
- 3.17.2 The Council will also receive from the DFE Devolved Formula Capital Grant during 2020/21 estimated at £248k. This grant is ring fenced for maintained schools and the Council passport to each of the maintained schools via a methodology prescribed by the DfE. The funding is to support schools in undertaking minor capital schemes as part of their management of the school premises and for IT. Permission is sought for this grant to be distributed to the maintained schools when it is received from Government.

4. Alternative Options

- 4.1 Cabinet could choose not to approve the proposed additions to the capital programme.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The proposals contained in this report if approved will result in an additional borrowing requirement of £34.9m and estimated debt charges over 5 years totalling £3.1m. These are reflected in the revenue budget report elsewhere on this agenda and will be built into the Medium Term Financial Plan. Actual charges will be dependent on both the timing of new borrowing and interest rates.
- 5.2 The proposals include a sum of £9.5m funded through borrowing for Kimmerfields enabling works and up to £2.5m of this is required in 19/20. Debt charges relating to this element being incurred within 19/20 can be accommodated within the existing capital financing budget.

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 07500 884 176 or Email psmith2@swindon.gov.uk

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

Legal and Human Rights Implications

- 5.3 All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

Climate Change Impact

- 5.4 The recommendations will seek to reduce the Council's carbon footprint through the improvement of thermal efficiency in the property stock.
- 5.5 In addition, ongoing work to move towards the use of more electric vehicles as the current fleet is replaced will reduce carbon emissions.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.6 There are no such direct implications.

Diversity Impact Assessment

- 5.7 A Diversity Impact Assessment (DIA) has not been done as this report does not make any new recommendations that would have a detrimental impact on services. Service areas have undertaken DIA assessments for each of the proposals that they are recommending.

Risk Management

- 5.8 None other than those highlighted in the body of the report. Individual schemes will have individual Risk Assessments and DIAs.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (Section 151 Officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Detailed Proposals
- 8.2 Appendix 2 – Capital Strategy 2020/21 to 2024/25
- 8.3 Annex 1 – Investment Strategy
- 8.4 Annex 2 - Property Investment and Disposal Strategy

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 07500 884 176 or Email psmith2@swindon.gov.uk

Capital Programme to 2024/25

Cabinet

Date: 5th February 2020

9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is not a key decision and is included in the Cabinet Work Programme for February 2020.

Appendix 1 – Capital programme Report 2020/21 to 2024/25

Scheme	19/20	Anticipated Spend profile					Totals
		20/21	21/22	22/23	23/24	24/25	
Adult Social Care Community Equipment - provision of hoists, stair lifts and other equipment to contribute to allowing the elderly and disabled live independent lives.		300,000	300,000	300,000	300,000	300,000	1,500,000
Disabled Facilities Grants - grants for the adaptation of the homes		1,151,400	1,151,400	1,151,400	1,151,400	1,151,400	5,757,000
John St car park demolition (Parade) - demolition to allow the site to be used for the Fleming Way bus boulevard project		700,000					700,000
LTP integrated transport schemes - road safety, traffic management, parking, cycling, walking and public transport schemes		835,000	835,000	835,000	835,000	835,000	4,175,000
LTP maintenance -Major planned maintenance of the public highway network (Carriageways, footways, structures, lighting, drainage, traffic signals etc)		3,269,000	3,269,000	3,269,000	3,269,000	3,269,000	16,345,000
Rodbourne Road highways improvements - Infrastructure works to address the		525,000					525,000
School safe environment zones - programme of "School Safe Environment Zones" to tackle road safety, congestion,		100,000	100,000	100,000	100,000	100,000	500,000
Traffic Signal LED conversion - conversion of traffic, pedestrian and toucan signals to LED lighting		193,130					193,130
Vehicle & Plant replacement programme (excl HRA) - replacement programme for ageing and costly vehicles used in delivering front line services		2,080,000	875,000	2,338,000	4,475,000	105,000	9,873,000
Waste collection vehicles - 5 additional vehicles to collect waste, recycling and plastics with spare vehicles to cover planned maintenance periods		888,000					888,000
Bus Boulevard - High Streets fund match					5,000,000		5,000,000
Kimmerfields enabling works - site works	2,500,000	1,500,000	5,500,000				9,500,000
Capitalised Repairs & Maintenance - address backlog maintenance and emergency spend on the Council property portfolio (incl DMU, Fessey House & non highways structures)		1,595,000	1,400,000	1,400,000	1,400,000	1,400,000	7,195,000
Data Centre - investment to extend the life of the data centre and replace end of life components		220,000	146,000	384,000			750,000
IT security - investment to ensure on-going compliance with Data Act 2018 and other compliance standards		50,000	50,000	50,000	50,000	50,000	250,000
TOTALS	2,500,000	13,406,530	13,626,400	9,827,400	16,580,400	7,210,400	63,151,130
						Funded through:	
						Borrowing	34,981,000
						Capital Receipts	1,000,000
						Grant	26,277,000
						Spend to Save (Borrowing)	893,130
						Total	63,151,130

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**SWINDON BOROUGH COUNCIL
CAPITAL STRATEGY
2020/21 – 2024/25**

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Capital Strategy 2020/21 – 2024/25

1 Executive Summary

1.1 This purpose of this Capital Strategy is to:

- a. Set out the principles the Council will follow in its capital planning.
- b. Outline the methodology for inclusion of schemes within the Capital Programme.
- c. Set out the arrangement for management of capital schemes.
- d. Identify the investment requirements and how those schemes may be funded.

1.2 In addition the Strategy includes a number of other areas due to changes in the CIPFA's Treasury Management Code of Practice relating to the loans to companies and investments in property funds and how these differ from the Council's capital expenditure. The Strategy also sets out the principles of what is a capital investment, the knowledge and skills available to the Council, an overview of governance processes and an outline of its approach to commercial activities including due diligence and risk appetite.

1.3 The capital strategy is therefore intended to give a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services along with an overview of how associated risk is managed and the implications for future financial sustainability.

2 What is Capital Expenditure?

2.1 Capital expenditure is incurred on the acquisition or creation of assets, or expenditure that enhances or adds to the life or value of an existing fixed asset that is needed to provide services. Fixed assets are tangible or intangible assets that yield benefits to the Council generally for a period of more than one year, e.g. land, buildings, roads, vehicles. This is in contrast to revenue expenditure which is spending on the day to day running costs of services such as employee costs and supplies and services. The definition of what can be classed as capital expenditure is a combination of accounting regulation and legislation and this distinction is important as capital funding (such as capital receipts and capital grants) cannot typically be used to fund revenue expenditure.

2.2 The capital programme is the authority's plan of capital works for future years, including details on the funding of the schemes. Included are the projects such as the purchase of land and buildings, the construction of new buildings, design fees and the acquisition of vehicles and major items of equipment. Also included could be service and commercial investments.

3 What are Treasury Investments?

3.1 Treasury Management investment activity covers those investments which arise from the organisation's cash flows and debt management activity, and ultimately represent balances which need to be invested until the cash is required for use in the course of business.

3.3 For Treasury Management investments the security and liquidity of funds are placed ahead of the investment return. The management of associated risk is set out in the Treasury Management Policy and the Annual Investment Strategy.

3.4 The CIPFA Treasury Management Code recognises that organisations may make investments for policy reasons outside of normal treasury management activity. These may include service and commercial investments.

4 What are Service and Commercial Investments?

4.1 These are investments for policy reasons outside of normal treasury management activity. This may include:

Service investments

4.2 Investments held clearly and explicitly in the course of the provision, and for the purposes, of operational services, including regeneration.

Commercial investments

4.3 Investments taken for mainly financial reasons. These may include:

- investments arising as part of business structures, such as shares and loans in subsidiaries or other outsourcing structures such as IT providers or building services providers;
- investments explicitly taken with the aim of making a financial surplus for the Council.

4.4 Commercial investments also include fixed assets which are held primarily for financial benefit, such as investment properties.

4.5 Due to the nature of the assets or for valid service reasons, such investments do not always give priority to security and liquidity over yield. In these cases, such a decision will be explicit, with the additional risks set out and the impact on financial sustainability identified and reported.

4.6 The Director of Finance will ensure that the Council has the appropriate legal powers to undertake such investments and will ensure the proportionality of all investments so that the Council does not undertake a level of investing which exposes it to an excessive level of risk compared to its financial resources.

4.7 Annexe 1 sets out in detail the Council's Investment Strategy around Commercial Investments

5 Due Diligence

5.1 For all capital investments, the appropriate level of due diligence will be undertaken with the extent and depth reflecting the level of additional risk being considered.

5.2 Due diligence process and procedures will include:

- effective scrutiny of proposed investments by the relevant committee;

- identification of the risk to both the capital sums invested and the returns;
- understanding the extent and nature of any external underwriting of those risks;
- the potential impact on the financial sustainability of the Council if those risks come to fruition;
- identification of the assets being held for security against debt and any prior charges on those assets;
- where necessary independent and expert advice will be sought.

5.3 The Director of Finance will ensure that members are adequately informed and understand the risk exposures being taken on.

6 Council Objectives/Identifying Need

6.1 The Council has agreed a number of corporate aims, priorities and objectives which guide its work. The Council Plan 2016 – 2020 sets out vision for Swindon and the priorities we are trying to achieve for our residents and the borough of Swindon. The current Plan sets 4 priorities:

- Improve infrastructure and housing to support a growing, low-carbon economy
- Offer education opportunities that lead to the right skills and right jobs in the right places
- Ensure clean and safe streets and improve our public spaces and local culture
- Help people to help themselves while always protecting our most vulnerable children and adults

6.2 Capital investment projects must be in line with the Plan and priorities as well as individual service aims and objectives.

6.3 In addition to the Council's own priorities external influence may impact on capital decisions, for example central government and local enterprise partnership (LEP) priorities and funding requirements, and of course the influence of demographic and legislative changes. These need to be considered as part of the risk process when considering investment decisions.

7 Prioritising Investment

7.1 In order to ensure best use of resources, all capital investment proposals should be prioritised based on the following considerations:

- Is the proposal as a result of a statutory or urgent Health & Safety requirement and to what degree?
- Does the proposal fit within one of the Councils 4 priorities?
- Does the proposal attract significant external funding support or other sustainable income streams such as business rates or income tax?
- Does the proposal generate revenue savings, to what extent and timescales and are these acceptable?
- Does the proposal avoid future costs, to what extent and timescales and are these acceptable?

- Has risk been assessed and fully understood, is it manageable and considered acceptable?

7.2 The following processes are designed to ensure this happens.

8 Governance

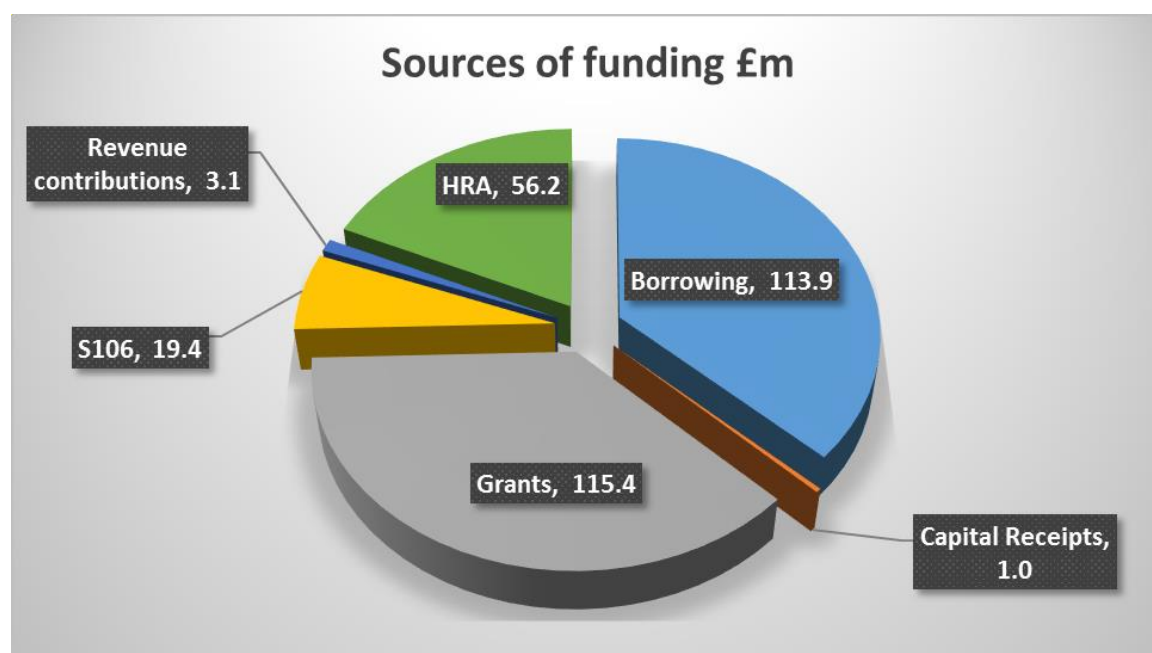
- 8.1 In order for capital schemes to enter the capital programme, they must ultimately be approved at Cabinet. Prior to this there are various layers of scrutiny to ensure all proposals are deliverable, affordable, and provide value for money.
- 8.2 The Commercial Investment Strategy Board ("CISB") specifically reviews proposals that are made for purely a commercial purpose. The Investment Strategy attached at Annexe 3 to this paper details the Governance process for this Board.
- 8.3 General Fund Capital proposals that do not require CISB approval should be presented to the Capital Board for review and scrutiny prior to proceeding to Cabinet. The Capital Board is an officer Board and should consider schemes using the same criteria as detailed at section 7 above.
- 8.4 Once a proposal has been formally approved, the identified budget manager must manage the project and ensure forecasts are updated regularly in line with financial processes so that they can be incorporated into the quarterly capital programmes reports for Cabinet. In addition, for larger projects, strong consideration should be given to setting up a Project Board chaired by the Head of Service which adds a further ability to monitor and scrutinise progress of the project against cost, time and deliverables.

9 The Capital Programme 2020/21 – 2024/25

9.1 Table 1 below sets out the existing approved capital programme over the next 5 years and how it is funded. This information was set out in the Capital Monitoring report to Cabinet on 4th December 2019.

Table 1 – Existing Approved Capital Programme and sources of funding December 2019

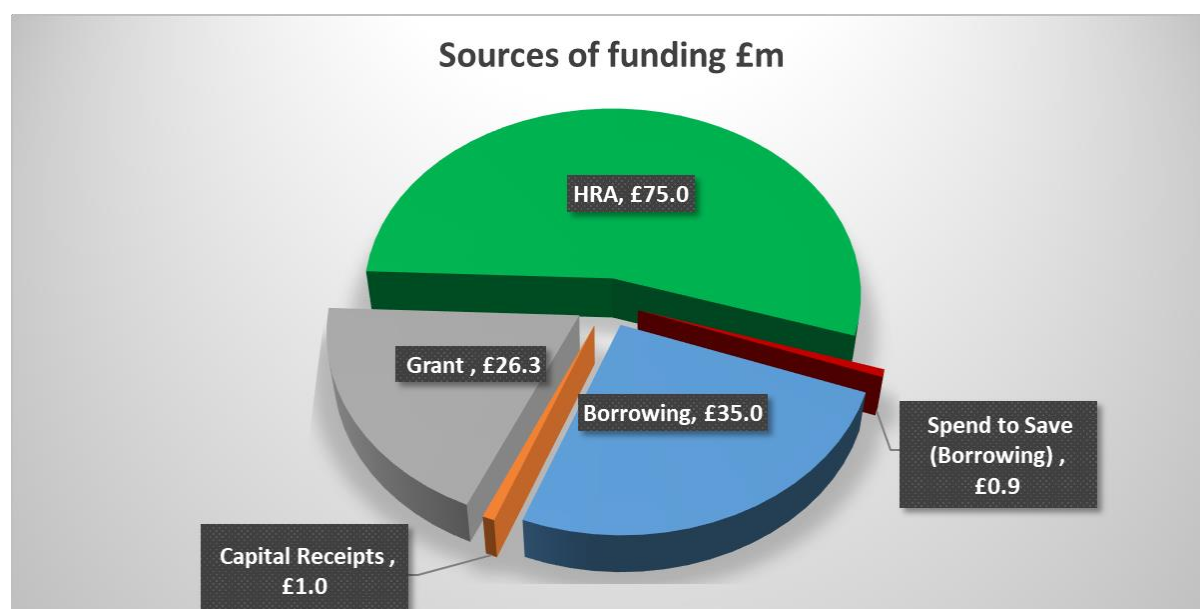
	19/20	20/21	21/22	22/23	Totals
	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
Resources	23.7	6.7	1.1	36.2	67.7
Economy	24.8	41.8	20.9	0.0	87.5
Childrens Services	11.4	2.2	1.9	0.0	15.5
Adults	2.5	2.6	2.4	0.0	7.5
Communities & Housing	40.3	27.8	0.1	4.4	72.6
GF Total	102.7	81.1	26.4	40.6	250.8
HRA	18.8	21.1	11.1	6.1	57.1
Total incl HRA	121.5	102.2	37.5	46.7	307.9
Completed schemes	1.1				1.1
Grand Total	122.6	102.2	37.5	46.7	309.0



9.2 Table 2 sets out a summary of the new investment requirements for 20/21 through to 24/25 (subject to approval) and the proposed funding sources.

Table 2 – new approvals and sources of funding

	20/21	21/22	22/23	23/24	24/25	Totals
	£m	£m	£m	£m	£m	£m
Adults	0.3	0.3	0.3	0.3	0.3	1.5
Communities & Housing	9.7	6.2	7.7	9.8	5.5	39.0
Economy	4.0	5.5	-	5.0	-	14.5
Resources	1.9	1.6	1.8	1.5	1.5	8.2
GF Total	15.9	13.6	9.8	16.6	7.2	63.2
HRA	15.0	15.0	15.0	15.0	15.0	75.0
Total incl HRA	30.9	28.6	24.8	31.6	22.2	138.2



9.3 Section 12 sets out the impact of the new approvals on existing levels of borrowing over the next 5 years.

10 Funding Strategy and Capital Policies

10.1 This section sets out the policies of the Council in relation to funding capital expenditure and investment.

External Funding

10.2 Services must seek to maximise external funding wherever possible to support capital schemes. This can be in the form of grants and contributions from outside bodies including central government.

10.3 Prior to submitting bids for grant funding, an assessment of the risk of cost increases must be completed to estimate the likelihood of additional funding being needed, and whether this risk is acceptable.

10.4 If additional funding is required or match funding is required as part of the bid conditions then the source of the match funding must be identified and approved via the relevant Corporate Director prior to the external funding bid being

submitted. If this is not possible then the appropriate service must raise this for consideration with the members of the Corporate Management Team and the relevant Portfolio Holder prior to submitting any bid for funding.

Capital Receipts

- 10.5 A capital receipt is an amount of money exceeding £10,000 which is received from the sale of an asset. This funding cannot be spent on revenue items other than where a statutory override exists such as through Flexible Use of Receipts detailed below.
- 10.6 The Director of Finance will review all of the Council's property annually against the aims and objectives of the Corporate Asset Management Strategy. The general policy is that any capital receipts are then pooled and used to finance future capital expenditure and investment according to priorities, although they may be used to repay outstanding debt on assets financed from loans, as permitted by the regulations.
- 10.7 The Government introduced Statutory Guidance on the Flexible Use of Capital Receipts in 2016 which was updated again in December 2017 to allow a continuation of the flexibility programme for a further 3 years to 2021/22. This allows for certain qualifying (revenue) expenditure which is forecast to generate on-going savings to the authority to be funded from Capital Receipts. A level of governance and reporting is required to take account of this benefit and the guidance recommends that a report is taken to Full Council each year detailing the use of this flexibility to ensure there is full transparency.

S106 Developer Contributions/Community Infrastructure Levy (CIL)

- 10.8 Developer contributions and CIL are sought to mitigate the impact of development and overcome what would otherwise be a potential reason to refuse a planning application. Following the introduction of CIL the Council primarily seeks S106 contributions to meet the social housing targets within our current planning policies.
- 10.9 The CIL charging mechanism which largely replaces s106 monies can be claimed to fund Community Facilities, Indoor Sports Facilities, Public Open Space, Environmental Improvements, Public Art, Highway measures (inclusive of Park and Ride, Pedestrian measures, Cycle Facilities etc.), Education, Libraries, Waste Recycling, Youth Services, Museum Resource Centre and Day Care Provision for Adults.
- 10.10 The finance team keep a record of all S106 and CIL payments received, committed and spent. Officers should always liaise with the finance and S106/CIL teams to identify potential funding sources before submitting capital bids with funding gaps.

Revenue Funding

- 10.11 Services may use their revenue budgets to fund capital expenditure.
- 10.12 The Director of the service and the Corporate Director of Finance & Assets will need to take a view and decide the most appropriate way of funding their service areas.

Prudential/Unsupported Borrowing

- 10.13 Local Authorities can set their own borrowing levels based on their capital need and their ability to pay for the borrowing. The levels will be set by using the indicators and factors set out in the Prudential Code. This borrowing may also be referred to as Prudential Borrowing.

- 10.14 Capital projects that cannot be funded from any other source can be funded from Prudential Borrowing. Borrowing costs are not funded by the Government and therefore Services must be able to afford the borrowing repayment and interest charges on the loan from existing revenue budgets or the Council must see this as a key priority for the budget process and to be factored into the medium term financial strategy accordingly.
- 10.15 The Director of Finance will make an assessment of the overall prudence, affordability and sustainability of the total borrowing requested. The impact of this borrowing will be reported in the Treasury Management Strategy alongside the Prudential Indicators required by CIPFA's Prudential Code for Capital Finance.
- 10.16 The view of the Director of Finance will be fed into the corporate bidding process so that, should the borrowing levels be unaffordable or not prudent, then the schemes will be prioritised against the available funding from borrowing using the prioritisation framework in this strategy.
- 10.17 The Director of Finance will also determine the timing and extent of any external borrowing as part of the Treasury Management Strategy.

Spend to Save Schemes

- 10.18 Occasionally projects arise for which services require assistance with meeting the set up costs of projects which may bring long term service delivery improvements and/or cost savings. The initial set up costs may be of a revenue or capital nature. Assistance for these schemes must be considered on an individual basis by the Corporate Management Team and then the Cabinet with consideration to the Council's overall priorities and resources.
- 10.19 For 'spend to save' schemes assistance may be given for initial set up costs, but it is expected that in the longer term these schemes will produce savings and/or additional income that will as a minimum fund any additional operational or borrowing costs. If the additional savings/income does not cover the additional costs incurred, then the service will be required to fund the gap from their existing budgets (i.e. they will underwrite the savings/income).

Leasing

- 10.20 The Director of Finance may enter into finance leasing agreements to fund capital expenditure on behalf of services. However, a full option appraisal and comparison of other funding sources must be made and the Director of Finance must be certain that leasing provides the best value for money method of funding the scheme.
- 10.21 Under the Prudential Code finance leasing agreements are counted against the overall borrowing levels when looking at the prudence of the authority's borrowing.

11 Asset Management Planning

- 11.1 Disposals of the existing commercial portfolio are considered on the basis set out in the investment and disposal strategy which has been agreed through the Commercial Investment Strategy Board. There are no planned disposals, opportunities are considered as they arise and in the context of the disposals strategy, recognising the fact that commercial properties are revenue producing and that the Council is looking to retain and maximise the return from revenue making assets, and acquire further assets in line with the investment strategy.
- 11.2 There are also sites that are available for disposal that are non-income producing that are dealt with as part of business as usual. These mainly consist

of undeveloped plots where planning is either available or specific planning briefs are obtained to maximise the value as part of the marketing and disposal process, or assets that are no longer required for operational use. Opportunities are considered taking into account:

- Potential demand if a site is marketed and the ability to maximise the sale value;
- The holding cost of assets. The higher the cost the more this will influence the timing of a proposed sale;
- Whether there is an opportunity for a sale to one of the Council's fully owned companies to maximise revenue generation.

11.3 On-going costs of existing assets are reflected in budgets and these are taken into account when considering investment or disposal opportunities

12 Treasury Management and Debt

12.1 Treasury Management performance, the effective management of the Authority's daily cash balances, is reported to Cabinet twice a year and an Annual Treasury Strategy is approved at Council every year. Under the Council's Constitution, the Audit Committee scrutinises the treasury management activities undertaken by the Director of Finance and his team, including compliance with agreed policies.

12.2 The amount of long term borrowing undertaken to fund capital expenditure and therefore is relevant to this strategy. The reports provide full information around the strategy for the year ahead and the performance for the previous period, but some of the key information is replicated below from the latest reports.

12.3 There are 2 key components of debt, the actual debt at a point in time, and the Capital Financing Requirement or "CFR" which takes the actual debt and adds on further capital expenditure incurred for which the borrowing is still to be taken.

12.4 The difference between the CFR and actual borrowing is known as **Internal Borrowing** and represents the use of cash backed reserves and cashflow surpluses as a temporary measure in advance of further long term borrowing. This saves the Council interest as the opportunity cost of temporarily using reserves to fund expenditure is currently lower than the cost of long term borrowing.

12.5 As at the end of March 2019, the Councils debt position was as follows:

CFR and BORROWING POSITION	31-Mar-18 Actual £m	31-Mar-19 Actual £m	Change £m
Long term debt	£307.8	£326.2	£18.4
Of which HRA	(£114.0)	(£109.0)	(£5.0)
Of which General Fund	£193.8	£217.2	£13.4
Capital Financing Requirement			
General Fund (£m)	£348.2	£368.8	£20.6
HRA (£m)	£114.0	£109.0	(£5.0)
Total CFR incl PFI liabilities	£462.2	£477.8	£15.6

Less PFI Liability	(£51.3)	(£49.6)	£1.7
Total CFR excl PFI liabilities	£410.9	£428.2	£17.3
Internal Borrowing (total CFR less total debt)	£103.1	£102.0	(£1.1)

12.6 PFI liabilities, representing the remaining payments due to 2032 under the Councils Schools PFI contract, technically form part of the CFR and have therefore been included in the table above but removed for comparison with actual debt.

12.7 Debt is repaid through an annual charge to the revenue budget broadly equating to the life of the underlying asset that has been financed and is known as the **Minimum Revenue Provision**. This is a charge which sets aside cash to repay the principal element of any borrowing and for the General Fund is calculated with reference to the life of the assets being financed and interest rates. The MRP Policy Statement forms part of the Treasury Management Strategy taken to Cabinet and approved at Full Council annually.

12.8 HRA borrowing forms part of overall Council borrowing for treasury management purposes but charges are earmarked to the HRA on an accounting basis which reflects the initial debt allocation when HRA subsidy was abolished less annual repayments. Effectively charges are ring-fenced between the General Fund and the HRA.

Future borrowing levels

12.9 Section 9 of this strategy sets out the estimate future level of capital investment and the level of borrowing required to support it.

12.10 The following table sets out the estimated debt position taking into account further borrowing assumptions to fund and re-finance the existing approved capital programme (£113.9m) over the next 5 years, plus new borrowing to fund the new approvals detailed at paragraph 9.2, again assumed over 5 years. Actual timing of borrowing will be dependent on treasury management policy including interest rate forecasts, as well as the spend profile of the capital programme.

12.11 This shows debt increasing annually from £336m at the end of March 2020 through to £465m by the end of March 2025.

Table 3

	19/20	20/21	21/22	22/23	24/25
	£m	£m	£m	£m	£m
Debt b/fwd	326.2	336.8	363.3	379.3	449.5
New approvals		7.0	7.0	7.0	7.0
Existing approvals	10.6	19.5	9.0	47.6	8.6
Debt c/fwd	336.8	363.3	379.3	433.9	465.1

12.12 The Medium Term Financial Plan will take into account the additional borrowing costs which are dependent on future interest rate movements and timings of new loans.

Borrowing Limits

12.13 The Council is required by the Cipfa Prudential Code to set Prudential Indicators around limits on external debt which include both an **Authorised Limit**

and an **Operational boundary**. These are set at Council as part of the Annual Treasury Strategy but is set out below.

- 12.14 **The Operational Boundary** is the limit beyond which external borrowing is not normally expected to exceed i.e. a best estimate of the maximum level if all borrowing requirements were undertaken plus a contingency. This limit reflects the Councils current estimated debt position, with the assumption that internal borrowing (using existing working capital cash balances temporarily to fund capital expenditure in advance of undertaking new external borrowing) will be reduced as new external borrowing is undertaken. Other long term liabilities represent PFI and finance leases. The operational boundary for 2020/21 is **£539.0m** (subject to approval of the 20/21 treasury strategy)
- 12.15 **The Authorised Limit** for external borrowing is a further key prudential indicator, this represents a control on the maximum level of borrowing. This represents a limit beyond which external borrowing is prohibited. This has been set to reflect the Council's estimate of the Capital Financing Requirement for borrowing, and for other long term liabilities (PFI and other leases) at £5m above the Operational Boundary (i.e. the expected level). The limit for 20/21 is therefore **£544.0m** (subject to approval of the 20/21 treasury strategy)
- 12.16 The prime policy objectives of local authority investment activities are the security and liquidity of funds, and authorities should avoid exposing public funds to unnecessary or unquantified risk. However, all treasury management activity is subject to risk, including the 'do nothing' option and treasury management is all about the management of risk.
- 12.17 The key risks inherent in treasury management activity are set out below but the Treasury Management Policy and Treasury Management Practices (Annexe to the Policy) sets out more detail:
- 12.17.1 Borrowing – it is important the any new borrowing is taken out at the lowest possible cost to the Council. As loans also have to be replaced upon maturity, it is important that the Council has a balanced portfolio in terms of varying loan period so that the risk of having to replace maturing loans in any one period when interest rates may be high is mitigated.
- 12.17.2 Lending – the priorities for lending are security and liquidity, followed by yield. The primary risks are therefore that the Council will receive its money back (Security), and that the funds lent can be returned as quickly as required.(Liquidity) The Policy strategy sets out in full the framework around who the Council can invest with and the restrictions in place.
- 12.18 The Council sets out its Treasury management Strategy to Full Council annually in the Treasury Strategy Statement and regularly updated its Treasury Management Practices document which sets out how officers will apply the strategy and mitigate the risks. The Councils Director of Finance and Treasury management team meet quarterly to review borrowing and investment requirements in the light of interest rate movements and obtain expert advice as required.
- 12.19 The Council currently uses external advisors, Link Asset Services, to provide Treasury Management advice and support its internal team. This includes both technical advice as well as advice around the market outlook given this is a key area for successful management of loans and investments. The Councils internal treasury team have significant experience in this area gained with a number of local authorities over many years. The treasury management service contract will be re-tendered during 20/21.

12.20 In addition, staff undertake regular training to ensure knowledge is up to date and Member training is periodically provided using both in house and external resources.

12.21 The annual Treasury Management Policies and Strategies are presented annually to Council for approval and contain significantly more detail around Treasury Management and Debt.

13 Commercial activity

13.1 The updated 2017 Prudential Code and Treasury Management Codes now require that an Investment Strategy should be approved annually, either as a stand-alone strategy or as part of either the Capital Strategy (this document) or the Treasury Management Strategy.

13.2 This document sets out the authority's risk appetite and governance processes which include due diligence.

13.3 The Council's Investment Strategy is attached at Annexe 1.

14 Other long-term liabilities

14.1 Other long term liabilities relate to off balance sheet items such as finance lease and PFI. The largest long term financial liability that the Council is committed to is its 7 schools PFI contract signed in 2005 and in operation until 2032. This contract with Education and Support Swindon Limited, a company operated by John Laing and provides Design, Build, Finance and Operates services to the Council at a cost of c£11m per annum.

14.2 Other than the PFI contract which is managed and monitored through an in-house client team, the Council does not have any other long-term liabilities. Any future leasing arrangements should be advised to the Treasury team within the finance function so that consideration of the value for money and accounting issues can be ascertained.

15 Procurement and Value for Money

15.1 The Council is under a general Duty of Best Value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness

15.2 Procurement is the purchase of goods, services, consultancy and works with a strategy being developed to assist with the definition of quality standards and securing provision of the best possible services for local people for a given price.

15.3 The Council has a Procurement team that ensures that effective procedures and scrutiny are in place to deliver value for money and identify opportunities for efficiency savings to be maximised.

15.4 It is essential that all procurement activities comply with both the Council's own Contract Standing Orders (that incorporates national legislation) and financial regulations in addition to the EU procurement directives to ensure compliance with all of the relevant procedures and regulations.

15.5 The main aim is to hold 'value for money' as a key goal in all procurement activity to optimise the combination of cost and quality.

16 Management Framework

- 16.1 The governance structure of the Council has the Corporate Management Team that takes a corporate and group view on the capital programme and investment.
- 16.2 The Corporate Management Team and a Capital Board will also ensure a corporate and group portfolio perspective to the use and allocation of the Council's capital assets and those within its control, and in planning capital investment. The team receives reports on proposed capital projects and recommends to the Cabinet proposals for the development of the capital programme.

17 Performance and Project Management

- 17.1 Clear measurable outcomes should be developed for each capital scheme and should include a project plan with milestones as well as robust budgets with contingencies that reflect known and unknown risks taking into account internal and external influences.
- 17.2 All capital projects should have an identified budget manager responsible for managing the performance of the scheme in terms of both time and cost. All individual projects with a total budget of greater than £1m should consider setting up a Project Board, or be overseen by a wider Project Board, that meets regularly to monitor scheme progress against required outcomes, and gives strategic direction to the Project Manager.
- 17.3 After the scheme has been completed, services should check if outcomes have been achieved and within original timescales and budgets.
- 17.4 If Project Boards are set up, they should ensure that agendas are prepared and circulated beforehand, minutes taken, and include as a minimum a risk register and project plan with key dates and tasks. Project Boards should also review the project risk register and provide strategic direction to the project manager where required.
- 17.5 Formal post scheme evaluation reviews should be completed by Departments for all schemes over £1 million and this should be signed off by the Project Board when the project is complete.
- 17.6 Post project reviews should look at the effectiveness of the whole project in terms of service delivery outcomes, design and construction, financing etc. and identify good practice and lessons to be learnt in delivering future projects.

18 Risk Management

- 18.1 Risk is the threat that an event or action will adversely affect the Council's ability to achieve its objectives and to execute its strategies successfully.
- 18.2 Risk management is the process of identifying risks, evaluating their potential consequences and determining the most effective methods of managing them and/or responding to them. It is both a means of minimising the costs and disruption to the organisation caused by undesired events and of ensuring that staff understand and appreciate the element of risk in all their activities.
- 18.3 The aim is to reduce the frequency of adverse risk events occurring (where possible), minimise the severity of their consequences if they do occur, or to consider whether risk can be transferred to other parties.
- 18.4 To manage risk effectively, the risks associated with each capital project need to be systematically identified, analysed, influenced and monitored.

18.5 It is important to identify the appetite for risk by each scheme and for the capital programme as a whole, especially when investing in capital assets held primarily for financial returns. Under the CIPFA Prudential Code these are defined as investments and so the key principle of control of risk and return must be applied.

18.6 The Corporate Director of Finance and Assets will report explicitly on the affordability and risk associated with the Capital Strategy. Where appropriate he will have access to specialised advice to enable him to reach his conclusions.

18.7 An assessment of risk should therefore be built into every capital project and major risks recorded in a Risk Register.

19 Alternate Delivery Models

19.1 In response to reducing capital resources the Council has looked to existing and new delivery models to continue its significant capital investment in the town which levers in other partners and innovative financing. These include:

- Public Power Solutions Ltd – Wholly owned subsidiary offering waste and power solutions
- Solar Farms – Common and Chapel Farms are wholly owned companies delivering solar power
- Swindon Housing Company Ltd – wholly owned Housing development companies
- Wichelstowe Joint Venture – 50/50 Joint Venture between Barratt Developments and the Council to deliver up to 2,800 homes on Wichelstowe

19.2 A Shareholder Panel meets every 6 months to review the performance of the companies listed above, their wider benefit to the Council and risks.

19.3 Innovative funding streams and partnerships will be explored where these could provide benefits to the Council but will be subject to rigorous assessment and approval in line with the Capital Strategy and wider Council governance processes.

20 Property Investments

20.1 As part of Commercial activity and the response to reducing resources, the Council has looked to purchase property where returns are greater than the cost of funding. This is underpinned through a Commercial Acquisitions & Disposal Strategy and purchases are approved via a business case to the Commercial Investment Strategy Board chaired by the Deputy Leader of the Council and Cabinet Member for Finance. The strategy is attached at Annexe 2 and is unchanged from that approved for 2019/20.

20.2 Hartnell Taylor Cook, a firm of specialist commercial property consultants, have been procured to offer external expert advice on proposed purchases as well as an overview of the overall Council portfolio to ensure the portfolio is balanced, and risks are actively identified and managed.

20.3 The Council has also engaged specialist accounting and financial advisors to support this process.

Annexe 1 - Investment strategy

Annexe 2 - Property Investment and Disposal Strategy

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Annexe 1

Investment Strategy (Non-Financial Investments)

Investment Types

1.1 Authorities may invest in other financial assets, including loans and property primarily for financial return, which are not part of treasury management activity.

Other investments may include:

- service investments' held clearly and explicitly in the course of the provision and for the purposes of operational services, including regeneration
- commercial investments' which are taken for mainly financial reasons, including investments arising as part of business structures, such as shares and loans in subsidiaries or other outsourcing structures such as IT providers or building services providers; or investments explicitly taken with the aim of making a financial surplus for the organisation; commercial investments also include non-financial assets which are held primarily for financial return such as investment properties. These are termed "**non-financial investments**"

1.2 Where authorities invest in other financial assets and property primarily for profit, these investments should be proportional to the level of resources available to the authority, and the authority should ensure that the same robust procedures for the consideration of risk and return are applied to these decisions as would be applied to any other decision. Robust and transparent governance procedures and decision making remain critical in all investments the authority makes and the following section set out the Councils governance procedures around such proposals.

1.3 Swindon Borough Council invests in asset purely for a financial return and has a clear and robust governance process in place for such investments which is set out below:

Governance Processes

1.3.1 All Commercial Investment proposals must be taken through the Commercial Investment Strategy Board ("CISB") in the form of a business case which sets out the financial implications and the risks.

1.3.2 The Board is chaired by the Cabinet Member for Finance and is attended by the Chief Executive and Director of Finance meets monthly to review all proposals. If successful they either proceed to Cabinet for approval if the investment required is greater than £10m, or through a Cabinet Member Decision Note process if less than £10m. In addition, there is a CMAG (Cabinet Member Advisory Group) for additional scrutiny and comment.

- 1.3.3 The CISB will also obtain external expert advice if required, including additional legal advice if required, and has procured expert commercial property advice for this purpose as it continues to look for commercial property investments to support the budget.
- 1.3.4 The CISB has also approved a Property Investment and Disposal Strategy which sets out a number of criteria by which property investment proposals will be assessed. This is attached at Annexe 4.
- 1.3.5 Proposals other than those assessed against the criteria in the Property Investment and Disposal Strategy will be assessed against the following criteria:
- Is the overall profit acceptable to the risk?
 - Are the timescales for returns realistic and acceptable?
 - Are the risks acceptable and/or controllable?
 - Is the investment required proportional to the level of resources available to the Authority?
 - Is external expertise required to fully understand the business case proposal and risks?
- 1.3.6 The purpose of the criteria set out above is to set a framework by which to assess commercial proposals and ensure consistency is applied when making decisions.

Risk Appetite and Indicators

- 1.4 In general, the Council's risk appetite is assessed through its tolerance to risk in respect of capital preservation, meaningful liquidity and income volatility. In terms of Treasury Investments, this is through the primary considerations being Security and Liquidity, with yield being a secondary consideration.
- 1.5 For non-financial investments, the Council seeks to minimise its exposure to risks that are unwanted and unrewarded.
- 1.6 The Council is exposed to a wide range of risks, key ones being:
- Financial risks related to the investment of the Council's assets and cash flow, market volatility, currency etc.
 - Economic risks related to the performance of the economy, nationally and locally, interest rates and inflation.
 - Credit and counterparty risks related to investments, loans to institutions and individuals and counterparties in business transactions.
 - Strategic risks related to key initiatives undertaken by the Council such as significant purchases, new ventures, commercial interests and other areas of organisational change deemed necessary to help the Council meet its objectives.
 - Reputational risks related to the Council's dealings and interests, and the impact of adverse outcomes on the Council's reputation and public perception.

- Governance risks related to ensuring that prudence and careful consideration sit at the heart of the Council's decision-making, augmented by quality independent advice and appropriate checks and balances that balance oversight and efficiency.
- 1.7 All business case proposals will clearly identify risk to ensure these are acceptable to the Council with a clear focus on the impact of the downside risk on the overall sustainability of the authority.
- 1.8 Managing the Council's risks is an area of significant focus for senior management and members, and risk management is at the heart of all investment as well as operational decisions.
- 1.9 The Council aims to minimise its exposure to unwanted risks – those risks that are not actively sought and which carry no commensurate reward for the Council – through a range of mitigation strategies to the extent that it is cost-effective to do so. Specifically, the Council has no appetite for reputational risk, governance risk and currency risk.
- 1.10 The following local indicators will be used to assess the Council's total risk exposure as a result of its **commercial investment decisions** and will form part of the treasury management out-turn report.
- Total Investment in commercial undertakings by Property/Other
 - Total Investment funded through borrowing
 - Average investment return before financing costs
 - Total investment income as a proportion of the Council's Net General Fund budget
 - Investment borrowing as a proportion of total external debt as measured by the Capital Financing Reserve (excl lease liabilities and HRA)
 - Fair value of property investments as a proportion of all Council property assets
- 1.11 In considering risk, it is vital that not only the risks of individual investments are considered but also the cumulative impact of all the investments made by the authority and the interaction of individual risks. The Commercial Investment Strategy Board will therefore review the overall portfolio in light of current market and other risks.
- 1.12 Returns from treasury management investments are fully detailed in the bi-annual treasury management reports which are scrutinised at Audit Committee.

Ongoing Management and Reporting

- 1.13 The Commercial Investment Strategy Board will receive regular reports setting out the performance and current risk in relation to the overall investment portfolio.
- 1.14 Regular monitoring of the portfolio will identify any changes in Security, Liquidity and Yield and will also identify any lifecycle costs required to maintain the income potential of any property based assets. Values will also be regularly assessed to identify any significant changes in the value of the investments and market conditions that might impact upon this.

1.15 Any material change in the investment risk or threat to ongoing yield will be reported immediately to the next Board meeting (or immediately to the Chair if urgent action is required) so that mitigating action can be established.

Local Indicators

1.16 Recent guidance on Local Authority Investments states that the Strategy should include quantitative indicators that allow Councillors and the public to assess a local authority's total risk exposure as a result of its investment decisions. The following indicators have been calculated for 19/20 and relate to all purchases for a pure commercial purpose since April 2017.

Commercial Property Investments	actual 31.3.19 £m
No of Properties	1
Property	£7.9
Amount Funded through borrowing	£0.0
Average investment return before financing costs	7.5%
Total investment income as a proportion of the Councils Net General Fund budget	0.4%
Investment borrowing as a proportion of total external debt as measured by the Capital Financing Reserve (excl. lease liabilities and HRA)	0.0%
Fair value of property investments as a proportion of all Council property assets (excl. HRA)	1.6%

These currently are based on assumptions as to the level of year end debt and the fair value of assets and will be updated as part of the Treasury out-turn reports in the new year.

In addition to the above, the guidance also requires Authorities to have regard to the guidance if it makes loans to local enterprises, local charities, wholly owned companies and joint ventures and can demonstrate that the overall exposure to these loans is proportionate. At the end of March 2019, the Council is estimated to have outstanding loans of this type totalling £16.023m and this is considered proportionate in relation to the Councils net general fund budget (£143.1m) and its overall debt level of £311.5m (estimated 31/3/19). In addition, these loans are to wholly owned companies with direct control and oversight from the Council.

The limits on loans by type are as follows:

- Wholly owned companies and joint ventures - £51m
- Local Enterprises and charities - £1m

Annexe 2 - Property Investment and Disposal Strategy

Investment Strategy

Swindon Borough Council holds a substantial portfolio of property held for non-operational purposes. Within this portfolio is a large estate of income-producing property that would traditionally form the basis of an investment portfolio, comprising the retail, office and industrial premises together with ground rents. This produces an annual revenue income of about £4.6m used to support the delivery of Council services.

In September 2017 Hartnell Taylor Cook were appointed to advise on the performance of the existing portfolio and devise a strategy and criteria for future investment acquisitions. Their findings are summarised below:

Current Portfolio

1. The existing portfolio appears to have evolved from longstanding ownerships and is biased towards retail and long leasehold asset classes.
2. Income from ground rents is 23% of the total portfolio income as a secure element of the portfolio this is sensible and to be expected.
3. Retail and office properties make up 26% and 21% respectively, these are historically subject to low rental growth (in the Swindon area) and higher obsolescence in the case of offices.
4. Industrial units only constitute 15% which shows an imbalance by sector and lack of exposure to an active sector of the local and South West occupational market and historically one of the best performing classes in Swindon and likely to show highest rental growth
5. There is no direct exposure to some established or emerging use classes such as retail warehousing or hotels
6. The portfolio is nevertheless balanced and relatively well split across the other sectors it holds, and the current gross yield of circa 8.10% is a good overall return

Investment Strategy

1. The current portfolio is heavily weighted towards the Swindon borough boundaries with only Lysander House (Bristol) being held outside the borough boundary. Swindon would be considered a higher risk location by the commercial investor market due to historic oversupply in most sectors, and relatively low levels of rental growth. In order to diversify the exposure of the portfolio it would be sensible to spread investment beyond the local authority boundaries

2. The portfolio lacks modern industrial buildings, retail warehousing and has a low modern office content. Target asset classes for new acquisitions should prioritise industrial investments (particularly if investing in Swindon), the retail warehouse sector with a lower priority focus on recycling office investment to target quality office income in, for example, Bristol or Reading. The portfolio should remain balanced at all times.
3. The current portfolio is quite dated, with obsolescence an ongoing issue and many smaller properties with high levels of management. Preference should be for assets with minimal associated management costs and those with low obsolescence costs, typically modern single let properties or those with 2-3 tenants and unexpired lease terms of 5-10 years reducing the requirement for active management. A regular review of potential disposals and the recycling of sale proceeds into opportunities to achieve a better or more sustainable return should be carried out to identify higher risk properties in the portfolio (see **Disposal Strategy** and **Disposal Criteria** below)
4. In addition to reviewing potential disposals, asset management opportunities to increase the commercial return / investment value from existing portfolio should be pursued. These may include buying in existing long leasehold interests for increased revenue, pursuing early lease renewal negotiations to add certainty to income streams, extending / restructuring shortening leasehold and long leasehold interests, and pursuing site assembly and joint venture opportunities with adjoining owners, leaseholders and developers to release and maximise values

Investment Criteria – New Acquisitions

Aim –“to provide a set of principals in the form of target investment criteria for the acquisition of properties for investment purposes to provide additional and sustainable sources of income over the medium to long term to support the delivery of council services”

Location: candidate properties within Swindon Borough Council boundaries are preferred, but if a candidate property meets all the other Investment Criteria then consideration will be given to opportunities outside the Borough boundaries in an area along the M4 corridor from Bristol to Reading / Bracknell, and north east to the Oxford area.

Preferred Sectors: Industrial (single and multi-let), retail warehousing and offices

Target lot size: £2,000,000 to £10,000,000

Lease length: 5 years minimum, or Weighted Average Unexpired Lease Term (WAULT) of at least 5 years.

Repairing covenants: Full Repairing and Insuring (FRI) or FRI via service charge

Tenant Covenant: Tenants with a Creditsafe credit rating in excess of 50B

Rental income profile: Estimated Rental Value (ERV). Treat over-rented buildings with care.

Target yield: To meet the criteria outlined the likely yield range will be 6.00% -7.00%. Yields above this will be subject to careful risk scrutiny and likely to be within the Swindon boundaries. Yields below this will be considered on their merits but will be dependent on candidate properties exceeding the minimum lease length and tenant covenant strength criteria

Capital expenditure: Candidate properties requiring capital expenditure within the first 5 years of ownership are generally to be avoided

Disposal Strategy

1. As highlighted in the Investment Strategy, the current portfolio is quite dated, with obsolescence an ongoing issue and many smaller properties with high levels of management. The preference should be for assets with minimal associated management costs and those with low obsolescence costs, typically modern single let properties or those with 2-3 tenants and unexpired lease terms of 5-10 years reducing the requirement for active management. A regular review of potential disposals and the recycling of sale proceeds into opportunities to achieve a better or more sustainable return should be carried out, aiming to maintain a balanced portfolio at all times.
2. The Council undertook a programme in recent years of rebuilding several of its older suburban shopping parades but other properties remain that are close to being functionally obsolete, or require significant expenditure to bring them up to date. In addition, MEES (Minimum Energy Efficiency Standards) have come into force meaning that properties that fall below a certain threshold will no longer be able to be lawfully let.
3. Properties that are likely to need significant capital expenditure to maintain the current income stream should be considered for disposal where that expenditure will not guarantee a return on the expenditure that cannot be achieved or bettered elsewhere
4. In addition to the sale of properties where obsolescence is a major factor or capital expenditure is required, opportunities will arise for a sale of a property at above market value. Typically (but not exclusively) such circumstances will be:
 - Where an occupying lessee wishes to invest significant sums in on improvements to the building or business expansion, and requires the freehold to raise the necessary finance or justify the expense
 - Where a lessee holds the property on a long ground lease from the Council, paying a ground rent and wishes to acquire the freehold to merge the interests and release latent marriage value, shared with the Council as freeholder

- Where a purchaser owns nearby or adjacent properties and has a special interest in acquiring the Council's property

Disposal Criteria – Existing Stock

Aim –*“to provide a set of principals against which to identify properties within the portfolio for sale and the re-investment of the proceeds of the sale into opportunities to achieve a better or more sustainable source of income over the medium to long term to support the delivery of council services”*

Sale Price: properties will be considered for disposal where opportunities arise for a sale at above market value.

Capital Expenditure Exposure: properties will be considered for sale where substantial capital expenditure is likely to need to be incurred within the next five years and where incurring such expenditure cannot be justified

Balanced Portfolio: properties will be considered for sale where the portfolio shows an unacceptable imbalance in any sector which requires correction, or where opportunities arise for reducing the need for active management.

Treasury Strategy Statement 2020-21

Cabinet

Date: 5th February 2020

Authors: Cabinet Member for Finance, Education and Skills
Corporate Director of Finance and Assets

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To report Treasury Management Strategy for 2020/21, including Prudential Indicators up to 2024/25, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.
- 1.2 The effective management of financial resources through robust financial management processes underpins the Council's ability to achieve its plans and priorities.

2. Recommendations

Cabinet is recommended to (Minute for Confirmation):

- 2.1 Recommend the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1, for approval by Full Council on 20th February 2020.

3. Detail

Treasury Strategy

- 3.1 The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.
- 3.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 3.3 The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or

Further information on the subject of this report can be obtained from Ian Burbidge on Direct Dial No. 07769 281 641 or Email iburbidge@swindon.gov.uk

Treasury Strategy Statement 2020-21

Cabinet

Date: 5th February 2020

the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.

- 3.4 Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day to day treasury management activities.

- 3.5 CIPFA defines treasury management as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

Reporting requirements

- 3.6 The Council is required to receive and approve, as a minimum, three treasury management reports and a capital strategy report each year.

Capital Strategy

- 3.7 **Capital Strategy (Part of the Capital Programme Report on this agenda)**

- 3.8 The CIPFA 2017 Prudential and Treasury Management Codes require all local authorities to prepare a capital strategy report which will provide the following:

3.8.1 A high-level long-term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services.

3.8.2 An overview of how the associated risk is managed, and

3.8.3 The implications for future financial sustainability.

- 3.9 The aim of this capital strategy is to ensure that all elected members on the full council fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

- 3.10 This capital strategy is reported separately from the Treasury Management Strategy Statement; non-treasury investments will be reported through the former. This ensures the separation of the core treasury function under security, liquidity and yield principles, and the policy and commercialism

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investments usually driven by expenditure on an asset. The capital strategy will show:

- 3.10.1 The corporate governance arrangements for these types of activities;
 - 3.10.2 Any service objectives relating to the investments;
 - 3.10.3 The expected income, costs and resulting contribution;
 - 3.10.4 The debt related to the activity and the associated interest costs;
 - 3.10.5 The payback period (MRP policy);
 - 3.10.6 For non-loan type investments, the cost against the current market value;
 - 3.10.7 The risks associated with each activity.
- 3.11 Where a physical asset is being bought, details of market research, advisers used, (and their monitoring), ongoing costs and investment requirements and any credit information will be disclosed, including the ability to sell the asset and realise the investment cash.
- 3.12 Where the Council has borrowed to fund any non-treasury investment, there should also be an explanation of why borrowing was required and why the MHCLG Investment Guidance and CIPFA Prudential Code have not been adhered to.
- 3.13 If any non-treasury investment sustains a loss during the final accounts and audit process, the strategy and revenue implications will be reported through the same procedure as the capital strategy.
- 3.14 To demonstrate the proportionality between the treasury operations and the non-treasury operation, high-level comparators are shown throughout this report.

Treasury Management reporting

- 3.15 The Council is currently required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals.
- 3.16 **Treasury Strategy Statement** (this report) - The first, and most important report is forward looking and covers:
- 3.16.1 The capital plans, (including prudential indicators);
 - 3.16.2 A minimum revenue provision (MRP) policy, (how residual capital expenditure is charged to revenue over time);

Further information on the subject of this report can be obtained from Ian Burbidge on Direct Dial No. 07769 281 641 or Email iburbidge@swindon.gov.uk

Treasury Strategy Statement 2020-21

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Date: 5th February 2020

3.16.3 The treasury management strategy, (how the investments and borrowings are to be organised), including treasury indicators; and

3.16.4 An investment strategy, (the parameters on how investments are to be managed).

3.17 **A mid-year treasury management report** – This is primarily a progress report and will update members on the capital position, amending prudential indicators as necessary, and whether any policies require revision.

3.18 **An annual treasury report** – This is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Scrutiny

3.19 The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Audit Committee.

Treasury Management Strategy for 2020/21

3.20 The strategy for 2020/21 covers two main areas:

3.21 **Capital issues**

3.21.1 The capital expenditure plans and the associated prudential indicators;

3.21.2 The minimum revenue provision (MRP) policy.

3.22 **Treasury management issues**

3.22.1 The current treasury position;

3.22.2 Treasury indicators which limit the treasury risk and activities of the Council;

3.22.3 Prospects for interest rates;

3.22.4 The borrowing strategy;

3.22.5 Policy on borrowing in advance of need;

3.22.6 Debt rescheduling;

3.22.7 The investment strategy;

3.22.8 Creditworthiness policy; and

3.22.9 The policy on use of external service providers.

Further information on the subject of this report can be obtained from Ian Burbidge on Direct Dial No. 07769 281 641 or Email iburbidge@swindon.gov.uk

Treasury Strategy Statement 2020-21

Cabinet

Date: 5th February 2020

- 3.23 These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, MHCLG MRP Guidance, the CIPFA Treasury Management Code and MHCLG Investment Guidance.

Training

- 3.24 The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. A members training session was held on the 17th September 2019 and further training will be arranged as required.
- 3.25 The training needs of treasury management officers are kept under review, and officers attend training events and seminars held by CIPFA and the Council's treasury advisers.
- 3.26 The scope of investments within the Council's operations now includes both conventional treasury investments, (the placing of residual cash from the Council's functions), and more commercial type investments, such as investment properties. The commercial type investments require specialist advisers, and the Council seeks independent expert advice in relation to this activity.

4. Alternative Options

- 4.1 Any alternative options for specific areas are set out within the report.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 These proposals ensure that a robust financial framework is in place to provide governance for the treasury function, thereby seeking to safeguard the Council from extremes within the financial markets.

Legal and Human Rights Implications

- 5.2 All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.
- 5.3 The legal department have reviewed the documentation pack for the UK Municipal Bond Agency and their advice has been provided to the Lead Member for Finance

Climate Change Impact

- 5.4 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

Further information on the subject of this report can be obtained from Ian Burbidge on Direct Dial No. 07769 281 641 or Email iburbidge@swindon.gov.uk

Treasury Strategy Statement 2020-21

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Date: 5th February 2020

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 There are no such direct implications.

Diversity Impact Assessment

- 5.6 A Diversity Impact Assessment (DIA) is not relevant to this report as this is a regulatory report, which covers the Councils treasury management processes and doesn't directly affect any services.

Risk Management

- 5.7 None other than those highlighted in the body of the report.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (Section 151 Officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

(The appendix and annexes are available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

- 8.1 Appendix 1 - Treasury Management Strategy 2020/21

8.1.1 Annex 1 - The Capital Prudential Indicators

8.1.2 Annex 2 - Credit and Counterparty Risk Management, Specified and Non- Specified Investments

Housing Revenue Account (HRA) - Rents and Charges 2020/21

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Housing and Public Safety
Corporate Director, Communities and Housing

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To present the proposed rents, service charges, support charges for 2020/21 and proposed Housing Revenue Account (HRA) budget for 2020/21.
- 1.2 The effective management of financial resources through robust financial management processes underpins the Council's ability to achieve its plans and priorities for the HRA.
- 1.3 The funding that is provided from rents is of direct benefit to all tenants as it contributes to the maintenance of the housing stock over both the short and long term.
- 1.4 This will promote the Council's Corporate priorities One and Four to *"Improve Infrastructure and housing to support a growing, low-carbon economy"* and *"Help people to help themselves while always protecting our most vulnerable children and adults."*

2. Recommendations

Cabinet is invited to recommend to the Council as follows:

- 2.1 The proposed average social rent for Housing Revenue Account (HRA) dwellings for 2020/21 of £81.25 per week (52 week basis), which is an increase of 2.7%, be approved. This will be an average increase of £2.14 per week (on a 52 week basis). The range of increases are shown in paragraph 3.8.
- 2.2 To authorise the Director of Housing to seek authority from the Secretary of State to extend permission to provide a budget of £200k within the HRA for payments to Council's tenants under the Discretionary Housing Payments scheme in 2020/21 as detailed at paragraphs 3.23.
- 2.3 Approve the housing related support charges for 2020/21 and service charges for 2020/21 as outlined in Appendix 2.
- 2.4 Approve the leaseholder service charges are set for 2020/21 as shown in Appendix 3.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

Cabinet

Date: 5th February 2020

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- 2.5 Based on the proposals within this report, the Housing Revenue Account (HRA) proposed budget 2020/21, shown in Appendix 4, be approved and that the HRA Capital Budget and Funding be approved as shown in Appendix 5.
 - 2.6 That the draft 3 year capital projects and planned maintenance programme be approved at an indicative funding level of £15.5m (2019/20 prices) for 2020/21 Appendix 6.
 - 2.7 That the Director of Housing be authorised to undertake a new acquisition programme and approve the acquisition programme budget of £4m for 2020/21 in accordance with paragraph 3.19, to include the purchase of 1-4 bedroom properties to help meet priority housing needs arising from homelessness and clients supported by Adult Social Care..
 - 2.8 Rents charged on General Fund properties are increased in line with the Governments Direction on the Rent Standard 2019 also applied to Housing Revenue Account rents. This allows for rent increases of up to the CPI for the September of the preceding financial year, plus 1%. Increases for 2020/21 will therefore be capped at 2.7%. Service charges for General Fund properties, as shown in Appendix 7, are approved.
 - 2.9 The charges for Private Sector Leased (PSL) accommodation for those accepted as homeless once published by the Government and as set out in Appendix 7 are approved.
 - 2.10 Any underspend or overspend on the 2019/20 Housing Revenue Account be managed through the general revenue reserves.

3. Detail

- 3.1 The Housing Revenue Account (HRA) is a statutory account set up in accordance with the Local Government and Housing Act 1989. This is a significant budget for the Council amounting to £49.8m of Gross Income in 2020/21 (a budget overview is provided at Appendix 1). The account is ring fenced and cannot be subsidised by the General Fund or vice versa.
- 3.2 The HRA contains all expenditure relating to the Council's landlord function of circa 10,284 dwellings, including 4 supported housing schemes, 31 sheltered schemes, as well as commercial premises. Income is generated through rents, charges and interest received on balances.

Housing Revenue Account (HRA) Rents and Charges

- 3.3 Swindon's Housing Revenue Account (HRA) receives the majority of its income from the charges it levies upon its tenants. Tenants can pay up to 3 elements for their homes:

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

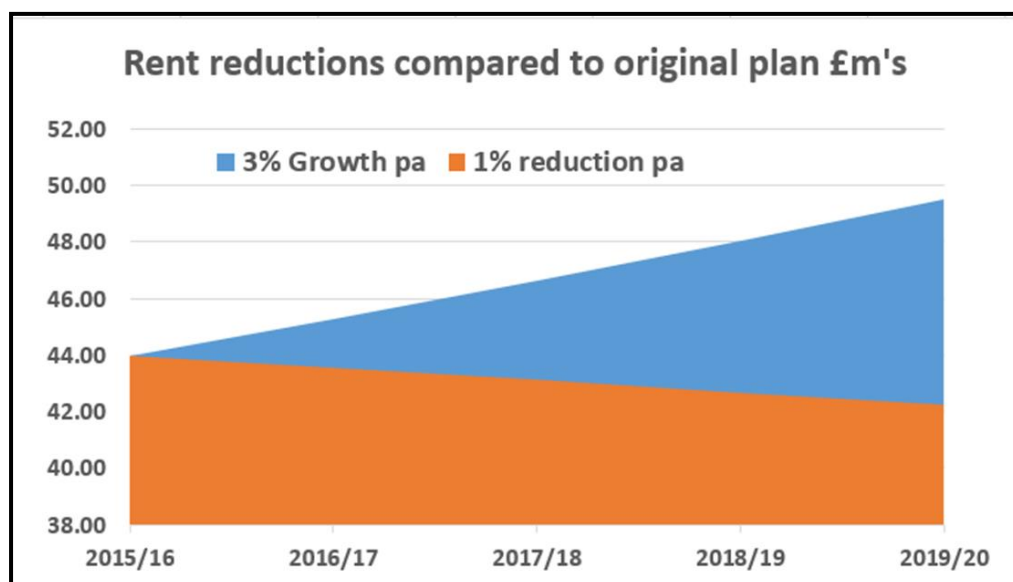
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- 3.3.1 **Rent** - a charge for the occupation of a dwelling. Rents pay for the management and maintenance of the properties.
- 3.3.2 **Service charge** - additional services which may not be provided to every tenant, or which may be connected with communal facilities e.g. a caretaker service.
- 3.3.3 **Support charge** - additional services to help tenants maintain their tenancies i.e. the Sheltered Housing Officer service in sheltered accommodation and the Homeline alarm system.

Government Rent Policy and Capital Investment

- 3.4 This year, 2019/20, represents the last year of 1% rent cuts, introduced under the Welfare Reform and Work Act 2016. Whilst the last four years resulted in reductions to rents paid by tenants, it also had a significant impact on the rent income generated and therefore, the funding available for capital investment.
- 3.5 The graph below shows the impact the 1% rent reductions have had on funding over the last 4 years compared to the planned 3% rises in the business plan. With rents now nearer to £44m than the planned £50m per annum. This is increasingly important because of the much needed investment required in the Council's non-traditionally built homes and upgrades required to the sheltered housing stock.



- 3.6 The Government have stated that rent policy from 2020/21 will revert to the previous system where rents can rise up to a cap of CPI + 1%. Based on the September CPI, this would be a cap of £2.7%.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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Housing Revenue Account Budget 2020/21

- 3.7 Tenants have been consulted on two possible options for rents in 2020/21. The first is the option of no increase to 2019/20 rent levels. The second option is in-line with the latest Government Direction on the Rent Standard 2019, providing for an increase of up to 2.7% based on the preceding September CPI rate plus 1%. During the 2019/20 financial year the HRA benefitted from a 53 week year. This enabled the Council to manage significant budget pressures resulting over a 4 year Government imposed rent reduction period. Therefore, this equates to a shortfall of £0.8m in 2020/21 which combined with inflation pressures of £0.4m, results in a budget pressure of £1.2m. This amount is by coincidence the same as the additional income generated by a 2.7% increase in the rents for 2020/21. Therefore, without the 2.7% increase, further savings of £1.2m would be required.
- 3.8 Table 1 shows the social rent increase by property size and the range of increases within that band. The historical rent calculation formula means that there is no “average” property within the stock as the rent for each property is based on a combination of the number of bedrooms and the 1999 property value. Government policy assumes that all properties will move to their target rent when they become void which is why rent for new tenants remain at a higher rate. As a result of a significant amount of the HRA stock not reaching their target rents there is still a wide range of actual rents being paid.

Table 1 Average and range of social rents by property size (52 week basis)

No. of properties at Dec 2019	No. of Bedrooms	Actual Rents at Dec 2019	2020/21 Rents assuming a 2.7% increase	Net Change in rent	Lowest rent per week	Highest rent per week
262	Bedsits	65.04	66.80	2.7%	59.32	71.22
3,174	1	72.27	74.22	2.7%	61.72	86.25
2,696	2	79.26	81.40	2.7%	69.86	95.01
3,538	3	85.18	87.48	2.7%	77.04	114.99
184	4	97.83	100.47	2.7%	83.76	132.00
4	5	103.28	106.07	2.7%	81.90	114.18
0	5>					
9,858	Overall	79.11	81.25	2.7%		

- 3.9 The table excludes the “affordable rent” properties whose rents are calculated on a different basis to social housing rents as they are a product of the growing housing development programme. There are currently approximately 426

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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affordable rented properties within the HRA stock. The table below shows the averages for the affordable rented properties.

Table 2 Average and range of affordable rents by property size (52 week basis)

As presented in February 2019 Cabinet Report						
No. of properties at Dec 2019	No. of Bedrooms	Actual Rents at Dec 2019	2020/21 Rents assuming a 2.7% increase	Net Change in rent	Lowest rent per week	Highest rent per week
0	Bedsits	0.00	0.00	0.0%	0.00	0.00
81	1	90.02	92.46	2.7%	79.28	110.33
162	2	102.93	105.71	2.7%	85.20	137.34
156	3	122.76	126.08	2.7%	55.23	161.12
24	4	131.38	134.93	2.7%	53.91	172.68
0	5	0.00	0.00	0.0%	0.00	0.00
3	5>	244.62	251.22	2.7%	242.84	262.94
426	Overall	110.34	113.32	2.7%		

- 3.10 Appendix 2 provides a high level budget and Appendix 4 shows the HRA budget in more detail. The following paragraphs outline the major movements (key variances) from the 2019/20 base budget to the proposed 2020/21 budget. This section will also bring to Members' attention the short and medium term financial implications and challenges facing Swindon's HRA.
- 3.11 The current HRA debt will stand at £104.0 million on 1 April 2020 and the average interest rate for this is 3.32%. Although a policy of debt reduction in recent years has reduced the Council's HRA debt, the interest payments on the remaining debt are still significant, and for 2020/21 the interest payment will be £3.4m (item 26, Appendix 4).
- 3.12 The budgeted cost of revenue repairs (item 3 & 4, Appendix 4) has increased slightly from the £11.9m budget in 2019/20 to £12.1m. This reflects an increase in the responsive work being completed by the Repairs teams and their associated costs.
- 3.13 The proposed budget includes a bad debt provision of £600k for 2020/21. This reflects an improvement in collection rates against a back drop of ongoing challenges as a result of the phased introduction of Universal Credit for tenants. It is standard practice to make an allowance for bad debts, officers will continue to make inroads to keeping amounts owed as low as possible. Excellent work has been done to stabilise rent loss by ensuring a high collection rate (as at

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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December 2019 this stood at 96.65% which is very slightly lower than the December 2018 performance of 96.79% although it is anticipated that this difference will be recovered before financial year end. The allowance is included in item 11, Appendix 4.

Capital Programme

3.14 The HRA Capital Improvement Programme covers 3 major areas, these are:

- Capital projects e.g. kitchens & bathrooms, insulation improvements including a more comprehensive External Wall Insulation (EWI) programme on non-traditional properties which will bring these properties up to date.
- Planned maintenance programme e.g. fencing, paths, electrical maintenance, heating
- Regeneration, acquisition and new build programme.

Capital Projects and Planned Maintenance

3.15 The capital projects and planned maintenance programme has been set at £15.8m for 2020/21 (Item 6, Appendix 4). This includes an allowance for vehicle depreciation of £240k, reducing the amount available for planned maintenance to £15.6m, slightly higher than the 2019/20 funding level of £15.4m. Appendix 5 items 17-20 provide a summary of the retained Right-to-buy (RTB) income that is available for investment in new build programmes.

3.16 Any other new build and major regeneration programmes will be brought to Cabinet for separate approval and will take account of the Housing Strategy. Following the removal of the borrowing cap at the end of October 2018, regeneration and new build opportunities can take advantage of additional borrowing where required as well as capital receipts from Right-to-buy sales, Section 106 funding for affordable housing and Government funding from Homes England (HE). Appendix 5 line 4 identifies an anticipated spend on the Housing Development Programme of £8.97m. This includes works on the Queens Drive development delivering 149 homes and three bungalow schemes delivering 16 new homes.

3.17 A draft 5-year capital programme is attached at Appendix 6. The purpose of recommending a 5-year programme rather than for just 1 year is to enable better forward planning and provide certainty. The programme will be kept under review as the Government develops its rent policies. It is recommended that the indicative level of spend outlined in Appendix 6 be approved.

Regeneration and Acquisition

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

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- 3.18 Alongside the current Regeneration programme which includes Queens Drive and a number of smaller bungalow projects, the HRA have been acquiring primarily 1 and 2 bed properties as part of a £17m acquisition programme over the last 3 years. It is essential we use the fund to acquire all property types, including 1 to 4 bed general purpose properties, bungalows, adapted properties, wheelchair accessible properties, and properties that meet the needs of Adult Social Care clients. It should be noted that the use of right-to-buy receipts from its sale of council houses also enables, in part, the avoidance of repayment of these receipts to the Government, which it would otherwise have had to do within three years of the right-to-buy sale. During the last 3 years, we have purchased 108 which are included in the Additions column in the table below. Sales of council houses during the same period were 163.

Table 3 – Stock movements 2017/18 to 2019/20

	RTB Sales	Additions	Demolitions / Other Changes	TOTAL stock
2017/18	-59	53	28	10,299
2018/19	-66	119	-52	10,300
2019/20	-41	25		10,284

- 3.19 The current acquisition programme is likely to come to an end at the end 2019/20, but the need for the HRA to maintain levels of purchasing additional properties to address homelessness pressures remains. The required use of right-to-buy receipts over the next few years is steadily increasing as a result of RTB sales in the previous 3 years. During 2020/21, the HRA will have to spend £4.2m on development or acquisitions to avoid repaying RTB receipts to the Government. For this reason, it is proposed to approve a £4m acquisition programme in 2020/21 which combined with existing build programmes will ensure no RTB monies will need to be repaid to Government. This scope of this programme will be expanded to include the purchase of all property types including 1-4 bedroom properties to help meet priority housing needs arising from homelessness and clients supported by Adult Social Care.

General Fund Rents and Service Charges

- 3.20 Rent charges for the residential properties owned by the General Fund (including the David Murray John Tower - DMJ) have followed the same rent setting approach as used for HRA properties. A review of the service charges for these properties has resulted in no changes for 2020/21 as outlined in Appendix 7 and it is recommended that the charges for the General Fund properties be approved.

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Homelessness Contributions

- 3.21 The level of homelessness contributions for private accommodation is linked to the Local Housing Allowance (LHA) that is payable for each size of property. This enables a degree of affordability for tenants whilst also reducing costs on the homelessness budget. Following funding changes for homelessness and the introduction of the Flexible Homeless Support Grant (FHSG) in 2017/18, the homelessness function is now funded by the rents and benefits received from rents as well as the FHSG. At present, the Government has confirmed that FHSG funding for 2020/21 will be equal to 2019/20 levels. However, Local Housing Allowance Rates are not announced until early in the new year and it is these rates that will be adopted by the Council once they are formerly announced as shown in Appendix 7.

Affordable Rents

- 3.22 Affordable Rents were based historically on 80% of the Local Housing Allowance. The current method is to base them on 80% of Market Rent as per the latest Homes England guidance. There are currently 426 affordable rent properties. However, affordable rents are subject to the same restrictions as social rents in terms of the Government imposed rent increases and therefore the budget has been prepared on the basis of a 2.7% rent increase on 2019/20 levels.

Discretionary Housing Payments Fund (DHP)

- 3.23 Following a ground breaking initiative achieved by the Council a specific Secretary of State approval has been rolled out nationally allowing all local authority HRAs to provide a Discretionary Housing Payments Fund (DHP) for tenants struggling with specific Welfare Reforms. For 2020/21 it is proposed to set this at £200k subject to Secretary of State Consent. In 2019/20, it is anticipated that we may spend up to £40k of this budget, although demand for this may increase with rents increasing in 2020/21.

Support and Service Charges

- 3.24 Indications on the price of utility services have shown that there are likely to be some significant increases in these costs for 2020/21. As a result, many of the service charges that contain these costs have been increased in contrast to previous years where increases have been smaller. Where reserves exist due to over-recovery in previous years, some of these reserves have been used to mitigate any increased charges. Full details of all service charges can be found in Appendix 2.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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Leaseholder Service Charges

- 3.25 Leaseholders are recharged the full cost of providing services. The charges proposed for leaseholders are shown in Appendix 3.
- 3.26 Administration charges to cover the costs involved in the resale of leases is proposed to increase by 2.7% in line with the Consumer Prices Index (CPI) +1% from £174.68 to £179.4 per transaction as shown in Appendix 3.

Garage Rents and Parking Charges

- 3.27 Garage rents are now held within the General Fund and all garage charges for 2020/21 are increasing by 5% in line with Council policy on fees and charges. Details are shown in Appendix 2. Cross over spaces linked to properties are increasing by 2.7% in line with CPI + 1%.

Provisional Budget for 2020/21

- 3.28 A summary of the budget proposals contained in this report is provided in Appendix 1. This demonstrates the budget is balanced with the operating surplus being used to fund Capital Expenditure without the need to draw on reserves.

HRA Business Plan 2020/21 – 2023/24

- 3.29 Appendix 8 shows the estimated impact of proposals set out in this report on the funding available for investment through to 2023/24, compared with the previous business plan. The overall change in funding available for capital investment is a very slight increase of £100k from £68.5m to £68.6m. The key business plan assumptions are set out below.
- 3.30 CPI and RPI estimates are based on Treasury and ONS (Office of National Statistics) data available at September 2019. Void allowances, which represent lost rent when properties are vacant between tenancies, rose significantly during 2017/18 and following targeted improvement action over the last year have fallen during 2019/20. It is anticipated that actions taken will reduce the cost of voids to £400k in 2020/21 and the rate has therefore been reduced from 1.21% to 0.96% in 2020/21. Also included in the Business Plan assumptions is a bad debt allowance referred to in para 3.13 of £600k, or 1.44% of rents. All of these assumptions will be reviewed as and when the business plan is updated to reflect the latest information and therefore this is only indicative of the potential position in 2020/21. A full and updated HRA Medium Term Resource Plan will be presented to Cabinet early in the new financial year to reflect current performance.

Investment requirements

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

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- 3.31 A budget of £6.9 million has been allocated to replace components such as roof coverings, doors and windows, electrical wiring and central heating etc. in order to maintain homes to the Decent Homes Standard, which is in line with the recommendations of the 2016 Stock Condition Survey.
 - 3.32 A budget of £550k has been set aside for contingency works which includes safety measures, structural and specialist repairs and fire safety works.
 - 3.33 The investment for extensive refurbishment works to the first of 2 high-rise blocks of flats has been deferred by a year, whilst options on whether to refurbish or redevelop are being finalised (Cabinet report dated 4 December 2019 refers).
 - 3.34 We continue to invest in the refurbishment, insulation and maintenance of the non-traditional stock with an allocation of a further £2.1 million.
 - 3.35 A budget of £2m has been allocated to deliver external planned maintenance to ensure that homes continue to be maintained to a good standard.
 - 3.36 A budget of £1.5m has been allocated to meet the increasing demand for major adaptations to allow residents with any special needs to live independently
 - 3.37 We plan to allocate £0.75m to replace the vehicles for our in-house workforce due to the existing vans no longer being economical to repair. This will also help to reduce the hire of vehicles and enable the Housing Service to increase the use of electric/hybrid vehicles within fleet.
 - 3.38 Budget provision has also been made of £0.5m for costs associated with the transfer of Housing Repairs staff to Unit 5 Hillmead Industrial Estate to provide fit-for-purpose accommodation and drive service improvement. These are summarised in Appendix 6.

Consultation

- 3.39 The rent setting presentations to tenants and leaseholders outlined the impact of the 1% rent reduction over the last 4 years on the funding available for investment in HRA stock. Tenants have been presented with two options on rent changes for 2020/21, these being no change on rents, or a 2.7% increase in line with Government guidance based on (CPI +1%). Following work with officers to deliver operational savings, increase rentals from new builds and acquisitions, and absorb the impact of there being one less weeks rent in 2020/21 compared to 2019/20, the budget for 2020/21 can only be balanced with the rent increase of 2.7%. Any rent increase below this level will require either a reduction in reserves or the funding available for capital investment.
- 3.40 A briefing paper on the Cabinet Report will be discussed at the Housing Management CMAG on the 27th January.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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4. Alternative Options

- 4.1 The parameters for setting local authority rents are largely controlled by Central Government who have now confirmed that rents for the next 5 years can increase up to a cap based on the previous September's CPI +1%.
- 4.2 The setting of service charges is a local decision. Service charges should generally be set at a level that recovers the cost of providing those services, but does not make a profit. Should service charges be set lower than at a level that recovers costs, then the deficit will be funded through general rent income and result in less funding available to support capital investment.
- 4.3 The current policy is to repay £5m of HRA debt per annum, which reduces the following year's annual interest payments by £166,000. Cabinet could decide not to repay either some or all of this, which would increase the funding available for capital investment, but would incur additional debt interest charges. Appendix 8 shows how changes in the 2020/21 budget have impacted on the previous business plan through to 2023/24. The current capital programme does have an in year backlog, reducing the programme by £5m could allow sufficient time for the programme to catch up, however it would also mean depleting the capital reserve by £5m for future years expenditure in line with the needs of the stock condition survey.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 These have been reflected in the body of the report.

Legal and Human Rights Implications

- 5.2 All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

Climate Change Impact

- 5.3 The recommendations would bring about a reduction in the Council's carbon footprint through the improvement of thermal efficiency in the housing stock through insulation and improvement to components such as boilers etc.
- 5.4 In addition, ongoing work to move towards the use of more electric vehicles as the current fleet is replaced will reduce carbon emissions.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 There are no such direct implications.

Diversity Impact Assessment

- 5.6 A thorough Diversity Impact Assessment was carried out in support of the HRA Business Plan and this has been thoroughly reviewed and updated.

- 5.7 Based on the information contained in this report the following considerations have been made

5.7.1 Setting of local authority rents is subject to Government guidance, which following 4 years of rent reductions, now allows local authorities to increase rents by up to 2.7% based on CPI +1%.

5.7.2 A careful balance needs to be struck between affordability and tenants being able to benefit from warmer and healthier homes. For those on the lowest incomes there will be no impact as their rents are covered by Housing Benefit or the Housing element in their Universal Credit claim, and they will continue to be able to claim their full entitlement under the respective national scheme. Support to enable them to do this is provided both by housing officers and benefits advisers. Housing officers are aware that a large proportion of employed Council tenants are on low incomes and that this increase could cause them hardship in some cases. Similarly, any tenants who feel that proposed increases in service charges and support costs will cause them hardship will be able to seek advice from their local Neighbourhood Housing Officers.

5.7.3 The Discretionary Housing Payment scheme funded by both the General Fund and the Housing Revenue Account, subject to Ministerial consent and set criteria, will continue to be available to alleviate hardship by meeting gaps in benefit previously received.

5.7.4 Information regarding Housing Benefit and the support available from Housing Services will continue to be provided to all tenants when they receive notification of new rents for 2020/21. Tenants who fall into rent arrears will be managed according to the Council's Rent Arrears Policy for which a Diversity Impact Assessment has also been completed.

Risk Management

- 5.8 Failure to raise enough revenue through rents to fund a capital programme that secures the long-term future of the council's housing stock is an important consideration that is part of the rent setting process. The implications of the

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

Housing Revenue Account (HRA) - Rents and Charges 2020/21

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Government's revised rents regime allowing for increases of up to CPI +1% is set out in Appendix 8.

6. Consultees

6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

6.1.1 The Corporate Director of Finance and Assets (s151 Officer) cleared this report for publication on: 28th January 2020.

6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication on: 28th January 2020.

7. Background Papers

7.1 None

8. Appendices

8.1 Appendix 1 – Proposed HRA Budget Overview 2020/21.

8.2 Appendix 2 – Service charges for 2020/21.

8.3 Appendix 3 – Leaseholder charges for 2020/21.

8.4 Appendix 4 – Detailed HRA Budget 2020/21.

8.5 Appendix 5 – Proposed HRA Capital Budget 2020/21.

8.6 Appendix 6 – Proposed HRA 3 year Capital Programme.

8.7 Appendix 7 – Proposed HGF Rents & Service Charges 2020/21.

8.8 Appendix 8 – Comparison of Business Plans showing the impact of proposed budget changes.

9. Key Decision/Decision in Cabinet Work Programme

9.1 This item is included in the Cabinet Work Programme for February 2020. This is not a key decision to be made by Cabinet because the final decisions are to be made by full Council on 20th February 2020.

Further information on the subject of this report can be obtained from Karl Read, tel: 07824 081182, ksread@swindon.gov.uk.

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School Admission Arrangements and Mainstream Home to School Transport Policy 2021-22

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Children's Services
Commissioner Education Place Planning and Admissions

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To seek Cabinet's agreement to approve for all admissions in Swindon from September 2021 – a) the co-ordinated scheme of admission arrangements for the normal point of entry for all primary schools and secondary schools; b) the co-ordinated In Year admission arrangements for all primary schools and secondary schools; c) the admission numbers and arrangements for Community and Voluntary Controlled schools for all admissions from September 2021. This reports also seeks Cabinet's agreement to approve the Mainstream Home to School Transport Policy for 2021-22.
- 1.2 This report particularly links to the Council's updated study of long-term school place planning. It also relates the Vision priority 2: "Offer education opportunities that lead to the right skills and right jobs in the right places."

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve the co-ordinated scheme of admission arrangements (Appendix 1a and 1b) for the normal point of entry (Reception Year, Year 3 and Year 7) for all primary schools and secondary schools in Swindon for all admissions and are implemented from September 2021 for all applicants;
- 2.2 Approve the co-ordinated In Year admission arrangements (Appendix 4), for all primary schools and secondary schools in Swindon for all admissions and are implemented from September 2021 for all applicants;
- 2.3 Approve the admission numbers and arrangements for Community and Voluntary Controlled schools (Appendix 2) for all admissions and are implemented from September 2021 for all applicants and note that no opposition from Schools was received;
- 2.4 Approve the Mainstream Home to School Transport Policy (Appendix 5) for all admissions and is implemented for all applicants for 2021-22.

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

School Admission Arrangements and Mainstream Home to School Transport Policy 2021-22

Cabinet

Date: 5th February 2020

3. Detail

Admission Arrangements

- 3.1 The admission arrangements and co-ordinated scheme are consulted upon annually. There have been no significant changes to the detail in the admission arrangements for point of entry or co-ordinated scheme for all schools within in Swindon, but the Local Authorities has added a coordinated approach to requests to delay for summer born children, which is in line with our neighbouring LA's. This is explained in more detail in the paragraphs below. There is also a proposed change with the timeframe and the way the Admissions Team will process in-year admissions through the in-year coordinated scheme, with further implementation of the admissions process online.
- 3.2 The school admission arrangements are used for the purpose of allocating school places at the point of entry for children at age 4 (Reception), 7 (Infant to Junior) and 11 (Secondary).
- 3.3 There are a number of different elements relating to arranging an overall admissions process, especially with the rapidly changing education landscape and greater autonomy granted to schools. It is the responsibility of all admission authorities to ensure that admission arrangements are compliant with the Admissions Code December 2014.
- 3.4 The following table outlines where the responsibility lays for the different admissions processes.

Type of School	Admission Authority
Academies (including Free Schools)	Academy Trust
Community Schools	Local Authority
Voluntary Aided Schools	Governing Body
Voluntary Controlled Schools	Local Authority

- 3.5 An admission authority is responsible for determining their admission policy, published admission number, oversubscription criteria including the determination of catchment areas. Individual admission authorities within Swindon are required to consult the Local Authority on their admission policy. However, the Local Authority is not responsible for the contents of their arrangements; this is the responsibility of the Academy Trust or Governing body as indicated in the above table.
- 3.6 In addition to the responsibilities set out in paragraph 3.4, the Local Authority is required to formulate a co-ordinated scheme for the point of entry to manage the application process for all schools within the Local Authority area.

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

School Admission Arrangements and Mainstream Home to School Transport Policy 2021-22

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- 3.7 This report outlines those policies written and consulted on by the Local Authority with regard to the allocation of school places. The document contains the following sections:
- 3.7.1 Co-ordinated admissions scheme (applicable to all schools);
 - 3.7.2 In Year Admissions Scheme (applicable to all schools)
 - 3.7.3 Admission Arrangements and oversubscription criteria (Community and Voluntary Controlled School), which also includes Published Admissions Numbers and School Catchment Areas.

Consultation

- 3.8 The School Admissions Code places a duty on the Local Authority and all admission authorities to consult upon its admission arrangements above for a minimum of 6 weeks, which must be completed by 31st January 2020. The consultation ran between the 11th November and 30th December 2019.
- 3.9 The School Admissions Code outlines the list of relevant bodies that must be consulted as outlined in section 6 below. The Local Authority publicised the consultation on its website and through all local schools and the pre-schools, neighbouring Local Authorities and the Diocesan Boards of Education.
- 3.10 Schools were also asked to advertise the consultation on their websites, publish information in their school newsletters, and by displaying posters.
- 3.11 Survey responses could be made in writing or by using an online survey tool. The survey tool allowed responses to all the arrangements. The Local Authority received a total of 7 responses to the consultation, 1 in writing and 6 through the online survey.

Admissions Consultation responses:

- 3.12 In terms of the Admission Arrangements for Community and Voluntary Controlled Schools 2021, 5 out of the 6 respondents agreed with the proposals. Please also note that the respondent who disagreed with the arrangements made the comment 'Haven't looked at them. I am here for the SEND Transport Policy'.
- 3.13 In response to the Co-ordinated Admissions Scheme for the point of entry for 2021 for all schools, 5 out of the 6 respondents agreed with this.
- 3.14 For the proposed In Year Co-ordinated Scheme, 5 out of the 6 respondents agreed with the proposal. We also received comments from St Joseph's Catholic College regarding the arrangements and the responses are set out in Appendix 3.

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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Co-ordinated Admissions Scheme for the Point of Entry

- 3.15 The Local Authority is legally required to consult on the co-ordinated admission arrangements that all the schools and admissions authorities in their area must comply with.
- 3.16 The Education Act 2002 introduced the statutory requirement for every Local Authority to draw up a scheme for co-ordinating admission arrangements to cover every maintained school in its area. The regulations also require Local Authorities to co-ordinate arrangements across Local Authority boundaries. Therefore, the scheme sets out the admissions timetable and the responsibility to exchange information between schools and Local Authorities to ensure Swindon makes one fair offer to all residents of the Borough.
- 3.17 The purpose of the co-ordinated scheme is to ensure that every parent of a child living in Swindon who has applied for a school place receives the offer of one school place on the same day.
- 3.18 This applies to admission for the point of entry for Reception, Year 3 and Year 7 for all categories of schools including Community, Voluntary Controlled, Voluntary Aided, Foundation and Academies. The proposed co-ordinated scheme and timescales for the 2020-21 academic year is attached in Appendix 1.
- 3.19 For September 2021 the LA has introduced a coordinated approach and process for parents of children who are summer born and wish to request for their child to delay their admission until the reception year when their child would be 5 years old and would normally enter Year 1. This can be confusing for parents and schools and the decision parents are making is significant for their child. The policy seeks to clarify the legal position, ensure there is as much information available for parents and schools in one place, and to ensure that parents also have on-time admissions applications at the same time as making a request to delay so that if the request is refused, they still have an on-time application form. The LA is asking all schools, regardless of the type of Admitting Authority, to participate in this process. In short, the LA will receive the request to delay at the same time as the admissions application form, and the LA will facilitate the process by passing the request on to the admitting authority for the school applied for, for them to make the decision.
- 3.20 The Delayed and Deferred Admissions Policy is attached as an Appendix to the Co-ordinated Admissions Arrangements (Appendix 1).

Admission Arrangements

- 3.21 All schools are required to set fair and transparent arrangements for assessing priority for admission.

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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- 3.22 The key part of the admission arrangements is to set criteria used to determine admission where more parents / carers have expressed a preference for a particular school than it has places available in a particular year. The published oversubscription criteria must be applied to decide which preferences should be met.
- 3.23 The oversubscription criteria must be set out clearly and unambiguously, making clear not only what the criteria are but also the way and order in which they will be applied.
- 3.24 The proposed admission arrangements for Community and Voluntary Controlled Schools are set out in Appendix 2. A full analysis of the response is set out within Appendix 3.

In Year Coordinated Admissions

- 3.25 In Year Admissions in Swindon have been considered under the In Year Coordinated Admissions Scheme since September 2017. The scheme operates a shorter version of the co-ordinated scheme from paragraph 3.14 by opening and closing on average 14 admissions rounds during the course of the year.
- 3.26 The coordinated in year scheme has helped the school admissions team deal with the high demand for applications to change schools during the year and assisted schools with managing the induction of new pupils through a controlled process.
- 3.27 Since September 2018, the School Admissions Team implemented the In Year Co-ordinated Admissions Scheme as an online process. This has meant that parents / carers have to apply for school places using the online portal via the Swindon Borough Council website instead of submitting paper applications. This is in line with two of the priorities of the Swindon Programme: moving customer contact online and to reduce the amount of paper used by the Council.
- 3.28 This online process has a number of benefits for the user and includes parents / carers being able to make their applications in the comfort of their own home day or night, receive an automatic email to confirm receipt of the application and receive notifications of the offer of a school place via email. This also allows the offers to be accessed instantly instead of waiting 2-3 days for a letter in the post and has reduced printing costs of the team significantly, as the LA no longer sends any hard copy letters.
- 3.29 From September 2019 the Admissions Team receive on average 260 in year applications per month via the online process. As part of the coordinated process if parents are unsuccessful in gaining a place at one of their preferred schools and they do not have a school place, then we will allocate them a place the next nearest school with a place available. We have allocated over 450 places to

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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children within this category, all of which otherwise would have been out of school for much longer whilst they reapplied for a school place.

- 3.30 One of the main proposed changes to the In Year Scheme is that from September 2020 the LA will be able to implement the Admissions Portal which is an online platform that will allow Swindon School that are part of the Scheme to see the entire online application form and be able to rank the applications. This will mean that the LA will no longer need to send the Schools lists of applications, which will speed up the admissions process. This will ensure the admissions cycles are more efficient and therefore more effective, and the time saved by this Portal will be used to reduce the length of the cycles from 30 school days to 25, and if possible to 20.
- 3.31 The LA has been informed by the Clifton Diocese of Bristol that they have recommended all their schools in each Local Authority area opt out of any in year coordinated scheme. This is because they are establishing a common admissions policy for all Catholic Schools to follow and they want all their schools to be responsible for their own admissions. The scheme is not a statutory requirement of the School Admissions Code and own admitting authority schools that are currently part of the scheme have to consult on opting out at the earliest opportunity. The LA has been notified by 4 schools (3 Primary and 1 secondary) that they will be opting out of the scheme from September 2021. In accordance with this, the LA has included a section in the In Year Scheme – Part 4. This proposes a process by which schools that opt out can work with the LA to ensure that we are still informed about any applications made to the school, and decisions made, to ensure that a child is not unknown to the Borough. This is paramount to ensure that the LA maintains safeguarding of all children in the Borough.
- 3.32 The proposal in this report is to agree the In Year Co-ordinated Admissions Scheme for the 2021-22, taking into account the new online process.
- 3.33 The proposed In Year Coordinated Scheme is included as Appendix 4.

Published Admission Numbers (PAN)

- 3.34 All schools must have an admission number for each age group. The admission number is the upper limit of pupils that will be offered places in the particular year. Admission numbers should be set with regard to the capacity assessment for the school.
- 3.35 Once an admission number has been set, the Admission Authority must respect that number. Pupils should not be admitted above the published admission number unless exceptional circumstances apply.

Further information on the subject of this report can be obtained from Emily Heaton, ehendon@swindon.gov.uk.

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- 3.36 As above, Governing bodies of Academies and Voluntary Aided Schools are responsible for setting their own PAN and the Local Authority is a stakeholder in their consultation. This section relates to the PANs set by the Local Authority in consultation with schools as the Admission Authority for Community and Voluntary Controlled Schools.
- 3.37 The proposed published admission numbers have been included as part of Appendix 2. Under the School Admissions Code 2014, the Local Authority, as the Admitting Authority for Community and Voluntary Controlled schools, is not required to consult on the admissions number as part of the consultation on admission arrangements if they are requesting the school to increase or keep the same PAN. However, they must consult the Governing Body of the school. Consultation would be required where it is intended to reduce the published admission number.
- 3.38 Schools were asked to inform the LA if they disagreed with the proposed PAN for 2021-22 and the LA received no opposition to these.

Catchment Areas

- 3.39 All existing catchment areas remain the same. The catchment areas were available on the Council's website for comments.

Mainstream Home to School Transport Policy 2021-22

- 3.40 The Mainstream Home to School Transport Policy was consulted upon at the same time as the Admissions Arrangements and was sent to the same bodies as listed in 3.9. It was also sent to Specialist provision in Swindon and Swindon SEND Families Voice. All 6 respondents were in agreement with the policy. The Mainstream Home to School Transport Policy is attached as Appendix 5.
- 3.41 Please note that the SEND Transport Policy was also consulted upon but due to information received during the consultation it has been agreed that this policy should undergo further development and consultation. This will be undertaken in the Summer Term to ensure that it be determined by Cabinet at its meeting in July 2020.
- 3.42 The Local Authority has a legal duty, following consultation, to publish by September of each year its transport policy, which will apply 12 months later. The previous Education Transport Policy was made up of both the Mainstream and SEND policies, but these have now been separated into defined policies in order to make it clear to parents / carers and children which policy applies.
- 3.43 Free home to school transport is set out within the Education Act 1996, as amended, and provides for free home to school transport to be offered to all pupils who meet the following criteria:

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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- 3.43.1 Are of statutory school age (5-16);
 - 3.43.2 Attend their designated appropriate area school (or another school at which the Local Authority has offered a place); and
 - 3.43.3 Live more than three miles from their catchment area school (or two miles if under eight years of age) or do not have a safe walking route when accompanied by an adult to their catchment area school.
- 3.44 In addition, the Education & Inspections Act 2006 widened statutory home to school transport for pupils from low-income families, in certain circumstances. Low-income families are defined as those who are entitled to free school meals or are in receipt of their maximum level of Working Tax Credit. These provisions are therefore, as follows:
- 3.44.1 Primary – to the nearest suitable school if more than two miles from home;
 - 3.44.2 Secondary – to any of the three nearest suitable schools if between two and six miles from home (which, in practice, applies to all Swindon pupils who travel beyond two miles);
 - 3.44.3 Primary/Secondary – to the nearest school preferred on the grounds of religion or belief (as defined by the Equality Act 2006) if between two and fifteen miles from home.
- 3.45 As mentioned above in paragraph 3.2, children must currently be attending the 'designated appropriate area school' and live over the 2 or 3 mile statutory distances, in order to qualify for assistance with transport.
- 3.46 The Education Transport Policy 2014 introduced "designated transport areas" which defined the designated transport area for a school
- 3.47 If a parent chooses to send their child to a school other than the designated appropriate area school, then (apart from the provisions of the Education & Inspections Act 2006) free school transport is not normally provided and the parent is responsible for any travel costs.
- 4. Alternative Options**
- 4.1 The School Admissions Arrangements and Transport Policy must be determined annually for parents / carers applying for school places in the following year. In relation to the arrangements proposed there are no alternatives proposed that differ from the arrangements for 2021-22.

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5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The admission budget is funded through the Dedicated Schools Grant (DSG) for 2021-22 and therefore no corporate funding is required to support this service. However, changes to the admissions policy may have direct impact on the number of pupils in each school, which will affect the level of funding which they receive from the DSG. There are also implications more generally for the DSG of creating additional school places in terms of both set up funding and on-going revenue funding.

Legal and Human Rights Implications

- 5.2 The Council is required to comply with the statutory provisions referred to in the report. legal and human rights implications have been considered in the preparation of this report. The recommendations are considered compatible with Convention Rights.
- 5.3 Under the School Standards and Framework Act 1998, as amended, particularly section 89B and associated regulations, the Council, in its role as a Local Authority, is required to determine a qualifying scheme for co-ordinating admission arrangements.

Climate Change Impact

- 5.4 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 The proposals for additional school places comply with Section 17 of the Crime and Disorder Act 1998 to develop school policy to maximise school attendance.

Diversity Impact Assessment

- 5.6 A Diversity Impact Assessment was undertaken and a copy can be obtained from the report author.
- 5.7 The admission arrangements in the report are used for the purposes of prioritising individual applications for admission to school based on family arrangements and the distance they reside from a school. The admission criteria set out in the report are based on published guidance from the Department for Education to ensure that they are arranged and operated in a clear, fair and transparent way according to a nationally imposed timescale.

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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- 5.8 It is considered that the admission arrangements set out in the report do not discriminate against disability, ethnicity, religion, sexual orientation, marital/civil partnership status or pregnancy/maternity

Risk Management

- 5.9 The co-ordinated admissions scheme, including in year admissions, has strengthened the measures in place for safeguarding children as the Admissions Team are aware of every child in Swindon and are aware of transfers coming into or out of the Borough. This will continue if the proposals for in year admissions are agreed.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

6.1.1 The Corporate Director of Finance and Assets (s151 Officer) cleared this report for publication on: 28th January 2020.

6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication on: 24th January 2020.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1:

8.1.1 a - Proposed Co-ordinated Scheme 2021-22 (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

8.1.2 b - the Delayed and Deferred Admissions Policy. (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

- 8.2 Appendix 2 – Proposed Admission Arrangements for all Community and Voluntary Controlled Schools 2021-22 (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

- 8.3 Appendix 3 – Consultation responses (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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- 8.4 Appendix 4 – Proposed In Year Coordination Scheme for 2021-22 (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)
- 8.5 Appendix 5 – Mainstream Home to School Transport Policy 2021-22 (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)
- 9. Key Decision/Decision in Cabinet Work Programme and Forward Plan**
- 9.1 This is Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2020.

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Appendix 1

Delayed and Deferred Admissions

Aim

1. The aim of this policy is to establish a procedure which gives parents, schools and settings clear guidance on deferred and delayed admission. When a delayed request is made for an **own admission authority school** the decision rests with the school requested, but the Local Authority will coordinate the request.

2. Key Principles

- 2.1 All children and young people should normally be educated in their chronological year group.
- 2.2 Schools assess the learning needs of children and young people so that the curriculum they provide is relevant enabling them to make appropriate progress and maximise their achievement.
- 2.3 Admission of children outside their normal year group will be made in accordance with the School Admissions Code 2014 – Paragraphs 2.17 A and B.
- 2.4 There is no statutory barrier to children being admitted outside their normal age group, but parents do not have the right to insist that their child is admitted to a particular age group.
- 2.5 The decision is made by the relevant Admission Authority, details of which are shown below:-

3. <u>Type of School</u>	<u>Admission Authority:</u>
4. Academy	Academy Trust
5. Community	Local Authority
6. Foundation	Governing Body
7. Voluntary Aided	Governing Body
8. Voluntary Controlled	Local Authority

- 2.6 For children already in school in an existing year group the head teacher will make the decision on whether the child should be educated in a year group outside of their chronological age.
- 2.7 For children moving into the authority the admission will be considered against the child's chronological age group.

3 Deferred and Delayed Entry Reception Classes:

- 3.1 Children usually start school in the September after their 4th birthday. All children are entitled to a full time school place at this point.

3.2 Parents do not have to send their children to school until they reach compulsory school age, which will be on a set date following their 5th birthday. They must attend school full time from that point.

3.3 Children born from the 1st April to the 31st August are known as Summer Born Children. Summer born children do not need to start school until the September following their 5th birthday, a full academic year after they are first entitled to a school place.

3.4 There are a number of options available to parents if they do not feel that their child is ready start school full time in the September following their 4th birthday:

- Defer their entry to a point later in the school year (please see Deferred entry section below)
- Arrange for them to attend school part time – parents can request this from the school allocated.
- If the child is summer born, parents can request that their child's admission be deferred by a full year, until the September after their 5th birthday. However, the child would need to attend the school for at least the final term of that academic year because it is not possible to reserve a school place for a full academic year. Even if the child is summer born they must attend school for at least the final term in order to keep the school place offered. If the child does not attend the school for the final term, the place would be withdrawn and the parent would need to make an in year application for a place for the child in Year 1.

4 Deferred Entry

4.1 The Early Years Foundation Stage spans pre-school to the reception age group within school, providing appropriate learning experiences for children aged 3 – 5 years.

4.2 Primary education is normally provided in primary schools although, in some areas, there are separate infant and junior schools. Children whose fifth birthday falls before 1 September, 1 January or 1 April become compulsory school age on whichever of these dates follows their fifth birthday. However, so that all children can benefit from three full years of infant education, children can be admitted to the reception year group at the beginning of the academic year starting in September.

4.3 Parents can request a deferred entry until later in the same school year as long as this does not go beyond the child's compulsory school age or beyond the academic year for which the original application was made.

4.4 Parents can request that their child takes up the reception place part-time until the child reaches compulsory school age. Once the child has started at the school parents cannot apply for delayed entry.

5 Delayed Entry

5.1 Children whose 5th Birthday falls in the Summer Term do not legally have to send their child to school until the following September. Parents of summer born children can request for their children to be admitted outside of their normal age group in Reception, instead of Year 1.

5.2 *Parents who wish to do this should apply to the Local Authority for a Reception place at the normal time but also complete the Request to Delay form to request to delay to the September following their child's 5th Birthday for the request to be considered. This is because if the request is refused parents will still have an on time application to be considered as part of the normal admissions round. A request for delayed entry must be made at the time the application is submitted.*

5.3 All requests should be submitted by the 15th January, the primary closing date. Requests can be submitted after this date but these may be considered later.

5.4 *Parents should submit evidence which allows admission authorities to determine why it would be in the child's interests to be admitted to reception rather than year one.* In some cases parents may have professional evidence that it would be appropriate for them to submit, for example, when a child receives support from a speech and language therapist. Admission authorities must still consider requests that are not accompanied by professional evidence. In such cases the supporting information might simply be the parent's statement as to why they have made their request.

5.5 Before deciding to delay their child's entry to school parents should visit the schools they are thinking of applying for. The teachers will be able to explain the provision on offer to children in the reception class, how it is tailored to meet the needs of the youngest pupils and how the needs of these pupils will continue to be met as they move up through the school. They may also be able to allay any concerns the parent may have about their child's readiness for school. Parents are encouraged to think carefully about this decision as it is likely to affect the child for the rest of their time at school. Children can develop at different rates and will continue to develop between the time parents request to delay and the point at which they become statutory school age. Parents are also asked to note that:

- The admission authority of one school is not required to comply with the decision made by another admitting authority. This means that if parents move schools, parents would need to make another request for a place outside of cohort for that new school to consider. If that is refused, the parent would need to apply for a place in the child's normal age group, one year above where they have been educated up to that point.
- Parents will also need to make another request when they apply for secondary school so that the child could start in year 7. If this is

refused, they would have to apply for a place in Year 8. This is the same for any phase transfer (infant to junior).

- A child ceases to be compulsory school age on the last Friday in June in the school year they become 16. Children are not legally required to attend school after this point. If a child has been educated outside of normal age group then they would be in Year 10 when they reached compulsory school age and this means the child would be under no obligation to attend school in Year 11 when most children would sit their GCSE's.
- Where a parent requests their child is admitted out of their normal age group, the school admission authority is responsible for making the decision on which year group a child should be admitted to.

5.6 They are required to make a decision on the basis of the circumstances of the case and in the best interests of the child concerned. This will require the admission authority to take account of the child's individual needs and abilities and to consider whether these can best be met in reception or year one. It will also involve taking account of the potential impact on the child of being admitted to year one without first having completed the reception year.

5.7 The views of the head teacher will be an important part of this consideration. In addition, as a consequence of being born before their due date, a child may fall into a different age group than if they had been born at full term. When considering the circumstances of the case, admission authorities should take account of the age group the child would have fallen in to if born on time.

5.8 Please note that the Admitting Authority of the School will contact any professionals they deem appropriate to be able to make an informed decision in regard to the child for example Health Visitor, School, Early Years Provider (pre school, private nursery, child minder), Education Psychologist, doctor or consultant. The details of the case will also be shared with these professionals.

6 Who makes the decision?

6.1 Decisions must be made by the admitting authority of the school. For Academy Schools this is the Academy Trust / Governing Body.

6.2 For Community and Voluntary Controlled Schools the final decision on delayed transfer will be taken by the Local Authority's Delayed School Entry Admissions Panel in consultation with the Headteacher of the school[s] requested. Parents will be informed in writing clearly setting out the reasons for the decision. The Delayed School Entry Admissions Panel is made up of representatives from Admissions, the Education professionals as necessary, Early Years Consultants, and SEND representatives if necessary.

7 What happens if the request is approved?

- 7.1 If a request to delay is approved, parents should withdraw their application for the normal age group. Parents will then need to make a new application as part of the main admission round for the following year.
- 7.2 Please note that parents can only apply for those schools that have agreed to the delayed admission, they cannot apply for any other school. Therefore it is in parent's interest to request to delay to more than one school.
- 7.3 If the LA is unable to allocate a place at one of the preferred schools that has agreed delayed admission, it will offer an alternative placement at the nearest school available if that school also agrees to the delay. If the alternative school is not agreeable to this, the LA will offer a place to the child in their normal age of entry i.e in Year 1 at an alternative school.
- 7.4 Parents should note that where their request to delay is agreed this does not guarantee a place at a particular school. Parents must apply again as part of the following admissions round and their application receives equal consideration with all others received. It remains possible, that the application would be refused a place if other applicants rank higher in the schools admissions criteria. In the event of a school being oversubscribed the admissions criteria will be used to determine the allocation of places and a delayed applicant does not receive any higher priority Therefore it is important parents request delay to every school that would like their child to attend.

8 What happens if the request is refused?

- 8.1 Where a parent's request is refused the on-time application will be processed as part of the main admissions round. Lower priority will not be given on the basis that the child is being admitted out of their normal age group.
- 8.2 Parents will need to decide whether to accept the offer of a place for the normal age group and defer admission until they become statutory school age, or to refuse the place and make an in year application for admission to Year 1 for the September following the child's fifth birthday.
- 8.3 Please note there is no right to appeal against a decision to refuse delayed admission.
- 8.4 Where a Swindon resident wishes to apply for a school outside of Swindon, they must gain agreement from that school / Local Authority that they would accept a delayed application.

9 Delayed Admission to Junior Schools and delayed transfer to Secondary Schools

- 9.1 Children and young people should transfer to the next phase of education (junior schools) with their peer group.
- 9.2 Parents of children who have delayed entry to reception, will need to make another request to delay when they would need to apply for a junior or

secondary school place i.e in Year 5 to be allowed to apply for a place when the child is in Year 6.

9.3 The implications for delayed pupils reaching statutory school leaving age before completing Key Stage 4 and social emotional issues for delayed pupils must be considered when making any decision.

9.4 The final decision on delayed transfer will be taken by the relevant admission authority. For Community and Voluntary Controlled Schools the final decision on delayed transfer will be taken by the Delayed School Entry Admissions Panel in consultation with the Headteacher of the school[s] requested. The decision will be based on sound educational reasons in the child's best interests, and will need to bear in mind the age group the child has been educated in up to that point.

10 Pupils with an Education Health and Care Plan

10.1 Due to their specific needs children with an Education Health and Care Plan may have it recognised that it is necessary to be taught outside their chronological year group. This decision will be made by the SEN Assessment Panel.



Swindon Borough Council
School Admissions Co-ordinated Schemes
Academic Year 2021-22

1. Introduction

In accordance with the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 Swindon Borough Council must formulate a scheme which outlines how it intends to manage admissions to all maintained schools¹ in its area and all admission authorities¹ must participate in this scheme. This scheme will apply where an applicant is resident within the Swindon Local Authority area.

Interpretation and Glossary

In this scheme –

“the LA” means Swindon Borough Council acting in their capacity as a Local (Education) Authority;

“the LA area” means the Borough of Swindon;

“Primary education” has the same meaning as in section 2(2) of the Education Act 1996;

“Primary school” has the same meaning as in section 5(2) of the Education Act 1996;

“Secondary education” has the same meaning as in section 2(2) of the Education Act 1996;

“Secondary school” has the same meaning as in section 5(2) of the Education Act 1996;

“school” means – a Community, Voluntary Aided, Voluntary Controlled, Trust School, Foundation School, Academy, University Technical College, Studio School or Free School

“admission authority” in relation to a Community or Voluntary controlled school means the LA and, in relation to an Academy, Foundation, Voluntary Aided or Free school means the governing body of that school;

“the specified year” means the school year beginning in September 2020

“admission arrangements” means the determined arrangements which govern the procedures and decision making for the purposes of admitting pupils to a school.

¹ References to schools in this scheme includes, community, voluntary controlled, voluntary aided, foundation or trust schools, academies, free schools and University Technical Colleges. All schools with the exception of community and voluntary controlled schools are their own admission authority.

2. Key Information for phased entry 2020-21

		Primary and Infant	Junior	Secondary
1.	Relevant Year Group	Reception (Yr 0)	Year 3	Year 7
2.	For children born between	1 st September 2016 and 31 st August 2017	1 st September 2013 and 31 st August 2014	1 st September 2009 and 31 st August 2010
3.	Applications can be made from	1 st September 2020	1 st September 2020	1 st September 2020
4.	Maximum number of preferences	3	3	3
5.	Deadline for ontime applications	Friday 15 th January 2021	Friday 15 th January 2021	Saturday 31 st October 2020
6.	Applications to be forwarded to other LA and Swindon admission authorities	Friday 12 th February 2021	Friday 12 th February 2021	Tuesday 2 nd December 2020
7.	Ranked lists to be returned by Swindon admission authorities	Friday 12 th March 2021	Friday 12 th March 2021	Tuesday 12 th January 2021
8.	Deadline for proof and changes of address to be received	Friday 12 th March 2021	Friday 12 th March 2021	Tuesday 12 th January 2021
9.	Swindon LA to notify schools of offers made	Thursday 1 st April 2021	Thursday 1 st April 2021	Friday 12 th February 2021
10.	Offers made to Swindon residents	Friday 16 th April 2021	Friday 16 th April 2021	Monday 1 st March 2021
11.	Deadline for parents to accept place	Friday 30 th April 2021	Friday 30 th April 2021	Monday 15 th March 2021

Table 1

- 2.1. The primary and secondary co-ordinated scheme will apply to all admission authorities within the LA area in relation to children wishing to join the normal year of entry during the primary/infant phase, junior or secondary phase in Swindon for September 2021.
- 2.2. Table 1 indicates the following information for each phase
 - 2.2.1. Relevant Year Group
 - 2.2.2. The relevant dates of birth for the normal point of entry
 - 2.2.3. The maximum number of preferences which can be made
 - 2.2.4. The date from when applications can be made
 - 2.2.5. The deadline for on-time applications
 - 2.2.6. The date when the LA will forward applications to other LAs and Swindon Admission Authorities
 - 2.2.7. The date by which Swindon Admission Authorities are required to return the ranked list of applications
 - 2.2.8. The deadline for changes of address
 - 2.2.9. The date when the LA will forward details of those offered a place to Swindon schools
 - 2.2.10. The date that parents will be notified in writing of the offer made
 - 2.2.11. The deadline for parents to accept the school place.
- 2.3. In Swindon, children can start school at the earliest from the September following their fourth birthday. Full time provision will be made available in all reception classes for all relevant children from September 2021.
- 2.4. Parents can defer the date their child is admitted to school until later in the school year but not beyond the point at which they reach compulsory school age² or, for children born between 1 April and 31 August, not beyond the beginning of the final term of the school year for which the offer was made;
- 2.5. Parents can also request that their child takes up the place offered part time until the child reaches compulsory school age.
- 2.6. The LA will publicise the coordinated admissions process for each phase of education. This will be done by:
 - publishing a composite prospectus online by 12 September 2021 for children due to start the Reception year and Junior School for the first time;
 - publishing a composite prospectus online by 12 September 2021 for children due to transfer from Year 6 in a junior or primary school to Year 7 in a secondary school called;
 - publicising coordinated admission arrangements on the LA public website;
 - producing posters and/or other advertising information;
 - making arrangements to enable parents to apply online;
 - Sending out information to early years providers including Child Minders to advertise the process
 - Sending information to all schools in Swindon about the process for them to send out to parents via newsletters, texts, and letter.
 - writing to parents of children regarding the possibility of transferring from Year 9 in a

² Compulsory school age is set out in section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998. A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August.

secondary school to Year 10 in a Studio School or UTC.

- 2.7 The Governing Bodies or Academy Committees and/or Directors of OAA schools covered by the scheme remain responsible for setting admission rules, applying them and determining the offer of places. Where an OAA school consults on a change to its admission arrangements and/or rules, which it must at least once every seven years or when a change is made to those arrangements or rules (whichever happens sooner), it must consult, determine and publish according to the timescales laid down in the School Admissions Code 2014.
- 2.8 For all OAA schools, the parent will receive the official offer from the LA as the 'clearing house' made on behalf of the school or Governing Body or Academy Committee or Directors. Offers for the transfer phases listed in 2.8 above **must not** be sent directly by the school, Governing Body, Academy Committee, or Directors.

3. Making an application

- 3.1. Parents will be able to make an online application directly to Swindon Borough Council as the LA. The online facility will be available from 1 September 2020 (or nearest working day) up until the closing date indicated in **Table 1**. A paper form will also be made available.
- 3.2. The online application form will be known as the Swindon Local Authority (LA) Common Application Form used for the admission of pupils into the relevant year group.
- 3.3. Swindon Local Authority (LA) Common Application Form will be available for Swindon residents wishing to apply for a school place, either within or outside of the Borough of Swindon.
- 3.4. Swindon LA's Common Application Form, must be used as a means of expressing one or more preferences by a parent wishing to apply for a school place for their child either within or outside the Borough of Swindon. The child must live in Swindon.
- 3.5. Parents will be asked to express no more than 3 preferences in ranked order for schools both within and outside the Swindon Borough with the opportunity to express reasons for their particular preferences.
- 3.6. Parents are required to submit one application only per child. Where the LA receives more than one application for the same child before the closing date, the LA will only consider the latest submitted application and the other application will be discarded. If two late applications are received (after the closing date), the latest application by date will be the application considered.
- 3.7. Each preference will be considered equally. This means that Swindon LA will consider all applications against the published admissions criteria without reference to how the school applied for has been ranked on the application form. As far as possible applicants will be offered a place at a school to which they have expressed a preference. Where the applicant has made more than one preference the LA will make an offer at the highest ranked preference school with available places in accordance with the standard admission criteria. Where it is not possible to offer a place at a preferred school, and the applicant lives in Swindon, the LA will allocate a place at the next nearest school with a place, The distance between the applicant's home and school is taken as a straight line between the Local Land

and Property Gazetteer (LLPG) address point of the applicant's home address and of the school with those living closest to school receiving higher priority.

- 3.8. The governing body of a Foundation, Voluntary Aided School, Academy or Free School can ask parents who have expressed a preference for their school on the online Common Application Form, to provide additional information on a supplementary form or additional evidence, only if the additional information is required in order to apply their oversubscription criteria to the application. Where a supplementary form or additional evidence is required it is the responsibility of the parent to complete the form and return to the school concerned.
- 3.9. Where a school receives a supplementary form it may not be regarded as a valid application unless the parent has also completed a Common Application Form which expressed a preference for that school. The Common Application Form must have been returned to the LA.
- 3.10. Swindon LA must receive the application by the deadline date (by midnight) indicated in Table 1 (Row 5)

4. Application Process

- 4.1 The LA will consider in the first instance those applications received before the closing date.
- 4.2 Applications received after the closing will be considered as late. Applications can be submitted after this date but they will be considered as late for the purposes of the co-ordinated scheme. This means they will be considered after all on time applications. The LA will endeavour to deal with late applications before the offer date, but it may not be possible to do this in every circumstance.
- 4.3 Swindon LA will have forwarded applications for schools in other LA's to the maintaining LA's and forwarded applications to other admission authorities with any supporting evidence the parent submitted by the date indicated in Table 1 (Row 6).
- 4.4 Relevant information concerning a preference for a school as part of one of the transfers listed in 4.3 above, will be shared securely with other LAs where a preference has been requested for a school in that LA's area. This is in line with the General Data Protection Regulations and the 2018 Data Protection Act.
- 4.5 Foundation, Voluntary Aided Schools and Academies will apply their admissions criteria and send Swindon LA a list indicating the order in which all applicants have priority according to oversubscription criteria by the date indicated in Table 1 (Row 7).
- 4.6 Academies may choose to delegate the consideration of applications to the LA.
- 4.7 Swindon LA requires all evidence of changes in circumstances (e.g. proof of move / address) by the date indicated in Table 1 (Row 8).
- 4.8 Pupils with a statement of Special Educational Needs or an Education, Health and Care Plan (EHCP) will be admitted to the school named on their statement or plan. Applications of children with a statement or EHCP are considered by the Special Educational Needs Assessment Team (SENAT Team). Once a statement or plan reaches the formal proposed stage, this scheme does not apply as any placement is finalised by SENAT.
- 4.9 The LA will apply the agreed scheme and all applications for Community and VC schools will be considered using the oversubscription criteria for Community Schools and those lists provided by Swindon authorities and other LA schools. The LA will offer the highest rank available as indicated on the parent's application. Swindon will then compare the lists for all schools in the area. Where a child qualifies for one of the available places at more than one school, Swindon will provisionally allocate a place at the school ranked highest by the parent in their application. The lists will be adjusted for any other school for which a preference was expressed, moving another child who was previously not eligible for a place up the list to the provisional place that has been vacated.
- 4.10 Swindon LA will inform other LA's of offers made to their residents. Other LA's have responsibility to inform their residents.
- 4.11 If a child resident in Swindon remains unplaced Swindon LA will consider how to place them in schools within the area. Swindon LA will then offer places at the nearest available school (measured in a straight line) with places when children remain unplaced.

- 4.12 Children who have been refused a place at all of their named preferences, will be offered a place at an alternative school (excluding Catholic Schools unless agreed with the school's governing body) with a place available
- 4.13 Swindon LA will then offer places to late applicants subject to the places available and oversubscription criteria.
- 4.14 Swindon schools will be informed by Swindon LA of the final results by the date indicated in Table 1 (Row 9).
- 4.15 Offers will be made to parents by Swindon LA, on the national offer day (or the next working day where the national date is on a weekend). This date is indicated in Table 1 (Row 10).
- 4.16 Parents are only able to apply through the online system and those that have requested an email notification will be notified on the offer day. Parents / Carers that do not have access to this can contact the LA for assistance with this.
- 4.17 Those children refused places at higher preferences for Community or Voluntary Controlled schools will be placed on a waiting lists and informed of their right of appeal.
- 4.18 Parents must accept or refuse the place offered by the deadline indicated in Table 1 (Row 11)
- 4.19 Appeals against the refusal of a place at a preferred school will be heard within 40 school days of the closing date for appeals to be lodged. A timetable for appeals will be published on the Swindon Borough Council website by 28th February of the relevant year of admission.

5. In-year admissions

- 5.1 If parents/carers decide to transfer their children during the academic year after the normal admissions round, this is referred to as an In Year Transfer. Parents/carers who wish to transfer their child/ren in year to a Swindon school they must apply online on Swindon Borough Council's website and through the Boroughs In-Year Coordinated Scheme.
- 5.2 Please see the In Year Coordinated Scheme document for full details.

6. Sampling of Admission Applications to detect suspected fraud

- 6.1. The LA reserves the right to undertake sampling of applications as and when it determines necessary. All parents should be aware of this and therefore ensure that the information they submit on their application form is correct. By signing the application form, or submitting the form online, the parent is confirming that the information they have provided is correct.
- 6.2. If the LA undertakes sampling of applications, it will write to parents to ask that they submit proof of their address. Evidence of proof of address will be checked and parent will need to submit at least 2 of the following:
- Council Tax bill
 - Child Benefit letter
 - Child Tax Credit
 - Official Rental Agreement
 - Solicitor's letter (not older than one month).
 - Drivers Licence
 - Utility Bill
- 6.3 The LA may check the information given on the application form or the evidence submitted with other parties such as Council Tax or Electoral roll. Please note that the LA may do this at any time if they suspect fraud.
- 6.4 If evidence is not submitted, or the evidence is not sufficient, then the LA will either not consider the application as an on time application, which may have implications for the child being allocated their preferred school, or it may withdraw the offer of a school place, whichever is appropriate depending on the time the sampling is done. If a parent applies for a school place falsely (using false information), they will lose all the preferences stated on the application form and the whole application will become invalid. The application would then be treated as a late application. (A fresh application would need to be made which would be treated as a late application and if a place is refused at the preferred schools, the parents would have right of an appeal against the refusal.)
- 6.5 If the LA finds that fraud has been committed and the child has already started at the school, there may also be consequences for any other sibling of that child who may not be able to start at the preferred school.
- 6.6 If the LA withdraws a place for a child on the suspicion of fraud, the place will be reallocated.
- 6.7 If parents or schools suspect someone has applied fraudulently they should contact the Council on 01793 445500.

7. Definitions

Deferred admissions

Parents can request that the date that their child is admitted to school is deferred later in the academic year or until the term in which the child reaches compulsory school age. However, please note that the place must be taken up in the same academic year that it was originally offered and admission cannot be delayed beyond the statutory school start date. Notification of the intention to defer should be given directly to the school concerned as soon as possible once a place has been offered.

1st September 2016 and 31st December 2016

Admission will be September 2021 or can be deferred until January 2022

1st January 2017 and 31st March 2017

Admission will be September 2021 or can be deferred until January or April 2022

1st April 2017 and 31st August 2017

Admission will be September 2021 or can be deferred until January or April 2022

Delayed Admission of Summer born children

A summer born child is one born between 1st April and 31st August. A parent of a “summer born” child may request for their child to be deferred until they are statutory school age, that is that they may start school in Year 1 and not in the Reception Year. Please note that if the parent would like their child to start at the school allocated in Year 1 they would need to start school in the last academic term (April) for the place to be held for their child. Otherwise, the school place will be removed and the parent will need to make a new application for a school place in Year 1.

Parents of summer born children are also able to request for their child to be admitted to a year group later than that of their natural cohort. Please note that this is a request, and this will be considered by the Admitting Authority for the school.

Please see Appendix 1 to these arrangements, Delayed and Deferred Admissions.

Applications outside the Normal Age of Admission

Parents of gifted or talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside of their normal age group. Admission Authorities must make decisions on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group of the school.

Evidence may be required in these circumstances from a Senior Medical Consultant, Educational Psychologist and/or other relevant professionals.

In the instance that the child has not started school (or is not statutory school age), or it is before the child needs to apply for a school place, the Admitting Authority for the school (LA for maintained schools or Governing Body of the School) may have discretion to decide whether the child would need to be put back an academic year on the circumstances outlined above. Evidence may be required in these circumstances from a Senior Medical Consultant and/or Educational Psychologist. This discretion would only be used in exceptional circumstances where it would

have to be proved that it was in the child's interest. This may have already been considered by the Special Educational Needs Assessment Team (SENAT) through the Early Years Panel.

Relevant Age Group

The age group to which children are normally admitted. Each relevant age group must have admission arrangements, including an admission number. Some schools (for example schools with sixth forms which admit children into the sixth form) may have more than one relevant age group.

Statement of Special Educational Needs (SEN)

A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996, specifying the special educational provision required for that child.

Education, Health and Care Plan

An Education, Health and Care plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Proof of Address

The LA reserves the right to ask parents for proof of their address. If the parents' current address is different to that held on the LA's computerised system the LA may ask parents to provide proof of the new address if one is indicated. Acceptable proof of address includes:

- A copy of your Council Tax Bill
- A solicitor's letter stating contracts have been exchanged and specifying a completion date
- A copy of the Child Tax Credit or Working Tax Credit award letter
- A signed and dated tenancy agreement plus proof of residency (e.g. copy of recent utility bill)

If parents fail to provide proof of a new address then, the LA will use the old address for admission purposes. If parents indicate they will be moving house, even if they provide the relevant proof of that address, they must move into that property by at least the end of the first term. The LA reserves the right to check that parents are living in the address indicated within that timescale. If parents are not living in that address, the applications will be investigated and the place allocated may be withdrawn

Applications

Online Common Application Form

For the normal admissions round, an online Common Application Form (CAF) must be completed by all parents applying for Admission for 2021-22. All parents who list their preferred schools on the LA's CAF are regarded to as having made a valid application.

In-year admission application

For in-year applications, the online Swindon In-year application form must be completed by all parents applying for Admission applying to transfer during the 2021-22.

Supplementary forms and additional evidence / information

An additional supplementary form (SIF) or additional evidence may be required by an Academy, Foundation or Voluntary Aided school who require additional information in order to consider the application, this is available from the school. This may be for in-year and normal admissions round.

Children from Overseas

Children who hold a full British Citizen passport or children whose passport has been endorsed to show they have a right of abode in the country are entitled to apply for a place at a maintained school. The passport or visa should be made available for inspection before an offer of a school place can be made. Asylum Seekers should make available evidence of their right of abode as provided by the National Asylum Support Service.

During the normal admissions round applications on behalf of children currently living outside the UK will be considered, but until the children are resident in the country of their home address will be considered as being their place of residence outside the UK. Exceptions to this would be instances where the children are of parents returning from foreign postings such as UK service personnel and other crown servants as indicated above (including diplomats) who have been posted abroad on a fixed term contract and who are returning to live within the UK. Proof of future residency will be required if the application is made to an oversubscribed school.

For in-year applications, with the exception of UK service personnel as indicated above, applications for in-year places will only be accepted once the child is permanently resident within the country.

Duplicate Applications

The LA requires parents to submit one application only per child. Where the LA receive more than one application for the same child before the closing date, the LA will only consider the latest submitted application and the other application will be discarded. If two late applications are received (after the closing date), the latest application by date will be the application considered.

Late applications

The closing date for applications is defined in Table 1. Applications can be submitted after this date but they will be considered as late for the purposes of the coordinated scheme. This means they will be considered after all the on time applications. The LA will endeavour to deal with late applications before the offer date, but it may not be possible to do this in every circumstance.

Preferences

Parents will be invited to state up to three ranked preferences. Each preference will be considered equally. This means that Swindon LA will consider all applications against the published admissions criteria without reference to how the school applied for has been ranked on the application form. As far as possible applicants will be offered a place at a school to which they have expressed a preference. Where the applicant has made more than one preference the LA will make an offer at the highest ranked preference school with available places in accordance with the standard admission criteria. Where it is not possible to offer a place at a preferred school, and the applicant lives in Swindon, the LA will allocate a place at the next nearest school with a place.

The next nearest school with a place will relate to any maintained mainstream school, whether it be Community, Voluntary Aided, Voluntary Controlled, Foundation, Academy or Free School (excluding Catholic Schools unless agreed with the school's governing body).

Change of preference

A parent may change their mind about the preferences they have made after the closing date indicated in Table 1, if they have a genuine reason for doing so, which may be that they are moving house. The Admissions Team would need any request to change a preference in writing from the parent. Any change in preference received after the deadline for ontime applications, regardless of the circumstance, will be considered as a late application.

Any evidence that is needed to accompany the change in preference would be required to be with the Admissions Team by the deadline for address changes in Table 1 (Row 8).

8. Swindon Schools

Primary, Infant and Junior Schools

School Name	Type of School
Abbey Meads Community Primary School	Academy
Badbury Park Primary School	Academy
Beechcroft Infant School	Community
Bishopstone CE Primary School	Voluntary Controlled
Bridlewood Primary School	Community
Brook Field Primary School	Community
Catherine Wayte Primary School	Community
Chiseldon Primary School	Community
Colebrook Infant Academy	Academy
Colebrook Junior School	Community
Covingham Park Primary School	Community
Drove Primary School	Academy
East Wichel Community Primary School	Community
Eastrop Infant Academy	Academy
Eldene Primary School	Community
Even Swindon Primary School	Community
Ferndale Community Primary School	Academy
Goddard Park Primary School Academy Trust	Academy
Gorse Hill School	Academy
Grange Infant School	Academy
Grange Junior School	Academy
Greenmeadow Primary School	Community
Haydon Wick Primary School	Academy
Haydonleigh Primary School	Community
Hazelwood Academy	Academy
Holy Cross Catholic Primary School	Academy
Holy Family Catholic Primary School	Academy
Holy Rood Catholic Primary School	Academy
King William Street CE Primary School	Academy
Lainesmead Primary School	Community
Lawn Primary School	Community
Lethbridge Primary School	Academy
Liden Primary School	Community
Millbrook Primary School	Academy
Moredon Primary School	Academy
Mountford Manor Primary School	Academy
Nythe Primary School	Community
Oakhurst Primary School	Community
Oaktree Primary School	Community
Oliver Tomkins CE Infant School	Voluntary Aided
Oliver Tomkins CE Junior School	Voluntary Aided
Orchid Vale Primary School	Community
Peatmoor Primary School	Academy
Red Oaks Primary School	Academy
Robert Le Kyng Primary School	Community
Rodbourne Cheney Primary School	Academy
Ruskin Junior School	Academy
Seven Fields Primary School	Academy
Shaw Ridge Primary School	Academy

Southfield Junior School	Academy
South Marston CE Primary School	Academy
St Catherine's Catholic School	Academy
St Francis CE Primary School	Voluntary Aided
St Leonards' Primary Academy	Academy
St Mary's Catholic Primary School	Academy
Swindon Academy	Academy
Tadpole Farm Church of England Primary Academy	Academy
The Croft Primary School	Academy
Tregoze Primary School	Academy
Wanborough Primary School	Community
Westlea Primary School	Academy
Westrop Primary School	Community
William Morris Primary School	Academy
Wroughton Infant School	Community
Wroughton Junior School	Community

Secondary Schools

School Name	Type of School
Lawn Manor Academy	Academy
Highworth Warneford School	Academy
Abbey Park Academy	Academy
Kingsdown School	Academy
Lydiard Park Academy	Academy
Nova Hreod Academy	Academy
St Joseph's Catholic College	Academy
Swindon Academy	Academy
The Commonweal School	Academy
The Dorcan Academy	Academy
The Ridgeway School	Academy
Great Western Academy	Academy
The Deanery	Academy
University Technical College	University Technical College

9. Appendices

9.1. Appendix 1 – Delayed and Deferred Admissions



School Admission Arrangements
(Community and Voluntary Controlled Schools)
2021-22

Admission Arrangements 2021-22 (Community and Voluntary Controlled Schools)

1. Introduction

This policy applies solely to applications for places at Community and Voluntary Controlled (VC) schools in Swindon. Foundation, Voluntary Aided (VA) and Academy Schools are their own admission authorities and therefore the Governing Bodies of the schools are responsible for determining their own admission arrangements and policies.

This document should be read in conjunction with the Co-ordinated Scheme for 2021-22, and the In Year Coordinated Scheme 2021-22 which applies to all schools within the Swindon LA area.

The closing dates for applications are:

Primary, Infant and Junior – 15th January 2021 and offers are made on 16th April 2021
Secondary - 31st October 2020 and offers are made on 1st March 2021

Applications must be made for children transferring from nursery to infant or primary school and for children transferring from infant to junior school.

2. Oversubscription Criteria

If there are more applications than there are places at the school, then the oversubscription criteria are applied.

The over-subscription criteria for all Swindon Community and Voluntary Controlled Schools are as follows:

A child who has a statement of special educational needs or Education, Health and Care Plan (EHCP) is required to be admitted to the school named on the child's statement.

A	A looked after child or previously looked after child. <i>Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order)</i>
B	Any child who has a sibling attending the preferred school at the same time as he or she is due to be admitted;
C	Any child living within the school's catchment area;
D	Any child not living in the school's catchment area.

Decider

For Community and Voluntary Controlled schools distance will be determined from the applicant's home address to the school on the following basis –

The distance between the applicant's home and school is taken as a straight line between the Local Land and Property Gazetteer (LLPG) address point of the applicant's home address and of the school with those living closest to school receiving higher priority.

Children with statements of special educational needs or Education, Health and Care Plan

Pupils with a statement of special educational needs or Education, Health and Care Plan at the time of allocation are required to be admitted to the school named on their statement or plan. Once a statement reaches the formal proposed stage the administration of the admission of the young person becomes the responsibility of Special Educational Needs Assessment Team (SENAT) at which point this policy no longer applies.

Looked After Child

Looked After Child

A 'Looked After Child' is a child who is:

- (a) in the care of a local authority, or
- (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in section 22(1) of the Children Act 1989) at the time of making an application to a school.

This also applies to a 'Looked After Child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements or special guardianship order. If children have ever been Looked After or Adopted or subject to a residency or special guardianship order evidence would need to be provided and the LA reserve the right to ask the parent to provide this.

A 'previously looked after child' is a child who:

- (a) ceased to be looked after because they were adopted (under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders).
- (b) became subject to a child arrangements order (defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014) or
- (c) became subject to a special guardianship order (see Section 14A of the Children Act 1989 - an order appointing one or more individuals to be a child's special guardian (or special guardians)).

Sibling

A sibling is defined as a child attending the preferred school at the same time as he or she is due to be admitted, who is a;

- brother or sister;
- half brother or sister;
- adopted brother or sister;
- step brother or sister, or
- the child of the parent/carer's partner where the child for whom the school place is sought is living in the same family unit at the same address as that sibling.

Where the sibling of the child making the application is under assessment for a Statement of Special Educational Needs or Education Health and Care Plan, then they will be counted as a sibling from the time that the school is named on the final plan.

Catchment area

A catchment area is a geographical zone served by a school. The address that determines a child's catchment area is the place where s/he is ordinarily resident with his/her parent(s) or legal guardian(s). Most schools have a catchment area but some addresses fall within areas shared by two or more schools. Children living outside the Borough boundary are treated as if the children live within Swindon but outside the catchment area for the school(s) in question. Maps of each catchment area are held by the LA and can be viewed on request or on the council's website

Distance

In all cases where schools are oversubscribed, distance is as a straight line between the Local Land and Property Gazetteer (LLPG) address point of the applicant's home address and of the school within each oversubscription criteria. If the direct distance measurement does not separate applicants, places will be offered by random allocation.

3. Other definitions

Address

Home address

The home address given on the application form must be the address where the child resides for most of the week with his or her parent or carer. The LA will not accept more than one address as the child's home address. The terms of a residency order may clarify the home address. Where necessary to determine which address to recognise and in the absence of a residency order, the LA will consider the home address to be with the parent with primary day to day care and control of the child.

In reaching this decision, evidence may be requested to show the address to which any Child Benefit is paid and from which the child is registered with a medical GP. If the Child Benefit letter is not available, a copy of the most recent bank statement where the Child Benefit is credited may be taken as residency, or the address stated on the NHS Medical Card of the child. Any other evidence provided by parents will also be considered by the Admissions Manager in reaching a decision on the home address for admissions purposes. This may be necessary for instance where parents do not agree on the child's home address. Parents are urged to reach agreement but where they do not, the LA will determine the home address.

Applications

An application for a place at a primary or secondary school for September 2021 must be made online using the Local Authority's online common application form. This is made via the Council's online admission system.

Children of UK Service Personnel

Applications for children of service personnel with a confirmed posting to the area will be considered in advance of the family arriving in the area provided the application is accompanied by an official letter from the commanding officer that declares a relocation date and a Unit postal address or quartering area address. Until a fixed address is provided, the LA will accept the Unit Postal Address or Quartering address as the Home Address for allocation purposes. All

applications must be included in the normal admissions round if possible. The LA will not refuse a service child a place because the family does not currently live in the area, and will not reserve blocks of places for these children.

An in-year application will be considered in the normal way and if a reasonable alternative cannot be offered, the child may be admitted as an 'excepted pupil' under the School Admissions (Infant Class Sizes) (England) Regulations 2012. In circumstances where placing a child at a school that is deemed a reasonable alternative would mean admitting above the PAN, the LA will take into account the organisational structure of the school to determine whether it is the best interests of the child and children already attending the school.

A reasonable alternative is defined as a school which is within the statutory maximum walking distance of 2 miles for a child who is under 8 years old and 3 miles for a child who is over 8 years old.

Late applications

Applications received after the closing date will be considered as late applications. This means that they will be considered after all on-time applications have been considered. This applies to primary applications received after 15th January 2021 and secondary applications received after 31st October 2020.

Multiple births

The LA will endeavour to place siblings born at the same time (e.g. twins, triplets etc.) at the same school, if necessary the school will admit over its PAN to accommodate such children. In the case of Infant Class Sizes (Reception, Year 1 and Year 2) class sizes must not contain more than 30 pupils with a single school teacher, however, additional children may only be admitted in limited exceptional circumstances, and in accordance with the School Admissions Code, twins and children from multiple births are classed as 'excepted pupils' to this legislation. Therefore, if one child of a multiple birth is offered the last available space at the school (according to the PAN), then offers will be made to all the children of that particular multiple birth. Those children would remain an exception to infant class size for the entire time they are in an infant class or until the class numbers fall back to the current infant class size limit.

Parent/carer

This is defined as a person with parental responsibility (PR) or legal residency of the child. This could include a person who is not a parent but who has a Court Order giving parental responsibility to them.

Shared responsibility

Where two adults have shared responsibility for a child they should agree before submitting an application form which school(s) to name as their preference(s). In cases of dispute, or where two applications from the adult with whom the child is living are received, the LA will ask parents to agree on the school applied for, or if that is not possible the LA will ask the parent to seek a Specific Issues Order through the Courts to gain the authority to make an application.

In the absence of a parental agreement or either of the parents obtaining a Court order determining the issue, the LA will be required to decide which preference(s) to be recorded and this will be done by using the application made by the person who lives at the property where the child is resident at their home address as defined below

(In reaching a decision on the address to use as the 'home address', evidence may be requested to show the address to which any Child Benefit is paid and from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered by the Admissions Manager in reaching a decision on the home address for admissions purposes.)

Applications outside the Normal Age of Admission

Parents of gifted or talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside of their normal age group. Admission Authorities must make decisions on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group of the school.

Evidence may be required in these circumstances from a Senior Medical Consultant, Educational Psychologist and/or other relevant professionals.

In the instance that the child has not started school (or is not statutory school age), or it is before the child needs to apply for a school place, the Admitting Authority for the school (LA for maintained schools or Governing Body of the School) may have discretion to decide whether the child would need to be put back an academic year on the circumstances outlined above. Evidence may be required in these circumstances from a Senior Medical Consultant and/or Educational Psychologist. This discretion would only be used in exceptional circumstances where it would have to be proved that it was in the child's interest. This may have already been considered by the Special Educational Needs Assessment Team (SENAT) through the Early Years Panel.

Deferred admissions

Parents can request that the date that their child is admitted to school is deferred later in the academic year or until the term in which the child reaches compulsory school age. However, please note that the place must be taken up in the same academic year that it was originally offered and admission cannot be delayed beyond the statutory school start date. Notification of the intention to defer should be given directly to the school concerned as soon as possible once a place has been offered.

1st September 2016 and 31st December 2016

Admission will be September 2021 or can be deferred until January 2022

1st January 2017 and 31st March 2017

Admission will be September 2021 or can be deferred until January or April 2022

1st April 2017 and 31st August 2017

Admission will be September 2021 or can be deferred until January or April 2022

Delayed Admission of Summer born children

A summer born child is one born between 1st April and 31st August. A parent of a "summer born" child may request for their child to be deferred until they are statutory school age, that is that they may start school in Year 1 and not in the Reception Year. Please note that if the parent would like their child to start at the school allocated in Year 1 they would need to start school in the last academic term (April) for the place to be held for their child. Otherwise, the school place will be removed and the parent will need to make a new application for a school place in Year 1.

Parents of summer born children are also able to request for their child to be admitted to a year group later than that of their natural cohort. Please note that this is a request, and this will be considered by the Admitting Authority for the school.

Please see Appendix 1 to these arrangements, Delayed and Deferred Admissions.

Published Admissions Number

A Published Admission Number (PAN) is agreed for each school annually and defines the number of places available for the year of entry. All applications must be agreed until the PAN has been reached.

Waiting lists

Waiting lists will be maintained for all Community and Voluntary Controlled schools from the initial point of entry until the end of that academic year. For the September 2020 intake this will be from the national offer date until 31st August 2022.

For all other year groups (Years 1 – 6 and 8-11) the waiting list will be discarded on 31st August 2021 and new applications will be invited from 1st September 2021.

Placement will be determined by applying the oversubscription criteria published in the Admissions Guide. Names will be removed from the lists if requested or if the offer of a place that becomes available is not accepted. Positions on waiting lists may change due to new applications received.

Waiting lists for Foundation, Voluntary Aided Schools and Academies are outlined in the individual schools own admission arrangements.

Placing a child's name on a waiting list does not affect the parents' right of appeal against an unsuccessful application.

Parents may only apply and appeal once per school per academic year. The LA may consider a fresh application if there is a significant and material change in circumstances of the parent, child or school since the original application was made. An example of this may be that the family have moved house.

Appeals procedure

Parents have a right of appeal to an independent panel against any decision made by or on behalf of the LA as to the school at which education is to be provided for their child. Information about the appeal procedure will be provided where a place at one or more of the preferred schools has been refused.

For appeals for September 2021 a timetable for hearing appeals will be published by 28th February 2021 and be available on the relevant schools or Local Authority website. Appellants should contact the Admissions Team to obtain an appeal form, which should be returned to Appeals Clerk at Civic Offices, Euclid Street, Swindon, SN1 2JH.

In-year admissions

- 3.1 If parents/carers decide to transfer their children during the academic year after the normal admissions round, this is referred to as an In Year Transfer.
- 3.2 The LA has a coordinated In Year Admissions Scheme and all Community and Voluntary Controlled Schools are part of this scheme for September 2021-22.
- 3.3 Please refer to the In Year Coordinated Admissions Scheme for more information on this.

4. Published Admission Numbers

The following list of schools are community and voluntary controlled which the Local Authority is the admission authority. The Local Authority are consulting upon the admission number for the 2020-21 academic year. The Published Admission number (PAN) applies to the relevant year group for admission in September 2021-22 and these are in the table below.

School Name	Type of School	Published Admission Number 2020-21	Published Admission Number 2021-22
Beechcroft Infant School	Community	90	90
Bishopstone CE Primary School	Voluntary Controlled	8	8
Bridlewood Primary School	Community	30	30
Brook Field Primary School	Community	60	60
Catherine Wayte Primary School	Community	60	60
Chiseldon Primary School	Community	30	30
Colebrook Junior School	Community	50	50
Covingham Park Primary School	Community	60	60
East Wichel Community Primary School	Community	60	60
Eldene Primary School	Community	60	60
Even Swindon Primary School	Community	90	90
Greenmeadow Primary School	Community	40	40
Haydonleigh Primary School	Community	90	90
Lainesmead Primary School	Community	60	60
Lawn Primary School	Community	60	60
Liden Primary School	Community	60	50
Nythe Primary School	Community	30	30
Oakhurst Primary School	Community	60	60
Oaktree Primary School	Community	55	55
Orchid Vale Primary School	Community	60	60
Robert Le Kyng Primary School	Community	60	60
Wanborough Primary School	Community	30	30
Westrop Primary School	Community	45	45
Wroughton Infant School	Community	90	90
Wroughton Junior School	Community	90	90

5. Appendices



5.1 Appendix 1 – Delayed and Deferred Admissions

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School Admission Arrangements 2021-22, and Mainstream Home to School Transport Policy 2021-22

1. Privacy Statement



2. School Admission Arrangements - Community and Voluntary Controlled Schools

1. Do you agree with the Proposed School Admission Arrangements for 2021-22 for Community and Voluntary Controlled Schools?							
						Response Percent	Response Total
1	Yes					83.33%	5
2	No					16.67%	1
Analysis	Mean:	1.17	Std. Deviation:	0.37	Satisfaction Rate:	16.67	answered
	Variance:	0.14	Std. Error:	0.15			skipped
Comments: (1)							
1	11/12/2019 18:54 PM ID: 132423557 Haven't looked at them. I am here for the SEND transport policy.						

3. Coordinated Admissions Scheme

2. Do you agree with the proposed Coordinated Admissions Scheme for 2021-22?							
						Response Percent	Response Total
1	Yes					83.33%	5
2	No					16.67%	1
Analysis	Mean:	1.17	Std. Deviation:	0.37	Satisfaction Rate:	16.67	answered
	Variance:	0.14	Std. Error:	0.15			skipped

4. In Year Coordinated Admissions Scheme

3. Do you agree with the proposed In Year Coordinated Admissions Scheme for 2021-22?							
						Response Percent	Response Total
1	Yes					83.33%	5
2	No					16.67%	1
Analysis	Mean:	1.17	Std. Deviation:	0.37	Satisfaction Rate:	16.67	answered
	Variance:	0.14	Std. Error:	0.15			skipped

5. Mainstream Home to School Transport Policy 2021-22

4. Do you agree with the Mainstream Home to School Transport Policy for 2021-22?

							Response Percent	Response Total	
1	Yes			<div></div>			100.00%	6	
2	No						0.00%	0	
Analysis	Mean:	1	Std. Deviation:	0	Satisfaction Rate:		0	answered	6
	Variance:	0	Std. Error:	0				skipped	0

7. Designated Transport Areas 2021-22

6. Do you agree with the Designated Transport Areas for 2021-22?

							Response Percent	Response Total
1	Yes			<div></div>			83.33%	5
2	No			<div></div>			16.67%	1
Analysis	Mean:	1.17	Std. Deviation:	0.37	Satisfaction Rate:	16.67	answered	6
	Variance:	0.14	Std. Error:	0.15			skipped	0
Comments: (1)								
1	11/12/2019 18:54 PM ID: 132423557		Didn't look only interested in the SEND travel policy.					

8. Respondent Details



7. Please tick the box that best describes you:

				Response Percent	Response Total
1	I am a parent / carer of a child at Primary, Infant or Junior School in Swindon			33.33%	2
2	I am parent / carer of a child at a Secondary School in Swindon			16.67%	1
3	I am a parent of a child in a School outside of Swindon			0.00%	0
4	I represent a Primary, Infant or Junior School in Swindon			50.00%	3
5	I represent a Secondary School in Swindon			0.00%	0
6	I represent a School outside of Swindon			0.00%	0
7	I am a Parish, Town or Ward Councillor for Swindon Borough			0.00%	0


7. Please tick the box that best describes you:

						Response Percent	Response Total
	Council						
8	other					0.00%	0
Analysis	Mean:	2.67	Std. Deviation:	1.37	Satisfaction Rate:	23.81	answered 6
	Variance:	1.89	Std. Error:	0.56			skipped 0

9. Do you consider yourself to have a disability?

						Response Percent	Response Total
1	Yes					16.67%	1
2	No					83.33%	5
Analysis	Mean:	1.83	Std. Deviation:	0.37	Satisfaction Rate:	83.33	answered 6
	Variance:	0.14	Std. Error:	0.15			skipped 0

10. What do you consider, best describes your ethnicity?

						Response Percent	Response Total
1	White British					100.00%	6
2	White European					0.00%	0
3	White Other					0.00%	0
4	Black African					0.00%	0
5	Black British					0.00%	0
6	Black Caribbean					0.00%	0
7	Black Other					0.00%	0
8	Asian Indian					0.00%	0
9	Asian Bangladeshi					0.00%	0
10	Asian British					0.00%	0
11	Asian Pakistani					0.00%	0
12	Asian Other					0.00%	0
13	Mixed White & Black Caribbean					0.00%	0
14	Mixed White & Asian					0.00%	0
15	Mixed White and Black African					0.00%	0
16	Mixed Other					0.00%	0
Analysis	Mean:	1	Std. Deviation:	0	Satisfaction Rate:	0	answered 6
	Variance:	0	Std. Error:	0			skipped 0

Response from St Joseph's Catholic College:

Comment	LA response
<p><i>Summer Born Children</i>- it is not clear who makes the decision on whether or not a summer born child is placed outside of the natural cohort. It is the decision of the admission authority</p>	<p>The proposed delayed and deferred admissions appendix (appendix 1 to the Coordinated Admissions Arrangements) is clear that the Admitting Authority for the school makes the final decision concerning a request to delay – Section 6 of this appendix clarifies this position.</p>
<p><i>Proposed in year coordinated scheme</i></p>	
<p>Point 1.1 and 1.2 it is not clear what process will be followed for if an (Other Admissions Authority) OAA opts out of the scheme. The key point is if the admissions team receive an application for an OAA outside of the scheme how and the timeframe in which this will be transferred.</p>	<p>Section 4 of the In Year Coordinated Scheme refers to Own Admitting Schools that have opted out of the scheme.</p> <p>In essence if an OAA opts out of the scheme there will be a separate Admissions Application form with 1 preference for parents to complete and send directly to the OAA school.</p> <p>We have added in information to the scheme to state that if the LA receives an application in error for a school that has opted out of the scheme, the LA will pass this on to the OAA as soon as possible or within 5 school days.</p>
<p>Para 2.5. The second sentence states that only information relevant to the application will be sent to schools. However, coincidentally para 2.4 of the School Admissions code states that supplementary forms must only request additional information that has a direct bearing on the decisions. This is because OAA's should have access to the information on the CAF including the applicants contact details.</p>	<p>Admission Authorities must only consider information that is relevant to the child gaining a place at the school, i.e. any information that is pertinent to the schools oversubscription criteria. Parent's names or contact details are not relevant to the allocation of a place as these details have no bearing on whether the child could be allocated a place at the school or not.</p> <p>2.4 of the School Admissions Code states' in some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they must only use supplementary forms that request additional information when it has a direct bearing on decisions <i>about oversubscription criteria</i> or for the purpose of selection by aptitude or ability.</p>

	<p>The School Admissions Code does not state that the LA must pass on all information that is on the application form, it must only pass on what is relevant to making the decision.</p> <p>However, the LA's new Admissions Portal, which will be available to all schools that are part of the In Year Coordinated Scheme, will allow schools to view the entire application (preferences for other schools exempt). For in year admissions this will not be available for schools that opt out because the portal is only available for applications made on line direct to the LA.</p>
<p>Para 2.7 It would be preferable that the proposed calendar of date was included as part of the consultation as it is impossible to feedback on any dates which are incompatible.</p>	<p>The LA develops the In Year Calendar of dates every year in consultation with all schools in the Borough that are part of the in year scheme and have taken into account schools requests to move dates where possible. The LA will continue to do this working with all schools in the Borough.</p>
<p>Para 2.10 This is contrary to advice received where OAA's must consider all information available at the time of consideration.</p>	<p>The advice to OAA schools with regards to Supplementary Information Forms (SIF's) and completion of the online admissions application, has always been that a valid application is one where the online admissions application is completed on time before the closing date. Some schools also require a SIF to be completed to gather additional information that is relevant to their oversubscription criteria. If the Admitting Authority requires a SIF, but a parent has only completed an application form, the school can only consider the information on the form. When the parent submits a SIF to the school, the school can reassess the application and if relevant could consider the application under higher / lower criteria. Admitting Authorities can only consider the information submitted at the time of the application form and by the closing date.</p>

Para 2.11 This paragraph may need to make a reference to the process if an OAA opts out of the coordinated scheme.	We have clarified this in section 2.11.
Para 3.7 OAA's are able to offer over PAN. Also for an OAA to rank all applications each cycle when there are no places available is a waste of resource.	<p>OAA schools are able to admit over the PAN and if a school was part of the in year scheme and wished to do so they could let the LA know this. This happens presently.</p> <p>Ranking the applications submitted to the school against the schools oversubscription criteria, means that the schools governing body has considered the applications and this means the application can be refused or offered a place. If no places are available, it ensures that the applications are refused and a refusal letter is sent out on behalf of the school as part of the in year scheme. It also ensures that the children are then placed on the waiting list according to that rank given. If no rank is given no refusal letter is sent, no place is therefore given on the waiting list for the school (if they have one) and no right of appeal is given. If schools are not ranking applications when there are no places available as part of the in year scheme the LA would question as to whether the school is considering the application and sending a refusal letter.</p>
Para 3.13 It is difficult to see how a place can be reserved and the College believes that this needs more consideration.	This is in the scheme to try to ensure that parents are given a school place that is closest to home, and to speed up the process for a parent that will need to apply for schools through the in year scheme, and then to schools directly that are not part of the scheme. The LA will ask the OAA if this can be reserved, but if this is not possible (perhaps due to the fact that the Governing Body meeting is not for some time) then the LA will advise the parent to make an application to the school directly.
Para 3.14 Currently OAA's are able to send out own offer letters too. Is there a reason for this change?	There is no change to this. OAA schools are still able to do this. This paragraph states that OAA must not send out an offer / refusal letter <i>until</i> the LA has sent formal written notification –

	as part of being in the in year scheme there is no need for an OAA to send a separate decision letter.
Para 3.15 What is the process if the child was living in another part of the UK?	We have clarified this in the policy.
Para 3.16 The second sentence states that a child should start at a school by a certain date. Can you clarify please if this is part of the withdrawal of a place process?	This is stated so that places at schools are not held for long periods of time, preventing other children from accessing them. Usually places are taken up immediately, but in the minority of cases this allows an admitting authority to define what is a reasonable amount of time for a parent to take up a school place.
Para 3.21 A small point but indicates that the LA will consider applications rather than LA and OAA's.	This is in relation to schools that are part of the in year scheme.
Para 3.22 Currently information on when a child leaves is included in the vacancy spreadsheet and to the EWO. Can it be clarified who needs to be informed and when by.	As stated in 3.22 the LA will need to be informed when a child has started / left the school via the Vacancy spreadsheet so that the information per school is correct and the correct number of places can be offered.
Para 4.2 The school admissions code does not provide for OAA's notifying the LA of in year applications on the day and could be difficult to manage if applications are received outside of normal working hours, by electronic means for example.	This has been amended to stated 'as soon as possible, but within 5 school days' to take account of this.
Para 4.3 The school admissions code does not require a copy of the letter to be provided to the Swindon admissions team but rather to notify of the application and provide the outcome.	Paragraph 2.22 of the School Admissions Code states: Own admission authority schools must , on receipt of an in-year application, notify the local authority of both the application and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. The admission authority must also inform parents of their right to appeal against the refusal of a place. Although the Code does not state that the form or copy of the decision letter should be sent to the LA, this information would enable the LA to have as much information as possible on the child in the area and to ensure that the parent has applied for a school place through the in year scheme as

	<p>well / at the same time to speed up the process and ensure the child is not out of school for more time than necessary. It would also enable the LA to speed up any other referral for example to Fair Access Panel etc. This is best practice and we would hope that the OAA school would cooperate and engage with the LA on this</p>
<p>Para 4.4 There is no obligation to provide details of the waiting list to the applicant.</p>	<p>This is not referred to in Section 4.4. However, if an OAA school holds a waiting list then it is good practice to advise parents of the practice of holding a waiting list, how it operates etc, in a decision letter especially if the child has been refused. Parents will then know to ask what position their child might be on the waiting list and can be better informed of their options</p>
<p>Para 4.5 Suggest that some further detail on how applications are shared.</p>	<p>This has been added to the scheme.</p>
<p>Para 4.6 There is no obligation in the code to provide the information on places on a certain date and it is difficult to agree to do this without the calendar being made available.</p>	<p>Whilst we appreciate there is no requirement in the Admissions Code to provide the information on numbers on a certain date, it is recognised by the DfE that LA's need this information to be able to advise parents.</p> <p>As all schools have been participating in the in year coordinated scheme since September 2017 and informing the LA of the number of places per year group on certain dates per month in the in year scheme, it is proposed that this practice continues as schools are familiar with this and it does not provide any additional burden to schools.</p> <p>It would also be useful to know when schools have their Admissions Panels / Governor meetings scheduled so that the LA can inform parents.</p>
<p>Para 4.8 similarly to the point on para 3.22, further clarity on the process would be welcomed.</p>	<p>In relation to school places the LA would like a list of all the number of places per year group against the schools PAN, via spreadsheet electronically. This is currently provided by all schools through the current in year process, and so is no additional</p>

	burden to schools.
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**In Year Coordinated School Admissions Scheme for
Reception to Year 11**

2021-22

In-Year Coordinated School Admissions Scheme - September 2021-22

- 1.1 The scheme covers admissions for entry to all Community and Voluntary Controlled, Academy, Free School, Voluntary Aided, and Foundation schools in Swindon outside the normal admissions rounds for children transferring between phases of education (see the Coordinated Admissions Scheme for more details) for entry to year groups Reception through Year 11 (inclusive).
- 1.2 An Own Admitting Authority School (OAA) may opt out of this scheme but must inform the LA in writing by the last working day in February 2020 so that details can be published in the Scheme and online by 15 March 2020. Any school that opts out would be doing so from 2021 and would need to consult on this in the normal way.
- 1.3 Any OAA school that has withdrawn from the Scheme must adhere to the requirements set out in Part 4 of this Scheme.
- 1.4 A list of OAA schools in Swindon that are not part of the Scheme will be published online by 15 March 2020 and as part of the determined Scheme.
- 1.5 Applications outside the normal round of admissions (see the Coordinated Admissions Scheme) will be referred to in the Scheme as “in-year applications”.
- 1.6 The Local Authority (LA) has delegated the responsibility for admissions to Sixth Form (Years 12 and/or 13) to schools to administer locally. Parents should apply direct to schools for Sixth Form places.
- 1.7 The LA will coordinate in-year admissions to all mainstream schools in Swindon that are part of the Scheme. Therefore, applications from both residents and non-residents of Swindon for places in schools in Swindon that are part of the Scheme must be made to the LA. If Swindon residents wish to apply for a place outside of Swindon they will need to apply to the school / or that Local Authority directly, and not through this system
- 1.8 The Governing Bodies or Academy Committees of OAA schools that are part of the Scheme remain responsible for setting admission rules, applying them and determining the offer of places. The LA **will not** make admissions decisions on behalf of OAA schools.

2. The Application:

- 2.1 Parents must apply online using the Swindon Borough Council's online system at https://www.swindon.gov.uk/info/20071/school_places_and_admissions/422/changing_or_transferring_to_a_swindon_school . Parents can also apply using a paper form if they cannot complete the online form.
- 2.2 Parents will be able to request a maximum of 3 preferences on their application. These preferences can be for any mainstream school in Swindon that is part of the Scheme.

- 2.3 If parents are moving into Swindon they will need to provide proof of their address (see definitions below) and submit this at the time they submit their application. The Admissions Team will need the proof of address by the closing date. If the evidence is not provided the application will be considered on the current address and this may impact the consideration of the application in terms of the oversubscription criteria.
- 2.4 All applications will be considered under the Equal Preference Scheme and therefore all preferences will be considered at the same time. This speeds up the consideration of each application as every parent will have an offer / refusal on the entire application (all 3 preferences). Under the Equal Preference Scheme, places will be offered to the highest preference possible
- 2.5 Information regarding children's applications will be sent electronically to schools. This is only information that is relevant to the consideration of the application.
- 2.6 All applications will be considered in process periods (batches) and not individually in preference order. The process periods will run every 25-30 school days. If possible the LA will offer places every 20 school days but this is dependent on the support of I.T.
- 2.7 An in year calendar of dates will be published on the Council's website to show when each process period is open, closed and when places will be offered and parents notified.
- 2.8 Each process period has an open and close date, and within this period the LA will receive applications. On each closing date any application must be submitted online by **12 noon** of that day for it be considered in that process period.
- 2.9 Some OOA schools require parents to also complete a Supplementary Information Form (SIF) in order to find out what criteria the child would come under e.g. if they are Baptised Catholic.
- 2.10 The SIF is available on the Council's website and on the schools website. However, the SIF must be submitted at the same time as the application (or before the closing date). If these are not submitted it may affect the rank of the application.
- 2.11 Supplementary forms must be submitted directly to the school. Please note that a Supplementary Form alone is not an application for a school place, parents must have also completed an online admissions application. Please note this is only relevant to OAA that are in the in year scheme.
- 2.12 The Admissions Team will send the applications received in each process period to the OOA school, and those not buying into the LA's traded service, for them to rank in order of their oversubscription criteria, and to send back to the LA within the required time limit.
- 2.13 Even if schools have space, they must not admit the child until they have completed an in year application online and the application has been processed by the School Admissions Team. This is to ensure that the correct application is considered for any place available.

3. Processing Applications and Offering Places

- 3.1 When reaching an admissions decision, Admissions Authorities **must** comply with Paragraph 2.7 of the 2014 School Admissions Code which states that the decision must not be made by one individual. For mainstream OAA schools whether they are part of the Scheme or not, the decision must be made by the whole Governing Body or Admissions Committee or all Directors or an admissions committee established to make the decisions.
- 3.2 For schools that are their own OAA and have not bought into the LA's traded service, details of the preference for a mainstream OAA school that is part of the Scheme will be forwarded by the LA to the school concerned so that a decision can be made by the Admissions Authority. The Admissions Authority will then be responsible for determining whether a place can be offered and for notifying the LA of the outcome of the preference within the timeframe specified in the calendar of dates.
- 3.3 OAA schools that have not bought into the LA's traded service, will hold admissions meetings as necessary (see 3.1 above) to ensure that the timescales set within the Scheme can be met. The Department for Education (DfE) advises that decisions of this kind can be taken by a minimum of two appointed representatives (Governors or Directors) and the meeting can be virtual (but must be in accordance with the schools governance policy).
- 3.4 When considering whether a place is available the decision will normally be made on the basis of whether the number on roll in the particular year group is less than the Published Admission Number (PAN) for the particular school and/or the PAN number for the school when that year group started at the school in the year of entry (if different).
- 3.5 If there are places available in the relevant year group and the number of applications is fewer than the number of available places, the Admissions Authority (which may be the LA or the LA acting on behalf of the mainstream OAA school that has asked the LA to act as its agent and process applications on its behalf) **must** comply with Paragraph 2.8 of the 2014 School Admissions Code and offer a place to every child who has applied for one.
- 3.6 If there are places available in the relevant year group but the number of applications exceeds the number of available places, the Admissions Authority (which may be the LA or the LA acting on behalf of a mainstream OAA school) **must** decide to whom the place or places are to be offered by prioritising the applications according to the determined and published over-subscription criteria.
- 3.7 If there are no places available in the relevant year group, the Admissions Authority (which may be the LA or the LA acting on behalf of the mainstream OAA school) **must** prioritise the applications according to the determined and published oversubscription criteria.
- 3.8 Where the LA is the Admitting Authority or is acting on behalf of the OAA, the LA will apply the oversubscription criteria determined and published for that school to determine which children should be offered a place as set out in 3.6 to 3.7 above.

- 3.9 On the offer dates specified in the In Year Calendar, the LA will send all schools an electronic list of all the children offered a place at their schools. On the parent notified dates, the LA will send out the offer of a place via email.
- 3.10 Where the LA processes an in-year application and it is not possible for a place to be offered at any of the preferred schools requested by the parent on the application, and the child is resident in Swindon and is attending a Swindon School or is Home Educated, the LA will not offer an alternative school place.
- 3.11 Where the LA processes an in-year application and it is not possible for a place to be offered at any of the preferred schools requested by the parent on the application, and the child is resident in Swindon and the child has no school place (is out of school), the LA will determine the nearest school within a reasonable distance that has a place available.
- 3.12 The Alternative school will be the next nearest school with a place available at that time.
- 3.13 If the nearest school within a reasonable distance that has a place available (see 3.11) is a mainstream OAA school that is not part of the Scheme, the LA will notify the parent that the nearest school within a reasonable distance that has a place available is a school that is not part of the Scheme and advise the parent to make a direct application for a place at that school.
- 3.14 For all schools that are part of the Scheme, the LA will send formal written notification of the offer and/or refusal. Individual schools **must not** contact the parent in writing or by any other method until the LA has sent formal written notification.
- 3.15 If the child lives in England but outside Swindon, the LA will notify the current home LA that a place has been offered at a Swindon school (or an application was made for a place at a Swindon school(s) and no place was offered).
- 3.16 An offer of a school place will normally be available for no longer than 28 school days from the date on which the offer is made.
- 3.17 The School Admissions Team will require up to date numbers for children in each year group for all schools on a regular basis to ensure that the correct number of places can be offered. Schools must provide this on the dates specified in the in year calendar.
- 3.18 If a place is refused at a school in any year group, the child will be placed on the waiting list for the school, if they hold one. Parents should refer to each individual schools admissions policy with regards to how they hold waiting lists and for how long children are on waiting lists.
- 3.19 If a child is offered a place at a lower preference, they will remain on the waiting list for any higher preferences.

- 3.20 There will be very exceptional cases that can be considered outside of a process period, for instance Looked After Children (LAC), Children who are subject to Domestic Violence and living at the Women's Refuge / or appropriate alternative, Year 11 protocol children, and Asylum Seekers or Refugees. LAC applications will be processed within 5 school days.
- 3.21 If parents are making applications for more than one child, the LA (or OAA schools) will consider each application separately. If one child is offered a place it does not necessarily mean that the other child will also be offered a place as this depends on the number of places available. The application form does request that that parents specify if they would like to be allocated places at one school for all children even if this means it is a lower preference.
- 3.22 All schools within the Scheme must inform the LA as soon as a child starts or leaves their school by via the Vacancy Spreadsheet sent to the LA.
- 3.23 Children will be expected to remain on roll at the current school (if it is a Swindon school) and attending there, whilst their transfer to another school is in progress, unless they are new to the Country or area.

4. Requirements on state-funded mainstream OAA schools that are not part of the Scheme

- 4.1 If parents are applying for a school place at a school that has opted out of the in year coordinated scheme, the parent must complete a separate application form, available on the Council's website and on the schools website directly. This must be sent to the school directly and not the LA. If the LA does receive any application for OAA schools that are not part of the scheme the LA will pass these on to the school as soon as possible, within 5 school days.
- 4.2 There is a legal requirement for schools to notify the LA of any in-year application submitted to them and its outcome. Mainstream OAA schools that are not part of the Scheme must comply with this legal requirement.
- 4.3 The OAA school should notify the LA of any in- year application on the day it is received by the school if possible, but within 5 school days at the latest. The OAA should send the application to the Admissions Officer for the School at the LA at schooladmissions@swindon.gov.uk
- 4.4 The OAA should also send a copy of the decision letter, once the application has been considered by the Governing body, to the Admissions Officer for the School at the LA at schooladmissions@swindon.gov.uk
- 4.5 Mainstream OAA schools that are not part of the Scheme must send a formal written notification to the parent of the outcome of the application. Where an offer is made, the school must specify a date by when the child should join the school. This start date *should* not be more than 28 school days after the date of the offer. If a place cannot be offered, the school must provide details of its Waiting List.

- 4.6 If a place cannot be offered, the school must inform the parent of their right to a school admissions appeal and how they can lodge such an appeal. If a place cannot be offered, and the child is resident in Swindon and has no school place (is out of school), the school should provide a copy of the original application and the formal written notification without delay, so that the LA can determine the nearest school within a reasonable distance that has a place available. This should be sent to admissions@swindon.gov.uk
- 4.7 The LA needs correct information about where places are available. Therefore, all mainstream schools in Swindon **must** regularly update the LA about the number of children on roll in each year group and/or the number of places available in each year group. Schools that are not part of the Scheme **must** provide this information on the dates listed in the In Year Calendar.
- 4.8 If the LA does not receive the information in 4.4 above, the LA will contact the individual school in the first instance to try to resolve the issue. The LA will also report non-compliance that has not been resolved in its annual report to the Office of the Schools Adjudicator.
- 4.9 All schools in Swindon **must** inform the LA when a child leaves the school for any circumstances i.e if they have moved to another Swindon School or if they have moved away. The school must also advise the LA when children have started at their school.

5. School Admission Appeals

- 5.1 For all mainstream schools that are part of the Scheme, the LA will provide parents with details when sending the formal written notification of how to lodge a school admissions appeal where a place could not be offered that was listed as a higher preference on the application than the school offered.
- 5.2 Appeals for all Community and Voluntary Controlled schools in Swindon are handled by the Appeals Clerk, Democratic Services department of Swindon Borough Council, which is separate to the School Admissions Team. Parents will receive information about the online appeals process available at:
https://www.swindon.gov.uk/info/20071/school_places_and_admissions/973/school_admission_appeals
- 5.3 Some mainstream OAA schools in Swindon that are part of the Scheme have purchased the school appeals service offered by the Appeals Clerk Services and parents will receive information about the appeals process available if they have been refused a place through the Scheme.

6. Glossary and Definition of Key terms

In this scheme –

- “the LA” means Swindon Borough Council acting in their capacity as a Local (Education) Authority;
- “the LA area” means the Borough of Swindon;
- “Primary school” has the same meaning as in section 5(2) of the Education Act 1996;
- “Secondary school” has the same meaning as in section 5(2) of the Education Act 1996;
- “school” means – a Community, Voluntary Aided, Voluntary Controlled, Trust School, Foundation School, Academy, University Technical College, Studio School or Free School
- “Own admission authority”(OAA) in relation to a Community or Voluntary controlled school means the LA and, in relation to an Academy, Foundation, Voluntary Aided or Free school means the governing body of that school;
- “the specified year” means the school year beginning in September 2020
- “admission arrangements” means the determined arrangements which govern the procedures and decision making for the purposes of admitting pupils to a school.

Applications outside the Normal Age of Admission

Parents of gifted or talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside of their normal age group. Admission Authorities must make decisions on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group of the school.

Evidence may be required in these circumstances from a Senior Medical Consultant, Educational Psychologist and/or other relevant professionals.

In the instance that the child has not started school (or is not statutory school age), or it is before the child needs to apply for a school place, the Admitting Authority for the school (LA for maintained schools or Governing Body of the School) may have discretion to decide whether the child would need to be put back an academic year on the circumstances outlined above. Evidence may be required in these circumstances from a Senior Medical Consultant and/or Educational Psychologist. This discretion would only be used in exceptional circumstances where it would have to be proved that it was in the child’s interest. This may have already been considered by the Special Educational Needs Assessment Team (SENAT) through the Early Years Panel.

Relevant Age Group

The age group to which children are normally admitted. Each relevant age group must have admission arrangements, including an admission number. Some schools (for example schools with sixth forms which admit children into the sixth form) may have more than one relevant age group.

Statement of Special Educational Needs (SEN)

A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996, specifying the special educational provision required for that child.

Education, Health and Care Plan

An Education, Health and Care plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Proof of Address

The LA reserves the right to ask parents for proof of their address. If the parents' current address is different to that held on the LA's computerised system the LA may ask parents to provide proof of the new address if one is indicated. Acceptable proof of address includes:

- A copy of your Council Tax Bill
- A solicitor's letter stating contracts have been exchanged and specifying a completion date
- A copy of the Child Tax Credit or Working Tax Credit award letter
- A signed and dated tenancy agreement plus proof of residency (e.g. copy of recent utility bill)

If parents fail to provide proof of a new address then, the LA will use the old address for admission purposes. If parents indicate they will be moving house, even if they provide the relevant proof of that address, they must move into that property by at least the end of the first term. The LA reserves the right to check that parents are living in the address indicated within that timescale. If parents are not living in that address, the applications will be investigated and the place allocated may be withdrawn

Applications

In-year admission application

For in-year applications, all parents applying for Admission applying to transfer during the 2021-22 must complete the online Swindon In-year application form. Paper forms are also available for those unable to apply online.

Supplementary Information Forms

An additional supplementary information form (SIF) may be required by an Academy, Foundation or Voluntary Aided school who require additional information in order to consider the application, this is available from the school. This may be for in-year and normal admissions round.

Children from Overseas

Children who hold a full British Citizen passport or children whose passport has been endorsed to show they have a right of abode in the country are entitled to apply for a place at a maintained school. The passport or visa should be made available for inspection before an offer of a school place can be made. Asylum Seekers should make available evidence of their right of abode as provided by the National Asylum Support Service.

For in-year applications, with the exception of UK service personnel as indicated above, applications for in-year places will only be accepted once the child is permanently resident within the country.

Duplicate Applications

The LA requires parents to submit one application only per child. Where the LA receive more than one application for the same child before the closing date, the LA will only consider the latest submitted application and the other application will be discarded.

Preferences

Parents will be invited to state up to three ranked preferences. Each preference will be considered equally. This means that Swindon LA will consider all applications against the published admissions criteria without reference to how the school applied for has been ranked on the application form. As far as possible applicants will be offered a place at a school to which they have expressed a preference. Where the applicant has made more than one preference the LA will make an offer at the highest ranked preference school with available places in accordance with the standard admission criteria. Where it is not possible to offer a place at a preferred school, and the applicant lives in Swindon, the LA will allocate a place at the next nearest school with a place.

The next nearest school with a place will relate to any maintained mainstream school, whether it be Community, Voluntary Aided, Voluntary Controlled, Foundation, Academy or Free School (excluding Catholic Schools and schools that are not part of this scheme, unless agreed with the school's governing body).

7. Schools that are not part of this Scheme for 2021-22:

To be inserted once the LA has been informed

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Mainstream Home to School Transport Policy 2021-22

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1. Introduction

- 1.1 This document sets out the Local Authority's duties and responsibilities on school transport.
- 1.2 The aim of this document is to set out policies and approaches that provide the very best service to our customers by producing information in one document that is widely available to all parties with an interest in school transport.
- 1.3 It therefore clarifies the Local Authority's responsibilities for the delivery of mainstream, Special Educational Needs and post-16 transport and includes additional policies on transport for students, school transport operations in extreme weather conditions, behaviour and drugs and alcohol policy on school transport.
- 1.4 The policy is reviewed on a regular basis in consultation with other Council directorates and stakeholders, including schools, transport providers, neighbouring Local Authorities and Diocesan Authorities.
- 1.5 This policy only applies to those students living within the borough boundary of Swindon.
- 1.6 This document has been reviewed in line with the Home to School travel and transport guidance published by the Department for Education (DfE) in July 2014 and the Post – 16 transport and travel support to education and training (DfE) January 2019.
- 1.7 For the purposes of this document, the Local Authority (LA) is defined as the department within Swindon Borough Council that administers Education.
- 1.8 For further information and advice on this document, please contact:

Strategic School Admissions
Manager

School Admissions
Swindon Borough Council
Wat Tyler House
Beckhampton Street
Swindon
Wiltshire
SN1 2JH

Telephone – 01793 445500
Email –
schooladmissions@swindon.gov.uk

2. Legislation

- 2.1 The Education and Inspections Act 2006 inserted sections 508B and 508C into the Education Act 1996 (The Act). These sections place a duty on Local Authorities to ensure that suitable travel arrangements are made where necessary to facilitate the student's attendance at school. Please note that 508B refers to travel arrangements for 'eligible children' of compulsory school age. This is a mandatory requirement. 508C refers to travel arrangements for children other than 'eligible' children. This is a discretionary requirement
- 2.2 The duty applies for home to school travel arrangements made at the start of the day and school to home travel arrangements at the end of the day for students of compulsory school age. It does not relate to travel between educational institutions during the school day.
- 2.3 Parents are responsible for ensuring that their children attends school regularly. However section 444 of the Act outlines the situation where a parent may have a defence in law against prosecution by a Local Authority for their child's non-attendance at school. Section 444(3)(b) provides a defence if he or she provides that:
- a. The qualifying school at which the student is a registered student is not within statutory walking distance.
 - b. No suitable arrangements have been made by the Local Authority for boarding accommodation at or near to the school
 - c. No suitable arrangements have been made by the Local Authority for enabling the student to become a registered student at a qualifying school near to his/her home
 - d. The Local Authorities has a duty to make travel arrangements in relation to the student under section 508B and has failed to discharge that duty.
- 2.4 The definition of eligible students is set out in (Schedule 35B) of the Act in respect of whom travel arrangements will be required.
- 2.5 Section 508B prescribes that travel arrangements must be provided free of charge. In cases where students do not qualify for free transport, section 508C provides a discretionary power for authorities to provide assistance by paying all or part of the student's reasonable travel expenses. Each authority decides whether and how to exercise these powers.
- 2.6 The Special Educational Needs and Disability Regulations 2014 section 53) indicate that the following must be published in the local offer in relation to transport assistance. Schedule 2(14) Transport arrangements for children and young people with special educational needs or a disability to get to and from school or post-16 institution, or other institution in which they are receiving

special educational provision or training provision including—

- (a) arrangements for specialist transport;
- (b) arrangements for free or subsidised transport;
- (c) support available in relation to the cost of transport, whether from the local authority or otherwise.

3. Mainstream School Transport Policies

Eligibility

- 3.1 Students will be entitled to free travel assistance from a suitable pick up point near to their home to a suitable set down point near the school they attend if:
- a. They attend the designated appropriate school
- and either**
- b. They are aged between five and seven years old and live more than 2 miles (3.218688 kilometres) from the school they attend;
- or**
- c. They are aged between eight and sixteen years old and live more than 3 miles (4.828032 kilometres) from the school they attend;
- 3.2 Distances will be measured by the safest walking route as defined by Swindon Borough Council using mapping software.
- 3.3 To qualify for transport assistance the student must be attending the designated appropriate school **AND** qualify under the distance criteria.

The designated appropriate school

- 3.4 The designated appropriate school for the purposes of assessing eligibility is the school within the **designated transport area** for the home address in **Appendix 1**.
- 3.5 When such a school is unavailable (i.e. there is no space in the relevant year group), the designated appropriate school will be considered to be the next nearest school with a place available. The next nearest school is measured as a straight line between the Local Land and Property Gazetteer (LLPG) address point of the applicant's home address and of the school with those living closest to school receiving higher priority.

Home address

- 3.6 Transport to and from school will be determined and approved from a single permanent residence. This is the one where the student spends most time with the parent/guardian and has been used for admission purposes and the school.
- 3.7 Transport provision will normally cease if there is a change in the home address that would lead to attendance not being at the designated appropriate school for the new address.

- 3.8 In exceptional circumstances, where there is a change in the student's home address, or placement if in public care, the Local Authority may consider the continued attendance at the current school to be the student's best interest. Consideration will be given to whether the change of address was entirely outside any parental control.
- 3.9 Recognised exceptions to the rules given above are as follows
- 3.9.1 In some cases of temporary disability of the student on the advice of the Local Health Authority. Evidence of this would be required.
- 3.9.2 For some students resident in Swindon in Year 10-13 whose families move out of the designated area for the Swindon school they are attending and live more than three miles by a safe walking route and receive Income Support or income-based Job Seeker's Allowance, to help them complete a GCSE or A-level Course.
- 3.9.3 Where a student studies somewhere other than the designated appropriate area school, sixth form or college to follow a course that is not provided, in broadly similar terms by the designated area colleges and the student's family receive Income Support or income-based Job Seeker's Allowance.

Road Safety

- 3.10 Transport is assessed for a safe walking route using "Assessment of Walked Routes to School Guidelines" published by Road Safety GB which identifies hazards and the assessment of risk of walked routes to school.

The assessment of a safe walking route

- 3.11 As it is the duty of parents to ensure that students attend school, the law on safe walking routes assumes that a responsible adult will accompany students to and from school.
- 3.12 A safe route will be on footpaths along the majority of its length. Short sections of road with a speed limit of 30mph or less may be acceptable, subject to assessment.
- 3.13 Crossings of major routes, including all routes with a speed limit of more than 30mph, will either be by controlled crossing or by under- or over-pass. This can legitimately involve a diversion or even doubling back on a route, but any additional distance will be included in the route measurement.
- 3.14 In determining entitlement to free transport, the route used in assessing the distance is the shortest safest available walking route in accordance with National Road Safety Guidance.

Primary School Aged Students

- 3.15 Transport can be provided, on road safety grounds if the journey to the designated appropriate school would involve the use of roads without footpaths or lighting.

Secondary School Aged Students

- 3.16 There are a number of criteria that need to be met for Secondary School students to receive transport on road safety grounds. The following criteria are based on the expectation that parents will accompany their children to and from school where they consider it necessary:

- a. There is no footway, or;
- b. Students have to walk along a dual carriageway with a speed limit of 40 mph or higher, and they have to cross a dual carriageway, and there is no safe crossing point available. A safe crossing point is defined as any of the following:

Light Operated Crossings
Zebra Crossing
Pedestrian Refuge
Foot Bridge
Underpass
School Crossing Patrol in Operation

Students (without an EHCP) unable to walk to school by reason of their disability, or mobility problem (including temporary medical conditions).

- 3.17 Where a student is attending their nearest qualifying school (or designated school if this is not the nearest) which is within the relevant walking distance (i.e. within 2 miles if aged under 8, and 3 miles if aged over 8), but is unable to walk to that establishment (accompanied as necessary) by reason of their SEN and/or disability, he or she will be eligible for transport assistance by providing appropriate evidence from their consultant, for example:

- Long term severely restricted independent mobility (something that is likely to last at least a year, this can include sporadic conditions such as epilepsy or multiple sclerosis).
- a physical disability e.g. severe cerebral palsy which may necessitate the daily use of significant mobility aids such as a wheelchair,
- a medical condition resulting in severe persistent pain and/or extreme fatigue, an example of this might be juvenile arthritis,
- a medical condition resulting in serious persistent health and safety risks. Examples of this might be intractable epileptic seizure disorders

- 3.18 Transport may be provided to the designated appropriate school on medical grounds for either short-term provision, where a student has a temporary medical problem or on a long-term basis if the student has a particular long-term condition. In both cases recommendations must be received from the Local Health Authority.
- 3.19 Evidence would be required and any application would be considered on a case by case basis. In all cases recommendations must be received from an appropriate medical officer from the Local Health Authority, this should be a Consultant looking after the student.
- 3.20 If assistance is granted this would be reviewed termly, with the need for new evidence to be submitted. If assistance is granted the LA, in the first instance would seek to provide petrol expenses. If a parent cannot provide evidence from the Local Health Authority, the LA will remove that assistance.

The Nature of Transport Arrangements

- 3.21 The arrangements for assisted travel which may be made under this policy will be at the LA's discretion and area made on the most cost-effective basis. These arrangements may take the form of:
 - a. Travel pass for use on public transport (season ticket);
 - b. A parent consenting to use their car in return for a mileage allowance;
 - c. Travel pass or other authorisation for use on private contract services;

Parental preference

- 3.22 The Local Authority has no duty to provide transport where parents exercise their right to express a preference for their child to
 - a. Attend a particular school other than the school which the LA has designated as serving the area where they live, or
 - b. Attend a particular school other than the designated appropriate school.

Education and Inspections Act 2006

- 3.23 The Education and Inspections Act 2006 provides extended right for students from low income groups.
- 3.24 Low income groups are defined as where the student is entitled to free school meals or where the parents receive the maximum Working Tax Credit are entitled as follows
 - a. Students aged between eight and eleven years old – where the nearest suitable school is beyond two miles
 - b. Students aged between eleven and sixteen

- i. To one of the three closest schools to the home address between 2 and 6 miles, or
 - ii. To a school between 2 and 15 miles where preferred on the grounds of religion or belief
- 3.25 The LA may review all eligibility for transport on a yearly basis. If the student is no longer eligible for transport assistance on these grounds then the transport will be withdrawn and the parent / carer will be informed.
- 3.26 There is a right of appeal for parents or students to the Education Transport Appeals Sub-Committee for transport on road safety grounds, in relation to the issue of their ability to accompany their children to school. (The need for parents to be at work would not usually be considered as a reason why transport should be provided). Details of the Appeals process are set out later in the document.

Timetable and process for applications

- 3.27 Applications are to be made online, via the LA website
https://www.swindon.gov.uk/info/20032/schools_and_education/414/school_travel_support/2
- 3.28 Whilst applications can be made at any time, applications for travel support to commence at the start of a new academic year should be made by 1st July.
- 3.29 The LA will accept application forms after this time, however the LA cannot guarantee travel support will be available for the start of the academic year

4. Mainstream School Transport – Discretionary

The Key policies involving discretionary transport are:

Students of pre-statutory school age

- 4.1 Transport may be provided for students of pre-statutory school age where transport is already running and where there are spaces available on current transport.

Education other than at School (EOTAS) and elective home education

- 4.2 Where parents, in conjunction with the school if appropriate, have chosen to educate their child other than at school, no assistance will be available from the LA in connection with any transport need arising.

Education other than at School (EOTAS) and referral units

- 4.3 Where the LA arranges for a student to have education other than at school, the LA will provide transport subject to normal eligibility rules on home to school transport.

Students without an Education, Health and Care Plans (EHCP)

- 4.4 All transport for students without EHCPs who are attending mainstream schools will be provided on the basis of normal eligibility criteria.
- 4.5 If a Local Authority places a student with an EHCP at a school or unit this will be deemed as the **designated appropriate school** for school transport purposes irrespective of the Local Authority's normal zoning arrangements, and these applications will be considered under the SEND Transport Policy.

Children in the care of the Local Authority

- 4.6 The school at which a student is placed by the LA will be deemed the **designated appropriate school** for school transport purposes irrespective of the LA's normal zoning arrangements in order to provide continuity of educational provision for such students. The allocation of a school place will be reviewed as part of the student's regular Care Plan review.

Continuity

- 4.7 Where students resident within the Borough move home during Years 10 and 11 out of the designated area for the current Swindon school in which they are studying, the LA may provide free home to school transport.
- 4.8 This is applicable when the current Swindon school is more than 3 miles from home and the parents are in receipt of the relevant qualifying benefits, (Universal Credit). This is to assist the student to complete their GCSE courses.
- 4.9 Any entitlement under continuity grounds must fulfil all the criteria in the paragraph above.

- 4.10 Any child whose entry to school has been delayed and may reach school leaving sooner than their peers (in Year 10), will continue to be eligible for school transport assistance if they are already in receipt of it for continuity purposes.

School Transport Appeals

- 4.11 Parents have a right of appeal to the Education Transport Appeals Subcommittee of Swindon Borough Council set out in part 7 of this policy

Provision of Passenger Assistants

- 4.12 A Passenger Assistant will only be provided following the outcome of an assessment of the student's Special Educational Needs and / or medical needs in order to meet the needs of the students travelling to and from school. This determination will be made by the Special Educational Needs and Disability Assessment Team, and any other appropriate professionals, in liaison with the Passenger Transport Team taking into account:
- 4.12.1 A student's medical needs, particularly where rescue medication is required. Passenger Transport Assistants employed by the LA are trained in Emergency Aid, but it is not part of their role to administer medication. If a student has medical needs that are likely to require intervention whilst travelling, consideration will be given to the provision of a specialist health carer from the NHS.
- 4.12.2 Where an individual student's needs create a clear danger or health and safety risk to themselves and other passengers on the vehicle
- 4.12.3 Where an assessment of the students on the vehicle and the journey to be undertaken highlight a clear danger or health and safety risk to all passengers on the vehicle.

5. Post 16 (16-18)Mainstream Education transport policy

- 6.1 There is no legal requirement for Local Authorities to provide transport beyond the completion of Year 11
- 6.2 This policy aims to ensure access to further education opportunities to all 16-19 year olds living in the Borough of Swindon, as required under the Education Act 2002.
- 6.3 Given the urban nature of the Borough, Swindon offers good transport accessibility within its boundaries, with extensive public transport provision. This presents very few barriers to learning for the majority of mainstream students.

Policy

There is no automatic discretionary subsidised support for pupils accessing mainstream Post 16 education although the transport on the school bus will be provided to the Ridgeway School 6th form from within the Ridgeway Transport Area if over 3 miles or due to an unsafe walking route. This will require an annual parental contribution of £495.

6. Other Key Policy Areas

Other relevant, key policies are set out below:

- 7.1 The home address given on the application form must be the address where the student resides for most of the week with their parent or carer. Where a student has a joint address or the parents have dual responsibility, then the address that the child benefit is paid will be taken as the students's home address. The LA may ask parents or carers to provide proof of these circumstances. Please note that transport, if provided, will only be provided to one address.
- 7.2 If you move house please let us know in advance as this may affect your child's entitlement to transport or they may need to be on a different bus. If you have any queries about the area you are moving into please contact us and we will be able to tell you the catchment areas for the school your child attends.
- 7.3 Students may be required to walk up to one mile from home to the pick-up point and, where students use public service routes, they may be required to walk up to one mile from the setting-down point to the school or 1.5 miles to a 16-18 provider.
- 7.4 Requests for changes in transport arrangements will be considered but changes, such as additional stops, are not always possible for reasons of safety and timing.
- 7.5 Students aged eight years of age who are entitled to free transport under the distance criteria will continue to receive free transport until the end of the academic term in which they reach the age of eight.
- 7.6 Where, for any reason, transport facilities have been approved in error, the LA reserves the right to withdraw that provision at any time convenient to the LA, and will normally do so, after giving due notice of its intention to do so.
- 7.7 Transport is only provided if the student attends the nearest education establishment offering the qualification irrespective of the module content.
- 7.8 Students who do not have an Education Health and Care Plan but who are deemed to have a level of special needs below that required for a formal statement, would not normally be entitled to free transport but would have the right to appeal for transport to the Education Transport Appeals Panel.

School Transport operations in extreme weather conditions

- 7.9 When there is snow, ice or flooding, school transport may be disrupted. If the bad weather occurs overnight, parents must contact the transport operator or listen to local radio / website / school to find out if the transport is running. If parents/carers cannot find out for certain and school transport is over 20 minutes late then it should be assumed that

the school bus is not operating at all. If a parent decides to take their child into school themselves, they must also be able to collect their child in the afternoon because school transport may still not be able to operate.

- 7.10 Where very bad weather is forecast or prolonged, the LA will make a decision after 2 p.m. the previous day as to whether to provide transport. In these instances information will be available on the local radio station and Council website.

Behaviour on School Transport:

- 7.11 The majority of students travelling to and from school behave well. For a few, this is not so and these few can make the journey very unpleasant for others. Unacceptable behaviour will not be tolerated and in all instances of unacceptable behaviour the school and parents of those concerned will be contacted. Bullying, vandalism or unruly behaviour can result in exclusion from transport.

7. School Transport Appeals

- 8.1 In accordance with the revised guidance for transport appeals, since September 2016, the LA has adopted a 2 stage review and appeal process.
- 8.2 This appeals policy is applicable to children who live within the Borough of Swindon that are attending mainstream and special schools. This appeals policy applies to children with or without an Education, Health and Care Plan (EHCP).

Right to Appeal

- 8.3 Where a parent has been refused transport assistance they can challenge the decision for the following reasons
- 8.3.1 The nature of the transport arrangements offered
 - 8.3.2 Their child's eligibility
 - 8.3.3 The distance measured in relation to statutory walking distances; and
The safety of the route

Stage 1

- 8.4 Within 20 working days from the receipt of the local authority's home to school transport decision, a parent can make a request asking for a review of the decision.
- 8.5 A parent will be advised of the right for a review within the decision letter.
- 8.6 The request for review should be made by completing the transport appeal form online. A link will be provided by email. The parent should state the reason why the decision should be reviewed and given details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- 8.7 Within 20 working days of the receipt of the parent's written request a senior officer will review the original decision and will notify the parent by way of detailed written notification of the outcome of the review.
- 8.8 The decision letter will contain the following
- 8.8.1 The nature of the decision reached;
 - 8.8.2 How the review was conducted (including any standards followed e.g., Road Safety GB)
 - 8.8.3 Information regarding other parties consulted
 - 8.8.4 What factors were considered
 - 8.8.5 Information how the parent can escalate their case to stage 2 if appropriate

Stage 2

- 8.9 Following the receipt of the local authority's stage one decision notification, a parent can within 20 working days submit a request to escalate the matter to Stage 2.
- 8.10 A parent should complete a transport appeal form online. A link will be provided by email.
- 8.11 Within 40 days of receipt an appeal will be scheduled with the Education (Transport) Appeals Sub-Committee who will consider both written and verbal representation from both parents and officers involved in the case.
- 8.12 The parent will be notified of the outcome by telephone following the outcome of the appeal panel and will receive formal notification of the outcome within 5 working days. The notification will include
- 8.12.1 The nature of the decision reached;
 - 8.12.2 How the review was conducted (including any standards followed e.g., Road Safety GB)
 - 8.12.3 Information regarding other parties consulted
 - 8.12.4 What factors were considered
 - 8.12.5 If refused, information about how the parent can refer to the case to the Local Government Ombudsman
- 8.13 Where an appeal is upheld, this does not guarantee funding throughout the school life of the child, and the circumstances under which the appeal was upheld would be kept under review.

Education Transport Appeals Sub-Committee

- 8.14 An Education Transport Appeals Sub-Committee will meet to consider transport appeals. The membership of this Sub-Committee is made up of three Councillors selected from a pool appointed by the Appeals Committee. These Councillors will not have been involved with the case previously and should not have any close connection with the appellant. If one of the Councillors does have a remote connection with the appellant, they may be allowed to take part in the hearing if neither the LA's representative nor the appellant objects
- 8.15 The Education Transport Appeals Sub-Committee will consider case papers for each appeal consisting of the reasons as to why the LA have refused to provide transport assistance, any other relevant information and the parents appeal giving reasons as to why they are appealing against this decision.
- 8.16 Each Councillor will remain a Committee member for at least one year but there will be no limit on how long they wish to continue as a member providing there is no conflict of interest in the areas mentioned above.
- 8.17 All Councillors on the Appeals Committee will undertake training on the Transport Policy at least once per academic year to ensure that Councillors become 'expert' in this field.

- 8.18 The Education Transport Appeals Sub-Committee will consider all appeals on their individual merits. The decision of the Sub-Committee is final with no further rights of appeal.
- 8.19 The Education Transport Appeals Sub-Committee must operate within the Transport Policy at all times.
- 8.20 The Education Transport Appeals Sub-Committee must take into consideration the cost of transport should the appeal be upheld.
- 8.21 If the Education Transport Appeals Sub-Committee agrees to uphold an appeal, it must indicate the length of time for which the transport has been agreed.
- 8.22 Once the appeal has been heard the Education Transport Appeals Sub-Committee will make its decision that day and the Committee Officer will endeavour to contact the parent by telephone the same day to give the result of the appeal. A decision letter outlining the Education Transport Appeals Sub-Committee decision and its reasons will follow usually within one week.
- 8.23 If parents are not happy with the decision of the Education Transport Appeals Sub-Committee then they are able to contact the Ombudsman. The Ombudsman will only be able to look at the way the appeal was conducted and establish whether the LA followed all its processes in the correct manner.
- 8.24 If the Appeal is in relation to a placement made by order of an SEN & Disability Tribunal, the Appellant and the Local Authority may be bound by any decision relating to travel that the Tribunal has made. The SEN and Disability Tribunal may have specifically come to a decision about placement based on the inclusion of travel costs.
- 8.25 For appeals on the grounds of road safety, parents can only appeal if they believe that they are unable to accompany their child to school. However, the Appeals Sub-Committee will not usually accept the need for parents to be at work as the reason why transport should be provided.
- 8.26 The Education Transport Sub-Committee is able to consider applications for assistance from parents of children receiving nursery education as per the School Standards and Framework Act 1998.

Grounds Under Which the Education Transport Appeals Sub-Committee can Uphold an Appeal

- 8.27 The grounds under which the Education Transport Appeals Sub-Committee can allow / uphold an appeal are:
- 8.27.1 The Transport Policy has not been applied properly.
- 8.27.2 There are discrepancies in the way the application has been handled.

8.27.3 The individual circumstances put forward by the applicant outweigh the normal policy considerations and are considered to be exceptional circumstances.

8.28 Examples of exceptional circumstances are:

8.28.1 If there are exceptional circumstances within the immediate family unit where the child lives that affects the child ability to attend their designated school such as domestic violence. Evidence would be required to support this.

8.28.2 Death or serious illness of parent with whom the child has been living.

8.28.3 In cases of students with Special Educational Needs – additional evidence of need that the Education Transport Appeals Sub-Committee is asked to consider.

8. Contacts

Please contact Education Transport at:
educationtransport@swindon.gov.uk

Or for travel advice for students with an EHCP, please contact the SEND Travel Advisor at:
senttravel@swindon.gov.uk

Please also refer to the local offer <http://children.mycaremysupport.co.uk/>

Appendix 1 – Designated transport areas

The maps outlining the designated transport areas are found in a separate document to be read in association with this document (this can be made available on request to educationtransport@swindon.gov.uk)

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Pay Policy Statement: 2020 / 2021

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Corporate Services and Operational Excellence
Director of Human Resources & Organisational Development

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 The Localism Act 2011 requires local authorities to agree and publish a Pay Policy Statement by 1st April each year. This report sets out the Council's Pay Policy Statement for 2020 / 2021 for consideration by Cabinet, prior to referral to Full Council for approval.
- 1.2 The Council's policies in respect of pay and terms and conditions support the Council's strategic objectives as part of ensuring that services to the community can be delivered to the required standards and with due regards to economy, efficiency and effectiveness.

2. Recommendations

Cabinet is recommended to:

- 2.1 Review the Council's Pay Policy Statement for 2020 / 2021, as set out in Appendix 1 to the report.

Cabinet is recommended to (Minute for Confirmation):

- 2.2 Recommend the Pay Policy Statement to Council for approval, and, if approved, authorise the Director of Human Resources & Organisational Development to update the salary information on 1st April 2020 prior to publication.

3. Detail

- 3.1 Section 38 of the Localism Act 2011 placed a requirement on local authorities to prepare a Pay Policy Statement for each new financial year. The Pay Policy Statement for 2019 / 2020 has been updated for 2020 / 2021 and must be approved by Full Council before 31st March 2020. It must be published as soon as is reasonably practicable after approval and this must include publication on the authority's website. The Statement must set out the Council's policies relating to the following:

3.1.1 Remuneration of its Chief Officers;

3.1.2 Remuneration of its lowest paid employees; and

Further information on the subject of this report can be obtained from Sonia Grewal, Director of Human Resources & Organisational Development, Tel: 07823 525459, E-mail: SGrewal@Swindon.gov.uk.

Pay Policy Statement: 2020 / 2021

Cabinet

Date: 5th February 2020

- 3.1.3 The relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.
- 3.2 The Pay Policy Statement does not cover or include school employees and is not required to do so.
- 3.3 Each Council is an individual employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and which deliver value for money for tax payers. The provisions of the Localism Act do not seek to change this or determine what decisions on pay should be taken. They do, however, require Councils to be open about their policies in relation to pay and how decisions are made.
- 3.4 The proposed Swindon Pay Policy Statement has been put together, taking into account the relevant sections within Chapter 8 “Pay Accountability” of the Localism Act 2011. In its development, considerations has also been given to the guidance produced by the Department for Communities and Local Government – Openness and Accountability in Local Pay (February 2012) – guidance under Section 40 of the Localism Act” and the Code of Recommended Practice for Local Authorities on Data Transparency.
- 3.5 The Pay Policy Statement is broadly the same as that published for 2019 / 2020 with the following changes and updates having been made:
- 3.5.1 **Pages 3 – 6: Structure Overview** – this section has been amended to reflect the changes to the organisation and will be updated again in April 2020 to reflect any further changes. The number of employees has decreased from 2608 in April 2019 to 2582 in October 2019.
- 3.5.2 **Page 9: Highest to Lowest Paid Employees** – this section has been amended to reflect the changes in mean pay. In April 2019 the mean pay was £28,331.06 and in October 2019 it decreased slightly to £28,264.16. The pay ratios have not changed.
- 3.5.3 **Over £50k:** The number of employees who are earning above £50,000 has decreased from 121 in April 2019 to 118 in October 2019.
- 3.6 The proposed Pay Policy Statement 2020 – 2021 is attached at Appendix A. The Statement sets out the Council’s policies in relation to pay of its workforce, particularly its Chief Officers. The figures are based as at 1st October 2019, but will be amended on 1st April 2020 prior to the Statement being published on the internet.
- 3.7 The Statement aims to ensure the Council’s approach to pay and reward attracts and retains a high performing workforce whilst ensuring value for money. The Council has previously published information on pay as part of its responsibilities
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Further information on the subject of this report can be obtained from Sonia Grewal, Director of Human Resources & Organisational Development, Tel: 07823 525459, E-mail: SGrewal@Swindon.gov.uk.

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under the Code of Practice for Local Authorities on Data Transparency.

3.8 The Council is required to approve the Statement before 31st March each year and as soon as possible publish it on its website demonstrating an open and transparent approach to pay. The Statement may be amended by resolution of Full Council during the year to which it relates.

3.9 The Pay Policy Statement references a number of existing policies and other information that will be linked to the Statement on the Council's website. These links will be made available as soon as the Statement is made available on the Council's website in April 2020. The majority of these are already available to Members and employee on the intranet.

4. Alternative Options

4.1 As this is a requirement under the Localism Act, there are no alternative options being put forward.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

5.1 There are no direct financial implications arising from this report as the Pay Policy Statement sets out the Council's policies relating to remuneration. It does not serve to set or agree specific rates or numerical amounts.

Legal and Human Rights Implications

5.2 The attached Pay Policy Statement complies with Section 38 – 43 of the Localism Act 2011. All other legal and human rights implications have been considered in the preparation of this report. It is considered that the report and its recommendations are compatible with Convention Rights.

Climate Change Impact

5.3 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

5.4 There are no other implications arising from this report.

Diversity Impact Assessment

5.5 The Pay Policy Statement is not a policy in its own right but brings together and references existing policies. All these existing policies have all been through the

Pay Policy Statement: 2020 / 2021

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DIA process and have not identified any adverse equality impact for existing for future employees.

Risk Management

No other risks have been identified other than those mentioned in the body of the report.

6. Consultees

6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

6.1.1 The Corporate Director of Finance and Assets (s151 Officer) cleared this report for publication on: 22nd January 2020

6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication on: 28th January 2020.

7. Background Papers

7.1 LGA and ALACE Pay Policy Statement Guidance including Supplementary Note 1 and Note 2.

8. Appendices

8.1 Appendix A: Pay Policy Statement (The appendix is available online at the Council's website or on request from Committee and Member Services committeeservices@swindon.gov.uk)

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

9.1 This is not a Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2020.

A sustainable future for the Community Meals Service

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Transport and the Environment
Head of Service (Streetsmart)

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 The report makes a recommendation to secure a sustainable future for the Community Meals service, which is currently provided by the Council.
- 1.2 It provides an update from a proposal contained within the February 2019 Cabinet Budget report 'Community Meals – Preferred option to transfer operation to new provider currently running similar services elsewhere in the country' (Cabinet Minute 56 2018/19) refers.
- 1.3 This proposal contributes to Priority four: Help people to help themselves while always protecting our most vulnerable children and adults | our vision, priorities and pledges | Swindon Borough Council. The proposal achieves this by ensuring the continued delivery of the Community Meals service, which can enable service users to continue to live independently.

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve a business transfer of the Council's community meals service to Age UK Wiltshire (AGUKW).
- 2.2 Authorise the Corporate, Director Communities and Housing in consultation with the Chief Legal Officer (Monitoring Officer) and the Corporate Director of Finance and Assets (s.151 Officer) to proceed with the next steps to appoint Age UK Wiltshire and to enter into a Business Transfer Agreement.
- 2.3 Authorise the Chief Legal Officer (Monitoring Officer) in consultation with the Corporate Director Communities and Housing and the Corporate Director of Finance and Assets (s.151 Officer) to complete all necessary documentation to transfer the operation including staff by means of a Business Transfer Agreement on such terms as she considers appropriate to protect the Council's interests
- 2.4 Authorise the Director of Human Resources and Organisational Development to plan and undertake a TUPE consultation exercise with all relevant staff, recognising that under the proposals staff engaged on those services will transfer to the new operator.

Further information on the subject of this report can be obtained from Ian James, Head of Streetsmart, Mob: 07717 801000, IJames@swindon.gov.uk.

A sustainable future for the Community Meals Service

Cabinet

Date: 5th February 2020

- 2.5 Authorise £50k of one-off resources to be earmarked to fund the costs of any necessary legal, property and other transaction costs to support the conclusion of the negotiations and completion of the relevant contractual documentation

3. Detail

- 3.1 The Community Meals (CM) service is currently delivered by Council employees from the Enterprise Works site.
- 3.2 This service was transferred into the Council under a Business Transfer Agreement with Cleeve Hill Healthcare Limited (Cleeve) who, following a takeover by Primus Nursing, gave notice to terminate in December 2016 due to them considering the service as no longer viable. This service has been delivered by the Council since February 2017 as part of Enterprise Works within the StreetSmart Service.
- 3.3 Although it was envisaged that the CM service could grow and generate a surplus for the Council, this has not materialised and has been delivered at a cost to the Authority (see 5.1 below). It should be noted that many other local authorities have withdrawn similar services in order to make budgetary savings.
- 3.4 The CM service currently supports approx. 250 service-users across Swindon and also in Wiltshire, and directly contributes to Priority 4 by allowing elderly and vulnerable service-users to remain in their homes for longer without the need for further domiciliary care which would incur additional cost to the Council.
- 3.5 Against this background, Cabinet approved a proposal included within the February 2019 budget report for officers to explore the opportunity to find a sustainable solution for the service at a reduced cost to the Council. As a result there has been an ongoing dialogue with AUKW to achieve this end.
- 3.6 Age UK Wiltshire (AUKW) is an independent local charity providing support and services to anyone over the age of 50 living in Wiltshire and Swindon. The charity was originally established in 1949 as the Wiltshire Older People's Welfare and has been working in the local community to help older people for 70 years. The Charity has a very experienced Board including Swindon residents. It is Brand Partner to Age UK, the national charity. AUKW is a registered Charity and must meet all of its statutory obligations and is overseen by the Charity Commission. To be Brand Partner of Age UK the Charity must also operate to an even higher standard of corporate governance as defined by the national body. Age UK Wiltshire's compliance with these standards was confirmed in December 2018 following an inspection by independent assessors. AUKW is financially stable and has provided business plans and financial accounts to demonstrate the viability of the proposal. Officers have undertaken and continue to undertake due diligence on AUKW in relation to its governance, leadership and financial standing and are satisfied to recommend proceeding on this basis.
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Further information on the subject of this report can be obtained from Ian James, Head of Streetsmart, Mob: 07717 801000, IJames@swindon.gov.uk.

A sustainable future for the Community Meals Service

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- 3.7 Age UK, the national charity, operates a number of meal delivery services in other parts of the country and have an established business model that AUKW are adopting in this case.
- 3.8 AUKW has plans to grow the business by providing similar services from other premises outside of Swindon, across a wider area of Wiltshire and collaborate with Age UK BANES (Bath and North East Somerset) in the Bath area. This collaboration would provide efficiencies by sharing management costs and provide financial resilience for the service. It has recently recruited an experienced Director of Paid Services who will lead not only the Community Meals service, but other paid for services which it would provide additional financial support and resilience to AUKW and mitigate any risk of service failure.
- 3.9 AUKW will have full control of service delivery, including pricing under this arrangement. Unlike other service deliverers in the area who provide a number of frozen meals to be prepared/reheated by the customer or their family members after delivery, AUKW will deliver a hot prepared meal to customers.
- 3.10 AUKW has confirmed it would underwrite any trading losses in the early years following the transfer.
- 3.11 AUKW has recently entered into a 5 year lease with the Council at the Toothill Community Centre and plans to operate a number of community services from there. It is from here that AUKW propose to operate the CM service.
- 3.12 In order to assist AUKW to set up both its wider services to older people at the Toothill Community Centre and its catering operation, the Council would fund some necessary compliance works as well as some other minor property works to the building estimated value of up to £50k, which would also include legal costs and actuarial valuation costs
- 3.13 The offer from AUKW extends beyond a meal delivery service in order to provide additional wider 'social value' benefits to clients. These social value elements seek to help reduce the risk of potential isolation by promoting more contact and social interaction between residents / customers. This "wrap-around" approach would enable service users to "link up" with other service users to expand social contact, for example by *hosting* meals with a group of service users. This is central to Age UK ethos. AUKW will also provide follow-up support to their customers, for example by offering them advice to ensure they are claiming their full benefit entitlements to help their financial stability.
- 3.14 AUKW is looking to regain a presence in Swindon, which it has not had for a number of years, and is keen to build a strong relationship with the Council in order to deliver greater benefit to the residents of Swindon. It is anticipated that this transaction would deliver a better solution for residents as well as reducing demand for adult social care services for the Council.

Further information on the subject of this report can be obtained from Ian James, Head of Streetsmart, Mob: 07717 801000, IJames@swindon.gov.uk.

A sustainable future for the Community Meals Service

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4. Alternative Options

- 4.1 Retaining the service in-house is likely to result in increased budgeted costs to the Council without the opportunities for growth and efficiencies achievable by AUKW and without the same level of added social value delivered by AUKW.
- 4.2 Another alternative would be to close the service in its entirety in order to meet the financial challenge of the Council. This would have a negative impact on service users and would likely to result in increased demand and cost for other adult social care services.
- 4.3 Transfer the service to a provider other than AUKW, subject to availability. However the value added that AUKW brings is that they will provide a service that will help to link existing provision of support services e.g. HFH & At Home and provide an exponential increase in social impact and contact with their target beneficiary. From the perspective of the customer, they will benefit from increased social contact, the availability and promotion of charitable services, free at the point of delivery, for example access information, advice and referrals to relevant services which could improve their independence, wellbeing and overall quality of later life

Aligned with this the AgeUKW management team have developed a full understanding of the operations of this service and how this service will successfully interface with SBC Adult Social Care

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The transfer will deliver a £33k budgeted saving to the Council and avoid an additional unbudgeted pressure of £17k incurred in 2019/20 in future years.
- 5.2 Additional one-off funding of up to £50k will be used to cover the costs of any necessary legal, property and other transactional costs required to support the conclusion of the negotiations and completion of the relevant contract documentation. This sum will be earmarked within a Council specific reserve.

Legal and Human Rights Implications

- 5.3 Legal and Human Rights implications have been taken into account in preparing this report. It is considered that the recommendations are compatible with Convention Rights. The Chief Legal Officer will prepare the necessary legal documentation.
- 5.4 The legal nature of the transaction to be documented will be that of a business transfer. Accordingly and as would be routine for such a transaction AUKW, as transferee, will likely require from SBC certain warranties. These will relate to SBC's "business" of providing this service, any assets owned and used by SBC

Further information on the subject of this report can be obtained from Ian James, Head of Streetsmart, Mob: 07717 801000, IJames@swindon.gov.uk.

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in connection therewith and which will be transferred. Warranties will also be required in respect of any business contracts with third parties which will be novated over to AUKW and most importantly and potentially most significantly, employees and pensions.

Climate Change Impact

- 5.5 The proposals would not bring a change to service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.6 A TUPE consultation exercise with all relevant staff, will take place recognising that under the proposals staff engaged on those services will transfer to the new operator.

Diversity Impact Assessment

- 5.7 A DIA has been completed and a copy can be obtained from the report author. Officers have not identified any impact within the DIA that requires mitigation to be put in place.

Risk Management

- 5.8 A risk register has been prepared to identify clearly all risks and mitigating actions.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (Section 151 Officer) and Chief Legal Officer are consulted in respect of all reports.

7. Background Papers

- 7.1 AUKW Business case
7.2 AUKW / Nationwide Feasibility Study Report

8. Appendices

- 8.1 None

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2020.

Further information on the subject of this report can be obtained from Ian James, Head of Streetsmart, Mob: 07717 801000, IJames@swindon.gov.uk.

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Transfer of Parish Services to Four Parish Councils

Cabinet

Date: 5th February 2020

Author:	Cabinet Member for Transport and the Environment Head of StreetSmart Service
Wards:	Central; Chiseldon and Lawn; Eastcott; Gorse Hill and Pinehurst; Liden, Eldene, and Park South; Lydiard and Freshbrook, Mannington and Western; Old Town; Penhill and Upper Stratton; Rodbourne Cheney; Shaw; and St Andrews
Parishes Affected:	Central Swindon South, Central Swindon North, West; and St. Andrews

1. Purpose and Reasons

- 1.1 The aim of this report is to recommend that Swindon Borough Council (SBC) begins a process to terminate the Service Level Agreements with four Parish Councils which provide for SBC to deliver certain StreetSmart Services to those Councils and to enter into agreements with those Parish Councils to TUPE transfer the SBC staff to the respective Parish Councils.
- 1.2 The four Parish Councils affected are Central Swindon South Parish; Central Swindon North Parish; West Parish; St. Andrews Parish.
- 1.3 An agreement to terminate the service is necessary to commence the TUPE transfer of staff as highlighted above and to recover all costs for the Communities and Housing Directorate and Swindon Borough Council as a whole
- 1.4 The overall aim of this proposal is to protect transferring staff, to ensure a smooth transfer of services with minimal disruption to service standards to residents / customers and to protect SBC from incurring additional cost

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Cabinet Member for Finance, Education, and Skills and the Cabinet Member for Transport and the Environment, in consultation with the Corporate Director for Communities and Housing to confirm the cost implications of the future pension and redundancy costs set out in the body of the report and then trigger the four-month notice termination clause within the SLAs.
- 2.2 Authorise the Corporate Director of Communities and Housing in consultation with the Cabinet Member for Transport and the Environment along with Cabinet Member for Finance, Skills and Education and the Corporate Director of Finance and Assets:

Further information on the subject of this report can be obtained from Ian James, Head of StreetSmart, 07717 801 000, ljames@swindon.gov.uk.

Transfer of Parish Services to Four Parish Councils

Cabinet

Date: 5th February 2020

- 2.2.1 Subject to 2.1 above, to terminate the service level agreements with Central Swindon South Parish, Central Swindon North Parish, West Parish and St. Andrews Parish Councils and
- 2.2.2 Subject to 2.2.1 above, to commence the TUPE transfer process for all affected SBC staff to the respective Parish Councils in order for the Parish Councils to self-deliver these services.

3. Detail

- 3.1 As part of the devolution processes that accompanied the 2016 Community Governance Review, Parish Councils were given the freedom to invest in certain services whereas the Borough Council would give prioritised funding for statutory personalised social care. This devolution was taken up by those parishes newly created in May 2017.
- 3.2 These services include a combination of:
 - 3.2.1 amenity grass cutting and gang mowing,
 - 3.2.2 shrub bed and hedge cutting & maintenance,
 - 3.2.3 tree maintenance on Parish-owned land, ground level tree maintenance, open spaces,
 - 3.2.4 sports pitches (if relevant),
 - 3.2.5 the inspection and cleaning of along with repairs to play areas,
 - 3.2.6 street cleaning; litter picking, sweeping and leaf clearance,
 - 3.2.7 litter and dog bin emptying along with bin installation,
 - 3.2.8 graffiti removal and fly posting removal,
 - 3.2.9 fly tips;
 - 3.2.10 washing of road signs and bollards,
 - 3.2.11 and dead animal, removal.
- 3.3 Following this devolution process in 2017, the four Parish Councils named above chose to re-employ SBC StreetSmart to carry out these services on their behalf, whilst other Parish Councils chose either to deliver through their own Direct Labour Organisations (DLOs) or to employ a different, private third party contractor.

Further information on the subject of this report can be obtained from Ian James, Head of StreetSmart, 07717 801 000, ljames@swindon.gov.uk.

Transfer of Parish Services to Four Parish Councils

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- 3.4 Individual Service Level Agreements (SLAs) were drawn up and signed between SBC and the four Parish Councils. Within the SLAs are four month notice termination clauses that can be triggered by either party.
- 3.5 In April 2019, as part of a StreetSmart restructure and in order to improve the service delivery, the Grounds Maintenance and Street Cleansing staff were combined to form a Parish Delivery Service for each of the four named Parish Councils, thereby creating bespoke teams for each of the four Parish Councils, headed by a single, dedicated Supervisor for each Parish. It should be noted that the cost of the Supervisor is not currently recovered from their respective Parishes.
- 3.6 During this period, extensive discussions took place between SBC and all four Parish Councils. These discussions were based around SBC Parish Delivery value for money, cost efficiencies and service quality. The economies of scale were brought about by the combined service delivery for the four Parishes, with North and South Parish making up over 70% of the combined value
- 3.7 During these discussions, the four Parish Councils clarified their position that they were seeking the most cost-effective and operationally efficient delivery model. This could be delivered either through the continuation of the StreetSmart Parish Delivery, or by creating their own DLOs, or by choosing a different third party contractor to deliver the services.
- 3.8 As the four Parish Councils were considering these options throughout 2019 SBC made it clear to all Parish Councils that a reinvestment programme would be necessary at the start of the new financial year (2020-2021) because of the age (end of life) of the current vehicles, plant and equipment (3.5 and 7.5 tonne flatbed vehicles, mechanical street sweepers, ride-on mowers etc.)
- 3.9 As a result of this investment, it would likely to be that the economies of scale could only be met if all four Parish Councils continued to employ SBC and enter into new agreements with a duration of 3 to 5 years as much of the equipment described above is shared across the four Parishes. Otherwise there would be considerable cost increases as a result of the necessity to purchase new vehicles, plant and equipment with the loss of the economies of scale.
- 3.10 The four Parish Councils were requested to give an indication as to their respective decisions by 20th December 2019. Since this date, all Parish Councils have responded: one Parish Council has requested that the Street Cleansing services and staff are transferred directly to them; a second Parish has invited third party contractors (not SBC) to tender for the services. The remaining two Parish Councils have indicated their desire to continue to use SBC to carry out the services but not if this were at an increased cost.
- 3.11 Although there remains an option for a longer term, strategic review of the services and the methodology of future service delivery, the current SBC Parish

Further information on the subject of this report can be obtained from Ian James, Head of StreetSmart, 07717 801 000, ljames@swindon.gov.uk.

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Service Delivery model is no longer financially viable or tenable. However, as set out below and the financial implications section, there are a number of questions about the possible costs of redundancies as well as any pensions costs.

Local Government Pension Costs

3.12 The following section was included within the Cabinet Report entitled Community Governance Review on 19th October 2016, in relation to pension and redundancy costs, which remains relevant for this TUPE transfer proposal. (Cabinet Minute 58, 2016/17 refers).

3.12.1 All Council staff are automatically entitled to be part of the Local Government Pension Scheme if they work for the Council and this national pension scheme is more expensive than many other pension schemes due to its more favourable benefits.

3.12.2 In order to support the workforce to be welcomed by parish councils or other future employers and to balance the financial risks facing smaller organisations in future, it is proposed that the Borough Council underwrites a proportion of the liabilities for any staff transferring to a parish council or sub-contractor of a parish council

3.12.3 If no further service transfers to existing parish councils took place and no new parish councils were established, the status quo position means that the Borough Council is responsible for meeting all pension liabilities due to be paid by the employer for its workforce. This includes future service costs, past service liabilities plus one-off severance costs should staff retire early or be made redundant. Therefore, any transfer of pension costs to a new employer will reduce the Borough Council's current financial exposure. The same applies for redundancy payments.

3.12.4 Recognising this, it is proposed that Cabinet agrees that a cost-sharing arrangement is put in place with organisations employing staff currently providing services that the Borough Council will be pulling back from in future on the following basis.

Pension Transfer Costs

3.12.5 Parish Councils will have an automatic entitlement to be part of the Local Government Pension Fund. Any sub-contractors can apply for admitted body status so that they can employ staff and allow them to remain in the Fund.

3.12.6 For all transferring pension liabilities, the Borough Council will pay upfront any deficit value within the existing pension fund as at the transfer date so that any transferring staff are fully funded on their first day of employment with their new employer

Further information on the subject of this report can be obtained from Ian James, Head of StreetSmart, 07717 801 000, ljames@swindon.gov.uk.

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3.12.7 The parish council, or new employer, will meet the cost of its future employers pension on-costs recommended by the Local Government Pension Fund actuary. By doing this, the fund should remain fully funded and there should be no deficit liabilities for the parish in future.

Future Redundancy Costs

3.12.8 The Borough Council will under-write any severance costs (including pension and redundancy payments) up to the value as at the service commencement date by the parish council. In effect, this would mean that if liabilities arose for an employee with 20 years' service, two years after the parish service commencement date, the Borough Council would meet 18/20ths of the pension and redundancy costs.

3.13 The Cabinet Minutes from 19th October 2016 do not include an explicit resolution regarding the above costs. Therefore, it is recommended Cabinet authorises the delegated authority to the Cabinet Member for Finance, Education and Skills and the Cabinet Member for Transport and the Environment, along with the Corporate Director for Communities and Housing to confirm the cost implications and then trigger the four month notice termination clause within the SLAs. Cabinet is also invited to delegate the authorisation to transfer of all staff within scope of TUPE to the respective Parish Councils on whose behalf they have been working to the Corporate Director of Communities and Housing, in consultation with the Cabinet Member for Transport and the Environment.

4. Alternative Options

- 4.1 Do not transfer the staff and continue as is funded by the Parish Council at considerable additional and unsustainable cost to SBC
- 4.2 Other alternatives e.g. restructuring the current service and entering a partnership with another (third party) organisation or making the service full commercial and traded.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 As the cost to employ the dedicated Parish Supervisors is not currently met by the Parishes, there would be a removal of these costs to SBC of c. £120k once the TUPE transfer of staff has been completed
- 5.2 The redundancy and pension strain cost arrangements arising from the TUPE transfer of staff are set out in the body of the report. These costs would need to be determined as part of the delegated decision should Cabinet agree to proceed.

Further information on the subject of this report can be obtained from Ian James, Head of StreetSmart, 07717 801 000, ljames@swindon.gov.uk.

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- 5.3 There are cost implications for Swindon Borough Council for the purchase of vehicles and plant (a reinvestment programme) which are at the end of their life. The avoidance of these procurement costs form a part of this proposal as outlined above in the body of the report. SBC may make available to the Parishes any of this plant or equipment in order to facilitate a smooth transfer of services.

Legal and Human Rights Implications

- 5.4 The termination of current service agreements together with continuation of the services by a new provider results in the transfer of staff employed in carrying out the services. The TUPE process is a legal requirement to ensure transferring staff have all of their terms and conditions of contract preserved together with the preservation of other rights including pension.
- 5.5 The SLAs can be terminated with four months' written notice, this notice must be sent to the relevant Parish Clerk for each of the Parishes to ensure compliance with the requirements of the SLA.
- 5.6 The underlying deeds of transfer between SBC and each of the 4 Parish Councils will remain in force and the Parish Councils will still be obliged to discharge the relevant services under these existing agreements with SBC.
- 5.7 These same underlying deeds include an indemnity provided for the benefit of SBC, from the Parish Councils, against any loss arising out of the discharge of the relevant services.
- 5.8 Legal advice should be sought with regards to the TUPE process itself.
- 5.9 The TUPE process is legally binding and has clear guidance. Other legal and human rights implications have been taken into account in preparing this report. It is considered that the recommendations are compatible with Convention Rights.

Climate Change Impact

- 5.10 The proposals would not bring a change in service delivery, only service deliverer, and therefore Officers believe that there is no expected effect on the Council's carbon footprint

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.11 There are 48 full time employees within the Parish Delivery Service all of whom have a right to transfer under TUPE. Although employees affected have a right to transfer they are not obliged to do so and may object to being employed by the new employer. Where an employee objects to becoming employed by the Parish Council, the transfer of the services will operate to terminate her or his contract of

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employment with the Council. It is anticipated that all 48 employees would transfer to their respective Parish Councils.

Diversity Impact Assessment

- 5.12 A Diversity Impact Assessment (DIA) has been completed and there are no diversity impact concerns. A copy is available from the report author

Risk Management

- 5.13 There are no risk management implications. The above mentioned 2016 Community Governance Review Cabinet Report outlines the requirement for Parish Councils, under the Deed Agreement to deliver services to quality standards they deem desirable, with a minimum level of service delivery provided to at least the standard provided by the Borough Council prior to the 1st April 2017 as outlined in the Deed Agreements
- 5.14 Street Cleaning, as a statutory function, should be carried out in accordance with the Environmental Protection Act guidance and the Code of Practice on Litter and Refuse. This is also written within the Deed Agreements

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.
- 6.1.1 The Corporate Director of Finance and Assets (s151 Officer) cleared this report for publication on: 28th January 2020
- 6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication on: 28th January 2020

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 None

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2020.

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References from Other Council Bodies

Health and Wellbeing Board - BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.

Cabinet

Date: 4th December 2019

Author: Cabinet Member for Adult's and Health
Chief Legal Officer

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To consider a matter referred to Cabinet from the meeting of the Health and Wellbeing Board held on 9th October 2019.
- 1.2 As set out in the Board's Terms of Reference, "The Board will operate in accordance with the Council's existing decision-making framework and normal council budget setting processes. A decision to exercise any further local authority functions by the Health and Wellbeing Board would therefore need to be taken by the appropriate decision-making body (e.g. Cabinet or Council), and a further report would be required for this."

2. Recommendations

- 2.1 To agree the recommendation of the Health and Wellbeing Board at its meeting on 9th October 2019: "That the Council's Cabinet and Clinical Commissioning Group's Board be requested to note the Swindon findings, endorse the report's recommendations and adopt the BSW Suicide and Self-Harm Prevention Strategy 2019 -2023."

3. Detail

BSW Suicide and Self-Harm Prevention Strategy 2019 -2023

- 3.1 At its meeting on 9th October 2019 the Health and Wellbeing Board considered a report from the Council's Director of Public Health on the adoption of the draft BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.
- 3.2 The Board resolved:

Further information on the subject of this report can be obtained from Douglas Campbell, Direct Dial Telephone Number – 07779 413886 email – CommitteeServices@swindon.gov.uk.

References from Other Council Bodies

Health and Wellbeing Board - BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.

Cabinet

Date: 4th December 2019

(1) That this Board notes the findings of the Swindon Suicide and Self-harm Audit and Strategy and endorses its strategic recommendations.

(2) That the Council's Cabinet and Clinical Commissioning Group's Board be requested to note the Swindon findings, endorse the report's recommendations and adopt the BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.

- 3.3 A copy of the report is attached at Appendix 1 the draft strategy is attached at Appendix 2 and the Action Plan at Appendix 3. The draft Minute is attached at Appendix 4.

4. Alternative Options

- 4.1 It is a matter for Cabinet as to whether the recommendation of the Health and Wellbeing Board is supported.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 This report has no financial or procurement implications. The financial and/or procurement implications of the report to the Health and Wellbeing Board are addressed in that report (attached at Appendix 1).

Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights. The legal and human rights considerations of the report to the Health and Wellbeing Board are addressed in that report (attached at Appendix 1).

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 This report has no additional implications to be addressed. Any additional implications the report to the Health and Wellbeing Board are addressed in that report (attached at Appendix 1).

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment (DIA) has been undertaken for this strategy.

Further information on the subject of this report can be obtained from Douglas Campbell, Direct Dial Telephone Number – 07779 413886 email – CommitteeServices@swindon.gov.uk.

References from Other Council Bodies

Health and Wellbeing Board - BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.

Cabinet

Date: 4th December 2019

Risk Management

- 5.5 There are no identified unmitigated risks.

6. Consultees

- 6.1 The Corporate Director of Finance and Assets (Section 151 Officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 Appendix 1 – Report to the meeting of the Health and Wellbeing Board held on 9th October 2019.
- 8.2 Appendix 2 – BSW Suicide and Self-Harm Prevention Strategy 2019 -2023 (The appendix is available online at the Council's website or on request from Committee Services.)
- 8.3 Appendix 3 - BSW Suicide and Self-Harm Prevention Strategy 2019 -2023 Action Plan (The appendix is available online at the Council's website or on request from Committee Services.)
- 8.4 Appendix 4 – Draft Minute of the 9th October 2019 Health and Wellbeing Board meeting.

9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is not a Key Decision and is in the Cabinet Work Programme for February 2020.

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BSW Suicide and Self Harm Prevention Strategy 2019 – 2023

Swindon Locality

9th October 2019

Author: Director of Public Health
Wards: All
Parishes Affected: All

1. Purpose and Reasons

- 1.1** The All Parliamentary Group on Suicide and Self-Harm prevention recommends Local Authorities to undertake a suicide audit, develop an action plan and have a Suicide Prevention Reference Group. The Five Year Forward View for Mental Health for NHS England also recommends that all areas have a shared suicide prevention plan which is reviewed annually. This suicide and self-harm prevention strategy is split into two parts. The first three sections cover suicide and self-harm prevention across the B&NES, Swindon and Wiltshire Partnership and section four onwards looks in more detail at the Swindon locality. Recommendations in the attached draft action plan will be reviewed across the partnership and worked on together where synergies exist.
- 1.2** Suicide is a major issue for society and a leading cause of years of life lost. In England, one person dies every two hours as a result of suicide. When someone takes their own life, the effect on their family and friends is devastating. Many others involved in providing support and care will feel the impact. For every death, another 6 – 60 people are thought to be directly affected and the economic cost is high. For every suicide nearly £1.7 million is lost in things like productivity and caring for those left behind.
- 1.3** In Swindon a suicide audit has been carried out regularly since 2009 and the findings used to inform the suicide and self-harm prevention strategy. This work is overseen by the multi-agency Swindon Suicide and Self Harm Prevention Group. This 2019 - 23 suicide and self-harm prevention strategy has incorporated the suicide/self-harm audit and accompanying action plan. It is based on figures released prior to September 2019.

2. Recommendations

The Board is recommended to:

- 2.1** Note the findings of the Swindon Suicide and Self-harm Audit and Strategy and endorse the strategic recommendations
- 2.2** Recommend to Cabinet and the CCG Board that they note the Swindon findings and endorse the recommendations and adopt the strategy.

Further information on the subject of this report can be obtained from Frances Mayes (FMayes@swindon.gov.uk)

3. Detail

- 3.1** The premise for this document is that at a population level suicide and self-harm is preventable. At a BSW PARTNERSHIP (B&NES Swindon and Wiltshire) level and local level we are committed to reducing the rate of suicide throughout B&NES, Swindon and Wiltshire.

Every suicide is a tragic event and has devastating impacts on families, friends and communities.

All partners within the BSW Partnership suicide prevention network are committed to:

- *Reducing suicide, attempted suicide and self-harm.*
- *Ensuring that no one will think that suicide is their only option*
- *Tackling the stigma associated with suicide*
- *Supporting those who are affected by suicide.*

The national ambition to reduce the suicide rate by 10 per cent by 2020/21 has been set by the Independent Mental Health Taskforce in the Five Year Forward View for Mental Health. The BSW Partnership will strive to achieve this by 2020/21 and exceed this target by the end of the strategy in 2023.

3.2 Key Issues:

3.2.1 Suicide rates

The table and chart below show that for the latest reporting period 2015 -17 all three local authority areas had a lower suicide rate than the regional average for the South West. B&NES had a slightly higher overall rate than the national average although lower than the South West region. This was due to a higher rate of female suicides. In Wiltshire the overall rate was slightly lower than the national average but for females was slightly higher. In Swindon the rates were slightly below the national and regional averages overall and for males and females. None of the differences are statistically significant.

Suicide rates per 100,000 for the latest reporting period 2015 -17 for persons (overall), Males and Females.

Local Authority	Persons	Males	Females
B&NES	10.1	14.3	6.2
Swindon	7.8	11.3	4.3
Wiltshire	8.9	12.5	5.5

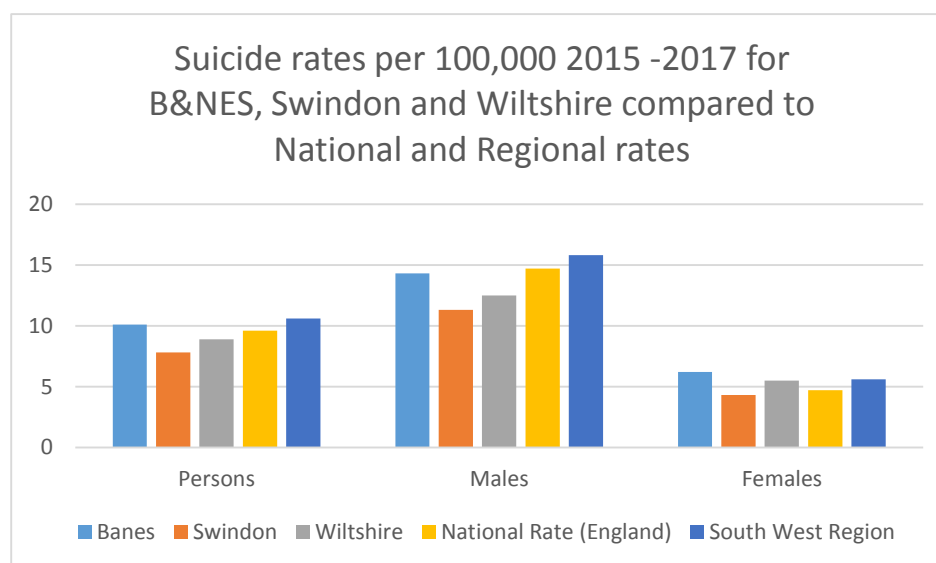
BSW Suicide and Self Harm Prevention Strategy 2019 – 2023

Swindon Locality

9th October 2019

National Rate (England)	9.6	14.7	4.7
South West Region	10.6	15.8	5.6

A chart showing the suicide rates per 100,000 (2015 -2017) for B&NES, Swindon and Wiltshire compared to the national and regional rates.



Further information on the subject of this report can be obtained from Frances Mayes (FMayes@swindon.gov.uk)

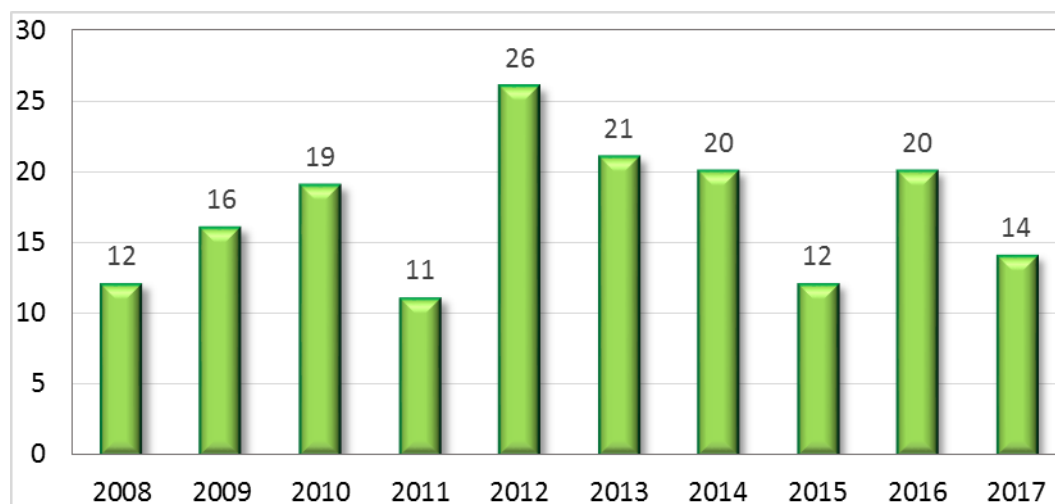
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A more detailed review of Swindon deaths shows that the rate varies year by year but since 2012 there has been a down trend.

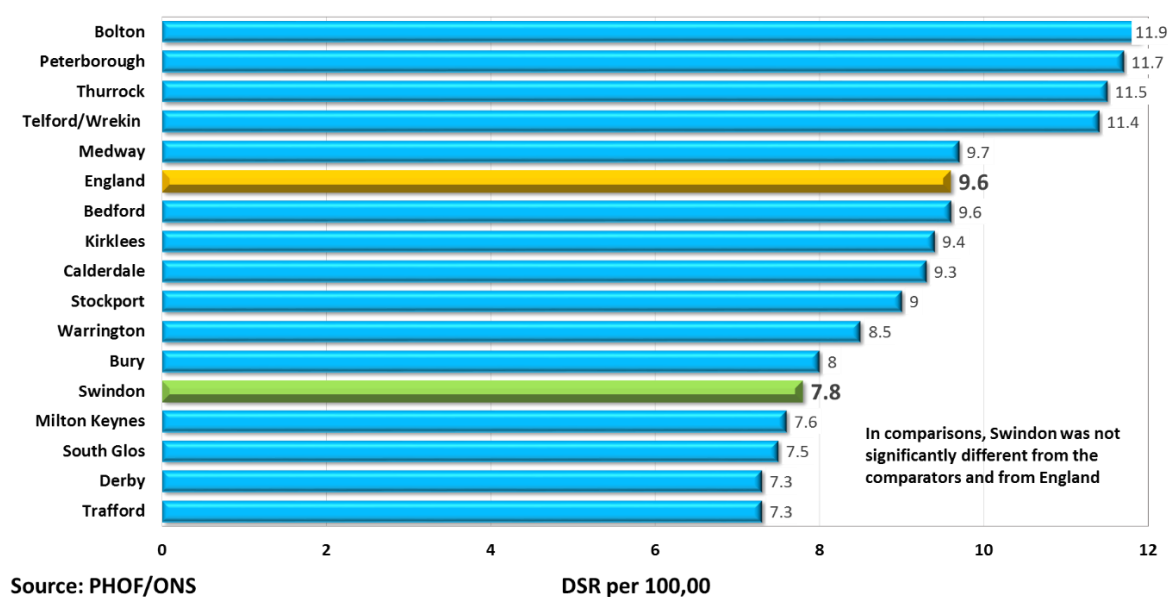
Number of Suicides in Persons in Swindon UA by Year 2008 to 2017.



Source: ONS

The chart below shows the Swindon suicide rate for all ages against Swindon comparator towns. This shows that the Swindon compares favourably to most of our comparators towns with the fifth lowest rate out of 16.

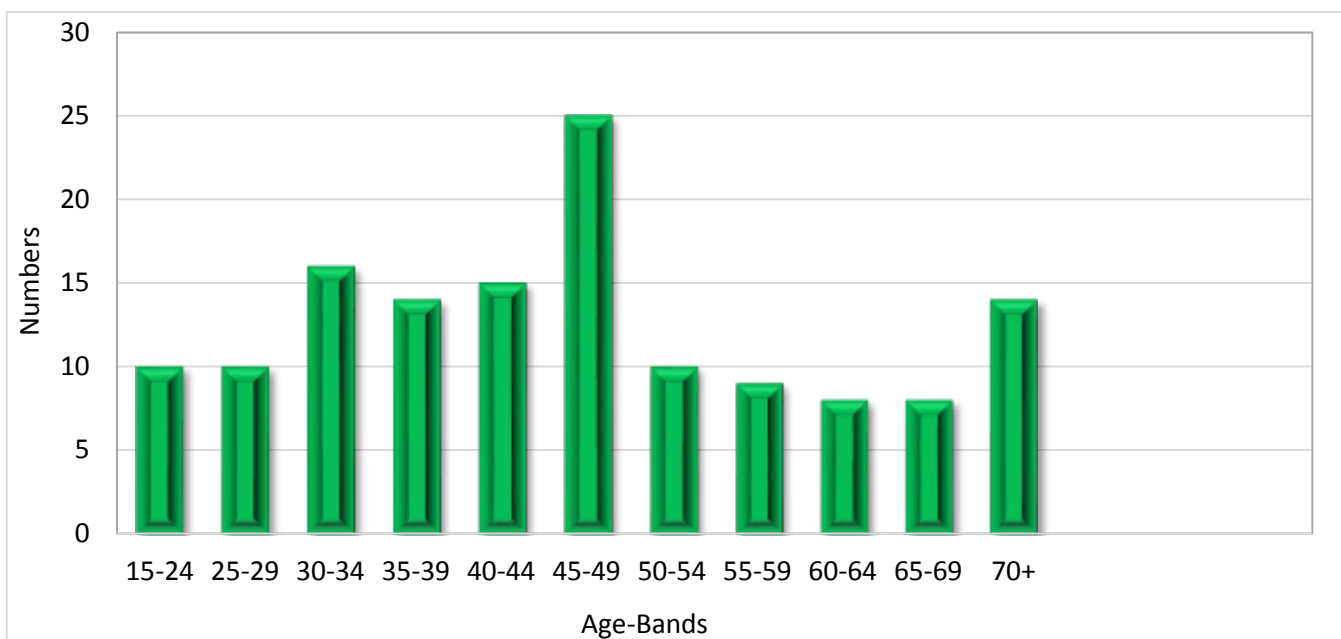
Suicide Rates for 2015-2017 for Swindon UA, Swindon's comparator towns and England. Directly Standardised Rates per 100,000.



Further information on the subject of this report can be obtained from Frances Mayes (FMayes@swindon.gov.uk)

The graph below shows a spike in numbers of suicides in Swindon in people in their forties, with men accounting for the majority of these suicides. Suicide is the biggest killer of men under the age of 50.

Suicide Deaths by Age-bands in Swindon between 2008-2017 (total = 139).



Source: Suicide Audit Database/Wiltshire Coroner

Only 21% of deaths by suicide occurred in those who were married or cohabiting. In line with national figures this appears to be a protective factor with regard to suicide.

The most common method of suicide was by hanging and then self-poisoning. 62% of deaths were by hanging and 20% by self-poisoning. Females are more likely to die by self-poisoning than males.

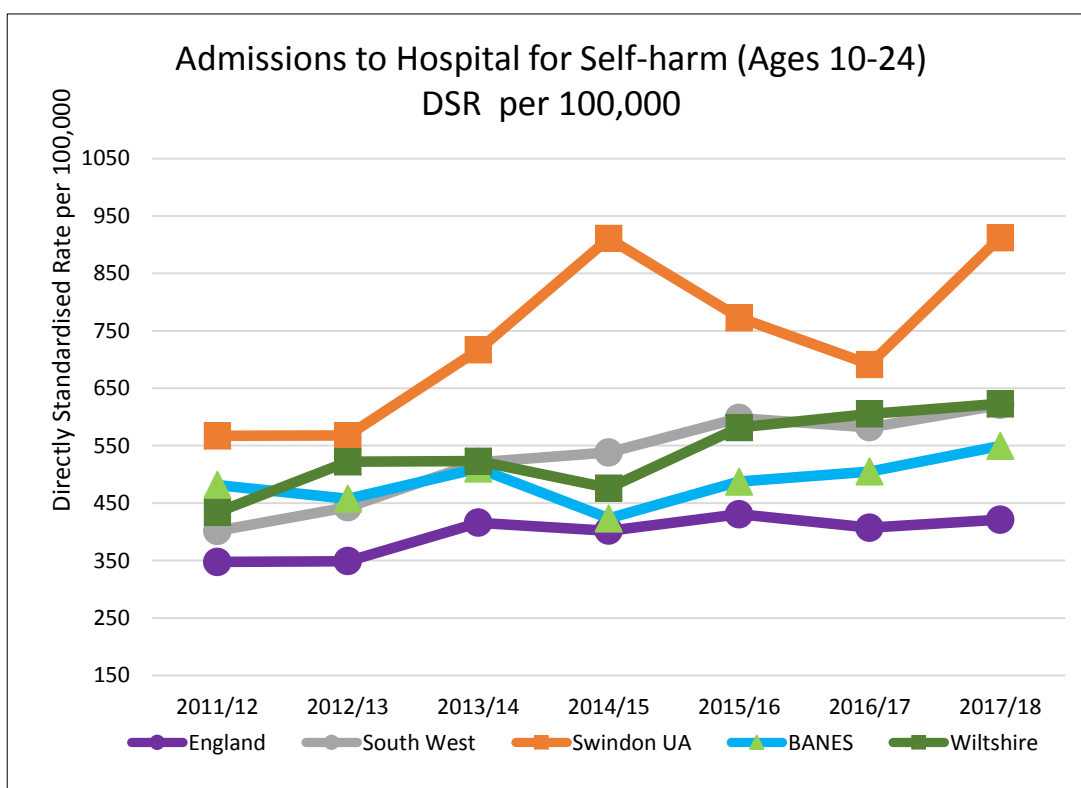
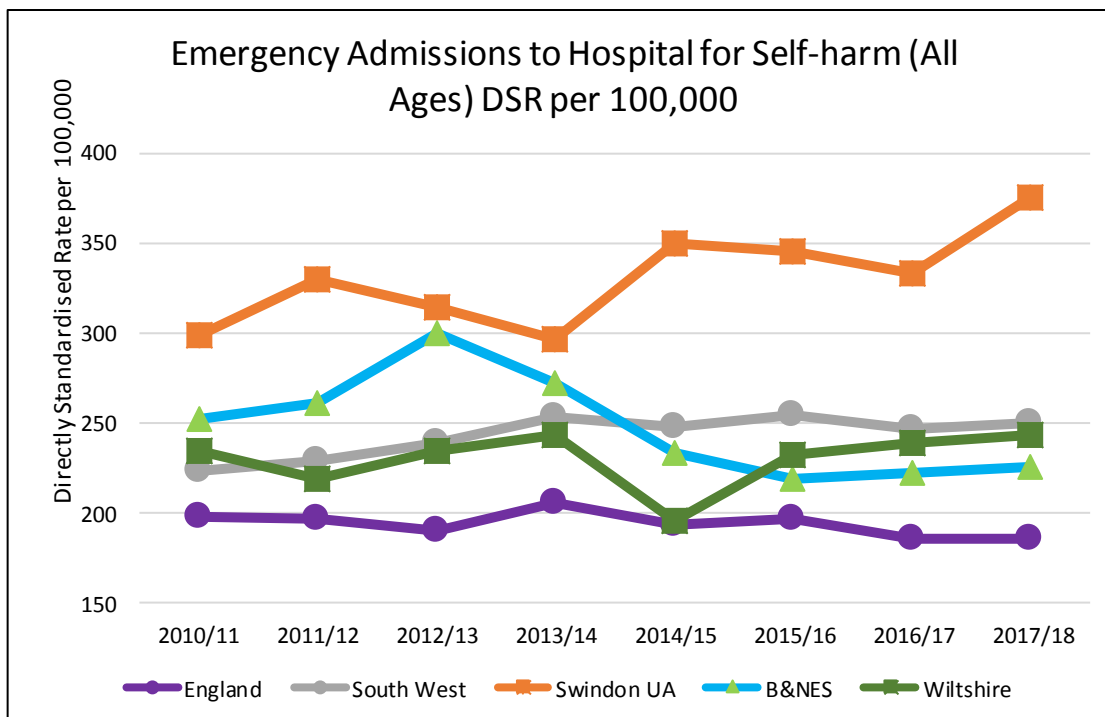
3.2.2 Self-harm Rates

The charts below show the hospital admission rates for self-harm for each of the local authority areas against the national and regional rates per 100,000. It can be seen that the admission rates in Swindon are particularly high and although they had fallen slightly from 2014/15 in the last year they have increased again. The fall in admission rates for those between the age of 10 – 24 years for Swindon fell at a greater rate but again in the last year have increased. Admission rates for all ages for Wiltshire have slightly increased over the last couple of years and there has been a very slight increase in admissions for B&NES.

BSW Suicide and Self Harm Prevention Strategy 2019 – 2023

Swindon Locality

9th October 2019



Further information on the subject of this report can be obtained from Frances Mayes (FMayes@swindon.gov.uk)

4. Priorities and key recommendations

The priority areas for Swindon have been built around the seven recommendations in the national suicide prevention strategy. The following section will outline recommendations to address these priorities. Further detail can be found in the action plan in appendix 2.

4.1 Reducing the risk of suicide in high risk groups

4.1.1 People in care of mental health services

National dataⁱ*Error! Bookmark not defined.* showed that from 2006-2016, nearly a third of all suicides were by mental health patients. Patients are at particular risk in the first two weeks post-discharge.

- Continue to implement the AWP Suicide Prevention Strategy (2017-2020) for adult mental health service patients, and the Oxford Health Self-Harm and Suicide Prevention Strategy (2018 -2021) for children and young people's mental health service patients.
- Following death of a patient by suicide, Swindon CCG, SBC Public Health and service providers should work more closely in partnership to review these deaths and share lessons learned.
- As recommended in the national suicide prevention strategyⁱⁱ, promote the Information Sharing and Suicide Prevention Consensus Statement, published by the Department of Health in 2014, which encourages health professionals to share information about someone at risk of suicide with family members and friends.

4.1.2 Specific occupational groups, such as doctors, nurses, veterinary workers, agricultural workers and construction workers

Risk of suicide and self-harm is higher among those who are unemployed. However, evidence also indicates that certain occupational groups including doctors, nurses, veterinary, agricultural and construction workers are at a higher risk of suicide.

- Raise awareness of suicide risk among high risk occupational groups in Swindon, and signpost to local mental health support available.
- Continue to work with employers through the Mindful Employer Network to promote mental health in the workplace, and continue to promote and expand this network.

4.1.3 Young and middle aged men

Despite an encouraging reduction in suicide rates amongst men over the past four years both nationally and locally, suicide is the biggest killer of men under the age of 50. Men in Swindon are just under three times more likely to take their own life than women. The suicide rate is highest among men in mid-life (35-64 years), particularly among those in their forties, compared to other age groups. Researchⁱⁱⁱ has shown that men are less

likely than women to seek help for mental problems and that stigma associated with such problems acts as a major barrier to seeking help.

- Raise awareness of and tackle the stigma around mental health problems among the public, particularly men, through implementing national and local campaigns in Swindon. Examples of national campaigns to raise awareness around mental health and tackle stigma include Time To Change (led by third sector organisations Mind and Rethink Mental Illness and funded by the Department of Health, Comic Relief and the Big Lottery Fund), and campaigns targeting men specifically such as the Men's Sheds Associations and the Campaign Against Living Miserably (CALM).
- Ensure that these campaigns target settings that are typically frequented by men, such as sport settings (as recommended in the national suicide prevention policy) like football clubs and barber shops. The workplace will also be a key setting in which to raise awareness of and promote mental health, given the spike in suicides in Swindon among men in their forties, and that there are more suicides among working people in Swindon, rather than unemployed people.

4.1.4 People in contact with the criminal justice system, substance misuse services and homelessness services

Although there is no prison within Swindon Borough Council authority area we do have a police custody unit and support those leaving prison through the local probation service. Research^{iv} has shown that 9 out of 10 people in prison have a substance misuse or mental health problem and that those released from prison are vulnerable and at risk. Local findings from Threshold Homelessness Health Needs Survey found that nearly 40% of those who were homeless in Swindon had had custodial sentences and many were using drugs or alcohol or in recovery. Over half of all deaths of homeless people in 2017 were due to three factors: accidents (including drug poisoning) accounted for 40%, suicides accounted for 13% and diseases of the liver accounted for 9%^v

- Continue to raise awareness among staff within the police custody unit, the local probation service, substance misuse services and homelessness services of mental health problems and encourage them to be vigilant for signs of suicide risk among clients/offenders.
- Ensure the above services have mental health, suicide and substance misuse risk assessment procedures in place, and that staff refer individuals identified as being at risk to community-based or secondary mental health support, and/or to Turning Point, Swindon's substance misuse treatment service provider, as appropriate.
- Target and offer people in contact with the criminal justice system, substance misuse services and homelessness services mental health support through outreach workers within community mental health and wellbeing services.
- Ensure that all mental health service providers and substance misuse service providers are aware of dual diagnosis issues, and have pathways and referral routes to work in partnership with individuals with dual diagnosis problems.

4.1.5 Lesbian, Gay, Bisexual, Transsexual (LGBT) people

Evidence shows that LGBT people are more at risk of suicide ideation and suicide. One study in the UK found that 34.4% of trans adults had attempted suicide at least once and almost 14% of trans adults had attempted suicide more than twice.^{vi} This higher risk of suicide is related to experiences of discrimination, including stigma, transphobia and bullying. These negative experiences occur in many trans individuals' everyday lives, whether at home, work or school. This stigma and discrimination, and the fear of it happening, can make individuals in this situation feel unable to reach out for help when they need it. LGBT people are twice as high as heterosexual people to attempt suicide and 1.5 times higher risk of depression and anxiety disorders and alcohol or other substance dependence^{vii}.

- Promotion and implementation of Public Health England and Royal College of Nursing guidance for Nurses on suicide prevention strategies with trans young people^{viii} and prevention suicide among lesbian, gay and bisexual young people^{ix}.
- Promotion of national and local resources for LGBT people
- Develop a workplace toolkit to help staff have informed conversations with LGBT people
- Develop a cross sector steering group to tackle inequalities and barriers to inclusion for the LGBT community.

4.1.6 Black and Minority Ethnic Groups

Nationally and locally there is little evidence on suicide risk in relation to Black and Minority Ethnic Groups. The coroner does not record this at registration of death so it is difficult to collect this data. Nationally they associate the prevalence of high levels of mental health for some BME groups as an indicator that they may be at higher risk of suicide although cultural issues may mitigate or exacerbate this. They point out that those who recently arrived in the country may need more support particularly for some groups such as asylum seekers or refugees. Locally we do not collect data on ethnicity (although we plan to try to obtain this from GP records in the future) but we do collect data on place of birth. Our records show that for 174 deaths currently recorded 27 had no record recorded and 22 were recorded with a place of birth outside England and 15 were outside the UK.

4.1.7 Children Looked After

Children looked after and young people leaving care are recognised as being at higher risk of self-harm and suicide than their peers. Swindon Borough Council has 340 children looked after (CLA) with approximately a third living outside Swindon Borough Council (August 2019). The Designated Nurse for children looked after is based in Swindon CCG and takes the strategic lead on improving the health outcomes for children looked after. There is a CLA Health Team, named nurse for children looked after and 2 specialist nurses. The emotional well-being of children looked after is screened using the Strength and Difficulties Questionnaire which is completed by foster carers, teachers and young people over 11 years of age and all those who have a high

score, indicating emotional difficulties, are discussed at a monthly multi-disciplinary meeting. The CLA health team have close links with the local CAMHS service and there is a process in place for Swindon CCG to commission CAMHS services for children placed outside of Swindon who require a CAMHS service.

4.1.8 People experience socioeconomic disadvantage^x

People who are socioeconomically disadvantaged or who live in areas of socioeconomic deprivation have an increased risk of suicidal behaviour. Features of socioeconomic disadvantage include low income, unmanageable debt, poor housing conditions, lack of educational qualifications, unemployment and living in a socioeconomically deprived area.

Suicide risk increases during periods of economic recession, particularly when recessions are associated with a steep rise in unemployment, and this risk remains high when crises end, especially for individuals whose economic circumstances do not improve. Multiple and large employer closures resulting in unemployment can increase stress in a local community, break down social connections and increase feelings of hopelessness and depression, all of which are recognised risk factors for suicidal behaviour.

The risk of suicidal behaviour is increased among those experiencing job insecurity and downsizing or those engaged in non-traditional work situations, such as part-time, irregular and short-term contracts with various employers.

Suicide rates are two to three times higher in the most deprived neighbourhoods compared to the most affluent and admissions to hospital following self-harm are twice as high in the most deprived neighbourhoods compared to the most affluent.

People with financial problems, including debt, gambling and those in receipt of employment benefits:

- Job Centre Plus are delivering a robust approach to suicide prevention, from training staff to be Mental Health First Aiders and exploring external training such as Assist, to running their own staff learning on mental health awareness and safeguarding and resilience. They are also rolling out Continuous Professional Development sessions on suicide and self-harm for all staff and reviewing and enhancing their internal procedures for handling declarations of intent to attempt suicide and self-harm. Every Jobcentre also has Disability Employment Advisers (DEA) that support frontline staff in working with those with health conditions and disabilities and who often assist during crisis situations.
- Ensure Samaritans and other community mental health and wellbeing services are linked in with the Job Centre to support their clients.
- Guidance on harmful gambling from the Local Government Association and PHE^{xi} highlights that about half of people with gambling disorder (0.7% of the population aged 16 or over) have suicidal thoughts. Recommendations in this guidance for supporting those affected by harmful gambling should be explored.

- Ensure staff and volunteers in services accessed by socioeconomically disadvantaged individuals or groups are aware of the suicide risk and recognise, understand and respond appropriately to individuals who are in distress and may be suicidal

4.1.9 Those affected by the closure of Honda in Swindon

Recent announcements regarding the closure of Honda in 2021 may have a significant impact on the health and wellbeing of those directly and indirectly affected. A health and wellbeing working group has been established to mitigate some of the risks associated with such an economic change not just for Honda workers and their families but also employees and their families of businesses forming the supply chain to Honda.

4.2 Tailoring approaches to improve mental health in specific groups

The national suicide prevention strategy ^{vii} recommends implementing tailored approaches to improving mental health in a range of groups with specific needs and characteristics that may lead to higher risk of suicide. These groups include:

- children and young people
- the lesbian, gay, bisexual and transgender (LGBT) community
- people from Black and Minority Ethnic (BME) groups
- people with long-term physical health conditions
- people with untreated depression
- users of drug and alcohol services
- veterans
- perinatal mental health
- people in receipt of employment benefits.

4.2.1 The following recommendations are made to address mental health needs in vulnerable groups locally:

- Ensure community mental health and wellbeing service provision is inclusive and that vulnerable groups are specifically targeted with support by outreach workers.
- Work with primary care to upskill professionals on recognising and supporting those at risk of suicide.
- Ensure primary care professionals are aware of NICE guidance on depression ^{xii}.
- Continue to work in partnership to prevent mental health crisis where possible and ensure effective response when crises do arise in line with the Crisis Care Concordat throughout Swindon and the B&NES, SWINDON AND WILTSHIRE PARTNERSHIP. The Junction Café will provide additional out-of-hours crisis care support in Swindon from 2019 for those who are known to AWP and are referred by Police or AWP.

4.2.2 Children and young people

- Ensure schools are aware of community mental health and wellbeing service provision, particularly for self-harm given the high rate of self-harm admissions among young people in Swindon.
- Review and promote self-harm resources available for children and young people, including the 'No harm done' resources, a series of films and toolkits that set out practical steps for young people, parents and health professionals to identify, understand and address self-harm that have been developed by the Department of Health and Social Care, the Royal College of Psychiatrists and third sector organisations.
- Roll out of the HarmLess tool developed by Oxford Health NHS Trust which provides guidance for those working with young people on having a conversation about self-harm, developing care plan and knowing when and where to refer/signpost. Ensure SENCo Champions, Designated teachers, Special Educational Needs and Disabilities Information and Advice Support Workers are specifically offered training
- Work with the Healthy Schools programme to have input into PSHE curriculum content around building mental resilience and to promote the use of MindEd web-based mental health educational resources for children and young people (as recommended in the national suicide prevention strategy).
- Implementation of the Trailblazer project which supports schools and colleges to improvement the mental health and wellbeing of pupils, students and staff.
- Continue to work with schools and other educational settings to promote awareness of and tackle stigma associated with mental health problems through training programmes for teachers and other staff, such as Connect 5, Mental Health First Aid (MHFA) and Emotional Literacy Support Assistant (ELSA) training.
 - Training should be guided by Health Education England's Self-Harm and Suicide Prevention Competence Framework for Community & Public Health.
- Ensure the needs of those with Special Educational Needs are considered in the roll out of the actions above. Work with Special Educational Needs Coordinators and educational psychologists in schools to:
 - raise awareness of mental health and well-being of all pupils, particularly those identified with SEN
 - develop whole school approaches that centre around emotional literacy and resilience of all members of the school community, following findings that link these factors with high self-harm / suicide rates
 - provide structured supervision to all staff supporting 'at risk' students to ensure their resilience and emotional vulnerability is safeguarded
 - provide training to all staff to ensure knowledge of risk factors is high
 - ensure all information moves with CLA, due to the high self-harm / suicide rates in this group of CYP; ensure this group is prioritised and advocated for in any individual work being carried out within schools. Currently staff often do not know

histories of these CYP but they are complex and the individuals are at more risk of self-harm and suicide than other groups

- Tackle bullying or discrimination particularly associated with an individual's special educational needs.
- Improve the access for children looked after to specialist support for emotional wellbeing by having a specialist mental health post within the Children Looked after team. Ensure those children looked after with high Strength and Difficulties Questionnaire (SDQ) scores have the appropriate intervention to improve their emotional health and wellbeing. Ensure all foster carers have self-harm and suicide prevention training. All commissioned services for CLA should be trained in suicide and self-harm prevention including accommodation provided for care leavers.

4.2.3 Older people

In Swindon there have been 14 deaths by suicide for those over 70 years since 2008. Several factors related to aging can increase the risk of suicide such as social isolation, loneliness, bereavement and ill-health. These issues are highlighted in the Ageing Well JSNA and will be addressed in the ageing well strategy, currently being developed, entitled "Making a Good Life – a lifetime of healthy ageing". Safeguarding issues with regard to this cohort of the population also need to be considered in relation to suicide ideation and risk.

4.2.4 Users of drug and alcohol services

- Work with Substance Misuse providers to ensure optimal awareness of mental health and suicide risk of clients, and ensure that staff refer individuals identified as being at risk to community-based or secondary mental health support as appropriate.
- As recommended above, ensure mental health service providers and substance misuse service providers are aware of and work in partnership on dual diagnosis issues.
- Implement and monitor actions taken to reduce the harm to children of alcohol-dependent parents Innovation project.

4.2.5 Those experiencing domestic abuse

- Ensure training and support is offered for primary care and other frontline professional staff to improve identification and appropriate referral to support services of those experiencing domestic violence and abuse
- Work with Domestic Abuse Support providers to ensure awareness of mental health and domestic abuse including coercive control and financial abuse and ensure clients are supported and have access to services

- Ensure mental health and Domestic Abuse service providers are aware of and work in partnership around domestic abuse issues

4.2.6 Perinatal mental health

The B&NES, SWINDON AND WILTSHIRE PARTNERSHIP is developing a new, integrated approach to perinatal mental health services.

- Ensure peer-led perinatal mental health support is available in Swindon.
- Raise awareness among the public and health and social care professionals of the risk of perinatal mental health problems and how to recognise and identify such problems.
- Ensure those identified with perinatal mental health problems have access to relevant services.

4.2.7 People with long-term physical health conditions

- Continue to follow NICE guidance (Clinical Guideline 91)^{xii} on depression in adults with a chronic physical health problem by offering group-based peer support to groups of patients with a shared chronic physical health problem through Lift Psychology.

4.2.8 People with Learning disabilities (LD)

National evidence shows that rates of suicide and attempted suicide are lower than the general population for those with severe learning disability but there is some evidence to suggest that the rates are higher in people with limited intellectual function (including mild or borderline learning disabilities)

- NICE Guidance NG 54 (2016) Mental health problems in people with learning disabilities: prevention, assessment and management should be reviewed and implemented as appropriate.
- Ensure those working with people with LD are aware of positive ways to promote mental health and resilience.

4.2.9 People with Autism

Those with autism have been recognised as being at higher risk of suicide than the general population (NICE 2018)^{xiii}. Factors known to increase people's risk of suicide are more common in the autistic community, including social isolation, unemployment, trauma, abuse and other social and biological factors that increase the likelihood of mental health problems. In addition those with autism face other issues that make them more likely to consider ending their own lives. They may also find it more difficult to access services. Women with autism may be at particular risk.^{xiv}

- An autism JSNA and strategy should be developed to ensure that mental health needs of this group are addressed

- Increase awareness of positive mental health for those with autism
- Ensure those with autism have access to services

4.2.10 Service Veterans

Evidence to date is that the overall rate of suicide is not higher for veterans than the general population; however, there is evidence that in male veterans aged less than 24, the rate is 2-3 times the national rate and especially in those who have served a short period in the military, those of lower ranks and those who have attained lower educational achievement. Evidence also shows that many veterans who die by suicide often have pre-service vulnerabilities^{xv}.

- Ensure veterans are highlighted as a risk group in GP training
- As part of implementing the military covenant ensure accessible mental health treatment for military veterans.

4.3 Reducing access to means of suicide

Action to reduce access to means of suicide has been shown to reduce deaths by suicide.

- 4.3.1** Work closely with Police, including the British Transport Police, and other partners to identify frequently used areas, monitor and reduce suicide risk at these places such as multi-storey car parks, bridges and the railway line.
- 4.3.2** Work with colleagues in planning to embed suicide prevention principles in the rewrite of Swindon's Local Plan
- 4.3.3** Work with the CCG and Local Pharmaceutical Committee to continue to reduce the means to suicide through prescribed medication. This will include inappropriate use of repeat prescribing and hoarding of medication

4.4 Providing better information and support to those bereaved or affected by suicide

Providing support for people bereaved by suicide is a key objective of the national suicide prevention strategy. When compared with people bereaved through other causes, those bereaved by suicide are at an increased risk of suicide, psychiatric admission and depression. The risk of friends and relatives of people who die by suicide making a suicide attempt themselves is 1 in 10. Close family members, particularly parents and spouses or partners, are thought to be the most vulnerable groups following a suicide, but there are also risks for extended family, friends and colleagues.

Based on PHE guidance on providing local services to support those bereaved by suicide^{xvi}, and a consultation carried out with members of the Survivors of Bereavement by Suicide (SOBS) peer support group in Swindon, the following recommendations are made:

- 4.4.1** Explore the benefits of setting up a system of real-time suicide surveillance in Swindon. Real-time suicide surveillance involves information sharing between agencies, such as Police, the Coroner and Public Health, on suspected suicides in order to ensure timely identification and referral of people bereaved by suicide to support, as there may be considerable delays between a suicide occurring, and the coroner completing the inquest and issuing an official verdict of suicide.
- 4.4.2** Consider developing a pathway to provide care and support locally to those bereaved by suicide. Based on the pathway developed by PHE which highlights that, on first contact with the bereaved, they should be offered information, advice and guidance, including on local support available such as the SOBS support group and Cruse Bereavement Counselling. A more detailed version of this pathway can be found in the publication, “Support after a suicide: Developing and delivering local bereavement support services”, by the National Suicide Prevention Alliance.
- 4.4.3** Consider commissioning specialist suicide bereavement counselling. The consultation carried out with SOBS members in Swindon highlighted that many of them felt that counselling they had received wasn’t fit for purpose.
- 4.4.4** Develop and distribute post-vention (suicide bereavement support) guidance to schools. Ensure this guidance includes specific guidance for those with special educational needs
- 4.4.5** The implementation of national campaigns such as Time to Change to raise awareness of and tackle the stigma around mental health problems, as recommended above, will also contribute to tackling stigma around suicide and may make it easier for people to seek help following bereavement.
- 4.4.6** Ensure peer support group continues to be available in Swindon.

4.5 Supporting the media in delivering sensitive approaches to suicide and suicidal behaviour

Evidence suggests that inappropriate reporting of suicide may lead to ‘copycat’ behaviour among vulnerable groups, particularly young people.

- 4.5.1** Continue to maintain strong links with local media on suicide prevention, and ensure local media are aware of the guidance published by the Samaritans^{xvii} on responsible media reporting of suicide.
- 4.5.2** Work with local media to promote mental health awareness as part of national campaigns, such as Time to Change, Suicide Prevention Day and Mental Health Awareness Week.

4.6 Supporting research, data collection and monitoring

- 4.6.1** Review the local suicide audit system to ensure all relevant data is being collected from all relevant agencies.

- 4.6.2** As recommended above, explore the benefits of setting up a system of real-time suicide surveillance in Swindon in order to ensure timely identification and referral of people bereaved by suicide to support.
- 4.6.3** As recommended above, work with partners including the Police and British Transport Police to monitor suicide risk at high frequency locations.
- 4.6.4** Continue to support PHE-led self-harm research.

4.7 Reducing rates of self-harm as a key indicator of suicide risk

Previous self-harm, including attempted suicide, is the single strongest predictor of suicide. Self-harm admissions to hospital are a particular problem in Swindon - rates of hospital admissions for self-harm are consistently higher than those seen regionally or nationally, especially among young people aged 10-24 years.

- 4.7.1** Continue the work of the multi-agency Task and Finish Group on reducing self-harm among children and young people. The work of this group contributes to sharing learning on and standardising approaches to self-harm assessment and interventions across agencies and the BSW Partnership. The group should look to:
 - Roll out the Harmless tool developed by Oxford Health throughout Swindon, including to foster workers, looked after children (LAC), schools, colleges, GPs, school nurses, and third sector youth providers.
 - Review websites and apps available to share with schools and other professionals.
 - Develop post-vention guidance for schools.
 - Promote the Health Education England Self harm and Suicide Prevention Competency Framework to organisations in Swindon.
- 4.7.2** Maintain or increase provision of community self-harm support, ensuring that:
 - Young people are specifically targeted.
 - Provision complies with NICE Clinical Guideline 133^{xviii} on the long-term management of self-harm in people aged over 8 years old. This guideline emphasises the importance of:
 - Education of health and social care professionals about the stigma and discrimination usually associated with self-harm and the need to avoid judgemental attitudes, and on when and how the Mental Health Act (1983; amended 1995 and 2007) can be used to treat the physical consequences of self-harm.

- Managing the endings of services, treatments or relationships and supporting transitions between services, through a process of planning with the service user.
- Encouraging primary care professionals to refer people with a history and risk of self-harm to community mental health and wellbeing services or to CAMHS if they are under 18, and to monitor the physical health of these patients.
- Ensuring community mental health and wellbeing services offer an integrated and comprehensive psychosocial assessment of needs, including skills, coping strategies, mental health problems and physical health problems, and risks to understand and engage people who self-harm and to initiate a therapeutic relationship. Needs assessments for children and young people should include a full assessment of the child's family, social situation, and child protection issues.
- Ensuring community mental health and wellbeing services work with the person who self-harms and their family (if agreed with the person) to develop a care plan and a risk management plan, based on the psychosocial needs assessment.
- Ensuring provision complies with Health Education England's Self-Harm and Suicide Prevention Competence Framework for Community & Public Health.
- The guideline also recommends that mental health services, including community services, consider offering 3 to 12 sessions of a psychological intervention that is specifically structured for people who self-harm, with the aim of reducing self-harm. The intervention should be tailored to individual need, and could include cognitive-behavioural, psychodynamic or problem-solving elements.

5. Alternative Options

5.1 Not to endorse the recommendations of the strategy.

6. Implications

6.1 Financial and Procurement Implications

The 2019 -23 Suicide and Self-harm Prevention Strategy will be delivered within the current financial position. Where additional provision has been identified funding has already be identified. Any additional funding requirements arising during the 5 year strategy will be subject to individual business cases.

6.2 Legal and Human Rights Implications

Legal and Human rights have been taken fully into account in compiling this report. It is considered that the recommendations within this report are compatible with Convention Rights.

6.3 All other Implications

There are no other implications arising from this report.

6.4 Diversity Impact Assessment

A diversity impact assessment has been completed.

6.5 Risk Management

No specific risks identified at this stage for this report.

7. Consultees

7.1 The Board Director, Revenue, Benefits and Property (Section 151 Officer), Director of Law and Democratic Services (Monitoring Officer) and Director of Public Health are consulted in respect of all reports

8. Background Papers

8.1 None.

9. Appendices

9.1 Appendix One – Suicide and Self-Harm Prevention Strategy 2019-2023 (Draft)

9.2 Appendix Two – Suicide and Self-Harm Prevention Action Plan 2019-2023 (draft)

ⁱ University of Manchester. Annual Report 2018: *National Confidential Inquiry into Suicide and Safety in Mental Health*. Manchester: University of Manchester; 2018

ⁱⁱ Preventing suicide in England a cross-government outcomes strategy to save lives 2011 (DH)

ⁱⁱⁱ Time to Change. *Be in your mate's corner and change a life – men urged in new mental health campaign*.

Available from: <https://www.time-to-change.org.uk/news/be-in-your-mates-corner> [Accessed 21 March 2019].

^{iv} Department of Health and Social Care. Preventing suicide in England: Third progress report of the cross-government outcomes strategy to save lives. London: HM Government; 2017.

^v Deaths of homeless people in England and Wales: 2013 to 2017 The first Experimental Statistics of the number of deaths of homeless people in England and Wales. ONS

^{vi} Whittle, S., Turner, L. and Al-Alami, M. Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination: The Equalities Review, 2007

^{vii} Preventing suicide in England a cross-government outcomes strategy to save lives 2011 (DH)

^{viii} RCN and PHE guidance for health professionals looking to increase their skills and knowledge of suicide prevention strategies with trans young people. A toolkit for Nurses (2018) RCN and PHE

^{ix} Preventing suicide among Lesbian, Gay and Bisexual Young People. A toolkit for Nurses (2015) RCN and PHE

^x DYING FROM INEQUALITY SOCIOECONOMIC DISADVANTAGE AND SUICIDAL BEHAVIOUR (2017) MIND

^{xi} Local Government Association and Public Health England. *Tackling gambling related harm – a whole council approach*. London: Local Government Association and Public Health England; 2018.

BSW Suicide and Self Harm Prevention Strategy 2019 – 2023

Swindon Locality

9th October 2019

^{xii} NICE. Guidelines Depression in adults: recognition and management Clinical guideline [CG90] (updated 2018) and 'Depression in adults with a chronic physical health problem: recognition and management' (NICE clinical guideline 91) (2009)

^{xiii} NICE guidance on preventing suicide in community and custodial settings NG66 (2016)

^{xiv} <http://www.nspa.org.uk/wp-content/uploads/2019/07/Autistica-image.png> (accessed 07/08/19)

^{xv} Preventing Suicide in England: fourth progress report January 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772184/national-suicide-prevention-strategy-4th-progress-report.pdf accessed 17/09/2009

^{xvi} Public Health England. Support after a suicide: A guide to providing local services. London: PHE; 2016

^{xvii} Samaritans. Samaritans Media Guidelines. Available from: <https://www.samaritans.org/about-samaritans/media-guidelines/#> [Accessed 21 March 2019].

^{xviii} NICE clinical Guidance 133 on the long-term management of self-harm in people aged over 8 years old. <https://www.nice.org.uk/Guidance/CG133> Accessed 20/08/2019

CABINET

WEDNESDAY 4TH DECEMBER 2019

REFERENCE FROM HEALTH AND WELL BEING BOARD

23. Suicide and Self Harm Prevention Strategy 2019-2023

The Director of Public Health submitted a report setting out the proposed Bath and North East Somerset (B&NES) Swindon and Wiltshire (BSW) Suicide and Self Harm Prevention Strategy for the period 2019-2023. In presenting the report the Director of Public Health drew Members' attention to:

- The recommendation of the All Parliamentary Group on Suicide and Self-Harm Prevention that Local Authorities undertake a suicide audit, develop an action plan and have a Suicide Prevention Reference Group.
- The commitment of B&NES Swindon and Wiltshire to reduce the suicide rate.
- A breakdown of suicide rates in B&NES Swindon and Wiltshire as well as the regional and national levels.
- A break-down of suicide rates in Swindon by age group in the period 2008 to 2017.
- Trends, emergency admissions to hospital, and Self-Harm rates in B&NES Swindon and Wiltshire and together with regional and national statistics.
- Work to reduce suicide in high risk groups.
- The recommissioning of community health and wellbeing services to target vulnerable groups and the availability of services for those who self-harm.
- Training for GPs on self-harm and suicide prevention.
- A focus on Children Looked After to ensure they can access services in a timely manner.
- A review of the personality disorders pathway.

The Board in considering the report and presentation discussed:

- Whether those people committing suicide had engaged with medical professionals or services.
- Ways in which lessons from suicide were shared between partner agencies to improve the identification of issues leading to the death and how communication could be improved.
- The investigation process when a notification of a suicide was received and where the person was receiving mental health treatment.
- Concern at the increase in self-harming of young people aged under 24 years of age and representation on multi-agency groups dealing with this issue.
- The possibility of further work in relation to the creation of a Children's self-harm prevention strategy.

- The increased prevalence of social media leading to self-harm in young people.
- The recording of self-harm in Swindon as a hospital admission (as young people are admitted for observation in accordance with NICE Guidance) when attending the Accident and Emergency Department. It was noted that increased the recorded rate of self-harm of young people in Swindon as compared to other areas which don't record the figures in a similar way.

Resolved – (1) That this Board notes the findings of the Swindon Suicide and Self-harm Audit and Strategy and endorses its strategic recommendations.

(2) That the Council's Cabinet and Clinical Commissioning Group's Board be requested to note the Swindon findings, endorse the report's recommendations and adopt the BSW Suicide and Self-Harm Prevention Strategy 2019 -2023.

Wichelstowe Joint Venture – NHBC Guarantee

Cabinet

Date: 5th February 2020

Author: Cabinet Member for Strategic Planning
Corporate Director Communities and Housing

Wards: Wroughton and Wichelstowe

Parishes Affected: Wroughton

1. Purpose and Reasons

- 1.1 This report sets out the benefits and risks of the Council of providing an indemnity to the National House Building Council (NHBC) in relation to housebuilding and sales activity undertaken by Wichelstowe LLP (JV).
- 1.2 In order to provide purchasers with NHBC guarantees, the Council is required to enter into an indemnity agreement and an associated variation to the JV Members Agreement.
- 1.3 Whilst authority was provided to complete the necessary contractual arrangements for the JV, together with associated documentation, on such terms as considered necessary to protect the Council's interests (Cabinet Minute 54, 18th October 2019) it is considered prudent seek additional authority due to the commercial implications.
- 1.4 The delivery of housing via the JV is a requirement of Pledge 6b – 'Working with Barratt Homes through the Joint Venture, we will deliver the District Centre facilities including a public house, the next phases of housing, a retirement complex and education facilities – whilst also delivering new sections of canal'

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Chief Legal Officer, in consultation with the Corporate Director of Communities and Housing and the Cabinet Member for Strategic Planning to complete the necessary contractual arrangements with the JV and the NHBC on the terms as set out in the body of the report.

3. Detail

- 3.1 Wichelstowe LLP is a joint venture between the Council and BDW Trading Ltd (BDW) established in December 2017 in order to deliver the development of land at Wichelstowe. The first residential occupations are due to take place in Summer 2020 and it is proposed that purchasers are provided with guarantees from the NHBC to protect against construction defects.
- 3.2 As the JV is a new company with no track record and in order to benefit from the advantageous rates which BDW as a large company has obtained, it was intended that the JV be linked with BDW's NHBC guarantee.

Further information on the subject of this report can be obtained from Steve Jorden, : 01793 464377, sjorden@swindon.gov.uk.

Wichelstowe Joint Venture – NHBC Guarantee

Cabinet

Date: 5th February 2020

- 3.3 A condition of NHBC agreeing to provide the JV with the benefit of the NHBC Agreement on preferential terms and rates is that the Council and BDW Trading Limited (BDW) (in their capacity as the members of the JV Company) also enter into the NHBC Agreement. The terms are such that they shall both be equally liable in the event that the JV fails to satisfy any claim made against it.
- 3.4 The implication is that both the Council and BDW will be assuming direct liability and in so doing 'piercing the corporate veil' protection afforded via the JV (i.e. the Council only be liable to the extent of its member interest in the JV).
- 3.5 The table below sets out the claims covered by the indemnity. These relate to the Buildmark guarantee, which deals with new build houses. A similar provision is set out in the Buildmark Apartments guarantee for Apartment blocks.

Type of Insurance	Cover to Purchaser	Claim Period	Financial Limits
Section 1 Insolvency	For loss of deposit or additional monies required to complete where contractor insolvent or commits fraud prior to completion	From exchange of contract up to the completion date	Maximum paid is 10% of the original purchase price or £100,000, whichever is lower.
Section 2 Contractor Warranty	If contractor fails to build in accordance with NHBC requirements and does not repair under warranty the NHBC will fund repairs and look to recover from builder.	Two years from completion (three years for shared parts)	<u>Individual Home</u> Maximum for all claims under Sections 2 and 3 (insurance after warranty period) original purchase price up to £1,000,000 <u>Continuous structure containing 2 or more homes (e.g. terrace)</u> Maximum for all claims for any continuous structure is cumulative total of individual home limits, up to a maximum of £25,000,000 for new builds or £5,000,000 for newly converted homes.

- 3.6 In addition, the guarantee offers a further 8 years of protection for homeowners if there is physical damage to a home because the builder failed to build a limited list of elements to NHBC requirements. These include structural elements such as foundations, walls, cladding, balconies, floor decking, retaining walls, double glazing etc. This additional 8 years of protection is not covered by the SBC / BDW indemnity and SBC are not exposed to any risk for this further period.

Further information on the subject of this report can be obtained from Steve Jorden, : 01793 464377, sjorden@swindon.gov.uk.

Wichelstowe Joint Venture – NHBC Guarantee

Cabinet

Date: 5th February 2020

Mitigation Measures

3.7 There are three key mitigation measures in place to mitigate the risk to the Council:

3.7.1 The aim of the JV is to address any issues arising within the initial two / three year period. An allowance has been set aside under the financial model to cover the costs associated with this. For Phase 0, the allowance was £218k. This mirrors the approach taken by BDW, which looks to rectify issues both to ensure positive feedback from purchasers (maintaining 5 star builder status) and to ensure NHBC premiums remain low. This sum is an indicative value of the expected cost of works in this period based on BDW's many years of housebuilding experience.

3.7.2 NHBC inspectors visit the site regularly to ensure that build requirements are being met. This allows issues to be spotted and rectified as soon as possible. This reduces the risk that problems are discovered post build during the 2/3 years where the Indemnity would step in should the JV cease operating.

3.7.3 Provisions are included within all contracts between the JV and the contractors undertaking the construction activity that will allow the JV to make a claim against the contractor if work has not been done in accordance with the required specifications. Retention money is also held for a period to ensure defects are rectified.

Risk Profile

3.8 Officers' professional judgement is that the risk to the Council is considered relatively low. BDW has extensive experience of housebuilding and consider that it has made sufficient provisions within the financial model to cover the expected level of construction defects within the initial claim period.

3.9 In the eventuality that a more serious issue was encountered and the JV is still in existence, the liability would fall to the JV and would result in a loss of profits.

3.10 BDW trading has a very strong credit score with a Credit Safe rating of 97 (out of 100) which indicates a very low risk. BDW has a Net Worth of £3.3bn as at 30th June 2019 and made a pre-tax profit of £911m in the year to June 2019. The risk of insolvency at this point is therefore considered to be low.

3.11 The risk to the Council occurs in the eventuality that the JV is wound up during the initial 2 to 3 year period following completion and it is not able to cover the costs. In this situation, the NHBC could ask the Council / BDW to fund repairs or repay deposits.

3.12 It is likely that in the eventuality the JV is wound up provision would be set aside to fund any repairs rather than being distributed amongst the parties to mitigate

Further information on the subject of this report can be obtained from Steve Jorden, : 01793 464377, sjorden@swindon.gov.uk.

Wichelstowe Joint Venture – NHBC Guarantee

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Date: 5th February 2020

this. In this case it is considered likely that BDW will want to protect their reputation and standing with the NHBC and would likely support a request from SBC to set aside appropriate mitigation sums.

Variation to the Wichelstowe LLP Agreements

- 3.13 In order to complete the NHBC Agreement a variation to the JV Members' Agreement is required to acknowledge entry by the parties into the NHBC Agreement and to specifically provide for:

3.13.1 The parties only to be liable in respect of any claim under the NHBC Agreement to the extent of their culpability for the circumstances that gave rise to the claim. Where the responsibility for the claim is a shared between the Council and BDW then the liability will be shared equally. This provision is to be underpinned by a reciprocal indemnity to be provided by the Council and BDW (respectively) in favour of one another. For the avoidance of doubt construction activity is being carried out by Wichelstowe LLP and related claims are therefore a shared liability; and

3.13.2 The inclusion of a new 'event of default' under the Members' Agreement entitling the innocent party to terminate the Members' Agreement in the event the other party fails to assume responsibility for its proportion of any claim under the NHBC Agreement.

4. Alternative Options

- 4.1 Cabinet could request that the JV does not offer a guarantee to new purchasers. This would be very unusual for a housebuilder, leave purchasers unprotected and would be unlikely to be acceptable to BDW.
- 4.2 Cabinet could request that the JV registers as a separate entity with the NHBC. The NHBC has advised that by linking the guarantee with the existing BDW version there is a saving of in the region of 65% and the premium would reduce from £2.5m to £1.5m. The cost of the premium is applied against the Council's land value reducing the Council's overall returns. In this scenario, the NHBC has confirmed it would also require a form of security from the parent organisations indicating that this could for example be provided as a £200k cash deposit or bond.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Under the JV mechanism, the cost of the NHBC guarantee is deducted 100% from the Council land value.
- 5.2 Should the JV take out the NHBC warranty in its own name this is expected to increase by £1.0m, which would be recovered from the Council through the

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reduced land value. The NHBC has also confirmed that if the NHBC warranty was in the JV's own name, it would in addition also require a form of security from the parent organisations indicating that this could be provided as a £200k cash deposit or bond.

- 5.3 The indemnity covers two risks, firstly the loss of a buyer's deposit between exchange and completion, and secondly the cost of remediation works to a property during the first 2 to 3 years post construction. These would only be called upon if the JV was not able to fulfil its obligations.
- 5.4 BDW requires around a 10% deposit on exchange and the risk to the Council/BDW around the loss of a deposit would therefore be £40,000 on a typical £400,000 purchase price if the JV were unable to fulfil its obligations during this short period of time (to a maximum of £100k per property).
- 5.5 The indemnity also covers the repairs to property in the first 2 to 3 years after completion should the JV not be able to fulfil these. These are capped at £1m per property, but this paper sets out the mitigations around this risk at section 3.8 as well as detailing that the JV has set aside £218k to cover these costs based on their significant experience of housebuilding.

Legal and Human Rights Implications

- 5.6 The Council is being advised in relation to the Wichelstowe LLP Pinsent Masons.

Climate Change Impact

- 5.7 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.8 No further implications

Diversity Impact Assessment

- 5.9 A diversity impact assessment has not been completed in relation to this report. It is not considered that there would be any impact in relation to any diversity groups as a result of implementing the recommendation.

Risk Management

- 5.10 The risks related to the implementation of this recommendation are set out in the body of the report.

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6. Consultees

6.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports. However, as the Corporate Director is also member of the Joint Venture board, the consultee for this report was the Head of Finance (Deputy s151 Officer).

6.1.1 The Head of Finance (Deputy s151 Officer). cleared this report for publication on 28th January 2020.

6.1.2 The Chief Legal Officer (Monitoring Officer) cleared this report for publication 28th January 2020.

7. Background Papers

7.1 None

8. Appendices

8.1 None

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

9.1 This is not a Key Decision and is not included in the Cabinet Work Programme and Forward Plan for February 2020.

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