

Social Justice and Regeneration Committee

(Agenda) SJR(2) –11-06(p1)

Date: Thursday 6 July 2006

Time: 9.30am – 12.30pm

Venue: White Rose Information and Resource Centre, New Tredegar

Title: Edwina Hart- Report to SJ&R Committee – 6 July 2006

1. Progress on National Homelessness Strategy

When the Committee endorsed the revised National Homelessness Strategy for 2006-8 last November, I promised to keep you informed of progress.

I refer to the latest statistics on homelessness for the period October to December 2005. These figures show a fall of 35% over the previous twelve months in the numbers of people accepted as unintentionally homeless and in priority need. The numbers of all households presenting as homeless to authorities fell by 1726, over 30%. In addition, the numbers of households in Bed and Breakfast fell by 22% over the previous year.

These figures demonstrate the success of the approach we have taken within the National Homelessness Strategy. This approach is based on preventing homelessness wherever possible, and joining up services to meet the specific needs of the each household. I realise that statistics do not tell the whole story, and it is possible that there will be further fluctuations. However, I believe that there has been sustainable progress in tackling this issue.

We have seen a change in the way that many local authorities are responding to homelessness. In most cases now, people at risk of losing their home are seen by officers who work with them to find solutions to their problems. We have vigorously promoted this change through our guidance and grant programmes, and have provided funding to help all local authorities refocus their services on prevention.

We are making progress in taking forward the commitments in our Strategy Action Plan (Annex 1). This involves action across a range of areas to tackle homelessness through joined-up policy including youth justice, substance misuse, health and veterans. As members will know, we have introduced legislation to ensure that vulnerable households will no longer be placed for long periods in unsuitable temporary accommodation such as bed and breakfast.

I will circulate a summary report to Committee on the steps we have taken to meet the commitments in

our action plan.

2. Bed & Breakfast Accommodation

Legislation has recently been passed which will limit the length of time that families and other vulnerable people can spend in bed and breakfast accommodation when placed by local authorities under their homelessness duties, and sets higher standards where it is used.

On the issue of unscrupulous landlords, the introduction of HMO licensing requires landlords or their appointed managing agent to conform to the 'Fit and Proper Person' definition. It also requires that the property is adequately managed (HMO Management Regulations) and that it is in a fit condition in terms of health and safety (Housing Health and Safety Rating System Regulations). Local authorities will need to take such circumstances into account before granting licences. In terms of holiday flats used as bed and breakfast accommodation, depending on the occupancy rate, local authorities will be able to license such accommodation if it is appropriate depending on whether the property in question conforms to the revised HMO definition contained within the Housing Act 2004 and accompanying regulations.

3. Refuge Bed Spaces

The Committee at its January 2006 meeting requested a report on the availability of refuge bed spaces across Wales. At the March 2006 meeting of the All Wales Domestic Abuse Working Group, Welsh Women's Aid agreed to carry out a snapshot survey.

At the Working Group's June meeting, Welsh Women's Aid reported that they had carried out a survey based upon a three week period between 19th December 2005 and 7th January 2006 and had received 22 documented responses. The responses revealed that during the Christmas period, significant strain had been placed upon the availability of refuge bed spaces with ten refuges reporting that they were full and approximately twenty refuge bed spaces available. These problems had been exacerbated by a shortage of move on accommodation, resulting in an average length of stay of between six and nine months, although it is recognised that extended length of stay is occasionally for a variety of other reasons.

Officials from the Supported Housing Policy Team are currently working with Cymorth and Homelessness Link Cymru who will be facilitating a one day event to identify current issues and good practice solutions in relation to move on across the spectrum of supported housing projects.

4. Funding for Women's Aid Groups from local authorities

At the Committee meeting in March 2006, Leanne Wood AM raised the issue of a claw back of Supporting People Revenue Grant (SPRG) in relation to the refuge being operated by Cwm Cynon Women's Aid. On receipt of a letter from Leanne Wood AM detailing her concerns, I asked my officials to investigate. Their report outlined:

SPRG is a project specific tariff based system with support being provided to individuals on the basis of Assembly Government issued service aims supported by practice options. SPRG is paid quarterly in advance, and one of the requirements for continued funding is the submission of an Annual Return for each project that details how the project has operated during each financial year. This information is both quantitative and qualitative.

The quantitative information includes an accurate assessment of the annual level of voids in the project. SPRG Conditions and Procedures state that justification will be required where annual void levels are greater than 10%. If this justification is not deemed to be sufficient, then claw back of SPRG funding can be initiated for any amount in excess of this 10% level. For the financial year 2004/2005, Cwm Cynon Women's Aid submitted an Annual Return for their Refuge. This Return detailed that during that year, the Refuge had experienced void levels of 28.5%. As required by SPRG conditions they enclosed a justification.

This justification was examined by officials who determined that it was not acceptable for the following reasons:-

The first section detailed that the Group had to evict 21 clients from the Refuge during the year and gave the reasons for those evictions. Officials felt that this number in what was a comparatively small project called into question the level of service being provided to their clients.

Additionally, one of the reasons for establishing a threshold of 10% for void levels was to take into account day to day management aspects such as evictions, departures and the turnover period that this entailed. Officials felt that nothing within this paragraph constituted sufficient justification for the excess void levels.

The second section covered an eight week period during the summer when the Refuge was redecorated and there were associated delays. Again, officials examined the information but felt that the management of any refurbishment and redecoration process should have been planned to cause the minimum disruption to the service provided to both existing and future clients. The redecoration process appeared to have been hastily conceived with little planning or risk assessment. As a result, it was not accepted as a sufficient justification.

The third section involved information about excessive staff sickness and absence during the year. The management of staff is an integral part of the day to day management of the refuge and the service it provides. The information submitted by the group did not indicate that any contingency measures had been put in place either previously or when the individual situations had arisen to cover eventualities such as those detailed. As such, the justification was not considered sufficient.

Once it had been established that the justification had not been accepted officials examined the Annual Return history of the project. It found that the project had reported void levels of 11.75% in 2003/2004, 30.8% in 2002/2003 and 25.41% in 2001/2002. In 2003/2004 a decision had been taken not to invoice

the organisation as SPRG had only just been introduced and the reported void levels were only just above 10%. However, given the consistently poor performance in the management of voids as evidenced by the levels referred to above, it was decided that for 2004/2005, an invoice should be raised and issued for an amount equal to 18.5% of the annual SPRG total.

The invoice to Cwm Cynon Women's Aid was only one invoice out of eighteen issued to Accredited Support Providers covering twenty seven projects where void levels had been reported in excess of 10% and the justification for these levels had not been accepted.

5. Review of the BME Housing Action Plan for Wales

At the National Consultative forum meeting in January, I agreed to update the Committee on the recommendations that fell to the Welsh Assembly Government contained within the review of the implementations of actions required by the Black Minority Ethnic Housing Action Plan for Wales. The BME review group met in March 2006 to review the recommendations. It agreed to establish a working group set up from members of the BME housing review group to undertake a full review of the BME housing action plan and decide the way forward on the recommendations.

This group met for the first time in June and began a thorough review of the BME housing action plan. It will meet again in August to continue the review in time to report to the wider group in September 2006. I will then provide an update to Committee in November.

The working group was also tasked with taking forward the recommendations that fall to the Welsh Assembly Government.

Annex 2 contains a table listing these recommendations and outlines the progress that has been made to date.

6. Rapid Response Adaptations Programme (RRAP)

I recently circulated a report on the first three years of the Rapid Response Adaptations Programme (RRAP) to Committee, highlighting the programme's success and the significant health savings it has made for a relatively modest level of investment. I have also written to the First Minister and the Minister for Finance, Local Government and Public Services on this issue.

7. Housing Act 2004 Regulations

Seven sets of Statutory Instruments and 2 items of guidance were debated in Plenary on 27 June and came into force on 30 June. The Regulations and Guidance primarily cover the introduction of licensing of Houses in Multiple Occupation (HMO).

The Regulations also cover the introduction of the Housing Health and Safety Rating System, which

replaces the current fitness standard that has been in place for over eighty years. Taken together the package of regulations represent one of the most important items of housing legislation that have been introduced for over twenty years.

8. Housing Benefit Reform

The Committee will be aware that the Department for Work and Pensions (DWP) published a Green Paper on Welfare Reform in January 2006. The Green Paper includes proposals to reform Housing Benefit.

Whilst Housing Benefit is not a devolved matter, I have been concerned that the proposals could have implications for our devolved housing and social care policies for Wales. I have raised these concerns with DWP ministers.

The original Housing Benefit Reform arrangements for the private rented sector in 2002 were part of the UK Government's wider agenda of choice and responsibility for citizens. The proposals are being tested in a number of "Pathfinder" local authorities including Conwy and Pembrokeshire.

Two of the proposals' main elements are:

making benefit payments direct to tenants; and

the introduction of a Local Housing Allowance (LHA).

The proposals in the Green Paper build on the arrangements operating in the "Pathfinder" areas but differ in a number of respects, including changes in the way the LHA is set and the level of benefit some tenants would receive.

It is proposed that gains by tenants will now be capped. Whilst that may not be unreasonable, its impact compared with the original "Pathfinder" proposals should be properly assessed.

The Green Paper also proposes that the LHA should only apply to new claims. This means that there will be 2 systems running in parallel for some time. This will be more complicated for local authorities to administer and tenants to understand.

The new proposals also include changes to the size criteria i.e. the number of rooms that are used to influence benefit levels. This may adversely affect some tenants, particularly those with larger households occupying bigger properties.

It is also proposed that the LHA will be set at the median of rents rather than the average which is currently used in the "Pathfinders". I believe that this could lead to the LHA being less responsive to changes in the market and may have an adverse effect on some tenants receiving Housing Benefit.

There is a longer-term proposal to reform Housing Benefit arrangements for the social housing sector. This could include rent being paid direct to tenants which could lead to an increase in rent arrears.

I have made the Assembly Government's views known to DWP Ministers on a number of occasions and these were reinforced in my response to the Green Paper. I remain concerned that proposals could impact on our devolved housing and social care policies and on housing markets in Wales. It is essential that full account is taken of the Assembly Government's views when any legislation is considered by Parliament.

9. Prefabricated and Modular Housing

The Committee has received a number of background papers on the development of modern methods of construction related to housing, the most recent being earlier this year in SJR 06-05 (p.1). I am now able to advise the committee of specific developments in the RSL sector in Wales.

Housing Directorate officials are in discussion with RSLs about how modern methods of construction might improve affordability in the for-sale sector in conjunction with the Homebuy model.

A number of pilot sites have been proposed in the West, Valleys and South East of Wales, it is hoped that the first of these will start on site in the Autumn.

In the rented sector a group of three housing associations, Cardiff City council, the Building Research Establishment and the Welsh school of Architecture has been successful in obtaining DEIN Knowledge Exploitation Fund (KEF) funding to support a research and development project 'Modern Methods of Construction in Wales'. The project is expected to run for two years from July 2006.

The aim of the project is to develop an approach to the delivery of modern methods of construction (MMC) for affordable housing in Wales. Its main objectives are to increase knowledge and expertise in new techniques, and to develop indigenous industrial capacity to deliver new products and methods.

The research and development will compare housing schemes of around 14 dwellings two using MMC techniques - one based on a timber construction system and one a steel system and one scheme using traditional methods.

It will test the view that modern methods of construction can benefit social housebuilding in Wales in terms of better product quality and durability; greater cost certainty; improved performance in use; increased user satisfaction; development of indigenous SME supply chains and opportunities for training in new construction skills.

The project will build on experience gained by Charter HA who are on site with the first contract utilising a locally manufactured steel modular system to build 12 flats in Blackwood.

10. Home Energy Efficiency Scheme

The Committee at its March 2006 meeting asked for additional information on the estimated increase of funding required to introduce oil central heating into the Home Energy Efficiency Scheme. Oil central heating is intrinsically more expensive to provide than either gas or electric storage heaters, therefore as part of this process I will consider what grant level is appropriate for oil. Oil will only be an option for harder to heat properties where no gas supply is available.

There will a need to monitor and control uptake of oil, to ensure that we can balance and manage expectations across the whole scheme.

Comparing with the current HEES Plus grant maximum of £2,700, I estimate that introducing oil into the Scheme might mean that we can help 368 less applicants per year. However, the impact of introducing oil is likely to be less than this as I will soon be considering the need to raise HEES grant levels generally.

11. Safety of Public Sector Staff

On 6 June the Assembly debated the safety of public sector staff. As members will know, Fire and Rescue staff perform a crucial role within society and are rightly among the most respected members of the public sector workforce. Unfortunately, some people do not share this view and purposely obstruct and harass staff who are trying to discharge their duties. The National Assembly was unanimous in condemning such behaviour and I undertook to report to the Committee on the measures I intend to take on the back of the debate.

For some time now statistics have been collected on firefighter attacks as part of reporting fires and incidents of special interest. The figures show that between April 2004 and March 2006, there were 110 attacks, including 26 cases of verbal abuse and 61 cases of objects being thrown. However, possible under-reporting of incidents could mean that some attacks on firefighters are not reported. This could be for a variety of reasons and I intend to impress upon the three Welsh FRAs the need to encourage and support firefighters in reporting anti social behaviour that they encounter.

However, reporting incidents alone will not tackle the problem and there is a need to ensure that firefighters have the necessary training, and that operating procedures are in place to deal with incidents. It is also important that we work with young people and offenders to tackle the root causes of the problem.

To this end, the Service already has in place a range of initiatives, community based projects and awareness raising campaigns. Furthermore, the Assembly Government has agreed funding of £29,000 to undertake an evaluation of the effectiveness of fire service youth schemes. Included in this will be a specific examination of attacks on firefighters. The project will commence shortly and will work with

young people including offenders. The report is expected in March 2007.

Ultimately, strong enforcement has to underpin our work. That is why I support the Emergency Workers (Obstruction) Bill currently progressing through Parliament. This will increase the fine in relation to obstructing firefighters from £1,000 to £5,000, sending a strong message that we are not willing to tolerate such acts. I have also written to Baroness Scotland at the Home Office to see how we can work together to tackle this problem.

12. Incentives for Householders in 2008 Physical Survey

The Living in Wales survey for 2008 will include a Dwelling Survey funded by the Department for Social Justice & Regeneration. It is scheduled to take place within two weeks of the Household Survey. I have agreed to offer a pack of low cost energy light bulbs to respondents of the Dwelling Survey to thank them, This will hopefully help in achieving a high response rate.

13. All Wales Youth Offending Strategy

The All Wales Youth Offending Strategy was published jointly in July 2004 by the Assembly Government and the Youth Justice Board. Its purpose is to provide a national framework for preventing offending and re-offending among children and young people. The long-term aim is to make a real and significant reduction in the rates of youth offending in Wales.

I have established an expert Implementation Group to monitor and assist with implementation of the Strategy across Wales. This Group proposed a number of challenging targets and objectives for 2005-06 in respect of all the relevant subject areas, to which I gave my agreement. Objectives have been set for health, education and training, housing, police, probation and workforce development. A report showing outcomes against these objectives has now been put to me by the Group, and I attach this for the information at Annex 3. I am pleased to say that there has been a very high level of achievement throughout the year and that most of the performance indicators have been met in full.

The Implementation Group is presently finalising objectives and targets for 2006-07 and I expect that these will play a significant part in ensuring that the principles of the strategy are increasingly brought into operation throughout Wales, and in all the areas relevant to youth offending.

14. Youth Link Wales

I have written to AMs to clarify the issues surrounding the ending of Section 64 funding to Youthlink Wales. This matter has been raised in Plenary, Committee and in correspondence.

For the record, I need to correct the assertion by Youthlink Wales that they were "specifically excluded" from a review carried out by the voluntary sector. This review was of treatment services. As a result, Youthlink which is concerned with prevention, fell outside the scope of the review. The Director of the

Department for Social Justice and Regeneration, Emyr Roberts, e-mailed Youthlink on 19 May to clarify the issue.

Youthlink, along with all the other organisations affected by the decision to discontinue Section 64 funding, were offered assistance to seek alternative funding from the outset. They have only recently taken up this offer despite being encouraged to do so on several occasions. I understand that they have now met with Community Safety Partnerships in North Wales and Gwent and have arranged to will be presenting to the South Wales forum on 25th August. They have not yet made contact with the team in Dyfed-Powys.

15. Reconfiguration of Gwent Probation Service

Jane Coates, Chief Officer for Gwent Probation Service, wrote to me on 25 May to inform me of their plans to re-organise their service provision to take account of current and projected workload demands and anticipated budget provision.

Currently they have ten main office sites across the service area, all owned by the National Probation Service, to whom the Gwent probation service pay rent. In addition, they have a number of satellite offices in Abergavenny, Chepstow and Ross-on-Wye which enable them to operate a flexible and local response to workload demand.

They propose to close their offices in Bargoed and Caerphilly and open a new purpose-built office in Caerphilly. Clients currently reporting at the Bargoed office will be asked to attend either the Blackwood office or the new Caerphilly office. They have identified that this will cause least disruption and is an arrangement which most closely matches the demographics of their current Rhymney Valley offender population. They anticipate this move will take place in September of this year.

Within a longer timescale they are considering transferring the work they currently undertake at their three sites in Newport and one site in Cwmbran to new build accommodation in Newport. However, this is unlikely to occur before December 2007.

Jane Coates assured me that the determination to make these moves had been based on careful and pragmatic decision making around the various options and analysis of the plans as they would affect the local communities and the offenders. They have taken care to ensure that neither of the two new sites is located within residential areas, and every regard has been paid throughout the planning process, to ensure that public protection issues are given a high priority.

16. Needle Exchange Services

I made a commitment during the debate on the review of substance misuse treatment services to update members on timescales on needle exchange services and the joint audit with England.

An initial draft of the audit is with officials. This will be presented to the Substance Misuse Treatment Framework Specialist Sub Group for Needle Exchange for their comments. The document will then be returned to the National Treatment Agency (NTA) for finalising. I expect to be able to present the final version to the Committee in September.

17. Review of Substance Misuse Policy for Part 1 – Treatment Services.

Protocol requires me to bring the written statement on substance misuse to Committee 2 months following the oral statement in Plenary. My statement was on the 14 June. A copy of the written statement is attached at Annex 4.

An update on progress against the review recommendations will be provided to the Committee in January 2007.

18. Responses to Follow Up Questions Posed at Oral Questions Following Q2 from Owen John Thomas AM (7 June)

At Oral Questions on the 7 June. I said I would find out more information in response to 3 supplementary questions following one from Owen John Thomas on drug rehabilitation initiatives in South Wales Central. This information is attached at Annex 5.

19. Review of Voluntary Sector Scheme

To date thirty two of the fifty nine recommendations made by the Independent Commission have been signed off by meetings of the Voluntary Sector Partnership Committee as ‘complete’. The current position regarding the remaining recommendations is set out in Annex 6.

Strategic Action Plan for the Voluntary Sector Scheme

One of the Independent Commission’s recommendations was for the Assembly Government to ‘develop and publish a new strategic action plan, setting out the next steps in implementing the Scheme’, in consultation with the sector through the VSPC.

In order to progress this work I have agreed to the part-time and fixed term appointment of Neil Caldwell, to co-ordinate the development of the new Action Plan. Dr Caldwell is a former Director of the Campaign for the Protection of Rural Wales, the Prince's Trust Cymru, and is also a trustee of several voluntary organisations. He has strong links right across the voluntary and community sector. His main tasks will be to:

conduct a wide ranging pre-consultation process, to gather ideas for the draft Plan. This will include arranging a ‘facilitated workshop’ for each ministerial portfolio. These workshops will involve senior officials, and a broad range of sector representatives working from the relevant fields;

produce a comprehensive draft Plan, suitable for public consultation;

produce a report summarising the consultation responses;

develop an amended Strategic Action Plan suitable for final submission to the VSPC, Ministers, and the National Assembly.

The aim is to go out to public consultation in December, and for the Plan to be launched in early Summer 2007.

20. Russell Commission

As reported in February, I have secured a sum of £1million for 2006/7, and the same amount for 2007/8 and 2008/9, to enable the Assembly Government to address the recommendations of the Russell Commission on youth volunteering.

The Assembly Government has recruited Judith Bevan, on a one-year extendable secondment from The Princes Trust, to co-ordinate the implementation of the Russell Commission programme in Wales. The secondment began on 2 May. At present she is:

meeting and consulting with key stakeholders;

developing an implementation structure, including a group to steer the initiative, and an advisory forum of young people;

devising a detailed budget and funding streams;

liaising with the Home Office and other devolved administrations, to share learning, and to advocate Welsh interests in the implementation of the non-devolved recommendations.

I have asked for the funding streams to give particular emphasis to reaching out to groups of young people who are under-represented in youth volunteering at present, and to initiatives that provide a 'stepping-stone' to volunteering and community involvement.

I will provide a further report to the Committee once the detailed arrangements have been finalised.

21. Draft Refugee Inclusion Strategy for Wales

The All Wales Refugee Policy Forum (AWRPF) established a steering group to advise on the development of a stand alone Refugee Inclusion Strategy for Wales. This draft strategy has been drawn

up in collaboration with agencies and organisations that work with refugees in Wales and with Welsh Assembly Government officials. A copy of the draft Strategy is at Annex 7.

The strategy encompasses issues such as advice and information; language, translation and interpretation; poverty and public attitudes. It also addresses specific subject areas including health and social care; education and lifelong learning; access to employment and housing. It sets out the initiatives that the Welsh Assembly Government has already undertaken and the extent to which refugees are already included in Welsh society.

Further to my oral update to Committee on the 8 June, I presented the Refugee Inclusion Strategy to Cabinet on the 19 June 2006. I will now be taking on board their comments and will then launch a formal consultation on the draft Strategy.

22. Draft voluntary Code of Practice on the Employment of Migrant Workers

The Migrant Workers sub group of the AWRPF took evidence from local authorities, the police and voluntary sector and recommended that a code of practice for employers be introduced. Its purpose would be to ensure the treatment of migrant workers is commensurate with local indigenous people and that employers are meeting the requirements of the Race Relations Act, the Health and Safety Act and good practice on the treatment of migrant workers. As a result, the sub-group has developed a draft code of practice for employers, detailing workers rights. I hope to launch a consultation on the (voluntary) Code of Practice shortly. This document is still a draft and we are waiting for input from the Business Partnership Council and other stakeholders so we can take this on board. A copy of the draft Code of Practice is at Annex 8.

23. Welcome Pack

A 'Welcome to Wales' pack will be available to all Migrant Workers, detailing how they can access services such as Health, Education, and Housing. The pack will also feature information on Employment rights, and community information. It is designed to be helpful to Migrant Workers and provide them with a flavour of Welsh society, its services and culture. The welcome pack has been designed, and is currently with organisations that work with migrant workers in Wales, for final comments. A copy of the latest draft is attached at Annex 9.

24. Winter Deaths

At SJR Committee on 15th March I agreed to report back on the statistical data relating to winter deaths after consulting with health colleagues. The latest available data (provisional figures relating to December 2004 to March 2005) show that there were around 1900 more deaths in Wales during this Winter period than the average number of deaths during the preceding Autumn (August 2004 to November 2004) and the following Summer (April 2005 to July 2005). This is the Office for National Statistics definition of 'Excess Winter Deaths'.

Across all ages the number of winter deaths was 18.6% higher than the average number of non-winter deaths. For the 0-64 age group the excess was 6.1%. For the 65-74 age group the excess was 16.1%. For the 75-84 age group it was 19.6% and for people aged 85 and over it was 25.6%.

For comparison, across all ages the number of winter deaths in England over the same period was slightly higher than the Wales figure at 19.6% higher than the average number of non-winter deaths. The English rate was above the Welsh rate for 0-64 year olds, slightly above for the 85+ age group and slightly below for 65-84 year olds.