

# Social Justice and Regeneration Committee

**SJR(2)-01-07(p1)**

**Date: Thursday 18 January 2007**

**Venue: The Senedd, Cardiff Bay**

**Title: Edwina Hart – Report To SJ&R Committee – 18 January 2006**

## **1. Update on Prescoed Prison**

At Committee on 21 September, I agreed to update members on issues relating to Prescoed Prison. After the escape of two convicted sex offenders from Prescoed on 28 July 2006, I wrote to Gerry Sutcliffe, Under-Secretary of State for Criminal Justice and Offender Management, asking for details surrounding the incident and for a review of the policy to house sex offenders at the open prison. In response, I was told there would be no formal review but that a full inquiry into the escape would be conducted. I responded expressing disappointment over the review but asked to be kept informed of the inquiry's progress. The inquiry has been completed and John May has provided me with details of the outcome.

### **Outcome of Inquiry**

John May's view is that as the abscond took place so soon after the prisoners arrived at Prescoed it may have been pre-planned. The inquiry also identified the fact that new arrivals to Prescoed inevitably feel isolated. This is because restrictions on eligibility for transfer to Prescoed, in particular, the need to have successfully completed the Sex Offender Treatment Programme and be within one year of a release date, or in the case of life-sentenced prisoners, to have the approval of the Parole Board for their transfer to an Open Prison, has meant few sex offenders have been transferred to Prescoed, and those that have been are all at the serious end of the spectrum.

To address this problem, John May considers one of his priorities will be to increase the total number of sex offenders, but to include more of those who commit less serious sex offences. This would mean that new arrivals would feel less isolated and therefore less likely to abscond. I have been advised that the maximum sex offenders to be held at any one time at HM Open Prison Prescoed is 40.

As a result of the inquiry the following lessons have also been learnt:

- Where the assessment at HMP Usk raises concerns about risk, their case should be referred back to the Parole Board;
- The assessment period at Usk should take explicit account of the risk of absconding (already implemented);
- A preliminary visit where practicable to HMP Prescoed would help those prisoners that have a

distorted view of an open prison;

- It was recognised that staff at Prescoed have not had as much time and opportunity to develop experience of working with sex offenders as their colleagues at Usk.

## **2. Preventative Measures for Substance Misuse**

At our meeting on 21 September 2006 members raised with me the issue of prevention and the work we are currently doing on psychological and psychosocial interventions. The question raised was whether there were plans to put resources into these kinds of treatments and in particular whether consideration was being given to introducing therapy before people develop a problem with alcohol or drugs.

My initial response was to agree that early intervention would be beneficial and I felt that professionals can identify at a very early stage whether somebody is in danger of going over that line into alcohol and drug abuse. I stated that, in the private sector, people are given counselling and company doctors have played a role in terms of preventative measures. However, this is not routinely done within the public sector, but I would ask officials to make some enquiries about anything that might be happening elsewhere and to report back.

Officials have received an interim report of work currently underway on Counselling Workforce Shortages in Substance Misuse. This report indicates that there appears to be confusion and different levels of understanding about the definitions of both counselling and advisory services. In addition, some service providers have historically offered counselling services but are not being directly commissioned to do so.

The report suggests that the extent of the need for counselling services is not known. Particular issues arose over how to make use of the Substance Misuse Treatment Framework (SMTF) commissioning module in managing and monitoring services.

I am expecting the final report on this work in February 2007 and will ask officials to work with the Substance Misuse Treatment Framework specialist sub group who produced the SMTF Psychological Therapies and Psychosocial Interventions module to provide me with advice on the findings of the report. The findings of this report will also inform the development of the new Welsh National Substance Misuse Strategy that will come into effect in 2008. The provision of counselling (psychological therapies and psychosocial interventions) will be addressed in this strategy.

## **3. Substance Misuse in Swansea**

At the last Committee meeting I agreed to find out if a pattern was emerging of an increased switch from smoking cannabis to heroin in the Swansea area. There is no indication or evidence to suggest that the police in Swansea are targeting cannabis misuse to such an extent that it is resulting in the increased usage of heroin amongst young people in the area. The majority of recent cannabis seizures in the city have been small amounts for personal use. Such possession usually results in a caution being administered to the offender.

The information that is available suggests that cannabis is in short supply. Coupled with this, is unconfirmed information that dealers may be deliberately holding back cannabis supplies in order to increase the sale of heroin which is much more addictive, and is therefore more likely to lead to repeat business and increased profits.

There is no doubt that heroin is in plentiful supply across the whole of South Wales. SWP continually target heroin dealers but the sheer profit margins mean that someone is always ready and willing to fill the places of the dealers who are removed from the streets.

Whilst the lack of availability of cannabis may be one contributory factor to the apparent increase in heroin usage, many other social issues influence and impact upon the current situation. The police in Swansea are fully committed to tackling all problems associated with substance misuse through intelligence led policing and through effective collaboration with their partners.

#### **4. Successful Domestic Abuse Projects Funded by Home Office**

At the last meeting I agreed to provide details of successful domestic abuse projects under Home Office funding. The Home Office recently announced ?300k revenue funding to support domestic abuse projects in Wales for the period 2 October 2006 – 31 March 2007. The following projects have been successful:

- Conwy/Denbighshire: Safer Home Project ?25,803
- Pan Gwent: Safer Relationships Project ?49,825
- Wrexham: Integrated Care Pathway Project ?40,000
- Women's Safety Unit Welsh Domestic Abuse ?49,468
- Co-ordinators: Gynaecology Project
- Carmarthenshire Domestic Abuse Forum: ?38,021
- Move to Change Project
- New Pathways: Swansea Sexual Assault ?70,000
- Referral Centre
- TOTAL: ?273,117

#### **5. Commissioning of an Evidenced-Based Risk Assessment Toolkit around Domestic Abuse and Inter-parental Conflict**

Cafcass Cymru is aware that Domestic Abuse and inter-parental conflict (where it is frequent, intense and poorly resolved) can have significant adverse effects on children. Furthermore, The Adoption and Children Act 2002, s120, has updated the definition of "harm" in The Children Act 1989 s.31(9) to include the "impairment suffered from seeing or hearing the ill-treatment of another." The effect of the update is to strengthen the case for significant harm through domestic violence, or the abuse of another in the household.

The lack of an effective evidence-base to the present Cafcass Cymru Domestic Abuse Toolkit means that practitioners are not in a position to fully assess the psychological and social risk to children of living in situations of inter-parental conflict. As such, this weakens the ability and confidence of

practitioners to intervene in such situations and to advise the Courts on appropriate remedies and possible ways forward.

Cafcass Cymru is intending to commission Dr Gordon Harold (Cardiff University), a leading expert in this area, to develop an evidenced-based risk assessment toolkit so that practitioners are able to consistently assess the psychological and social risk to children faced with domestic violence and inter-parental conflict. The advantages of such a tool include:

- It could be applied to all cases where domestic abuse is known to exist – providing the basis for much stronger child-centred assessments.
- It would allow practitioners to highlight areas of risk and to recommend appropriate interventions.
- It would provide the basis for much stronger child-centred assessments especially in private law cases i.e. children affected by divorce and separation.
- The tool would accord with one of the core objectives of the organisation i.e. to improve outcomes for children and young people.

As the first of its kind anywhere, it would provide for Cafcass Cymru as part of the Welsh Assembly Government to be at the cutting edge of this area of work both in the UK and internationally.

Based on robust research evidence Dr Harold will develop, pilot and evaluate a risk assessment toolkit within a Cafcass Cymru context over a 12 month period – to be completed by 31 January 2008. The resulting toolkit will be supported by a literature review together with training provision and guidelines for all Cafcass Cymru practitioners. Dr Harold will then be available for a further 12 months to offer on-going consultation and training around the practical application of the toolkit.

## **6. Cross Border Working / Review of Communities of Interest and Imaginative Proposals**

At Committee on the 19 October 2006, I agreed to look into the issue of cross border working between local authorities under the Communities First programme. I have had subsequent correspondence with Gwenda Thomas AM (who raised the issue at Committee) and decided to broaden the action to undertake a review of the ten Communities First Communities of Interest / Imaginative proposals.

I have asked my officials to start the review by looking at the workings of the Amman Valley Local Authority Cross Border Initiative. In doing this, my officials will take on board the findings of the review of the programme currently being undertaken by Neath Port Talbot County Council.

## **7. Diversity Breakdown of Communities First Partnerships**

At Committee on the 19 October 2006, I agreed to look at the diversity breakdown within Communities First Partnerships. In light of the findings of the interim evaluation of the programme, my officials are revising the format of the annual reports that have to be submitted by Communities First Partnerships. This will contain more accurate information on the diversity breakdown of

partnerships. The Committee will be provided with a further update once all the information is collated and analysed.

My officials are also undertaking work to ensure that Communities First Partnerships embrace diversity and that excluded groups are engaged in any work taken forward. Committee Members are aware that a review was undertaken to look at the support requirements of Communities First Partnerships. The report recognised that the support structure for Communities First Partnerships has been adequate during the early years of the programme; however, the clear evidence from the review was that this was now not the most effective or efficient way of providing support. Indeed, the overwhelming evidence from the report was that there should be a refocus in the way that support is provided in order to ensure that the support can be accessed by partnerships dependent on their needs.

My officials are currently in the process of developing options on how to take this work forward, which I will then consider. The options include looking at how future funding will be allocated and what activities should be supported to ensure that Communities First Partnerships continue to embrace diversity and address the needs of excluded groups.

## **8. Community Regeneration Figures in England**

At Committee on the 19 October, I agreed to check the figures on Community Regeneration in England, specifically those that can be compared to Communities First. Committee members should be aware that the Interim Evaluation of Communities First published in September 2006 does provide comparisons in approach between Communities First and similar programmes in England and Scotland, albeit not referring to the funding available. The report found that the evidence suggests that England has not achieved the level of community engagement that Communities First has already achieved.

Community capacity building, which is a key component of Communities First, tends to be included within the activities and outcomes of English regeneration programmes. The key programmes are the ?2bn ten-year New Deal for Communities programmes and the ?525m Neighbourhood Renewal Fund.

The Single Community Programme was specifically dedicated to community capacity building and was worth ?43m per year between 2001 and 2005. That funding has, however, been merged into the Safer and Stronger Communities block of Local Area Agreements, along with various other community building / crime fighting programmes which often tend to have a capacity building element.

The New Deal for Communities (NDC) programme is targeted at 39 of the poorest neighbourhoods of c. 4,000 households / 10,000 people. There is at least one in each region with a concentration in NW, NE, WM and London.

The Neighbourhood Renewal Fund (NRF) is targeted at the 88 most deprived local authorities and is spent at the discretion of LSPs under the five thematic areas of health, crime, education, employment and housing / liveability. In addition, the Single Community Programme was essentially a

complementary fund to the NRF - to ensure that communities had a say in how it was used - and was therefore allocated on the same basis to the 88.

## **9. Performance Indicators for Communities First Programme**

At Committee on the 19 October I agreed to discuss further with Committee members how Performance Indicators for the Communities First programme would work and how other PIs for Local Government and Enterprise and Innovation would be incorporated.

As a result of the conclusions of the Interim Evaluation of Communities First, the Communities First Unit and Research and Information Unit have developed an approach to monitoring of the programme in a way that will facilitate future national evaluations. Data will be collected from partnerships to provide an overview of each partnership's work, in relation to the overall objectives of Communities First. In order to do this, partnerships are asked to define their own SMART targets annually and to include information on achievements in relation to programme bending.

In combining the two approaches, partnerships are strongly encouraged to take account of the priorities of service providers and ensure that there is effective delivery across the whole scope of the vision framework. Partnerships will report (quarterly and, more especially, annually) on their key achievements in respect of each theme as well as identifying progress with programme bending in terms of improved links with service providers.

It will not be realistic for Communities First partnerships to become formally responsible for delivering local government performance indicators but they should be able to contribute substantially to the achievement of some of them, and much clearer targets will enable us to assess the extent to which this happening more consistently.

The fundamental nature of Communities First as a bottom-up programme means that it would be contradictory for partnerships to have strategic targets imposed on them, but we are now consistently emphasising that the Communities First infrastructure is available for any provider who wants to engage at a local level in the most deprived parts of Wales and where this opportunity is taken up there is surely greater scope for defining and then delivering objectives which are both local and strategic.

This is visible where the jobs and business element of the vision framework is concerned. Substantial effort has been made to link Communities First to the Community Economic Development framework for the new convergence funds. Current close working between the Communities First Unit and the Department for Enterprise Innovation and Networks to develop shared strategies for economic development demonstrates our recognition that the economic agenda is crucial for Communities First. Similarly my officials have increased links with the Making the Connections team in the wake of the Beecham report, especially their Public Engagement strand, which has identified Communities First as one of its three priority action areas.

## **10. Joined Up Working Within Communities First programme**

At Committee on the 19 October I agreed to update Committee members on the joined up working taking place within the Communities First programme across Wales and progress on the evaluation being undertaken by Rhondda Cynon Taf local authority.

The Programme for Community Regeneration based at the University of Glamorgan has been commissioned by Rhondda Cynon Taf County Borough Council to provide ongoing support for the monitoring and evaluation of Communities First delivery in the Unitary Authority area. This support has been provided over a 30 month period and is due to be completed in March 2007 when a final report will be produced.

The project has involved the design of an effective framework which permits Communities First Co-ordinators to deliver comprehensive data and information to feed into the wider monitoring and evaluation process. Within the framework there is an expectation that Communities First will impact on the key areas of the Community Vision Framework and begin to create changes in some of the headline indicators of disadvantage and poverty in the Communities First areas.

To date, 155 interviews have been completed and other data is still being collected. Half of the predicted 60 focus groups have been completed across the local authority area and the final report will be produced in March 2007. The report will pull together a large base of data to provide a baseline of information about Communities First areas at the local and county levels. The Programme for Regeneration has been sharing its good practice in evaluation of the Communities First programme with other local authorities and organisations.

The national Interim Evaluation of Communities First recognised the usefulness of this local evaluation framework and the Communities First Unit have used its lessons to influence revised monitoring systems for the programme in order that a large base of consistent and measurable data can be collected for further national evaluations of the programme.

## **11. Refugee Voice Wales**

I have agreed interim funding to Refugee Voice Wales of ?7,550 over the three-month period of January 2007 – March 2007 for a full-time Administrative Support Worker to promote the integration of Refugees and Asylum Seekers in Wales. In addition, I have agreed a long term core funding application from Refugee Voice Wales totalling ?493,106 over the years 2007-8, 2008-9 and 2009-10 in order to allow Refugee Voice Wales to continue to promote the integration of Refugees in Wales by enabling the collective voice of Refugee Community Organisations to influence policy, decision-making and the delivery of mainstream services.

I have also agreed additional bridging funding to the Welsh Refugee Council of ?36k for the period January – March 2007 for the posts of Inclusion Worker, a HR Capacity Support Officer and costs associated with the Wrexham Refugee Forum and Strategic Planning Training up until the end of this financial year at the Wrexham Office of the Welsh Refugee Council to promote the integration of Refugees and Asylum Seekers in Wales.

Refugee Voice Wales is an independent organisation whose aims are to:

- Create an umbrella for different Refugee Community Organisations (RCOs) to come together to share their experiences;
- Collectively raise issues with key policy makers and service providers;
- Campaign and advocate on issues that affect Refugees and Asylum Seekers;
- Work in partnership in order to build the capacity of RCOs.

The Welsh Refugee Council was founded in 1990 to provide support to Refugees living in Wales. The Organisation has grown steadily, generating a range of funding for work with Refugees and Asylum-Seekers throughout Wales as a whole.

## **12. Asylum and Immigration Appeals System.**

At Committee on 19 October, I agreed to keep members updated on issues surrounding the function of Asylum and Immigration Appeals System.

There is a very wide range of people passing through the Asylum & Immigration Appeals process, and though they will share some common experiences it will also be the case that certain classes of individual have particular experiences that others may not share.

### **Detention:**

The reduced time limits for detained individuals (e.g. 5 rather than 10 working days to submit a notice of appeal) is designed to improve the situation of detainees, by accelerating the process so as to avoid prolonging detention. However, the experience of detainees is often that they are seriously disadvantaged in seeking to obtain legal advice or representation within the timescales.

Foreign National Prisoners may remain detained under immigration laws but have their ‘immigration detention’ continue in the prison, in which their sentence has been served. Getting adequate time with a suitable representative is especially problematic for these individuals.

### **Children:**

There are increasing numbers of ‘Unaccompanied Children’ in the Asylum Process. Earlier this year, the Immigration Law Practitioners Association (ILPA) published a policy paper entitled: Child first, migrant second: Ensuring that every child matters. It is available at:

<http://www.ilpa.org.uk/>

Even where a child’s age is not disputed, the absence of an independent and specialist guardian appointed to protect the child’s interests means there remain substantial risks for children passing through a demanding and adversarial process – more so, where increased pressures on legal aid have further reduced the availability of expert representation.

Even where the child is not the subject of the appeal, the pressures on legal aid – coupled with



general difficulties in obtaining interpreting and translation services – result in children being asked to act as interpreter for their parent appellants. This is a significant burden on often very young children, even where the subject matter is not so harrowing and plainly inappropriate as a parent's account of past persecution or abusive domestic circumstances.

### **Gender guidelines:**

There remain serious concerns that gender guidance concerning the giving of evidence and forms of persecution is not uniformly understood or applied in the process. The old Immigration Appellate Authority adopted specific guidelines in 2000, but these have not been formally approved by the new Asylum & Immigration Tribunal (AIT).

### **Access to representation and legal aid:**

Access to appropriate legal representation has been a problem where, in some areas, there is a lack of specialist immigration advice.

Insufficient quality provision – coupled with language barriers, lack of familiarity with the legal system and basic social exclusion factors prevalent among black and minority ethnic communities – means that those passing through the appeals process may simply not know whether they are being well or poorly represented; and even where they identify representation as poor, are simply unable to do anything about it.

The Committee will be aware that substantial changes to legal aid provision are envisaged for 2007. ILPA (as others in the sector) remain concerned these changes may further reduce the availability of specialist and appropriate legal representation in immigration and asylum appeals because the better providers of legally aided representation and advice will no longer find this work financially viable.

In addition, The Legal Services Commission (LSC) contracts with law firms and not for profit organisations (suppliers) to deliver advice, assistance and representation to individuals. Only suppliers holding a contract with the LSC are eligible to provide legally aided advice.

The legal advice that may be provided in a publicly funded immigration and asylum case is split into 3 levels:

**Legal Help:** this covers the advice provided prior to the initial decision made by the Home Office. Legal Help can also cover some limited post appeal advice (to assist and advise on status granted or any further options if status is not granted).

**Controlled Legal Representative (CLR):** this covers the advice provided to assist with appeals to the Asylum and Immigration Tribunal (AIT), including any application to review a decision by the AIT

**Public Funding Certificates:** to cover advice on Judicial Review and application to the Court of Appeal.

## **Language Services**

The LSC funds interpreter and translation costs incurred by immigration legal providers on behalf of their clients at all stages of an application and appeal provided that they are reasonable.

The legal provider is responsible for procuring language services in the first instance: the LSC does not procure these services directly.

## **Accessing Legal Services**

The LSC is committed to ensuring that all eligible immigration and asylum applicants can access the legal services that they require within the necessary timescales. Information on how to access publicly funded legal advice is provided to asylum seekers throughout the application and appeal process.

Community Legal Service Direct is a universally accessible service that offers a signposting, referral and information.

The LSC operates direct rota or referral systems, either by way of established or pilot schemes, for clients who are subjected to processes that may make it particularly difficult for them to find a legal adviser in the normal way.

This includes advice surgeries for those in detention, duty rota arrangements for detained clients subject to fast-track processes, telephone advice for immigration clients in police stations and other short-term holding facilities and referral schemes for clients subject to the faster processes of the Home Office New Asylum Model in certain circumstances and in certain areas.

As part of the Carter reform programme, the LSC is proposing to introduce an advice and referral service for all clients at the Asylum Screening Unit. This will ensure that all individuals will receive legal advice prior and during the making of their asylum application and will be referred to an LSC contracted supplier in the area where they will be accommodated whilst their application is considered.

## **Supply**

The LSC is committed to maintaining a quality assured supplier base, remaining sufficient to meet need. On the whole, the LSC is confident that there are currently few gaps in supply. The LSC constantly monitors supply at a regional level, however, and where there has been any concern over a shortfall has always worked closely with the local supplier base to address this.

The LSC is aware that there are supply issues in Wales and are taking steps to address this position. This includes exploring the potential for current suppliers, both those that already have a presence in the Region and others, to increase their capacity.

The LSC with the assistance of the Welsh Refugee Council is also setting up a referral service in Cardiff to assist asylum seekers in finding appropriate publicly funded legal advice under the new NAM scheme in Wales.

### **13. Making Legal Rights a Reality in Wales**

In March 2006 the LSC launched its Community Legal Services Strategy 'Making Legal Rights a Reality'. The Strategy noted that further work would be needed to ensure that its implementation reflected the specific differences in Wales and committed to a subsequent Welsh Policy Paper. The Welsh Assembly Government, Legal Services Commission and Welsh Local Government Association have worked together to develop the Wales Paper.

I agreed that the Assembly Government would issue a joint consultation paper with the Legal Services Commission on the draft Wales Policy Paper. The bi-lingual consultation document was issued in early December 2006 with a closing date for responses of 2 March 2007.

I am keen to ensure that the views of all those working in and dependent upon the advice sector in Wales should have an opportunity to comment on the new proposals to commission and deliver advice services in the future. I am also keen to ensure that the CLS National Forum for Wales has an opportunity to comment on the links between the new arrangements and the Advice Services Strategy for Wales. I intend to hold a joint meeting with the WLGA and LSC in the New Year to discuss the future delivery of advice services in Wales and ensure that we all work together to secure the best arrangements for Wales.

### **14. Child Maintenance White Paper**

The Secretary of State for Work and Pensions presented the Child Maintenance White Paper to the House of Commons on 13 December 2006 with a consultation period ending on 13 March 2007. I know that members of this Committee have expressed concern in the past about some of the early proposals emanating from Sir David Henshaw's review of the child support system and those concerns were conveyed by my officials to the DWP at the time.

The Welsh Assembly Government is now considering the detail of the proposed reforms contained in the White Paper and I intend to write to my Ministerial colleagues at the DWP at the end of January with our composite response to the consultation. I will keep Committee fully informed and would be happy to circulate the Welsh Assembly Government's formal response in due course.

### **15. Update on Post Office Issues**

Announcement by DTI on the Future of the Post Office Network

The UK Government announced its intentions on its future funding of the post office network on 14 December. The UK Government will continue its ?150m subsidy (Social network Payment) given annually to support the rural network. The Statement by the Secretary of State for Trade and Industry also included positive information on the Post Office card account (see below).

The key elements of the Department of Trade and Industry's announcement are:

- The UK Government's annual subsidy of ?150m will continue.
- The POca will be renewed.
- There will be some 2,500 branch closures across the UK from the current network of 14,000.
- Closures will be on a planned basis following local consultation on proposals drawn up on the basis of access criteria set out in the consultation paper which accompanied the Secretary of State's announcement.
- There is scope for 500 new Outreach offices across the UK (mobile post offices, branches in community halls, pubs and libraries).

There will be consultation on the principles set out in the announcement until 8 March 2007. The process of drawing up and consulting on closure proposals will not start until early summer.

### **Post Office Card Account**

The current POca contract ends on March 2010. The Government has announced that it will continue with a new account after 2010. This will be available nationally and customers will be eligible for the account on the same basis as they are now. This contract will be tendered for, and Post Office Ltd (POL) has been advised to put in a strong bid. The Assembly Government lobbied hard for this outcome.

### **Pensions for Sub Post Masters**

Further to my commitment to report to Committee on pension arrangements for Sub post masters, I have been advised by Royal Mail that sub post masters do not hold pensions with POL as they are not employed by POL. All sub-postmasters are self employed and so responsible for arranging their own pension schemes.

### **16. Disadvantaged Groups Development Fund**

At the November meeting, I informed the Committee that following the public consultation on this proposed new fund I would be establishing a short life 'task and finish' group involving key stakeholders, to refine the proposals in the light of the responses received. The fund is aimed at building capacity in very small voluntary organisations that represent people from isolated and socially excluded sectors of society.

A group has been formed and will be holding its first meeting in early February.

### **17. Wales: The Active Community Initiative**

In August 2006, I asked the Wales Council for Voluntary Action (WCVA) to administer the 'Wales: The Active Community' initiative on the Assembly Government's behalf. The initiative aims to rebuild a sense of community throughout Wales by supporting projects to raise the profile of and

stimulate more volunteering.

The WCVA invited bids in September 2006 for three year funding from April 2007 onwards. It received 52 bids, requesting a total of ?4.123 million. Applications were assessed by a grant panel chaired by the WCVA and made up of representatives of the Voluntary Sector, Business and Local Government Partnership Councils.

The panel recommended supporting 26 projects, and to award grants valued at ?1 million in 2007-8.

## **18. Queen's Award for Voluntary Service**

The Queen's Award for Voluntary Service, originally known as The Queen's Golden Jubilee Award, aims to recognise the work of voluntary and community groups across the UK. In Wales a local selection panel, chaired by the Director of the SJ&R Department and reflecting various interests throughout the sector, judges the nominations and recommends the final winners to the Queen's Award Committee.

Nominations for 2005-06 have been received and will be sent shortly to the local selection panel, who will meet to judge them before the end of March – presentations to the winners will take place in June, at Buckingham Palace.

In addition, a review of the Award is currently being undertaken by Cabinet Office, looking at all aspects (resources, responsibilities, numbers of nominations, timing etc). The Welsh Assembly Government will be feeding into this review, both directly to Cabinet Office and in liaison with the other devolved administrations, during the early part of 2007. No date has yet been set for completion of the Review.

## **19. Update on HEES publicity arrangements**

During Committee on 23 November I said that I would ask my officials to consider how more effective publicity could be given to the Scheme to help raise public awareness, especially the role that referral partners could play such as Care and Repair.

Partnership is key to the delivery of HEES and the Scheme continues to work with local communities to communicate the benefits of the Scheme encouraging take up amongst the elderly, vulnerable, families, rural communities and black and minority ethnic groups. As a measure of the success of the Scheme during 2005-06, Eaga's call centre received over 40,000 calls from customers either seeking assistance or advice on energy efficiency measures.

The referral network established by Eaga partnership generates over 12% of the Scheme activities (some 1,000-1,400 eligible referrals per year). The organisation's that take part in the network are varied and access the Scheme by a number of various methods including leaflet distribution, access to the Scheme's internet portal, electronic referrals and the phone. Partnerships have been established across Wales with local authorities, the health sector (health visitors, Keep Well This Winter etc), Social Services, CABS; Age Concern Cymru, Care and Repair, Energy Efficiency Advice Centres,

RNIB, Age Alliance, Parkinson's Society, Pension Service Managers etc.

The 'Keep Well This Winter' initiative is an excellent example of how well the partnership arrangements work. During the 2005-06 campaign information on HEES was distributed to over 30,000 households across Wales.

Eaga have worked together with Assembly Members from all parties to introduce HEES Clinics across Wales. Local residents are invited to attend, giving them the opportunity to hear about the Scheme and talk individually with advisers to find out how they could benefit.

Building and developing local alliances and working in partnership to target the areas worst affected by fuel poverty continues to be the most effective method of reaching vulnerable and hard to reach communities.

However, for the future, the Scheme needs to continue to develop awareness of the benefits of the programme to encourage those who may be reticent about applying to the Scheme. A revised publicity approach is being developed to ensure that the changes to the Scheme, that I hope the National Assembly will approve early in 2007 such as free access to the Scheme for those 80 and over, are fully exploited to the benefit of the most vulnerable.

Details of the outline plan that will form the basis of the Scheme's publicity arrangements to be undertaken by Eaga during the early part of 2007 can be found at Annex A.

The main issues that my officials will be taking forward with Eaga are the necessity of encouraging applicants to approach the Scheme for assistance throughout the year and not just during the Winter months, along with the need to continue to focus the Scheme on the elderly to ensure that the extra ? 5m made available for 2007-08 by the Welsh Assembly Government is fully utilised. More generally the positive effect that a Benefit Entitlement Check can have in assisting the fuel poor by raising their household income will be a message that the Scheme continues to reinforce.

We must though recognise that even with the proposed increased publicity, the scheme will remain an application driven programme as we will not enter into a 'cold calling' regime which may unduly pressurise vulnerable people into partaking of the Scheme's undoubted benefits.

## **20. Fuel Poverty: Results from the Living in Wales Survey 2004 and Centre for Sustainable Energy Analysis of 1998 Survey Data**

At the last Committee meeting I agreed to report back on fuel poverty figures, taking into account the Welsh Assembly Government estimated figures and those from the report produced by the Centre for Sustainable Energy.

### **Living in Wales Survey**

As part of the Living in Wales survey 2004 a property survey was carried out. Further analysis of the Survey was carried out by the Building Research Establishment (BRE) to provide the fuel poverty

statistics. A full report of the fuel poverty analysis will be published early next year.

In this analysis BRE estimated the energy costs which households would have been paying at the time of survey, and calculated this as a percentage of their income. The sample was 'grossed up' to represent a figure for fuel poverty in all 1.209 million Welsh households.

A household is in fuel poverty if it spends more than 10% of its income on fuel use. The overall number of households in Wales in fuel poverty in 2004 was 130,000, which represented 11% of Welsh households.

## **Previous Estimate of Fuel Poverty**

Our previous estimate published in the Fuel Poverty Commitment for Wales was that in 1998 showing that 220,000 households were in fuel poverty. This estimate was based on the proxy of eligibility for the Welsh Assembly Government's Home Energy Efficiency Scheme being an indicator for fuel poverty. The interim review of HEES and a National Audit Office report on the Warm Front Scheme for England have both shown that this proxy is not in fact a good indicator for fuel poverty.

## **Further Analysis of 1998 Survey Data**

Further analysis of the 1998 Welsh House Condition Survey from which this proxy estimate was made, suggested that the figure may have been closer to 360,000, or 31% of Welsh households. This work was carried out by the Centre for Sustainable Energy and commissioned by the Welsh Assembly Government. A second phase of this research, planned to take place in 2007 will produce a local area fuel poverty indicator based on best available recent data from a number of sources including the 2004 Living in Wales Survey.

## **Changes in Fuel Prices**

We believe that the major contributor to the reduction in the number of fuel poor households in Wales since 1998 will have been energy prices, which fell considerably following the introduction of competition into energy markets.

However, since the time the 2004 survey took place energy companies have made large and well publicised increases to the prices of gas and electricity which they charge to their customers. Modelling to update these figures to 2005, to include the year since the property survey took place shows that, taking into account increases in incomes and fuel prices, approximately an additional 30,000 households may have fallen back into fuel poverty.

## **21. Actions to Reduce Health Risks Posed by Carbon Monoxide**

This report follows up the Oral Statement I made in Plenary on 22 November on Deaths as a result of carbon monoxide poisoning.

## **Background**

Recent tragedies caused by carbon monoxide poisoning reflect growing concern about the risk of carbon monoxide poisoning in the home. On average 50 people each year are killed in the UK from the build-up of dangerous levels of carbon monoxide due to faulty home heating appliances. Although up to date statistics for Wales are not available it is likely that the number of deaths in Wales is above the national average.

The most common cause of carbon monoxide poisoning is due to inadequate ventilation or poor maintenance of heating appliances in the home. Gas stoves, fires and boilers, gas powered water heaters, paraffin heaters, solid fuel powered stoves; boilers and room heaters are all potential sources. Carbon monoxide gas can be given off when an appliance is not working properly, if the flue is blocked or leaking or if the room is not sufficiently ventilated.

By law, landlords (social and private) are generally responsible for making sure that gas fittings and flues are maintained in good order, and gas appliances and flues are checked for safety once in a period of 12 months. They must also keep a record of the safety checks for at least two years and issue the latest certificate to existing tenants and any new tenants before they move in. Regular safety checks on heating installations are also a requirement of the Welsh Housing Quality Standard applicable to all social housing landlords in Wales.

Guidance on the Housing Health and Safety Rating System clearly states that Landlords in the private rented sector are responsible for the purposes of enforcement for the provision and proper working condition of gas, solid fuel and oil appliances

## **UK Wide Developments**

### **HSE Domestic Gas Safety Review**

New research in a review of domestic gas safety by HSE suggests that faulty gas appliances are still being used in many homes and that public awareness of CO poisoning risks is worryingly low.

The Welsh Assembly Government will be part of the UK wide Ministerial group reviewing Gas Safety and CO poisoning. Industry leaders have committed themselves to renewed action and progress will be reviewed through this group. A supporting officials group has already begun work.

The Welsh Assembly Government is represented on the Officials Group and is working with the HSE in that review to produce proposals that will put in place a modern, effective gas safety regime.

The view of the UK Government and the HSE is that the main responsibility to improve CO awareness should rest with the gas industry. Lord Hunt, the UK minister responsible, met senior figures from the industry in November and they gave a commitment to work with CORGI to improve CO awareness.

Welsh Assembly Government officials will be meeting with CORGI this month to support this work.



## **Wales Developments in Reducing CO Risk**

### **Home Fire Safety Risk Assessments**

At the Wales Fire and Rescue Services Advisory Committee (WFRSAC) Meeting 6 December, I asked the Fire and Rescue Service Chiefs to consider including carbon monoxide detectors as part of FRS Home Fire Safety Risk Checks. The three Welsh Fire and Rescue Authorities are looking to undertake around 47,500 Home Fire Safety Risk Assessments during 2006-07, targeted primarily at vulnerable householders.

### **Home Energy Efficiency Scheme (HEES):**

We have asked Eaga Partnership, who manages HEES, to consider the provision of Carbon Monoxide detectors and to give advice to vulnerable households that qualify for assistance under the scheme.

### **Social Housing, HMOs and Bed and Breakfast Accommodation**

I shall be considering what can be done to facilitate the installation of audible CO detectors in Social Housing, HMOs and Bed and Breakfast Accommodation, and will be discussing this with local authorities.

### **Publicity**

A communication to all doctors, dentists and pharmacists from the

Chief Medical Officer for Wales (CMO Update number 44) gives advice on the dangers and sources of carbon monoxide as well as advice diagnosis and clinical signs.

I will be raising the issue of a publicity campaign, through the UK Ministerial Group, to raise awareness of carbon monoxide poisoning, particularly focussing on vulnerable groups, such as the young, elderly, students, BMC and the homeless.

## **22. Vacant Dwellings**

At Committee on 19 October, I agreed to report back further on unfit homes and figures for empty homes.

### **Local Authority Data**

The latest published data for local authority vacant dwellings is shown in tables 1 and 2 of the release "Local Authority Housing Management and Performance 2005-06":

At 31 March 2006 there were 3,276 vacant local authority dwellings representing 2.1% of total stock. Of these 3,276 :

- 581 were available for letting (18%)
- 1,891 were were awaiting repair/improvement (58%)
- 63 were awaiting sale (2%)
- 296 were awaiting demolition (9%)
- 445 were vacant for other reasons (14%)

## **Registered Social Landlords (RSLs)**

The latest published data for RSL vacant units is shown in the release "Registered Social Landlords Performance Indicators 2005-06": <http://new.wales.gov.uk/topics/statistics/headlines/housing-2006/hdw200611081/?lang=en>

At 31 March 2006 there were 524 vacant RSL units (general needs and sheltered accommodation for the elderly) representing 1% of the total number of units in management. Of these 524:

- 468 were awaiting repair/improvement (89%)
- 34 were awaiting sale or demolition (6%)
- 22 were vacant for "Other" reasons (4%)

## **23. Local Authority Void Properties**

At Committee on the 23 November 2006 I agreed to investigate why some local authorities appear to have a high level of unoccupied social housing.

The following local authorities fall into this category:

- Carmarthenshire (3.2%)
- Blaenau Gwent (5.0%)
- Swansea (3.5%)
- Rhondda Cynon Taff (3.2%)
- Carmarthenshire (3.2%)

As at the 8 December 2006 the Council had 344 empty properties in its council housing stock of which 250 are currently major works voids. Such voids are excluded from the immediate re-letting process due to the extent of the work required.

### **Major voids falls into 4 categories:**

- Bed sit conversions- an investment programme is underway to convert hard-to-let OAP bed

- sits into self contained flats;
- Part of a proposed affordable housing site where negotiations are ongoing with a development partner which includes demolitions to leave cleared site for new build affordable housing for rent and sale;
- Estate redevelopment schemes- a significant proportion of which are management voids to facilitate ‘decants’ (temporary re-housing for tenants whose homes are undergoing significant works which are being used effectively; and
- Miscellaneous i.e those which require significant investment due to fire damage or major structural damage- these will be offered for sale to people on waiting list.

The Council reports that it is their intention to both repair and improve all viable major works voids so that they meet the Carmarthenshire Homes Standard (CHS) which is the local equivalent to the Welsh Housing Quality Standard (WHQS). A major works void programme has been agreed and costed (specific budget identified) and has been built into a 7 year programme to bring all 9,500 council homes up to the CHS.

However, some major works voids may not represent ‘value for money’ and the council is currently seeking political approval to agree to the re-modelling, sale or demolition of some void properties if this is determined to be the most cost effective course of action.

### **Voids requiring minor works**

- There are 108 outstanding minor work void properties. These are in the re letting process and awaiting either works or allocation.
- A minor repairs standard was introduced in September 2005 to ensure that the property meets the minimum fitness standard with all other repairs being carried out after the tenant has moved in. A positive outcome of which has been a steady improvement in the time taken to turnaround minor works voids.
- The Council has established a Housing Scrutiny Voids Task and Finish Group established to identify improvements in the way voids are managed and will report its findings and recommendations to the Council in March 2007.
- Blaenau Gwent (5%)
- Historically there has not been a vibrant housing market in the area, with property prices being one of the lowest in Wales. There has been low demand and high turnover in the social housing sector.
- Recently, however, house price rises in the areas has resulted in an increase in demand and properties earmarked for demolition being brought back into the potential lettable stock.

### **There are 154 voids falling into the following 3 categories:**

- Sheltered housing (59).
- General needs, re-lets needing major works in excess of ?5000 (47).
- General need re-lets with costs less than ?5000 (48).

Over a third of the void properties are in sheltered accommodation. The authority owns 11 sheltered

housing schemes, however it is difficult to let existing sheltered accommodation to the elderly population as the majority are bed sits. Indications are that the elderly do not find bed sit accommodation acceptable. The authority intends to develop a Sheltered Housing Strategy in response to the needs and aspirations of the elderly population.

## **Demolition of Properties**

Some properties, mainly from one estate are not fit for purpose i.e non traditional flats where refurbishment would be cost prohibitive. Council policy is not to remove tenants against their wishes and work is underway, in consultation with tenants to provide alternative accommodation. This has resulted in lengthening the demolition process but it is anticipated that this will be resolved in 2007.

## **General Need Void Properties**

A void property strategy will be undertaken with an increase in resources, and although there are pressures on the Housing Revenue Account (HRA) it is anticipated that the majority of void properties will be brought back as lettable units in 2007.

## **Swansea (3.5%)**

As at the 12 December 2006 the Council had 492 void properties out of its 13,871 council housing stock. This compares with 1,132 void properties in April 2002 demonstrating that considerable progress has been made.

Following a Best Value Review of the housing service in 2002/03 key recommendations were made in relation to void properties to streamline the process and ensure that properties met a minimum letting standard.

In addition, the Wales Audit office inspected the Estate Management Function in 2004 making a number of recommendations relating to voids. Substantial progress has been made in relation to implementing these recommendations. As a result a Void Reduction Action Plan has been developed and is currently being implemented. Key actions include:

- The establishment of a specialist voids team;
- Significant delays regarding gas and electric supplies have been addressed;
- A system of weekly prioritisation of voids is in place to ensure that the most popular voids are prepared for letting first; and
- A strategy for bringing long term voids back into use has successfully brought the figure down from 432 in March 2001 to 80 as at the end of December 2006.

Issues relating to voids remain a priority within the Directorate of Social Services and Housing within the authority.

The Council has resolved to ballot tenants on a transfer of its housing stock to a Registered Social Landlord (Tawe Housing). If transfer takes place, all viable cost effective vacant homes will be

refurbished to the Welsh Housing Quality Standard.

## **Rhondda Cynon Taff (3.2%)**

The Council does have a higher number of vacant properties than normal which they state is due to the high cost of refurbishment and lack of resources (in many cases in excess of ?10k is needed for refurbishment). The Council made the decision to hold these void properties pending the result of a stock transfer ballot.

Tenants recently voted in favour of stock transfer to RCT Homes. The vacant homes will be refurbished to the Welsh Housing Quality Standard as part of the new organisation's overall improvement programme- to commence in 2007.

## **Conclusion**

Although the local authorities identified within this report currently have high levels of voids there has been significant progress recently to reduce the numbers. I am confident that there are strategies in place to further reduce the level of voids and offer the properties to tenants at a standard fit to be lived in.

## **24. Homelessness Statistics**

I would like to bring to the attention of members, the statistical release on 'Homelessness in Wales, July to September 2006', published on 10 January 2007. The release presents summary information, collected via the quarterly statistical return, on local housing authorities' actions under homelessness legislation. The release includes information on households accepted as homeless, reasons for homelessness and households in temporary accommodation. The information presented covers the period July to September 2006, together with comparisons with figures for earlier quarters. An overview of results can be found below.

- The latest quarterly figures state that there were 1,741 households accepted as homeless by local authorities.
- The number of households accepted as homeless during July to September 2006 was 8 per cent lower than the previous quarter and 17 per cent lower than the same quarter a year earlier.
- The number of households accommodated temporarily at the end of September 2006 was 3,144. This was 2 per cent higher than the previous quarter but 17 per cent lower than the same quarter a year earlier.
- By the end of September 2006, there were 497 households in Bed and Breakfast accommodation, a fall of 33 per cent since the same quarter the previous year.
- Of those in Bed and Breakfast accommodation, 27 per cent were families with children.

## **25. Right to Buy Sales**

The latest statistical release on local authority Right to Buy Sales was published recently. It covers the quarter July to September 2006 and includes information dating back to the introduction of the

Right to Buy in 1980. Key results for the quarter show:

- There were 1,168 Right to Buy (RTB) claims during the July to September quarter 2006. An increase of 5 from the previous quarter, and 25 more than the same quarter the previous year.
- There were 278 completed RTB sales during the July to September quarter 2006. This was 40 less than the previous quarter and 162 less than the same period the previous year.
- Whilst there has been a small increase since the last quarter, overall the number of applications outstanding has decreased. There were 2,752 RTB applications outstanding at end September 2006 compared with 3,017 applications that were outstanding a year earlier and 5,061 at the end of September 2004.

## **26. Redistribution of Supporting People Funding**

In September 2006, I informed Committee that my officials would meet with officials from the WLGA to discuss the future distribution of Supporting People funding.

Officials from the Welsh Assembly Government and WLGA group have met on two occasions. Both parties recognise that there are significant hurdles that will need to be overcome, these include:-

- Maintaining the stability of existing services and therefore the need to consider phasing of any changes.
- That Supporting People Grant (SPG) and Supporting People Revenue Grant (SPRG) are not discrete. Many local authorities have crossed the streams and the proportions of the two funding streams differ significantly between authorities. The group agreed the need to develop a formula for distribution which can take into account the implications for the whole budget.
- That any formula for redistribution of Supporting People must reflect those things which are indicators of need for supported housing which may not be included in existing formula.

As part of an information gathering exercise, officials are organising a video conference with colleagues from the Scottish Executive to consider their approach to redistribution, have met with colleagues from the Department of Communities and Local Government to consider the English approach to redistribution and are considering the elements which could be used in a Welsh formula.

At the next meeting the group will consider a draft timetable for the development of a formula.