



Leicester
City Council

**MEETING OF THE NEIGHBOURHOOD SERVICES AND COMMUNITY
INVOLVEMENT SCRUTINY COMMISSION**

DATE: THURSDAY, 7 JANUARY 2016

TIME: 5:30 pm

**PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles
Street, Leicester, LE1 1FZ**

Members of the Commission

Councillor Dawood (Chair)

Councillor Gugnani (Vice-Chair)

Councillors Corral, Cutkelvin, Halford, Hunter and Khote

1 unallocated non-grouped place

Members of the Commission are invited to attend the above meeting to
consider the items of business listed overleaf.

Elaine Baker

For Monitoring Officer

Officer contacts:

Jerry Connolly (Scrutiny Policy Officer)

Elaine Baker (Democratic Support Officer),

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Further information

If you have any queries about any of the above or the business to be discussed, please contact:

Elaine Baker, Democratic Support Officer on 0116 454 6355.

Alternatively, email elaine.baker@leicester.gov.uk, or call in at City Hall.

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PUBLIC SESSION

AGENDA

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. MINUTES OF THE PREVIOUS MEETING

Appendix A

The Minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held on 17 November 2015 are attached and Members are asked to confirm them as a correct record.

4. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING

To note progress on actions agreed at the previous meeting and not reported elsewhere on the agenda (if any).

5. PETITIONS

The Monitoring Officer to report on the receipt of any petitions received

6. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations or statements of case received

7. TASK GROUP REVIEW OF WARD COMMUNITY MEETINGS

The Assistant City Mayor (Neighbourhood Services) will update the Commission on progress with the task group review of Ward Community Meetings.

8. EMERGENCY FOOD USE DRAFT ACTION PLAN [Appendix B](#)

The Director of Finance submits the draft Emergency Food Use Action Plan. The Commission is recommended to note the Plan and direct any comments and observations on it to the Director of Finance.

9. REPORT OF THE SOCIAL WELFARE PARTNERSHIP TO THE ASSISTANT CITY MAYOR RESPONSIBLE FOR ADVICE AND WELFARE REFORM [Appendix C](#)

The Social Welfare Advice Partnership has prepared a report providing information about the advice sector and risks that could threaten advice provision in the city. The Commission is recommended to note the report and direct any comments or observations to the Social Welfare Advice Partnership.

10. TASK GROUP REVIEW OF THE IMPACT OF BETTING SHOPS ON LOCAL COMMUNITIES WITHIN LEICESTER

The Task Group Chair will give a verbal update on progress with the review of the impact of betting shops on local communities within Leicester.

11. WORK PROGRAMME [Appendix D](#)

The current work programme for the Commission is attached. The Commission is asked to consider this and make comments and/or amendments as it considers necessary.

12. ANY OTHER URGENT BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the
NEIGHBOURHOOD SERVICES AND COMMUNITY INVOLVEMENT SCRUTINY
COMMISSION

Held: TUESDAY, 17 NOVEMBER 2015 at 5:30 pm

P R E S E N T :

Councillor Dawood (Chair)
Councillor Gugnani (Vice-Chair)

Councillor Cutkelvin
Councillor Halford
Councillor Khote

In Attendance:

Councillor Master, Assistant City Mayor - Neighbourhood Services
Councillor Sood, Assistant City Mayor - Communities & Equalities

* * * * *

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Corrall and Hunter.

28. DECLARATIONS OF INTEREST

Councillor Gugnani declared an Other Disclosable Interest in agenda item, 7, "Working with the City's Voluntary and Community Sector to Support Engagement with Communities", in that he was Secretary of the Leicester Council of Faiths.

Although not a member of the Commission, Councillor Sood, Assistant City Mayor (Communities and Equalities), declared an Other Disclosable Interest in agenda item, 7, "Working with the City's Voluntary and Community Sector to Support Engagement with Communities", in that she was Chair of the Leicester Council of Faiths.

In accordance with the Council's Code of Conduct, these interests were not considered so significant that they were likely to prejudice the Councillors'

judgement of the public interest. They were not, therefore, required to withdraw from the meeting.

29. MINUTES OF THE PREVIOUS MEETING

The Commission noted that, further to minute 18, "Progress on Actions Agreed at the Previous Meeting: Call-In of City Mayor Decisions – Highfields Community Association", three of the staff affected by the loss of preschool provision had requested voluntary redundancy. This had been accepted. The fourth member of staff had chosen to stay with the service and had been transferred to a vacancy in another setting.

AGREED:

That the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held on 1 October 2015 be confirmed as a correct record.

30. PETITIONS

The Monitoring Officer reported that no petitions had been received.

31. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that no questions, representations or statements of case had been received.

32. USING BUILDINGS BETTER PROGRAMME AND UPDATE ON NEXT PHASE OF CUSTOMER FACING BUILDINGS TRANSFORMATION IN NORTH WEST LEICESTER

The Director for Delivery, Communications and Political Governance presented information on the Using Buildings Better programme and an update on the next phase of customer-facing buildings transformation in north-west Leicester.

The Commission noted that:-

- The vision of the Using Buildings Better programme was to rationalise Council-owned premises, so that there were fewer buildings, but of a higher quality than at present;
- That the Transforming Neighbourhood Services programme was now part of the wider Using Buildings Better programme;
- Ward Members and residents were being consulted to identify factors such as the most important services to them and where they travelled to. Service need would then be considered to determine what access to buildings people needed before assessments were made of whether better use could be made of individual buildings;

- Opportunities would be taken where possible to co-locate with partner agencies, such as the Police;
- The same team as had undertaken phase 1 of the Transforming Neighbourhood Services programme in 2014 would be undertaking this next phase, except that consultation with young people would be undertaken by Children's Services;
- Additional focus group sessions had been arranged in the North West of the city for the latest consultation on youth centre provision, due to the high level of interest in the proposals for these programmes;
- Monthly meetings would be held with trades unions representing staff to discuss progress with the programmes;
- A list of depots, stores and workshops could be circulated, giving the addresses of these buildings, so that the buildings could be identified accurately;
- Some wards did not have many buildings that could be used for customer-facing services. This needed to be taken in to account when considering how services could be accommodated;
- Use of a service could be mapped across the city. For example, people often moved across the city to access libraries or other large facilities;
- The accessibility of buildings for users of public transport was very important;
- The Council was still learning the best approach to be taken when a community group took over the management of a building. However, time would be given for officers to engage with such organisations, to help them understand what they were taking on;
- The Locality organisation would provide advice to community groups considering taking over the management of buildings. For example, workshops had been run explaining others' experience of asset transfers to community groups, including the advantages and disadvantages. Locality also could provide one-to-one support;
- As some parts of the city did not have many Council buildings that could be used by customers, if groups representing communities could be identified and worked with to get engagement in the consultation, it could be possible to identify other buildings that could be used. However, this was not a core focus of the review;
- These reviews did not include examining the commissioning of community services, (for example, youth services), but focussed on the best way to enable people to access those services;

- It was anticipated that some buildings being reviewed would have land associated with them. The best use to be made of each would be considered on a building by building basis. It was too early in the process to be able to give an indication of timescales for this;
- Any capital receipts from the sale of assets would be used towards the Council's capital programme;
- The costs of undertaking the review were still being identified. It would be possible to have a better idea of what these were when more information was available on what work needed to be done; and
- It was possible that some people could be recruited to fixed-term roles, such as project manager, but the use of consultants would be limited to areas of work where skills needed could not be found through existing staff.

The Commission noted the proposals, but felt that there was confusion in renaming Transforming Neighbourhood Services as Customer Facing Buildings and requested that consideration be given to the terminology used.

Members observed that non-schools based staff would be impacted by the programme through possible changes to the way in which they worked. For example, offices could become open-plan; work stations could be established, rather than staff having personal desks; or increased use made of flexible working arrangements. However, as the programme was just starting, it was not possible to say exactly how, or how many, staff would be affected. The Commission would be advised of this when the information was available.

It was suggested that school should be included in the review, as some could have space that community groups could use. In reply, the Director of Culture and Neighbourhood Services advised Members that schools were not included. However, the possibility of seeking to use space in them could be considered during the review.

Members also questioned whether the focus on strategic operational buildings meant that the Overview Select Committee should be responsible for the scrutiny of this review.

AGREED:

- 1) That the need to undertake the Using Buildings Better programme be noted and the broad objectives of the programme supported;
- 2) That the Director for Delivery, Communications and Political Governance be asked to:-
 - a) circulate a list of a list of depots, stores and workshops, giving the addresses of these buildings and the service they were used by;

- b) engage head teachers in the consultation on the Using Buildings Better programme, in order to identify the potential for use of school buildings by the community;
- c) ensure that the Overview Select Committee is updated and clarify which aspects of the Using Buildings Better programme are to be scrutinised by this Commission and which should be scrutinised by the Overview Select Committee;
- d) submit a six-month progress report on the Using Buildings Better programme to this Commission;
- e) ensure that Ward Members, local communities and local community groups are kept informed of progress with the Using Buildings Better programme and the Transforming Neighbourhood Services project in North West Leicester;
- f) ensure that the needs of vulnerable service users are taken in to account during these reviews; and
- g) submit a report on the outcome of the Transforming Neighbourhood Services project in North West Leicester as soon as it is ready.

33. WORKING WITH THE CITY'S VOLUNTARY AND COMMUNITY SECTOR TO SUPPORT ENGAGEMENT WITH COMMUNITIES

The Commission was reminded that the City Mayor had taken a decision on 4 November 2015 on working with the city's Voluntary and Community Sector to support engagement with communities.

It was noted that this decision was based on the results of consultation carried out across the city with stakeholders representing those with protected characteristics as set out in the Equality Act 2010. Details of this were set out in the report.

Many community and voluntary organisations had been supported by the Council in their work with specific groups or communities for many years. However, it had become apparent that a lot of groups representing newer communities were doing good work, but with no Council support.

Of the people responding to the consultation, many had indicated that they preferred not to work through representative organisations and wanted a different approach to be taken. The decision therefore had been taken to establish a new fund to support activities and projects, which it was hoped would be of benefit to a wider range of communities. In addition, some funding for contracted provision of advice and guidance services still would be provided, through The Race Equality Council and the Somali Development Service.

Councillor Sood, Assistant City Mayor (Communities and Equalities), addressed the Commission at the invitation of the Chair, reminding Members of her declaration of interest in this item. She noted that community organisations had established a lot of respect from the community due to their hard work and this should not be lost. The organisations had engaged with a lot of partners, often with no funding from the Council, leading to Leicester being recognised as an excellent example of a city with multi-cultural and diverse communities.

Councillor Sood noted that many organisations were upset by the Council's decision. Change was always a challenge, so care should be taken to ensure that the work and experience of these organisations was not lost. Not all organisations were good at completing tender documents, so officer support was needed, (for example, there was still a large proportion of the city's population that did not access technology and this needed to be taken in to account).

The following points were then made by Members:-

- Although many communities were mentioned, there was no mention of women;
- An indication was needed of what services were delivered by the organisations that would no longer receive funding;
- Would this jeopardise people in need?;
- A lot of people arriving in the city did not speak English, particularly women. How would they be helped?; and
- When community groups supported financially by the council had surpluses at the end of a financial year, was this surplus "clawed back"?

In reply, the Director for Delivery, Communications and Political Governance stressed that this review was an assessment of what needed to be provided in the future, not a judgement on past performance. It was recognised that it was very important that what was put in place was very accessible, so the consultation undertaken had included an examination of barriers to accessing services.

Consideration also had been given to what sort of support it was reasonable to provide in the future. Under the previous contracts, organisations had had a representative role, the impact of which was hard to measure. It was important that outcomes could be measured, particularly now that the Council was not in a position to maintain previous levels of funding.

Expected outcomes in relation to the use of the new fund in the future would be monitored, to ensure that the funding provided was being spent on achieving these. This could lead to further funding being withheld if there was concern that resources were not being focussed on achieving expected outcomes.

The Voluntary and Community Sector Engagement Manager further explained that many organisations previously had had multiple sources of financial support. It therefore had not been possible to assess what proportion of any surplus funds had been derived from the Council. For this reason, it had not been possible to “claw back” unspent funding.

In addition, the way that funding previously had been provided had meant that some organisations had been unable to access financial support. The way the new fund would operate would enable a wider range of organisations, such as women’s centres, to apply for assistance.

The Director for Delivery, Communications and Political Governance confirmed that the new fund was not live yet. A short consultation on how it would operate would be undertaken, starting shortly and probably concluding in early 2016, before the fund was launched.

Members expressed concern that a lot of knowledge and goodwill could be lost through the new funding arrangements and an unintentional outcome could be that communities were set in opposition to each other. The Director for Delivery, Communications and Political Governance reminded the Commission that previously funded organisations were not precluded from applying for funding under the new system. In addition, other funding mechanisms also were available to these organisations. The organisations had known for some time that this review was being undertaken and that they could not rely on receiving core funding from the Council indefinitely.

The Commission suggested that Voluntary Action LeicesterShire could become more engaged in community development work. This could include, for example, a requirement in its contract with the Council that representatives attended Ward Community Meetings.

AGREED:

- 1) That the Director for Delivery, Communications and Political Governance be asked to submit details of the consultation on the operation of the Voluntary and Community Sector Engagement Support Fund to the next meeting of this Commission, this report to include any outcomes from the consultation received before the Commission’s meeting;
- 2) That the Director for Delivery, Communications and Political Governance be asked to circulate the consultation documents on the operation of the Voluntary and Community Sector Engagement Support Fund to all members of this Commission in advance of the report referred to under 1) above; and
- 3) That the City Mayor be asked to note the Commission’s concerns about the potential loss of experience and skills as a result of the new Voluntary and Community Sector funding arrangements.

34. THE IMPACT OF BETTING SHOPS ON LOCAL COMMUNITIES WITHIN LEICESTER

The Chair reported that it was proposed to establish a Task Group to consider the impact of betting shops on local communities within Leicester. He explained that this followed concern that betting shops were opening in areas where people were vulnerable, (for example, due to low incomes).

Members noted that Councillor Waddington, Assistant City Mayor (Jobs and Skills), had welcomed this proposal and had suggested that outcomes from it could contribute to local area profiles. Outcomes also would be used to put recommendations forward to the Executive and possibly to the government.

It also was noted that the Deputy City Mayor had asked to be kept informed of progress with this review.

The Chair suggested that the review should be led by the Vice-Chair of this Commission. A Task Group would be established, which would hold meetings at City Hall and make visits within the community. These visits were likely to be made during the day. Witnesses would include the Police, betting shops and associated businesses.

Members were advised that Dr Heather Wardle, from Geofutures, had done some work on the impact of gambling on communities. She would be providing an informal briefing on this at City Hall on Friday 20 November 2015. Members of the Commission were invited to attend.

Comments on the Scoping Document that had been circulated with the agenda were welcome.

AGREED:

- 1) That a review of the impact of betting shops on local communities in Leicester be undertaken as set out in the Scoping Document circulated with the agenda, this review to be led by Councillor Gugnani;
- 2) That all members of the Commission advise the Scrutiny Policy Officer as soon as possible if they would like to take part in the Task Group referred to under 1) above;
- 3) That any comments on the Scoping Document for the review referred to under 1) above be passed to the Scrutiny Policy Officer as soon as possible; and
- 4) That the Scrutiny Policy Officer be asked to contact Members who express an interest in this Task Group to arrange meetings of the Task Group.

35. WORK PROGRAMME

AGREED:

That the Commission's Work Programme be received and noted.

36. ANY OTHER URGENT BUSINESS

Industrial Action by City Taxi Drivers

A Member requested that a discussion be held on the proposed industrial action by the City's taxi drivers, but as this was not considered to be an urgent matter, in accordance with Procedure Rule 14 of Part 4E of the Council's Constitution the Chair declined this request.

37. CLOSE OF MEETING

The meeting closed at 7.23 pm

Emergency Food Use Draft Action Plan – October 2015

Objective	Task	Lead	Start Date	Progress
Emergency Food Strategy in place	Develop an emergency food strategy with a clear action plan and monitoring and evaluation framework, linked to the Food Plan objectives and the Community Support Grant policy objectives	Marie Galton / Sue Holden / Kathryn Ellis	Dec 2015	Discretionary funding review goes to Executive 28 th October 2015. Dependent on outcome, work will be initiated around the EFS for 16/17
	Evaluate the impact of emergency food provision as part of the annual monitoring	Kathryn Ellis / Marie Galton	May 2016	Evaluation begins with survey in May 2016 to inform the NS&CIC July meeting
Understanding of the demand / supply of emergency food	Monitor the citywide demand for emergency food, including the potential impact of further welfare reforms	Kathryn Ellis / Tim Adkin	Ongoing	Monthly LCL (or provider) meetings monitor the FNSG
	Continue to map emergency food provision including food banks, breakfast/lunch clubs to include weekends and school holiday periods and identify gaps in provision and suggest projects / pilots as a result of the findings	FNSG / Kathryn Ellis / Tim Adkin	Ongoing	Monthly LCL (or provider) meetings monitor the FNSG
	Map hot emergency food provision across the city	James Rattenberry	Dec 2015	
	Continue to conduct annual quantitative and qualitative surveys into emergency food provision and demand	Kathryn Ellis / James Rattenberry	July 2016	Evaluation begins with survey in May 2016 to inform the NS&CIC July meeting
	Collate and monitor monthly returns, from the CSG team with input from Leicester Charity Link	Kathryn Ellis / Nilkesh Patel / Tim Adkin	Dec 2015 and ongoing	Monthly ongoing
	Provide information on providers / location of emergency food to food banks / local agencies	FNSG / All	Ongoing	Quarterly and ongoing
The Food Network Support Group (FNSG)	Continue to support the development of partnership and collaborative working, inter-scheme sharing and redistribution of surplus food	Tim Adkin/FNSG	Ongoing	Procurement April 2016
	Develop terms of reference in partnership with the group and work programme	Kathryn Ellis/ Marie Galton/ FNSG/Sue Holden	Jan 2016	

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Objective	Task	Lead	When	Progress
	Develop quarterly monitoring and evaluation framework	Tim Adkin / Sue Holden	Feb 2016	
	Develop objectives for the LCL/CSG procured project coordinator in relation to the FNSG	Kathryn Ellis	Dec 2015	Specification complete pending Discretionary Review Executive meeting. Procurement April 2016
	Develop a training programme to enable providers to understand the client group and their specific needs, to problem notice, make referrals, signpost to other agencies (advice and support available), explaining universal credit and how to claim, consultation techniques, data collection and submission	Kathryn Ellis	Jan 2016	Reviewing contract variation with Legal in light of UC implementation 25 th January 2016
The Food Network Support Group	Support the group to develop, implement and monitor a common referral scheme between providers and referral agencies	Tim Adkin / Kathryn Ellis	Jan 2016	
	Develop the key learning from 2015 survey on cooking skills and facilities to implement projects to support sustainable food and fuel in the city	FNSG / Sue Holden / Marie Galton / Kathryn Ellis	April 2016	Development of problem notice work around sanctions and crisis support for utilities
	Continue to build links between the FNSG and organisations such as Citizen's Advice, Public Health and Regulatory Services	Kathryn Ellis	Ongoing	
	Identify FNSG emergency food needs and develop solutions in response	FNSG / Kathryn Ellis	Jan 2016	
	Develop an exit strategy to oversee the gradual move from food banks to more sustainable options	FNSG / Kathryn Ellis	Nov 2015 /ongoing	
Understanding of additional services linked to emergency food providers	Continue to map additional services linked to emergency food provision such as advice, signposting and form filling	Kathryn Ellis / Tim Adkin / FNSG / CA	Ongoing	
	Identify skills needed to provide these additional services	Kathryn Ellis / CA	Feb 2016	
	Undertake skills analysis of staff / volunteers providing additional services and look at opportunities for moving volunteers into work (where applicable)	FNSG Food Bank Coordinators	Mar 2016	
	Develop and deliver communication programme to raise awareness of advice, support and emergency food available across the city in partnership with the FNSG, CA, Advice Leicester Partnership	Kathryn Ellis / Tim Adkin / FNSG / CA / ALP	Jan 2016	

**Coordinating and
expanding
provision**

Develop proposals to extend the current provision to include weekends, bank holidays and school holidays, including gateways and referral processes	Kathryn Ellis	May 2016	Survey to be developed for May 2016
Implement the 'What should be in the bag' scheme to supply a healthy selection of food in the bag, contents will be monitored	Kathryn Ellis / Marie Galton / Sue Beasley	April 2016	

Leicester Advice Sector

A Report outlining the risks and demands faced in the City

July 2015



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1. Report introduction:

This is the first report of the Social Welfare Advice Partnership (SWAP) to the Assistant City Mayor responsible for Advice and Welfare Reform at Leicester City Council. The aim is to provide information about the advice sector and the risks that could threaten advice provision in the city. The Advice sector in the City has worked collaboratively since 2010 and met on a monthly basis to discuss and debate new reforms and issues in the city. The value of having a lot of people in the same room who are 'close to the ground' is that they can provide an invaluable 'reality check' on strategy and assist with implementation plans.

The principles of the partnership:

- Share information about advice provision issues in the city and expected future changes and issues relating to social welfare advice provision and its objectives
- Share best practice in providing advice services and solutions
- Collaborate in providing solutions to advice need and provision in Leicester through effective and supportive joint working between organisations
- Raise issues, identify risks and make suggestions to decision makers to inform the implementation of the Social Welfare Advice Strategy 2014-17 and the provision of advice services and projects in the city
- Raise awareness of advice issues in the city and the work of SWAP.

2. Report from Welfare Rights Service

The Impact of disability benefit changes

2.1 Employment Support Allowance (ESA)

From April 2015 Maximus have taken over the contract for medicals and promises to reassess at least 1 million claimants nationally this year by employing additional health professionals. This means approximately 16,000 people on ESA in Leicester could be reassessed. This will lead to a number of people losing benefit and needing to challenge the decision where it is incorrect. This is important because from April 2015 if they do not challenge the decision when they are assessed as 'fit to work' they will not be able to make a future claim for ESA unless they can provide medical evidence that their condition has deteriorated or they get a new condition.

2.2 Personal Independence Payment (PIP)

From July 2015 to 2018 reassessments have started on existing Disability Living Allowance claimants, to see if they are entitled to the new Personal Independence Payment. There are approximately 10,000 existing working age DLA claimants in Leicester to be reassessed. It is anticipated by the government that around 20% will

lose all their benefit due to the tougher rules, especially on mobility. This means approximately 2,500 disabled city residents will lose substantial benefit income and will want to challenge their decision.

2.3 New rules for European Nationals

From February 2015 all existing European nationals who receive income based Jobseekers Allowance (ibJSA) are subject to the new The Genuine Prospect of Work (GPOW) test. If they do not have compelling evidence such as an offer of employment their Jobseekers Allowance will stop and this will trigger Housing Benefit to stop, leaving them without disposable income and facing eviction UNLESS they have an alternative or permanent right to reside (for example worker status or dependent family member). The onus will be on individuals to provide evidence of any alternative right to reside which may be difficult if they do not know what they are. It is IMPORTANT that they seek advice as the alternative routes are complex. (Not sure this is clear)

Check the factsheet on www.leicester.gov.uk/welfarerights for more information or email welfare.rights@leicester.gov.uk for advice on an individual case.

2.4 Welfare Rights Service Sanction Case Study

Claimants are often sanctioned incorrectly when they are taking at least 2 steps or more each week to find work.

Case Study

Mr W approached the Welfare Rights Service because he had nil income due to a three year sanction on his Jobseekers Allowance. In fact he had 6 separate sanctions spanning over an 11 month period for not 'actively seeking work'. None of the sanctions had been challenged or appealed despite the fact that sanctions are often applied incorrectly. Welfare Rights Service submitted late appeals for each of the sanctions and these were accepted. All the appeals were heard at the same time and all six appeals succeeded because the judge accepted Mr W had been taking at least '2 steps each week and often considerably more to actively seek work'. Mr W was finally paid £3764.80 Jobseekers arrears and his Jobseekers Allowance reinstatement prevented loss of an additional £7529.60 for the remaining period of the sanction.

2.5 Welfare Benefits Sanctions Monitoring Project

Members of the SWAP Forum have been monitoring the impact of the DWP's sanctions regime over the past 2 years. We have devised a standard monitoring form which is completed by advisers and collated by the Community Advice and Law Service, with reports being presented to the SWAP forum on a quarterly basis. Our data shows that:

- 75% of sanctions relate to claims for Jobseeker's Allowance and 23% for Employment and Support Allowance
- In 30% of cases, the loss of income to the person sanctioned is more than £500
- In 22% of cases, the person sanctioned has dependent children
- 33% of those sanctioned have a mental or physical disability or a learning disability
- Only 50% of those sanctioned stated that they were advised by the DWP that they could apply for a hardship payment.

From the information we have been able to gather, it seems clear that the sanctions regime is having a detrimental impact on the families of those affected, including children and other dependents, driving them deeper into poverty and debt and jeopardising their ability to retain accommodation. For example, 71% of claimants sanctioned said that they could no longer meet essential costs such as housing, food and heating and 65% had been referred to a food bank as a direct consequence of the sanction. Case studies for individuals who have experienced a sanction are included at the end of this report.

2.6 Appeals Monitoring Project

The changes to the legal aid system, effective from April 2013, have removed welfare benefits work from the scope of public funding. This has reduced the supply of specialist-level advisers in this area at the same time as welfare reform has created an increased demand for assistance with reconsideration requests and appeals. Darren Moore from the City Council's Welfare Rights Service collates data on appeals conducted by members of the Forum, and these reports are presented at the monthly SWAP meetings. Appeals monitoring started from April 2015 and gains will be higher when other agencies complete their monitoring forms. However, information gathered to date shows that:

- 62% of appeals are for benefits related to ill health or disability (PIP, ESA)
- 23% of appeals concern "right to reside"
- The success rate for appeals and reconsiderations is 87%
- Income generated as a result of successful appeals and considerations amounts to approx. £1.6 million in the course of a year – a large proportion of which is likely to be spent locally

The ability to challenge decisions on entitlement to welfare benefits by access to free and expert advice and representation is a crucial factor in combatting poverty and injustice. The high success rate indicates that decision-making is often poor; clients' stories illustrate the consequences for individuals and families of the refusal or termination of a claim. For example, one client with mental health problems had no

income for 9 months since his ESA stopped. He had no means of buying food or heating and was scavenging from bins. He was represented at his appeal and as a result ESA was reinstated and arrears of £5,000 awarded.

Further examples of successful appeal cases are given at the end of this report on page 11.

3. Advice Leicester

3.1 Advice Leicester is a partnership of 10 not-for-profit advice agencies in the city, which provide advice on a range of social welfare law matters, principally welfare benefits, debt, housing, immigration and community care. Between us, not including AgeUK and Citizens Advice, as they use an alternative database, we have assisted over 5,000 people a year, from advice and form-filling to representation at Court and tribunals. The partnership is led by the Community Advice and Law Service (CALs) and includes both community-based and city-centre organisations.

In 2013 the partnership was successful in obtaining a 2-year grant from the Big Lottery's Advice Services Transition Fund for the "Advice Leicester" project. With this funding, we have been able to employ a full-time specialist and part-time generalist welfare benefits adviser. We have developed a common, web-based referral system, and CALs offers specialist support and consultancy services to other members. We have established an ILM- accredited training programme for volunteers, equipping them to assist advisers with tasks such as form-filling, thus enhancing the capacity of advice services. The project also delivers advice sessions in schools and GPs' surgeries, further details of which are given below. For more information about Advice Leicester, visit our website: <http://adviceleicester.com/>.

3.2 Advice Conference

On 11 March 2015, ALP organised a conference: "Breaking Leicester's Poverty Cycle: can advice help?" A report from the conference can be found on our website. Over 80 people attended from the voluntary and statutory sectors. Workshops explored the effects of poverty and the impact of advice services on children and families; health and well-being; prospects of gainful employment. Resolutions from the conference identified 3 principal strategies in order to integrate social welfare advice with a range of interventions in order to meet the needs of people living in poverty:

- (1) A whole systems approach to meeting the needs of vulnerable clients**
requiring commitment from public services, VCS groups and others to identify where systems are failing local people and to look at how we join up to remedy this.
- (2) Advice services linked in with learning and life skills for children and adults based around schools** and taking a holistic approach to enabling people to help themselves out of poverty, and integrating social welfare law

services with life skills such as money management, healthy eating, training and skills for employment etc.

(3) Advice in healthcare settings including GPs surgeries is expanded and further work is undertaken to engage healthcare professionals in the discussion about poverty and its impact on physical and mental health.

Following the conference, Advice Leicester is pursuing these strategies through negotiations with potential partners and commissioners of advice services.

3.3 The Schools Advice Project

Since early 2014, Advice Leicester has been delivering advice sessions in 2 Leicester primary schools local schools - Sparkenhoe in Highfields and Barley Croft in Beaumont Leys. The sessions are popular and well-received by parents. We work closely with teaching and support staff at both schools to ensure that the service is accessible to families in the greatest need. We have been able to assist many parents to claim benefits to which they are entitled, to resolve debts and to secure and retain suitable housing: parents needing casework or legal representation are referred to us at CALS.

Many families have been able to increase their income and to address problems which often lead to stress and poor mental health. In some cases, we have been able to identify entitlement to free school meals – which helps both the children and the school since the school is then able to claim the Pupil Premium. In general, parents who use the schools advice service do so as they are unable, because of language or other factors, to use city-centre-based advice services.

The funding for the schools advice project has been provided through the Big Lottery's Advice Services Transition Fund (ASTF) which ends on 31 July. We are currently seeking funding from the wards in which the schools are situated, from Children in Need and other trusts and charities to enable us to continue this much-needed service. We would like to expand the project to offer a similar advice service to other schools, particularly those serving communities that suffer high levels of deprivation.

3.4 Advice in GPs' Surgeries

The funding from the ASTF has also enabled us to provide weekly advice sessions at the Saffron Group Practice and at the Al-Waqas Surgery in Highfields. There is much evidence to demonstrate the link between poverty and poor mental and physical health and we have devised a simple questionnaire to gauge the impact of the advice and assistance received. As with the schools project, welfare benefits, debt and housing matters are the most common areas of enquiry. As the ASTF funding is coming to an end, we have submitted a proposal to the City Clinical Commissioning Group to continue this service and our proposal is currently making its way through the decision-making process.

4. SWAP involvement with the Ethical Trading Initiative

Following the publication of the University of Leicester (UofL) report into labour conditions in the Leicester garment sector, the Ethical Trading Initiative (ETI) working group has met to consider a detailed response and activity plan. One of the immediate actions called for by its members is to produce an Employee Rights Handbook that could contain general employment rights information but also additional guidance on benefits and welfare rights, useful contacts including trade unions.

The problem of exploited labour is not just illegal low wages, it is associated with workplace health and safety breaches and management bullying particularly affecting women workers. The scandal not only persists in 2015 it may be increasing as the industry grows. This is despite national publicity exposing the practice in Leicester in the 2010 Channel 4 Dispatches and recent report by ETI and the University of Leicester on working conditions in the garment sector.

Similar illegal exploitation of Leicester's workforce in the catering, care and other sectors may find similar poor conditions to that in parts of the textile industry.

One of the findings of the UofL report was that for many exploited workers in Leicester on wages of £3 per hour or less an early port of call for advice and support is the local community centre. It is important that Leicester City Council continue to: _

- (1) facilitate the actions of the ETI working group with the Deputy City Mayor, and,
- (2) provide support for community centres that include access to social welfare law advice.

4. Universal Credit: Citizens Advice LeicesterShire

Leicester City will take its first Universal Credit claims from January 2016. Universal Credit (UC) will be rolled-out gradually by the Department of Work and Pensions and it replaces six benefits. New claimants to Universal Credit may be in work on low pay or out of work.

Benefits that UC will replace:

- Housing Benefit
- Child Tax Credit
- income-related Employment and Support Allowance
- Income-based Jobseekers Allowance
- Income Support
- Working Tax Credit

Initially, Universal Credit applications will only be taken from new claimants who are single and aged 18 to 60 and 6 months. The full eligibility criteria for new claimants to UC can be found here:

https://about.universalcredit.service.gov.uk/kms/Pages/Eligibility_for_Universal_Credit.htm

The positive impact for working claimants, particularly those in part-time work with irregular hours should will that they are financially 'better off'.

The perceived negative impacts are that the claim has to be made online and may create a problem for those who do not have access to a computer or are unable to use one. Universal Credit will be paid monthly and this will raise budgeting issues for some claimants.

Research conducted by Citizens Advice where 950 clients were interviewed about Universal Credit highlights the following:

Capability Area	Comments on capability	% clients not ready
Monthly Payments: - keeping track of your money on a monthly basis	<ul style="list-style-type: none"> I do not budget I do some budgeting, but not on a monthly basis 	83% are not ready for UC
Budgeting: - managing changes to the money you receive	<ul style="list-style-type: none"> I find it difficult to manage changes to my money I have difficulty keeping up with priority payments 	81% are not ready for UC
Banking: - Using a bank account to pay priority bills on time	<ul style="list-style-type: none"> I do not have bank account that can be used to make direct payments 	22% are not ready for UC
Staying Informed: - getting the help needed and keeping up to date	<ul style="list-style-type: none"> I am not aware of the incoming changes to the benefits system I do not know what the changes are and how the changes will affect me 	86% are not ready for UC
Getting online: - I can get online to manage a Universal Credit account	<ul style="list-style-type: none"> I do not have access to the internet I cannot fill out a form online 	49% are not equipped for UC

Citizens Advice has identified the barriers that exist around successful transition to Universal Credit.

These barriers are a combination of:

- external factors (e.g. internet access);
- client capacity(e.g. literacy);
- client knowledge (e.g. financial capability); and,
- client behaviour (e.g. knowing about, and responding to the changes).

Key findings on the barriers around the transition to Universal Credit include:

- 95 per cent agree they would benefit from having would benefit from having a choice to be paid fortnightly;
- 80 per cent agree they would benefit from having rent paid directly to their landlord;
- 21 per cent would struggle having their benefit paid to one bank account in the household.

A further challenge is that some clients may disengage with the process, as they may feel that Universal Credit is not for them. Behaviour change is a long term process, and provision needs to be put in place to support individuals across the entire transition period. Claimants need to know when and how to prepare for changes, and require help that suits individual's personal needs.

9 out of 10 clients will need support to manage the transition in one or more of the following capability areas: monthly payments, budgeting, and banking, staying informed and getting online.

Advice and support, combined with a new tailored service, will help to empower the majority of people who need support to become more independent by improving their skills and abilities to manage the change.

Report Editors:

Sue Beasley Citizens Advice LeicesterShire

Glenda Terry CALS

October 2015.

Appendix A. Case Studies

Sanctions Monitoring

- “R has been sanctioned for months at a time. Given food parcel and low on gas/electricity. Waiting for response to hardship payment. Been given conflicting advice on the phone and at the Job Centre. Client is depressed and has dyslexia.”
- “Unable to pay outgoings. Client has 2 small children, fled domestic violence, no income except child-related benefits...”
- “Client has no other source of income, will rely on hardship payments for 13 weeks. Sanctioned because he was told to apply for 2 jobs online. He relies on the library computer but they were closed for Easter. When he returned to the library, one job had closed.”
- “Client lives with son (31 years) who is deaf and dumb; has applied for PIP but no decision as yet. Client and son survive on JSA of £72 per week. They had no money for 4 weeks and had to borrow from a friend for electricity and food.”
- “Service user is struggling to pay utility bills and buy food. This is having a severe impact on her health and she feels suicidal. She receives £52 per fortnight...”
- “Needed to get a food parcel and borrow from a friend. Only got one hardship payment but took 2 weeks to come through...”
- “Rent arrears accrued. Fell behind with payment plans on utilities. Not enough funds to buy usual amount of food. Children are unable to go to usual after-school activities. Client was stressed and depressed”.

Appeals Monitoring

- ‘Using children’s benefit money on own health needs because DLA stopped’
- ‘Struggling to pay bills due to long appeals process dating back to 2013’
- ‘Needed to put in complaint to progress case and get benefit back in payment’
- ‘Assessed as fit for work but scored 42 points on appeal including unable to learn a simple task’
- ‘Long delay in getting mandatory reconsideration decision for client with schizophrenia’

- ‘Complaints from neighbours about garden – PIP award means can get it done’
- ‘Failed Habitual Residence Test – had no income and 4 dependent children until decision overturned’
- ‘Right to reside case causing hardship, client using foodbanks, plus appeals process was fiasco with DWP dealing with it clerically, paperwork failing to turn up causing further delays’
- “Right to reside “genuine prospect of work” (GPOW) case – had to make a complaint because should not have been called for GPOW test, client already had permanent right of residence & documentation to show this”.
- “Right to reside” - refused ESA incorrectly because had permanent right of residence as dependent of father.
- Children’s Centre referral – Child DLA appeal successful and awarded arrears of Carer’s Allowance and Child Tax Credit – as a result total arrears over £17K and £175 extra income per week paid lifting family out of poverty.
- ESA work capability assessment appeal refused initially but successful after Upper Tribunal appeal – arrears over £10k paid.
- STAR: PIP case: delay caused “financial impact on ability to budget, pay bills and prevent further debt”.
- Home care referral – Attendance Allowance - client with vascular dementia - claim refused but won on mandatory reconsideration.
- 3 successful PIP appeals for daily living also led to severe disability premium being added to other benefits resulting in benefit increases of over £100 per week for all 3 clients.

Appendix B.

Membership of Social Welfare Advice Partnership. Leicester.

Organisation	Representatives Job title
Citizens Advice Leicestershire	Branch Manager
Age UK Leicestershire and Rutland	Head of Information & Advice
Somali Development Services	Founder & Chief Executive Officer
Asra	Bids & Fundraising Manager and also Moneywise manager
DWP	DWP Relationship Manager
The Race Equality Centre	Senior Race Equality Officer
Zinthiya Trust	Founding Trustee
ALP at Highfields Centre	Advice Leicester Development Worker
Community Advice and Law Service(CALS)	Advice Services Manager
Community Advice Law Service	Advice Services Development Deputy Chair (1)
Leicester City Council (LCC)	Head of Revenues & Customer Support
LCC Revenues & Customer Support	Revenues & Benefits Manager
CYPS	CYPS Cluster Manager
LCC Welfare Rights service	Team Leader Deputy Chair (2)
LCC Estate management and tenancy Support	STAR Senior Manager
LCC Homelessness Prevention & Support	STAR Private Sector Team Leader
LCC Housing services	Income Collection Manager

**NEIGHBOURHOOD SERVICES & COMMUNITY INVOLVEMENT SCRUTINY COMMISSION
WORK PROGRAMME 2015/16**

MEETING	MEETING ITEMS	LEAD OFFICER	ACTION AGREED
7th January 2016	<p>Ward Community Meetings Review</p> <p>Emergency Food Action Plan</p> <p>Report of the Social Welfare Advice Partnership to the Assistant City Mayor responsible for Advice and Welfare Reform</p> <p>Update on the Review of the Impact of Betting Shops on Local Communities within Leicester</p>	<p>Assistant City Mayor (Neighbourhood Services) / Director for Culture and Neighbourhood Services</p> <p>Caroline Jackson</p> <p>Deputy City Mayor / Caroline Jackson</p> <p>Councillor Gugnani, Task Group Chair</p>	
3rd March 2016	<p>Report of the Review of the Impact of Betting Shops on Local Communities within Leicester</p> <p>Channel Shift: Update</p> <p>Food Safety Review</p> <p>Internal Procurement of Food by the Council</p>	<p>Jerry Connolly</p> <p>Miranda Cannon</p> <p>Roman Leszczyszyn</p> <p>Neil Bayliss</p>	

**NEIGHBOURHOOD SERVICES & COMMUNITY INVOLVEMENT SCRUTINY COMMISSION
WORK PROGRAMME 2015/16**

MEETING	MEETING ITEMS	LEAD OFFICER	ACTION AGREED
	Emergency Food – Ward Mapping (<i>if available</i>)	Caroline Jackson	
	IT offer to improve access to welfare	Caroline Jackson	
21st April 2016	Overview of the Prevent Initiative	To be confirmed	
	Transforming Neighbourhood Services	Liz Blyth	
	Details of the progress of the Community Asset Transfer Scheme	To be confirmed	
Unscheduled reports and issues	Advice (outreach & localities) analysis report	Caroline Jackson	
	Cooking skills survey	Caroline Jackson	
	Annual advice contracts: outcomes for the city (Autumn 2016?)		
	Index of deprivation: Leicester CA Annual Report: October 2016 (provisional)		