

10 October 2012

**Implications for Durham County Council  
of the Government's policy programme**



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**Report of Corporate Management Team  
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**Purpose of the Report**

- 1 On 30 May 2012, Cabinet considered the most recent report on the implications of the Coalition Government's policy programme. This report provides Cabinet with an update on the major policy developments and announcements since then and analyses the implications for the Council and County Durham.

**Executive Summary**

- 2 Over the summer, the Government has made a number of policy announcements, which progress its initial policy proposals set out in *The Coalition: our Programme for Government* and subsequent bills and white papers. A number of proposed pieces of legislation have been revised following further consultation and debate and consideration by Parliament and the Council now has to consider increasing numbers of detailed regulations, guidance and proposals, as the Government's reform programme moves increasingly into the implementation phase.
- 3 The most significant announcements since the last report to Members relate to the following, outlined in more detail below:
  - Local Government finance;
  - Welfare reform;
  - NHS and public health reform;
  - Social care;
  - Supporting economic growth;
  - Planning reform;
  - Education and schools;
  - Housing;
  - Anti-social behaviour and community safety;
  - Community empowerment and localism;
  - Open public services;
  - Open data and transparency;
  - Standards.
- 4 The common themes of Government policy around transparency, choice, community empowerment and more diverse patterns of public service provision are still evident, but personal responsibility and fairness are coming to the fore particularly in relation to government policy on welfare reform.

- 5 Increasingly, the government's initial pieces of legislation such as the Health and Social Care Act, the Police and Social Responsibility Act and the Localism Act are coming into force and the major reforms of public policy and changes to public service landscape are about to take place.
- 6 Clearly, the various policy changes will have major implications for the Council and the steps it is taking to develop an 'altogether better Durham'.
- 7 The Council and its partners are continuing to analyse the impact that Government policy will have on local communities and on our ability to deliver the sustainable community strategy and wherever possible, are working together to respond proactively to the Government's policy changes.
- 8 Members are recommended to note the contents of this report and the actions taken to anticipate and respond to the Government's reforms.

## **Background**

- 9 Cabinet has considered a number of periodic reports on government policy since the general election in 2010, the most recent report being on 30 May 2012. Where necessary, Cabinet has also received further policy reports on specific topics, such as the Localism Bill/Act, changes to the NHS and health and social care and proposed reforms to the planning system.

## **Update**

- 10 The most significant policy announcements since the last report to Members in May 2012, relate to the following, which are outlined in more detail below:
  - Local Government finance;
  - Welfare reform;
  - NHS and public health reform;
  - Social care;
  - Supporting economic growth;
  - Planning reform;
  - Education and schools;
  - Housing;
  - Anti-social behaviour and community safety;
  - Community empowerment and localism;
  - Open public services;
  - Open data and transparency;
  - Standards.

## **Local government finance**

- 11 On 11 July 2012, Cabinet considered a report on the development of the next Medium Term Financial Plan, when it was highlighted that a key area of uncertainty for the Council was anticipating the outcome of the 2013/14 financial settlement and associated major changes with the introduction of the Business Rates Retention scheme in 2013/14.

- 12 Under Business Rates Retention, from April 2013 local authorities will retain 50 percent of the Business Rates income they collect in order to fund local services. Currently, all of the income is passed to Government to redistribute through formula grant and other funding mechanisms.
- 13 The new scheme is intended to decentralise power and to provide local authorities with a greater incentive to develop their local area and stimulate economic growth. The Government has suggested that the move could help to boost the national economy by as much as £10 billion over the next seven years.
- 14 On 17 July 2012, the Government published a consultation paper on the detailed implementation of Business Rates Retention: how it would be set up and operate, and how the start up funding allocation and baseline funding levels for the new scheme would be established.
- 15 The final outcome will not be known until December when the Government has considered the responses to the consultation and determined the final financial settlement for 2013/14.
- 16 On 2 July 2012, the Government wrote to all English bus operators to outline changes to the Bus Services Operations Grant (BSOG) which are due to come in next year.
- 17 The principal changes include rather than paying all BSOG subsidy directly to bus companies, the Government will pass down to local councils outside of London the funding that relates to services they support – i.e. tendered services – to allow decisions to be taken locally on how it should be spent. In addition, in 24 areas outside London, the Government will use some of the BSOG budget to set up a new £70 million local government fund – Better Bus Areas (BBAs) – to encourage local transport authorities and bus companies to work closely together to improve services and boost passenger numbers. In the North East, improvements to bus services in Tyne and Wear are to be supported under the scheme.

## **Welfare reform**

- 18 On 17 May 2012, the government published a consultation paper on the funding arrangements for the Localisation of Council Tax Support which is set to replace Council Tax Benefit from April 2013.
- 19 This was followed on 21 May 2012 by guidance on taking work incentives into account in the determination of Council Tax Support within the context of the Government's wider welfare reforms and local authority duties in relation to vulnerable people.
- 20 Cabinet considered a more detailed report on the Localisation of Council Tax Support at its meeting of 12 September 2012.
- 21 On 13 June 2012, the Department for Communities and Local Government launched a consultation on addressing the issue of households earning high incomes who occupy subsidised housing. The Government proposes to introduce a 'Pay to Stay' scheme whereby landlords could charge a fair rent to tenants on high incomes who want to stay in their social homes. The

consultation sought views on how the proposal might be delivered, including the income threshold above which high income tenants might be asked to pay a higher rent; what the higher level of rent should be; disclosure of income by tenants and whether the policy should be voluntary or compulsory for social landlords.

- 22 On 15 June 2012, the Government began to publish draft regulations for the current welfare reform proposals associated with the introduction of the new Universal Credit next year. Draft regulations published thus far include:
- Housing Benefit (benefit cap) Regulations 2012;
  - Employment and Support Allowance Regulations 2012;
  - Jobseeker's Allowance Regulations 2012;
  - Universal Credit, Personal Independence Payment and Working-age Benefits (Decisions and Appeals) Regulations 2012;
  - Universal Credit, Personal Independence Payment and Working-age Benefits (Claims and Payments) Regulations 2012;
  - Housing Benefit (Amendment) Regulations;
  - Jobseeker's Allowance (Sanctions) (Amendment) Regulations 2012.
- 23 Consultation on the draft regulations was via the Social Security Advisory Committee and the Council responded highlighting a number of instances where the proposed regulations would have detrimental implications for current welfare recipients or vulnerable people in need.
- 24 On 25 June 2012, the Prime Minister gave a key policy speech on the Government's vision for reform of the welfare system after the next general election to overcome what he described as a "something-for-nothing" culture of entitlement. He said that housing benefit restrictions for under-25s and extra curbs on the jobseekers' allowance could form part of future government policy.

### **NHS and public health reform**

- 25 The Government continues to provide guidance in relation to NHS Reforms including its Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy draft guidance for consultation. The Department of Health has also published a summary report following consultation with stakeholders in relation to Healthwatch England membership regulations and a summary report of engagement on Local Healthwatch regulations.
- 26 The NHS Commissioning Board Special Health Authority (NHS CBA) has published a number of documents for Clinical Commissioning Groups including a draft guide to help them take on their full statutory responsibilities from April 2013 and Human Resources Guidance.
- 27 The Department of Health has published a number of documents relating to Public Health England, including a report outlining how Public Health England will be structured to deliver its vision. Also the '*Public Health England People*

*Transition Policy*, which sets out the process and timetable for handling the transfer, appointment and redeployment of staff to Public Health England.

- 28 Guidance has also been published on Transitional Working Arrangements so that PCT staff work with local authorities to support the transfer of public health functions on 1 April 2013.
- 29 *'Healthy Lives, Healthy People: Update on Public Health Funding'* sets out current thinking on local authority public health finance and includes:
- a) the next steps on moving from the estimates of baseline spending published in February 2012 to actual allocations for 2013-14 which are expected to be published by the end of 2012;
  - b) further information on the high level design of the health premium which will be targeted towards areas with the worst health outcomes and most need;
  - c) conditions on the ring fenced public health grant which state how the grant may be used, including proposals for local authority financial reporting requirements on public health spend;
  - d) Advisory Committee on Resource Allocation's (ACRA) interim recommendations on the public health formula;
  - e) an update on the health premium;
  - f) conditions on the ring-fenced public health grant, including proposals for local authority reporting on public health spend.
- 30 The Department requested feedback on the approach used and the proposed formula which will inform ACRA's continuing work to finalise their recommendations for 2013-14 public health allocations.
- 31 Cabinet received a report on recent developments in relation to NHS reforms including progress nationally and locally on 24 July 2012 and further detail on NHS Reforms and the public health transition are covered by separate reports on this agenda for Cabinet.

## **Social care**

- 32 Following the review of long term care and support undertaken by the Dilnot Commission during 2010/11 and the Law Commission review of adult social care law, the Department of Health published the following documents on 11 July 2012:
- *Caring for our future: reforming Care and Support* White Paper;
  - Progress Report on Social Care Funding;
  - Draft Care and Support Bill.
- 33 In *'Caring for our Future'*, the Government committed to work with partners, including carers, people who use services, local authorities, care providers and the voluntary sector to:

- a) stimulate the development of initiatives that help people share their time, talents and skills with others in their community;
- b) develop and implement, in a number of areas, new ways of investing in supporting people to stay active and independent;
- c) establish a new capital fund, worth £200 million over five years, to support the development of specialised housing for older and disabled people;
- d) establish a new national information website, to provide a clear and reliable source of information on care and support, and investing £32.5 million in better local online services;
- e) introduce a national minimum eligibility threshold to ensure greater national consistency in access to care and support, and ensure that no-one's care is interrupted if they move;
- f) extend the right to an assessment to more carers, and introduce a clear entitlement to support, to help them maintain their own health and wellbeing;
- g) work with a range of organisations to develop comparison websites that make it easy for people to give feedback and compare the quality of care providers;
- h) rule out crude 'contracting by the minute', which can undermine dignity and choice for those who use care and support;
- i) consult on further steps to ensure service continuity for people using care and support, should a provider go out of business;
- j) place dignity and respect at the heart of a new code of conduct and minimum training standards for care workers;
- k) train more care workers to deliver high-quality care, including an ambition to double the number of care apprenticeships to 100,000 by 2017;
- l) appoint a Chief Social Worker by the end of 2012;
- m) legislate to give people an entitlement to a personal budget;
- n) improve access to independent advice to help people eligible for financial support from their local authority to develop their care and support plan;
- o) develop, in a small number of areas, the use of direct payments for people who have chosen to live in residential care, to test the costs and benefits;
- p) invest a further £100 million in 2013/14 and £200 million in 2014/15 in joint funding between the NHS and social care to support better integrated care and support.

- 34 In July 2010 the Government established an independent commission, led by Andrew Dilnot, to review and make recommendations on long term care and support for adult social care in England.
- 35 The Commission made key proposals for reforming the way in which people pay for their care and support:
- a) The Government should put a cap on the lifetime care costs that people face;
  - b) Raise the threshold at which people lose means tested support;
  - c) There should be universal access to deferred payments for people in residential care;
  - d) Contribution towards living costs.
- 36 In the progress report on social care funding, the Government confirmed that it is broadly supportive of the Commission's recommendations. However, it said that it needed to explore the issues further with stakeholders and that various options for a reformed system will be considered as part of the next Spending Review.
- 37 The Government will however introduce a universal system of deferred payments for residential care. This will mean that no-one will be forced to sell their house in their lifetime to pay for care. Universal deferred payments will be introduced from April 2015.
- 38 Alongside the White Paper, the Government published the draft Care and Support Bill for consultation and pre-legislative scrutiny in Parliament in the coming year, with an initial closing date for consultation responses by 19 October 2012.
- 39 The draft Bill proposes a single, modern law for adult care and support that replaces existing outdated and complex legislation. It aims to transform the social care system to focus on prevention and the needs and goals of people requiring care.
- 40 A more detailed report on Social Care Reform was considered by Cabinet on 12 September 2012.

### **Supporting economic growth**

- 41 On 11 June 2012, the Government appointed Doug Richard to lead an independent review into apprenticeships. Taking a medium to long term look at the future of apprenticeships in England, the review is intended to identify best practice and ensure that going forward, apprenticeships meet the needs of the changing economy, deliver the qualifications and skills which employers need to world class benchmarks and ensure that the Government maximises the impact of public investment in apprenticeships.
- 42 A call for evidence to support the review was conducted over the summer and Mr Richard is due to report his recommendations later this year.

- 43 In addition, Jason Holt was commissioned to review ways to make apprenticeships simpler and more accessible for small and medium businesses. The Holt Review published on 29 August 2012, proposes that apprenticeships should be more accessible for small and medium size enterprises (SMEs) and that the Apprenticeships Grant for employers should be revised.
- 44 Local Enterprise Partnerships (LEPs) are central to this Government's economic model to help rebalance the economy driven by private sector growth alongside the Regional Growth Fund (RGF) and Enterprise Zones, as set out in the Local Growth White Paper (2010). LEPs are joint local authority and business led bodies that represent functional economic areas to promote economic development, investment, employment and skills growth and competitiveness. Following the closure of Regional Development Agencies, LEPs provide a forum to champion economic development and regeneration within geographic areas.
- 45 Within the North East, the two LEPs, the North East LEP (NELEP) and Tees Valley LEP are forging ahead to deliver activity. As part of NELEP, the Council is working with partners to make the most of opportunities to maximise development opportunities, collaborative working and investment through streams such as the RGF, Growing Places and Newcastle City Deal.
- 46 The Regional Growth Fund is a £2.4 billion fund operating across England from 2011-15, to support initiatives that have significant potential for economic growth and can create additional private sector employment, aimed specifically at areas/communities which were dependent on the public sector to help make the transition to sustainable private sector led growth. RGF has now had three rounds, with the next announcements planned for autumn 2012.
- 47 Enterprise Zones are specific areas where a combination of incentives, reduced planning restrictions and other support is used to encourage the creation of new businesses and jobs, helping to contribute to the growth of the economy. Twenty four sites are in operation across the country. The North East Enterprise Zone is managed by NELEP (it covers two sites, one in Sunderland and the other on the bank of the Tyne, covering 117 hectares) and in August 2012 the Chancellor of the Exchequer announced a major extension to the North East regional enterprise zone. Following the success of the sites already established, the Government will extend enterprise zone tax incentives to a new 40-hectare site in the North East providing a preferred investor can be found to occupy almost 40 hectares of the current zone in the next year. The extra 40 hectares announced have not yet been allocated and could cover more than one site and enhanced capital allowances will be available for those sites.
- 48 Government has agreed to devolve new powers to England's largest cities by a series of 'city deals' that will help them invest in growth, improve local workers' skills and create jobs, support local businesses, control budgets and improve critical infrastructure, as outlined in the *Unlocking Growth in Cities* paper in December 2011. The first wave of City Deals was announced in July 2012 and included the Newcastle City Deal, which will have some specific benefits for the wider NELEP area including the county, mainly in relation to



strengthening governance arrangements across the seven authorities, job creation opportunities from inward investment, improvements to the A1 and skills development.

- 49 Options are being reviewed to consider a North East Combined Authority for economic growth purposes with a statutory basis, as a strong platform for further devolution of funding, powers and responsibilities.
- 50 In January 2012, the Government published its consultation on devolving local major transport schemes and proposes to implement a new system for prioritising and funding local major transport schemes during the next Spending Review period. Local Transport Bodies, based on LEP areas, are proposed and would be used to distribute funding and facilitate strategic investment. LEPs would be involved in the decision making process and therefore the NELEP will have a significant role to play. The Government proposals are generally supported and more guidance will be issued following the summer recess. LTBs geographies are under negotiation, with local authorities and LEPs needing to confirm geographies by 28 September 2012. There is no guarantee on the level of available funding for major schemes from April 2015, but it is estimated national funding for new schemes would be about £1.1 billion.

### **Planning reform**

- 51 On 3 July 2012, the Government launched a consultation on supporting sustainable development and growth by encouraging the reuse of empty and redundant existing buildings where the original use was no longer required or appropriate. The consultation sought views on amending the Town and Country Planning (General Permitted Development) Order 1995 to:
- a) grant permitted development rights to allow greater change of use for buildings used for agricultural purposes, commercial purposes and temporary uses to support rural growth;
  - b) increase the thresholds for permitted development rights for change of use between B1 (business/office) and B8 (warehouse) classes and from B2 (industry) to B1 and B8, introducing a permitted development right to allow the temporary use for two years, where the use is low impact, without the need for planning permission;
  - c) provide C1 (hotels, boarding and guest houses) permitted development rights to convert to C3 (dwelling houses) without the need for planning permission.
- 52 The proposed changes are intended to contribute to sustainable development by making best use of existing buildings and to help bring empty and redundant buildings back into productive use, promoting brownfield regeneration, building more homes, supporting local high streets and securing jobs in the rural economy.

## Education and schools

- 53 On 24 May 2012, the Government announced which schools will be funded and have their condition needs addressed through the Priority School Building Programme.
- 54 In Durham, Durham Trinity School and Sports College, King James I Academy, Seaham School of Technology, St Joseph's Roman Catholic Voluntary Aided Primary School and West Cornforth Primary School are to be funded under the programme.
- 55 On 30 May 2012, the Office for Standards in Education (Ofsted) published its response to the consultation '*A good education for all*' on proposals for amended inspection arrangements for maintained schools and academies, further education and skills, and initial teacher education, from September 2012.
- 56 The report confirmed that Ofsted will continue to focus on four key aspects of a school's work - achievement, teaching, behaviour and safety, and leadership and management - and that from this September, schools will now be graded on a four-point scale:
- outstanding (grade 1),
  - good (grade 2),
  - requires improvement (grade 3)
  - inadequate – serious weaknesses or special measures (grade 4).
- 57 In addition, as part of the new inspection regime Ofsted will:
- require 'outstanding' schools to have 'outstanding' teaching;
  - define an acceptable standard of education as being 'good';
  - replace the current 'satisfactory' judgement with 'requires improvement' where schools are not inadequate but are not yet providing a good standard of education;
  - replace the 'notice to improve' category with 'serious weaknesses';
  - introduce earlier full re-inspection of schools judged as 'requires improvement';
  - usually limit the number of times schools can be deemed to 'require improvement' to two consecutive inspections before they are judged 'inadequate' and deemed to require 'special measures';
  - shorten the notice given of an inspection;
  - request that schools provide anonymised information of the outcomes of the most recent performance management of all teachers.
- 58 On 11 June 2012, the Government published its response to the review of the National Curriculum undertaken by an expert panel led by Professor Tim Oates and published draft National Curriculum documents for mathematics, English and science at Key Stages 1 and 2.

- 59 The Government has said that the drafts are deliberately ambitious about what primary school children should be expected to achieve and that they are very specific about the content to be covered, given the fundamental importance of these three subjects to wider education and the basis for holding schools to account.
- 60 The National Curriculum documents for other primary subjects will be published later in the year and are expected to be much shorter and to allow more flexibility and innovation at school level over what is taught. Schools will still be required to teach art and design, design and technology, geography, history, ICT, physical education and music across primary years and a new requirement and associated study programme for the teaching of a modern language at Key Stage 2 from years three to six is to be introduced.
- 61 Further detail on the National Curriculum for secondary education will be published later in the year and the Government has said that there will be further public consultation on the proposed curriculum reforms towards the end of this year.
- 62 On 28 June 2012, the Government confirmed the final arrangements for the funding of schools from 2013/14. This followed consultation earlier in the year on proposed reforms to improve transparency, secure greater consistency in how funding is distributed and move towards a more pupil-driven funding system which promotes choice and raises quality.
- 63 The main changes being implemented are that:
- rather than set a minimum threshold for the basic entitlement for pupil-led funding for the first year, the Government will consider the situation once it has reviewed local authorities' formulae for 2013-14, with a view to setting a threshold for 2014-15;
  - local authorities will be able to use a revised Income Deprivation Affecting Children Index (IDACI) which has been reviewed and increased from five bands to six in order to provide a simpler and more sensitive index;
  - rather than setting a maximum cap within a proposed range of £100,000 to £150,000 on the lump sum schools receive to cover their fixed costs, the cap will be set at £200,000 to give local authorities more flexibility in the first year. The Government believes that this is sufficient to cover the fixed costs of a small school but has flagged that in some cases, schools may need to consider operating more efficiently which could include federating, merging or joining an academy chain;
  - rather than requiring maintained schools to 'de-delegate' or give back funding to local authorities in order to allow them to support pupil growth, the Government has decided to allow local authorities to retain some funding for pupil-growth, but to ensure that the funding is then distributed fairly to both academies and maintained schools.

- 64 On 3 July 2012, the Government published its response to the consultation on study programmes for 16-19 year olds, arising out of the review of vocational education undertaken by Professor Alison Wolf.
- 65 From September 2013, all 16 to 19 year-olds will be offered high quality study programmes aimed at giving them the best opportunity to move into higher education or secure skilled employment. This will mean that:
- a) all students who are able, will take either A levels, or a substantial qualification recognised by employers as being of real benefit to them in securing work or a university place. Where appropriate, students will also take part in work experience;
  - b) students who do not have a GCSE in English and maths at 16 will continue to study these subjects after 16;
  - c) students who are not able to study a qualification will take a programme of work experience focusing on developing their employability skills, along with work to develop numeracy, literacy and other core education skills.
- 66 On 13 July 2012, the Government detailed the next phase of its free schools programme, announcing the successful applications which have been approved to progress to the implementation stage to open a free school in 2013 and beyond. One hundred and two applications will progress to the next stage including the first proposal to establish a free school in the county which has been submitted by Durham Free School Ltd for a secondary school in the Durham City area.

## **Housing**

- 67 On 29 June 2012, the Government published new statutory guidance on social housing allocations for local authorities reflecting the provisions in the Localism Act 2011, which gave local authorities the freedom to manage their own waiting lists, and make it easier for them to move existing social tenants to more suitable accommodation. It also encourages authorities to make use of the existing flexibilities within the allocation legislation to ensure that social homes go to people who need and deserve them the most, such as hard working families and members of the Armed Forces.
- 68 Under the Localism Act 2011, local authorities will be enabled to end their duty to house the homeless by arranging an offer of suitable accommodation in the private rented sector, without requiring the applicant's agreement.
- 69 On 31 May 2012, the Government launched a consultation on the proposed draft Homelessness (Suitability of Accommodation) (England) Order 2012 which sets out those circumstances in which accommodation used for the private rented sector offer to end the main homelessness duty, would not be regarded as suitable.
- 70 The consultation responds to concerns expressed during the passage of the Localism Bill about the quality of private rented sector accommodation which could be offered and considers how requirements in relation to location and suitability could be strengthened. It covers what regulations should cover in

order to identify when accommodation is "unsuitable". Proposals include the local authority being satisfied that the property is safe, in reasonable physical condition, is accessible and suitable for all in the household, considering family support networks, affordability, the appropriate size and the location of the property being deemed suitable. There is also reference to the protection for households of a minimum fixed tenancy term of 12 months and "*if the applicant becomes unintentionally homeless again within two years of accepting the private rented sector offer, the main homelessness duty will recur regardless of priority need.*" It is proposed that applicants have the right to ask the authority to review their decision that accommodation is suitable, and if dissatisfied with that decision, have the right to appeal to the county court on a point of law.

- 71 On 22 June 2012, the Local Housing Delivery Group published its review of local standards for the delivery of new homes. This interim report concluded that there is significant scope for simplification of the standards regime and recommended an urgent government-backed review and consolidation of existing local housing standards to ensure they meet the aspirations of local communities without undermining viability.
- 72 On 22 August 2012, the Government announced that Sir Terence Conran is to help to create a new competition to give communities a chance to design their own neighbourhoods. The move is intended to encourage house builders to involve local people at an earlier stage in the design of new homes and to improve public perceptions of and confidence in the design and quality of new-build properties and therefore new housing development in local areas.
- 73 The Montague Review, which reported in August 2012 was undertaken as part of the Government's strategy to support the increase in the supply of new homes, and sought to explore the factors that might encourage institutions to invest in new homes for rent. The report contains recommendations on how local authorities could make use of the flexibilities in the planning system to encourage new private rented supply, controversially part of the recommendation includes allowing reduced delivery of affordable homes through planning obligations in relation to schemes for private rental, or to the private rental component of larger schemes.
- 74 On 6 September 2012 the Government announced a housing and planning package which includes:
- the relaxation on requirement to build affordable homes (where the developer can prove that housing requirements are making projects unviable);
  - £300m to fund an extra 15,000 affordable homes;
  - an extension of the first buy scheme;
  - an additional 5,000 homes built for rent at market rates in line with proposals outlined in the Montague's Review;
  - plans to relax planning laws for a year to make it easier for people to build extensions and new legislation for government guarantees of up

to £40 billion worth of major infrastructure projects and up to £10 billion of new homes.

- 75 The Infrastructure (Financial Assistance) Bill will include guaranteeing the debt of housing associations and private sector developers.

### **Anti-social behaviour and community safety**

- 76 On 22 May 2012, the Government published *Putting Victims First: More Effective Responses to Anti-Social Behaviour*, its white paper on antisocial behaviour.
- 77 The White Paper set out the government's plans to deliver on the commitment to introduce more effective measures to tackle antisocial behaviour, within the wider context of reforms to the policing and criminal justice landscape and work to turn round the lives of troubled families. The paper makes clear that the Government takes the view that antisocial behaviour is fundamentally a local problem that looks and feels different in every area and that local agencies should respond to the priorities of the communities they serve, rather than those imposed from Whitehall. The introduction of directly elected police and crime commissioners from November this year, is seen as key to providing a powerful new voice for local people, able to push local priorities and to prevent antisocial behaviour from being relegated to a 'second-tier' issue.
- 78 The Government confirmed that it intends to provide support to local areas by:
- encouraging local agencies to focus their response to anti-social behaviour on the needs of victims. The Government intends to support this by:
    - helping agencies to work together to identify and support high risk victims as soon as they are alerted to an issue;
    - giving frontline professionals more freedom and encouraging the greater use of effective informal discretionary measures such as using restorative or reparative approaches, or Acceptable Behaviour Contracts;
    - improving agencies' understanding of the experiences of victims by improving the way anti-social behaviour is measured in the Crime Survey for England and Wales.
- 79 To support people and communities to establish what is and isn't acceptable locally and to hold agencies to account, the Government will:
- give victims and communities the power to ensure action is taken via 'community triggers' which will give victims and communities the right to require action to be taken where a persistent problem has not been addressed;
  - make it easier to demonstrate the harm caused to victims and communities by anti-social behaviour, for example through new

'community harm statements' which will ensure that terrorised communities' voices are heard in the court room and will inform agencies' decisions on what action to take.

- 80 To ensure that ensure professionals have the powers they need to deal with persistent anti-social behaviour, the Government will:
- introduce faster, more effective formal powers, including a civil injunction that agencies can use immediately to protect victims and communities before an individual causes serious harm, a new court order for the most anti-social individuals, available on conviction, that allows the courts to require them to stop their behaviour and address its underlying causes and simpler powers to deal with 'quality of life' crime and anti-social behaviour including closing premises that are a magnet for trouble and a more effective police power to stop anti-social behaviour in public places;
  - enable the speeding up of the eviction of anti-social tenants to bring relief to victims and communities more quickly.
- 81 The Government also proposes to focus on long term solutions to anti-social behaviour by addressing issues such as binge drinking, drug use, mental health issues, troubled family backgrounds and irresponsible dog ownership.

### **Community empowerment and localism**

- 82 On 13 June 2012, the Government published its response to the consultation on the implementation of the Sustainable Communities Act, as amended in 2010 which enables local community interests to challenge bureaucratic hurdles which prevent them from getting things done locally.
- 83 On the same day, the Government launched a consultation on whether the power conferred on local authorities to challenge bureaucratic hurdles on behalf of their local communities should also be conferred on town and parish councils. The Government's response to the consultation is expected by the end of the year.
- 84 On 27 June 2012, the Government published statutory guidance on the community right to challenge which was legislated for in the Localism Act 2011. The new provisions require local authorities to consider relevant proposals submitted by certain 'relevant bodies' such as town and parish councils, voluntary organisations and local authority employees to take on and provide services on the local authority's behalf.
- 85 Where a proposal is deemed to be acceptable, the local authority is then required to run a procurement exercise for the service concerned in which the relevant body can compete alongside other potential providers which may come forward.
- 86 The guidance allows a local authority to specify when it will consider community right to challenge submissions and outlines the grounds upon which proposals can be rejected including wider statutory duties such as the requirement to achieve overall best value in the provision of services.

- 87 The Government is using the same piece of legislation to support its policy of encouraging employee mutuals to take on the provision of public services, by and recognising two or more employees of a local authority as a 'relevant body' for the purposes of the Act.
- 88 On 27 June 2012, the Government also published the final impact assessment on the 'community right to bid' proposals and the associated draft regulations which are expected to come into force on 12 October 2012.
- 89 Under the Localism Act 2011, local authorities will be required to maintain lists of 'assets of community value' nominated by local community groups and to notify such groups if the asset is to be sold or disposed of, such that they have an opportunity to develop and submit proposals to acquire the asset.
- 90 Local authorities will have eight weeks from receiving a nomination application to decide whether a property must be listed, according to a number of criteria set out in the regulations. A property will qualify where its current primary use furthers the social wellbeing or social interests of the local community, and where it is realistic to think that this use will continue. A property will also qualify when it has been in such use in the recent past, and this may realistically recur within the next five years (whether or not in the same way as before). Social interests include culture, recreation and sport.
- 91 The effect of a property's inclusion on the list will be to require the owner of the property to notify the local authority when intending to dispose of a listed asset, so triggering a moratorium period during which community interest groups can apply to be treated as potential bidders. At this stage groups must show a local connection and must have a legal status – unincorporated organisations and neighbourhood forums are excluded.
- 92 The owner will be able to begin the sale process after an interim period of six weeks if no bidder has come forward; if a written intention to bid is received in that time then a full six month moratorium period will apply to allow the community body time to develop a proposal to acquire the property. The sale itself takes place under normal market conditions. An 18 month protection period has also been created; if this expires before the property is sold the original notification process must start again.
- 93 Properties will be listed for five years. Councils will be responsible for notifying owners and occupiers of listings and receipt of notices, and for publicising the possible sale of a listed asset.
- 94 Certain buildings or land are excluded – primarily residential property and sites covered by the Caravan Sites Act and land used by public utilities. The rules also will not apply to a wide range of non-commercial disposals of the land, for example on inheritance.
- 95 The Act provides rights of review and appeal on the listing of a property, and makes provision for compensation to be paid to landowners for losses arising from being involved in a lengthier sale period. A new jurisdiction is being created for First Tier tribunals to hear compensation appeals.



## Open public services

- 96 In July 2011, the Government published its Open Public Services White Paper which set out its proposals to open up public services to more diverse and community-driven patterns of provision.
- 97 On 1 June 2012, the Government announced the first awards to potential employee mutuals under its £10 million Mutual Support Programme. The announcement included a number of local authority-based mutuals including a proposal to establish an employee mutual to provide youth services shared between two London local authorities.
- 98 On 25 June 2012, the Mutuals Task Force chaired by Professor Julian le Grand published its report on the establishment of employee mutual organisations within the public sector. The report recommended various actions to support the growth of mutual organisations so that employee mutuals become a mainstream option for public service provision.
- 99 On 4 July 2012, the Government provided a response to the consultation on the issues which would need to be taken into account before the Government could realise its proposals to mutualise the Post Office and on 19 July, it issued a discussion paper on increasing parental and community involvement in the running of Sure Start children's centres

## Open data and transparency

- 100 The Government has continued its commitment to opening up data through the publication of *'Unleashing the potential'*, its white paper on open data. The Government believes that through the release of data held by public services it will empower citizens, foster innovation and reform public services. In the White Paper the Government commits to:
- a) enhancing access to data;
  - b) building greater trust in public data;
  - c) improving the use and management of data by public services;
  - d) engraining a 'presumption to publish' unless specific reasons (such as privacy or national security) can be clearly articulated.
- 101 Underpinning the strategy, the Government has released a schedule of when they expect to release additional data sets from each Government department. This publication of information is in addition to the 9,000 datasets already released.
- 102 On 23 August 2012, the Government published new regulations on access to information associated with local authority executive meetings including meetings of cabinet. The Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012 came into effect on 10 September 2012. They established the presumption that meetings of a local authority executive or their committees or sub-committees are held in public, except in limited prescribed circumstances, where meetings

can be closed (for example to consider confidential or exempt information or to maintain orderly conduct and prevent misbehaviour).

- 103 The regulations replaced the requirement to produce a forward plan of key decisions with a requirement to give 28 days clear notice of the intention to make a key decision. They also strengthened Members' access to information relating to business to be discussed and required local authorities to provide reasonable facilities so that members of the public as well as accredited newspapers can report the proceedings of meetings via social media, such as twitter and blogs.

## **Standards**

- 104 Within the Localism Act, provision was made to remove the standards board, which regulated standards in local government. The Government's aspiration was to improve local accountability, as well as reduce the bureaucracy which they believe that central board created.
- 105 The Localism Act required that from 1 July, each authority should have its own local code on standards. Durham County Council has chosen to adopt a regional code along with the principal councils in Tyne and Wear and Northumberland.
- 106 As part of the new arrangements, each authority is required to have their own 'Independent person'. This position is wholly advisory, and will provide advice to the council on any allegation it is considering, and to a member facing an allegation who has sought the views of that person. Durham County Council is currently in the process of recruiting the two independent persons for the standards committee.
- 107 A guide has recently been published by Department for Communities and Local Government for members to make them aware of how to be open and transparent about their personal interests and the standards to which they need to adhere.

## **Consultations**

- 108 Members have asked for an update on current and forthcoming consultation opportunities through which Members could help to shape Government policy. Appendix 2 provides a summary of the main consultations announced by Government since the last report to Cabinet.
- 109 The Council constantly monitors consultations and calls for evidence and officers consider opportunities to respond via the Improvement Planning Group which meets on a fortnightly basis.

## **Implications**

- 110 The Government's policy proposals have many implications for the county and the Council, its role and function and the way it works with and relates to local communities and strategic partners. Below, we provide a commentary against the strategic themes of the Council Plan and County Durham Sustainable Community Strategy.

## **Altogether better council**

- 111 The financial implications for the Council of local Business Rates Retention are as yet unknown but the initial indications are that Durham will experience a significant reduction in income as a result of the new policy.
- 112 Moreover, in spite of the Council's best efforts to promote economic growth, it remains that the national economy is verging on recession and the prospects for expanding the county's business tax base at this time are particularly uncertain. Given that a significant proportion of the funding of council services is now to come from local business rates, and that the county has a low business base in comparison to other areas this will present a significant challenge for the Council. The County Durham Plan and the pro-growth and sustainable development approach being promoted will not only be key to regenerating local communities and kick-starting economic growth but also to generating sufficient income to help fund wider local services.
- 113 The financial implications of local Business Rates Retention will not be known until the end of this year but the council is planning prudently for reduced income from business rates in its next medium term financial plan for the period 2013-17.
- 114 Since the last report to Members, an increasing number of provisions in the Localism Act 2011 have come into effect.
- 115 The Community Right to Challenge is now in force and the provisions relating to Assets of Community Value (otherwise known as the Community Right to Bid) are about to come into effect on 12 October 2012.
- 116 In many respects, the Council has anticipated the direction of Government policy by the proactive approach it has taken to developing relationships with town and parish councils and third sector organisations and its asset transfer strategies in relation to leisure centres and community buildings. Both of these approaches have been successful without the need for the new legislation.
- 117 In the near future, it is expected that the Government will publish more guidance on its policy of promoting employee-led mutuals in the public sector and we wait to see how this will apply to the local government sector.
- 118 The new transparency regulations relating to executive decision-making which are now in force, have the potential to widen the reporting of council decision-meetings via social media. Given the changes to access to information and notification of decisions, it has been necessary to amend the constitution of the Council to reflect the legislation. On 5 September 2012, the Constitution Working Group authorised the Head of Legal and Democratic Services to make the necessary amendments in consultation with the Chair of the working group.

## **Altogether wealthier**

- 119 More detail is emerging on the implementation of welfare reform and a cross-council project group has been established to manage the implementation and implications of these significant reforms. It is becoming increasingly clear

that the Government intends to reform welfare further which will have major implications for the county as large sections of the population and key services such as supported and social housing.

- 120 The Proposed Homelessness Order 2012, policies presented in the Montague Review and new policies in relation to housing allocations and 'Pay as You Stay' schemes for social housing tenants on high incomes reflect a period of considerable flux for housing and coupled with welfare reform, will have significant implications for tenants and communities within the county.
- 121 The further consultation on the suitability of private rented accommodation in relation to the less onerous requirements on local authorities to discharge their duty to the homeless is to be welcomed as this was a concern raised by the Council and many others during consideration of the Localism Bill. Concern has also been expressed that without proper regulation, there may be potential for local authorities in areas which have private sector rents, being able to discharge their homelessness duty by offering people private rented accommodation in other parts of the country where private sector rents are lower.
- 122 The proposed simplification of the rules relating to the re-use of redundant buildings could help to promote sustainable development and stimulate economic growth particularly in rural areas.
- 123 The proposed changes to vocational education for 16 to 19 year olds and the outcome of the Richard and Holt Reviews of apprenticeships may have significant implications for the employment of young people in the county, support for SMEs and the increasing numbers 'not engaged in education, employment or training' (so-called NEETs) which has become a significant concern locally and nationally.
- 124 The proposal that apprenticeships are made more accessible for SMEs could have a significant impact in the county, given our reliance on small enterprises within the SME business base. Approximately 99 percent of all businesses are SMEs and currently the proportion of take up by SMEs is under 10 percent, which is less than half that of larger companies.
- 125 Although it is too early to assess the impact of the Community Right to bid provisions, concerns remain that the legislation allows the potential for narrow interests to frustrate and hinder strategic developments which may benefit the wider area and population.

### **Altogether healthier**

- 126 The NHS and public health reforms are continuing at pace and the Council continues to work closely with the NHS and the Department of Health to ensure the effective transformation of health service planning and commissioning and public health in the county.
- 127 The Social Care Bill and white paper have provided some clarity on the direction of Government policy, but the key issue of the funding of social care within the context of an increasingly ageing population is yet to be addressed. The stated position of the options for reforming the system will be considered

as part of the next spending review, but recently there has been speculation as to when the next spending review will take place and whether the Government will come to a view in advance of the new review.

### **Altogether safer**

- 128 The Government clearly sees the forthcoming elections for Police and Crime Commissioners as key to its attempts to improve community safety and the Council is working with Durham Police Authority, Durham Police and the Safe Durham Partnership to prepare for this major structural change.
- 129 Preparations are well under way for the election of the first police and crime commissioner for the county on 15 November 2012. A police and crime panel for the area has been agreed between the Council and Darlington Borough Council with terms of reference and an initial work programme in place.
- 130 The white paper on anti-social behaviour includes a number of measures which provide the Council and its community safety partners with additional tools with which to tackle anti-social behaviour. It is reassuring to note that some measures and practices pioneered by the Council, such as restorative justice and pre-reprimand disposals have been recognised as effective measures which will be promoted more broadly.
- 131 The white paper also states that the Government intends to tackle the causes of anti-social behaviour, pointing towards wider policy developments on tackling binge-drinking, substance misuse and troubled families - all areas where local authorities play a key role.

### **Altogether better for children and young people**

- 132 The announcement that five schools in the county are to be re-built under the Priority Schools Building Programme is to be welcomed, although the scale of the programme is significantly smaller than the former Building Schools for the Future programme which was scaled back and replaced following the general election.
- 133 The school funding arrangements for 2012/14 have been revised to allow schools and local authorities more time to prepare for the new funding arrangements – for example the cap on lump sum payments for school running costs has been set at a higher level to provide schools with more flexibility in the first year.
- 134 However, the Government has flagged that it may still be necessary for some schools to federate, merge or join academy chains in order to reduce their running costs in line with the funding which is likely to be available beyond 2013/14.
- 135 In this context, it is surprising that the Government has decided to progress the development of a further secondary school in the Durham City area through its free schools programme when there are already six secondary schools in the area plus two independents.
- 136 The new Ofsted inspection arrangements which came into place last month have raised the bar for school performance standards, with all schools now

expected to achieve at least a 'good' (grade 2) standard to be considered to have acceptable performance. The former 'satisfactory' grading has now been replaced with 'requires improvement'.

- 137 Taken alongside the forthcoming changes to the National Curriculum, the Council's Children and Adults Service will have a key role in supporting schools to improve their performance and to continue to raise educational attainment in the county.

### **Altogether greener**

- 138 There have been relatively few significant policy announcements which affect this theme since the last report to Members but measures such as the Community Right to Bid and the proposed planning reforms to encourage the re-use of empty buildings may have implications for the local environment.
- 139 The Council will need to maintain a register of assets of community value, which could include areas of open space which local communities may want to protect for social wellbeing or social interests including culture, recreation or sport.
- 140 In addition, the proposal to encourage the re-use of redundant buildings, as well as helping to stimulate economic growth, may also support more sustainable forms of development, particularly in rural areas.

### **Implications for partnership working**

- 141 Given the scope, scale and pace of Government reforms it is imperative that the Council continues to work with partners to ensure that we work together to achieve the aims of the sustainable community strategy. This is particularly so in relation to stimulating economic growth and job creation and policing and community safety and health and social care, given the significant and profound nature of reforms in these areas.
- 142 As reported to Members in November 2011, the County Durham Partnership has reviewed its priorities in the light of the current and changing policy context and considered how it could ensure that its operational arrangements continue to remain fit for purpose.
- 143 In addition, the Partnership is currently in the process of reviewing the sustainable community strategy for the county in the light of local needs and priorities and changing government policy.

### **Conclusions**

- 144 The common themes of Government policy around transparency, choice, community empowerment and more diverse patterns of public service provision are still evident, but personal responsibility and fairness are coming to the fore particularly in relation to Government policy on welfare reform.
- 145 Increasingly, the Government's initial pieces of legislation such as the Health and Social Care Act, the Police and Social Responsibility Act and the Localism Act are coming into force and the major reforms of public policy and changes to public service landscape are about to take place. The

Government is therefore tending to publish increasing volumes of detailed regulations, guidance and proposals, as its reform programme moves into the implementation phase.

- 146 Clearly, the various policy changes will have major implications for the Council and the steps it is taking to develop an 'altogether better Durham'.
- 147 The Council and its partners are continuing to analyse the impact that Government policy will have on local communities and on our ability to deliver the sustainable community strategy and wherever possible, are working together to respond proactively to the Government's policy changes.

### **Recommendations**

- 148 Members are recommended to note the contents of this report and the actions taken to anticipate and respond to the Government's reforms.

### **Background papers**

Cabinet, 29 February 2012, Localism Act

Cabinet, 30 May 2012, Implications for Durham County Council of the Government's policy programme

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**Contact: Kevin Edworthy Tel: 0191 383 6514**

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## Appendix 1: Implications

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**Finance** – The Government’s policy proposals continue to have significant financial implications for the Council. As well as anticipating and planning for policy changes, there will be resource implications for the Council in taking on new or transferred responsibilities for example administering registers of assets of community value or managing devolved funding for Council Tax Support and the Social fund. In terms of core funding, the Council will need to wait until the end of the year to learn the final impact of the introduction of local Business Rates Retention.

**Staffing** – As outlined in previous reports, the Council is planning for the transfer of public health staff to the authority as part of the NHS reforms. The proposals to support the establishment of employee mutuals to deliver public services may have implications for council staff, although further detail is awaited on Government proposals to accelerate the process and how this will apply to local government.

**Risk** – Individual assessments of the risks associated with specific policy proposals are undertaken as a matter of course in Council project planning and management.

**Equality and Diversity** – Individual impact assessments are undertaken where the Council changes or develops new policies as a result of Government reforms or new legislation.

**Accommodation** – The introduction of the assets of community value provisions of the Localism Act may have implications for the managements of the Council’s assets.

**Crime and Disorder** – The new anti-social behaviour strategy and the introduction of police and crime commissioners and police and crime panels will have implications for community safety, as well as the funding of community safety activities and programmes.

**Human Rights** – No specific implications have been identified.

**Consultation** – Some of the policy proposals require the Council to consult locally as part of the process of introducing localised schemes or to encourage community engagement and empowerment in relation to the new ‘community rights’ to challenge or bid.

**Procurement** – The Open Public Services proposals and the Community Right to Challenge will have implications for the Council’s approach to procurement.

**Disability Discrimination Act** – The Government is currently consulting to proposed changes to DDA legislation as part of its ‘Red Tape Challenge’ to reduce bureaucratic burdens on business.

**Legal Implications** – Increasingly, the Government’s reforms are coming into effect with new statutory regulations and duties being given the local authorities. The Council considers the legal implications of all decisions it takes.



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**Appendix 2: Government consultations and calls for evidence announced in 2012**


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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
1	Improving the assurance system for financial management in local authority maintained schools	Department for Education	02/04/2012	11/05/2012
2	Reform of alternative provision - A consultation	Department for Education	03/04/2012	15/05/2012
3	Inspection of secure training centres	Office for Standards in Education, Children's Services and Skills	03/04/2012	26/04/2012
4	Reforms to the real estate investment trust regime - A consultation	Department for Communities and Local Government	04/04/2012	27/06/2012
5	Review of regulations and national minimum standards for residential family centres - A consultation	Department for Education	10/04/2012	03/07/2012
6	Revocation of the Further Education Workforce Regulations: The FE Teachers' Continuing Professional Development and Registration (England) Regulations 2007 and the FE Teachers' Qualifications (England) Regulations 2007	Department for Business Innovation and Skills	10/04/2012	04/06/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
7	Planning Act 2008 - Proposed changes to the suite of guidance documents for the major infrastructure planning regime	Department for Communities and Local Government	13/04/2012	06/07/2012
8	Standardised Packaging of Tobacco Products	Department of Health	16/04/2012	10/07/2012
9	A better deal for mobile home owners	Department for Communities and Local Government	16/04/2012	28/05/2012
11	Private actions in competition law - Options for reform	Department for Business Innovation and Skills	24/04/2012	24/07/2012
12	The Occupational Pension Schemes (Disclosure of Information) (Amendment) Regulations 2012	Department for Work and Pensions	24/04/2012	22/05/2012
13	Revision of The Education (Independent School Standards) (England) Regulations 2010	Department for Education	25/04/2012	05/06/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
14	Automatic enrolment - Career average schemes as qualifying schemes	Department for Work and Pensions	30/04/2012	11/06/2012
15	Cross - Government Long Term Conditions Strategy	Department of Health	02/05/2012	15/06/2012
16	Proposals to transfer Public Lending Right funding and functions - A consultation	Department for Culture, Media and Sport	08/05/2012	30/07/2012
17	Careers guidance for schools, sixth form colleges and further education institutions	Department for Education	09/05/2012	01/08/2012
18	Taxi and private hire services - A consultation	Law Commission	10/05/2012	10/08/2012
19	Improved coastal access for Durham, Hartlepool and Sunderland - A consultation	Natural England	10/05/2012	03/08/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
20	Amendments to The Motor Vehicles (Insurance Requirements) (Immobilisation, Removal and Disposal) Regulations 2011	Department for Transport	10/05/2012	12/06/2012
21	Recommendations of the Credit Union feasibility study - A consultation	Department for Work and Pensions	11/05/2012	08/06/2012
22	Improvements to the policy and legal framework for public rights of way - A consultation	Department for Environment, Food and Rural Affairs	14/05/2012	06/08/2012
23	Reforming the Social Work Bursary	Department of Health	14/05/2012	27/07/2012
24	Equality Act 2010 - Repeal of two enforcement provisions - A consultation	Home Office	15/05/2012	07/08/2012
25	Equality Act 2010 - Employer liability for harassment of employees by third parties - A consultation	Home Office	15/05/2012	07/08/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
26	Protection of biometric information of children in schools	Department for Education	15/05/2012	03/05/2012
27	Triennial review of the government's Fuel Poverty Advisory Group	Department of Energy and Climate Change	16/05/2012	12/06/2012
28	Sport participation measurement - Proposed changes - A consultation	Department for Culture, Media and Sport	17/05/2012	07/08/2012
29	Localising support for council tax - Funding arrangements	Department for Communities and Local Government	17/05/2012	12/07/2012
30	Liberating the NHS - No decision without me	Department of Health	23/05/2012	20/07/2012
31	Defra: Commission for Rural Communities - How are rural interests being recognised within Local Enterprise Partnerships - A consultation	Department for Environment, Food and Rural Affairs	23/05/2012	30/06/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
32	Safeguarding children - Proposed changes to child performance legislation - A consultation	Department for Education	24/05/2012	03/08/2012
33	Children's centres discussion paper	Department for Education	25/05/2012	19/07/2012
34	Waste Electrical and Electronic Equipment - Call for evidence	Department for Business Innovation and Skills	28/05/2012	23/07/2012
35	Tell us about your experiences of home care services	Care Quality Commission	30/05/2012	31/08/2012
36	Homelessness (Suitability of Accommodation) (England) Order 2012	Department for Communities and Local Government	31/05/2012	26/07/2012
37	Regulations for removing the duty on maintained schools to follow the information and communication technology national curriculum programmes of study, attainment targets and statutory assessment arrangements	Department for Education	11/06/2012	11/07/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
38	Revised safeguarding statutory guidance	Department for Education	12/06/2012	04/09/2012
39	Standard rules for the environmental permitting regulations - Consultation number eight	Environment Agency	12/06/2012	04/09/2012
40	Consultation on Adult Social Care Data Developments 2012	Health and Social Care Information Centre	12/06/2012	02/08/2012
41	High income social tenants - Pay to Stay	Department for Communities and Local Government	13/06/2012	12/09/2012
42	Co-operative parenting following family separation - Proposed legislation on the involvement of both parents in a child's life	Department for Education	13/06/2012	05/09/2012
43	Proposals from town and parish councils under the Sustainable Communities Act 2007 - Second round invitation	Department for Communities and Local Government	13/06/2012	05/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
44	The abolition of the Disabled Persons Transport Committee	Department for Transport	14/06/2012	14/09/2012
45	Changes to the treatment of penalties for careless driving and other motoring offences	Department for Transport	14/06/2012	05/09/2012
46	Healthy Lives, Healthy People: Update on Public Health funding	Department of Health	14/06/2012	14/08/2012
47	Universal Credit and related Regulations: a call for evidence	Social Security Advisory Committee	15/06/2012	27/07/2012
48	Next steps for nursery milk	Department of Health	18/06/2012	11/09/2012
49	Social Security Advisory Committee: Universal Credit and related regulations - A call for evidence	Guest contributor	18/06/2012	27/07/2012



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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
50	Collective redundancies - Changes to the rules	Department for Business Innovation and Skills	21/06/2012	19/09/2012
51	Uplands delivery review programme - Call for evidence	Natural England	21/06/2012	20/07/2012
52	Working together to deliver river basin management - A consultation	Environment Agency	22/06/2012	22/12/2012
53	Open Public Services - Review into the barriers of public service choice	HM Government	22/06/2012	
54	Review Health and Safety Executive's Approved Codes of Practice	Health and Safety Executive	25/06/2012	14/08/2012
55	InterCity East Coast franchise	Department for Transport	26/06/2012	18/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
56	Richard review of apprenticeships - Call for evidence	Department for Business Innovation and Skills	26/06/2012	07/09/2012
57	Directors' pay - Revised remuneration reporting regulations	Department for Business Innovation and Skills	27/06/2012	26/09/2012
58	Office of Tax Simplification's report on tax advantaged employee share schemes	HM Revenue and Customs	27/06/2012	18/09/2012
59	Midata 2012 review and consultation	Department for Business Innovation and Skills	27/06/2012	10/09/2012
60	The Electronic Communications Code- A consultation	Law Commission	28/06/2012	28/10/2012
61	Parental internet controls	Department for Education	28/06/2012	06/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
62	The Disabled People's Right to Control (Pilot Scheme) (England) (Amendments) Regulations 2012	Department for Work and Pensions	29/06/2012	19/09/2012
63	The Disabled Right to Control (Pilot Scheme) (England) (Amendments) Regulations 2012 – A consultation	Department for Work and Pensions	29/06/2012	19/09/2012
64	Statutory consultee performance and award of costs	Department for Communities and Local Government	03/07/2012	11/09/2012
65	New opportunities for sustainable development and growth through the reuse of existing buildings	Department for Communities and Local Government	03/07/2012	11/09/2012
66	Streamlining information requirements for planning applications	Department for Communities and Local Government	03/07/2012	11/07/2012
67	Department of Health: Draft mandate to the NHS Commissioning Board – A consultation	Department of Health	04/07/2012	26/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
68	Extending free early education to more two-year-olds	Department for Education	05/07/2012	15/10/2012
69	Barriers to securing long-term contracts for independent renewable generation investment - A call for evidence	Department of Energy and Climate Change	05/07/2012	16/08/2012
70	Making foreign languages compulsory at Key Stage 2	Department for Education	06/07/2012	28/09/2012
71	Draft Local Audit Bill	Department for Communities and Local Government	06/07/2012	31/08/2012
72	Personal Independence Payment and eligibility for a Blue Badge	Department for Transport	09/07/2012	02/10/2012
73	Cooperative parenting following family separation - Proposed legislation on the involvement of both parents in a child's life	Department for Education	10/07/2012	05/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
74	Age restricted products and services - A code of practice for regulatory delivery	Department for Business Innovation and Skills	10/07/2012	
75	Draft Care and Support Bill	Department of Health	11/07/2012	19/10/2012
76	Consultation on a new adult safeguarding power	Department of Health	11/07/2012	12/10/2012
77	Proposals for the joint inspection of multi-agency arrangements for the protection of children	Care Quality Commission; Ministry of Justice; Office for Standards in Education, Children's Services and Skills	11/07/2012	02/10/2012
78	Commission on a UK Bill of Rights	Ministry of Justice	11/07/2012	30/09/2012
79	Arrangements for the inspection of services for children looked after and care leavers - A consultation	Office for Standards in Education, Children's Services and Skills	11/07/2012	18/09/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
80	The future of the Independent Living Fund	Department for Work and Pensions	12/07/2012	10/10/2012
81	Income related benefits - Estimates of take-up, proposed cessation of the national statistics series	Department for Work and Pensions	12/07/2012	04/10/2012
82	Consultation on a Local Authority Health Scrutiny	Department of Health	12/07/2012	07/09/2012
83	Work Capability Assessment - Year 3 call for evidence	Department for Work and Pensions	12/07/2012	07/09/2012
84	Revision of the Department for Transport's speed limit circular	Department for Transport	13/07/2012	10/10/2012
85	Delivering a cap on income tax relief - A technical consultation	HM Treasury	13/07/2012	05/10/2012

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**Appendix 2: Government consultations and calls for evidence announced in 2012**

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
86	The proposed revised accounting direction	Homes and Communities Agency	13/07/2012	28/08/2012
87	Communications Review - The consumer perspective - A discussion paper	Department for Culture, Media and Sport	16/07/2012	14/09/2012
88	Stopping up and diversion orders - Reform of the application process for local highways	Department for Transport	16/07/2012	24/08/2012
89	Inspection of residential family centres	Office for Standards in Education, Children's Services and Skills	17/07/2012	09/10/2012
90	Replacing Local Authority Central Spend Equivalent Grant - Funding academies and local authorities for the functions that devolve to academies	Department for Education	17/07/2012	24/09/2012
91	Business rates retention - Technical consultation	Department for Communities and Local Government	17/07/2012	24/09/2012

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
92	Payments by parish and community councils and charter trustees - A consultation	Department for Communities and Local Government	17/07/2012	11/09/2012
93	Consultation on funding allocations for independent mental health services	Department of Health	17/07/2012	07/09/2012
94	Funding allocations for independent mental health services	Department of Health	17/07/2012	07/09/2012
95	EU regulation concerning bus and coach passenger rights	Department for Transport	18/07/2012	10/10/2012
96	Review of contact arrangements for children in care and adopted children and on the placement of sibling groups for adoption - A consultation	Department for Education	20/07/2012	31/08/2012
97	Developing the use of direct payments in residential care	Department of Health	24/07/2012	05/10/2012



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98	Guidance for business on environmental key performance indicators - A consultation	Department for Environment, Food and Rural Affairs	25/07/2012	17/10/2012
99	Greenhouse gas reporting draft regulations - A consultation	Department for Environment, Food and Rural Affairs	25/07/2012	17/10/2012
100	Improvements to the system of Listed Building Consents - A consultation	Department for Culture, Media and Sport	26/07/2012	23/08/2012
109	Transforming the services of the Office of the Public Guardian	Ministry of Justice	27/07/2012	19/10/2012
101	Proposed merger of the Gambling Commission and the National Lottery Commission - A consultation	Department for Culture, Media and Sport	31/07/2012	23/10/2012
102	Wood waste landfill restrictions in England - Call for evidence	Department for Environment, Food and Rural Affairs	31/07/2012	28/09/2012

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
103	Joint strategic needs assessment and joint health and wellbeing strategy guidance	Department of Health	31/07/2012	28/09/2012
104	Discretionary Housing Payments - A consultation	Department for Work and Pensions	01/08/2012	31/08/2012
105	Proposals to simplify and clarify RIDDOR (Reporting of Injuries, Disease and Dangerous Occurrences Regulations) reporting requirements - A consultation	Health and Safety Executive	02/08/2012	28/10/2012
106	Approach to flood risk management plans in England and Wales - A consultation	Environment Agency	03/08/2012	31/10/2012
107	Habitats Directive - Draft guidance on the application of article 6(4) - A consultation	Department for Environment, Food and Rural Affairs	07/08/2012	30/10/2012
108	Renegotiation of Section 106 planning obligations - A consultation	Department for Communities and Local Government	13/08/2012	08/10/2012

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
109	Wildlife - A consultation	Law Commission	14/08/2012	30/11/2012
110	Call for evidence to support HPV immunisation programme review	Department of Health	14/08/2012	09/11/2012
111	Future constitution of the English Tourist Board (known as the VisitEngland Board)	Department for Culture, Media and Sport	15/08/2012	12/10/2012
112	Call for evidence on raising awareness of employee ownership	Department for Business Innovation and Skills	17/08/2012	07/09/2012
113	Changes to Jobcentre Plus vacancies statistics - A consultation	Department for Work and Pensions	20/08/2012	14/11/2012
114	Proposed new Chapter 15 of the Section 182 Guidance issued under the Licensing Act 2003 - A consultation	Department for Culture, Media and Sport	22/08/2012	28/09/2012

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<b>Ref</b>	<b>Title</b>	<b>Government Department</b>	<b>Date released</b>	<b>Closing date</b>
115	Localising support for council tax - Council tax base and funding for local precepting authorities	Department for Communities and Local Government	28/08/2012	09/10/2012
116	Review of the Coastal Access scheme - Invitation to comment	Natural England	05/09/2012	01/03/2013
117	Fees and Frequency Regulations 2013-14 - A consultation	Department for Education	05/09/2012	05/10/2012
118	The next phase: Our Consultation on our strategy for 2013 to 2016	Care Quality Commission	06/09/2012	06/12/2012