

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
4 December 2013

Meeting time:
09:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

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Agenda

Private pre-meeting (9:15 – 9:30)

1 Introductions, apologies and substitutions

**2 Consideration of matters relating to the Welsh Language –
Evidence session with the First Minister (9:30–10:30) (Pages 1 - 22)**

Carwyn Jones AM, First Minister
Caroline Turner, Deputy Director, Welsh Language

**3 Motion under Standing Order 17.42 to resolve to exclude the
public from the meeting for the following business: for the
remainder of the meeting and for Items 1 & 2 on 12 December 2013**

**4 Discussion of Evidence from the First Minister on matters relating
to the Welsh Language (10:30–10:45)**

Break (10:45–11:00)

5 Briefing on European Issues (11:00–11:30) (Pages 23 - 31)

Gregg Jones, Head of National Assembly for Wales EU Office

6 Consideration of draft report: Inquiry into participation levels in sport (11:30–11:50) (Pages 32 - 85)

7 Consideration of scoping paper: Inquiry into Poverty (11:50–12:00) (Page 86)

8 Papers to note (Pages 87 - 99)

Communities, Equality and Local Government Committee

CELG(4)-33-13 Paper 1

Written Evidence to the Communities, Equality and Local Government Committee - Role of the Welsh Language Commissioner and related matters

Introduction

1. The purpose of this paper is to set out written evidence on the role of the Welsh Language Commissioner and related matters to the Communities, Equality and Local Government Committee. It covers the working relationship between the Welsh Government and the Welsh Language Commissioner and details matters related to her work.

Background

2. The post of Welsh Language Commissioner was created under the Welsh Language Measure (Wales) 2011. The Welsh Language Measure is a landmark piece of legislation. The Measure includes provisions about the official status of the Welsh language and established the office of Welsh Language Commissioner, which replaced the Welsh Language Board.
3. Meri Huws was appointed to the post of Welsh Language Commissioner and formally took up post on 1 April 2012. An enhanced Welsh Language Division within the Welsh Government was also established on that date. The Welsh Language Commissioner is independent from Welsh Government.
4. The role of the Welsh Language Commissioner has wide ranging functions and powers which include:
 - promoting the use of the Welsh language
 - facilitating the use of the Welsh language
 - working towards ensuring that the Welsh language is treated no less favourably than the English language
 - imposing duties on persons who come within the scope of the Measure to comply with standards relating to the Welsh language
 - conducting inquiries into matters relating to the Commissioner's functions
 - investigating alleged interference with an individual's freedom to communicate in Welsh with another individual.

The working relationship between the Welsh Government and the Welsh Language Commissioner

5. The nature of the relationship between the Welsh Government and the Welsh Language Commissioner is governed, in part, by the Measure. The Measure provides detail of the responsibilities placed upon the Welsh Government and the Commissioner with regard to but not limited to aspects of funding and reporting. The Measure also provides that the Welsh Ministers must have due regard to the

Commissioner's written recommendations, representations or advice when the Welsh Ministers exercise functions which relate to those written submissions.

6. For aspects of the relationship not detailed in the Measure, a Framework Agreement has been agreed by the Welsh Government and the Welsh Language Commissioner. This agreement focuses on meetings, sharing information, co-operation and aspects of the Commissioner's funding. The Commissioner will usually meet the Minister with responsibility for the Welsh language twice a year, or more frequently should the need arise. The Commissioner will also meet senior Government officials with responsibility for the Welsh language on a quarterly basis. The Commissioner's staff will meet Government officials as required to discuss issues.
7. The Framework Agreement is currently being reviewed by the Welsh Government and the Welsh Language Commissioner. A final version is expected to be agreed and signed in due course.

Implementing the Welsh Language (Wales) Measure 2011 and the timetable for the introduction of standards under that Measure

8. It was announced in May 2013 that the Regulations making the first set of Welsh language standards and making standards specifically applicable to persons, will be made by the end of 2014. A timetable was published setting out the steps that needed to be taken to make the Regulations. Welsh Government is still on track to honour this commitment.
9. Following positive discussions with the Welsh Language Commissioner it has been agreed that the Commissioner will carry out a standards investigation, as provided in the Measure, in relation to Local Authorities, National Parks and the Welsh Ministers early in 2014. As part of the investigation process, the Commissioner will contact these organisations directly to discuss the approach in more detail.
10. Once the investigation has been completed, the Welsh Ministers will receive a standards report from the Welsh Language Commissioner, to which they must give due regard.
11. The timetable below outlines the key steps:
 - Welsh Ministers to present draft standards to the Welsh Language Commissioner - December 2013
 - The Welsh Language Commissioner to carry out a standards investigation in relation to Local Authorities, National Parks and the Welsh Ministers - January 2014 onwards
 - The Welsh Language Commissioner to present a standards report to the Welsh Ministers summarising the findings of the investigation – May 2014
 - Draft Regulations and associated documentation produced – June to September 2014
 - Debate and vote on approval of Regulations in National Assembly Plenary Session – October/November 2014

- It is currently anticipated that the Regulations will come into force in November 2014
12. The Welsh Language Commissioner is required by the measure to prepare a code of practice to assist organisations to comply with Standards. Once Regulations are made it will be for the Welsh Language Commissioners to issue compliance notices to organisations
13. Officials have also been informed by the Welsh Language Commissioner of the content of the rolling programme to plan subsequent standards investigations. Details of that programme will be published by the Welsh Language Commissioner shortly. This will outline the order of priority of introducing Regulations to make standards specifically applicable to all organisations listed in Schedule 6 of the Welsh Language (Wales) Measure 2011.

Welsh Language Tribunal

14. The Measure provides for the establishment of a Welsh Language Tribunal that will hear appeals against the Welsh Language Commissioner's decisions in relation to Welsh language standards. It will be the first tribunal to be established under National Assembly for Wales legislation.
15. The Tribunal will be fully established before the Welsh Language Commissioner issues a compliance notice to comply with Welsh language standards. This will ensure that the right of appeal for those persons is available in respect of Welsh language standards that are imposed.
16. The Tribunal will comprise of a President, who satisfies the judicial-appointment eligibility condition on a 10 year basis; legally qualified members who satisfy the judicial-appointment eligibility condition on a 5 year basis who may chair tribunal hearings, and lay members.
17. The recruitment process for the President will be in early 2014. The President will be responsible for making the rules Governing the practice and the procedure to be followed by the Tribunal. The legal and lay members will be recruited later in 2014.

Welsh language Funding 2014-2015

18. Below is the funding for Welsh Language and Welsh Education under the Education and Skills MEG as outlined within the Welsh Government's Draft Budget for 2014-2015

	2013-14 Supplementary Budget June 2013 (£ ,000)	2014-15 New Plans Draft Budget	2015-16 New Plans Draft Budget
Welsh Language	8,864	8,914	9,049
Welsh Education	16,212	15,462	14,462

19. As set out in the Draft Budget 2014-15, funding for the 'Welsh Language' Action (within the Education and Skills MEG) is set to increase by £0.050m in 2014-15. This increase relates to a recurrent transfer-in of the same value from the 'Welsh Learning' Action (within the Education and Skills MEG) to integrate the annual grant to the National Eisteddfod for the learners' officer post with the core grant provided to the National Eisteddfod, as part of continued focus on grants rationalisation.
20. The budget for Welsh Language Commissioner's Office within the Draft Budget 2014-15 was included within the 'Welsh Language' Action. However, officials are in the process of separating out funding from the 'Welsh Language' Budget Expenditure Line (BEL) within this Action, so that the Welsh Language Commissioner has a separate BEL from 2014-15 and beyond in order to aid transparency.
21. While we remain committed to the Welsh language we cannot shield all services from the effect of the UK Government's cuts and the implications of prioritising spend. As a result, an assessment of the overall budget had to be undertaken to establish where reductions could be found, where the least impact from any cuts would be felt.
22. As part of the review, it was decided that a 10% cut to the Welsh Language Commissioner's budget, which equated to £0.410 million, could be made and the Commissioner was made aware of this intention.
23. We are also proposing to reduce the 'Welsh in Education' Action by £0.75m in 2014-15, with £50,000 being transferred to 'Welsh Language' Action for the National Eisteddfod as outlined in Paragraph 19. A further £1m reduction has been proposed for 2015-16. These reductions have been achieved by reducing the budgets for some of the programmes in support of the Welsh-medium Education Strategy, such as the resource commissioning programme, the Sabbatical Scheme and through savings made as a result of the Bilingual Champions project in FE reaching a conclusion in some FE colleges. At present the Welsh in Education budget is targeted at supporting the development of Welsh-medium education from the early years to 19-year-olds; improvement in standards in Welsh-language learning for 3-19 year olds and Welsh for Adults; and the development of the supporting infrastructure through the commissioning of teaching and learning resources, and the provision of practitioner training.

Y Gynhadledd Fawr

24. Y Gynhadledd Fawr was held on 4 July 2013 in Aberystwyth and concluded a two-month period of activity to engage with people across Wales about the future of the Welsh language, in response to the 2011 Census results. On 23 October 2013 a report outlining participants' feedback was published on the Welsh Government website. This encapsulated the views expressed via the online survey, at the series of local focus groups, at the national conference in Aberystwyth, and through other various methods such as tweets, e-mails.

25. The report noted a firm view among participants that more needed to be done to respond to the changing nature of communities; to develop a better understanding of the links between the language and the economy; and to build on the success of Welsh in the education system. Participants felt this should be underpinned by more opportunities for people to use Welsh; additional support for adults to learn Welsh and to transfer/introduce the language within families; and steps to promote the value of the Welsh language.

26. An Oral Statement was made on 12 November 2013 outlining the Welsh Government's initial response to Y Gynhadledd Fawr as well as a series of actions to support the infrastructure of Welsh speaking communities and encourage the increased use of the Welsh language. These include:

- Improvement Plan: The Welsh Government will develop a new internal Improvement Plan to increase awareness and improve skills in language planning amongst its staff. This will also help us as an organization to comply with the standards will be imposed on us by the Welsh Language Commissioner in due course. The Improvement Plan will also focus on putting systems in place to facilitate the mainstreaming the Welsh language, and enable the Government to more effectively assess expenditure on the Welsh language across portfolios.
- Community infrastructure: Further to Publishing TAN 20, authorities also need to know how to assess the impact of development on the language when preparing their Local Development Plans. Over the coming months Welsh Government, with input from external planning experts and the Welsh Language Commissioner, will develop guidance for planning authorities to help them assess the impact.
- Review Recommendations: Please see details of the recommendations in the Policy Reviews Section paragraph 34.
- Sporting opportunities: Many young people have stated that they want to do sports activities through the medium of Welsh. The Urdd, YFCs, and Mentrau Iaith are increasingly providing these opportunities, of course. However, the standards, in due course, could help ensure that provision is made available by public bodies and others across Wales. This will ensure that the language is a living language outside the school gates. Our sports Governing Bodies also have an important role and influence among young people. This includes the Welsh Rugby Union with who the Minister for Culture and Sport has been in recent discussion on this topic.
- Technology: The Welsh Government has invested £200,000 in six projects that will contribute in a very practical way to the availability of technology and digital content Welsh. This funding will provide :
 - new Speech to Text technology for the Welsh language.
 - An App to collect, publish and share local information through the medium of Welsh.
 - Two new apps focussed on developing Welsh language skills for children under 7 years old.

- An App template which will facilitate the creation of a number of new Welsh learning apps.
- an app (and partner website) for young people to find out what Welsh language activities are on in their area.
- A web service to collect Welsh language Twitter content and trends.

We are also considering commissioning a set of videos which will provide practical help for people to use Welsh online and on their devices. And next year the fund will re-open to invite further proposals for the 2014-15 financial year.

- Information App: over the coming months the Government will develop a digital information service - in the form of app and website - which will allow businesses to advertise their services in Welsh and Welsh organizations to advertise their events.
- 5 a Day: In addition to providing information, a behaviour change campaign will be developed to encourage Welsh speakers to use Welsh more often. Work has begun to develop a '5 a day' campaign from the Welsh perspective. This will urge people to do at least 5 things in Welsh, or 5 positive actions in relation to the language, every day, socially or professionally. For example, having 5 conversations in Welsh; for learners to learn 5 new words; or to write 5 emails in Welsh every day - or a combination of these. That is, creating new opportunities to use the language in new situations, in order to create new habits and increase confidence.

Implementing the Welsh language strategy

27. A report on the progress of the Welsh Language Strategy will be published before the end of December.

The impact of policy development on the Welsh language across all Welsh Government departments and portfolios

28. A Task and Finish Group was set up and met monthly between August 2011 and August 2012. The Group considered the Welsh Government's internal use of Welsh, as well as identifying ways to improve its external Welsh language services, in line with our Welsh language scheme and strategy. The Group made a set of recommendations which form the current Welsh Language Improvement Plan; the Group's recommendations were approved by the Board in October 2012. The Improvement Plan aims to increase awareness and improve skills in language planning.

29. A new Improvement Plan is currently being developed which focus on putting systems in place to facilitate the mainstreaming of the Welsh language. A specific project will be set up in order to consider potential assessment tools and look at ways to strengthen the links with other Welsh Government processes. Assessing the impact will help to ensure that Welsh Government abides by the principle set out in the Measure that, in Wales, the Welsh language should be treated no less favourably than the English language. In addition, it will also provide a basis for Welsh Government compliance with the new Welsh Language Standards when

they are introduced and enable Government to more effectively assess expenditure on the Welsh language across portfolios.

30. One of the recommendations of the Task and Finish Group is to have Welsh Language Champions across Government departments. Each department within Welsh Government has a Welsh Language Champion who is a senior member of staff nominated by the relevant Director General, and is supported by a Welsh Language Coordinator. One of the key tasks of a Champion is to seek opportunities to mainstream Welsh language issues into new policies and projects as they are developed, and when funding activities undertaken by third parties.

Welsh language issues within other policy areas

The Welsh-medium Education Strategy

31. The Welsh-medium Education Strategy sets out the ambition of the Welsh Government for a country where Welsh-medium education and training are integral parts of the education infrastructure and a place where all learners develop their Welsh-language skills to their full potential.
32. The third annual report on progress against the objectives and targets of the Welsh-medium Education Strategy was published in July 2013. Progress has been made against 63 of the 74 actions (85 per cent) in the implementation programme. Work on the remaining 11 actions is being taken forward during 2013–14.
33. The Strategy contains fixed five-year and indicative ten-year targets based on outcomes which are being used to monitor progress in implementing the Strategy. A three year evaluation of the Strategy has been commissioned. The work has already commenced and will contribute to the review of the Strategy in 2015.

34. Recent developments include:

Welsh in Education Strategic Plans

- Welsh in Education Strategic Plans are now a statutory requirement for all local authorities in Wales as a result of the School Standards and Organisation Act (Wales) 2013 being passed.

Practitioner training

- The Welsh in Education Grant will provide more than £5.6m to local authorities in 2013-14 and 2014-15 to undertake a range of activities, including training to increase the number of teachers and support staff with higher-level Welsh-language skills.
- The Sabbatical Scheme continues to provide intensive Welsh-language training for practitioners on a variety of levels in locations throughout Wales. The Scheme is currently being extended to provide courses until August 2017.

Welsh second language

- Progress is being made on the action plan to address poor standards in Welsh second language, which sets out six objectives to tackle issues faced by practitioners and Welsh second language learners. A budget of £400k has been allocated to implement the action plan over a four year period.
- A review of Welsh second language at key Stages 3 and 4 has been completed and the report “One language for all” was published on 27 September 2013.
- The recommendations of this group will influence how the Welsh language is taught in schools in the future and its recommendations will be considered as part of the wider review of assessment and the National Curriculum in Wales.

Work based learning and Further Education

- The Bilingual Champions project is going from strength to strength. The project has been extended to include all 17 further education colleges in Wales in addition to the Work Based Learning sector.
- Sgiliaith continues to be funded by the Welsh Government to provide language and methodology training and mentoring programmes to lecturers and trainers in FE colleges

Welsh for Adults

- The Welsh for Adults programme continues to attract over 18,000 learners to learn Welsh every year.
- A review looking at how the Welsh for Adults provision could be improved was recently completed. The group provided a report and recommendations during the summer and a formal response to this report will be made in due course.

Resource commissioning

- The Welsh Government continues to commission Welsh-medium teaching and learning resources in various media, including books and digital resources

TAN 20 - Planning and the Welsh Language.

35. The role of the Welsh Language in the planning system is set out in Planning Policy Wales and TAN 20: The Welsh Language. A revised TAN 20 was issued by the Minister for Housing and Regeneration on 9 October 2013. The Welsh Government is committed to promoting and facilitating the use of the Welsh language. By issuing a revised TAN 20, the Welsh Government delivered the commitment it made in the Welsh Language Strategy for 2012-17, *iaith fyw: iaith byw*. As mentioned previously, the Welsh Government, with input from external planning experts and the Welsh Language Commissioner, will, over the coming months, develop guidance for planning authorities to help them assess the impact.

Policy Reviews

36. Task and Finish Group to look at the future of Welsh-speaking communities

- The National Assembly for Wales, during a plenary in 2012, asked the Welsh Government to establish a Task and Finish Group to look at the future of Welsh-speaking communities. The group is chaired by Dr Rhodri Llwyd Morgan. The Group is due to report its findings and recommendations and a Government response will be made in due course.

37. Task & Finish Group on Welsh Language and Economic Development

- The Minister for Economy, Science and Transport established a task and finish group in December 2012 to explore the links between the Welsh Language and Economic Development. The group is focussing on factors which have specific and direct relevance to economic growth, the provision of jobs, the creation of wealth and the well-being of the Welsh language. The Group are due to report their findings and recommendations and a Government response will be made in due course.

38. Welsh for Adults review

- In July 2013 the report “Raising our sights” was published. This was the final report with recommendations of the independent review group which considered the current and future delivery of the Welsh for Adults provision.
- The Review Group made 24 recommendations to further develop the field. The main recommendations were to:
 - establish an entity to become responsible for the strategic direction and planning of the field;
 - reduce the number of providers to between 10-14;
 - improve the planning of provision making use of 2011 Census data and other market research;
 - revisit Welsh for Adults qualifications moving the emphasis from accreditation towards assessment for learning;
 - work with Welsh Government, Welsh Language Commissioner and employers to develop a Welsh in the Workplace strategy;
 - develop an innovative e-learning strategy that will ensure that e-learning is dovetailed with the learners’ experience at all levels; and
 - work with stakeholders to ensure that learners have opportunities to practice and use their Welsh-language skills.
- A formal response to the report will be made in due course.

39. Review of Welsh second language

- In July 2012, an independent Review Group, chaired by Professor Sioned Davies, was established to advise on improving Welsh second language provision at Key Stages 3 and 4. The main objective of the Group was to consider what changes should be made to enable more learners to use the language outside the classroom, in their communities and in future employment.

- “One language for all”, published on 27 September 2013, reflects the findings of the Group’s work. We very much welcome this report, which makes a number of important recommendations. We will now take time to reflect on the recommendations in the context of the wider review of assessment and the National Curriculum, and work being taken forward in response to the review of qualifications and the discussion on the future of the Welsh language. We will respond in full to all these recommendations in due course.

40. The National Eisteddfod Task and Finish Group

- The group met regularly during 2013 to discuss questions such as a permanent site, structure of the event, attracting new audiences, especially young people and families. The Group also considered, as a part of its remit, how the National Eisteddfod and Urdd Eisteddfod can cooperate to share services and resources.
- The Group has completed its report and presented its recommendations; these will be considered before a response is provided. There will be a meeting with the National Eisteddfod on 5 December 2013 to discuss the Welsh Government recommendations.

41. Review of the Mentrau

- A review of the work of the Mentrau Iaith, local language action plans and the Aman Tawe scheme by Cardiff University on behalf of the Welsh Government is due to report. A formal Welsh Government response will be made in due course.

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Agenda Item 8



Llywodraeth Cymru
Welsh Government

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Ein cyf / Our ref: MB/CS/5484/13

Christine Chapman AM
Chair
Communities Equality & Local Government Committee
National Assembly for Wales
Cardiff Bay
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26 November 2013

Dear Christine

Thank you for your letter of 29 October 2013 requesting further information on key policy priorities within my Housing and Regeneration portfolio.

There are two attachments to this letter which provide as much information as I can provide at this time in respect of the points raised.

Document 1 provides a revised BEL table which highlights the additional capital funding my portfolio has received for the Intermediate Care Fund.

Document 2 provides a response to each of the detailed points made in your letter.

Your letter also asked for further detail on the progress eight Local Authorities had made to complete their registers of accessible homes. The 2012/13 research project on Accessible Housing Registers showed that all local authorities had a system in place for matching people with disabilities to available adapted social housing. The Welsh Government and the Welsh Local Government Association continue to work with local authorities to improve and develop Accessible Housing Registers. The Code of Guidance on the Allocation of Accommodation and Homelessness encourages all Local Authorities to have an Accessible Housing Register or similar matching system in place.

I will provide the detail requested in your final point on the impact that welfare reform is having on communities when this information is available.

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

HOUSING AND REGENERATION MAIN EXPENDITURE GROUP (MEG) - BEL TABLE 2013-14

REVENUE BUDGET - Departmental Expenditure Limit											
SPA	Actions	BEL	BEL Number	2013-14 Supplementary Budget New Plans June 2013	2014-15 Baseline	Changes	Draft Budget 2014-15	Changes	Draft Budget 2015-16	Activities Supported	
Housing Policy	Supporting People	Supporting People Grant	1011	136,558	136,558	-2,199	134,359	-4,141	130,218		
	Homelessness	Homelessness	1120	7,181	7,181	-750	6,431	4,900	11,331		
	Independent Living	Home improvement Agencies		1100	4,691	4,691	-500	4,191		4,191	
		Rapid Response Adaptation Programme		1285	432	432		432		432	
		Independent Living			5,123	5,123	-500	4,623	0	4,623	
	Policy Development and Implementation	Policy Development and Implementation		1161	173	173		173		173	
		Policy Research and Evaluation		1181	57	57		57		57	
		Social Housing and Management Grant		1220	1,644	1,649	-177	1,472		1,472	
		Policy Development and Implementation			1,874	1,879	-177	1,702	0	1,702	
	Total Housing Policy				150,736	150,741	-3,626	147,115	759	147,874	
Homes and Places	Achieve quality Housing	Welsh Housing Quality Standards	1162	274	274		274		274		
	Increase the Supply and Choice of Affordable Quality Housing	Housing Enablers	1286	95	95		95		95		
		Support for Social Housing	984	4,000	4,000		4,000		4,000		
		Increase the Supply and Choice of Housing		4,095	4,095	0	4,095	0	4,095		
	Policy research and evaluation	Affordable homes		1014	115	115	-115	0		0	
		Policy research and evaluation		1181	14	14	348	362		312	
		Social Housing Management Grants		1220	183	183	-183	0		0	
		Policy research and evaluation			312	312	50	362	0	312	
	Regeneration	Implementation of Strategic Regeneration Areas		4151	4,614	4,597	-770	3,827	-446	3,381	
		Manage Delivery of Legacy Regeneration Areas		4162	8,000	8,000	-1,210	6,790		6,790	
Regeneration				12,614	12,597	-1,980	10,617	-446	10,171		
Total Homes and Places				17,295	17,278	-1,930	15,348	-446	14,852		
Planning	Planning Policy Development, Planning Inspectorate and Regulation	Planning Expenditure	2250	7,090	7,090	-1,068	6,022		6,022		
	Construction Unit	Home Safety/Construction	1261	784	784		784		784		
Total Planning				7,874	7,874	-1,068	6,806	0	6,806		
Total Revenue - Housing and Regeneration				175,905	175,893	-6,624	169,269	313	169,532		

CAPITAL BUDGET - Departmental Expenditure Limit										
SPA	Actions	BEL		2013-14 Supplementary Budget New Plans June 2013	2013-14 Final Budget	Changes	Draft Budget 2014-15	Changes	Draft Budget 2015-16	Activities Supported
Housing Policy	Independent Living	Rapid Response Adaptation Programme	1285	1,641	1,641		1,641		1,641	
	Intermediate Care Fund	Intermediate Care Fund	tbc			15,000	15,000	-15,000	0	
	Empty Properties Programme	Empty Properties Programme	983	10,000	0		0		0	
Total Housing Policy				11,641	1,641	15,000	16,641	-15,000	1,641	
Homes and Places	Achieve Quality Housing	Major Repairs Allowance	1061	108,000	108,000		108,000		108,000	
		Housing General Support	1062	37,470	37,470		37,470		37,470	
		Renewal Areas	1063	11,267	11,537		11,537		11,537	
		Achieve quality housing		156,737	157,007	0	157,007	0	157,007	
	Increase the Supply and Choice of Affordable Quality Housing	Social Housing Grants (HSG)	982	66,153	57,533	-3,700	53,833	4,000	57,833	
		Land for Housing	?	0	0	13,700	13,700	-13,700	0	
		Extra care	1005	4,301	4,301		4,301		4,301	
Increase the supply and choice of Quality Housing				70,454	61,834	10,000	71,834	-9,700	62,134	

Increase the Supply and Choice of Market Housing	Help to Buy Wales	?	0	0	69,000	69,000	2,000	71,000
			0	0	69,000	69,000	2,000	71,000
	Regeneration							
	Implementation of Strategic Regeneration Areas	4151	38,905	34,600	5,000	39,600	5,300	44,900
	Manage Delivery of Legacy Regeneration Areas	4162	1,400	1,400	0	1,400	0	1,400
	Local Authority Regeneration General Capital Funding	1380	10,888	10,888		10,888		10,888
	Total Regeneration		51,193	46,888	5,000	51,888	5,300	57,188
	Total Homes and Places		278,384	265,729	84,000	349,729	-2,400	347,329
	Total Capital - Housing and Regeneration		290,025	267,370	99,000	366,370	-17,400	348,970

REVENUE BUDGET - Annually Managed Expenditure										
SPA	Actions	BEL	BEL Number	2013-14 Supplementary Budget New Plans June 2013	2013-14 Final Budget	Changes	Draft Budget 2014-15	Changes	Draft Budget 2015-16	Activities Supported
Housing	Achieve quality housing	Housing Revenue Account Subsidy	1300	-71,000	-71,000		-71,000		-71,000	
	Total Housing			-71,000	-71,000	0	-71,000	0	-71,000	
	Total AME - Housing and Regeneration			-71,000	-71,000	0	-71,000	0	-71,000	

REVENUE BUDGET - Departmental Expenditure Limit										
SPA	Actions	BEL	BEL Number	2013-14 Supplementary Budget New Plans June 2013	2013-14 Final Budget	Changes	Draft Budget 2014-15	Changes	Draft Budget 2015-16	Activities Supported
	Housing and Regeneration and Heritage - Summary									
	Revenue DEL			175,905	175,893	-6,624	169,269	313	169,532	
	Capital DEL			290,025	267,370	99,000	366,370	-17,400	348,970	
	Total DEL			465,930	443,263	92,376	535,639	-17,087	518,502	
	Annually Managed Expenditure			-71,000	-71,000	0	-71,000	0	-71,000	
	Total - Housing and Regeneration			394,930	372,263	92,376	464,639	-17,087	447,502	

COMMUNITIES EQUALITY AND LOCAL GOVERNMENT COMMITTEE
 QUESTIONS FROM BUDGET SCRUTINY APPEARANCE DOC 2

Topic	Question	Response	Timetable
Housing Finance Grant	What arrangements are in place for monitoring the scheme and delivering value for money	We are using exactly the same intervention rates and rational for investing as for the main SHG programme. This is known now. We can report completions through the statistical collection around affordable homes and this will be available each October.	Within 12 Months
	Update on progress made on building 1000 properties	In terms of the 1,000 new homes this is not in addition to the target it is included within the overall target of 7,500 new affordable homes built over this Assembly term.	Within 12 Months
Help to Buy Cymru	More information on the timetable for launch	Details on the launch of the scheme will be provided in due course and the Minister for Housing and Regeneration has committed to an announcement this calendar year.	November 2013
	More detail on the payback arrangements for financial transaction funding when available.	We will provide this information when our discussions with HM Treasury have concluded.	In due course
Supporting People	More detail on the longitudinal research we are developing on the effectiveness of the Supporting People Programme	In December 2013, the Supporting People National Advisory Board will be considering the options for a longitudinal research project. Further details can be provided once the Minister for Housing and Regeneration has considered the advice from the Board.	In due course
	Asking boards to review their budgets – is this part of a more systematic review of potential future savings and reforms.	The 2012 Supporting People Programme Grant Guidance outlines the commissioning arrangements for the new grant launched in 2012. The Welsh Government will review the 2012 reforms to the programme in 2014. The	November 2013

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		proposed longitudinal study is intended to review value for money of the programme.	
Housing Revenue Account Subsidy	Progress on reaching a voluntary agreement to exit the scheme	The Minister for Housing and Regeneration is currently writing to the WLGA and the affected local authorities to provide them with an update. This will clarify timescales to exit the HRAS and confirm the need for a voluntary agreement.	04.05.14
Land	Further detail on the repayment of the new £5million scheme funded through financial transaction capital.	Further details will be available when the full application and scheme criteria details are announced later this financial year.	In due course
Welsh Housing Quality Standard	Feedback to Committee on results of evaluation due in early 2014	The report is due in January 2014 and the Minister for Housing and Regeneration will feedback to Committee once due consideration has been made to the findings.	In due course
	Further information on arrangements to monitor the effectiveness of the MRA and dowry payments over the longer term.	There is a suite of controls in place to ensure MRA is used for the purposes for which it is intended. Details in Annex 1 attached to this letter.	November 2013
	Further detail on the approval process for business plans for achieving and maintaining WHQS.		November 2013
	How are wider community benefits associated with		Community benefits data is not currently incorporated into the business plan process however the results of the evaluation project

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	improving housing standards incorporated.	will inform our thinking on this.	
Homelessness	Findings from a programme to monitor the impact of budget reductions on homelessness	The ending of the temporary funding for Welfare Reform mitigation projects is anticipated to make up the savings required from the homelessness grant programme. Much of this funding has been used to raise awareness of changes and to support local government to put in place sustainable responses to the UK Governments changes. The review of the Homelessness Grant will include a section of the equalities impact of any proposed change to the budget.	Within 12 months
	Update on how local authorities are monitoring the effectiveness of their homelessness prevention measures especially with regard to the impact of UK welfare reforms.	Geoff can you update	November 2013
	An outline timetable for the review of grants provided under Section 180 of the Housing Act 1996.	The review began in October 2013 and is expected to report by February 2013	November 2013
Home Adaptations	Update on discussions with Care and Repair agencies	Discussions with the Care and Repair Agencies are currently underway and the Minister for Housing and Regeneration will provide an update when these have concluded.	November 2013
Intermediate Care Fund	Update on how this will be used in H&R Portfolio	The Minister for Housing and Regeneration will provide an update following discussions with	November 2013

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		political parties.	
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Major Repairs Allowance (MRA)

How MRA is managed

There is a suite of controls in place to ensure MRA is used for the purposes for which it is intended. These are:

- Submission of an acceptable Business Plans by no later than 31 December each year

An acceptable HRA Business Plan¹ means:

- a) A 30 year Plan which uses the Welsh Government's acceptable Business Plan Parameters to include the current years MRA grant allocation;
- b) Demonstrates the ability and intention to achieve the Welsh Housing Quality Standard (WHQS) by 31 March 2012 or a specified date agreed by Welsh Ministers, but no later than 31 December 2020, and its maintenance thereafter;
- c) Contains a statement confirming the year when the WHQS will be achieved;
- d) Includes a sensitivity analysis which demonstrates the impact if assumptions, including MRA, were to be altered either positively or negatively; and
- e) Includes an analysis of items included in the HRA and this must be certified by the authority that it is in accordance with relevant legislation and other guidance including Welsh Office Circular 33/95 which is still extant.

The Plan must also contain

- Modelled risks, including the impact of welfare reforms.
- Calculations based on their latest stock condition information that identifies costs and projected lifecycles of key components such as kitchens, bathrooms and gas boilers to ensure local authorities are maximising value for money.

¹ Local housing authorities are required to have a Housing Revenue Account Business Plan in accordance with sections 87 and 88 of the Local Government Act 2003. The Welsh Government requires that the Business Plan is updated on an annual basis. The reference to property within an Authority's HRA has the same meaning as in Part 6 of the Local Government and Housing Act 1989.

COMMUNITIES EQUALITY AND LOCAL GOVERNMENT COMMITTEE RESPONSE TO BUDGET SCRUTINY QUESTIONS

Annex 1

- A statement of how compliance with WHQS, including interpretation of 'acceptable fail' criteria will be independently verified

How compliance is checked

- BPs are signed off by each LAs Director of Housing & the Section 151 officer
- They are subject to in depth review and analysis by the Senior Financial Analyst in the Housing Regulation Team and the Housing Quality Standards Senior Technical Officer in Homes and Places
- MRA is not given without a compliant BP
- LAs are regulated through the WAO and MRA is covered by the routine LA annual audit process
- LAs are required as term of grant to submit an annual statistical return to WG in October each year, supplying key data. This includes the level of compliance of individual components within WHQS.

Payment of MRA and associated audit

- Submit claims to the Welsh Government in order to receive MRA grant.
- ten monthly payments in arrears between May – February
- Local authorities need to maintain financial records which can be inspected on request

Dowry

- The borrowing of LSVTs is predicated against the money (referred to as Dowry). And is essential at a time when their financial position is under extreme pressure because of Welfare Benefit reform.
- Along with all RSLs, LSVTs are subject to regulation from WG which includes annual financial viability judgements.
- Annual Reports showing detailed progress in achieving WHQS are required from each LSVT and are analysed by officials to ensure that the LSVT has provided sufficient evidence to enable WG to continue to support dowry payments to the LSVT.
- LSVTs submit an annual statistical return to WG in October each year, supplying key data. This includes the level of compliance of individual components within WHQS.

Summaries of complaint cases concerning neighbour disputes and anti-social behaviour, and related issues

Upheld

April 2012 – Cymdeithas Tai Eryri

Mrs Y complained about how Cymdeithas Tai Eryri (“CTE”), a Housing Association, dealt with her complaints of Anti-Social Behaviour (“ASB”) against her neighbour, Mr X (a tenant of CTE), and his visitors. Mrs Y complained that CTE’s responses to her letters had been inadequate. Mrs Y was also aggrieved about other issues related to CTE’s handling of this matter. Mrs Y said that her health had suffered, and that she had suffered emotionally, mentally and financially because of this matter.

The investigation found that CTE had acted in accordance with its ASB policy and procedure, and had not acted unreasonably in dealing with Mrs Y’s complaints of ASB against Mr X and his visitors. This aspect of the complaint was not upheld. However, CTE had failed to properly respond to Mrs Y’s letters, and had failed to provide her with a written copy of its complaints procedure in a timely manner. Those aspects of her complaint were upheld.

It was recommended that CTE apologise to Mrs Y for the shortcomings identified by the investigation and respond to the issues reasonably raised by Mrs Y in her letters to it.

Case reference 201002124

September 2011– Isle of Anglesey County Council

Mrs A’s main complaint related to delays in the Council completing repair works at her council property. For example, Mrs A highlighted that when she and her late husband moved into the property they subsequently found that the electric fire had not been connected to the electrical point. She complained that there was a delay in the Council rectifying the matter. Mrs A also referred to the drainage problems that she had experienced at the property. She expressed dissatisfaction that the Council had not carried out a camera survey of the pipework earlier than in fact happened as she felt that it would have identified breakages in the sewerage pipe. Finally, Mrs A expressed concerns about the installation of the gas central heating system.

The Ombudsman’s investigation concluded that the fact that the fire was not connected should have been identified prior to Mr and Mrs A’s occupation. To that extent Mrs A’s complaint was upheld. However, following investigation no further aspect of Mrs A’s complaint was upheld.

Case reference 201001177

August 2011 – Cardiff County Council

Ms B, an owner occupier in a mixed tenure block owned by the Council, complained that it had taken no action/timely action against tenant neighbours, Mr H, Mr C & Ms E about whose behaviour she had complained. In particular, Ms B complained that the Council had delayed in/failed to:

- issue proceedings and ensure Mr H's eviction sooner;
- deal with her complaints against Mr C & Ms E including complaints that they left communal hallway windows open;
- investigate whether Mr C was occupying his tenancy;
- keep her informed / supply her with incident diaries quickly enough; and
- that the Council's ineffective management of the block had resulted in her annual service charges increasing. Finally, Ms B also complained about the Council's decisions on allocating vacancies in the block.

The investigation found that the Council had acted on the complaints made by Ms B and had followed its own policies and procedures in relation to Mr H. Internal legal advice had been sought and evidence showed that possession proceedings were issued/concluded overall within a reasonable time. That complaint was not upheld.

In relation to the remainder of the complaints, it was noted that it was not for the Ombudsman to decide whether someone should be evicted or not. However, whilst reminders were sent about tenancy conditions and behaviour within the block, a delay was found to have occurred in relation to complaints about Mr C & Ms E; probably because of the focus on Mr H's court action. There had also been communication failings and a delay in supplying Ms B with the incident diaries (which the Council had apologised for). Those complaints were upheld, although it was not for the Ombudsman to decide that the evidence either warranted possession action against Mr C or Ms E, or to predict what, if taken, the outcome might have been.

The complaint about windows being left open and the occupation of Mr C's flat were not upheld. Evidence demonstrated that no reasonable action, other than as taken by the Council, could be taken concerning common parts windows, and that Mr C's occupation of his flat had been investigated. The remaining complaints were not upheld as the Ombudsman could not get involved in service charge levels, but he reminded the Council that it would be unfair to pass on to Ms B (or other leaseholders) the cost of remedial work necessary because of an unidentifiable tenant's actions. Allocation decisions were for the Council to take, in accordance with law, and the Ombudsman could not get involved.

The Council accepted the Ombudsman's findings and recommendations that included an apology to Ms B and redress of £150 for the identified delay and communication failures. Any formal recommendation about its policy/related procedures was not required as they had been made in other complaints already investigated by his office (covering the same time frame as the events in Ms B's complaint).

Case reference 201000852

Not Upheld

September 2011 – Cardiff County Council

The complaint related to the manner in which the Council responded to allegations of noise nuisance and ASB by several of its tenants. Having considered evidence from the complainant, the Police and the Council, the Ombudsman concluded that there had been no maladministration in the Council's handling of the complaints that had been reported to it. He therefore did not uphold the complaint.

Case reference 201001171

May 2013 – Cartrefi Conwy

X, a tenant of Cartrefi Conwy Cyf ("CC"), complained that it had taken no action/timely action against tenant neighbours, about whose anti-social behaviour (ASB) he had complained (including potential criminal offences). He also complained that it had failed to re-house him, failed to offer him temporary accommodation and failed to investigate alleged benefit fraud on the part of the neighbour.

The investigation found that CC had investigated the complaints made. It had undertaken visits but there were no complaints from others. X was reluctant to give evidence. The police had been informed about matters of a criminal nature complained about and the relevant council asked to investigate the benefit issue. Neither found any or sufficient evidence to take action. CC had taken a number of other steps. It offered to install noise monitoring equipment (refused by X) and wrote to all occupants to remind them about tenancy conditions. CC also liaised with the relevant council's homelessness department (to ascertain if it might help X) and with a council in England when X wanted to move there (he later changed his mind). Finally, it had offered to assist X with a transfer to another CC property, but X failed to engage to complete a form.

Ultimately, CC offered X a property as part of its incentive scheme to tenants, such as X, likely to be affected by the government's housing benefit changes, which offer X accepted (commended as an example of good landlord practice). Whilst there was some criticism of CC in some instances failing to comply with its documented procedures, the Ombudsman found that in the circumstances these would not have affected matters. X's complaint was **not upheld**.

Case reference 201201526

Quick fixes

July 2013 — United Welsh Housing Association

Ms A's complaint concerned possible breaches of tenancy by one of her co-tenants, whose behaviour had been causing her a serious nuisance. Ms A's complained that her concerns had not been addressed by the Housing Association as her landlord.

Upon receipt of the Housing Association's initial response to the complaint, the Ombudsman made contact to express some outstanding concerns with the action that it had taken to date. As a result, the Housing Association also agreed the following;

- review the management agreement with all 35 of its managing agents to ensure that there are appropriate mechanisms for complaints/concerns to be notified at the earliest available opportunity and that compliance with this is monitored;
- arrange a review meeting with the managing agent to satisfy itself that Ms A and her co-tenants are appropriately supported in complying with the conditions of their tenancy agreement. In particular to ensure that the work with all three tenants around respect for each other that has been outstanding since June 2012 is undertaken.

Case reference 201204789