Are you in favour of the Bill and its provisions? Do you think the Bill fully achieves the Scottish Government's aim of providing assistance for short term need and community care?

Yes, it places the interim scheme, which is working well, on a statutory footing.

The interim SWF scheme has already been running for two years. Do you feel that the Bill has suitably taken on the learning from this time?

Yes – it will however, remain important to keep learning as the scheme is still, at 18 months old, in its infancy.

Is there anything else that you feel should be included in the Bill?

No

Will the Bill and its provisions have a particular impact on equalities groups.

No

Do you agree with the proposal that LA’s have the option to outsource the provision of the fund to a third party or jointly administer the fund across LA boundaries? What are the benefits or drawbacks to this approach?

Yes – decisions around service delivery models should remain within the control of the LA. This is particularly important given the findings of the Christie Commission in relation to shared services.

What are your views on the proposed internal LA review process?

The interim scheme currently provides for an initial interim review – this works well. The Bill will not change this approach.

Do you agree that the SPSO is the appropriate body to conduct secondary reviews?
This will represent a challenge to the SPSO, and will be very different to their current role. It will also be difficult for LA’s who will require to consider the potential for SPSO intervention. When considering an appeal the SPSO will require to recognise local peculiarities in reviewing a decision. Cognisance will also need to be taken of budget availability should decisions be overturned.

What are your views on the level of detail that will be contained within the regulations? Is there any aspect which you feel would benefit from being on the face of the Bill?

It appears appropriate and proportionate. There, as always, remains a need for guidance but this needs to be in the context of a differing needs for locally provided schemes.

Do you think that the costs attributed to the running of the fund and the set-up of the SPSO to administer secondary reviews are realistic and proportionate?

Adequacy of administration funding remains a concern for the Council, particularly where subsidisation is taking place from other budgets.

The expectation that savings will be generated from SPSO taking on 2nd Tier appeals is unrealistic and not evidence based.

There remains a risk of additional cost in service delivery arising from clients previously unknown to the Council becoming service users. While the holistic approach to dealing with vulnerable individuals is beneficial, there can be an associated financial impact on service delivery budgets.

The SPSO costings look reasonable but care must be taken to ensure the costs remain proportionate to the value of applications. The average value of community care grants and crisis grant awards in EAC in 2013/14 was £505 and £76 respectively.

Activity levels at the SPSO stage are unknown, and while the estimated ranges appear reasonable, more work will be required to provide robust cost estimates.

Do you have any comments on any other provisions contained in the Bill that you wish to raise with the Committee?

No

Craig McArthur
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28 August 2014