1. **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 needs and community care?**

   Yes, Officers are in favour of the Bill and the provisions it contains. However, Local Authorities should receive the level of funding required to deliver what the Bill sets out.

2. **The interim scheme has already been running for 2 years. Do you feel that the Bill has suitably taken on the learning from this time?**

   Yes. The interim guidance has been evolving and reflects lessons learned. It is clear that these have been reflected in the Bill and regulations. The level of detail within the Bill and regulations does not outline the discretions that have been extended to Councils throughout the development of the scheme but we assume these will be included within the statutory guidance.

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

   No

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

   We do not anticipate the Bill having any particular impact on equalities groups as it reflects, in the main, what is already in place.

5. **Do you agree with the proposal that local authorities have the option to outsource the provision of the fund to a third party or jointly administer the fund across local authority boundaries?**

   Yes we welcome this flexibility.

   **What are the benefits or drawbacks to this approach?**

   Benefits – economies of scale, cost reductions; greater negotiation power; unified reporting; consistent procedures

   Drawbacks – reduces the link to local services/organisations and local knowledge

   Officers can see why centralising Community Care Grant’s could be beneficial but not Crisis Grant’s – local connections on Crisis Grant’s are stronger than on
6. **What are your views on the proposed internal local authority review process?**

The proposals for the internal local authority review mirrors the existing arrangements under the interim scheme. Officers feel this currently works well and support its continuation as laid out in the Bill.

7. **Do you agree that the SPSO is the appropriate body to conduct secondary reviews?**

Officers have a number of concerns on the proposals for secondary reviews and the role of SPSO and these are listed below. These are centred on the opinion that the current method of dealing with second tier reviews, within local authorities, works well. The view of Officers is that removing this from local authorities reduces the options available for claimants. Requests for second tier reviews are low and Officers support the SPSO dealing with complaints generated from these as it does give that independent view.

- Officers are concerned about what happens if the funds are exhausted by the time the SPSO makes a decision and the decision of the SPSO is to make the award.

- There are 32 Scottish Local Authorities, each with their own policies which means the SPSO will need to make reference to the policy specific to the Local Authority the review is in respect of.

- The priority level for the Local Authority at the time of the decision will have influenced the decisions therefore this will need to be borne in mind for second tier review.

- The route to SPSO seems disproportionate for Crisis Grants given the small sums involved.

- Officers are concerned about the timescales the SPSO will work to and the level of resources Local Authorities will have to provide to deal with requests from the SPSO.

8. **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?**

There are discretions in certain circumstances which should be included in the regulations. Specifically, qualifying criteria in terms of qualifying benefits and what constitutes a family with the appropriately discretions should, be in the regulations.
9. 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?

No, Officers do not believe these are realistic as there is a significant shortfall between the funding provided to Local Authorities compared to the actual cost of administering the fund. Local Authorities are already subsidising the scheme by allocating administrative resources above the level of funding which has, in part, contributed to the success of the interim scheme.

Funding for SPSO compared to that of Local Authorities appears to be disproportionate to the level of work anticipated. Officers do not anticipate that Local Authorities will see any significant level of savings as a result of the SPSO dealing with second tier reviews.

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

No

Scottish Borders Council
28 August 2014