

28 March 2019

Update on Other Board Business

Purpose of report

For information and comment.

Summary

Members to note the following updates:

1. **Asylum, Migration and Refugee Task Group**
2. **Sleep-ins**
3. **Armed Forces Covenant**

Recommendations

Members of the Community Wellbeing Board are asked to:

1. **Provide oral updates** on any other outside bodies / external meetings they may have attended on behalf of the Community Wellbeing Board since the last meeting; and
2. **Note** the updates contained in the report.

Action

As directed by members.

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30 January 2019

Update on Other Board Business

Asylum, Migration and Refugee Task Group

1. This LGA Task Group, which reports to the Community Wellbeing and Children and Young People's Board, met with the Minister for Immigration on 6 March. Attendees noted updates from a Home Office and Local Government Chief Executive Group on asylum dispersal that the LGA is hosting. This [aims](#) to achieve better engagement and oversight; access to funding and data; and a reduction in pressures. Local leaders welcomed and continued to press for tangible action on these key issues with a focus on moving to a place based approach that recognises wider pressures, a planned reduction in areas with high concentrations, and local flexibilities when necessary but only when agreed by councils. Attendees also pressed for confirmation on the future of refugee resettlement, and for funding for unaccompanied children. The Minister has committed to quarterly meetings of the Group during the transition period to the new contracts, and progress against these priorities will be provided at future meetings. Updates will continue to be added to the LGA [website](#).

Sleep-ins

2. On 13 February 2019, the Supreme Court granted Unison leave to appeal the Court of Appeal judgment on sleep-in payments for social care workers. We have been informed that the Supreme Court hearing will not take place before October 2019, but the actual timetable is yet to be confirmed. Confirmation that leave to Appeal has been granted means that councils face a further prolonged period of uncertainty, and the threat of crippling back payments and higher ongoing costs once again hangs over the sector. The LGA has always taken the view that care workers should be paid fairly for the work they do and that all legal requirements should be fully met by councils and providers of social care. However, there is no getting away from the stark reality that funding gap facing adult social makes addressing the workforce challenge extremely difficult.
3. Although each authority will determine its own response to the Court of Appeal's decision, given that the Supreme Court has agreed to hear Unison's appeal, we have suggested to councils in our latest [briefing](#) that maintaining the status quo for sleep-in shift payments may be the least disruptive course of action. We have also encouraged authorities who have not yet done so, to use this period to calculate their potential liability and plan accordingly in case the Supreme Court does reverse the decision and determines all time spent during sleep-ins counts towards working time for the purposes of National Minimum Wage.
4. While these are prudent actions to take in the current situation, we have been equally clear that years of significant underfunding of councils, coupled with rising demand and costs for care and support, have combined to push adult social care services to breaking point. We are also clear that if there is further change to the legal position as a result of the Supreme Court appeal, Government must make available genuinely new funding to ensure that historic liabilities and higher ongoing costs can be paid for without adversely affecting councils, providers and those who rely on them for essential social care services.

30 January 2019

Armed Forces Covenant

5. We have commissioned Shared Intelligence to write a publication that showcases and shares how 10 councils and partnerships of councils are using Covenant Fund grants to further strengthen the local delivery of the Armed Forces Covenant. The publication will include recommendations on how to further spread good practice and ensure local government capacity to meet obligations under the Covenant in the context of significant budget pressures.
6. Tobias Ellwood MP, Defence Minister, is a confirmed speaker for LGA Annual Conference. We are working with the Ministry of Defence and other partners to organise an informal moment that will celebrate and recognise councillors and officers who serve or have served in the Armed Forces.
7. We have responded to the Ministry of Housing, Communities and Local Government's consultation on improving access to social housing for members of the Armed Forces, veterans and their families. Whilst supportive of the principles underpinning the consultation, and the opportunity to consolidate Armed Forces housing guidance, we highlighted that these proposals exist alongside the objectives of different government departments seeking to ensure that other groups, such as victims of domestic violence, are also given necessary priority in the allocation of social housing.