

Cabinet

Meeting by Teams - [Link to View Meeting](#)

Meeting date
Tuesday, 19 May 2020

Meeting time
2.00 pm

For further information please contact
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County Hall
Llandrindod Wells
Powys
LD1 5LG

13 May 2020

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod.
Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.
You are welcome to speak Welsh or English in the meeting.
Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	MINUTES
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To authorise the Leader to sign the minutes of the meetings held on 3rd March and 5th May as correct records.
(Pages 3 - 10)

3.	DECLARATIONS OF INTEREST
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	DECLARATION OF A REVISED POWYS ECO FLEX 'STATEMENT OF INTENT' TO ALLOW PRIVATE SECTOR HOUSEHOLDS IN FUEL POVERTY ACCESS TO HEATING UPGRADES & HOME ENERGY EFFICIENCY IMPROVEMENTS AVAILABLE UNDER ECO3
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To consider a report by County Councillor James Evans, Portfolio Holder for Economic Development, Housing and Regulatory Services and County Councillor Aled Davies, Portfolio Holder for Finance, Countryside & Transport.

(Pages 11 - 66)

5.	UNIT 1 TEMPORARY BODY STORAGE FACILITY
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To consider a report by County Councillor James Evans, Portfolio Holder for Economic Development, Housing & Regulatory Services.

(To Follow)

6.	EDTECH PROGRAMME UPDATE (INCLUDING COVID-19 RESPONSE)
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To consider a report by County Councillor Graham Breeze, Portfolio Holder for Corporate Governance and Engagement and County Councillor Phyl Davies, Portfolio Holder for Education and Property.

(Pages 67 - 72)

MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 3 MARCH 2020

PRESENT

County Councillor M R Harris (Chair)

County Councillors MC Alexander, G Breeze, A W Davies, P Davies, J Evans and R Powell

The Leader thanked all the staff who had been involved in the Council's response to Storm Dennis. She and the Chief Executive also gave an update on the work going on in the Council and with partner agencies to cope with the coronavirus outbreak.

1.	APOLOGIES
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Apologies for absence were received from County Councillor Heulwen Hulme.

2.	DECLARATIONS OF INTEREST
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County Councillor James Evans declared a personal and prejudicial interest in the item on High Street and Retail Rates Relief Scheme.

3.	MINUTES
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The Leader was authorised to sign the minutes of the last meeting held on 11th February 2020 as a correct record.

4.	LADYWELL GREEN INFANTS SCHOOL AND HAFREN C.P. JUNIOR SCHOOL
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Cabinet was advised that no objections had been received to the proposal to close Ladywell Green Infants School and Hafren C.P. Junior School from the 31st August 2021, and to establish a new English-medium primary school for pupils aged 4-11 from the 1st September 2021 during the statutory notice period.

RESOLVED

1. to approve the proposal to amalgamate Ladywell Green Infants School and Hafren C.P. Junior School in order to establish a new English-medium primary school for pupils aged 4-11 on the current sites of the two schools, by:
 - Closing Ladywell Green Infants School and Hafren C.P. Junior School from the 31st August 2021
 - Establishing a new English-medium primary school for pupils aged 4-11 on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School on the 1st September 2021

2. That in line with Section 3.7.2 of the Scheme for Financing Schools, it is proposed that:

- **Spend at the schools is restricted to that included in their approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority.**
- **Any staffing changes have to be approved by the Authority.**
- **Any contracts awarded for the supply of goods or services have to be approved by the Authority.**

5.	21ST CENTURY SCHOOLS PROGRAMME YSGOL CEDEWAIN PROJECT
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Cabinet considered a Strategic Outline Case to Welsh Government's 21st Century Schools Programme for capital investment to build a new 108 place special school to replace the existing Ysgol Cedewain building in Newtown. Cabinet fully supported the proposal.

RESOLVED

- 1. To submit the Strategic Outline Case, as set out in Appendix 1 to the report, to Welsh Government's 21st Century Schools Programme for capital investment to build a new 108 place school to replace the existing Ysgol Cedewain building in Newtown.**
- 2. The note that the estimated cost of the overall project is £22,678,200.00 with Welsh Government funding 75% of the costs, and the Council funding the remaining 25%, and to note that the current total cost estimate includes an early stage risk contingency of 25%.**

6.	REVISED PROTOCOL FOR AUTHORISING MOTOR VEHICLE EVENTS AFFECTING FOOTPATHS, BRIDLEWAYS AND RESTRICTED BYWAYS UNDER S.33 ROAD TRAFFIC ACT 1988
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Cabinet considered revisions to the protocol for authorising motorsport events affecting footpaths, bridleways and restricted byways. The Portfolio Holder advised that there had been extensive consultation and that the revisions were intended to address issues that had been raised by officers, members and the motor sport industry as to the effectiveness and operation of the current protocol. Cabinet recognised the importance of motor sports events to the local economy.

RESOLVED

- 1. That the revised Protocol and Guidance as set out in Appendices 3 and 4 of the Report are approved and to be put into effect on or before 31st August 2020**

2. That the fees set out in paragraph 3.5 are approved.
3. That the further arrangements set out in paragraphs 3.6 and 3.7 of the report are approved.
4. The reason for the recommendation is to safeguard the future of motor sports within the county, whilst at the same time ensuring statutory compliance and managing public safety during an event.

7.	HOUSING REVENUE ACCOUNT (HRA) THIRTY YEAR FINANCIAL BUSINESS PLAN 2020-2021
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Cabinet considered the Housing Revenue Account (HRA) Thirty Year Financial Business Plan Starting 2020-2021. The Plan set out detailed proposals for the five year period starting in 2020-2021 with outline proposals thereafter. This would allow for a strategic approach to be taken with investment decisions and planning and for more informed consultation and communication with residents and tenants. The plan set out the levels of investment for the following programmes:

New Homes for Powys (Capital Programme)
 WHQS (Capital Programme)
 Compliance One Hundred
 Green Powys
 Fit for Life
 Love Where You Live
 Careline
 Repairs and Maintenance

RESOLVED to approve the Housing Revenue Account (HRA) Thirty Year Business Plan Starting 2020-2021.

8.	HIGH STREET AND RETAIL RATES RELIEF SCHEME IN WALES 2020-21
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County Councillor James Evans declared a personal and prejudicial interest in this item and left the meeting while it was being considered.

Cabinet was advised that Welsh Government had announced the continuation of the Business Rates high street and retail rates relief scheme for 2020-21 to support businesses within the retail sector in Wales. £1,080,000 was being made available to the Council by way of a Welsh Government Grant.

Properties benefiting from this relief would be occupied retail properties such as shops, pubs and restaurants with a rateable value of £50,000 or less on 1 April 2020. The maximum relief available per property in 2020-21 would be £2,500, the same figure of relief available in 2019-20. During the 2019-20 year, 605 Powys businesses were granted a share of £1,048,000 being 97% of available grant.

The Portfolio Holder for Finance, Countryside and Transport also advised that following Storm Dennis, the Council had contacted businesses affected by flooding to inform them of the discretionary rate relief scheme.

RESOLVED

- 1. That a Business Rates high street and retail rates relief scheme 2020-21 be established in accordance with section 3 of this report**
- 2. Ratepayers that received high street and retail rates relief in 2019-20 and remain in occupation as at 1 April 2020 be automatically granted this relief for financial year 2020-21.**
- 3. New applications for Business Rates high street and retail rates relief 2020-21 under the scheme referred to above shall be delegated to and determined by the Portfolio holder for Finance in consultation with the Head of Financial services (Section 151 Officer).**

County Councillor James Evans returned to the meeting.

9. FINANCIAL OVERVIEW AND FORECAST AS AT 31ST JANUARY 2020

Cabinet was advised that the forecast as at 31 January 2020 showed an underspend at year end of £6,000 compared to a forecast overspend of £570,000 at the end of December 2019. This improvement was as a result of the delivery of additional cost reductions. Subject to delivery of further expected cost reductions in February and March, the outturn was forecast to be an underspend of £650,000. Cabinet was further advised that the financial impact of Storm Dennis would not be known for some months. Not only had damage been caused to roads and infrastructure, but staff had been diverted away from fee earning work to deal with flooding. Without financial support from Welsh Government the costs would be borne by the Council. This would impact on the revenue outturn position and any resulting overspend would be financed from the Council's reserves.

The report also included a virement to reduce collection costs from £231,000 to £130,000 from the bring site budget to reflect reduced collection costs following the removal of the garden waste green banks at all the small recycling bring sites.

RESOLVED

- 1. That Cabinet note the budget position.**
- 2. That the virement noted above be approved.**

10. CAPITAL FORECAST AS AT 31ST JANUARY 2020

Cabinet was advised that the forecast outturn on the revised 2019-20 capital budget as at 31st January was an underspend of £11.6 million on service budgets and £4.6 million on the Housing Revenue Account. Actual spend and committed expenditure as at 31 January 2020 amounts to £57.26 million representing 72% of the total revised budget comprising actual spend of £43.35 million and £13.92 million committed.

RESOLVED that the report be noted.

11. CORRESPONDENCE

There were no items of correspondence.

12. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

Cabinet received a list of delegated decisions taken by Portfolio Holders since the last meeting.

13. FORWARD WORK PROGRAMME

The Portfolio Holder for Economic Development, Housing and Regulatory Services advised that he was delaying the report on Ecoflex coming to Cabinet until he had an opportunity to consider the views of Scrutiny.

County Councillor M R Harris (Chair)

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**MINUTES OF A MEETING OF THE CABINET HELD BY TEAMS ON TUESDAY, 5
MAY 2020**

PRESENT

County Councillor M R Harris (Chair)

County Councillors MC Alexander, G Breeze, A W Davies, P Davies, J Evans,
H Hulme and R Powell

1. APOLOGIES

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest reported.

3. BRIEFING TO CABINET ON BUSINESS CRITICAL ACTIVITIES

The Chief Executive explained that the business continuity plan had been invoked early in the pandemic which enabled the council to focus on business critical activities.

Cabinet received an update on the Council's business critical activities:

Responding to Covid-19

1. Health and Adult Services
2. Homelessness Service
3. Public Protection (enforcement, public health, Temporary Body Storage Facility)
4. Childcare Hubs and Early Years provision Key Workers and Vulnerable Children
5. Continuity of Learning Plans

Keeping our communities safe and resilient

6. Supporting Extremely Vulnerable residents
7. Support for Businesses
8. Refuse Collection
9. Emergency Housing repairs and maintenance
10. Highways – essential repair and emergency response
11. Children's Services – all services, including Safeguarding

Corporate – running the Council

12. Financial Management and Reporting
13. Corporate Support Services (including Customer Services, Communications, Workforce and ICT)

4.	INITIAL FINANCIAL IMPACT ON THE COUNCIL REVENUE BUDGET FOR 2020/21 ARISING FROM THE COVID 19 PANDEMIC
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Cabinet considered a report which provided an early indication of the potential impact the Covid 19 pandemic could have on for the Council's revenue budget for 2020/21. It was noted that it was difficult to accurately reflect the impact with any certainty. Things constantly change and the projections provided within the report would need to be updated regularly to reflect the rapidly moving situation.

This initial assessment indicated a total projected deficit for the first 3 months of £10.038 million due to additional demand on some services, loss of income and shortfall on the delivery of savings. Any shortfall against budget would be met from the Council's reserves with the General Fund Reserve and the Budget Management Reserve able to offset the anticipated shortfall for approximately 4 months. Other specific reserves could also be looked at but it was clear that the reserves held would not be sufficient to cover the potential deficit incurred by the Council should the current situation continue for a period of more than a few months.

Cabinet noted actions that needed to be explored to mitigate the financial loss to the council including the furloughing of staff, a review of cost reductions by Heads of Service, a freeze on expenditure other than business critical activities and a review of the capital programme and reserves.

It was important to note that discussions would continue with Welsh Government to highlight the financial position that Local Authorities now find themselves in. Ongoing discussions were taking place across Wales through forums such as the Society of Welsh Treasurers (SWT), the Welsh Local Government Association (WLGA) and the Welsh Government (WG).

The Portfolio Holder for Finance, Countryside and Transport gave an update on the number of business grants. Out of 3629 forms received by end of the previous week, 98% had been processed and 92% paid. He also advised that revised nil bills would be sent out shortly to businesses eligible for the Retail Leisure and Hospitality Relief Scheme. This was a total of £10.5 million in relief for 1,260 Powys businesses.

The Leader closed the meeting by paying tribute to Sharon Scanlon a member of the Council's social care team based in Brecon who had died of suspected of Covid-19. She thanked the members and staff of the council for their work during the pandemic and she expressed her best wishes to County Councillor William Powell for his continued recovery.

County Councillor M R Harris (Chair)

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE****Date 19th May 2020**

REPORT AUTHOR: County Councillor James Evans
Portfolio Holder for Economic Development, Housing
and Regulatory Services
County Councillor Aled Davies
Portfolio Holder for Finance, Countryside & Transport

REPORT TITLE: Declaration of a Revised Powys ECO Flex 'Statement of Intent' to allow private sector households in fuel poverty access to heating upgrades & home energy efficiency improvements available under ECO3.

REPORT FOR: Decision

1. Purpose

1.1 This report sets out Powys County Council's proposal to make a declaration regarding flexible eligibility criteria allowing Powys households access to funding under the Energy Company Obligation (ECO): Help to Heat programme. It builds on work completed under ECO 2t and replaces the Council's previous Statement of Intent. It aims to support households living in Powys most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

1.2 ECO is a UK government energy efficiency scheme administered by OFGEM, which is designed to reduce carbon emissions and tackle fuel poverty throughout Wales and the rest of the UK. The Council's only involvement is to agree to publish a Statement of Intent and following publication, to assess residents' applications to ensure their eligibility under the scheme. This facilitates energy providers in meeting their obligations to reduce carbon emissions and reduce fuel poverty via ECO Flexible Eligibility (ECO 3) within Powys.

1.3 The scheme will be subject to available funding and may close at any time.

1.4 As a consequence of revised guidance issued by the Department of Business, Energy and Industrial Strategy (BEIS), recommendations from an internal independent SWAP audit report and feedback from delivery of ECO 2t, the revised scheme adopted by Powys will need to incorporate more robust qualifying criteria.

1.5 This report seeks approval to declare and publish a Powys ECO 3 'Statement of Intent Version 2,' (Appendix 5) allowing fuel poor private sector household's access to home energy efficiency improvements, delivered by

energy providers and their agents.

1.6 The report is supported by the following appendices:

- 1) Scheme Proposal for Introduction of ECO3 in Powys by Warm Wales
- 2) Scrutiny Recommendations to Cabinet
- 3) Powys Plumbing Group Questions & Answers
- 4) Questions from Local Members & Powys Plumbing Group
- 5) Revised Powys ECO Flex 'Statement of Intent - Version 2'
- 6) Impact Assessment - Associated with Re-introduction of ECO 3 LA Flex Grant Scheme

1.7 The report has been subject to Scrutiny Committee review and amended to take account of its recommendations to Cabinet (Please refer to Appendix 2). In addition, Powys Plumbing Group presented Scrutiny Committee with written questions, these were answered and are included in Appendix 3. Members and interested parties were further invited to directly question the Director of Warm Wales regarding the proposal. Questions and answers in relation to this have been included in Appendix 4.

2. Background

2.1 The table below illustrates numbers, type of measure and value of work installed under ECO2t. Figures were estimated from numbers of applications approved because not all approvals were completed, due to scheme viability.

Measure	Approximate Cost	Approximate Numbers	Approximate value of Works
Oil Boilers	£4,000	1450	£5,800,000
LPG Boilers	£3,250	200	£650,000
Electric Storage Heaters	£3,250	60	£195,000
Mains Gas Boilers	£3,000	25	£75,000
Cavity Wall Insulation	£1,500	350	£525,000
Loft Insulation	£1,000	80	£80,000
External Wall Insulation	£10,000	15	£150,000
Internal Wall Insulation	£8,000	5	£40,000
TOTALS	N/A	2,050*	£7,515,000

Note: Approximate estimates based on average values of work undertaken for declarations issued by the authority.

* Total does not reflect cumulative value, as certain properties received multiple measures

2.2 It is important to note that the previous scheme delivered energy efficiency improvements to over 2,000 households in Powys taking many of them out of fuel poverty. However, we believe only 9 local businesses were involved directly within the supply chain.

2.3 Approximately 16% or 9,500 of the 59,600 households in Powys are in fuel poverty, identified by Powys Council's Well-being Assessment 2017. Disregarding properties assisted by ECO 2t, those households in social housing, on means tested benefits or in a property with an incompatible Energy Performance Certificate (EPC), this leaves a figure in the region of 5,000 as the maximum to be targeted under the scheme. However, it is anticipated many properties may not attract enough funding to make grant

work viable. It is therefore anticipated that numbers of applications for ECO3 may be significantly lower.

2.4 As a result of the SWAP audit report, revised BEIS guidance and feedback on ECO2t, the Council will outsource management of the assessment service for ECO3 to an external organisation. This will provide an independent assessment and employ a robust vetting and checking process for client applications. Having considered the market and organisations available, the Council would appoint Warm Wales, a Community Interest Company (CIC), specialising in delivery of programmes designed to address fuel poverty in Wales. They would provide a fully managed scheme, fielding enquiries, undertaking assessments of client eligibility and work directly with energy providers and agents obligated to deliver measures under the scheme. The scheme proposal developed by Warm Wales is attached in Appendix 1. Questions and answers specifically addressing detail of the Warm Wales proposal are included in Appendix 2, 3 and 4.

2.5 The service will be delivered at zero net cost to the Council, funded via referral fees from energy providers. The Council will still be required to provide declarations for households to enable them to access ECO 3. The Council will be entitled to recover an administration fee for providing these declarations. It has been agreed with Warm Wales that the administration fee must be paid by the energy provider and may not under any circumstances, be passed onto households receiving assistance via the scheme.

2.6 The Administration Fees will be paid to the Council by Warm Wales one month in arrears, post successful ECO 3 installation. They will be paid in line with the Warm Wales proposal, taking account of charges for vetting applicants on behalf of the Council. Charging detail will be included within our published Statement of Intent.

2.7 Even with adoption of a fully managed service, the Council has received independent legal advice that it does not have power under the ECO 3 scheme to offer exclusivity or to restrict energy providers, their agents or installers and neither can it refuse to issue declarations to any eligible resident who meets the schemes eligibility criteria.

2.8 Warm Wales will work with agents to encourage locally sourced contractors and will be required, in conjunction with Business Wales, to run meet the buyer events to make suppliers 'ready' for any subsequent requirements offered by agents.

2.9 Funding is only available for owner occupiers and private sector tenants. Qualification of ECO 3 in Powys will be restricted to those in fuel poverty. Eligibility will be determined by robust criteria, specified within the attached revised 'Statement of Intent Version 2' (Appendix 5) and will now require a signed declaration by the person in fuel poverty as well as (where necessary) the property owner.

2.10 Qualifying energy efficiency measures that can be installed in eligible properties include: new central heating systems, heating upgrades and insulation plus new forms of greener heating systems, such as ground and air source heat pumps.

2.11 Energy providers and/or their agents involved with ECO 3 surveys and identified works, will be expected to comply with the General Data Protection Regulations (GDPR) 2018 and Data Protection Act 2018. They will need to undertake work in accordance with OFGEM requirements and act in accordance with industry best practice in relation to consumer care and quality standards.

2.12 To ensure as many declarations issued by the authority as possible are delivered, it is proposed that all applications are required to be assessed by Warm Wales under the scheme proposal attached in Appendix 1. No declaration will be issued direct to any other ECO provider.

2.13 The decision whether a household receives a measure under ECO 3 or other ECO funding stream will be made by the energy provider. Qualification under the Statement of Intent or receipt of a declaration by Powys County Council will not guarantee installation of any measure, the final decision rests with the energy provider.

2.14 To qualify for assistance under the scheme:

- i) the applicant must certify that they are in fuel poverty in accordance with income values given in BEIS guidance and published in our Statement of Intent. Warm Wales will conduct verification/means-testing to confirm this. Applicants are then required to sign a declaration confirming the details and sign a declaration at the end of the form. Declarations inform applicants they may be liable for prosecution should they be found to provide false information; and
- ii) the property must be rated F or G on an EPC or score 15 points or more in Table 2 of the attached Statement of Intent; or
- iii) the property must have a rating of an E on an EPC or have a score between 10 and 14 points and a member of the household is vulnerable and at greater risk due to living in a cold property. Vulnerability is ascertained by answering the situation/condition questions listed in Question 2 of the Statement of Intent. [*Based on National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes*].

2.15 Warm Wales will access the best deal for individual households by accessing the highest funding rate for installations from a range of energy companies direct. This does not prevent other agents canvassing for works, presenting assessments to the Council and requesting declarations. However, any third-party agents or contractor with clients they wish to refer to the Council will need to have said clients utilise the vetting services of Warm

Wales. The Council will be unable to determine an application that has not been properly assessed and undergone the above vetting process.

2.16 Outsourcing administrative activity to Warm Wales will:

- Allow monitoring of numbers of installations delivered under ECO 3 with the aim of eradicating existence of F and G EPC rated properties (as far as possible), from the private sector housing stock in Powys
- Allow monitoring of numbers of families removed from risk of fuel poverty in Powys
- Specialist third parties, such as dedicated fuel poverty charities not only undertake the necessary fuel poverty assessment but also signpost vulnerable households to complimentary support services, e.g. debt management and benefit entitlement assessments etc.
- Allow performance monitoring of agents in sourcing installers locally
- Come at an additional cost and need to be factored into fees levied by the authority to cover auditing of scheme delivery
- Reduce the requirement for local authority project officer support - limited to auditing Warm Wales activity and ensuring compliance
- Generate a small sustainable income for the service to help mitigate costs and local authority financial pressures.

3. Options

3.1 There are two options for Cabinet to consider:

Option 1 - To make a declaration and publish a revised 'Statement of Intent' regarding flexible eligibility criteria, allowing Powys households at risk of fuel poverty, access to funding under ECO 3.

Advantages:

- The scheme is designed to help households who are currently suffering from fuel poverty, many of which may not be in the position to pay for costly works themselves
- Provides households access to free or highly subsidised insulation measures designed to improve poorly insulated properties in Powys
- Allows the authority access to Welsh Government ARBED Am Byth funding - facilitating delivery of gas connection vouchers and heating system upgrades, allowing Council tenants in fuel poverty to switch to a less expensive heating fuel e.g. Radnor Drive strategic proposal should become financially viable to deliver
- Provides independent assessment of applications and additional data on fuel poverty levels in Powys via Warm Wales
- Will seek to provide local businesses opportunities to work with ECO agents to deliver the scheme in Powys
- Potential for local businesses to become ECO Agents via the scheme
- Will provide long-term opportunities for local businesses through on-going service and maintenance requirements

- Generate a small sustainable service level income via fees levied for declarations issued

Disadvantages:

- It is claimed the scheme will negatively affect established local businesses through the loss of direct work
- The Council does not have power under the ECO 3 scheme to offer exclusivity or to restrict energy providers, their agents or installers and neither can it refuse to issue declarations to any eligible resident who meets the schemes eligibility criteria

Option 2 - Not to make a declaration or publish a 'Statement of Intent' regarding flexible eligibility criteria, preventing Powys households at risk of fuel poverty, access to funding under ECO 3.

Advantages:

- Not making a declaration may assist some local businesses who feel the scheme will negatively affect their business

Disadvantages:

- Does not address issues of households suffering from fuel poverty, a large proportion of which are unlikely to be able to afford costly heating or insulation work
- Will deny households access to free or highly subsidised insulation measures designed to improve poorly insulated properties in Powys
- Will deny Council tenants access to Welsh Government ARBED Am Byth funding for fuel switching and heating upgrade opportunities designed to alleviate fuel poverty e.g. Radnor Drive strategic proposal will no longer be financially viable to deliver
- Opportunity to gather additional data on fuel poverty levels in Powys via Warm Wales will be lost
- Will not deliver benefits to the local economy via businesses that are prepared to work with ECO agents or the ongoing servicing and maintenance of installed systems
- Restricts local businesses from becoming ECO agents via the scheme
- Additional capital funding from ECO3 will not be secured to supplement the various loan schemes provided by the Council
- Prevents generation of a small sustainable service level income via fees levied for declarations issued

Preferred Choice and Reasons

3.1 Option 1 is the preferred choice. Making a declaration and publishing a revised 'Statement of Intent' will widen existing ECO criteria, thereby allowing Powys households at risk of fuel poverty, access to funding under ECO 3.

3.2 The Council has worked for many years to improve homes across Powys with the aim of increasing energy efficiency and reduce fuel poverty. This fund will be a welcome boost to existing interest free loans for such measures and specifically targets those households likely to suffer from fuel poverty and be less able to access interest free loans.

3.3 Local Authorities, working with energy providers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures offered to households that are not covered by existing schemes e.g. Welsh Government NEST scheme.

4. Resource Implications

4.1 Financial Implications - There will be no negative financial implications for the authority. The scheme will be delivered at zero financial cost, funded via referral fees from energy providers. Referral fees will be recovered direct from energy providers by Warm Wales who take their fee at source. There will be opportunity to generate a small sustainable service level income for declarations issued by the authority to Warm Wales. Income will cover the Council's costs and be paid one month in arrears. This will be less than that generated under ECO 2t as it now must take account of charges associated with external vetting and checking of client eligibility by the Community Interest Company. Further detail within Warm Wales Proposal (Appendix 1).

4.2 Workforce/Digital Implications - There will be no additional workforce or digital implications associated with implementation of ECO3. The process will be outsourced to Warm Wales, specialists in delivery of programmes designed to address fuel poverty in Wales. They will use their own resources and infrastructure to deliver the scheme on behalf of the Council under an agreed service level agreement.

4.3 Section 151 Officer comments that the recommendation can be supported from a financial perspective.

5. Legal implications

5.1 Legal: The recommendation can be supported from a legal point of view.

5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Data Protection

6.1 The declaration of a revised 'Statement of Intent' allowing delivery of ECO3 in Powys will involve the processing of personal data. Delivery will be contracted out to the Community Interest Company, Warm Wales, who will be the data controller. Accordingly, Warm Wales will be required to deliver the scheme and comply with the General Data Protection Regulations 2018, under service level agreement with the Council.

6.2 The personal data being processed by Powys County Council as the data controller, in relation to the declaration will be processed in line with data protection legislation.

7. Comment from local member(s)

7.1 This is a Powys wide initiative with potential to affect all local members across the County.

7.2 Members were offered an opportunity to directly question the Director of Warm Wales regarding the scheme proposal. Questions were received from Cllr. Corfield and Powys Plumbing Group, answers to which are provided in Appendix 4.

8. Integrated Impact Assessment

8.1 The Integrated Impact Assessment is attached at Appendix 6.

8.2 Overall Summary and Judgement of Impact Assessment: Adoption of ECO Flex in Powys will facilitate delivery of investment into energy efficiency measures by companies' subject to the Energy Company Obligation (ECO). The Central Government scheme will be impartially facilitated via the Community Interest Company Warm Wales, at zero cost to the Council. The Council will recover costs and generate a small sustainable income for each successful measure installed, following a declaration to Warm Wales allowing ECO agents access to funding.

8.3 The scheme is designed to improve the energy efficiency of dwellings, targeting/improving E, F and G rated premises and reducing likelihood of residents suffering from fuel poverty.

8.4 There is the potential for a detrimental effect on local installers, as providers may come from out of county. To mitigate this, Warm Wales will where possible, introduce criteria specifying agents use local installers. Failure to deliver on this obligation will result in removal of agents from the scheme.

9. Recommendation

9.1 That Powys make an ECO Flex 'Statement of Intent' declaration as set out in Appendix 5 to the report to help eliminate F & G EPC rated properties and reduce the risk of residents living in fuel poverty in Powys - allowing private sector households living in poorly insulated properties, access to 'A' rated heating systems, insulation and home energy efficiency improvements funded via the Energy Company Obligation (ECO3).

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Corporate Director:	Nigel Brinn

CABINET REPORT NEW TEMPLATE VERSION 2

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Warm Wales ECO3 Certification Proposal

Commercial - in confidence

Prepared by Jonathan Cosson
Director
Warm Wales
Jonathan.cosson@warmwales.org.uk

13th February 2020

The proposal

This proposal sets out an offer of services that Warm Wales - Cymru Gynnes CBC (Warm Wales) can provide for Powys County Council.

The proposal is designed to offer a complete bespoke service for the management of ECO3 for the authority.

Warm Wales - Who We Are

Warm Wales - Cymru Gynnes CBC (Warm Wales) is a Community Interest Company, established in 2004, to deliver fuel poverty and associated programmes in Wales and the South West. Its stated mission is:

‘to work with others to alleviate fuel poverty and to provide homes in Wales with affordable warmth. In doing so we aim to make a difference in the everyday lives of people in Wales and the South West by making their homes more energy efficient, healthy, comfortable, durable and affordable’

Warm Wales aims to tackle fuel poverty by bringing together the key solution providers across Wales and the South West and delivering innovative long-term partnerships which will help eradicate fuel poverty on a one-stop-shop basis. In doing so Warm Wales contributes to assisting the Government achieve its sustainable energy objectives. By forging strategic partnerships and delivering fully integrated programmes of work. Warm Wales has, to date, secured investment totalling £60 million for domestic energy efficiency and fuel poverty projects.

Principal activities

To deliver the commitments, stated in the company mission, Warm Wales establishes and manages programmes and activities that:

- Target and reduce the burden of energy costs on the disadvantaged;
- Systematically assess households to determine their energy efficiency needs and fuel poverty status;
- Organise and deliver the installation of a full package of demand side measures and cleaner, reliable and more affordable heating technologies that enhance energy efficiency;
- Strengthen the economic vitality of public-private partnerships;

- Pool the resources of the diverse funding organisations and solution providers;
- Increase the viability and deployment of new energy technologies and innovative solutions in the domestic sector;
- Assist households understand the benefits associated with better energy efficiency;
- Maximise household income by the provision of benefits advice to potentially qualifying households;

What is Energy Company Obligation (ECO)?

ECO places legal obligations on larger energy suppliers to deliver energy efficiency measures to domestic premises. ECO3 will run from Autumn 2018 until March 2022 and delivers energy efficiency and heating measures to homes in Great Britain.

The scheme provides numerous benefits for homeowners, key of which are:

Affordable Warmth – which is focused on low income, vulnerable and fuel poor households. With ECO3, the Government has set the eligibility criteria which will result in approximately 6.6m households being eligible for the scheme. In addition, it will allow up to 25% of the obligation to be met through measures delivered under Local Authority Flexible Eligibility. This is the element which Warm Wales proposes to deliver on behalf of Powys County Council.

Tackling Fuel Poverty Reduction in rural households - to protect rural households, the Government requires suppliers to meet at least 15% of their obligation by delivering measures in rural areas. To strengthen the scheme's link to the Fuel Poverty Strategy further, it also provides an uplift for measures delivered to low-income households living in F and G rated properties under the Flexible Eligibility part of the scheme. Given landlords' responsibilities under the Private Rented Sector Minimum Standard Regulations, the Government has limited the use of ECO in certain circumstances so that landlords do not use it to meet their basic requirements.

Therefore, ECO3 can be considered the key drivers to assist Local Authorities to reduce fuel poverty and reduce carbon emissions from housing stock owned or occupied by those unable to pay for improvements themselves in the area.

Opportunities for local suppliers and contractors

In order to install ECO3 eligible measures, contractors must be accredited to a sufficient level. PAS 2035 covers how to assess dwellings for retrofit, identify improvement options, design and specify Energy Efficiency Measures and monitor retrofit projects.

What is PAS 2035

PAS 2035 sets out a requirement to properly assess all retrofit work and requires a whole house approach to reduce the risk of inadvertently installing measures that negatively impact others.

It contains specification for installers to follow when selecting components, installation methods along with commissioning, including processes, training and qualifications of installers.

The retrofit co-ordinator is the key role, which is basically a project manager with expertise in retrofitting buildings. It is an overarching role with responsibility for co-ordinating and overseeing the activities of the other roles which are all largely self-explanatory: retrofit advisor, retrofit assessor, retrofit designer, retrofit evaluator and retrofit installer.

The retrofit co-ordinator is required to obtain a Level 5 Professional Diploma in 'Domestic Retrofit Coordination and Risk Management'.

How local installers can become involved

This PAS covers work that is initiated, procured, funded and delivered in a variety of ways including, retrofit programmes promoted and/or funded by national or local government schemes such as the Energy Company Obligation (ECO)

Should local installers wish to be accredited there are a number of points to consider such as:

- From 1st January 2020 all installers must be able to evidence the incorporation of TrustMark and the new PAS2030:2019 & PAS2035:2019.
- ECO measures (except demonstration actions & some DHS systems) must be installed by a TrustMark registered business
- Measures must be installed in accordance with PAS2030:2019 & PAS2035:2019

However, there is a Transition period for installers to become registered with TrustMark & Certified to PAS2030:2019 that is in place to 30th June 2021, during which measures must be installed to PAS 2030:2017 and be lodged with the TrustMark Data Warehouse before they can be Notified to Ofgem.

There is also a 20% uplift on the deemed score for measures completed by an installer certified to PAS2030:2019 & compliant with PAS2035:2019 during the Transition Period (1st January 2020 – 30th June 2021).

ECO3 suppliers have commented that they would work with the local supply chain within Powys County, should they be able to meet PAS 2035 accreditation.

Warm Wales Offer

Warm Wales take complete control of ECO3 scheme delivery in Powys as a not for profit energy focused Community Interest Company.

Warm Wales would:

- Create a bespoke service level agreement with Powys County Council for delivery of ECO3, detailing operational parameters, local authority costs/potential income from the scheme
- Be named within the 'Statement of Intent' as the council's partner and body responsible for vetting applications
- Perform all necessary vetting/checks in accordance with Powys County Council's published 'Statement of Intent' determining applicant eligibility, thereby delivering an independent, robust and clear audit trail
- Require declarations to be issued direct to Warm Wales by Powys Council. This allows Warm Wales to source the best available deal for qualifying applicants from an array of ECO providers with whom Warm Wales already have direct funding links
- Recover fees associated with ECO3 delivery direct from ECO funding partners
- Develop Warm Wales branded 'Application for Flexible Eligibility' form (see appendix 1)
- Offer a net zero service cost service to Powys Council for delivery of ECO3. Powys would still receive a £90 plus VAT payment for declarations issued direct to Warm Wales post installation i.e. zero financial risk to Powys & reduced financial risk to Warm Wales

Confidence in eligibility check

Warm Wales will assess each application to ensure the applicant meets the set ECO3 criteria

This includes:

- ECO3 Qualifying Benefit checks
- ECO3 Qualifying Disability Benefit checks

Warm Wales will also assess each application against Powys County Council Flexible Eligibility criteria to ensure that applicants in an area are eligible for affordable warmth grants.

Warm Wales will adopt The Department for Business, Energy and Industrial Strategy (BEIS) ENERGY COMPANY OBLIGATION: ECO3, 2018 – 22 FLEXIBLE ELIGIBILITY GUIDANCE and use an income threshold to determine whether a household has a low income and - where households will be eligible if their income is equal to or below the relevant income threshold.

In general, the lower an income threshold the greater the likelihood of households below that threshold being in fuel poverty.

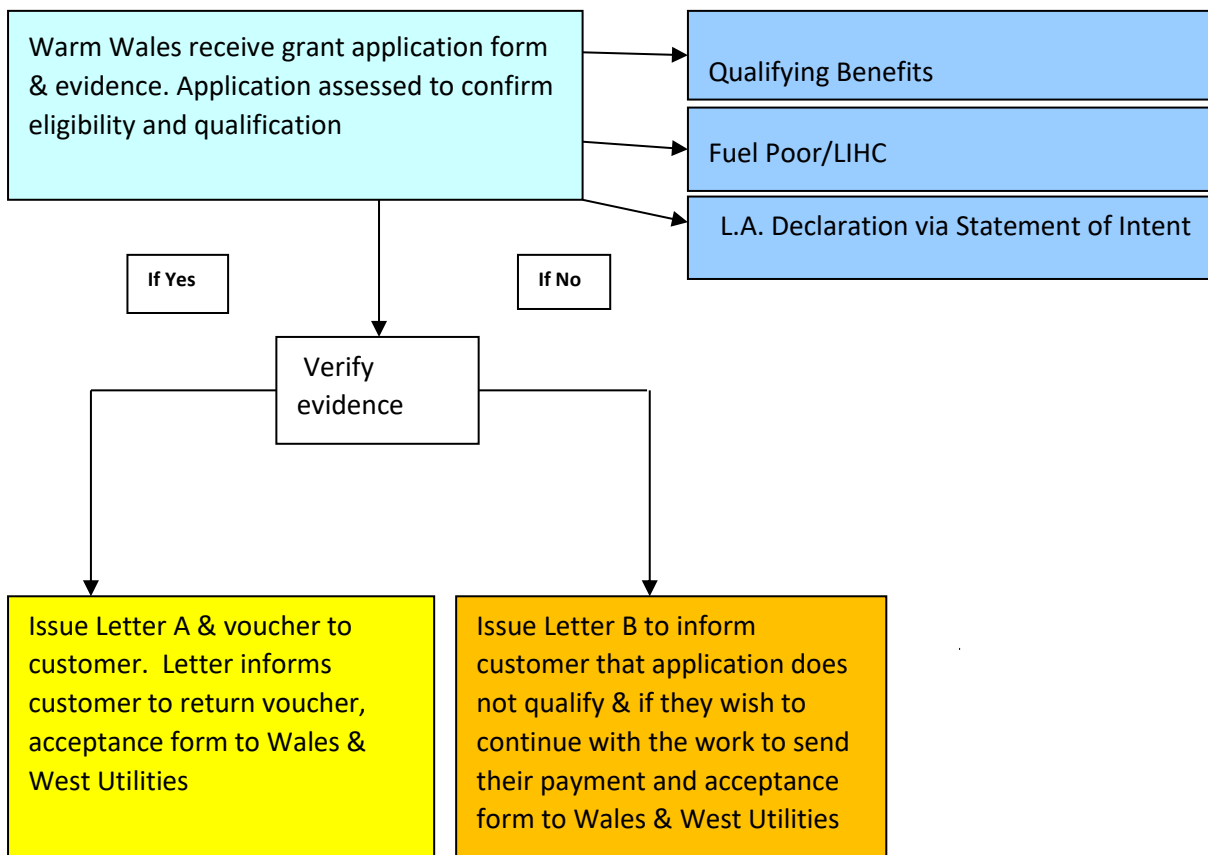
Income here is defined as a household's disposable income after they have paid for their rent or mortgage. This comprises income from all sources, such as net earnings (after tax), income from savings and investments, pensions, all benefits (including housing benefit), and net council tax payments.

All checking of financial and fuel poverty criteria will be completed with full record-keeping. All data stored and shared will be in compliance with GDPR.

Warm Wales has vast experience of managing certification schemes similar to ECO3. Current work includes the management of the Ofgem's Fuel Poor Network Extension Scheme (FPNES) to help households connect to the gas network on behalf of Wales & West Utilities. A partnership dating back to 2009 with the completion of over 12,000 connections.

Through this scheme, Warm Wales is responsible for the certification of grant applications on the scheme. Eligibility rules are similar to ECO3 and the skills gained through its delivery are transferable to this project i.e. assessment of qualifying benefits and of eligibility through Powys Council's Eco Flex declaration via their Statement of Intent.

Please see below a flow diagram to show eligibility process route for FPNES which will be adapted for ECO3:



Flowchart to FPESN self-referral scheme

Further Information

Warm Wales operate web-based upload and download portals for the secure transfer of customer data and comply fully with data protection regulations. Our central UK data centres are ISO27001:2013 certified and their security features include: 24-7 security on site and redundant and uninterruptible power supplies.

All staff will be dressed in branded Warm Wales clothing with a visible id badge on display.

Additional services

- Warm Wales will work with appointed ECO3 providers to encourage access from the local supply chain. Where possible appointed ECO3 providers will source local resources/sub-contractors when carrying out any works. Appointed contractors from the local supply chain must be capable of meeting all compliance and legal requirements set by the appointed ECO3 provider.
- Warm Wales to establish relationships with doorstep canvassers to ensure quality of leads and eliminate false claims. Our compliance process includes background checks on the canvasser, statistical analysis to identify unusual trends, quality control phone calls and the compiling of daily activity logs.
- Develop a Warm Wales Field Canvass App. The Warm Wales field app will be designed to work on smart phones and tablets for both Apple and Android devices. It takes the canvasser through a structured set of questions relating to the householder, property and eligibility criteria. Where appropriate, the canvasser will be prompted to upload photos of the property and documents to the app. Visit complete, the canvasser will send the survey securely to Warm Wales head office for quality checking. Once sent, the survey will not be visible on the device to protect the privacy of the householder and comply with GDPR regulations.
- Warm Wales would provide a lead upload page for canvassers to avoid danger of paper records, this also reduces the threat of double sales.
- Warm Wales will offer eligible households a Healthy Homes Healthy People service via the phone. This service provides homeowners with advice on a selection of energy related issues - e.g. tariff switching, energy advice, fuel debt advice etc.
- In order to ensure a high-quality service, exclusively from partner organisations and to mitigate against ineligible claims from sales agents, homeowners will be contacted to establish consent has been given. Each householder will be provided with a declaration to sign, to ensure they are comfortable with the work that is to be completed.
- Contact has been made with a further 9 Local Authorities across Wales who have expressed an interest in Warm Wales delivering this model on their behalf. This is an opportunity for Powys to join the consortium, standardising delivery of ECO3 LA Flex.

The ECO3 Lead Generation Process that Warm Wales proposes to manage can be seen on the flow diagram below:

ECO LEAD GENERATION PROCESS FLOW

Pre-launch clarification



- What measures can be offered
- Qualifying criteria per measure
- Lead and survey requirements per measure
- Evidence requirements per measure
- Lead volume requirements per measure
- Lead submission procedures
- Rejection timescales / procedures
- Agree payment process / timescales
- Establish pre-install check and survey process

1

Qualification checks



- Leads contacted by warm wales assessment team
- Qualification checks carried out
- Additional evidence requested
- Client records updated
- Surveys booked (if required)

3

Submission



- Client details and surveys securely submitted to energy company
- Confirmation of receipt received
- Work tracked via portal access
- Invoices sent
- Weekly quality call with energy company
- Complaint log maintained / reviewed
- Post install calls to client

5

Lead generation



Inbound generation	Field generation	3rd party referrals
Targeted marketing campaigns encouraging direct applications	Field canvassers working in agreed territories to generate applications	Referrals from local authority and other agreed partners

Survey booking process



- Survey booked with DEA Confirmation
- sent to client and DEA
- Reminders sent
- Outcomes / cancellation rates monitored
- Completed surveys sent to quality



WARM WALES
CYMRU GYNNES

Cost

No up-front cost to Powys County Council and declarations issued to Warm Wales would attract a fee of £90 + VAT payable by Warm Wales post successful installation of measure.

Please Note: Fees are derived from individual ECO providers following an assessment and production of a declaration of eligibility, NOT from clients in receipt of successful measures.

We would be delighted to discuss this proposal with you and other ways we can work with Powys County Council.

Jonathan Cosson
Director
Warm Wales - Cymru Gynnes

Appendix 1: APPLICATION FOR FLEXIBLE ELIGIBILITY

This is an application form to ascertain if you would qualify for grant funded heating or insulation measures under a scheme called "ECO 3 - LA Flex". This is a national scheme that is operated by Warm Wales CIC who redistribute money levied from energy companies.

Warm Wales CIC will select a contractor and arrange for and fund work. You will have been given this form by an agent working on behalf of Warm Wales CIC.

The only involvement of Powys Council is to issue a declaration if you are eligible to receive funding under this scheme. The council do not underwrite or take responsibility for works.

Heating Systems, upgrades and insulation measures.

Via - Energy Company Obligation (ECO) Local Authority Flexible Eligibility (LA FLEX)

The aim of the scheme is to install energy efficiency measures in properties that are currently energy inefficient which in turn reduce household fuel bills. This is an opportunity, if your home qualifies, for potential improvements such as a new central heating system, upgrades to the existing heating system and/or insulation measures. Warm Wales will be determining whether households qualify for the scheme based on information supplied from this application form. Declarations for those who could benefit from improvements will be issued direct to the organisation chosen to deliver your installation.

Your chosen organisation will obtain funding from Energy Companies obligated under (ECO) to deliver measures under this scheme. Companies will have a limited amount of ECO funding available and this will be utilised on a first come first serve basis.

What happens next?

- 1. Complete the application form if you consider yourself in fuel poverty and eligible to apply.**
Funding is available to owner occupiers and private rented tenants. To be eligible for inclusion of flexible eligibility in Powys your home must be energy inefficient; and/or householder(s) is vulnerable.
- 2. Warm Wales verifies your application – with a fee applied, payable by your installer.**
The Local Authority will issue a signed declaration to the organisation of your choice.
- 3. The organisation investigates potential measures for installation.**
The final decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the organisation who you instruct. Qualification and the declaration by Powys County Council does not guarantee installation of any measures, as the final decision will be made by the supplier.
- 4. Installation of qualifying measures.**
If your property is considered suitable for measures then the organisation will commission the work. Permission and access will need to be provided by the owner and resident to enable the smooth delivery of works.

Please complete the following Application Form and arrange for your chosen supplier to return, with supporting evidence (where applicable) to the address, or email on the top of the form. Your application will be considered and if it is determined that you and/or your property are eligible a declaration will be issued to your chosen supplier. The declaration can only be used to obtain energy efficiency measures, e.g. heating systems and insulation from your chosen supplier while funding remains available.

APPLICATION FOR FLEXIBLE ELIGIBILITY: Energy Company
Obligation (ECO) Regulations 2018 onwards (ECO3 LA Flex
under Powys county council statement of intent Version 2)



This form must be completed in partnership with an agent/company as they are able to unlock the funding. Please do not submit it to Warm Wales on your own.

You the applicant, should not be charged to have this application submitted.

Exaggerating personal circumstances and/or making a false statement on this form could be considered a criminal offence and may result in prosecution and/or removal of any grant funded measure.

PART 1

1 Please tell us about your household income

To qualify you must have a household income equal to, or below, the values listed in the table below, for the size of your family, after housing costs have been deducted. Please study the table and pick the band that applies to you.

Housing costs are defined as rent or mortgage expenses.

As part of the application process we will require evidence of income and housing costs.

Household size	Income after housing costs	Tick	Household size	Income after housing costs	Tick
1 ADULT	£9,300 or less		2 ADULTS	£15,200 or less	
and 1 child	£12,200 or less		and 1 child	£18,200 or less	
and 2 children	£15,000 or less		and 2 children	£21,100 or less	
and 3 children	£18,000 or less		and 3 children	£24,100 or less	
and 4+ children	£21,000 or less		and 4+ children	£26,800 or less	

.....

2 Applicant's Name: _____ Title: Mr/Mrs/Miss/Other: _____
 Address: _____
 _____ Post code: _____
 Home Tel. No: _____ Work Tel. No: _____

.....

3 Applicant's Date of Birth: _____

.....

4 Please give the following details of the property to which the application relates:
 Address: _____
 _____ Post code: _____

OR Tick here if address is same as above



Property type (Please provide details to what best describes your property):

- House Mid Terrace End Terrace Semi-detached Detached
- Bungalow Mid Terrace End Terrace Semi-detached Detached
- Maisonette 1 or 2 external walls 3 external walls
- Flat 1 or 2 external walls 3 external walls
- Mobile home

Property Age: _____

5 Do you live in the property as your only or main residence? Yes No

6a Do you live in the property as your only or main residence? Yes No

6b Are you a tenant? Yes No

7 If you are a tenant at the property, please give details of your landlord:

Landlord's Name: _____ Title: Mr/Mrs/Miss/Other: _____

Address: _____

_____ Post code: _____

Home Tel. No: _____ Mobile No: _____

PART 2 - Qualifying Criteria

i) If there is an EPC (energy performance certificate) for the property, is it in:

Band	Tick box	Action
A, B, C or D	<input type="checkbox"/>	You do not qualify sorry, do not continue with the form
E	<input type="checkbox"/>	Go to iii) below
F or G	<input type="checkbox"/>	Go to declaration

ii) If there is no EPC for the property, complete the table on the following page:

DO NOT FILL OUT IF YOU HAVE ANEPC



House Features	Type	Points	Tick box	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall type	System built	5		
	Solid stone/brick	3		
	Cavity construction/ unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid Fuel	5		
Central heating system age	Less than 10 years old	1		
	Over 10 years old	3		
	Broken system	5		
	No system	5		

Points	Tick box	Action
NOT VALID IF YOU HAVE AN EPC		
Less than 10 points (and no EPC)		You do not qualify sorry, do not continue with the form
10 or greater and less than 15 points		Go to iii) below
15 points or greater		Go to declaration

iii) **Client Vulnerability** - Do not fill out if you have an F or G EPC or no EPC and 15 points:



A member of the household is:

Details	Tick box	Proof seen	Print and signed	Dated	Action
Aged over 60 (Proof of Age and address of person)					Go to signed declaration
Children in education and pregnant mothers (Proof of child age/Further education or Maternity details)					

A member of the household is:

Health Condition - The following require a signed declaration by doctor or health practitioner to confirm any health-related issues		Yes	No
1.	Aged over 60 (proof or age necessary)		
2.	Children under 5 and those in primary and secondary education or pregnant		
3.	Respiratory disease (COPD, asthma)		
4.	Cardiovascular disease		
5.	Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)		
6.	Substance misusers		
7.	Dementia		
8.	Neurobiological and related diseases (e.g. fibromyalgia, ME)		
9.	Cancer		
10.	Limited mobility		
11.	Haemoglobinopathies (sickle cell disease, thalassaemia)		
12.	Severe learning disabilities		
13.	Autoimmune or immunodeficiency diseases (e.g. MS, diabetes, HIV)		

Signed declaration by doctor or health practitioner to confirm any health related issues i-xi.

Condition	Doctor	Surgery	Signed	Dated

DECLARATION - To be completed in respect of all applications

WARNING: if you knowingly make a false statement you may be liable for prosecution.

I declare that to the best of my knowledge the details I have provided are correct.

Signed: _____ Date: _____

Please tick - I confirm I have read the cover page and understand the process

By signing you will also consent to have your details audited by the council in the event you are selected as part of a sample verification check.

Warm Wales accept no responsibility or liability resulting from any negative consequence, damage or loss arising from an ECO FLEX grant being accepted or arising from works or efforts connected to the preparation, application or survey prior to a grant.

Warm Wales do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products. This also applies to those identified on the published list of known contractors.

In the event of liability against an agent/contractor, the maximum liability Warm Wales would entertain is for the refund of the declaration fee.

Any grievance or issue raised against grant works or application process, should be taken up with Warm Wales, installing party, agent or financier. Powys County Council's involvement in the scheme is limited to the declaration of eligibility for a grant, should you wish to have the declaration explained in further detail, please email - information@warmwales.org.uk

To be filled out via agent

Please identify the measure/s being applied for:

Please tick - I confirm that the client has been informed about the acquisition, use and storage of their data as part of this process

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Economy, Residents, Communities and Governance Scrutiny Committee

Scrutiny Observations to Cabinet on: 24.03.2020

The Economy, Residents, Communities and Governance Scrutiny Committee met on 24 February 2020 and considered the following documents:

- Declaration of a Revised Powys Eco Flex 'Statement of Intent'

The Economy, Residents, Communities and Governance Scrutiny Committee thank the Portfolio Holder for Economic Development, Housing and Regulatory Services and the Head of Housing and Community Development and officers for attending scrutiny.

Scrutiny make the following observations:

- The Committee is pleased that the criticisms from the Powys Plumbing Group on the previous scheme have been accommodated into the new scheme i.e. local supply chain not being used, no financial income cap on applicants and that applications were assessed externally.
- The Committee noted the clarification that the new scheme was not for boiler replacement but to provide better insulation in properties.
- The Cabinet must ensure that a fit for purpose vetting scheme is established, as recommended by the SWAP review of ECO2, so that a sample of applications assessed by Warm Wales are reviewed to ensure:
 - that the company is delivering what is required on the Council's behalf;
 - that the correct information is being provided on applications regarding the eligibility of applicants.
- Officers should clarify whether income from investments is taken into account when undertaking an assessment of an applicant's income.
- The Cabinet should be assured that checks are undertaken regarding the standard and safety of works undertaken under the scheme as it is the understanding that such checks are not undertaken by regulators.
- The Cabinet should consider a time limited, insurance backed guarantee for the works undertaken to protect customers in the event that works undertaken do not meet required standards.
- The Cabinet needs to ensure that it continues to undertake "Meet the Buyer" events with Warm Wales to promote and support local businesses in engaging with the new scheme.

Scrutiny's Recommendation	Accept (plus Action and timescale)	Partially Accept (plus Rationale and Action and timescale)	Reject (plus Rationale)
1 That the Cabinet ensures that a fit for purpose vetting	Accept - An audited fit for purpose vetting scheme agreed.		

scheme is established;	Timescale - Warm Wales to deliver from launch.		
2 That officers be asked to clarify whether income from investments is taken into account when assessing an applicant's income	To clarify - Interest from investments to be considered but capital sum disregarded. Timescale - Warm Wales to deliver from launch.		
3 That the Cabinet should be assured that checks are undertaken regarding the standard and safety of works carried out under the scheme	Accept - To comply with PAS2035 (a requirement for all installers) checks and warranties required to satisfy OFGEM / BEIS requirements & secure funding from energy providers. Timescale - from launch by accreditation bodies.		
4 The Cabinet should consider a time limited, insurance backed guarantee for the works undertaken to protect customers	Accept - This is a new requirement placed on installers as part of the PAS2035 registration process. Timescale - from launch by all installers.		
5 The Cabinet needs to ensure that it continues to undertake "Meet the Buyer" events with Warm Wales to promote and support local businesses in engaging with the new scheme	Accept - To be undertaken throughout the county ensuring local businesses are encouraged to engage with the scheme. Support & advice also provided to promote PAS2035, required by installers working on this national scheme. Timescale - Warm Wales & ECO provider to deliver from launch.		

In accordance with Rule 7.27.2 the Cabinet is asked to provide a written response to the scrutiny report, including an action plan where appropriate, as soon as possible or at the latest within 2 months of the date of the Cabinet meeting i.e. by 24.04.2020

Membership of the Economy, residents, Communities and Governance Scrutiny Group / Committee on 24.02.2020:

County Councillors:

M Dorrance, K Curry, D Evans, EM Jones, G Jones, I McIntosh, J Pugh, D Selby.

Questions & Statements Presented to Scrutiny Committee By the “Powys Plumbing Group”

Question 1

“The SWAP report into PCC's ECO2t scheme highlighted a number of major flaws in the way the council ran the scheme. One of the key reasons why widespread fraud occurred under that scheme was because there were no adequate vetting procedures in place. With this in mind, precisely what vetting procedures have been put in place by 'Warm Wales' to check each application under ECO3? Can council officials guarantee that EVERY application will be thoroughly vetted under the ECO3 scheme to ensure they comply with both the income AND EPC qualifying criteria?”

Council Response:

The new ECO 3 scheme has been designed to reflect the recommendations from the audit report. The recommendation is to use an external not-for-profit partner who will be able to provide more resource to assess applications. We have also improved the amount of detail required from applicants and changed the “10% of income fuel poverty definition” to a more restrictive income threshold value in line with guidance. Warm Wales will be contracted to undertake the assessments and the Council will be auditing a percentage of the assessments ensuring they are undertaken correctly.

Question 2

“Council officials have acknowledged that only a handful of the 300+ plumbing businesses based in Powys were prepared to work for the ECO Flex agents under ECO2t, and this was because of the very low, labour only rates they offer to do the work. With this in mind, and the fact that the same very low, labour only rates will be offered by the agents under ECO3, how many Powys based plumbing businesses have signed up, or even expressed an interest, in working for the ECO Flex agents under ECO3?”

Council Response:

The amount of money offered by an agent for ECO work is outside of the control of the council. On the previous scheme the rates available did attract attention from a small selection of contractors. It is expected however, that the proportion of works involving a wet central heating system will fall in ECO 3 in favour of insulation works. The rates paid to agents to do this work has fallen significantly for oil, this will mean Powys no longer has the attractiveness it held for ECO 2t. The consultation exercise with local plumbers has not yet begun as the scheme has not yet been approved, furthermore neither Warm Wales nor Powys Council will be commissioning works directly. If the scheme is approved, Warm Wales and the Council will be arranging meet the buyer events in order that local businesses can consider participating in the scheme. However, as a Government initiative with specific requirements, the Council cannot guarantee the volume of work to be delivered by local contractors.

Question 3

“As the council plan to charge a £90+VAT 'administration' fee for each installation undertaken under ECO3, what's the total income council officials expect PCC to earn from the scheme over the remaining 2 year life span that it's got to run?”

Council Response:

We are expecting the throughput on this scheme to be significantly below that of ECO 2t. Furthermore, if the fee charged becomes a prohibitive factor to works, the arrangement may be varied in time. We forecast a £40k annual revenue in a best-case scenario, as published in the impact assessment. The income will cover the Councils costs and the scheme is expected to be cost neutral.

Question 4

“Of the roughly 59,500 properties in Powys, approximately how many of them have an EPC rating of 'F' & 'G' AND are occupied by a householder living in fuel poverty, and so would be eligible to qualify for the ECO3 scheme?”

Council Response:

The data we have available cannot be accurately cross-matched in this manner. This statement is also not entirely accurate as properties without an EPC, of which there are many, may also qualify for the scheme adding to this number. In addition, there are further data matching issues as social housing is excluded from ECO Flex. Social housing has a better than average EPC score as they are subject to different regulations but are likely to have a higher proportion of low-income occupants. Furthermore, qualification of a property for ECO does not necessarily mean viability to deliver works under the scheme. The involvement of Warm Wales in assessing applicants will provide a robust data source in order to assess the impact of ECO3 in Powys.

Question 5

The regulator OFGEM state that each council is ultimately responsible for ensuring that ECO FLEX is run along national guidelines in their area. With this in mind, how confident are council officials that there won't be a repeat of the flawed processes that occurred under the ECO2t scheme that were so damaging to local businesses and the councils reputation?

Council Response:

The statement of intent used by Powys for ECO 3 will be compliant with the national guidelines. We have chosen to use an external not-for-profit partner who will be able to provide more resource to assess applications. We have also improved the amount of detail required from applicants and changed the “10% of income fuel poverty definition”. Further to this the choice of the council to work with a single management agent should help to reduce and hopefully eliminate the “aftermarket” for the buying and selling of leads. However, the council also need to maintain scheme viability without deterring agents from investing their grant funding in Powys.

“THE WAY THE ECO FLEX SCHEME WORKS IN POWYS”

PPG Statement: “Funding for the scheme is provided through national companies called ECO FLEX agents. These agents pay commission to lead generators who cold call householders offering them free measures such as oil or gas boilers etc.”

Council Response: The choice of the council to work with a single management agent should help to reduce and hopefully eliminate the “aftermarket” for the buying and selling of leads in this manner.

PPG Statement: “Leads are passed on to home assessors who visit the property, complete all the paperwork and forward the forms for approval — it's important to realise that assessors can earn up to £1000 per property if the application gets approved. It's why many of them chose to bend the rules under PCC's ECO2t scheme because they knew that there wasn't a vetting process in place to identify fraudulent applications.”

Council Response: The choice of the council to work with a single management agent should dismantle this business model as there will only be one “buyer” thereby devaluing leads.

PPG Statement: “PCC's own auditors found that under ECO2t up to 20% of installations didn't meet the EPC qualification criteria. No investigation has currently been carried out into the number of applications that didn't meet the fuel poverty qualification criteria under PCC's ECO2t scheme but circumstantial evidence would indicate that it was at least another 40%.”

Council Response: We acknowledge there is a need for better vetting to occur on the ECO 3 scheme and we would be commissioning the services of Warm Wales to help ensure this.

PPG Statement: “As the ECO FLEX agents purchase all the materials, and only pay a very low, flat rate for undertaking the installation work, only a handful of the 300+ plumbing businesses in Powys were prepared to work for them under ECO2t. The reality is that it simply isn't possible to do the work to an acceptable standard for the money being offered. “

Council Response: ECO has operated successfully throughout the UK since 2012, the council are not responsible for setting rates, or providing funding, all work undertaken on ECO would have been signed off by an appropriately accredited engineer.

PPG Statement: “Most local plumbing companies rely on their reputation to generate their work on an ongoing basis. Outside contractors don't have these concerns and consequently are prepared to 'throw' the systems in knowing they'll be long gone by the time any problems with their work come to light.”

Council Response: All ECO work is covered by warranty. The council maintain an ambition to see work delivered locally if possible.

PPG Statement: “Few, if any, other councils have chosen to try and make money from the ECO FLEX scheme. Which begs the question - if it's such a great idea why haven't other councils followed PCC's example, when they are all equally short of money?”

Council Response: Many councils in Wales charge for issuing declarations to help cover administrative costs.

PPG Statement: “Other councils, like Shropshire County Council, have shown that the key to running a successful ECO FLEX scheme, one that complies with OFGEM's national guidelines and where fraudulent applications are kept to a bare minimum, is to have a robust vetting process in place, one that checks EVERY application complies with the fuel poverty and EPC qualification criteria.”

Council Response: Robust vetting will occur under the new proposed scheme involving Warm Wales.

“ECO FLEX - National Qualification Criteria”

“The Energy Company Obligation (ECO) is a government energy efficiency scheme for Great Britain, administered by Ofgem.

PPG Statement: The key qualification criteria for households to have measures undertaken under the scheme are: -

1) The householder must qualify as living in fuel poverty, which is defined by the Welsh Assembly as any household that spend 10% or more of their income on their fuel bills.”

Council Comment: This was the definition Powys adopted for the ECO 2t scheme, a different definition is proposed for ECO3 to more closely match national guidance, this may reduce the reach of the scheme.

PPG Statement:

2) “The property must have the poorest energy efficiency rating, with an EPC rating of either 'F' or 'E' rated properties can also qualify but only if the occupant meets PCC's vulnerability criteria as set out in its Statement of Intent.

3) Maximum number of Powys householders who are likely to qualify for measures under PCC's ECO3 scheme:

Number of properties in Powys 59,138

(Ref: FCC 50 Facts About Powys 2017)

Approximate number of 'F' and 'G' rated properties in Powys $59,138 \times 6\% = 3,350$

(Ref: Welsh Government Statistical Bulletin)”

Council Comment: Properties without an EPC are also eligible; this increases the numbers.

PPG Statement: “Approximate number of households living in fuel poverty in 'F' and 'G' rated properties (Ref: Welsh Government Statistical Bulletin)”

3,350 x 43% = 1,600 (A)

Council Comment: As stated earlier, this data cannot be accurately cross-matched.

PPG Statement: “In addition, assuming that 25% of householders in ‘E’ rated properties will qualify under the vulnerability criteria, and using the same methodology as above

(Ref: Welsh Government Statistical bulletin)

59,138 x 14% = 7,260 7,260 x 18% = 1,300 1,300 x 25% = 325 (B)

Maximum number of households who are likely to qualify for measures under the ECO3 scheme in Powys is: TOTAL (A) + (13) at 1,825*

*Many of these properties have already had measures undertaken under the ECO2t scheme - in PCC's impact assessment statement for ECO3 they claim that a total of 1735 new boilers were installed under ECO2t in Powys. In addition many 'E', 'F' and 'G' rated properties in Powys would already have had measures undertaken under the Welsh Governments warm homes Nest scheme.”

Council Comment: As properties without an EPC can be added to this, there is a greater scope of properties able to be targeted. The Focus of ECO 2t was boilers in off-gas properties, for ECO 3 there will be more scope to target mains gas properties and insulation. We expect that this will result in different properties being targeted, that were not previously viable.

PPG Statement: “Both these facts would suggest that if the vetting process is functioning correctly then it's extremely unlikely that the number of measures approved under PCC's ECO3 scheme could exceed 500 to 1000. At £90+VAT per installation this would equate to a total income for the council of between £46,000 and £90,000 + VAT.”

Council Comment: We agree with this income estimation, the best-case income target we predicted was circa £40k per annum

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Scrutiny Committee Recommendation -

Open Invitation to Question Director of Warm Wales on ECO3 Proposal Detail to Local Members & Powys Plumbing Group

Questions & Response to Cllr. Corfield:

- 1. How many ECO type schemes has WW administered on behalf of Local Authorities (LA) (County Councils) up to now. Which LA's were those and how many have signed up WW to administer ECO3.**

Warm Wales has not previously administered an ECO scheme but has a strong track record of delivering similar OFGEM regulated schemes (both currently and historically) such as the Fuel Poor Network Extension Scheme (FPNES) and Arbed Phase 1. Warm Wales has been delivering the FPNES since 2009 and has assessed and administered over 12,000 applications. The skills and experience gained through the delivery of this project is directly transferrable to the administration of an ECO scheme. This is explained in more detail in subsequent questions.

- 2. How thorough are your 'means testing' processes when weighing up whether applicants meet the qualifying criteria.**
 - a) Are bank statements looked at.**

Yes, we access all income and savings to assess vulnerability.

- b) Benefits/Pension records checked, etc.**

Yes, we access all income and savings to assess vulnerability. These include:

- Pension Guarantee Credit
- Income-based Jobseekers Allowance
- Working Tax Credit (an upper earnings limit applies)
- Child Tax Credit (an upper earnings limit applies)
- Income-related Employment and Support Allowance
- Income Support
- Universal Credit
- Council Tax Reduction

- c) Is the application form one where a series of tick boxes is the standard format whereby the applicant fills it in and essentially 'self certifies'.**

There is no self-certification without the provision of appropriate and adequate evidence by the applicant. Application form attached in Appendix 1 to the proposal from Warm Wales.

- d) What is the competency standard of your staff/doorstep canvassers carrying out the 'means testing' of applicants. Do they hold relevant accountancy type qualifications or have substantial relevant previous experience of such work. Also, from reading WW proposal there would appear to be a reliance on 'Apps' rather than paper records for the means test process. This is all well and good and I am well aware we live in a digital age, but when PCC undertake verification checks of a sample of these applications, digital is not necessarily better. I must also point out that Government Departments insist on original paper records such as birth, marriage certificates when verifying an applicant's eligibility even when there is no monetary value involved whatsoever.**

Warm Wales will be working with Utility company accredited/vetted partners who have experience of canvassing for ECO type work throughout the UK. Staff will have experience in delivering previous work to a high standard allowing us to have confidence that the assessment/survey will be accurate. We always require sight of original paperwork however, we will accept electronic evidence of relevant documents taken during home visits and then emailed to head office for assessment.

3. I understand WW has run other schemes not dissimilar to ECO3, such as Ofgem's Fuel Poor Network Extension Scheme. However, with regard to question 1. above, how aware is WW that there is a difference running a scheme for a large Utility company than running one for a LA. A large utility company is not held as accountable to the local economy and residents as a LA is. It will not be WW who takes the flak if things go wrong it will be PCC.

Along with substantial industry knowledge, reputation and embedded community and industry links, Warm Wales has experience of delivering similar projects besides the Fuel Poor Network Extension Scheme. This is highlighted under the section 'Confidence in Eligibility Check' within the Warm Wales ECO3 Certification Proposal within the Cabinet Report. Warm Wales has delivered large scale schemes on behalf of Welsh Government and Local Authorities, such as Arbed phase 1.

Arbed is the Welsh Government's key energy efficiency measures scheme. The Arbed 1 Scheme was set up to take a 'whole house' approach to install energy efficiency measures and renewables across Wales. £60 million of funding was invested in Arbed 1 from a range of sources and the scheme included properties owned by Registered Social Landlords (RSLs), Local Authorities (LAs) and owner-occupied homes. Warm Wales was responsible for approximately £6m of the total fund. The strategic objectives of the Arbed 1 Scheme were to:

- reduce fuel poverty;
- reduce carbon emissions;
- support the energy efficiency and renewable supply chain and encourage recruitment and training in the sector.

Warm Wales was commissioned by five RSLs and two LAs to help deliver their Arbed 1 projects. Warm Wales' role was to undertake scheme design, project management and provide design advice working alongside contractors, RSLs/LAs and energy suppliers.

Questions & Response to Powys Plumbing Group:

We'd specifically like answers to the following questions:

a) Will EVERY application received by Warm Wales be thoroughly vetted before any work is approved and, if so, please outline what this process will involve?

Yes, every application will be assessed to ensure eligibility. The procedure is explained in greater detail within the highlighted section 'Confidence in Eligibility Check' within the Warm Wales ECO3 Certification Proposal within the Cabinet Report.

b) Precisely what checks will be undertaken by Warm Wales to ensure the declared household income figure is accurate?

As described in the proposal, Warm Wales will undertake similar checks as those employed when assessing applications for the OFGEM accredited Fuel Poor Network Extension Scheme (FPNES).

We assess the combined income over a year, after any tax and National Insurance is paid, of all the people living in a household (this includes all wages, benefits, pensions, interest on savings or any other money received – after tax and any National Insurance payments.)

Evidence will be required for all including bank statements to show income and savings. If the individual is working, we would require a copy of their P60's for evidence of income.

When assessing income from benefits we will also require copies of all of benefit award letters to evidence accurate applications.

- Income - this will be done after tax either weekly, or monthly or yearly.
- Housing costs and whether support is received to pay your housing bills is also assessed
 1. Housing costs each year (mortgage, rent & council tax)
 2. Housing help each year (mortgage support in £, housing benefit in £, council tax reduction)

c) Will every application that includes an EPC rating for the property be cross referenced against the EPC database by Warm Wales? If the property doesn't have a current EPC rating what checks will Warm Wales carried out to confirm that the points based declaration on the application form has been completed accurately? (Under ECO2t many properties were allocated inaccurate points values by the home surveyors' in order to get them to 'meet' the qualification criteria for the scheme).

Yes, each application will be cross referenced against the Ministry of Housing, Communities and Local Government's EPC register.

Warm Wales will be working with Utility company accredited/vetted qualified surveyors to conduct all surveying work. This will include the checking of self-assessed applications where the property has no registered EPC. Should it arise that there are discrepancies in any submitted work, that agent /surveyor will be struck off the scheme and excluded from any further work involving Warm Wales.

d) What checks will be undertaken by Warm Wales to determine the eligibility of a householder who claims to part of a vulnerable group?

Warm Wales will require documentary evidence to establish if a householder is a member of a vulnerable group. This will be assessed using Powys Council's Statement of Intent and target households containing people from the following list:

A member of the household is/has

- i. Aged over 60 (proof of age necessary)
- ii. Children under 5 and those in primary and secondary school education or is pregnant
- iii. Respiratory disease (COPD, asthma)
- iv. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)
- v. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)
- vi. Substance misusers
- vii. Dementia
- viii. Neurobiological and related diseases (e.g. fibromyalgia, ME)
- ix. Cancer
- x. Limited mobility
- xi. Haemoglobinopathies (sickle cell disease, thalassaemia)
- xii. Severe learning disabilities
- xiii. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)

The above list reflects the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes. A signed declaration by doctor or health practitioner will be necessary to confirm any health-related issues listed above (iii – xiii).

e) How soon after the start of ECO3 will PCC undertake the first audit of the scheme, and what will it involve? How many audits are planned over the 2 years lifespan of this scheme and what percentage of applications will be checked? Will the applications be chosen at random and, if so, who will choose them? Will the results of the audits be made public and, if so, how soon after completion of the audit will this happen?

An audit will initially be conducted after the first month and subsequently on a quarterly basis, where a random sample of 10% of ALL applications will be assessed for their accuracy. This will be conducted by Powys County Council who will also be responsible for selecting the applications to be checked.

f) It was local plumbing and heating contractors who first identified that the ECO Flex agents were widely abusing the ECO2t scheme. Should it become evident that something similar is occurring under ECO3 what procedures have council officials - or Warm Wales - put in place to allow local contractors the opportunity to report any such incidents in the future?

Warm Wales will be working with reputable partners and do not anticipate issues regarding ECO flex agents because we will be working with Utility company accredited/vetted partners. Contrary to the comments in the opening narrative 'Our understanding of PCC's ECO3 proposals is that it'll again be the same ECO Flex agents' the selection of ECO agents has not been confirmed. However, we will be working with partners who are Utility Company accredited/vetted and can demonstrate exceptional working practices. Should the unlikely situation arise where issues are highlighted, we welcome dialogue with concerned parties.

g) What sanctions will be imposed by PCC on any ECO Flex agent found to be involved in persistent fraudulent or unethical behaviour on the ECO3 scheme in Powys?

Any evidence of fraudulent activities from agents will result in their exclusion from participation in the scheme and the reporting of such activities to the appropriate authorities.

h) Do any of the staff or directors of Warm Wales have any current, or historic, connection to the ECO Flex agents involved in running the ECO2t or ECO3 schemes anywhere in the UK?

No, they do not.

i) Warm Wales state that they are a 'community interest company (or CIC)' and exist to 'benefit a community, or with a view to pursuing a social purpose, rather than to make a profit for shareholders'. With this in mind can they explain precisely which communities, if any, in Powys will benefit from any profit they make from running the ECO3 scheme in the county?

As stated on our website, as a CIC Warm Wales does not aim to make a profit for stakeholders but rather raises funds to deliver further work related to the ethos of the organisation, namely to alleviate fuel poverty and reduce carbon emissions. If the opportunity arises to deliver additional work within Powys, Warm Wales will welcome the opportunity.



Powys County Council Flexible Eligibility Statement of Intent - Version 2

This statement sets out Powys County Council's flexible eligibility criteria for the ECO3 LA Flex: Help to Heat programme from April 2019 forward. The scheme is supported from the ECO commitment provided by utility companies and the availability of funding is beyond the control of Powys County Council and may be closed at any time. It aims to support households living in Powys who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

Introduction - Powys County Council welcomes the introduction of Flexible Eligibility and intends to utilise it for the purposes of reducing fuel poverty and tackling hard to heat homes across the county. ECO 3 LA Flex is not a Powys County Council funded or managed scheme, many aspects of it are outside the council's control or design. Powys County Council will refer clients to Warm Wales, a not for profit Community Interest Company specialising in tackling fuel poverty. Warm Wales will assess and if appropriate, refer eligible clients to 3rd parties who may have access to funding under the scheme.

What is flexible eligibility - Local Authorities working with Energy suppliers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures to households not covered by existing schemes of support.

Identifying households - Funding is only available for owner occupiers and private tenants. Qualification for the scheme is restricted to those **in fuel poverty** as identified in Table 1 in Part 1 below. Eligibility will be determined by criteria listed below and requires a signed declaration by the owner/tenant.

Qualifying measures - The energy efficiency measures that may be installed in eligible properties include new central heating systems, heating upgrades and insulation.

Liabilities - Powys County Council accept no responsibility or liability resulting from any negative consequence, damage or loss arising from the acceptance of an ECO FLEX grant. This includes efforts connected to the preparation, application or survey prior to an installation or as a result of works delivered under the scheme.

Powys County Council do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products.

Any grievance or issue raised against grant works or application process, should be taken up with the installing party / agent / financier. Powys County Council's involvement in the scheme is limited to the declaration of eligibility for grant. Should you wish to have the declaration explained in further detail, please email - privatesectorhousing@powys.gov.uk

Final decision - The decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the **energy supplier** or their **agent / contractor**. Qualification in the statement of intent or issuance of a declaration by Powys County Council will **NOT** guarantee installation of a measure, the final decision **rests with the supplier**.

Revised guidance issued for ECO3 by BEIS significantly differs to that associated with ECO 2t LA Flex. Consequently, Powys Council cannot reissue any declaration previously issued under Powys County Council Statement of Intent version 1. A new application will need to be made to ensure it now meets our new criteria.

Cost Associated with measures

Whilst some measures being grant funded will be free to the consumer at point of sale, others may only be partially grant funded and will require a contribution from the consumer or agent in order to be delivered.

Any financial or contractual arrangement relating to the installation of a specific measure or home survey or service shall be at the discretion of the homeowner or occupier to accept or decline as they choose. Powys County Council will not be party to any such arrangements; this shall solely be between the client and any third party of their choice.

Governance

The body to which any application for assessment prior to qualification under this Statement of Intent will need to be made shall be delegated to the Community Interest Company - **Warm Wales**. Powys Council will no longer accept applications direct.

If you wish to make an application for confirmation of grant eligibility, please contact:

Warm Wales, Llewellyn House, Harbourside Business Park, Port Talbot, SA13 1SB.
email: information@warmwales.org.uk call: 01656 747 622 Web www.warmwales.org.uk

Warm Wales shall field calls, engage in scheme promotion and conduct vetting of applications via collection of evidential client information. ***Warm Wales will be solely responsible for referring successful applications to Powys Council for sign off.***

The council shall issue declaration certificates to eligible applicants.

Any 3rd party agent of a contractor with clients they wish to refer to the council will need to have said clients utilise the vetting services of **Warm Wales** and have those clients referred to the council via that organisation. The council will not be party to any such arrangement implemented between **Warm Wales** and any 3rd party agent of each independent contractor.

Warm Wales shall select the installer and/or funder for all clients for whom they facilitate the application process for funding under ECO3.

Officers holding the following positions shall be empowered to sign declarations on behalf of Powys County Council, including those issued under Part 3 (1 & 2) -

Private Sector Housing Lead, Environmental Health Officer, Housing Standards & Improvement Officer, Affordable Warmth & Renewable Energy Officer, Service Improvement Officer.

Monitoring

Information regarding the number of referrals made to the council by **Warm Wales** and declarations issued, shall be recorded by the council. Any further information would be held by the agent or contractor and submitted to BEIS/OFGEM separately.

Part 1 - Qualifying Criteria

- i) To qualify you must have a disposable household income falling below that of the value in the table below, corresponding to family size - after housing costs have been deducted. Housing costs are defined as rent or mortgage expenses. **WARM WALES WILL REQUIRE APPROPRIATE EVIDENCE TO DEMONSTRATE THIS FROM ALL APPLICANTS.**

Table 1 - Identifying fuel poor households

(Referenced from BEIS ECO 3 Flexible eligibility guidance - Annex 6)

Household composition	2019
1 Adult	£ 9,300
and 1 child	£ 12,200
and 2 child	£ 15,000
and 3 child	£ 18,000
and 4+ child	£ 21,000
2 Adults	£ 15,200
and 1 child	£ 18,200
and 2 child	£ 21,100
and 3 child	£ 24,100
and 4+ child	£ 26,800

- ii) In addition to point i) the property must have a current EPC rating of **F or G**. **E** ratings will also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

(All EPC scores will be taken at face value from www.epcregister.com any property with an expired EPC will be considered to have no EPC.)

If the property has no EPC, then it must score 15 points or more in Table 2 below.

If the property scores **more than 10 points**, it can also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

Table 2 - Property Condition

House features	Type	Points	Tick	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft Insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall Type	System built	5		
	Solid stone/brick	3		
	Cavity construction/Unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid fuel	5		
Central Heating system age	Less than 10 years old	1		
	Over ten years old	3		
	Broken system	5		
	No system	5		
			Total	

Part 2 - Client Vulnerability

(Demonstration of a vulnerability is not necessary if the property has an EPC of F or G; or No EPC and more than 15 points)

If it is necessary to demonstrate that householders are at a greater risk to the effects of living in a cold home, Powys County Council adopt the following approach:

Powys County Council will target households containing people from the following list, which reflects the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

'Excess winter deaths and illness and the health risks associated with cold homes' states that: a wide range of people are at greater risk to the cold. This is either because of a medical condition, such as heart disease; a disability that, for instance, stops people moving around to keep warm, or makes them more likely to develop chest infections; or personal circumstances, such as being unable to afford to keep warm enough.

A member of the household is/has

- i. Aged over 60 (proof of age necessary)
- ii. Children under 5 and those in primary and secondary school education or is pregnant
- iii. Respiratory disease (COPD, asthma)
- iv. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)
- v. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)
- vi. Substance misusers
- vii. Dementia
- viii. Neurobiological and related diseases (e.g. fibromyalgia, ME)
- ix. Cancer
- x. Limited mobility
- xi. Haemoglobinopathies (sickle cell disease, thalassaemia)
- xii. Severe learning disabilities
- xiii. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)

Signed declaration by doctor or health practitioner necessary to confirm any health-related issues listed above (iii – xiii).

General Data Protection Regulations & Privacy Notice

In order to access ECO3 funding, personal data will need to be shared with 3rd parties by agents through which any application is made.

Powys Council are not able to process or handle applications without involvement of said 3rd parties. The 3rd parties not the Council, are responsible for sourcing ECO 3 funding and arranging installation of measures.

For this reason, Powys County Council does not consider itself to be the Data Controller in this scenario because it is not the body responsible for offering or delivering the grant.

Powys County Council will process all data submitted as part of the scheme in accordance with data protection legislation. Please refer to Powys County Council's Housing Privacy Notice: <https://en.powys.gov.uk/article/7132/Housing-Privacy-Notice>

Part 3 - Alternative Strategically Targeted Qualifying ECO Schemes

Powys Council are aware of numerous grant schemes and renewal activities targeted towards those in fuel poverty i.e. mains gas connection projects & **Rent Smart Wales - Warm Home Fund**. For these schemes to access funding via ECO, Powys Council will, permit applications and award declarations in situations falling outside the standard qualification criteria mentioned above, provided that the strategically targeted activity specifically addresses fuel poverty.

The following element of this Statement of Intent will only be used on specific energy efficiency projects where 'the Council' is a participating partner. Please note: The Council will only sign declarations for qualifying households that are part of these projects and will not work with any third party outside of these projects. The subsequent pathway will only be accessible via pre-agreed arrangements between partner Welsh Government agencies involving "Arbed am byth".

(1) - Households identified as living in areas of severe fuel poverty via Welsh Government's Arbed programme

Arbed am Byth have been appointed by the Welsh Government to deliver Arbed, an area-based programme that sets out to alleviate and where possible eradicate fuel poverty across Wales. The aim of the programme is to provide a suite of measures, based on a whole house assessment, to improve the energy efficiency of properties in areas of severe fuel poverty. In order to establish whether an area is in severe fuel poverty Arbed am Byth along with their lead subcontractor, The Carbon Trust, model against the following criteria and make an assessment.

(Note - not an exhaustive list and not all indicators need to be present for all schemes to demonstrate fuel poverty):

- a. Hard to heat (EFG EPC ratings)
- b. Hard to heat (archetype)
- c. Gas connection status
- d. Exposure Zone
- e. Poor health (Census)
- f. WIMD (income, employment, health, education and housing domains)
- g. Benefits (Council Tax, Housing Benefit, JSA, ESA & Incapacity benefits, Lone parents, Carers, Disabled, other income related benefits, other out of work benefits)
- h. Free school meals (% of children eligible/ receiving free school meals in local school/s)
- i. Need for local support groups (e.g. Flying start, food banks, fuel banks, etc.)
- j. HHSRS Category 1 hazards for Excess cold (e.g. high number of reports into the local authority for the archetype/s in the proposed scheme)

If an assessment of an area provides evidence of severe fuel poverty, Arbed am Byth then develop a highly detailed scheme proposal that indicates which measures need to be installed in order to lift the client out of fuel poverty. The Welsh Government oversee this process from an audit perspective to ensure they are comfortable with the investment being requested.

Enactment -

Signature: xxxxxxxxx

Date: xxxx

xxxxxxxxxxxxxxxxxxxxxx, Powys County Council

URL of published Statement of intent – xxxxxxxxxxxxxxxxxxxxxx

Publication date - xxxxxxxxxxxxxxxxxxxxxx

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Please read the accompanying guidance before completing the form.

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as “Draft” and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

Service Area	Housing	Head of Service	Nina Davies	Director	Nigel Brinn	Portfolio Holder	Cllr James Evans
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Proposal	Re-Introduction of ECO 3 LA Flex grant scheme
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Outline Summary / Description of Proposal

This is a proposal to seek cabinet approval for adoption of an updated “statement of intent”, the signed governance document allowing delivery of the Energy Company Obligation, ECO 3 LA flex grant scheme in Powys. ECO 3 LA flex is a scheme by which energy companies invest funding to upgrade boilers and insulation measures in qualifying dwellings (identified by the proposed statement of intent). Powys intends to utilise a proposal developed by Warm Wales; a Community Interest Company specialising in delivery of programmes designed to address fuel poverty in Wales. The housing service will receive a fee from Warm Wales to cover council administrative costs associated with the process and to generate a sustainable income stream for the lifetime of the project. This will not be a council managed scheme and all activity regarding funding viability will be undertaken by ECO agents who will be working at their own discretion but following national guidance issued by OFGEM.

The council had a scheme in operation between February 2018 and September 2018, during which in excess of 2,000 measures were installed and over £200,000 was collected by the council in income. Summary of measures installed and savings delivered to Powys residents provided in the following table.

Measure	Approximate Numbers	Approximate Cost	Approximate Value of Work Delivered
Oil Boilers	1450	£4,000	£5,800,000
LPG Boilers	200	£3,250	£650,000
Electric Storage Heaters	60	£3,250	£195,000
Mains Gas Boilers	25	£3,000	£75,000
Cavity Wall Insulation	350	£1,500	£525,000
Loft Insulation	80	£1,000	£80,000
External Wall Insulation	15	£10,000	£150,000
Internal Wall Insulation	5	£8,000	£40,000
Totals	2050 (some include multiple measures)		£7,515,000

However, the scheme was withdrawn following political pressure to better utilise local contractors and better regulate to whom grants were being offered. The revised proposal incorporating Warm Wales includes for more robust checks regarding client eligibility and allows for better regulation of agents. Warm Wales selection criteria will facilitate use of local labour and favour Powys based ECO providers and businesses.

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Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Julian Preece	Private Sector Housing Lead	5th November 2018
2	Julian Preece	Private Sector Housing Lead	11 th February 2020
3	Julian Preece	Private Sector Housing Lead	7 th May 2020

2. Profile of savings delivery (if applicable)

2019-20	2020-21	2021-22	2022-23	2023-24	TOTAL
£N/A	£20k+ via new income	£40k+ via new income	£40k+ via new income	£40k+ via new income	£140,000+ via new income

3. Consultation requirements

Consultation Requirement	Consultation deadline/or justification for no consultation
No consultation required (please provide justification)	Consultation has been made on a voluntary basis with the Powys Plumbing Group, further consultation will occur with local business following adoption of scheme. Consultation has also been undertaken with all local members.

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Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety, Corporate Parenting and Data Protection?) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY
Adoption of the scheme will likely increase enquiries for Trading Standards and general customer's services / call centre enquiries, as there will be a rise in consumer communication relating to canvassing activities and complaints. Engagement has been made with Trading Standards who have offered advice and suggestions to help mitigate its impact. Outsourcing delivery of ECO3 to Warm Wales, a Community Interest Company specialising in delivery of programmes designed to address fuel poverty in Wales will reduce the impact on Council services. It will also allow more robust controls in vetting and checking of applications, establishing applicants are in fuel poverty by comparing income alongside actual energy bills. It is hoped certain forms of canvassing which have potential to cause complaints will reduce. However, complaints may rise due to the nature of activity being undertaken.

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5. How does your proposal impact on the council's strategic vision?

Council Priority	How does the proposal impact on this priority?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
The Economy We will develop a vibrant economy	The adoption of the scheme will present business opportunities for local contractors who chose to engage with agents and offer additional revenue for other associated Powys business such as scaffolders and hoteliers. Residents in receipt of savings on heating & fuel bills will also have greater levels of disposable income they may use to provide a boost to the local economy. However, the provision of grants will naturally reduce sales of measures locally by existing providers.	Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact.	Good
Health and Care We will lead the way in effective, integrated rural health and care	Health & wellbeing in both the elderly & young will be improved via provision of affordable warmth within homes. There will also be an associated reduction in health effects associated with cold homes.	Good	Better targeted support to those in greatest need will contribute to a more positive impact.	Very Good
Learning and skills We will strengthen learning and skills	Students will suffer less ill health & be better placed to complete homework, given a more comfortable & 'warm' home environment from which to work.	Good	Better targeted support to homes with children in greatest need will contribute to a more positive impact.	Good
Residents and Communities We will support our residents and communities	Carbon emissions will be reduced from domestic property by upgrading homes with more efficient heating systems. Home energy efficiently will be improved via increased insulation & better use of technology such as heating controls. Services previously unavailable will be provided to communities, enabling residents to do more for themselves i.e. upgrading of heating systems.	Good	Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.	Very Good

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Source of Outline Evidence to support judgements

<https://senedd.wales/laid%20documents/cr-ld13147/cr-ld13147-e.pdf>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

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Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

6. How does your proposal impact on the Welsh Government's well-being goals?

Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	Opportunities offered by ECO flex may be exploited by the council to boost local trade and help deliver residents real savings on heating bills that may be recycled within the local Powys economy.	Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact.	Good
A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	Adoption of ECO flex will improve efficiency of dwellings and help reduce climate change by lowering carbon emissions from domestic property. Income generate by the council will also offer a certain resilience to future budget cuts.	Good	Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.	Good

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Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
<p>A healthier Wales: A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p> <p>Public Health (Wales) Act, 2017: Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.</p>	<p>Powys residents at risk of fuel poverty may benefit from heating & insulation upgrades, delivering affordable warmth, improving health & wellbeing for young, elderly & disabled residents alike.</p>	<p>Good</p>	<p>Better targeted support to those in greatest need will contribute to a more positive impact.</p>	<p>Good</p>
<p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p>	<p>ECO flex will support people in the community to live fulfilled lives, providing greater levels of disposable income.</p>	<p>Good</p>	<p>Better targeted support to those in greatest need will contribute to a more positive impact.</p>	<p>Good</p>
<p>A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p> <p>Human Rights - is about being proactive (see guidance)</p> <p>UN Convention on the Rights of the Child: The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.</p>	<p>Carbon emissions will be reduced from domestic properties by improving the energy efficiency of buildings.</p>	<p>Good</p>	<p>Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.</p>	<p>Good</p>
<p>A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>				
<p>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</p>	<p>It is anticipated most canvassers will be English speaking with limited provision for communication via the medium of Welsh.</p>	<p>Poor</p>	<p>Provision will be made available to clients who wish to communicate via the medium of Welsh upon request.</p>	<p>Neutral</p>

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Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
<i>Opportunities to promote the Welsh language</i>	No impact expected.	Neutral	N/A	Neutral
<i>Welsh Language impact on staff</i>	No impact expected.	Neutral	N/A	Neutral
<i>People are encouraged to do sport, art and recreation.</i>	No impact expected.	Neutral	N/A	Neutral
A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).				
<i>Age</i>	Both the very young & elderly will have a greater chance of eligibility for grant under new OFGEM rules based on increased risks to health.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good
<i>Disability</i>	Disabled people may be more likely to have lower incomes. Disabled people are on average more often vulnerable.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good
<i>Gender reassignment</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Marriage or civil partnership</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Race</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Religion or belief</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Sex</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Sexual Orientation</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Pregnancy and Maternity</i>	Residents with children will have an increased chance of eligibility for grant under OFGEM criteria based on increased risks to health.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good

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Source of Outline Evidence to support judgements

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Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

7. How does your proposal impact on the council's other key guiding principles?

Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Sustainable Development Principle (5 ways of working)				
Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.	The scheme facilitates replacement of inefficient heating appliances and installation of energy efficiency measures such as insulation, reducing carbon emissions from domestic property. This in turn makes buildings more energy efficient and reduces likelihood of residents suffering from fuel poverty.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good
Collaboration: Working with others in a collaborative way to find shared sustainable solutions.	The scheme does not require council funding and is 100% funded via external sources. Agents source funding and undertake installation of grant funded measures. This helps deliver council objectives, working collaboratively, utilising external funding, while simultaneously reducing carbon emissions and reducing fuel poverty.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact. Specifying use of local contractors by ECO agents will also contribute to a more positive impact on the Powys local economy.	Very Good
Involvement (including Communication and Engagement): Involving a diversity of the population in the decisions that affect them.	The council has consulted with the Powys Plumbing Group who raised concerns regarding impact on the local plumbing industry.	Poor	Specifying use of local contractors by ECO agents will contribute to a more positive impact on the local economy and should mitigate concerns.	Neutral
Prevention: Understanding the root causes of issues to prevent them from occurring.	The scheme has the capability to generate income and address fuel poverty at no expense to the council. The council has made changes to appease critics & comply with new OFGEM guidance but are not in control of scheme mechanics or operation.	Very Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact on the local economy. Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good

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Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Integration: Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.	ECO Flex takes an integrated approach to delivery of energy efficiency measures within dwellings. Consequently, it contributes towards many well-being goals, particularly a resilient, healthier, cohesive, globally responsible and prosperous Wales.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact. Specifying use of local contractors by ECO agents will also contribute to a more positive impact on the Powys local economy.	Very Good
Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty.	Grants will be available for persons in fuel poverty but restricted those in larger homes due to OFGEM funding criteria.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good
Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account	No impact expected.	Neutral	N/A	Neutral
Safeguarding: Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No impact expected.	Neutral	N/A	Neutral
Impact on Powys County Council Workforce	The impact of ECO flex being unavailable in Powys will place additional pressure on statutory services provided by the Council.	Poor	The service in question is prepaid to absorb extra work as it will be compensated by income generated to subsidise activities. Most additional work associated with the scheme will be delivered by Warm Wales at zero cost to the council.	Neutral
Source of Outline Evidence to support judgements				
<p>https://senedd.wales/laid%20documents/cr-ld13147/cr-ld13147-e.pdf https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf (Page 57-62) Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.</p>				

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8. What is the impact of this proposal on our communities?

Severity of Impact on Communities	Scale of impact	Overall Impact
Low	Low	Low
Mitigation		
The council will not be actively involved in delivery of the scheme and will only take a minor administrative role. 1-2 members of staff will need to be seconded away from other duties to assist in operation of the scheme. Impact on communities will be positive regarding reducing carbon emissions from domestic housing and reducing likelihood of residents suffering from fuel poverty. It will also positively impact the local economy providing ECO agents make use of local contractors to undertake installation measures. Impact on communities could be negative regarding existing established business should ECO funding providers take away local trade. Mitigation: Specifying ECO agents use local contractors will contribute to a more positive impact on the local economy.		

9. How likely are you to successfully implement the proposed change?

Impact on Service / Council	Risk to delivery of the proposal	Inherent Risk
Low	Low	Low
Mitigation		
All risks identified can be absorbed by the housing services with a negligible impact.		

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Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
Any risk to be absorbed by housing services with minimal impact	Low	N/A	Low
Overall judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			Low Risk

10. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
Adoption of ECO Flex in Powys will facilitate delivery of investment into energy efficiency measures by companies' subject to the Energy Company Obligation (ECO). The Central Government scheme will be impartially facilitated via the Community Interest Company Warm Wales at zero cost to the council. The council will recover costs and generate a small sustainable income for each successful measure installed, following a declaration to Warm Wales allowing ECO agents access to funding. The scheme is designed to improve the energy efficiency of dwellings, targeting/improving E, F and G rated premises and reducing likelihood of residents suffering from fuel poverty. A negative impact is the potential detrimental effect on local installers, as providers will come from out of county. To mitigate this, Warm Wales will introduce criteria specifying agents use local installers. Failure to deliver on this obligation will result in removal of agents from the scheme.	

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11. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?

- Previous success of the scheme whilst in operation in terms of delivery and income generated
- Opinions of local lobbying group who desired concessionary changes
- Desire to assist residents in fuel poverty and to deliver energy efficiency/property improvements, eradicating E, F & G EPC rated properties from Powys
- Political repercussions for the council will likely endure should Powys decline free energy efficiency grants for residents in fuel poverty

12. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?

Feedback from frontline staff involved in operation of the grant, councillor feedback and reviewing of any scheme complaints over time.

Please state when this Impact Assessment will be reviewed.

December 2020 (or 6 months after scheme adoption)

13. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	Julian Preece	<i>J. M. Preece</i>	May 2020
Head of Service:	Nina Davies		
Director:	Nigel Brinn		
Portfolio Holder:	Clr. James Evans		

14. Governance

Decision to be made by	Date required
Cabinet	

FORM ENDS

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE**19th May 2020

REPORT AUTHOR: County Councillor Cllr Graham Breeze
Portfolio Holder for Corporate Governance and
Engagement
County Councillor Phyl Davies
Portfolio Holder for Education and Property

REPORT TITLE: Edtech Programme update (including Covid-19
response)

REPORT FOR: Information

1. Purpose

- 1.1 This report is for information to explain Welsh Government's education technology programme (Edtech) and funding. The report gives information on the background of the programme, current progress, the implications of Covid19 and the next steps for the programme.

2. Background

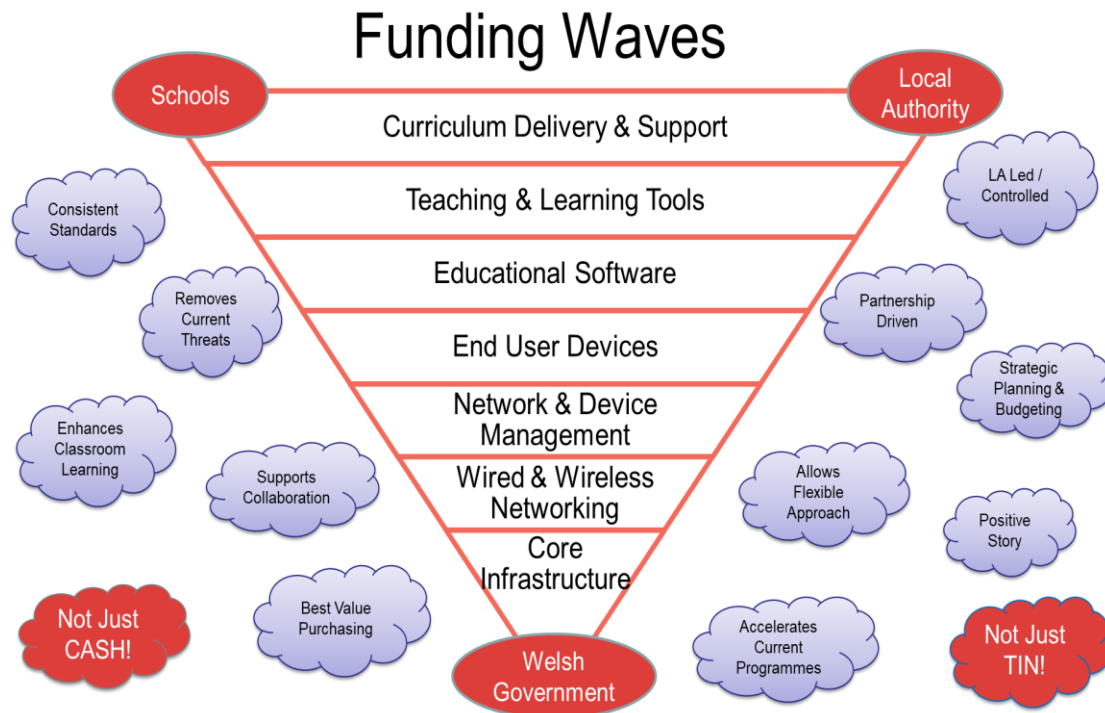
- 2.1 During FY2019/20 The Welsh Assembly Government introduced a new scheme to help fund digital education with a pan-Wales approach. The funding is designed to be used to equip schools with the new EdTech equipment. This will ensure all schools are working towards the Education Digital Standards published on Hwb and will lay the foundations for a sustainable digital education infrastructure. Additionally, the programme will mean less bureaucracy for schools, freeing up time for teachers and head teachers, and will give learners access to an enhanced and more consistent learning experience.
- 2.2 The Capital Programme is worth a total value of £105 Million (Between all Local Authorities) over a four-year period, with an indicative breakdown as follows; Year one- £50 million, Year two- £30 million, year three- £15 million and year four- £10 million. This will be proportionally segmented and allocated to each Local authority to plan and implement their digital upgrades.

Powys County Council has received approximately £2.4 million in the FY2019/20 and will be allocated £1.16 million in FY2020/21.

The way in which this differs to previous schemes (LiDW) is that the funding has been provided to the local authority rather than the individual

schools. This approach looks to ensure there is consistency to the roll out with the end result providing a One Wales approach for Digital standards.

- 2.3 Welsh Government have set the programme into Waves; each wave must be completed and have a sustainability commitment in place before progressing to the next Phase.



3. Progress

- 3.1 Welsh Government have set a target of completing the first two Waves, Core Infrastructure and Wired & Wireless Networking, by the end of August 2020. Using the £2.4 million of FY2019/20 funding, Waves 1 & 2 have been baselined, orders placed, and have been signed off with Welsh Government. This has permitted a move onto Wave 3, and to make an initial engagement with establishing the requirements for Wave 4 end user devices. Progress on Waves 1 to 4 is as follows:

3.2 **Waves 1 & 2**

- Baselining of all Secondary and Primary schools core infrastructure and networking requirements.
- Order and receipt of core infrastructure and networking equipment via the EdTech Caerphilly Dynamic Purchasing System (DPS).
- Claim of the £360,096 Hwb-In-Schools Infrastructure Grant (HISIG) to assist with data cabling in schools.
- Engagement with contractors, via Heart of Wales Property Services, to install the data cabling.

- Tender issued for Secondary School data cabling.
- Data cabling in Primary Schools commenced.
- Switch installs in Primary schools commenced.

3.3 Wave 3

- Establishing, in conjunction with partners and 3rd parties, server requirements for schools.
- Order and receipt of servers via the EdTech Caerphilly Dynamic Purchasing System (DPS).
- Distribution of servers to schools.
- Purchase of Microsoft server licencing.

3.4 Wave 4

- Digital Secondary Schools Workshops carried out to determine the End User Device requirements for the remaining £130K of FY2019/20 WG funding.
- Order of 411 laptops via the EdTech Caerphilly Dynamic Purchasing System (DPS).
- Delivery of laptops due at the beginning of July.

4. COVID 19 Implications

- 4.1 As part of the work to inform the continuity of learning arrangements and various announcements from the Minister for Education, the Edtech programme became a robust resource for all schools to support the planned approach for 'stay safe, stay learning' and the focus on remote learning through the Hwb platform.

As part of the Continuity of Learning Plan, lead Education Director wrote out to all Directors of Education to explore the position across Wales of our digitally excluded learners and identify possible solutions/options available to support these learners during this unprecedented time. A digitally excluded learner has been defined as '*a learner who does not have access to an appropriate internet connected device to engage in online learning activities from home*'.

4.2 Implemented approach to support digitally excluded learners

The plan required local authorities to initiate a device scheme to support digitally excluded learners. The approach is predicated on the rebuild of certified 'older laptops' in schools using the Neverware software (lightweight Chrome operating system which can be integrated into Hwb's

secure device management console). We anticipate the steps needed will be:

- Powys estimated that we had 800 digitally excluded learners to inform the number of devices needed.
- In conjunction Welsh Government provided wider national communications activity advising the families of digitally excluded learners to contact their schools.
- Laptop stocks were gathered by school / local authority technicians and rebuilt and enrolled to the Hwb's secure Google device management console, which enables the local authority/school to manage the device.
- In parallel, the Welsh Government liaised with the major teleco's services (BT/EE and Vodafone) to secure a stock of 4G mobile connectivity devices to allocate 'a stock' to each local authority as required.
- All 'recycled laptops' have been distributed on 4th/5th May to learner that requires one, along with appropriate end user agreement.
- Using the local authorities EdTech funding allocation, we will work to prioritise the replacement of any school laptops used.
- Mobile connectivity devices are due to be received w/c 11th May for 600 families
- To provide this solution one-off cost are estimated at £36,500 and ongoing monthly costs of £9000 for each month the solution is required which will impact on the overall budget remaining for future investment.
- If the solution is required for more than 12 months costs of a further £9600 will be incurred.

4.3 Welsh Government have confirmed EdTech funding allocation, will meet the following costs via the EdTech Capital funding:

- All licence costs associated with the rebuild of the existing laptops
- All costs associated with mobile connectivity devices (for 30 day rolling periods).
- Replacement of all recycled laptops.

4.4 Digitally excluded learners with no access to broadband or mobile coverage

It is anticipated the numbers of learners that fall into this category will be very low. We are continuing to work with the WG Infrastructure team to explore alternative options, however it is expected there will be some learners in rural communities who may not be able to benefit from the above intervention. For your information, it is likely alternate provision will need to be offered for these learners, Where MiFi is not available, schools will discuss with parents the best way to provide schoolwork for their child

4.4 Safeguarding

BT/EE and Vodafone who have worked closely with the British Board of Film Classification (BBFC) to bar the relevant content as advised by the BBFC as the governing body.

As a brief overview, the carriers have confirmed content barring will be applied to all SIM accounts on the Caerphilly CBC/Welsh Government account. As an example, the content barring will prevent the users from accessing things such as:

- Voting for television programmes
- Participating in lotteries online
- Downloading music and videos including artists such as Eminem or Guns N' Roses
- Gambling sites
- Sites that are pornographic in nature

Welsh Government appreciate this doesn't provide a full filtering solution, however hopefully this update provides some reassurance and insight around the controls in place on the MiFi units and will complement our own terms of usage or local device solutions.

- 4.5 Contractors implementing the works for Waves 1 and 2 in our schools have been on hold due to staff on furlough, which will cause a 3-week delay on overall project timeframes. This has now been reviewed and all contractors will commence works w/c 11th May 2019. Contractors have been made aware of the location of childcare hubs to avoid contact.

5. Next Steps

- 5.1 On 1st May 2020, Welsh Government released details of the capital funding for 2020/21. Powys will receive £1,166,153. In line with the guidelines for the use of the Ed Tech programme funding, Powys will implement the next wave on the Ed Tech programme, Wave 4 - Devices.

The short term actions in implementing the programme are:

- The Schools ICT Governance Group will outline the use of devices to support the Powys Schools ICT Strategy to support learning.
- Identification of the number of devices needed to support learning in each school.
- Draw up and agreement between schools and Powys County Council for the replacement of devices

- Purchasing and installing of devices.

5.2 The longer-term objectives are:

- Ensure that as Powys County Council, we provide pupils with a digital environment fit for the 21st century curriculum.
- Ensure all pupils develop digital competence skills to enable the confident, creative and critical use of technologies and systems.

6. **Recommendation**

For information only

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Head of Service: Diane Reynolds

Corporate Director: Ness Young

CABINET REPORT NEW TEMPLATE VERSION 2