

COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision



PWNC | SUBJECT:

RCT Together – Community Asset Transfer of the former Perthcelyn Flying Start Building (Glamorgan Street, Perthcelyn) to ASD Rainbows (Charitable Incorporated Organisation –CIO)


DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

To approve the transfer of the former Perthcelyn Flying Start Building to ASD Rainbows by way of a 7 year lease.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director of Public Health, Protection & Community Services as described below.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

To approve the transfer of the former Perthcelyn Flying Start Building to ASD Rainbows (Charitable Incorporated Organisation – CIO) by way of a 7 year lease.

	PAUL MEE	20/8/19
Llofnod y Prif Swyddog Chief Officer Signature	Enw (priflythrennau) Name (Print Name)	Dyddiad Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION



LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

20/08/2019

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYD A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES NAC YDY | NO

Rheswm dros fod yn fater brys | Reason for Urgency:

.....

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd | Presiding Member)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- 21/08/19

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

28/08/19

DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Public Health, Protection and Community Services
Enw'r Person Cyswllt Contact Name:	Debra Hanney
Swydd Designation:	RCT Together Community Asset Transfer Development Officer
Rhif Ffôn Telephone Number:	01442 281188

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

9TH AUGUST 2019

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PUBLIC HEALTH,
PROTECTION AND COMMUNITY SERVICES**

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF THE FORMER
PERTHCELYN FLYING START BUILDING TO ASD RAINBOWS (CHARITABLE
INCORPORATED ORGANISATION – CIO)**

Author: Debra Hanney, RCT Together Community Asset Transfer Development Officer –
01442 281188

1. PURPOSE OF THE REPORT

- 1.1 To approve the transfer of the former Perthcelyn Flying Start building to ASD Rainbows (Charitable Incorporated Organisation – CIO) by way of a 7 year lease.
- 1.2 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director of Public Health, Protection and Community Services.

2. RECOMMENDATIONS

It is recommended:

- 2.1 that the transfer of the former Perthcelyn Flying Start building to ASD Rainbows (Charitable Incorporated Organisation – CIO) by way of a 7 year lease as set out in paragraph 5, is endorsed.
- 2.2 that the Director of Public Health, Protection and Community Services agrees to the 7 year lease with ASD Rainbows in respect of them occupying the former Perthcelyn Flying Start building which has remained vacant since the Council's Flying Start Team declared it surplus to their requirement in February 2018.

3. REASONS FOR RECOMMENDATIONS

- 3.2 It will enable ASD Rainbows to actively sustain and transfer their current service from Cwmbach Primary School as they advise this current tenancy will end July 2019 due to demand by the school for the space they currently occupy. This transfer to the new premises will minimise any disruption to their service provision as the Perthcelyn Flying Start building was last used as a childcare facility and was previously registerable to Care Inspectorate Wales (CIW).

3.3 The transfer will reduce the Council's existing expenditure by reducing its NNDR (National Non Domestic Rates) expenditure. The group will pay an annual market rent of £4000 and will be responsible for all repairs and maintenance and will be recharged a business insurance premium. The group as part of a transition arrangement will also pay for all statutory compliance checks.

3.4 ASD Rainbows have applied for and are awaiting a decision on capital funding to ensure the building is DDA compliant and accessible for its proposed users. This work includes ensuring the installation of children's toilet cubicles and ensuring there is a DDA emergency fire door in the main hall and compliant ramp access.

4. BACKGROUND

4.1 The Council's RCT Together Approach for progressing Community Asset Transfers was agreed by Cabinet at its meeting on the 30th October 2014. This approach will see the Council working with communities and partner agencies to sustain delivery of services that the Council may no longer be able to deliver on its own.

4.2 Applications are considered from non-profit distributing voluntary and community groups or companies for activities, services and facilities which benefit residents within Rhondda Cynon Taf.

4.3 At the Council meeting on the 19th May 2016, it was agreed that applications for asset transfer could now be dealt with under the Council's Delegated Decisions framework. High Level Asset Transfers will need to be reported to Cabinet if Officers and the appropriate Cabinet member feels this is appropriate.

4.4 A review of RCT Together has recently been undertaken and approved by Cabinet at its meeting on 21st November 2018, to ensure any future community asset transfers that are progressed align with the Council's Community Hub development programme and can deliver the Council's strategic service requirements. Each hub will support a neighbourhood network of preventative community services and activities that will support people living in our communities to improve their independence, resilience, health and well-being.

4.5 As part of this approach, any future tenancy agreements will require the tenant to agree, by way of a "Neighbourhood Network Agreement", to promote their own services, signpost residents to other activities, provide support and advice and work collaboratively to ensure residents views are heard and considered. Each tenant will be required to complete a 6 monthly monitoring report which will be reviewed annually.

5. OVERVIEW OF ASD RAINBOWS PROPOSAL

5.1 ASD Rainbows have been registered with the Charities Commission as a Charitable Incorporated Organisation (CIO) since 30th May 2017. The organisation is run as a social enterprise (not for personal profit) and provides early intervention therapies, tailored to meet the needs of each individual child with Autism Spectrum Disorder (ASD) to help them reach their full potential.

- 5.2 The organisation is governed by a Board of 12 Trustees with a mixture of skills and experiences primarily in the Nursing, Childcare and Education Sectors. They include nurses, teachers (including SENCO) and assistant head teacher, links to Public Service Board and experience of supporting voluntary sector organisations. The day to day management of their work is overseen by 6 full-time and part-time staff with over 30 years' experience of working with children with additional support needs. The staff and directors all have working and/or living knowledge of the disorder and are able to contribute from a professional or experienced perspective.
- 5.3 The organisation is currently receiving support from Social Business Wales to develop their business plan further, focussing on their long term business development and growth.
- 5.4 The organisation has been supported and endorsed by a range of parent testimonials and letters of support from specialist speech and language therapists and nurses for the Integrated Autism Service via Cwm Taf University Health Board who view ASD Rainbows as a valuable third sector partner.
- 5.5 The organisation has two primary objectives:
- To provide support and intervention for children living with Autistic Spectrum Disorder/Pervasive Developmental Disorder (ASD/PDD).
 - To offer and provide support to their families.
- 5.6 To enable each child to reach their full potential, the group provide a range of early intervention therapies (including Applied Behaviour Analysis, DIR Floor Time, PECS and Makaton) that will target specific areas to address individual difficulties, enabling them to lead a happy inclusive life. These include:
- Early intervention to pre-school children by providing daily nursery sessions. Two nursery sessions per day rising to full day provision for two to five year olds.
 - To provide after school provision for children aged 5-16 years who find accessing mainstream after school provisions a challenge.
 - To provide a parent/child provision enabling staff to demonstrate good practise strategies that families can use at home.
 - To provide support and training for families by setting up support groups managed by parents. Invite training providers to offer training for parents/carers.
 - To offer Autism Awareness training to staff in schools and hospitals carried out by parent representatives of the Board of Trustees.
 - To open a drop-in provision for families to access in times of need staffed by volunteer families.
 - To eventually open an independent centre supporting children and individuals affected by anxiety related conditions.
 - To provide a consultancy service offering training and strategies to support staff in mainstream schools and nurseries.
- 5.7 The group are currently registered with Care Inspectorate Wales (CIW) at their current shared premises at Cwmbach Primary School but they have been informed by the school that their current space is not available for community use for the new term in September 2019. As such the group have been in discussion to take on the

former Perthcelyn Flying Start building which has remained vacant since the Council's Early Years Team declared the building surplus to their needs in February 2018.

- 5.8 The proposed move to the former Perthcelyn Flying Start site will enable the group to register with Care Inspectorate Wales (CIW) for up to 12 children. The group are currently in discussions with CIW and awaiting feedback on their application. The group currently have 31 children (and their families), accessing a range of services and intervention support. The group report that they currently have 7 children on their waiting list for September 2019 (3 for Nursery provision and 4 for after-school provision).
- 5.9 The group acknowledge the social impact of their work is to support individuals (Children and their families) affected by ASD and PSS by:
- Providing therapeutic intervention sessions.
 - Providing children with a safe stimulating play environment to help address any sensory/behaviour challenges.
 - Working collaboratively and liaising with multi-agency professionals e.g. psychologists, health visitors, occupational therapists, speech and language therapists and social workers.
 - Providing access for parents to regular workshops run by staff and consultants and other such activities as the trustees see fit furtherance of said objects.
 - Offering equality to all children and their parents regardless of their ability, ethnic origin, gender or cultural background, class or language.
 - Providing services primarily in the geographical area covered by Rhondda Cynon Taf but requests from families outside this area will not be excluded on the condition parents/carers will transport their child.
 - Creating work and volunteering opportunities for individuals where we operate.
- 5.10 ASD Rainbows have evidence that there are a cohort of families with children who are awaiting diagnosis that are isolated, vulnerable and in urgent need of support to help them communicate with their child and who are unable to access community based services. They are seeking funding for a Family Link Worker to provide additional wraparound intensive support service to families.
- 5.11 Referrals are made to the service by parents, health visitors and neuro-development practitioners and do not require an official diagnosis to receive support. The group will work with children that have a social/communication difficulty or are under assessment for possible Autism Spectrum Disorder and communication delay. On referral parents are offered a home visit and/or visit to the setting. The group work closely with appropriate schools to ensure a smooth transition from their service into the school setting.
- 5.12 The group carry out a baseline assessment at the start of their programme with families, assessing where the child is in relation to their behavioural, sensory and communication needs. This is reviewed quarterly to map the progress of the child in relation to his/her individual programme. This will evidence the progress of the child's development as a result of their intervention. They also undertake:

- An assessment of the family's current situation, including what services are in place, how they interact with their child, what daily routines, rules, behaviour management and strategies are in place. This will be reviewed throughout the programme and will evidence the progress in the family's ability to cope and their quality of life.
- Provide case studies, videos and testimonies from parents and families in relation to the improvements they feel they have made.
- Record 'magic moments' when children achieve a new skill, no matter how small it may seem to others. All achievements are a celebration.
- Interview verbal children depending on their level of understanding.
- Evaluation forms are submitted to families during and at the end of the child's time with ASD Rainbows.
- Encourage ongoing dialogue and feedback from parents and carers.

6. REVIEW OF ASD RAINBOWS BUSINESS PLAN

- 6.1 At a meeting of the RCT Together Community Asset and Service Transfer Panel held on 12th July 2019, an assessment of the group's business plan was undertaken. The following is a summary of the panel's assessment and recommendations.
- 6.2 ASD Rainbows are an established organisation who have been running for 2 years and are capable of delivering a quality service as evidenced through the parent and practitioner testimonials and letters of support submitted. They are not reliant on volunteers.
- 6.3 The group are currently being supported by Business Wales to develop a medium to long term plan for the future development and growth of the service. Their current occupation at Cwmbach Primary School ended in July 2019, as the school requires the space for their own use. ASD Rainbows are still in the process of developing their longer term plans with a focus on sustaining and expanding their current offer. Officers felt it was essential in the short term to be able to address their current accommodation needs so that the valuable support they provide to children and families who feel unable to cope is sustained. Sustaining their core business during this physical transition period is key to ensure their current members have access to the support, respite and care they require.
- 6.4 As the building is on a shared Council site, the group will occupy the building with the responsibility for the buildings statutory compliance needs being actioned by the Councils Corporate Maintenance Team with a recharge back to the group. This will be reviewed on an annual basis. As the building is currently vacant and was previously used as a Flying Start provision, the panel were agreeable that this venue would provide the group with a building which would be economical to run and suitable for their needs.
- 6.5 The panel felt there is no similar bespoke provision available across RCT other than those that focus on the needs of children aged 16 years+ and are aware that parents value the service provided by ASD Rainbows. Officers advised it would always be the preference for children with ASD (where possible) to be supported to access integrated provision. The group advised they always encourage parents of children with ASD to access mainstream childcare and education provision. However, their

service has been established to support those parents and children who have been unable to settle into mainstream provisions and require bespoke support from ASD Rainbows.

- 6.6 Children and families attend primarily from RCT but also Merthyr Tydfil, Neath & Caerphilly. The Council's Early Years Systems Appraiser acknowledges that the group provide specialist support for children with ASD and their families. The location of the service is deemed irrelevant as families travel from around RCT and further afield to access.
- 6.7 The biggest area of concern from the panel was the financial sustainability of the service which is reliant on fee paying families, fundraising activities, donations, Flying Start spot purchasing arrangements (which are not guaranteed year on year), WG 30hr childcare and revenue grant funding.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 An Equality Impact Assessment is not required for this decision as the building was declared surplus by the Early Years Team in February 2018.
- 7.2 This leasehold transfer will enable ASD Rainbows to continue to provide tailored childcare, parenting and sibling support to those families who are adversely affected by the impact of Autism Spectrum Disorder and who are unable to remain in integrated autism provision across RCT.

8. CONSULTATION

- 8.1 ASD Rainbows have facilitated two community information days prior to the establishment of the service along with discussions with the Integrated Autism Service and their local Assembly Member. The group have developed links with the Council's Resilient Families Service, Flying Start and Early Years and Family Support Teams as well as liaising with Cwm Taf University Health Board practitioners.

9. FINANCIAL IMPLICATIONS

- 9.1 The group will pay an annual market rent of £4000 per annum and are currently awaiting a decision on their concession application. All repair and maintenance responsibilities will be passed to the tenant. The Council will recharge the tenant for building insurance and all statutory compliance checks as this is a shared site with the Communities For Work Plus Team.
- 9.2 The group acknowledge they will always have some reliance on grant funding and as a contingency will reduce/expand their service subject to the funds and fees they receive each year. The preferred model is to run full provision 5 days per week. The group have applied for funding to meet the shortfall between parent contributions and their outgoings (primarily staffing and building overheads).

- 9.3 The group have currently been awarded the following funding:
- Children In Need – 1 year funding for after school club;
 - Community Enabling Fund – professional fees and some capital costs;
 - Coalfields Regeneration Trust – 1 year funding for a Family Link Worker.

- 9.4 The group have applied for both revenue and capital grant funding and are awaiting decisions on the following:
- Welsh Church Act – (£22,400) for capital costs to address DDA compliance;
 - Big Lottery – Awards For All (£10,000) for a parent support worker.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 Section 123 of the Local Government Act 1972.

- 10.2 The proposal will contribute towards priorities identified within the Social Services and Wellbeing Act (Wales) 2014 and enable the Council to satisfy its duty to promote social enterprises and co-operatives which involve people who need care and support”.

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 11.1 The proposed leasehold transfer to ASD Rainbows will support the Council's Corporate Plan “The Way Ahead” (2016-2020), priorities of “promoting independence and positive lives for everyone” and “creating neighbourhoods where people are proud to live and work”.

- 11.2 Along with 44 public bodies across Wales, the Council is subject to the statutory requirements of the Well-being of Future Generations (Wales) Act 2015, which sets a common vision for the long-term well-being of people and communities through seven national well-being goals and provides a framework for public services to work differently through five sustainable development principles. The principles include: thinking about the long-term impact of our actions, seeking to prevent issues from occurring in the first place or from worsening, involving people and communities in decisions made that affect them, working together with other organisations and integrating our work to understand the ‘knock-on’ effects of what we do.

- 11.3 The Corporate Plan also contains principles that include ‘Helping people and communities to help themselves stating that:

“(The Council) believes that if you give power to local people you get better results and achieve better value...(the Council) wants to work more closely with RCT's community and voluntary sector to stimulate innovation and encourage communities to step forward and take on new roles in providing local services and solutions”.

- 11.4 The Council is approaching this principle in different ways and has launched *RCT Together* as a means of engaging and involving residents in how services are best sustained in communities:

"The Council's vision is to develop a new relationship with residents that enable them to be independent and resilient and to take on greater responsibility for their local communities. This is not about the Council shifting its responsibility – it is about recognising that residents want to be more involved in what happens in their community".

- 11.5 The 'RCT Together' approach, now aligning with the Council's developing Community Hub and Neighbourhood Network approach will further strengthen the involvement of local residents and community groups in determining the best use of its assets to enable the community to strengthen its resilience and wellbeing.

12. CONCLUSION

- 12.1 Even though the group are newly formed (2017), their staff have over 30 years combined experience of supporting children with ASD and their families who continue to struggle despite the availability of mainstream provision.
- 12.2 The leasehold transfer will enable the group to bring the currently vacant former Flying Start building back into use as a tailored childcare and family support facility for children with ASD. The group are currently looking to enhance the facility to ensure full accessibility for their range of users. The service they provide supports children with ASD, their siblings and parents to develop positive interventions and strategies to cope with ASD and support positive family cohesion.
- 12.3 The group are still currently awaiting the outcome of the following;
- Concession application.
 - Planning application to create accessible new fire doorway and enhance the existing external ramp access is likely to be known by the end of August 2019.
 - Outcome of their registration to Care Inspectorate Wales (CIW) will be subject to the physical works being completed.
 - Decision on their capital grant application will be subject to there being a lease in place with ASD Rainbows.
- 12.4 The CAST panel acknowledged the value of the service ASD Rainbows provide and were satisfied that where possible the group actively signpost families into mainstream provision. The greatest area of concern for the panel was the financial sustainability of the group. The group acknowledge the need to diversify their income streams and reduce reliance on any grant funding. They currently receive Flying Start, 30hr WG Childcare funding. They are also applying to become a Registered Education Provider. The group have advised they will mitigate against any reduction in revenue grant funding by expanding and reducing their service offer accordingly.



RHONDDA CYNON TAF

- 12.5 Taking into consideration the benefits of the service they provide and being satisfied with their mitigating factors associated with their financial sustainability, the recommendation of the panel would be to support the proposed leasehold transfer.

Other Information:-

Relevant Scrutiny Committee:

Public Service Delivery, Communities and Prosperity Scrutiny Committee

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF DIRECTOR PUBLIC HEALTH,
PROTECTION & COMMUNITY SERVICES**

9TH AUGUST 2019

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF FORMER PERTHCELYN
FLYING START BUILDING TO ASD RAINBOWS (CHARITABLE INCORPORATED
ORGANISATION – CIO)**

Background Papers:

- Providing Opportunities for Others to Operate Services and Assets; Cabinet – 30th October 2014;
- RCT Together Process – Update on Progress; Cabinet Council – 19th May 2016;
- RCT Together – Review of the Community Asset Transfer Process; Cabinet – 21st November 2018

Contact Officer:

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