

REPORT TO: Executive Board

DATE: 19 March 2020

REPORTING OFFICER: Strategic Director, People

PORTFOLIO: Physical Environment

SUBJECT: Arrangements for delivering a warden service to the Gypsy Traveller sites

WARD(S) Riverview; Halton Castle

1.0 PURPOSE OF THE REPORT

1.1 This report describes the current arrangements for delivering a warden service to the gypsy traveller sites in Halton. It considers the internal review of the service, and makes recommendations for the Board to consider about how it should be delivered in the future.

2.0 RECOMMENDATION: That Members of the Executive Board

- 1) note the contents of this Report; and
- 2) agree the no change option as detailed in section 4.0.

3.0 SUPPORTING INFORMATION

3.1 Context:

3.1.1 The Halton Gypsy Traveller Sites: within Halton, there are three sites which provide pitches for members of the gypsy traveller community. Two of the sites offer permanent pitches: the Riverview site in Widnes (with 22 available pitches), and the Canalside site in Runcorn, which provides 14 pitches. In addition, there is a transit site, which is designed for members of the community who are travelling through the area and who wish to stay for a relatively short period; this provides an additional 13 pitches. This latter site also allows the Council and police jointly to effectively manage illegal site encampments in the area, as the Council can lawfully require people in illegal encampments either to use the transit site, or to move on.

3.2.2 The two permanent sites are both well settled. However, they have very different characteristics in terms of their populations: the Riverview site is composed entirely of gypsy families (many of them linked together by family ties on the site) whilst the Canalside site is made up of Irish Travellers. Both groups have their own histories

and cultural identities which have been so for very many centuries, but they are different histories and cultures which have few linking characteristics, apart from their shared experience of discrimination and oppression. This is an important issue for the rest of this Report: the two groups do not have any great time for each other and only tend to trust the members of their own communities.

3.2.3 The management of the sites: the Council employs a Gypsy Traveller Liaison Officer (GTLO), whose role is to ensure that each of the sites runs smoothly; he is supported from time to time by an officer from the Housing Solutions Team. He is the first point of contact between members of the different communities, and as such – having been in post for some years – is very well trusted by those communities. The role includes managing the Council's financial systems to ensure that rents and electricity fees are paid, ensuring the sites are clean and fit for purpose, dealing with any issues of concern raised by the communities, managing illegal site encampments, and supporting new arrivals to stay within the Council requirements, supporting them to stay within the site licensing agreements.

3.2.4 The GTLO works alongside two site wardens, drawn from the gypsy and traveller communities in Widnes and Runcorn; the warden in Runcorn covers both sites, at Canalside and the transit site, whilst the warden at Riverside solely covers that site. The wardens are not employed by the Council but are subcontractors. Under the terms of their contracts, their roles include:

- Ensuring the sites are fit for purpose and meeting required standards
- Acting as first point of contact for the community
- Helping the GTLO in controlling admissions to the sites
- Supporting new arrivals to the sites, providing a welcome pack, ensuring that the license agreement is fully explained, that deposits are paid and ensuring that the weekly fees are collected and providing receipts for monies received
- Ensuring that electricity cards are provided and receipted
- Supporting the GTLO in completing an annual health and safety check
- Inspecting the site each day for damage and unauthorised use and ensuring that communal areas are cleaned regularly and that the sites are free from litter and refuse
- Managing the appropriate use of gas containers
- Recording all site incidents in the Incident Book
- Contacting Property Services about emergency or general repairs
- Overseeing the departure of people from the pitches and making sure that the pitches are fit for reallocation
- Supporting the GTLO with eviction procedures.

In addition, the contract stipulates that, if for any reason, the warden cannot cover the sites for a period of time, then it is their responsibility to find a substitute from within the site who could carry on with their duties.

3.2.5 The internal audit review of the gypsy traveller sites: in late 2017, the Council's Internal Audit section conducted a review of the management of the gypsy traveller sites. This review found a number of weaknesses in the management of the sites, particularly in relation to the effective use of the Council financial systems and to the way the wardens operated on the sites. Although the Riverview site was seen as stable and generally well managed, there were some small discrepancies which needed to be remedied; in Runcorn however there were greater problems, partly because of the nature of the transit site, where people come and go more frequently.

3.2.6 The internal audit report concluded that there was limited assurance that the key risks were being managed effectively. A detailed action plan was put in place, with considerable input from the various Council financial services, and at a follow-up review a year later, the service was given the maximum rating of substantial assurance. The only outstanding area for consideration was to undertake a review of the arrangements for delivering the warden service on the sites.

3.2.7 Review and options appraisal of the warden arrangements: throughout 2019, an internal process took place to consider the various options that could be put in place to provide a more effective warden service for the sites. Information was gathered from a range of local authorities around the country (which found no consistent approach to the way services were managed) and a number of options were considered and analysed in detail:

1. No change
2. Join with other Council s to deliver a shared approach to the provision of a warden service
3. Transfer the management of the sites to an independent housing provider
4. Retain the site warden roles, but draw the management and employment of the roles fully into the Council , rather than employing them as subcontractors
5. As with 4 above, but having only one warden, covering all three sites on a peripatetic basis
6. All management to be drawn fully back into the Council , done by borough Council officers

3.2.8 One of the key strengths of the current approach was recognised to be the fact that the wardens were themselves drawn from the gypsy traveller communities. This was felt to be something that was too

important to lose. It was also felt to be important that the Council and the gypsy traveller communities maintained their strong links. This effectively meant that options 1, 4 and 5 were the ones that were to be considered further. However, given the fact that the communities are very different and tend to have little links with each other, option 5 was also quickly ruled out.

3.2.9 Option 4 was seen by the Council as perhaps presenting the most advantages. It would give the Council greater oversight over the management of the warden roles, and would give the employee a range of employment rights, including access to a Council pension, sickness and maternity/ paternity leave, access to occupational health services, in-house training and potential membership of a trade union. The working hours would be annualised, so that it would not be a “standard” 37 hour week, but would cover what was needed at any particular time. The one real problem with this approach was what to do if a warden was off on leave, had sickness or was unavailable for any other reason.

3.2.10 Consultation with the residents: although the review and options appraisal was a purely internal exercise at that stage, it was unfortunate that word of this piece of work got out, particularly to the Riverview residents. This was on top of the death of their much-loved warden, who had done a competent and well regarded job as warden on the site for many years; this has left a vacuum in the delivery of a warden service which has only been filled by the goodwill of members of that community. This caused the community a great deal of stress and anxiety, resulting in a petition from all members of the site which highlighted their concerns.

3.2.11 Two consultation events took place separately in February 2020 with the residents of Riverview and Canalside; there was no direct consultation with the residents of the transit site because of the transient nature of their stays on the site. All the residents from both sites were fully represented at the meetings, with a spokesperson taking a lead role from the communities in each of the meetings, but with contributions from other residents.

The Riverview event: given the distress caused to the residents, an apology was presented and confirmed constantly through the meeting. It was also reiterated that no decisions had been made and that their views and opinions would be fully taken into account.

The residents’ main concerns and issues were as follows (in summary):

- They wanted assurances that there would be two wardens, one for each site. They explained that they had no relationship with residents of the Canalside site and would not want a warden from that site overseeing Riverview

- They wanted assurances too that the warden from Riverview would be drawn from their own community
- They also wanted assurances that their culture and history would be respected as part of the process
- Overall, they wanted no change and could see no real advantages to the Council directly employing the warden. They felt that the previous arrangements had worked well and that they wanted a similar approach in the future.

The Canalside event: the residents of Canalside had not been affected by the leak of information about the review. The Canalside warden is currently seen as doing a very good job and has developed good relationships with Council officers, but his contract is only on a temporary basis, until a final decision is made about the permanent arrangements. This community's key points were as follows (again, in summary):

- They felt that the existing arrangements were working well and were very complimentary about the resources and supports, including the role of the Gypsy Traveller Liaison Officer, that were provided by the Council. One of the group, a national leader in his community, said that the Halton site was the best he had ever stayed in
- They felt that the subcontracting arrangement worked well and could see no reason to change
- In particular, they had great concerns that if a warden was directly employed by the Council then this would change the way the warden was seen by the residents; they would be seen not as independent but as being part of the Council, which would be a loss to them
- They also wanted assurances that any warden would be drawn from their own community

4.0 **SUMMARY AND RECOMMENDATIONS**

4.1 In the event, there are now only two practical solutions to considering how to deliver the warden roles on the sites in Widnes and Runcorn: no change, or direct employment of the wardens by the Council. Both have their strengths and weaknesses:

- The option to directly employ the wardens has its attractions, allowing the Council greater say in the management of the sites and giving an employee access to a range of rights. However, the key messages from the residents were that the existing arrangements were working well and that there was a real risk that an employee would not be trusted in the same way as an independent contractor. This option would also have some difficulty in making effective arrangements if the warden were to be unavailable.

- The no change option means that the warden is a contractor for the Council ; the overall contract has not been reviewed for some time but would need to be tightened up to take account of the developments and changes that have taken place over the years. This would give the Council less direct control over the roles, but careful and regular contract reviews should address all performance issues. The key benefit of this approach is that the warden would continue to be a trusted independent member of their community and would not be seen as a Council employee, which is a matter of considerable importance to both communities. The warden would also be required to find a substitute from within their community if, for any reason, they could not undertake their duties.

It is recommended that this option is agreed to ensure the continued good engagement and partnership working with all three sites. During consultation with the communities, it was clear that this was the option they preferred, however we will need to strengthen the terms of the contract to ensure we fully address the areas of concern identified within the internal audit report.

5.0 **POLICY IMPLICATIONS**

5.1 There are no policy implications arising from this Report.

6.0 **FINANCIAL IMPLICATIONS**

6.1 Currently, the funding arrangements as at 2019 for the wardens are as follows:

Warden contract, Runcorn:	£19,300
Warden contract, Widnes:	£17,922
Free pitch allocation for wardens:	£ 9,032

The contracts are of differing values to reflect the fact that the Runcorn site warden has two sites to cover, one of which (the transit site) is less settled and more unpredictable. The wardens are given free pitches for themselves and for a substitute that they must name in case they are absent for any reason. If the “no change” option is chosen, then these contracts and the pitch allocations will increase by a small amount to take account of cost of living rises.

6.2 If the option to directly employ the wardens is chosen, then there would be no obligation to fund the free pitch allocations. However it is likely that any salary paid to the employee would be greater than the current contractual arrangement, to the extent that any potential savings would be wiped out.

7.0 **IMPLICATIONS FOR THE COUNCIL 'S PRIORITIES**

7.1 **Children & Young People in Halton:** members of both communities may frequently have large families with school-age children. There are some issues on the Riverview site about the facilities that are available for children and young people, and this would clearly be addressed by having a warden on the site who could work with Council officers to improve the situation. Schooling can be a problem, as many children and young people from these communities can have unpleasant experiences of discrimination, and they can feel very isolated from their peers. Again, direct work alongside a sympathetic warden could address many of these key issues.

7.2 **Employment, Learning & Skills in Halton:** there are no direct implications for this area arising from this Report. Many of the residents of both sites are self-employed and would not want to access the facilities provided for employment, learning and skills. If any individual in the future wants to gain further skills or education then this would be addressed through the relationships with the site wardens.

7.3 **A Healthy Halton:** it is known that members of the gypsy traveller communities can experience additional health problems to the wider community. Residents of both sites will access medical services when they needs them, but there is potential for health services to be more proactive in their relationships with the sites. The appointment of permanent wardens on both sites will support the development, as needed, of additional health support for these communities, by acting as a key link between the community, the Council and the health services.

7.4 **A Safer Halton:** it should be stressed that both the Riverview and Canalside sites are very well settled; as is the nature of these communities, they tend to be self-policing and will deal with many matters internally. There tends too to be a suspicion of the local police services. It is hoped that, by appointing wardens and then establishing regular meetings with the communities, there will be the scope to promote greater engagement between the police and the communities, so that wider policing issues can be sensitively and effectively managed.

7.5 **Halton's Urban Renewal:** there are no implications for urban renewal arising from this Report.

8.0 **RISK ANALYSIS**

8.1 It is clear that the appointment of permanent wardens to the sites in both Widnes and Runcorn is an urgent necessity, to ensure the continuance of the good relations between the Council and the

communities involved. It is also essential that the wardens are drawn from those communities, to engender greater trust and cooperation between the Council and the communities. Both permanent sites are well settled and very few problems arise, which is largely down to the work of the wardens, the Gypsy Traveller Liaison Officer and the relationships between them. There is a real risk that if any future arrangements do not fully meet the needs and wishes of these communities, then the sites themselves may destabilise.

9.0 **EQUALITY AND DIVERSITY ISSUES**

9.1 None identified.

10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.