

Key Worker Policy and Procedure Document

1. Introduction

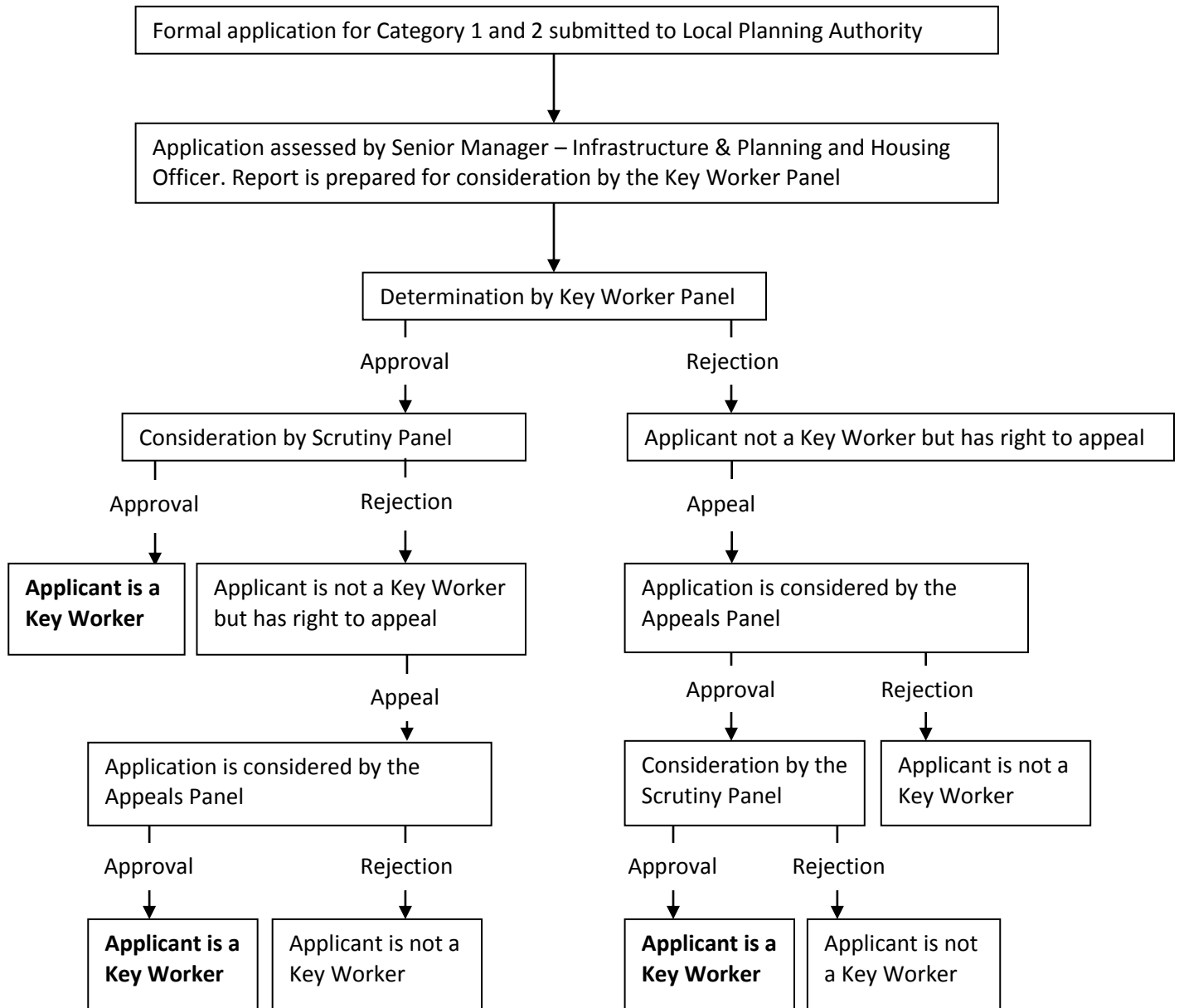
This Supplementary Planning Document (SPD) sets out the policy and procedures for determining Key Workers in the context of Policy 3 of the Local Plan to ensure decisions are consistent and thoroughly scrutinised. This SPD has been prepared by the Key Worker Review Panel and has been subject to public consultation.

2. The process for assessing key workers

The process for assessing key workers is summarised below. The intention of the above procedures is to provide consistency and scrutiny into the process of determining key workers.

1. A formal application for both Category 1 and Category 2 Key Workers must be submitted to the local planning authority for determination (see Appendix A).
2. Following its validation to ensure all the necessary information has been submitted and the appropriate questionnaire has been completed, the application is assessed jointly by the Senior Manager – Infrastructure & Planning and the Officer for Housing & Homelessness with a report and recommendation prepared for consideration by the Key Worker Panel (that comprises Members drawn from the Planning Committee).
3. The Key Worker Panel determines the application. If the Key Worker Panel approves the applicant, the decision is referred to the Scrutiny Panel for its consideration. The Scrutiny Panel comprises the Chairman of Council and the Chairmen of the Community Services and the Planning & Development Committees. In the event that the Scrutiny Panel agrees and endorses the decision of the Key Worker Panel, then the applicant is determined to be a Key Worker.
4. If the Scrutiny Panel rejects the initial decision of the Key Worker Panel and considers that the applicant is not a Key Worker, the applicant has a right to appeal*. All appeals will be considered by the Appeals Panel (that comprises Members drawn from the Planning Committee).
5. Where a decision is overturned by the Scrutiny Panel (i.e. rejected) following the initial assessment of key worker, the Appeals Panel make the final decision. Similarly, if the Key Worker Panel refuses the application, the applicant also has a right to appeal*.
6. In the event that the Appeals Panel allows the appeal contrary to the initial decision of the Key Worker Panel, the Key Worker application is referred to the Scrutiny Panel who will make the final decision.

*NOTE: An appeal against the decision of the Key Worker Panel or the Scrutiny Panel as indicated in the procedures set out above, must be made in writing to the Senior Manager – Infrastructure & Planning within 2 months from the date of the decision letter.



A copy of the questionnaire that an applicant must complete to be assessed as a key worker is attached at Appendix A of this report. Also attached at Appendix B are guidance notes to assist in the objective assessment of completed questionnaires.

Key Worker Criteria

1 Eligibility

To be considered a Key Worker in either Category 1 or Category 2 all of the following must be applicable:

- Work for an organisation or business whose primary purpose is delivering services that directly benefit the community;
- Work from a base within the islands ;
- Employed for a minimum of 21 hours per week on a permanent contract or fixed term contract of at least one year (un-expired at time of application by at least 6 months);
- Employed as a Key Worker as their main employment;
- Hold a recognised technical or professional qualification if this is normally required for the job;
- Unable to find accommodation suitable for their household needs on the islands or living on the islands in accommodation that is unsuitable to their household needs.

The following are excluded from the definition of a Key Worker:

- Agency or temporary staff and those on fixed term contracts of less than one year;
- Employees of private companies who do not provide a service that directly benefits the community including, for example, those commercial businesses solely or mainly engaged in agriculture, fishing, retailing and tourism as such businesses would be expected to find appropriate accommodation for their staff or employ those already resident on the islands;
- Households that can afford to purchase or rent suitable accommodation suitable for their household needs on the islands based on their income, savings and equity in property on the mainland where it can be realised (verifiable evidence will be required to demonstrate where the equity in mainland property cannot be realised).

2 Priorities

Priority will be given to the following categories of Key Workers:

Category 1

Education	Teachers
Health	Doctors, Dentist, Nurses, Midwives, Paramedics and Pharmacist
Police	Police Officers
Public Services	Posts that are required to fulfil the Statutory Duties of the Council of the Isles of Scilly
Animal Welfare	Veterinary surgeon
Public Utilities	Posts required to maintain public utilities on the islands

Category 2 **(Subject to individual assessment based on the criteria for C2 Key Workers)**

Tradesmen	Tradesmen who provide a service that directly benefits and supports the continued functioning of organisations and island residents
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Other public service workers (not included in Category 1) who provide support services to the public sector occupations in Category 1 and where there has been a proven difficulty in recruiting and retaining a suitable person already living on the islands;

Officers and technical support staff required to fulfil a statutory Public Service function; and

Technical support staff within the education, health and police services.

Criteria for assessing Category 2 Key Workers

Category 2 Key Workers will be assessed by the key worker panel on the basis of the type of service provided by the job of the applicant and whether it provides an absolutely necessary service to the community. Category 2 Key Workers will also be assessed on the basis of the identified need for a particular job and its impact on the delivery of the provision of a particular service to the local community. In assessing this impact, account will be taken of the socio-economic needs of the community and the

range of statutory services/duties and alternative sources of service provision prevailing at the time of application.

Notes:

1. Category 1 Key Workers will be reviewed periodically to reflect identified short-falls in the recruitment and retention of particular jobs where the provision of a service has become a problem.
2. Category 2 Key Workers will be assessed on the information contained in a completed questionnaire and any supporting documentation.

Appendix A

COUNCIL OF THE ISLES OF SCILLY ASSESSMENT OF KEY WORKER

Please complete this form in order to be considered a Key Worker as defined in the Council's Supplementary Planning Document. The information requested will greatly assist the Key Worker Panel in assessing your case and will be treated as confidential. It is important that the information you provide is correct and complete. You **must** provide firm evidence to substantiate your application, including any supporting statements from your employer. Please use extra paper if necessary.

1. PERSONAL DETAILS

Name:

Address:

Date of Birth:

Telephone No.:

Job Title:

Employer:

Please provide details of everyone who will be living with you, including their age and relationship to you (E.g. wife, partner, child and other dependents)

Are they all currently living with you?

YES / NO

Are you registered on the Council's Housing Register?

YES / NO

2. ADDRESS OF KEY WORKER HOUSING UNIT IF YOU ARE PROPOSING TO OCCUPY A PARTICULAR PROPERTY AND THE NAME AND ADDRESS OF LANDLORD:

ADDRESS OF KEY WORKER HOUSING

ADDRESS OF LANDLORD

If you have not identified a specific property to occupy, it would be helpful to provide the Council with the address of any key worker property you intend to occupy as well as the name and address of the landlord.

3. YOU AND YOUR PARTNER'S/SPOUSE'S HOUSING CIRCUMSTANCES

You must demonstrate that you are [or, if arriving on the islands to take up a post, will be] un-housed or inadequately housed on the Isles of Scilly.

Do you or your partner/spouse currently live on the Isles of Scilly?

YES / NO

If **no**, have you or your partner/spouse been offered any accommodation on the islands?

YES / NO

If **yes** to either of the above questions, please describe in as much detail as possible why you consider this accommodation is not appropriate and inadequate for your circumstances. It would be helpful to describe the tenure, type and size of the accommodation, including its physical condition and available facilities, and (if applicable) the number of people you share with. If you have been given notice to vacate the premises, firm evidence must be provided.

Does your employment require you to live permanently on the islands?

YES / NO

If yes, please justify your answer below.

4. FINANCIAL CIRCUMSTANCES

Please state you and your partner's/spouse's gross annual household income before tax. Please include all sources of income including any benefits you may receive.

£

Please provide evidence of the gross annual income such as, for example, the last annual P60 Return or Working Tax Credit Notification.

Do you or your partner/spouse have any savings in excess of £ 10,000?

YES / NO

If yes, please specify how much.

£

Do you or your partner/spouse own any property either on the Isles of Scilly, on the mainland or elsewhere?

YES / NO

If yes, please specify the location, value and any rental income.

5. YOUR JOB

You must be able to demonstrate that you are a Key Worker with written confirmation of employment from your employer, performing an essential job and providing an absolutely necessary service to ensure the maintenance of a viable community on the Isles of Scilly.

Please state your employer / proposed employer and their address:

Name:

Address:

If you are self-employed, please state your job, give your current employment address and specify the scope and size of the business (for example, average turnover, number of employees etc.)

Please describe your (future) job on the islands, including firm evidence of this employment, together with all the specific qualifications and relevant experience. Please include a complete, up-to-date CV with copies of certificates.

Please explain in detail why you consider that your job is essential and provides an absolutely necessary service to ensure the maintenance of a viable community on the Isles of Scilly. Please attach a recent letter of confirmation from your employer or line manager.

Please explain why you consider that this absolutely necessary service would otherwise not be available to the community if you were unable to live on the islands. Please provide firm evidence to substantiate your explanation including, if appropriate, any difficulties in recruiting for the post you (intend to) occupy.

Please sign and date the following declaration. The information provided will be treated confidentially and used solely for the purpose of assessing the applicant as a Key Worker.

I declare that all the information in this statement is accurate and complete. I accept that if false information has been provided this application will be invalidated and any Key Worker Status granted removed without right of appeal. I will immediately notify the Senior Manager – Infrastructure & Planning of the Council of the Isles of Scilly of any change in my circumstances and understand that this could materially affect my right to occupy Key Worker accommodation.

I understand that it is a criminal offence if I knowingly provide false or misleading information and that the Council of the Isles of Scilly may instigate an investigation pursuant to its fraud, bribery and anti-corruption policy if any of the content of this application are found to be untrue and that these matters may be referred to an external authority.

I understand and agree that the Council of the Isles of Scilly may make its own enquiries regarding the contents of this statement, if required to assess this application. I understand and agree that I will inform the Senior Manager – Infrastructure & Planning of the Council of the Isles of Scilly of any change in my circumstances in relation to both employment and housing situation immediately.

NAME:.....

SIGNATURE:

DATE:

Please complete and send this form to the Senior Manager – Infrastructure & Planning at the following address:

**Planning Department
Town Hall
The Parade
St Mary's
Isles of Scilly
TR21 0LW**

Appendix B

GUIDANCE ON ASSESSING KEY WORKERS

1. DETERMINING IF SOMEONE IS INADEQUATELY HOUSED

Any prospective key worker (both category 1 and 2) must be able to demonstrate that they are [or, if arriving on the islands to take up a post, they will be] un-housed or inadequately housed on the Isles of Scilly.

Possible issues to consider include the following:

1. Physical condition of accommodation (i. e. structural issues, damp problems, leaking roof, lack of insulation etc).
2. Lack of basic amenities (i.e. no mains water or heating with inadequate kitchen and bathroom/toilet facilities etc).
3. Overcrowding (i.e. sharing amenities or sleeping rooms).
4. Living at home (if over the age of 25).
5. Living in temporary accommodation (i.e. holiday accommodation rather than simply in rented accommodation with a short-term tenancy agreement).

DETERMINING A CATEGORY 2 KEY WORKER

Category 2 Key Workers will be determined by the Local Planning Authority at the time of application based on the completed questionnaire and all supporting documentation and taking account of the following:

A Key Worker is an individual who performs a job that is essential to the maintenance of a viable community on the Isles of Scilly. Essential means a job that provides the community with an absolutely necessary service, taking into account the socio-economic needs of the community and the range of statutory services/duties prevailing at the time of any individual application.

Issues that need to be considered include the following:

1. What type of job is essential to our community?
2. What is an absolutely necessary service for the community? (Need to distinguish between an essential service and a desirable service).

3. What factors need to be taken into account in determining the above? (i.e. skill shortages, number of people doing same/similar job, quality of life issues for the community, access to services)

It has to be demonstrated to the satisfaction of the Local Planning Authority that the absolutely necessary service would fail to be provided to the community if the position in question goes unfilled by the prospective occupant of the Key Worker dwelling. Possible issues to consider include the evidence required to demonstrate that failure to fill the post would impact on an essential service? (i. e. evidence of recruitment and any difficulties in filling the post and how to assess/audit skill shortages and number of people doing or qualified to do same/similar job).