



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Cabinet

**At:** Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

**On:** Thursday, 17 March 2022

**Time:** 11.00 am

**Chair:** Councillor Rob Stewart

**Membership:**

Councillors: M C Child, R Francis-Davies, L S Gibbard, D H Hopkins, E J King, A S Lewis, R V Smith, A H Stevens and M Thomas

**Also Invited:** A Pugh

**Watch Online:** <https://bit.ly/3IE65fN>

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**Webcasting:** This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and / or training purposes.

**You are welcome to speak Welsh in the meeting.**

Please inform us by noon, two working days before the meeting.

### Agenda

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1. **Apologies for Absence.**

2. **Disclosures of Personal and Prejudicial Interests.**

[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)

3. **Minutes.**

To approve & sign the Minutes of the previous meeting(s) as a correct record.

1 - 8

4. **Announcements of the Leader of the Council.**

5. **Public Question Time.**

Questions must be submitted in writing to Democratic Services [democracy@swansea.gov.uk](mailto:democracy@swansea.gov.uk) no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

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**Next Meeting:** Thursday, 21 April 2022 at 10.00 am

*Huw Evans*

**Huw Evans**  
**Head of Democratic Services**  
**Wednesday, 9 March 2022**

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**Contact: Democratic Services - Tel: (01792) 636923**

# Agenda Item 3.



**City and County of Swansea**

**Minutes of the Cabinet**

**Remotely via Microsoft Teams**

**Thursday, 17 February 2022 at 10.00 am**

**Present:** Councillor R C Stewart (Chair) Presided

**Councillor(s)**

M C Child  
A S Lewis  
M Thomas

**Councillor(s)**

R Francis-Davies  
A Pugh

**Councillor(s)**

E J King  
R V Smith

**Officer(s)**

Huw Evans  
Adam Hill  
Tracey Meredith  
Phil Roberts  
Ben Smith

Head of Democratic Services  
Deputy Chief Executive / Director of Resources  
Chief Legal Officer / Monitoring Officer  
Chief Executive  
Director of Finance / Section 151 Officer

**Also present**

Councillor(s): P Downing, L S Gibbard, C A Holley

**Apologies for Absence**

Councillor(s): D H Hopkins and A H Stevens

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## 113. Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

- 1) Councillors R Francis-Davies & A S Lewis declared a Personal Interest in Minute 129 "Local Authority Governor Appointments".
- 2) Councillor R V Smith declared a Personal & Prejudicial Interest in Minute 129 "Local Authority Governor Appointments" and stated that he had dispensation from the Standards Committee to Stay, Speak but Not Vote on matters relating to the Appointment of Local Authority Governors.
- 3) Councillor E T King declared a Personal Interest in Minute 130 "West Glamorgan Regional Partnership Governance Framework".

## 114. Minutes.

**Resolved** that the Minutes of the meeting(s) listed below be approved and signed as a correct record:

- 1) Cabinet held on 20 January 2022.

**115. Announcements of the Leader of the Council.**

The Leader of Council made no announcements.

**116. Public Question Time.**

No questions were asked.

**117. Councillors' Question Time.**

Councillor C A Holley asked three questions in relation to Minute 119 "Revenue and Capital Budget Monitoring 3<sup>rd</sup> Quarter 2021/22".

The Cabinet Member for Environment Enhancement & Infrastructure Management responded. He stated that a written response would be provided in relation to:

Question 2 "Please provide a cost for each of the cycle paths".

**118. Pre-Decision Scrutiny Feedback - Budget Reports (Verbal)**

Councillor C A Holley provided pre-decision feedback in relation to the six budget reports.

**119. Revenue and Capital Budget Monitoring 3rd Quarter 2021/22.**

***Call In Procedure - Subject to Pre-Decision Scrutiny:*** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".

The Cabinet Member for Economy, Finance & Strategy submitted a report that outlined the financial monitoring of the 2021-2022 revenue and capital budgets, including the delivery of budget savings.

**Resolved that:**

- 1) The comments and variations, including the material uncertainties as set out in the report and the actions in hand to address them be noted.
- 2) The virements set out in Paragraph 2.7 of the report and the use of the Contingency Fund set out in Paragraph 3.2 of the report be approved subject to any further advice from the Section 151 Officer during the year.
- 3) Cabinet reinforces the need for all Directors to continue to minimise service overspending in year, recognising that the budget overall is currently balanced only by relying heavily on future likely (but far from assured) reimbursement from Welsh Government, centrally held contingency budgets and reserves,

but equally recognising that the overspending is almost exclusively due to ongoing, broadly anticipated Covid pressures.

- 4) The indicative options set out in Paragraph 4.1 of the report be noted in relation to potential underspend for the year with final actions to be confirmed at outturn.

#### **120. Medium Term Financial Planning 2023/24 – 2025/26.**

***Call In Procedure - Subject to Pre-Decision Scrutiny:*** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".

The Section 151 Officer submitted a report that set out the rationale and purpose of the Medium Term Financial Plan, detailed the major funding assumptions for the period, and proposed a strategy to maintain a balanced budget.

**Resolved that:**

- 1) The Medium Term Financial Plan 2023-2024 to 2025-2026 be recommended to Council as the basis for future service financial planning.

#### **121. Revenue Budget 2022/23.**

***Call In Procedure - Subject to Pre-Decision Scrutiny:*** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".

The Section 151 Officer submitted a report that set out the current position with regard to the Revenue Budget for 2022-2023.

The Leader of the Council proposed a number of amendments to the report. The amendments made were in light of the policy intention announced to seek to move to £10 per hour minimum pay at Council on 3 March 2022 and to look to minimise the Council Tax burden on households.

The Leader of the Council asked the Section 151 Officer if the amendments were appropriate and affordable.

The Section 151 Officer stated that the levy costs and Council Tax Reduction Scheme cost had in his view as a minimum to be met. However, the amendments could be made to the budget.

**Resolved that:**

- 1) The outcome of the formal consultation exercise be noted and, any changes to the Budget Proposals in Appendix D of the report be agreed, together with the position regarding delegated budgets as set out in Sections 4.15 and 4.17 of the report.

- 2) The current Total Funding Requirement identified in Section 4.6 of the report be noted and, in line with the potential actions identified in Sections 9 and 10 of the report, agree a course of action to achieve a balanced Revenue Budget for 2022-2023.
- 3) In addition to a review of current savings proposals Cabinet:
  - a) Reviewed and Approved the Reserve Transfers recommended in the report.
  - b) To reflect a reduced Fire Authority levy to the final advised sum by £28,000.
  - c) To reduce the central inflation provision by £1,092,000.
  - d) To reduce Council Tax Reduction Scheme by £300,000.
  - e) Making £1,420,000 base reduction to the revenue budget proposed and a consequential reduction in total council tax raised by the corresponding £1,420,000 reducing the recommendation on council tax to a 0.95% increase.
  - f) Agreed a level of Council Tax for 2022-2023 to be recommended to Council.
- 4) Subject to the changes identified and listed above, Cabinet recommends to Council for approval:
  - a) A Revenue Budget for 2022-2023.
  - b) A Budget Requirement and Council Tax levy for 2022-2023.

**122. Capital Budget & Programme 2021/22- 2026/27.**

***Call In Procedure - Subject to Pre-Decision Scrutiny:*** *This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

The Section 151 Officer submitted a report that proposed a revised Capital Budget for 2021-2022 and a Capital Budget for 2022-2023 to 2026-2027.

**Resolved** that:

- 1) The revised Capital Budget for 2021-2022 and a Capital Budget for 2022-2023 – 2026-2027 as detailed in Appendices A, B, C, D, E, F and G of the report be approved.

**123. Housing Revenue Account (HRA) – Revenue Budget 2022/23.**

**Call In Procedure - Subject to Pre-Decision Scrutiny:** *This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

The Section 151 Officer submitted a report that proposed a Revenue Budget for 2022-2023 and a rent increase for properties within the Housing Revenue Account (HRA).

**Resolved** that the following budget proposals be recommended to Council for approval:

- 1) Rents be increased in line with the new Welsh Government policy as detailed in Section 3 of the report.
- 2) Fees, charges and allowances be approved as outlined in Section 4 of the report.
- 3) The Revenue Budget Proposals as detailed in Section 4 of the report.

**124. Housing Revenue Account – Capital Budget and Programme 2021/22 – 2025/2026.**

**Call In Procedure - Subject to Pre-Decision Scrutiny:** *This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

The Section 151 Officer and Director of Place jointly submitted a report that proposed a revised Capital Budget for 2021-2022 and a Capital Budget for 2022-2023 – 2025-2026.

**Resolved** that the following be recommended to Council for approval:

- 1) The transfers between schemes and the revised budgets for schemes in 2020-2021 be approved.
- 2) The budget proposals for 2022-2023 – 2025-2026 be approved.
- 3) Where individual schemes in Appendix B are programmed over the 4 year period described in the report, then these be committed and approved and their financial implications for funding over the 4 years also be approved.

**125. Annual Review of Charges (Social Services) 2021/22.**

The Cabinet Member for Adult Social Care & Community Health Services submitted a report that was the latest annual review of social services charges, improvements undertaken in year and a proposed list of charges to apply in 2022/2023.

**Resolved that:**

- 1) The findings of the annual review of charges report be accepted.
- 2) An inflationary increase of 3% be applied to all social services charges to come into effect on 1 April 2022.
- 3) The list of social services charges to apply from 1 April 2022, for the year 2022/2023 be approved for publication.

**126. Tree Management Strategy.**

The Cabinet Member for Climate Change & Service Transformation submitted a report that sought adoption of a strategy for the management of trees on / affecting land / property in Council ownership and setting out the Council's duties in relation to protected trees.

**Resolved that:**

- 1) The Tree Management Strategy be agreed.
- 2) A mapping exercise be carried out to identify potential sites / zones for planting on Council owned land subject to future funding and maintenance availability.

**127. Promoting Affordable Credit Policy.**

The Poverty Reduction Policy Development Committee submitted a report that sought adoption of a strategy that embeds the promotion of affordable credit. Councillor P Downing presented the report.

**Resolved that:**

- 1) The Promoting Affordable Credit Policy attached as Appendix A of the report be adopted.

**128. Optimised Retrofit Programme, Land and Building Development Fund and Intermediate Care Fund Applications.**

The Cabinet Member for Climate Change & Service Transformation submitted a report that sought:

- i) Retrospective approval for Land and Building Development Fund bids.
- ii) Retrospective approval for an Integrated Care Fund bid.
- iii) To commit the schemes to the Capital Programme in line with the Council's Financial Procedure Rules.



**Resolved that:**

- 1) The Land and Building Development (LBDF) funding bids set out in Section 2.2 of the report be approved.
- 2) The Integrated Care Fund (ICF) bid set out in Section 3.3 of the report be approved.
- 3) Authority be delegated to the Director of Place, the Chief Legal Officer and Chief Finance Officer to enter into any agreements necessary to ensure the delivery of the projects and to protect the Council's interests.
- 4) Authority be delegated to the Director of Place and the Chief Finance Officer to recover all expenditure associated with the delivery of the projects from Welsh Government.
- 5) Any further decisions relating to the funding above will be delegated to the Director of Place and the Cabinet Member for Climate Change and Service Transformation, and schemes are detailed and approved via the annual HRA Capital Budget report.

**129. Local Authority Governor Appointments.**

The Local Authority Governors Appointment Group submitted a report, which sought approval of the nominations submitted to fill Local Authority (LA) Governor vacancies on School Governing Bodies.

**Resolved that:**

- 1) The following nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning & Skills be approved:

1)	Parkland Primary School	James Harris
2)	Morrison Comprehensive School	David Lloyd-Jones

**130. West Glamorgan Regional Partnership Governance Framework.**

The Cabinet Member for Adult Social Care & Community Health Services submitted a report that sought approval to adopt a Governance Framework for the West Glamorgan Regional Partnership.

**Resolved that:**

- 1) The Governance Framework for the West Glamorgan Regional Partnership attached as Appendix 1 of the report be approved.

**131. FPR7 Report - The Welsh Government Transforming Towns - Placemaking Grant.**

The Cabinet Member for Investment, Regeneration & Tourism submitted a report that sought approval to comply with Financial Procedure Rule 7 “Capital Programming & Appraisals) – to commit and authorise the addition of new schemes to the Capital Programme.

**Resolved** that:

- 1) It be noted that the grant application set out in the report has been approved by Welsh Government as part of the 2021/2022 capital bidding round for the Welsh Government Transforming Towns Programme.
- 2) The relevant schemes and their financial implications be approved and the schemes be authorised to be added to the Capital Programme.
- 3) The inter authority agreement which has been prepared to protect the Council’s position as lead Authority in distributing the funding received from Welsh Government to deliver the schemes on a regional basis be noted and approved.
- 4) Authority be delegated to the Head of Planning and City Regeneration in consultation with the Chief Legal Officer to enter into the agreement on behalf of the Council.

**132. Business Rates – Temporary Rate Relief Scheme (Wales) 2022/23.**

The Section 151 Officer submitted a report that provided information and sought the adoption of a temporary Retail, Leisure and Hospitality Rates Relief Scheme relating to Business Rates, which has been introduced by Welsh Government for the financial year 2022/2023.

**Resolved** that:

- 1) The details of the Scheme set out in the report be noted.
- 2) The Rate Relief Scheme outlined in the report for 2022-2023 be adopted.

The meeting ended at 11.57 am

**Chair**

<b>Call In Procedure – Relevant Dates</b>	
Minutes Published:	<b>18 February 2022</b>
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 23 February 2022
Decision Comes into force:	24 February 2022

# Agenda Item 7.



## Report of the Local Authority Governor Appointment Group

Cabinet – 17 March 2022

### Local Authority Governor Appointments

<b>Purpose:</b>	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
<b>Policy Framework:</b>	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
<b>Consultation:</b>	Access to Services, Finance, Legal
<b>Recommendation(s):</b>	It is recommended that:  1) The nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills be approved.
<b>Report Author:</b>	Gemma Wynne
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officer:</b>	Melissa Parry
<b>Access to Services Officer:</b>	Catherine Window

#### 1.0 The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Craigfelen Primary School	Mr Dylan Williams
2. Duvant Primary School	Cllr Louise Gibbard
3. Penyrheol Primary School	Mrs Nicola Matthews

4. St Joseph's Cathedral Primary School	Mrs Caroline Thraves
5. Terrace Road Primary School	Miss Kayleigh Danter Mrs Folake Ibiwoye
6. Bishop Vaughan RC Comprehensive School	Mr Daniel Minister

## **2.0 Financial Implications**

2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

## **3.0 Legal Implications**

3.1 There are no legal implications associated with this report.

## **4.0 Integrated Assessment Implications**

4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socioeconomic disadvantage

The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'. Our Integrated Impact Assessment process ensures that we have paid due regard to the above.

**Background papers:** None

**Appendices:** Appendix A - Integrated Impact Assessment Form

# Integrated Impact Assessment Screening Form – Appendix A

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: Achievement and Partnership

Directorate: Education

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

Appointing Local Authority governors to schools in Swansea

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Integrated Impact Assessment Screening Form – Appendix A

- Q3** What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement

This activity does not require consultation

- Q4** Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

- 
- Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

- 
- Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

- 
- Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?  
(*You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.*)

In order for schools to run effectively they need to have effective Governing Bodies.

# Integrated Impact Assessment Screening Form – Appendix A

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

We have identified high impact on children and young people because it is in school environment and Governors are appointed to those school. Race, Religion and Welsh language have been also identified as high impact because we have some religious and welsh language schools. There is no need for mitigation as impacts that have been identified are not negative impacts The panel choose Governors ,no public consultation required. In order for schools to run effectively they need to have effective Governing Bodies, this appointment supports this..

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Gemma Wynne</b>
<b>Job title: Governor Support Officer</b>
<b>Date: 25/10/21</b>
<b>Approval by Head of Service:</b>
<b>Name: Kate Phillips</b>
<b>Position: Head of Achievement and Partnership</b>
<b>Date: 25/10/21</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 8.



## Report of the Cabinet Member for Education Improvement, Learning and Skills

Cabinet – 17 March 2022

### Hwb in School Infrastructure Programme

<b>Purpose:</b>	To approve this Revenue Contribution to Capital Outlay (RCCO) for additional budget for programme from the Schools Innovation Fund, Hwb Infrastructure Reserve and transfer Schools Network Capital budget to Hwb In School Infrastructure Program to ensure programme costs are covered for 2021/22
<b>Policy Framework:</b>	Education in Wales our National Mission
<b>Consultation:</b>	Access to Services, Finance, Legal, Digital
<b>Recommendation(s):</b>	It is recommended that:  1) The RCCO and the financial implications in paragraph 4 of this report is approved
<b>Report Author:</b>	Jo Harley
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

##### 1.1 What is the Hwb In-School Infrastructure Grant Scheme?

1.1.1. The Minister for Education announced a funding programme to help transform EdTech in Welsh Schools in 2019. To ensure the funding is prioritised on areas most in need, local authorities and the Welsh Government have collaboratively developed categories which will ensure schools ICT infrastructure aligns with the agreed Education Digital Standards. The funding is used to deliver against seven different waves.



1.1.2. Each Local Authority has committed to be the conduit for their schools and have agreed to the core principles of standardisation, consistency and most importantly sustainability. An ICT catalogue called the Dynamic Procurement System (DPS) has been created by Welsh Government for Local Authorities to purchase the required hardware and services.

## **2. Swansea Council Strategy**

2.1. The scope of work covers all Primary, Secondary and Special schools. Swansea. Welsh Government have allocated funding to spend via the DPS over the past 3 years. Swansea Council schools have also agreed to utilise the Schools Innovation Fund and other reserves to cover additional spend not covered by funding from Welsh Government.

2.2. Swansea Council has a clear strategy to harness digital technology to support teaching and learning. The vision is to use technology to transform teaching and learning in all schools by creating safe and flexible 'anytime anywhere' access which is underpinned by an infrastructure that allows all users to use a device securely at any given time, be this in the classroom or anywhere else on the school site. The vision will ensure that all learners are given the best opportunity to meet the requirements of the digital age.

2.3. Year three funding has been used for Wave 4 and Wave 5 of the Programme centred around end user devices and audio visual equipment. A formula has been agreed based on pupil number in schools and has been ratified by headteacher representatives.

2.4. Each school has been provided with a budget allocation and a catalogue for end user devices as per the DPS.

2.5. During year 2 of the programme it has been identified that the grant allocation of £224,735 would not cover all the work required to complete the implementation of the programme. Therefore additional funds were needed to be identified to ensure the programme completed successfully.

2.6. Reasons for the increase in budget can be attributed to the amount of work required to replace the network cabling in schools and the sheer volume of devices to be built, reconfigured and delivered to schools and project management of the program.

2.7. The Hwb Programme Board has approved using the Schools Innovation Fund, Hwb Infrastructure reserve and Schools Network Upgrade capital program to fund the gap of the project. The Schools Innovation Fund reserve has been created to support developments in schools and is from underspend from previous years ICT Service Level Agreement. Therefore the money has come directly from schools.

2.8. The Hwb Infrastructure Reserve was created in the first year of the program from in house team time spent on the project.

- 2.9. The Schools Network Upgrade capital program was created to update the schools network and now needs to be transferred to this program as it aligns with upgrading of the schools network directly.

### **3. Integrated Assessment Implications**

- 3.1. The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.2. An IIA form has been completed and the outcome is that a full IIA is not required.
- 3.3. This Programme will continue to have a positive impact on all children and young people with the ICT infrastructure of all schools being future proofed and being kept at a similar high level across all schools.
- 3.4. All schools will be kept engaged to ensure that the benefits are realised across all our schools. All the benefits fit within the expectations and considerations of the WFG with no risk in their implementation. The cumulative impact is seen as very positive.

- 3.5. The investment in device has, and will, ensure that all children and young people, including those with additional learning needs, have access to a device that aids their educational journey.

#### **4. Financial Implications**

- 4.1. Financial implications previously approved and are included in the current program. The amounts are detailed in the financial summary table in appendix A.
- 4.2. This RCCO is to approve using the Schools Innovation Fund, Hwb Infrastructure reserve and Schools Network Upgrade capital scheme to cover the overspend on the Hwb Programme. The proposed amount to transfer to this capital scheme for 2021/22 is £250k.
- 4.3. The Schools Innovation Fund reserve is made up of underspend on the ICT School Service Level Agreement, at the end of each financial year, in agreement with the Education Development Schools Board. The Fund is for the sole use of developing technology in schools.
- 4.4. The balance in the Schools Innovation Fund at February 2022 is £240,550.49 and it is proposed to transfer £117.5k to the Schools Hwb programme capital scheme.
- 4.5. The Hwb Infrastructure Reserve has a balance of £67.5k as at February 2022 and it is proposed to transfer this to the Schools Hwb programme capital scheme.
- 4.6. The Schools Network Capital scheme was set up to upgrade the schools network. Therefore is directly linked to the Hwb Infrastructure program. The balance in February 2022 is £65k. and it is proposed to transfer this to the Schools Hwb programme capital scheme.
- 4.7. The original budget for 2021-22 was £108k, following these transfer the budget will increase to £358k.
- 4.8. Following these transfers the overall budget from year one to year 3 will be £1.306 million.

#### **5. Legal Implications**

- 5.1. There are no legal implications for this RCCO.

**Background Papers:** None

#### **Appendices:**

- Appendix A      Financial Summary for allocation  
Appendix B      IIA

## Appendix A Financial Summary for allocation

<b>Portfolio:</b>	<b>Education Improvement Learning and Skills</b>					
<b>Service :</b>	<b>Digital Services and Education</b>					
<b>Scheme :</b>	<b>Schools Hwb Programme RCCO</b>					
<b>1. CAPITAL COSTS</b>		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>TOTAL</b>	
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
	<u>Expenditure</u>					
	Schools Hwb Programme Implementation	210	738	358	1,306	
	<b>EXPENDITURE</b>	<b>210</b>	<b>738</b>	<b>358</b>	<b>1,306</b>	
	<u>Financing</u>					
	WG Grant	531	225		756	
	Schools Network Upgrade - C09466			65	65	
	Schools Innovation Fund Reserve - E3479		300	118	418	
	Hwb Infrastructure Reserve - E2724			68	68	
	<b>FINANCING</b>	<b>531</b>	<b>525</b>	<b>250</b>	<b>1,306</b>	
<b>2. REVENUE COSTS</b>		<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>TOTAL</b>	<b>2021/22</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>Full Year</b>
	<u>Service Controlled - Expenditure</u>					<b>Effect</b>
						<b>£'000</b>
	<b>EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>FINANCING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>3. TOTAL EXPENDITURE</b>						
	<b>TOTAL:</b>	<b>210</b>	<b>738</b>	<b>358</b>	<b>1,306</b>	<b>0</b>

**Please ensure that you refer to the Screening Form Guidance while completing this form.**

**Which service area and directorate are you from?**

Service Area: Digital Services

Directorate: Resources

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

HWB Schools Infrastructure Investment Programme

This programme is an extensive 3-5 year infrastructure investment programme that builds on recent Local Authority investment and is known as the Hwb Schools Infrastructure Investment Programme. Swansea was awarded circa £3.5 million in year one £1.9 million in year two and £1.1 million in year 3.

The funding is to be used to deliver against seven different waves. Welsh Government have made it clear that the waves must be taken in order and once you have passed a certain wave, there is no going back. This makes it imperative that we get things right at an early stage.

The scope of work covers all Primary, Secondary, Special schools and PRU. An ICT Procurement Catalogue is being created by Welsh Government and Local Authorities will purchase required hardware and services through this catalogue

A full assessment of each school's infrastructure was undertaken to aid the delivery of this project. In Year 1, we will be focusing on Waves 1, 2 and 3 to ensure that our infrastructure serves us well for the foreseeable future, year 2 focused on end user devices and year 3 on end user devices and audio visual equipment.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

All schools are provided with a budget per schools and they determine what they need to order for their individual school needs in order to ensure teaching and learning is effective and in line with the schools digital strategy.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

Yes as this is a Welsh Government initiative for the benefit of all schools across Wales

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

**Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

We are working in collaboration with the Education Directorate to ensure that the full educational benefits are realised and with Building Services on any structural changes needed within the schools.

**Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

This investment will fundamentally improve the teaching and learning for all learners across Swansea. Alongside Welsh Government we are:

- work in partnership with the [Public Sector Broadband Aggregation](#) team to ensure the high-speed connectivity for Welsh schools is stable, performant and evolving to meet growing digital needs and ambitions of schools
- ensuring the digital infrastructure meets the needs of schools, adopting a ‘turn it on and it works’ approach
- further developing the [education digital guidance and standards](#), ensuring the digital infrastructure evolves in line with school needs and current technical standards
- maximising the benefits of a national education infrastructure realising more efficient and effective ways of working

### Outcome of Screening

**Q8** Please describe the outcome of your screening below:

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)
- WFG considerations (Q4)
- Any risks identified (Q5)
- Cumulative impact (Q7)

This Programme will continue to have a positive impact on all children and young people with the ICT infrastructure of all schools being future proofed and being kept at a similar high level across all schools.

All schools will be kept engaged to ensure that the benefits are realised across all our schools. All the benefits fit within the expectations and considerations of the WFG with no risk in their implementation. The cumulative impact is seen as very positive.

The investment in devices has, and will, ensure that all children and young people, including those with additional learning needs, have access to a device that aids their educational journey.

(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Rhodri Jones
<b>Job title:</b> Head of Education Performance Team
<b>Date:</b> 09/02/2022
<b>Approval by Head of Service:</b>
<b>Name:</b> Brian Roles
<b>Position:</b> Head of Education Planning and Resources
<b>Date:</b> 10/02/2022

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)



# Agenda Item 9.



## Report of the Cabinet Member for Business Improvement & Performance

Cabinet – 17 March 2022

### Quarter 3 2021/22 Performance Monitoring Report

<b>Purpose:</b>	To report corporate performance for Quarter 3 2021/22.
<b>Policy Framework:</b>	<i>Delivering a Successful &amp; Sustainable Swansea Corporate Plan 2020/22</i> <i>Achieving Better Together Programme.</i>
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet endorses the performance results for Quarter 3 2021/22 and approves their use to inform executive decisions on resource allocation and, where relevant, corrective actions to manage and improve performance and efficiency in delivering national and local priorities.
<b>Report Author:</b>	Richard Rowlands
<b>Finance Officer:</b>	Paul Roach
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1.0 Introduction

- 1.1 This report presents the performance results for the third quarter of 2021/22 delivering the Council's Well-being Objectives (priorities) described in the Corporate Plan 2020/22 *Delivering a Successful & Sustainable Swansea*.
- 1.2 The outturn presented in the performance tables (Appendix A) incorporates an overview of performance that needs to be considered alongside the current financial situation of the Council.
- 1.3 The financial resources required to achieve the specified performance levels in 2021/22 have been provided in the approved budget. As part of the work on *Achieving Better Together* there will be an increased focus on understanding the level of activity and outcomes that are achieved for

the budget allocated so that choices can be made about relative priorities.

## **2.0 Performance and Improvement: impact from COVID-19**

2.1 The ongoing Covid-19 pandemic has brought huge challenges and changes to the Council, its services and workforce. The Council has never undertaken such change in such a short timescale and in such challenging circumstances. A number of non-essential services were suspended in order to redeploy resources to areas where they were most needed.

2.2 This inevitably has had a significant impact on the usual areas of performance across the council and that is why targets for performance indicators have not been set for 2021/22. This should also be considered when comparing performance to previous years.

2.3 This has been an unprecedented time and the Council's response to the pandemic, whilst not necessarily reflected in the established performance indicators in this report, has been extraordinary.

2.4 In summary, since March 2020 the Council has transformed the way it works to manage the impact of the pandemic. Thousands of staff were successfully mobilised to work remotely and/or from home within a matter of weeks. This took a massive effort from our ICT team to provide the necessary changes enabling staff and councillors to have full network links at their preferred location.

2.5 Other changes include:

- Supporting the Welsh Government's Shielding Programme by setting a new call centre and providing daily support to thousands of vulnerable people.
- Focusing social services care on the most vulnerable, re-opening a care home and supporting the private care sector.
- Overseeing the planning and construction of the Bay Field Hospital on Fabian Way.
- Remodelling schools into care settings for key workers' children.
- Providing meals to care settings and delivering free school meals.
- Providing food banks across the city and county.
- Providing financial support in excess of £100 million to thousands of businesses.
- Setting up a Track, Trace and Protect function and providing community testing centres.
- Preparing for mass vaccination in our communities.

2.6 These results for Q3 2021/22 should therefore be considered within this wider context, the ongoing pandemic and achievements noted.

- 2.7 Performance is judged using the results measured by Corporate Plan performance indicators and is usually compared to agreed targets. For the sake of this report and given the issues set out above, targets for 2021/22 have not been set due to the ongoing impact from COVID-19 and the associated lockdowns and other preventative and reactive measures.
- 2.8 The impact on the performance indicators from COVID-19 can also be seen where this occurs by comparing the results of performance indicators against the results from the same period last year where comparison is possible.
- 2.9 The Q3 2021/22 outturn shows that **12 out of 26 (46%)** comparable Corporate Plan performance indicators showed improvement or stayed the same compared to Q3 2020/21.
- 2.10 The performance indicators are assessed each year to ensure that they remain appropriate; although the COVID-19 pandemic and lockdown disrupted this process in 2020/21 and during 2021/22. The indicators and how the Council can better measure strategic directions and our priorities will be reviewed as soon as allowed by the progress of the pandemic.
- 2.11 The performance tables in Appendix A set out an overview of performance for each Corporate Plan priority provided by Directors and Heads of Service who are the responsible leads; these overviews set the performance data within their proper context and can be found in para 4.0.

### **3.0 Other considerations**

- 3.1 When making comparisons to 2020/21, the following should be considered:
- 3.1.1 The nature and number of some performance indicators (PIs) may have changed between these two periods and therefore direct comparisons may not always be appropriate.
- 3.1.2 The results do not always account for changes in resources and workload during that period (although details can be seen in the numerator and denominator information and in the comments column of the data tables attached to this report).
- 3.1.3 There may be changes to the numerator and denominator information that may affect the trends by showing a decline while the volume of work has increased.
- 3.1.4 None of the corporate priorities can be seen in isolation from each other. Each priority both affects and is affected by the others. For example, Improving Education and Skills is both important to our efforts to tackle poverty and improve the economy. For this reason, many of the

performance indicators allocated to measuring one priority can also be used to show progress meeting other priorities.

#### **4.0 Context: Overviews of Performance in 2021/22**

4.0.1 The following overviews provided by responsible departments describe the context to the performance meeting the Council's key objectives as at Q3 2021/22.

##### *4.1 Safeguarding people from harm*

4.1.1 As anticipated, the Winter period has proved particularly challenging not least with the emergence of a new variant of Covid. Whilst the success of the vaccination program has limited the kinds of harms that our population experienced this time last year, the impact of widespread community infection has further depleted our health and care workforce and led to further delays or limitations on the type of care and support we have been able to provide.

4.1.2 Given that context, overall performance has continued to hold up remarkably well and this pays further testament to the incredible efforts of our workforce. Our plans to recover health and care services, to deal with backlogs and to best respond to the changed needs of our population have been further delayed by this latest wave of Covid infection.

4.1.3 Our capacity and ability to report and manage performance remains significantly compromised by the new national care management recording system (WCCIS) that we have adopted.

4.1.4 Our immediate priorities remain to focus on the well-being of our workforce so that they can continue to deliver safe care and support to those individuals and their carers with the most urgent need whilst incrementally resuming arrangements that provide a broader span of support across the continuum of need.

##### *4.2 Improving education & skills*

4.2.1 During the third quarter, Swansea schools have faced greater disruption to education than seen in the first two quarters, because of Covid-19. The impact of Covid-19 on how schools operate is significant with the maximum control measures utilised for on-site learning in nearly all schools during quarter three. The negative effect on school attendance and examination year groups remains significant.

4.2.2 Authority wide attainment measures at foundation phase, key stage 2 and key stage 3 are no longer collected by Welsh Government and in key stage 4 and A-Level year groups the awarding of grades has been determined by schools themselves. School monitor levels of achievement in reading and mathematics closely.

- 4.2.3 Intervention is supported by Welsh Government funding to help learners catch up. Evidence from school improvement monitoring visits indicate good support for continuity of learning, appropriate accelerated learning for reading and mathematics as well as preparation for the new Curriculum for Wales. School councils provide valuable feedback to support planning. Support for vulnerable learners has remained stable during the reporting period. Additional counselling services have been actioned to support emotional wellbeing in school aged children and young people.
- 4.2.4 Greater access to Welsh medium schools has progressed well with handover of three new assets complete. A new ten-year strategic plan for Welsh has progressed through the consultation stage. Planning to improve the school estate and enhance the facilities for learners, as part of creating better learning communities, has progressed across three new projects in secondary schools.
- 4.2.5 Attendance in Swansea schools remains lower than usual because of Covid-19. Similar rates of lower attendance are seen in local authorities across Wales. The numbers of learners being excluded is growing and requires further careful monitoring. The rate of permanent exclusions has doubled compared to the same period last year. However, similar increased rates of exclusion are seen in local authorities across Wales.
- 4.2.6 Digital capacity to support the skills agenda is improving through the schools' infrastructure programme. Advice and guidance for vocational education and careers is developing well despite Covid-19. Keeping learners in education, employment and training remains a high priority outcome with effective prevention activities in place. The work towards implementing a new legislative framework to help learners with additional learning continues to progress well.

### 4.3 *Transforming our economy and infrastructure*

- 4.3.1 Quarter 3 results against our performance measures are largely positive, however, some indicators are showing downward trends when compared against results for last year, or against the last monitoring period. Where relevant, explanatory comments have been provided based on the specific circumstances prevailing.
- 4.3.2 As reported previously in quarters 1 & 2, the effects of Covid on the construction sector continue to have an impact on project delivery. Skilled and unskilled labour shortages, together with supply issues for some construction materials are having an impact on programme and construction costs. Dialogue continues with our contractors and all available countermeasures are being explored to mitigate the impacts of these issues. Despite this our major regeneration priorities have continued to make substantial progress on site during quarter 3. The Copr Bay works have continued to make significant visible progress with the arena, bridge, residential block, MSCP, and church hall all

significantly advanced and nearing practical completion. The Arena opening events are scheduled for March 2022, with fire safety events scheduled for February 2022. ATG have taken partial possession to commence their fit-out contracts.

- 4.3.3 The Shaping Swansea procurement has been concluded with the selection of Urban Splash as the Council's private sector development partner for the delivery of the next phase of strategic sites. This marks an exciting new chapter in Swansea's regeneration journey, bringing new resources and development expertise to the City. Discussions are underway to complete the legal contracts to formalise the selection and commence design work on phase 1 sites. The Castle Square redevelopment project has taken a significant step forward with allocation of capital budget for its delivery. Detailed design work is now ongoing. The Public Sector Hub project at the former BHS building has made significant progress. Planning permission has now been secured and the Transforming Towns formal grant funding award is imminent.
- 4.3.4 Works have also now commenced on the Kingsway Employment Hub building to construct a major new high-tech office development that will provide space for 600 jobs in Swansea city centre. Set for completion in early 2023, the five-storey development will include 114,000 square feet of commercial floorspace, providing flexible co-working and office opportunities for innovative tech, digital and creative businesses. The development will be carbon zero and worth £32.6 million a year to Swansea's economy. It will feature state-of-the-art digital connectivity, a roof terrace, greenery and balconies overlooking the city centre and Swansea Bay.
- 4.3.5 Wind Street works are now substantially complete, with all snagging and outstanding installations to be complete by end January 2022 . Substantial progress has also been achieved at the Hafod Copperworks Powerhouse project with works completion targeted for May 2022. Works have also now commenced to deliver the Place Theatre refurbishment project with works completion targeted for November 2022.
- 4.3.6 As previously reported, the delivery of actions within the Swansea Economic Recovery Action Plan is also ongoing. The action plan, that was prepared in partnership with key stakeholders, and that is supported by deployment of the Council's economic recovery fund, includes a range of initiatives to stimulate economic activity and resilience within Swansea's local economy. The City Centre re-purposing study has been approved by Cabinet and initial projects are under consideration. The Council has also led the production of the Regional Economic Delivery Plan in collaboration with other authorities in the region. This work is now complete and will report to Cabinet in January for adoption of the strategy and its accompanying action plan. The plan identifies transformational project investment in the region that will attract funds from the UK government's Shared Prosperity Funding programme that is envisaged in future years.

- 4.3.7 Due to the impact of Covid pandemic the Welsh Government extended the Compliance period for Local Authorities to complete the Welsh Housing Quality Standard (WHQS). The completion date was revised to the 31st December 2021, which corresponds with the end of Q3. The revised capital investment programme for 2021/22 was initially set at £46.875m, which included £12m of slippage from last year's Covid pandemic affected end of year financial outturn.
- 4.3.8 Further slippage has been experienced during this current year, again due to on-going impact of Covid and issues such as the shortage of contractor capacity, skilled labour and materials which has affected programme delivery. The investment aims and objectives remain the same as proceeding years; to ensure homes are in a good state of repair, thermally efficient, safe and secure and meeting the needs of individuals. Over the course of this financial year, the Council intends to deliver planned repairs and improvements to the following number of dwellings:
- Kitchens and bathrooms - Initial target of 700 completions to be exceeded, 797 kitchens and 598 bathrooms projected
  - External fabric envelope upgrades (reroofing and insulation, weatherboards and rainwater goods, insulated render and replacement high performance windows) - Initial target 456 completions reduced to 300 by end of financial year.
  - Chimney removals or rebuilds. Initial target of 661 reduced to 385 by end financial year.
  - 475 high performance combination boilers - Initial target to be delivered
  - Garden upgrades to improve safety and security - Initial target 3,700 revised to 2,200 by end of financial year.
  - Fire safety improvement work - High and medium rise blocks of flats and sheltered housing complexes including installation of sprinkler systems. Programmed work behind target as number of projects require retender due to lack of contractor responses.
  - Smoke alarm systems in sheltered housing complexes - Initial target 2,000 reduced to 1,800 by end of financial year.
  - Electrical re-wires to ensure installations comply with the prevailing regulations. Initial target 537 revised to 400 by end of financial year
  - New passenger lifts at Jeffreys Court flats. One lift completed, second on-going, completion July 2022.
- 4.3.9 A further element of work, to help meet future decarbonisation targets of social housing, has been integrated in this year's programme. Solar PV panels and battery storage to generate energy for the benefit of 137 households has been included as part of external envelope upgrades. Due to shortage of suitably qualified and experienced engineering consultants, it has been difficult to procure the necessary design skills. A consultant has now been identified and designs for the 6 sites started. It is anticipated all the work on these projects will commence during 2022/3.

- 4.3.10 The above mentioned projects are just some of the headline work streams we continue to deliver as part of a wider programme of repairs, maintenance and improvements which forms the WHQS Compliance Capital Programme. At the end of the financial year, the Council will collate data from completed improvement works to demonstrate achievement of WHQS compliance as is defined in statutory guidance. From April 2022, capital programme for WHQS will pass from a compliance target to a maintenance phase of the WHQS. Welsh Government are reviewing the current WHQS and set to introduce a new version which will become WHQS2. It is expected the new WHQS2 will introduce decarbonisation and fire safety targets for social landlords and will come into effect in April 2023. The overall WHQS programme will continue to contribute significantly towards community benefits and employment opportunities. We will report at the end of the final quarter on the recruitment and training opportunities the programme provided during 2021/22.
- 4.3.11 The Council's More Homes Programme, focussed on providing new build Council housing, is looking to a 10 year delivery ambition of 1000 new affordable homes. Following the completion of 34 homes in 20/21, work is continuing on 25 homes on Hill View Crescent in Clase, which is due for completion in Spring 2022. This scheme has also been awarded £1.5m of Innovative Housing Funding, which will fund the renewable technologies to continue the Homes as Power Stations theme. This will also be the site of a new build Welsh medium primary school, and will provide an opportunity to regenerate the area.
- 4.3.12 As part of the Welsh Government Phase 2 planning for homelessness, the Council is also developing 8 one bedroom homes at a former Education site in Uplands. The conversion of the existing building has been completed and is now occupied, and the 4 off site-manufactured pods will be ready for occupation in March 2022. A further 20 x1 bedroom acquisitions are planned for 21/22, as well as 6 acquisitions utilising Integrated Care Fund (ICF). Work has also started at West Cross, to develop 6 bungalows, which has also been awarded IHP funding to include the additional renewable technologies.
- 4.3.13 A planning application has been approved to convert a former social services property in Gorseinon into 2 x 3 bedroom homes. The former Education site at Brondeg House has also been acquired to develop for affordable housing, and the existing building will be demolished to make way for new affordable housing. Cabinet has also been asked to approve the appropriation of 3 sites from the General Fund to develop for affordable housing, and concept plans are now being developed for these sites. The demolition of the former Clase DHO will also be starting in February 2022, as part of the Creswell Road development of 9 new homes.



- 4.3.14 The Council is also progressing the procurement of a development partner or partners to deliver mixed tenure housing on 2 Council owned sites in Penderry, whilst maximising the delivery of affordable housing to meet local need. The Council has also procured a multi-disciplinary team to deliver a masterplan for the regeneration of a large Housing owned site. This work is progressing however the timeframe has been extended as the planned resident consultation events, site visits and surveys were delayed due to Covid. The Council is also appointing a multi-disciplinary team to develop a masterplan for 4 x sites in close proximity, which should achieve planning application stage by the end of 2022.
- 4.3.15 Quarter 3 took us up to Christmas and included the reintroduction of our festive marketing and events programme. Halloween, Guy Fawkes and Christmas events were permitted and the feedback for these, especially the long awaited Christmas Parade, was exceptional.
- 4.3.16 Support for the community continued through the provision of grants for tourism accommodation, freelance artists, sports clubs and organisations, which helped provide a much needed boost on the road to 'recovery' as restrictions continued to ease. Planning permission was gained for the new Skate Park at Mumbles, and work is underway to ensure the Community Council can deliver this as planned. At the same time, an exciting announcement to provide extra funding for skate facilities across the city was welcomed and provided another dimension to the play, leisure and recreation facilities in development.
- 4.3.17 Unfortunately, as we approached Christmas new restrictions were introduced, meaning the very popular Panto at Swansea Grand theatre had to be cancelled at the end of December, due to the cost of presenting to a socially distanced audience outweighing the income we could achieve. Waterfront Winterland similarly had to close its doors and the Christmas events planned for the Brangwyn Hall were also cancelled.
- 4.3.18 Whilst restrictions didn't mean that wider leisure facilities and attractions had to close, more restrictive measures regarding capacities and impact on consumer confidence disrupted business/trade through December. We would normally see a peak in early January of gym membership and activity registrations, but the impact of restrictions won't be fully known until next quarter close. On a positive note, despite significant staff absences due to Covid, our Leisure facilities and outdoor attractions managed to remain open through the peak of the latest wave, unlike a number of major and neighbouring cities, which faced forced closures due to staffing pressures.
- 4.3.19 The year ended on a high as we tested the new digital skin on the Arena, and saw the extraordinary impact Copr Bay can have on the city and the prospects of this new space creating a distinct and remarkable attraction. Developing ideas and work for these spaces took another step forward as we progressed with the take-over of the former Cranes Music Store, as a meanwhile arts space and Creative Hub, due to open its doors in

Quarter 4. Progress on the city centre Community Hub also took a step forward as we advanced with the feasibility study to provide accommodation for the Central Library and Archive, and funding was confirmed from Welsh Govt. to assess the roll out of the operating model across all libraries through further feasibility work.

#### 4.4 *Tackling Poverty*

- 4.4.1 The corporate plan sets out the Council's commitment to Tackle Poverty to ensure that every person in Swansea can achieve their potential. To meet this commitment the corporate Tackling Poverty Strategy ensures that Tackling Poverty is everybody's business.
- 4.4.2 *Continued impact of Covid-19 - Tackling Poverty.* The economic impact of the Covid-19 pandemic is having a significant impact on those already experiencing poverty and is driving those that were at risk of poverty, into poverty.
- 4.4.3 *Universal Credit Claimants (DWP published November 2021).* The number of people on Universal Credit who were not working or on low earnings and required to search for work as a condition of their claim ('searching for work') has fallen by 190,000 to 1.8 million (32% of all people on Universal Credit) in October 2021 from 2.0 million (35% of all people on Universal Credit) in July 2021.
- 4.4.4 Over the same period, the number of people on Universal Credit whose circumstances mean they have no requirements to work ('no work requirements') has risen by 100,000 to 1.4 million (24% of all people on Universal Credit) in October 2021 from 1.3 million (22% of all people on Universal Credit) in July 2021.
- 4.4.5 The number of people on Universal Credit who were working and earning enough not to have any work-related requirements as a condition of their claim ('working - no requirements') has remained at 1.2 million (21% of all people on Universal Credit) in October 2021, when compared to July 2021.
- 4.4.6 The Bevan Foundation report on 'Debt in the Pandemic' (Sept 21) highlighted that 10% of all households have fallen behind on a bill between January and May 21 and over the same period 17% of all households borrowed money. The majority of the population will borrow money at some point, but being in problem debt including struggling to make payments, having high credit compared to income, negatively affects people's lives.
- 4.4.7 Arrears are concentrated in lower-income households: those with an income of less than £40,000 were significantly more likely to be in arrears in May 2021 than higher income households. Renters have been significantly more likely to fall into debt during the pandemic than owner

occupiers. Disabled people have been twice as likely to be in arrears over the course of the pandemic as non-disabled people.

4.4.8 'A snapshot of poverty in Winter 2021' Wales published in December 2021 by the Bevan Foundation found that:

- *Households are struggling to make ends meet* - Nearly four in ten Welsh Households (39%) do not have enough money to buy anything beyond everyday items, up from 33% in May 2021.
- *Incomes are still falling but not for everyone* - More than three in ten households with a net income of less than £40,000 have seen their income drop since May 2021. For households with a net income of more than £40,000 more than one in five have seen their incomes increase.
- *Living costs are still rising* - Households across Wales have seen their living costs increase. More than half have seen the cost of food increase with more than six in ten seeing the cost of their utilities increase.
- *Living Standards are being squeezed* - Thousands of households are having to cut back and ration their use of the essentials we all need to live with dignity. Low-income households, renters, disabled people, lone parents, and adults aged between 25 and 64 are more likely to have had to cut back on everyday essentials than other groups.
- *The impact on children is getting greater* - More than one in five families with children have had to cut back on items for children including books, toys, nappies and clothing, whilst one in ten families with two children have had to cut back on food for children.
- *Personal debt is a major problem* - Since May 2021, 25 per cent of Welsh households have borrowed money whilst 12 per cent of Welsh households are at least one month behind on a bill. Low-income households, renters, disabled people, lone parents, and adults aged between 25 and 64 are more likely to be behind on a bill or to have borrowed money than others.
- *Many people are worried about losing their homes* - More than one in twenty households are worried about losing their home.

4.4.9 *Increased Living Costs (Bevan Foundation January 2021)*. Wales has the highest electricity bills in the UK. Average household incomes are relatively low in Wales. Proportionately, energy accounts for a higher level of outgoings. Fuel prices are set to rise further. Benefits and wages are failing to keep pace with inflation.

4.4.10 *National Energy Action* warns that the average household gas bill could increase by £467 compared to October 2020. This means that the cost of heating the average home will have doubled since last winter.

4.4.11 *Employability Support*. The number of people gaining employment through Employability support, supports the well-being objective steps; ensuring that young people are able to access employment, education and training after reaching 16 and, individuals are supported to overcome their barriers to employment through coordinated person centre employability support. More people have secured employment again this

quarter compared to this time last year. This has been through the employability support programmes; Swansea Working, Communities for Work, Communities for Work Plus, Workways STU and Workways Plus. We continue to see an increase in vacancies and employment across many sectors.

- 4.4.12 *Welfare Benefit Entitlements.* The step to help address the impacts of Welfare reform, including supporting people to claim the full benefits they are entitled to so that they are able to maximise their income is reported through the amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights team. The amount of benefits secured during quarter 3 is £284,122 a 16% increase on quarter 2 and a significant increase on the same period last year. The team have had an 80% success rate with appeals during 2021/22 (16/20) and responded to 573 benefit enquiries. They have also supported residents to address over £50,000 of personal debt and trained 176 support workers on disability benefits and Personal Independence Payments.
- 4.4.13 *Council Tax Reduction and Housing Benefit.* The performance indicator of Council Tax Reduction (CTR) and Housing Benefit (HB) average time for processing new claims has decreased compared to this time last year, whereas the processing time for changes in circumstance for Council Tax Reduction has improved. The increase in time taken to process new applications for HB/CTR claims reflect a number of issues including the shift of more straightforward applications for financial assistance with rent over to Universal Credit.
- 4.4.14 Those applications that remain with Housing Benefit being the more complex cases, particularly those for supported accommodation where in depth consideration of the rent charges must be carried out. However, it must be noted that the Benefits Service are also managing additional grants on behalf of Welsh Government and this is having a very significant impact on processing times as staff are diverted away from core functions to deal with these payments to vulnerable citizens. Over 13,200 applications for winter fuel payments have been processed to date, resulting in payments totalling £1.06m. Work is continuing to promote the availability of the funding to ensure that everyone who is eligible for these payments take these up as last date for claims is 18th February 2022.
- 4.4.15 The team is also responsible for administering Covid Isolation Payments for which over 18,000 applications have been assessed and payments of over £3.9m issued. The impact on core benefits processing services in Swansea, and indeed all Welsh LAs, from the need to divert resources to processing these grants continues to be very significant and as yet, we do not know when these payments will come to an end.
- 4.4.16 Improvements in the time for processing changes in circumstances for Council Tax reduction cases are indicative of the recent implementation of additional automation within the service designed to deal with the

increased number of changes arising from monthly re-assessment of Universal Credit awards made to CTR recipients.

- 4.4.17 *Housing.* The Council, along with partners in the housing sector and support charities continued response to addressing homelessness and many people have been supported to find a place to live and many moving on from emergency temporary accommodation into longer-term homes. This time last year there were less family homelessness presentations due to the suspension of evictions and a hold on move-on from Home Office accommodation. The average number of days homeless families with children spent in Bed and Breakfast accommodation increased from this time last year. This was as a result of two families in B&B whilst appropriately sized suitable family accommodation is available.
- 4.4.18 *Skills and Qualifications.* The number of accredited qualifications achieved by adults with local Authority support has decreased this quarter (106) compared to the same period last year (333). Course arrangements and attendance has been impacted by the increase in Covid rates, both for the attendees and the course providers. The previous quarter there had been an increase in face to face training provision with infection control measures, but this was scaled back and online training has increased where possible. Non-accredited training continues with 1697 enrolments onto Lifelong Learning courses during 2021/22, this includes 266 enrolments on digital literacy and 126 enrolments on Essential Skills courses. The non-accredited courses provide a pathway for learners to progress onto further learning and accredited courses. Partnership working between Swansea Working, Lifelong Learning, Employability Programmes and partners has continued offer participants accredited training and qualifications to meet employment opportunities.
- 4.4.19 *Partnership Working.* The Swansea Council Poverty Forum, Swansea Poverty Partnership Forum, Financial Inclusion Steering Group and Swansea Food Poverty Network continue to meet, facilitating networking, sharing of good practice, information, trends, changes to services and new opportunities, encouraging partnership working and collaboration. During this quarter, support has continued for the seven Men's Shed projects that have been awarded grants, 39 projects have now been funded to address Food Poverty and 13 community projects have been funded to support Period Dignity to date. A Fuel Poverty Voucher Scheme has been set up with Citizens Advice to provide additional support for people in crisis. The Community Calling Project has distributed 300 free recycled smart phones together with full year contract with O2 to people who have experienced digital exclusion. Partnership working with the Children's Society and other partners in Swansea on the Coordinated Community Support Programme has supported the launch of a 'Worrying about Money' leaflet and the development of a pilot partner referral system.

#### 4.5 *Transformation & future Council development*

4.5.1 Progress continues on delivering the Transformation & Future Council well-being objective. Key areas of progress in Q3 includes the following:

4.5.2 *Achieving Better Together Transformation programme:* Work is ongoing in relation to the continued recovery, re-focussing and reshaping the Council. The Organisational, Cross Cutting and Transformation steering group and Recovery, Reshaping and Budget Strategy Boards have both been meeting regularly. The refocus phase is working to set the budget for 2022-23 and refreshing the Medium Term Financial Plan. The programme has provided an update to Scrutiny and an update to the Governance & Audit Committee this quarter. The Council has also approved additional investment as part of its Covid recovery and transformation programme. This investment includes play areas, social services, and ways to enable digital transformation and resilience.

4.5.3 *Workforce Strategy:* The Workforce Strategy is in the process of development with four key themes and nine key strands. These have been developed with full and thorough consultation with councillors, senior management, employees and Trade unions. The final proposed Strategy will be presented to senior management and Cabinet in February.

4.5.4 *Embedding equalities and diversity:* A Workforce Equalities Group is being established. The group will meet bi-monthly to support the delivery of equalities, engage with the workforce to deliver solutions, and support the Council in being an exemplar employer in equalities related matters.

4.5.5 *Digital First:* Channel shift to online channels continues to generally grow, despite the performance indicators Cust 2a and Cust 2b showing a decline compared with the second quarter. Cust 2a shows a decline in online payments as a result of the Council offering some services for free, e.g. lifelong learning courses. However, the trend is still an improvement on the same quarter last year. Cust 2b is showing a decline in online service requests compared to last year as 2020 was impacted by Covid. With lockdown more residents used the online forms to request services. Q3 is also lower than quarter two as a result of the bank holidays in December.

4.5.6 *Digital Inclusion:* Swansea Council website has jumped 218 places in the Sitemorse report. Sitemorse ranks every English, Welsh and Scottish council's website on accessibility, content/links, code quality, performance and brand. The report was the first since the new Swansea and Abertawe sites went live and Swansea Council is the second most-improved website behind Tewkesbury, moving up 218 places (to 119 out of 410).

- 4.5.7 *City Deal Digital programme and collaboration:* City Deal partners have been working together on plans and projects to improve digital infrastructure and connectivity. Partners are also implementing two internet of things projects, piloting the use of sensors to increase efficiency and improve services to residents.
- 4.5.8 *Local Government Act:* The Council continues with its implementation of e-democracy. Technology to enable hybrid meetings continues to be rolled out and several of these have now been held.
- 4.5.9 *Welsh Language:* The Council continues to promote the Welsh Language and is currently assessing the model for the new Community Hubs. The Council has reviewed and updated its website in Welsh and English.
- 4.5.10 *Staff Sickness:* There are Service areas in Education, Place and Social Services where sickness rates are particularly high. Sickness Absence Officers have been appointed to support Managers in managing sickness in each of those areas.
- 4.6 *Maintaining and enhancing Swansea's natural resources and biodiversity*
- 4.6.1 In Nov 2021 Swansea Council declared a Nature Emergency and committed fully to preparing and delivering a Nature Recovery Action Plan to be implemented in tandem with the developing Climate Action Plan. Work has since progressed to maintain and strengthen the corporate priority for Natural Resources and Biodiversity including Climate Change. The Swansea Climate Charter has been refreshed to become an integrated Climate and Nature Charter. The terms of reference and membership of the Council's steering group on climate change have been changed to include nature and biodiversity. Work in progress includes a Climate Change and Nature Emergency Strategy.
- 4.6.2 The Leader of the Council has written to both UK and Welsh Governments to seek support and resources to maintain and enhance biodiversity. An on-line climate pledge wall has been set up by the Council inviting citizens, businesses, community/voluntary groups, schools and young people to make their own pledge and join the Council in working together for a Net Zero, Greener Swansea by 2050.
- 4.6.3 Swansea has been named as one of 13 Queen's Green Champion Cities around the UK as part of the monarch's platinum jubilee celebrations in 2022 in recognition of past and future tree planting programmes. A wide range of tree planting projects will be rolled out over the course of the year involving the local community.
- 4.6.4 Complementing this Supplementary Planning Guidance has been approved for 'Trees, Woodlands and Hedgerows' including adoption of a Swansea Tree Replacement Standard and a Strategy for the Management of Trees on Council land has also been approved by Policy

Development Committee and will shortly be considered by Cabinet. Ecosystem resilience mapping is now underway county-wide with the intention of identifying areas where biodiversity enhancements are needed, including additional locations for tree planting.

- 4.6.5 On the ground the Council's wildflower planting programme has now extended to around 40,000 sq. m (about 6 football pitches) of wildflowers across approximately 190 sites. In support of this new grant funded cut and collect machinery has been trialled to help better manage grass cutting and help boost wildflowers and pollinators by maintaining species-rich vegetation. Plans are being prepared for extending this method of cutting next season using lessons learned and public and stakeholder engagement.
- 4.6.6 Other complementary work to meet priority objectives includes preparation of a sustainable transport strategy; environmental and well-being goals now being incorporated into procurement processes as part of a more socially responsible and sustainable procurement policy; and all future 21st century schools' projects new buildings, major refurbishment, and extension projects to be designed net zero carbon with a reduction of 20% embodied carbon.
- 4.6.7 Feedback is still awaited on carbon emission returns to Welsh Government in order to prepare an offsetting strategy and action plans to deliver net zero by 2030 and also to establish whether procurement is in or out of scope.
- 4.6.8 The percentage of municipal waste collected and prepared for reuse and/or recycled was 64.65%. The recycling performance is lower than last year (66.57%) due to an increase in kerbside black bags and commercial waste following Covid, but it is still above the statutory recycling target (64%).

## **5.0 Integrated Assessment Implications**

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.



- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 5.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 5.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.2 The report itself has no direct impact on the relevant groups considered within the IIA; however the performance indicators in this report are part of the way in which the Council measures and reports progress meeting its Well-being Objectives as described in the Corporate Plan.

## **6.0 Financial Implications**

- 6.1 In the current and anticipated financial environment further discussion and consideration will be required around priorities and target setting for performance improvement as part of *Achieving Better Together*.

## **7.0 Legal Implications**

- 7.1 There are no legal implications associated with this report.

**Background Papers:** None.

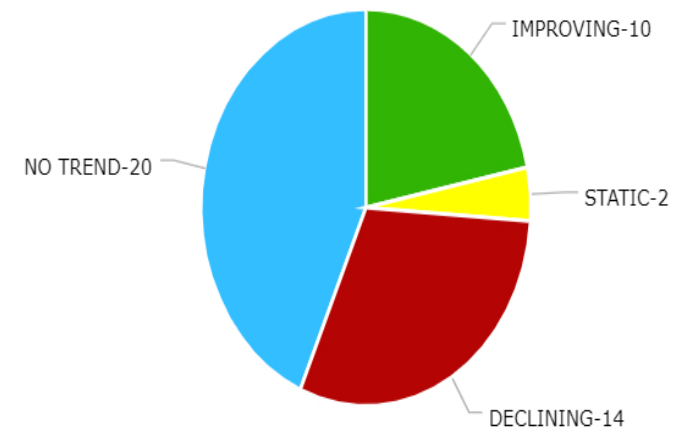
### **Appendices:**

Appendix A Q3 2021/22 Performance Monitoring Report

## Corporate Performance Management Report Q3 2021/2022

### Performance compared to same Period of previous year

2021/2022 Quarter 3



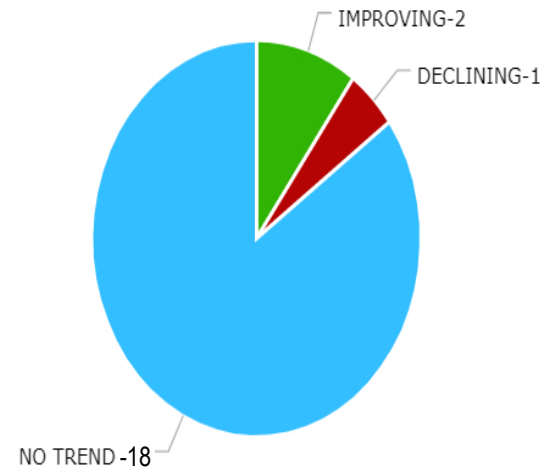
### Performance compared to the same period of the previous year:

- IMPROVING** Better performance
- STATIC** Same performance
- DECLINING** Worse performance
- NO TREND** New indicator - No historical comparison

As anticipated the Winter period has proved particularly challenging not least with the emergence of a new variant of covid. Whilst the success of the vaccination program has limited the kinds of harms that our population experienced this time last year, the impact of widespread community infection has further depleted our health and care workforce and led to further delays or limitations on the type of care and support we have been able to provide. Given that context overall performance has continued to hold up remarkably well and this pays further testament to the incredible efforts of our workforce. Our plans to recover health and care services, to deal with backlogs and to best respond to the changed needs of our population have been further delayed by this latest wave of covid infection. Our capacity and ability to report and manage performance remains significantly compromised by the new national care management recording system (WCCIS) that we have adopted. Our immediate priorities remain to focus on the well-being of our workforce so that they can continue to deliver safe care and support to those individuals and their carers with the most urgent need whilst incrementally resuming arrangements that provide a broader span of support across the continuum of need.

Performance compared to same Period of previous year



2021/2022 Quarter 3



Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
AD011a <span style="color: red;">↑</span> The total number of packages of reablement completed during the period which: a) Reduced the need for support  NO GRAPH DISPLAYED First Year of Reporting	RAG				See AD011C below. As a percentage, the number of completed packages of care with reduced support in Qtr 3 remains the same as quarter 2 which is 5%.
	Result			7	
	Target				
	Trend			No Data	
	Num			7	
	Den				
AD011b <span style="color: red;">↓</span> The total number of packages of reablement completed during the period which: b) Maintained the need for support  NO GRAPH DISPLAYED First Year of Reporting	RAG				See AD011C below. As a percentage, the number of completed packages of care where there was a continued need for support in Qtr 3 remained the same as quarter 2 which is 30%.
	Result			40	
	Target				
	Trend			No Data	
	Num			40	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
AD011c <span style="color: red;">↑</span> The total number of packages of reablement completed during the period which: c) Mitigated the need for support	RAG				Due to Covid and the impact on staffing levels, internally and externally with handbacks for community reablement and temp closure of residential reablement, the number of people who could be offered reablement was reduced from the previous quarter. As a percentage, the number of completed packages of care where the need for support was mitigated in Qtr 3 did reduce from 49% to 39%. However the needs of the service users discharged from hospital to reablement were more complex.
	Result			51	
	Target				
NO GRAPH DISPLAYED First Year of Reporting	Trend			No Data	
	Num			51	
	Den				
AD011d <span style="color: red;">↓</span> The total number of packages of reablement completed during the period which: d) Neither reduced, maintained nor mitigated the need for support	RAG				See AD011C above. As a percentage, the number of completed packages of care where the need for support was not mitigated/maintained in Qtr 3 did increase from 16% to 26%. However the needs of the service users discharged from hospital to reablement were more complex.
	Result			34	
	Target				
NO GRAPH DISPLAYED First Year of Reporting	Trend			No Data	
	Num			34	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
AD017 <a href="#">↑</a> The number of Care and Support plans that were due to be reviewed during the period that were completed within statutory timescales  NO GRAPH DISPLAYED First Year of Reporting	RAG				As a result of the implementation of our new care management recording system, we are not yet able to provide this figure. However we are confident we will be able to provide for the next quarter.
	Result				
	Target				
	Trend				
	Num				
	Den				
AD024 <a href="#">↑</a> The total number of enquiries completed within 7 working days from the receipt of the reported alleged abuse.  NO GRAPH DISPLAYED First Year of Reporting	RAG				The safeguarding team are providing more consultations focusing on preventative approaches and this has resulted in less formal enquiries and can take longer than seven days.
	Result			147	
	Target				
	Trend			No Data	
	Num			147	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CA005a  The number of carers assessments completed for adults during the period where: a) Needs could be met with a carer's support plan or care and support plan  NO GRAPH DISPLAYED First Year of Reporting	RAG				Positively we are seeing an increase in the number of carers assessments completed as a result of our ongoing work to provide support to the carers in our community. 106 Assessments were completed in Qtr3, equating to 53.8% being providing with care and support (49% in Q2).
	Result			57	
	Target				
	Trend			No Data	
	Num			57	
	Den				
CA005b  The number of carers assessments completed for adults during the period where: b) Needs were able to be met by any other means.  NO GRAPH DISPLAYED First Year of Reporting	RAG				See CA005a above. 44 equates to 41.5% , therefore a reduction from Q2 which was 44%
	Result			44	
	Target				
	Trend			No Data	
	Num			44	
	Den				





Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CA005c <span style="color: red;">↑</span> The number of carers assessments completed for adults during the period where: c) There were no eligible needs to meet..  NO GRAPH DISPLAYED First Year of Reporting	RAG				See CA005a above. 5 equates to 4.7%, therefore remaining very similar to Q2 which was 5%
	Result			5	
	Target				
	Trend			No Data	
	Num			5	
	Den				
FS11a <span style="color: red;">↓</span> The number of children Being Placed on the Local Authority's Child Protection Register (CPR) within the Period.  NO GRAPH DISPLAYED First Year of Reporting	RAG				There has been an increase over the last quarter of children being placed on the child protection register however we have also seen a number of children ending their registration period. Overall the number of children on the register has remained consistent.
	Result			69	
	Target				
	Trend			No Data	
	Num			69	
	Den				



Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022																									
<p>CFS19a <a href="#">↑</a></p> <p>The percentage of visits to children on the Child Protection Register (CPR) which were not overdue.</p> <p><b>CFS19a High is Good</b></p> <table border="1"> <caption>Approximate data from CFS19a chart</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2019/20</td> <td>50%</td> <td>70%</td> <td>90%</td> <td>90%</td> </tr> <tr> <td>2019/20</td> <td>90%</td> <td>85%</td> <td>80%</td> <td>90%</td> </tr> <tr> <td>2020/21</td> <td>90%</td> <td>90%</td> <td>95%</td> <td>85%</td> </tr> <tr> <td>2021/22</td> <td>70%</td> <td>70%</td> <td>85%</td> <td>-</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2019/20	50%	70%	90%	90%	2019/20	90%	85%	80%	90%	2020/21	90%	90%	95%	85%	2021/22	70%	70%	85%	-	RAG	RED			<p>As we continue to adapt and develop our knowledge of using our new IT system (WCCIS) , we have seen an increase compared to Q2 in the number of visits completed to children on the Child Protection Register that have been recorded on time.</p>
	Year	Qtr1	Qtr2	Qtr3	Qtr4																									
	2019/20	50%	70%	90%	90%																									
	2019/20	90%	85%	80%	90%																									
	2020/21	90%	90%	95%	85%																									
	2021/22	70%	70%	85%	-																									
	Result	83.90%	95.59%	85.92%																										
Target	90.00%																													
Trend	DECLINING	IMPROVING	DECLINING																											
Num	224	260	183																											
Den	267	272	213																											
<p>CFS19b <a href="#">↑</a></p> <p>The Number of visits to children on the Child Protection Register (CPR) which were not overdue.</p> <p>NO GRAPH DISPLAYED First Year of Reporting</p>	RAG				<p>Support has been provided over the last quarter to staff to help develop their use of our new system (WCCIS). We have seen an increase in visits to children on the register recorded on time on the system during this time.</p>																									
	Result			183																										
	Target																													
	Trend			No Data																										
	Num			183																										
	Den																													


# Safeguarding 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022																									
<p>CFS2 (CH039) ↓</p> <p>The number of Looked After Children (LAC) at end of the period.</p> <p><b>CFS2</b> <span style="float: right;">Low is Good</span></p> <table border="1"> <caption>CFS2 Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>510</td> <td>540</td> <td>550</td> <td>550</td> </tr> <tr> <td>2019/20</td> <td>545</td> <td>545</td> <td>565</td> <td>565</td> </tr> <tr> <td>2020/21</td> <td>570</td> <td>570</td> <td>555</td> <td>545</td> </tr> <tr> <td>2021/22</td> <td>490</td> <td>490</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	510	540	550	550	2019/20	545	545	565	565	2020/21	570	570	555	545	2021/22	490	490	-	-	<p>RAG</p> <p>Result</p> <p>Target</p> <p>Trend</p> <p>Num</p> <p>Den</p>	<p>RED</p> <p>567</p> <p>520</p> <p>DECLINING</p> <p>567</p>	<p>557</p> <p>IMPROVING</p> <p>557</p>	<p>490</p> <p>IMPROVING</p> <p>490</p>	<p>Despite the challenges on the workforce and our population during the pandemic, the service has managed to continue to successfully deliver its strategy to help children and young people to remain living safe and well with their families.</p>
Year	Qtr1	Qtr2	Qtr3	Qtr4																										
2018/19	510	540	550	550																										
2019/20	545	545	565	565																										
2020/21	570	570	555	545																										
2021/22	490	490	-	-																										
<p>CFS24 ↓</p> <p>The number of Children / Young People Supported by Child and Family Services at the end of the period</p> <p><b>CFS24</b> <span style="float: right;">Low is Good</span></p> <table border="1"> <caption>CFS24 Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>1620</td> <td>1620</td> <td>1550</td> <td>1520</td> </tr> <tr> <td>2019/20</td> <td>1550</td> <td>1550</td> <td>1600</td> <td>1550</td> </tr> <tr> <td>2020/21</td> <td>1480</td> <td>1430</td> <td>1360</td> <td>1300</td> </tr> <tr> <td>2021/22</td> <td>1320</td> <td>1320</td> <td>1291</td> <td>-</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	1620	1620	1550	1520	2019/20	1550	1550	1600	1550	2020/21	1480	1430	1360	1300	2021/22	1320	1320	1291	-	<p>RAG</p> <p>Result</p> <p>Target</p> <p>Trend</p> <p>Num</p> <p>Den</p>	<p>AMBER</p> <p>1607</p> <p>1600</p> <p>DECLINING</p> <p>1607</p>	<p>1367</p> <p>IMPROVING</p> <p>1367</p>	<p>1291</p> <p>IMPROVING</p> <p>1291</p>	<p>This decrease compared to the same period last year reflects the positive impact of implementing our early help model and strategy; reducing the need for statutory intervention and working with families at an earlier point.</p>
Year	Qtr1	Qtr2	Qtr3	Qtr4																										
2018/19	1620	1620	1550	1520																										
2019/20	1550	1550	1600	1550																										
2020/21	1480	1430	1360	1300																										
2021/22	1320	1320	1291	-																										

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<p>CFS25 ↴</p> <p>The number of Children / Young People supported by the Early Help Hubs at the end of the period</p> <p>NO GRAPH DISPLAYED First Year of Reporting</p>	RAG				<p>During the last quarter the volume of work increased in the Early Help Hubs, resulting in an increase of allocation of work to support families. This is in part attributable to the ability to introduce more face to face work as Covid restrictions relaxed. And also aligns to our strategic intentions described in our approach to prevention and early intervention.</p>
	Result			850	
	Target				
	Trend			No Data	
	Num			850	
	Den				
<p>CFS26 ↴</p> <p>The Number of contacts to the Child &amp; Family IAA (Information, Advice and Assistance) Hub that are subsequently passed on to the Integrated Safeguarding Hub.</p> <p>NO GRAPH DISPLAYED First Year of Reporting</p>	RAG				<p>The number of contacts passed to the Integrated Safeguarding Hub increased during the last quarter and was a lot higher than we would usually anticipate (60-80). We review cases on a weekly basis that are passed to the Integrated Safeguarding hub to check the consistency in applying the right threshold. We can see a rise in referrals linked to domestic abuse; another sign of the negative impact of Covid on families.</p>
	Result			109	
	Target				
	Trend			No Data	
	Num			109	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CFS2b  The number of children ceasing to be looked after (LAC) within the Period.  NO GRAPH DISPLAYED First Year of Reporting	RAG				Refer to comments in CFS2. In addition, the service has maintained its targeted approach to discharging care orders through seeking Special Guardianship Orders for children, where this is in the best interests of the child and in line with their plan for permanence.
	Result			33	
	Target				
	Trend			No Data	
	Num			33	
	Den				
H015  The total number of children with a care and support plan at the end of the period.  NO GRAPH DISPLAYED First Year of Reporting	RAG				Positively we are seeing an increase in the number of Care and Support plans in place as staff are supported to continue to develop their skills in using the new IT system (WCCIS).
	Result			833	
	Target				
	Trend			No Data	
	Num			833.	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CH026  The number of children on the Local Authority's Child Protection Register (CPR) at end of the period.  NO GRAPH DISPLAYED First Year of Reporting	RAG				Please refer to comments in CFS11a
	Result			200	
	Target				
	Trend			No Data	
	Num			200.	
	Den				
CH036  The number of children being removed from the Local Authority's Child Protection Register (CPR) within the Period.  NO GRAPH DISPLAYED First Year of Reporting	RAG				Please refer to comments in CFS11a. In addition, there is weekly assurance checks looking at the children removed from the register to ensure the decisions are proportionate and evidence based.
	Result			68	
	Target				
	Trend			No Data	
	Num			68	
	Den				

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CH037b  The number of children becoming Looked After (LAC) within the Period.	RAG				Please refer to comments in CFS2
	Result			29	
	Target				
NO GRAPH DISPLAYED First Year of Reporting	Trend			No Data	
	Num			29	
	Den				

During the third quarter, Swansea schools have faced greater disruption to education than seen in the first two quarters, because of Covid-19. The impact of Covid-19 on how schools operate is significant with the maximum control measures utilised for on-site learning in nearly all schools during quarter three. The negative effect on school attendance and examination year groups remains significant.

Authority wide attainment measures at foundation phase, key stage 2 and key stage 3 are no longer collected by Welsh Government and in key stage 4 and A Level year groups the awarding of grades has been determined by schools themselves. School monitor levels of achievement in reading and mathematics closely. Intervention is supported by Welsh Government funding to help learners catch up.

Evidence from school improvement monitoring visits indicate good support for continuity of learning, appropriate accelerated learning for reading and mathematics as well as preparation for the new Curriculum for Wales. School councils provide valuable feedback to support planning. Support for vulnerable learners has remained stable during the reporting period. Additional counselling services have been actioned to support emotional wellbeing in school aged children and young people.

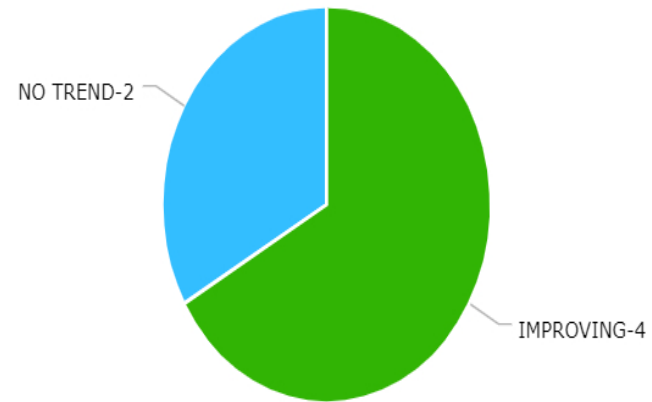
Greater access to Welsh medium schools has progressed well with handover of three new assets complete. A new ten-year strategic plan for Welsh has progressed through the consultation stage. Planning to improve the school estate and enhance the facilities for learners, as part of creating better learning communities, has progressed across three new projects in secondary schools.

Attendance in Swansea schools remains lower than usual because of Covid-19. Similar rates of lower attendance are seen in local authorities across Wales. The numbers of learners being excluded is growing and requires further careful monitoring. The rate of permanent exclusions has doubled compared to the same period last year. However, similar increased rates of exclusion are seen in local authorities across Wales.

Digital capacity to support the skills agenda is improving through the schools' infrastructure programme. Advice and guidance for vocational education and careers is developing well despite Covid-19. Keeping learners in education, employment and training remains a high priority outcome with effective prevention activities in place. The work towards implementing a new legislative framework to help learners with additional learning continues to progress well.



Performance compared to same Period of previous  
year  
2021/2022 Quarter 3



# Education & Skills 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<b>BBMA4</b> <a href="#">↑</a> The number of apprenticeships or trainee starts in the Council	RAG	<b>GREEN</b>			
	Result	17	18	20	
	Target	15			
	Trend	<b>DECLINING</b>	<b>IMPROVING</b>	<b>IMPROVING</b>	
	Num	17	18	20	
	Den				
<p><b>BBMA4</b> HIGH is Good</p>					
<b>EDU015a</b> <a href="#">↑</a> The percentage of final statements of Special Education Need (SEN) issued within 26 weeks including exceptions	RAG	<b>RED</b>			The one statement writer for the department was off on sick, returning on a phased (lighter duties) basis during this period. Three case work assistants also absent.
	Result	9.30%	1.27%	40.70%	
	Target	50.00%			
	Trend	No Data	<b>DECLINING</b>	<b>IMPROVING</b>	
	Num	4	1	11	
	Den	43	79	27	
<p><b>EDU015a</b> HIGH is Good</p>					

# Education & Skills 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
EDU015b <a href="#">↑</a> The percentage of final statements of Special Education Need (SEN) issued within 26 weeks excluding exceptions	RAG	<b>RED</b>			The one statement writer for the department was off on sick, returning on a phased (lighter duties) basis during this period. Three case work assistants also absent.
	Result	<b>9.30%</b>	7.14%	61.10%	
	Target	60.00%			
	Trend	No Data	<b>DECLINING</b>	<b>IMPROVING</b>	
	Num	4	1	11	
	Den	43	14	18	
<p><b>EDU015a</b> HIGH is Good</p>	RAG	<b>AMBER</b>			Attendance for this period is lower than normal due to the effect of the pandemic.
EDU016a (PAM007) <a href="#">↑</a> Percentage of pupil attendance in primary schools	Result	<b>93.90%</b>		90.09%	
	Target	94.00%			
	Trend	<b>DECLINING</b>	No Data	No Data	
	Num	2171906		1930647	
	Den	2312877		2142962	
<p><b>EDU016a (Termly)</b> HIGH is Good</p>					

# Education & Skills 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022																									
EDU016b (PAM008) <span style="color: red;">↑</span> Percentage of pupil attendance in secondary schools	RAG	<b>GREEN</b>			Attendance for this period is lower than normal due to the effect of the pandemic.																									
	Result	<b>93.01%</b>		86.06%																										
	Target	93.00%																												
	Trend	<b>DECLINING</b>	No Data	No Data																										
	Num	1715781		1502496																										
	Den	1844807		1745888																										
<p><b>EDU016b (Termly)</b> HIGH is Good</p> <table border="1"> <caption>EDU016b (Termly) Data</caption> <thead> <tr> <th>Year</th> <th>Spring</th> <th>Summer</th> <th>Autumn</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>94%</td> <td>94%</td> <td>94%</td> </tr> <tr> <td>2019/20</td> <td>93%</td> <td>93%</td> <td>93%</td> </tr> <tr> <td>2020/21</td> <td>94%</td> <td>No Data</td> <td>No Data</td> </tr> <tr> <td>2021/22</td> <td>No Data</td> <td>89%</td> <td>86%</td> </tr> </tbody> </table>	Year	Spring	Summer	Autumn	2018/19	94%	94%	94%	2019/20	93%	93%	93%	2020/21	94%	No Data	No Data	2021/22	No Data	89%	86%										
Year	Spring	Summer	Autumn																											
2018/19	94%	94%	94%																											
2019/20	93%	93%	93%																											
2020/21	94%	No Data	No Data																											
2021/22	No Data	89%	86%																											
POV07 <span style="color: red;">↑</span> The number of training and employment person weeks created by BBM for unemployed and economically inactive.	RAG	<b>GREEN</b>																												
	Result	<b>1710</b>	2958	6002																										
	Target	1200																												
	Trend	<b>IMPROVING</b>	<b>IMPROVING</b>	<b>IMPROVING</b>																										
	Num	1710	2958	6002																										
	Den																													
<p><b>POV07</b> HIGH is Good</p> <table border="1"> <caption>POV07 Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>1000</td> <td>1500</td> <td>1800</td> <td>2000</td> </tr> <tr> <td>2019/20</td> <td>500</td> <td>1000</td> <td>1800</td> <td>2800</td> </tr> <tr> <td>2020/21</td> <td>800</td> <td>1500</td> <td>3500</td> <td>6500</td> </tr> <tr> <td>2021/22</td> <td>2200</td> <td>4500</td> <td>6000</td> <td></td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	1000	1500	1800	2000	2019/20	500	1000	1800	2800	2020/21	800	1500	3500	6500	2021/22	2200	4500	6000						
Year	Qtr1	Qtr2	Qtr3	Qtr4																										
2018/19	1000	1500	1800	2000																										
2019/20	500	1000	1800	2800																										
2020/21	800	1500	3500	6500																										
2021/22	2200	4500	6000																											

Quarter 3 results against our performance measures are largely positive, however, some indicators are showing downward trends when compared against results for last year, or against the last monitoring period. Where relevant, explanatory comments have been provided based on the specific circumstances prevailing. As reported previously in quarters 1 & 2, the effects of Covid on the construction sector continue to have an impact on project delivery. Skilled and unskilled labour shortages, together with supply issues for some construction materials are having an impact on programme and construction costs. Dialogue continues with our contractors and all available countermeasures are being explored to mitigate the impacts of these issues. Despite this our major regeneration priorities have continued to make substantial progress on site during quarter 3. The Copr Bay works have continued to make significant visible progress with the arena, bridge, residential block, MSCP, and church hall all significantly advanced and nearing practical completion. The Arena opening events are scheduled for March 2022, with fire safety events scheduled for February 2022. ATG have taken partial possession to commence their fit-out contracts.

The Shaping Swansea procurement has been concluded with the selection of Urban Splash as the Council's private sector development partner for the delivery of the next phase of strategic sites. This marks an exciting new chapter in Swansea's regeneration journey, bringing new resources and development expertise to the City. Discussions are underway to complete the legal contracts to formalise the selection and commence design work on phase 1 sites.

The Castle Square redevelopment project has taken a significant step forward with allocation of capital budget for its delivery. Detailed design work is now ongoing. The Public Sector Hub project at the former BHS building has made significant progress. Planning permission has now been secured and the Transforming Towns formal grant funding award is imminent. Works have also now commenced on the Kingsway Employment Hub building to construct a major new high-tech office development that will provide space for 600 jobs in Swansea city centre. Set for completion in early 2023, the five-storey development will include 114,000 square feet of commercial floorspace, providing flexible co-working and office opportunities for innovative tech, digital and creative businesses. The development will be carbon zero and worth £32.6 million a year to Swansea's economy. It will feature state-of-the-art digital connectivity, a roof terrace, greenery and balconies overlooking the city centre and Swansea Bay.

Wind Street works are now substantially complete, with all snagging and outstanding installations to be complete by end January 2022. Substantial progress has also been achieved at the Hafod Copperworks Powerhouse project with works completion targeted for May 2022. Works have also now commenced to deliver the Palace Theatre refurbishment project with works completion targeted for November 2022.

As previously reported, the delivery of actions within the Swansea Economic Recovery Action Plan is also ongoing. The action plan, that was prepared in partnership with key stakeholders, and that is supported by deployment of the Council's economic recovery fund, includes a range of initiatives to stimulate economic activity and resilience within Swansea's local economy. The City Centre re-purposing study has been approved by Cabinet and initial projects are under consideration. The Council has also led the production of the Regional Economic Delivery Plan in collaboration with other authorities in the region. This work is now complete and will report to Cabinet in January for adoption of the strategy and its accompanying action plan. The plan identifies transformational project investment in the region that will attract funds from the UK government's Shared Prosperity Funding programme that is envisaged in future years.

Due to the impact of Covid pandemic the Welsh Government extended the Compliance period for Local Authorities to complete the Welsh Housing Quality Standard (WHQS). The completion date was revised to the 31st December 2021, which corresponds with the end of Q3. The revised capital investment programme for 2021/22 was initially set at £46.875m, which included £12m of slippage from last year's Covid pandemic affected end of year financial outturn.

Further slippage has been experienced during this current year, again due to on-going impact of Covid and issues such as the shortage of contractor capacity, skilled labour and materials which has affected programme delivery. The investment aims and objectives remain the same as proceeding years; to ensure homes are in a good state of repair, thermally efficient, safe and secure and meeting the needs of individuals. Over the course of this financial year, the Council intends to deliver planned repairs and improvements to the following number of dwellings:- Kitchens and bathrooms - Initial target of 700 completions to be exceeded, 797

- - External fabric envelope upgrades (reroofing and insulation, weatherboards and rainwater goods, insulated render and replacement high performance windows) - Initial target 456 completions reduced to 300 by end of financial year.
- - Chimney removals or rebuilds. Initial target of 661 reduced to 385 by end financial year.
- - 475 high performance combination boilers - Initial target to be delivered
- - Garden upgrades to improve safety and security - Initial target 3,700 revised to 2,200 by end of financial year.
- - Fire safety improvement work - High and medium rise blocks of flats and sheltered housing complexes including installation of sprinkler systems. Programmed work behind target as number of projects require retender due to lack of contractor responses.
- - Smoke alarm systems in sheltered housing complexes - Initial target 2,000 reduced to 1,800 by end of financial year.
- - Electrical re-wires to ensure installations comply with the prevailing regulations. Initial target 537 revised to 400 by end of financial year
- - New passenger lifts at Jeffreys Court flats. One lift completed, second on-going, completion July 2022.

A further element of work, to help meet future decarbonisation targets of social housing, has been integrated in this year's programme. Solar PV panels and battery storage to generate energy for the benefit of 137 households has been included as part of external envelope upgrades. Due to shortage of suitably qualified and experienced engineering consultants, it has been difficult to procure the necessary design skills. A consultant has now been identified and designs for the 6 sites started. It is anticipated all the work on these projects will commence during 2022/3.

The above mentioned projects are just some of the headline work streams we continue to deliver as part of a wider programme of repairs, maintenance and improvements which forms the WHQS Compliance Capital Programme. At the end of the financial year, the Council will collate data from completed improvement works to demonstrate achievement of WHQS compliance as is defined in statutory guidance. From April 2022, capital programme for WHQS will pass from a compliance target to a maintenance phase of the WHQS. Welsh Government are reviewing the current WHQS and set to introduce a new version which will become WHQS2. It is expected the new WHQS2 will introduce decarbonisation and fire safety targets for social landlords and will come into effect in April 2023. The overall WHQS programme will continue to contribute significantly towards community benefits and employment opportunities. We will report at the end of the final quarter on the recruitment and training opportunities the programme provided during 2021/22.

The Council's More Homes Programme, focussed on providing new build Council housing, is looking to a 10 year delivery ambition of 1000 new affordable homes. Following the completion of 34 homes in 20/21, work is continuing on 25 homes on Hill View Crescent in Clase, which is due for completion in Spring 2022. This scheme has also been awarded £1.5m of Innovative Housing Funding, which will fund the renewable technologies to continue the Homes as Power Stations theme. This will also be the site of a new build Welsh medium primary school, and will provide an opportunity to regenerate the area.

As part of the Welsh Government Phase 2 planning for homelessness, the Council is also developing 8 one bedroom homes at a former Education site in Uplands. The conversion of the existing building has been completed and is now occupied, and the 4 off site-manufactured pods will be ready for occupation in March 2022. A further 20 x1 bedroom acquisitions are planned for 21/22, as well as 6 acquisitions utilising Integrated Care Fund (ICF). Work has also started at West Cross, to develop 6 bungalows, which has also been awarded IHP funding to include the additional renewable technologies.

A planning application has been approved to convert a former social services property in Gorseinon into 2 x 3 bedroom homes. The former Education site at Brondeg House has also been acquired to develop for affordable housing, and the existing building will be demolished to make way for new affordable housing.

Cabinet has also been asked to approve the appropriation of 3 sites from the General Fund to develop for affordable housing, and concept plans are now being developed for these sites. The demolition of the former Clase DHO will also be starting in February 2022, as part of the Creswell Road development of 9 new

homes.

The Council is also progressing the procurement of a development partner or partners to deliver mixed tenure housing on 2 Council owned sites in Penderry, whilst maximising the delivery of affordable housing to meet local need. The Council has also procured a multi-disciplinary team to deliver a masterplan for the regeneration of a large Housing owned site. This work is progressing however the timeframe has been extended as the planned resident consultation events, site visits and surveys were delayed due to Covid. The Council is also appointing a multi-disciplinary team to develop a masterplan for 4 x sites in close proximity, which should achieve planning application stage by the end of 2022.

Quarter 3 took us up to Christmas and included the reintroduction of our festive marketing and events programme. Halloween, Guy Fawkes and Christmas events were permitted and the feedback for these, especially the long awaited Christmas Parade, was exceptional.

Support for the community continued through the provision of grants for tourism accommodation, freelance artists, sports clubs and organisations, which helped provide a much needed boost on the road to 'recovery' as restrictions continued to ease.

Planning permission was gained for the new Skate Park at Mumbles, and work is underway to ensure the Community Council can deliver this as planned. At the same time, an exciting announcement to provide extra funding for skate facilities across the city was welcomed and provided another dimension to the play, leisure and recreation facilities in development.

Unfortunately, as we approached Christmas new restrictions were introduced, meaning the very popular Panto at Swansea Grand theatre had to be cancelled at the end of December, due to the cost of presenting to a socially distanced audience outweighing the income we could achieve. Waterfront Winterland similarly had to close its doors and the Christmas events planned for the Brangwyn Hall were also cancelled. Whilst restrictions didn't mean that wider leisure facilities and attractions had to close, more restrictive measures regarding capacities and impact on consumer confidence disrupted business/trade through December. We would normally see a peak in early January of gym membership and activity registrations, but the impact of restrictions won't be fully known until next quarter close.

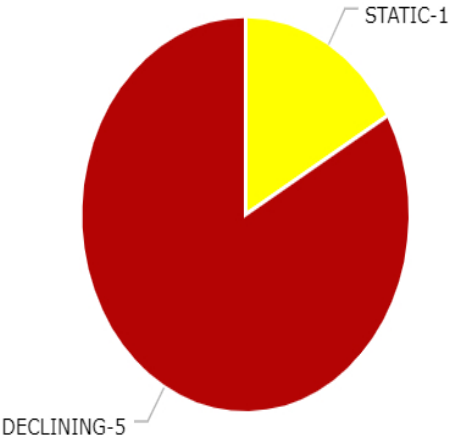
On a positive note, despite significant staff absences due to Covid, our Leisure facilities and outdoor attractions managed to remain open through the peak of the latest wave, unlike a number of major and neighbouring cities, which faced forced closures due to staffing pressures.

The year ended on a high as we tested the new digital skin on the Arena, and saw the extraordinary impact Copr Bay can have on the city and the prospects of this new space creating a distinct and remarkable attraction. Developing ideas and work for these spaces took another step forward as we progressed with the take-over of the former Cranes Music Store, as a meanwhile arts space and Creative Hub, due to open its doors in Quarter 4.

Progress on the city centre Community Hub also took a step forward as we advanced with the feasibility study to provide accommodation for the Central Library and Archive, and funding was confirmed from Welsh Govt. to assess the roll out of the operating model across all libraries through further feasibility work.

Performance compared to same Period of previous year

2021/2022 Quarter 3



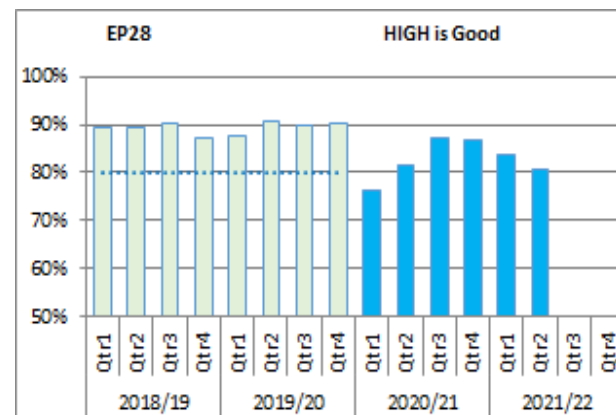
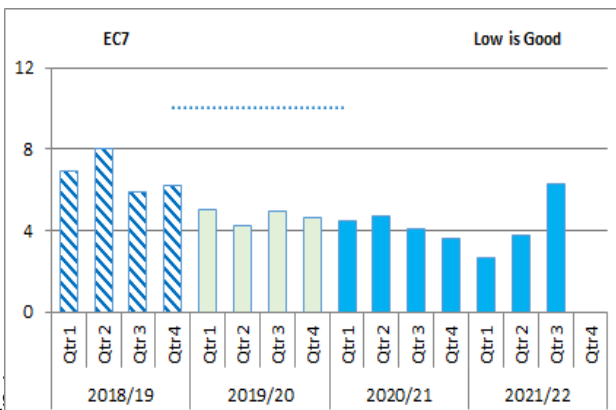


# Economy & Infrastructure 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<b>BBMA1</b> <span style="color: red;">↑</span> The number of projects with social benefit clauses and Beyond Bricks & Mortar in their contracts	RAG	<b>GREEN</b>			Performance is linked to the wider work programme of capital projects and so trend analysis is limited by that factor.
	Result	13	19	17	
	Target	12			
	Trend	<b>IMPROVING</b>	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	13	19	17	
	Den				
<p><b>BBMA1</b> HIGH is Good</p>					
<b>EC2</b> <span style="color: red;">↑</span> The Percentage of all major applications with an economic imperative that are approved	RAG	<b>GREEN</b>			
	Result	100.00%	100.00%	100.00%	
	Target	85.00%			
	Trend	<b>IMPROVING</b>	<b>STATIC</b>	<b>STATIC</b>	
	Num	9	2	7	
	Den	9	2	7	
<p><b>EC2</b> HIGH is Good</p>					

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<p><b>EC5</b> </p> <p>Amount of commercial floorspace (measured by sq m) created within the TRI (Targeted Regeneration Investment) Programme target areas to accommodate job creation</p>	RAG	RED			<p>There are 3 key properties of scale nearing completion - reporting outputs on these is now expected for the Q4 return</p>
Result	0	376	0		
Target	176				
Trend	STATIC	IMPROVING	DECLINING		
Num	0	376	0		
Den					
<p><b>EC6</b> </p> <p>Number of new housing units created in TRI target areas as a result of Targeted Regeneration Investment (TRI) Programme funding.</p>	RAG	RED			<p>43 units are progressing under development within the City Centre and Morriston and we now anticipate being able to report on completion for the Q4 return.</p>
Result	0	9	0		
Target	3				
Trend	STATIC	IMPROVING	DECLINING		
Num	0	9	0		
Den					

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
EC7 <span style="color:red">↓</span> Average Turnaround Time for Land Charge Searches completed in the period	RAG	<b>GREEN</b>			The Team have been involved in a transformational project with Land Registry whereby Local Authority data has had to be transferred to the Land Registry who are taking on some Land Charges work. This has meant officers have had to spend a significant amount of time on this project which has resulted in a downward trend in performance this quarter. This work is almost complete. Responses are, however, still within targets. This issues has been exacerbated by the high number of searches received.
	Result	4.95	4.02	6.31	
	Target	10.00			
	Trend	No Data	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	4.95	4.02	6.31	
	Den				
EP28 <span style="color:red">↑</span> The percentage of all planning applications determined within 8 weeks.	RAG	<b>GREEN</b>			Trend is affected by the nature and complexity of the applications, and other factors beyond our control, such as Covid restrictions.
	Result	89.68%	87.24%	79.24%	
	Target	80.00%			
	Trend	<b>DECLINING</b>	<b>DECLINING</b>	<b>DECLINING</b>	
	Num	417	383	397	
	Den	465	439	501	



The corporate plan sets out the council's commitment to Tackle Poverty to ensure that every person in Swansea can achieve their potential. To meet this commitment the corporate Tackling Poverty Strategy ensures that Tackling Poverty is everybody's business.

### Continued impact of Covid-19 - Tackling Poverty

The economic impact of the Covid-19 pandemic is having a significant impact on those already experiencing poverty and is driving those that were at risk of poverty, into poverty.

#### Universal Credit Claimants (DWP published November 2021)

- The number of people on Universal Credit who were not working or on low earnings and required to search for work as a condition of their claim ('searching for work') has fallen by 190,000 to 1.8 million (32% of all people on Universal Credit) in October 2021 from 2.0 million (35% of all people on Universal Credit) in July 2021.
- Over the same period, the number of people on Universal Credit whose circumstances mean they have no requirements to work ('no work requirements') has risen by 100,000 to 1.4 million (24% of all people on Universal Credit) in October 2021 from 1.3 million (22% of all people on Universal Credit) in July 2021
- The number of people on Universal Credit who were working and earning enough not to have any work-related requirements as a condition of their claim ('working - no requirements') has remained at 1.2 million (21% of all people on Universal Credit) in October 2021, when compared to July 2021.

The Bevan Foundation report on '**Debt in the Pandemic**' (Sept 21) highlighted that 10% of all households have fallen behind on a bill between January and May 2021 and over the same period 17% of all households borrowed money. The majority of the population will borrow money at some point, but being in problem debt including struggling to make payments, having high credit compared to income, negatively affects people's lives.

- Arrears are concentrated in lower-income households: those with an income of less than £40,000 were significantly more likely to be in arrears in May 2021 than higher income households.
- Renters have been significantly more likely to fall into debt during the pandemic than owner occupiers.
- Disabled people have been twice as likely to be in arrears over the course of the pandemic as non-disabled people.

'A snapshot of poverty in Winter 2021' Wales published in December 2021 by the Bevan Foundation found that:

- **Households are struggling to make ends meet** - Nearly four in ten Welsh Households (39%) do not have enough money to buy anything beyond everyday items, up from 33% in May 2021.
- **Incomes are still falling but not for everyone** - More than three in ten households with a net income of less than £40,000 have seen their income drop since May 2021. For households with a net income of more than £40,000 more than one in five have seen their incomes increase.
- **Living costs are still rising** - Households across Wales have seen their living costs increase. More than half have seen the cost of food increase with more than six in ten seeing the cost of their utilities increase.
- **Living Standards are being squeezed** - Thousands of households are having to cut back and ration their use of the essentials we all need to live with dignity. Low-income households, renters, disabled people, lone parents, and adults aged between 25 and 64 are more likely to have had to cut back on everyday essentials than other groups.
- **The impact on children is getting greater** - More than one in five families with children have had to cut back on items for children including books, toys,

nappies and clothing, whilst one in ten families with two children have had to cut back on food for children.

- **Personal debt is a major problem** - Since May 2021, 25 per cent of Welsh households have borrowed money whilst 12 per cent of Welsh households are at least one month behind on a bill. Low-income households, renters, disabled people, lone parents, and adults aged between 25 and 64 are more likely to be behind on a bill or to have borrowed money than others.
- **Many people are worried about losing their homes** - More than one in twenty households are worried about losing their home.

### **Increased Living Costs** (Bevan Foundation January 2021)

- Wales has the highest electricity bills in the UK
- Average household incomes are relatively low in Wales
- Proportionately, energy accounts for a higher level of outgoings
- Fuel prices are set to rise further
- Benefits and wages are failing to keep pace with inflation

**National Energy Action** warns that the average household gas bill could increase by £467 compared to October 2020. This means that the cost of heating the average home will have doubled since last winter.

### **Employability Support**

The number of people gaining employment through Employability support, supports the well-being objective steps; ensuring that young people are able to access employment, education and training after reaching 16 and, individuals are supported to overcome their barriers to employment through coordinated person centre employability support. More people have secured employment again this quarter compared to this time last year. This has been through the employability support programmes; Swansea Working, Communities for Work, Communities for Work Plus, Workways STU and Workways Plus. We continue to see an increase in vacancies and employment across many sectors.

### **Welfare Benefit Entitlements**

The step to help address the impacts of Welfare reform, including supporting people to claim the full benefits they are entitled to so that they are able to maximise their income is reported through the amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights team. The amount of benefits secured during quarter 3 is £284,122 a 16% increase on quarter 2 and a significant increase on the same period last year. The team have had an 80% success rate with appeals during 2021/22 (16/20) and responded to 573 benefit enquiries. They have also supported residents to address over £50,000 of personal debt and trained 176 support workers on disability benefits and Personal Independence Payments.

### **Council Tax Reduction and Housing Benefit**

The performance indicator of Council Tax Reduction (CTR) and Housing Benefit (HB) average time for processing new claims has decreased compared to this time last year, whereas the processing time for changes in circumstance for Council Tax Reduction has improved. The increase in time taken to process new applications for HB/CTR claims reflect a number of issues including the shift of more straightforward applications for financial assistance with rent over to Universal Credit. Those applications that remain with Housing Benefit being the more complex cases, particularly those for supported accommodation where in depth consideration of the rent charges must be carried out.

However, it must be noted that the Benefits Service are also managing additional grants on behalf of Welsh Government and this is having a very significant impact on processing times as staff are diverted away from core functions to deal with these payments to vulnerable citizens. Over 13,200 applications for winter

fuel payments have been processed to date, resulting in payments totalling £1.06m. Work is continuing to promote the availability of the funding to ensure that everyone who is eligible for these payments take these up as last date for claims is 18th February 2022. The team is also responsible for administering Covid Isolation Payments for which over 18,000 applications have been assessed and payments of over £3.9m issued. The impact on core benefits processing services in Swansea, and indeed all Welsh LAs, from the need to divert resources to processing these grants continues to be very significant and as yet, we do not know when these payments will come to an end.

Improvements in the time for processing changes in circumstances for Council Tax reduction cases are indicative of the recent implementation of additional automation within the service designed to deal with the increased number of changes arising from monthly re-assessment of Universal Credit awards made to CTR recipients.

### **Housing**

The Council, along with partners in the housing sector and support charities continued response to addressing homelessness and many people have been supported to find a place to live and many moving on from emergency temporary accommodation into longer-term homes. This time last year there were less family homelessness presentations due to the suspension of evictions and a hold on move-on from Home Office accommodation. The average number of days homeless families with children spent in Bed and Breakfast accommodation increased from this time last year. This was as a result of two families in B&B whilst appropriately sized suitable family accommodation is available.

### **Skills and Qualifications**

The number of accredited qualifications achieved by adults with local Authority support has decreased this quarter (106) compared to the same period last year (333). Course arrangements and attendance has been impacted by the increase in covid rates, both for the attendees and the course providers. The previous quarter there had been an increase in face to face training provision with infection control measures, but this was scaled back and online training has increased where possible. Non-accredited training continues with 1697 enrolments onto Lifelong Learning courses during 2021/22, this includes 266 enrolments on digital literacy and 126 enrolments on Essential Skills courses. The non-accredited courses provide a pathway for learners to progress onto further learning and accredited courses. Partnership working between Swansea Working, Lifelong Learning, Employability Programmes and partners has continued offer participants accredited training and qualifications to meet employment opportunities.

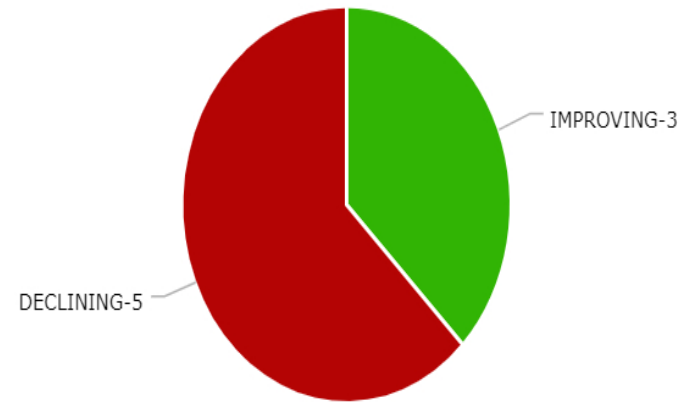
### **Partnership Working**

The Swansea Council Poverty Forum, Swansea Poverty Partnership Forum, Financial Inclusion Steering Group and Swansea Food Poverty Network continue to meet, facilitating networking, sharing of good practice, information, trends, changes to services and new opportunities, encouraging partnership working and collaboration.

During this quarter, support has continued for the seven Men's Shed projects that have been awarded grants, 39 projects have now been funded to address Food Poverty and 13 community projects have been funded to support Period Dignity to date. A Fuel Poverty Voucher Scheme has been set up with Citizens Advice to provide additional support for people in crisis. The Community Calling Project has distributed 300 free recycled smart phones together with full year contract with O2 to people who have experienced digital exclusion. Partnership working with the Children's Society and other partners in Swansea on the Coordinated Community Support Programme has supported the launch of a 'Worrying about Money' leaflet and the development of a pilot partner referral system.

Performance compared to same Period of previous year

2021/2022 Quarter 3



# Tackling Poverty 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<b>HBCT01a</b> ↴ Housing Benefit Speed of Processing: Average time for processing new claims.	RAG	AMBER			Increased caseloads, the impact of covid on staff and the diverting of resources to additional tasks have impacted performance. The increase in processing times is within expected parameters and reasonable.
	Result	16.66	15.85	22.59	
	Target	16.00			
	Trend	DECLINING	IMPROVING	DECLINING	
	Num	7780	8081	12154	
	Den	467	510	538	
	<p><b>HBCT01a</b> LOW is Good</p>				
<b>HBCT01b</b> ↴ Housing Benefit Speed of Processing: Average time for processing notifications of change in circumstances.	RAG	GREEN			Increased caseloads, the impact of covid on staff and the diverting of resources to additional tasks have impacted performance. The very small increase in processing times is within expected parameters and reasonable.
	Result	4.23	5.39	5.56	
	Target	6.00			
	Trend	IMPROVING	DECLINING	DECLINING	
	Num	21745	23692	23785	
	Den	5142	4398	4276	
	<p><b>HBCT01b</b> LOW is Good</p>				



# Tackling Poverty 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
HBCT02a ↴ Council Tax Reduction Speed of Processing: Average time for processing new claims.	RAG	<b>RED</b>			Pleasing to note that despite substantial workload pressures performance in third quarter has improved from first two quarters of 21-22. Standard achieved is considered reasonable for new claims which remain at an elevated level from pre-Covid times which have to be verified and checked.
	Result	<b>20.70</b>	20.25	24.50	
	Target	18.00			
	Trend	<b>DECLINING</b>	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	34085	47066	39697	
	Den	1650	2324	1622	
<p><b>HBCT02a</b> <b>LOW is Good</b></p>	RAG	<b>GREEN</b>			Pleasing to note continued improvement trend on what is already considered a rapid response and turn round time for changes of circumstances processing.
	Result	<b>3.50</b>	4.18	2.10	
	Target	6.00			
	Trend	<b>IMPROVING</b>	<b>DECLINING</b>	<b>IMPROVING</b>	
	Num	52147	80479	41062	
	Den	14826	19259	20007	
<p><b>HBCT02b</b> <b>LOW is Good</b></p>					

# Tackling Poverty 17-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022																									
POV05 <span style="color: red;">↑</span> The amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights Team (£)	RAG	GREEN																												
	Result	390214.70	195413.57	284122.20																										
	Target	187500																												
	Trend	IMPROVING	DECLINING	IMPROVING																										
	Num	390214.70	195413.57	284122.20																										
	Den																													
<p><b>POV05 HIGH is Good</b></p> <table border="1"> <caption>POV05 Data (Estimated)</caption> <thead> <tr> <th>Year</th> <th>Q1</th> <th>Q2</th> <th>Q3</th> <th>Q4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>120,000</td> <td>280,000</td> <td>300,000</td> <td>300,000</td> </tr> <tr> <td>2019/20</td> <td>300,000</td> <td>450,000</td> <td>400,000</td> <td>250,000</td> </tr> <tr> <td>2020/21</td> <td>250,000</td> <td>450,000</td> <td>200,000</td> <td>180,000</td> </tr> <tr> <td>2021/22</td> <td>200,000</td> <td>250,000</td> <td>280,000</td> <td>300,000</td> </tr> </tbody> </table>	Year	Q1	Q2	Q3	Q4	2018/19	120,000	280,000	300,000	300,000	2019/20	300,000	450,000	400,000	250,000	2020/21	250,000	450,000	200,000	180,000	2021/22	200,000	250,000	280,000	300,000					
Year	Q1	Q2	Q3	Q4																										
2018/19	120,000	280,000	300,000	300,000																										
2019/20	300,000	450,000	400,000	250,000																										
2020/21	250,000	450,000	200,000	180,000																										
2021/22	200,000	250,000	280,000	300,000																										
POV06 <span style="color: red;">↓</span> The average number of days all homeless families with children spent in Bed and Breakfast accommodation	RAG	RED																												
	Result	7.33	2.00	14.50																										
	Target	5.00																												
	Trend	DECLINING	IMPROVING	DECLINING																										
	Num	22	2	29																										
	Den	3	1	2																										
<p><b>POV06 LOW is Good</b></p> <table border="1"> <caption>POV06 Data (Estimated)</caption> <thead> <tr> <th>Year</th> <th>Q1</th> <th>Q2</th> <th>Q3</th> <th>Q4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>1.5</td> <td>1.5</td> <td>1.5</td> <td>1.5</td> </tr> <tr> <td>2019/20</td> <td>4.5</td> <td>2.0</td> <td>7.33</td> <td>4.5</td> </tr> <tr> <td>2020/21</td> <td>2.0</td> <td>2.0</td> <td>2.0</td> <td>3.5</td> </tr> <tr> <td>2021/22</td> <td>5.0</td> <td>5.0</td> <td>14.50</td> <td>14.50</td> </tr> </tbody> </table>	Year	Q1	Q2	Q3	Q4	2018/19	1.5	1.5	1.5	1.5	2019/20	4.5	2.0	7.33	4.5	2020/21	2.0	2.0	2.0	3.5	2021/22	5.0	5.0	14.50	14.50					Both families presented at crisis point with no scope for prevention work. They were placed into B&B whilst appropriately sized family accommodation was sourced, one of which was a new property to our emergency stock that had some delays being ready for occupation.
Year	Q1	Q2	Q3	Q4																										
2018/19	1.5	1.5	1.5	1.5																										
2019/20	4.5	2.0	7.33	4.5																										
2020/21	2.0	2.0	2.0	3.5																										
2021/22	5.0	5.0	14.50	14.50																										

# Tackling Poverty 17-22

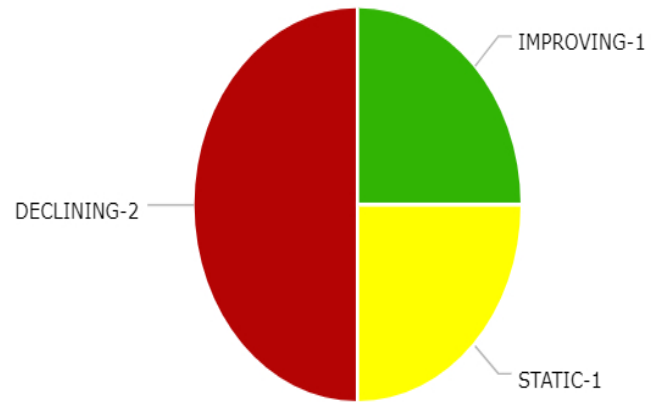
Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022																									
POV10 <a href="#">↑</a> Number of people gaining employment through Employability Support	RAG	AMBER																												
	Result	113	99	106																										
	Target	115																												
	Trend	IMPROVING	DECLINING	IMPROVING																										
	Num	113	99	106																										
	Den																													
<p><b>POV10 High is Good</b></p> <table border="1"> <caption>POV10 Quarterly Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>125</td> <td>90</td> <td>90</td> <td>90</td> </tr> <tr> <td>2019/20</td> <td>70</td> <td>80</td> <td>110</td> <td>85</td> </tr> <tr> <td>2020/21</td> <td>80</td> <td>45</td> <td>100</td> <td>225</td> </tr> <tr> <td>2021/22</td> <td>130</td> <td>135</td> <td>105</td> <td></td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	125	90	90	90	2019/20	70	80	110	85	2020/21	80	45	100	225	2021/22	130	135	105						
Year	Qtr1	Qtr2	Qtr3	Qtr4																										
2018/19	125	90	90	90																										
2019/20	70	80	110	85																										
2020/21	80	45	100	225																										
2021/22	130	135	105																											
POV11 <a href="#">↑</a> Number of accredited qualifications achieved by adults with local Authority support	RAG	GREEN			Course attendance was impacted by cancellations due to covid																									
	Result	333	164	106																										
	Target	250																												
	Trend	IMPROVING	DECLINING	DECLINING																										
	Num	333	164	106																										
	Den																													
<p><b>POV11 HIGH is Good</b></p> <table border="1"> <caption>POV11 Quarterly Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>120</td> <td>180</td> <td>100</td> <td>250</td> </tr> <tr> <td>2019/20</td> <td>85</td> <td>350</td> <td>330</td> <td>180</td> </tr> <tr> <td>2020/21</td> <td>80</td> <td>70</td> <td>160</td> <td>140</td> </tr> <tr> <td>2021/22</td> <td>180</td> <td>180</td> <td>115</td> <td></td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	120	180	100	250	2019/20	85	350	330	180	2020/21	80	70	160	140	2021/22	180	180	115						
Year	Qtr1	Qtr2	Qtr3	Qtr4																										
2018/19	120	180	100	250																										
2019/20	85	350	330	180																										
2020/21	80	70	160	140																										
2021/22	180	180	115																											

Progress continues on delivering the Transformation & Future Council well-being objective. Key areas of progress in Q3 includes:

- Achieving Better Together Transformation programme: Work is ongoing in relation to the continued recovery, re-focussing and reshaping the Council. The Organisational, Cross Cutting and Transformation steering group and Recovery, Reshaping and Budget Strategy Boards have both been meeting regularly. The refocus phase is working to set the budget for 2022-23 and refreshing the Medium Term Financial Plan. The programme has provided an update to Scrutiny and an update to the Governance & Audit Committee this quarter. The Council has also approved additional investment as part of its Covid recovery and transformation programme. This investment includes play areas, social services, and ways to enable digital transformation and resilience.
- Workforce Strategy: The Workforce Strategy is in the process of development with four key themes and nine key strands. These have been developed with full and thorough consultation with councillors, senior management, employees and Trade unions. The final proposed Strategy will be presented to senior management and Cabinet in February.
- Embedding equalities and diversity: A Workforce Equalities Group is being established. The group will meet bi-monthly to support the delivery of equalities, engage with the workforce to deliver solutions, and support the Council in being an exemplar employer in equalities related matters.
- Digital First: Channel shift to online channels continues to generally grow, despite the performance indicators Cust 2a and Cust 2b showing a decline compared with the second quarter. Cust 2a shows a decline in online payments as a result of the Council offering some services for free, e.g. lifelong learning courses. However, the trend is still an improvement on the same quarter last year. Cust 2b is showing a decline in online service requests compared to last year as 2020 was impacted by Covid. With lockdown more residents used the online forms to request services. Q3 is also lower than quarter two as a result of the bank holidays in December.
- Digital Inclusion: Swansea Council website has jumped 218 places in the Sitemorse report. Sitemorse ranks every English, Welsh and Scottish council's website on accessibility, content/links, code quality, performance and brand. The report was the first since the new Swansea and Abertawe sites went live and Swansea Council is the second most-improved website behind Tewkesbury, moving up 218 places (to 119 out of 410).
- City Deal Digital programme and collaboration: City Deal partners have been working together on plans and projects to improve digital infrastructure and connectivity. Partners are also implementing two internet of things projects, piloting the use of sensors to increase efficiency and improve services to residents.
- Local Government Bill: The Council continues with its implementation of e-democracy. Technology to enable hybrid meetings continues to be rolled out and several of these have now been held.
- Welsh Language: The Council continues to promote the Welsh Language and is currently assessing the model for the new Community Hubs. The Council has reviewed and updated its website in Welsh and English.
- Staff Sickness: There are Service areas in Education, Place and Social Services where sickness rates are particularly high. Sickness Absence Officers have been appointed to support Managers in managing sickness in each of those areas.

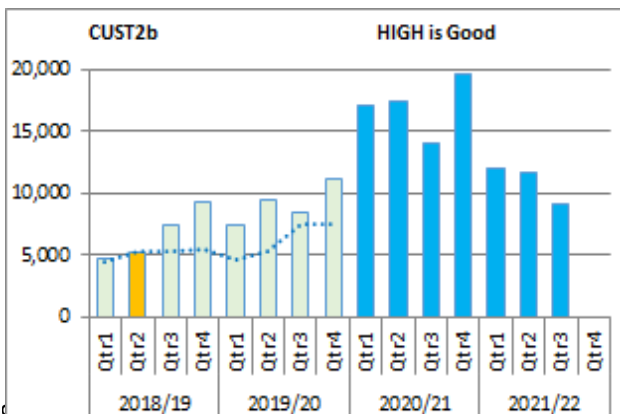
Performance compared to same Period of previous year

2021/2022 Quarter 3



Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<p>CHR002 (PAM001) <span style="color:red">⬇</span></p> <p>The number of working days/shifts per full time equivalent lost due to sickness absence</p> <p><b>CHR002</b> <span style="float:right">LOW is Good</span></p>	<p>RAG</p> <p>Result</p> <p>Target</p> <p>Trend</p> <p>Num</p> <p>Den</p>	<p><b>RED</b></p> <p>4.10</p> <p>2.50</p> <p><b>DECLINING</b></p> <p>36410.00</p> <p>8890.70</p>	<p>2.64</p> <p><b>IMPROVING</b></p> <p>23647.73</p> <p>8960.31</p>	<p>3.83</p> <p><b>DECLINING</b></p> <p>35920.13</p> <p>9370.11</p>	<p>Note from Corporate Performance Team - Data quality under review</p> <p>There are Service areas in Education, Place and Social Services where sickness rates are particularly high. Sickness Absence Officers have been appointed to support Managers in managing sickness in each of these areas.</p>
<p>CUST2a <span style="color:green">⬆</span></p> <p>Number of online payments received via City and County of Swansea websites</p> <p><b>CUST2a</b> <span style="float:right">HIGH is Good</span></p>	<p>RAG</p> <p>Result</p> <p>Target</p> <p>Trend</p> <p>Num</p> <p>Den</p>	<p><b>GREEN</b></p> <p>25432</p> <p>24900</p> <p><b>IMPROVING</b></p> <p>25432</p>	<p>27316</p> <p><b>IMPROVING</b></p> <p>27316</p>	<p>31692</p> <p><b>IMPROVING</b></p> <p>31692</p>	<p>We have seen a decrease on Q2's number of payments, which is due in part to Covid, as the Council took the decision to make these available free of charge. This covers services like Lifelong Learning, which contribute to people's wellbeing. In non-Covid times we would expect hundreds of payments for Autumn and Spring courses (enrollment starts in December for Spring).</p>

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
CUST2b <span style="color: red;">↑</span> Number of forms completed online for fully automated processes.	RAG	GREEN			The trend is lower than the previous quarter and lower than the same period last year. This is due to the absence of lockdowns this year - last year the waste requests (which include services like bulk waste) were extremely high. This year there have been fewer Q3 requests for bulk waste, missed collections and new recycling bags etc. In addition, it is generally a little quieter in Q3 compared with Q1 and Q2.
	Result	8474	14136	9068	
	Target	7500			
	Trend	IMPROVING	IMPROVING	DECLINING	
	Num	8474	14136	9068	
	Den				
PROC12 <span style="color: red;">↓</span> Number of data breaches which has resulted in an enforcement or monetary penalty notice being issued by the Information Commissioners Office (ICO)	RAG	GREEN			NO GRAPH DISPLAYED ALL RESULTS ARE ZERO
	Result	0	0	0	
	Target	0			
	Trend	STATIC	STATIC	STATIC	
	Num	0	0	0	
	Den				



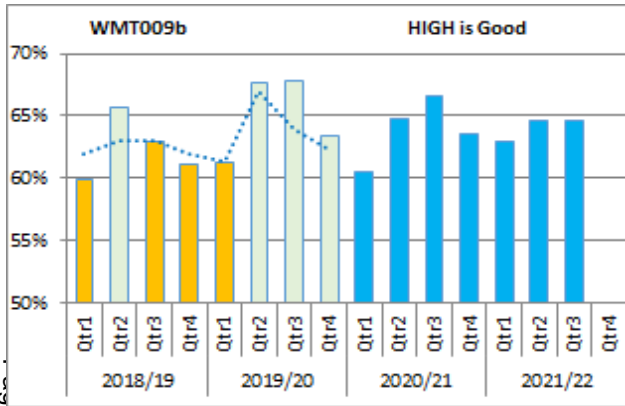
- In Nov 2021 Swansea Council declared a Nature Emergency and committed fully to preparing and delivering a Nature Recovery Action Plan to be implemented in tandem with the developing Climate Action Plan. Work has since progressed to maintain and strengthen the corporate priority for Natural Resources and Biodiversity including Climate Change. The Swansea Climate Charter has been refreshed to become an integrated Climate and Nature Charter. The terms of reference and membership of the Council's steering group on climate change have been changed to include nature and biodiversity. Work in progress includes a Climate Change and Nature Emergency Strategy.
- The Leader of the Council has written to both UK and Welsh Governments to seek support and resources to maintain and enhance biodiversity. An on-line climate pledge wall has been set up by the Council inviting citizens, businesses, community/voluntary groups, schools and young people to make their own pledge and join the Council in working together for a Net Zero, Greener Swansea by 2050.
- Swansea has been named as one of 13 Queen's Green Champion Cities around the UK as part of the monarch's platinum jubilee celebrations in 2022 in recognition of past and future tree planting programmes. A wide range of tree planting projects will be rolled out over the course of the year involving the local community.
- Complementing this Supplementary Planning Guidance has been approved for 'Trees, Woodlands and Hedgerows' including adoption of a Swansea Tree Replacement Standard and a Strategy for the Management of Trees on Council land has also been approved by Policy Development Committee and will shortly be considered by Cabinet. Ecosystem resilience mapping is now underway county-wide with the intention of identifying areas where biodiversity enhancements are needed, including additional locations for tree planting.
- On the ground the Council's wildflower planting programme has now extended to around 40,000 sq. m (about 6 football pitches) of wildflowers across approximately 190 sites. In support of this new grant funded cut and collect machinery has been trialled to help better manage grass cutting and help boost wildflowers and pollinators by maintaining species -rich vegetation. Plans are being prepared for extending this method of cutting next season using lessons learned and public and stakeholder engagement.
- Other complementary work to meet priority objectives includes preparation of a sustainable transport strategy; environmental and well-being goals now being incorporated into procurement processes as part of a more socially responsible and sustainable procurement policy; and all future 21st century schools' projects new buildings, major refurbishment, and extension projects to be designed net zero carbon with a reduction of 20% embodied carbon.
- Feedback is still awaited on carbon emission returns to Welsh Government in order to prepare an offsetting strategy and action plans to deliver net zero by 2030 and also to establish whether procurement is in or out of scope.
- The percentage of municipal waste collected and prepared for reuse and/or recycled was 64.65%. The recycling performance is lower than last year (66.57%) due to an increase in kerbside black bags and commercial waste following Covid, but it is still above the statutory recycling target (64%).

No chart shown - only one performance indicator in priority (declining)



# Nature & Biodiversity 19-22

Performance Indicator	KEY	2019/2020 Quarter 3	2020/2021 Quarter 3	2021/2022 Quarter 3	Comment-2021/2022
<p>WMT009b (PAM030) <a href="#">↑</a></p> <p>The percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source segregated biowastes that are composted or treated biologically in another way</p>	RAG	GREEN			The recycling performance is lower than last year due to an increase in kerbside black bags and commercial waste following Covid
	Result	67.82%	66.57%	64.65%	
	Target	64.00%			
	Trend	IMPROVING	DECLINING	DECLINING	
	Num	19293.75	20434.36	19519.00	
	Den	28448.51	30698.17	30190.00	



# Agenda Item 10.



## Report of the Cabinet Member for Homes, Energy & Service Transformation

Cabinet – 17 March 2022

### Disabled Facilities & Improvement Grant Programme 2022/23

<b>Purpose:</b>	To provide details of the Disabled Facilities & Improvement Grant Programme and to seek approval to include schemes in the 2022/23 Capital Programme. To comply with Financial Procedure Rule No.7 (Capital Programming and Appraisals) - to commit and authorise schemes as per the Capital Programme.
<b>Policy Framework:</b>	1. Local Housing Strategy. 2. Private Sector Housing Renewal and Disabled Adaptations: Policy to Provide Assistance 2022-2027.
<b>Consultation:</b>	Legal, Finance, Access to Services.
<b>Recommendation(s):</b>	It is recommended that:  1. The Disabled Facilities and Improvement Grant Programme as detailed, including its financial implications, is approved and included in the 2022/23 capital budget.
<b>Report Author:</b>	Darren Williams
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1.0 Introduction

1.1 The Private Sector Housing Renewal and Disabled Adaptations Policy 2017 to 2022 was approved by Council on 27<sup>th</sup> January 2022.

#### 2.0 Capital Programme Process

2.1 The Disabled Facilities Grants and Improvement Grant Budget for 2022/23 of £5.2m was approved by Council on 3rd March 2022.

### **3.0 The Scheme**

3.1 The Policy for Private Sector Housing Renewal and Disabled Adaptations 2022 to 2027 sets out the detail of various types of assistance aimed at helping home owners and tenants to carry out essential adaptations and repairs. Assistance is provided on the basis of helping residents, who are often on low incomes and/or vulnerable, carry out essential repairs and maintain independence at home. The Policy also describes the Council's approach to bringing empty homes back into use and offering loans for home repairs. In summary, types of assistance include:

- Disabled Facilities Grant (DFG) – large scale adaptations for private home owners and tenants of private rented accommodation, for example, level access showers, bedroom / bathroom extensions.
- Discretionary Fast Track Adaptations Grant – new non means tested grant for medium scale adaptations for private home owners and tenants of private rented accommodation.
- Discretionary Disabled Facilities Loan –top up funding to a DFG available to private home owners where the costs of the works at design / approval stage exceeds the DFG maximum limit of £36,000. The loan is repayable on future sale or transfer of the property.
- Council House Adaptations – small , medium and large scale adaptations for Council tenants.
- Homefix Loans – Recyclable loans for homeowners needing serious and urgent repairs, for example, roof repairs and damp proofing.
- Care & Repair Western Bay Minor Adaptation Grants– Small, rapid adaptations provided for elderly and disabled residents ; Comfort, Safety, and Security Grants – Low cost, rapid repairs provided for elderly and disabled residents.
- Welsh Government Landlord Loan – previously known as Houses to Homes Loan Scheme – interest free loans to tackle empty homes to renovate and improve properties or convert empty properties into a number of units suitable for residential accommodation. Loans to be repaid and recycled as further loans.
- Welsh Government Owner Occupier Loan – previously known as National Home Improvement Loan Scheme – interest free loans for the repair or conversion of properties to make them safe, warm and/or secure. Loans to be repaid and recycled as further loans.

### **4.0 Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015

and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.2 An IIA Screening Form has been completed and a full IIA report is not required at this stage.

4.3 The grant programme does not negatively impact on any protected characteristic groups, with a number benefitting from the forms of assistance provided including :

Poverty & Social exclusion – provision of adaptations and repairs assistance to those on means tested benefits and low income, bringing back into use empty properties creating low cost affordable homes, often for first time buyers or renters in the local area.

Community cohesion- provision of much needed repairs and adaptations to homes in deprived areas where applicants are on low income and not able to afford the works themselves, enabling the individuals to remain living independently within their home. Re-use of often problematic long term empty properties in areas that have a negative impact on the locality and community, often a haven for anti-social behaviours, drug and alcohol abuse.

Age and generations: provision of adaptations and repairs are often to applicants over 60, empty property schemes give local residents, often first time buyers the opportunity to remain in the locality close to their extended families.

The Screening Form is included as an appendix.

## 5.0 Financial Implications

5.1 The programme for 2022/23 is shown at table 1 below and is fully funded by the General Fund and the Housing Revenue Account (HRA). Welsh Government Landlord and Owner Occupier Loans are funded by ring-fenced WG funds. These loans formerly known as Houses to Homes and National Home Improvement Loan schemes have been reported separately to Cabinet on 12<sup>th</sup> November 2013 and the 18<sup>th</sup> of November 2014 respectively. The changes to these loans were reported to Council on the 21<sup>st</sup> June 2018.

5.2 The Covid 19 pandemic has had a significant impact on the DFG and improvement grant programme in 2021/22. There has been significant disruption to delivery of the adaptations and repair loans programme due to construction material and labour shortages impacting on the capacity of the framework of contractors to deliver schemes.

As a result a significant proportion of Housing General Fund allocation in 2021/2022 will not be spent and will need to be carried forward into the 2022/2023 grant programme.

5.3 At present with the latest Covid 19 restrictions in place, it is possible this disruption could extend into 2022/23 and impact the delivery of the capital programme next year. A review of the restrictions and impact on DFG demand and ability to deliver the capital programme will take place at the end of the first quarter of 2022/23.

5.4 Sandfields Renewal Area funding is required in 2022/23 to provide a contingency defects fund for completed housing improvement schemes.

5.5 The Welsh Government Western Valley Empty Property Grant scheme was scheduled to be completed by the end of 2021/22. This scheme will now continue into 2022/23 due to delays in progressing the scheme as a result of a delayed grant award and construction material and labour shortages impacting on the completion of the scheme. It is also proposed that a further £46,000 is transferred to the Western Valleys scheme from the closed Grants for Nominations Empty Property scheme remaining budget.

5.6 Revenue running costs for 2022/23 are estimated at £1,474,100 and are met from fees of £1,427,600 generated from administering grants and loans. The balance is met from a contribution of £46,500 from the General fund.

**Table 1 details proposed 2022/23 programme and draft programme for 2023/2024**

<b>Table 1</b>				
	<b>Proposed 2022/23</b>			<b>Draft 2023/24</b>
	<b>General Fund</b>	<b>Previous allocation c/fwd</b>	<b>Total Funds 2022/23</b>	
<b>SCHEMES</b>				
DFG, minor and fast track adaptations	£4,300,000		<b>£4,300,000</b>	£4,300,000
Tenant adaptations (HRA funded)	£2,750,000		<b>£2,750,000</b>	£2,750,000
Homefix Loans	£500,000	£449,000	<b>£ 949,000</b>	£500,000
Care & Repair Minor Adaptation Grant	£370,000		<b>£ 370,000</b>	£370,000
Care & Repair Comfort, Safety, Security	£30,000		<b>£ 30,000</b>	£ 30,000
Sandfields Renewal Area	£nil	£100,000	<b>£ 100,000</b>	£ nil
Grants For Nominations (scheme closed)	£nil	£46,000	<b>£ 46,000</b>	£ nil
WG Western Valleys Empty Property Grant scheme.*	£nil		<b>£ nil</b>	£ nil
<b>TOTAL PROGRAMME</b>	<b>£7,950,000</b>	<b>£595,000</b>	<b>£ 8,545,000</b>	<b>£7,950,000</b>
<b>Funded as follows:</b>				
<b>Total general funded</b>	<b>£5,200,000</b>			<b>£5,200,000</b>
Total HRA funded * <b>WG Western Valleys Empty Property Scheme:</b> further £46,000 transferred from closed Grants for Noms scheme remaining budget. <b>Total funding</b>	£2,750,000  <b>£7,950,000</b>			£2,750,000  <b>£7,950,000</b>

## **6.0 Legal Implications**

- 6.1 The schemes detailed are in line with local authority powers to provide assistance, contained in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and the Councils published Policy.
- 6.2 The Council will need to ensure that it complies with any terms and conditions attached to any Welsh Government grant funding.
- 6.3 All works and services undertaken to deliver any scheme will need to be procured in accordance with the Council's Contract Procedure Rules and procurement legislation as appropriate.

**Background Papers:** Private Sector Housing Renewal and Disabled Adaptations Policy to Provide Assistance 2022-2027

**Appendices:** Appendix A - IIA Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Housing Renewal and Adaptations

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**FPR 7 DISABLED FACILITIES & IMPROVEMENT GRANT PROGRAMME 2022/23**

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?**

**Please provide details below – either of your activities or your reasons for not undertaking involvement**

Engagement has taken place with Western Bay Care and Repair who confirm there is an ongoing demand from elderly / disabled clients in need of minor adaptations and repairs quickly resulting in MAG and CSS schemes being funded in the programme in 22/23.

Current demand for DFGs remain constant , back to pre Covid levels, existing budget of £4.3 million will meet this demand.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

Will impact support services within the Council that assist us in delivering the programme including legal services and Financial services.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

Positive impact on elderly and disabled clients requiring adaptations in 22-23 to help them to remain living independently at home.

Positive impact on elderly / disabled clients requiring minor adaptations or repairs quickly through MAG and CSS programmes.



Homefix loans will continue to assist the elderly, disabled on low income in funding much needed essential repairs to their homes.

The Welsh Government loans will continue to assist those households who cannot obtain private finance to fund much needed repairs, an interest free loan repaid in monthly instalments.

Positive impact on poverty and community cohesion by bringing empty properties back into use as affordable homes for clients on the housing register.

Positive impact on community cohesion by providing additional affordable homes for local residents and reducing impact of empty homes in the community, for example anti-social behaviour.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This proposal will have a low impact with no mitigation required. See Q7 response above.

The proposal is low risk.

The proposal supports the Well-being of Future Generations Act (Wales) 2015.

The funding proposal will have a positive impact by providing financial assistance for older and disabled people to receive repairs to remain living independently, those in poverty / social exclusion by targeting assistance at households on low income, and community cohesion by bringing problematic empty properties back into use and creating additional affordable housing in local areas.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Darren Williams
<b>Job title:</b> Programme Planning and Delivery Manager – Renewal and Adaptations
<b>Date:</b> 21.12.21
<b>Approval by Head of Service:</b>
<b>Name:</b>
<b>Position:</b>
<b>Date:</b>

# Agenda Item 11.



## Report of the Cabinet Member for Investment, Regeneration & Tourism

Cabinet - 17 March 2022

### Leisure Partnerships Annual Report 2020/2021

<b>Purpose:</b>	To advise Cabinet of the partnership operations of key facilities within the Cultural Services portfolio
<b>Policy Framework:</b>	Creating an Active and Healthy Swansea; City of Sport; Medium Term Financial Plan
<b>Consultation:</b>	Legal, Finance, Access to Services.
<b>Report Author:</b>	Jamie Rewbridge
<b>Finance Officer:</b>	Aimee Dyer
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar
<b>For Information</b>	

#### 1. Introduction

- 1.1 A report on the performance of partner operators of key Council facilities within the Cultural Services portfolio is presented annually.
- 1.2 This report details some of the key partnership arrangements in providing leisure and cultural services, for the benefit of the residents and visitors to Swansea, during 2020/21 and identifies some significant achievements during the year, along with some issues and challenges. Where available, performance outturns for the previous period have been retained in this report for comparative purposes.
- 1.3 The key arrangements outlined within this report include:
  - 1.3.1 Wales National Pool Swansea (WNPS)
  - 1.3.2 Leisure Centres – Freedom Leisure
  - 1.3.3 Plantasia – Parkwood Leisure
  - 1.3.4 National Waterfront Museum Swansea (NWMS)

1.3.5 Other high- level information for Partnership facilities at:  
Swansea Tennis Centre & Swansea Bowls Stadium

- 1.4 Each partnership has differing arrangements regarding reporting, monitoring and data collation. This report includes performance information for each partner and brings together the key financial and usage information to demonstrate the overall performance of each operation.
- 1.5 The data includes information on key income drivers, overall expenditure, including staffing costs and repairs, net cost / profit and resultant associated costs to the Council.
- 1.6 Due to the timings and financial years of all the partnerships, not all figures presented are the externally audited accounts, but represent the internal out-turns agreed with respective organisations.
- 1.7 The reporting period is 2020/21, but this report recognises that some partners' financial year ended later than 31<sup>st</sup> March 2021. Each partner's financial year is highlighted with an explanation of how it differs from the Council's financial years within each subsection.
- 1.8 The World Health Organisation declared Covid-19 a pandemic on 11 March 2020. On 20 March 2020 the UK Government closed all hospitality as well as gyms, leisure centres and visitor attractions. This then escalated into a full lockdown on 23 March 2020.
- 1.9 During 2020/21, the Covid-19 pandemic caused huge disruption to partners' operations and performance, following forced closures by the UK and Welsh Government and the phased, or amended, reopening periods that followed. Depending on the partner and their reporting period, the coronavirus pandemic will have impacted their performance to a greater or lesser extent. Separate reports outlining the implications on the partners, including requests for additional financial assistance, have previously been put forward and acted on by the Council.
- 1.10 All partners performed well in the circumstances, managing costs, and ensuring staff and customers' safety was a priority. Government guidance was followed throughout.
- 1.11 Details of support received, per partner, in terms of Government and/or other grants during this period have been outlined within each subsection.
- 1.12 Overall usage of the facilities is shown and in general is presented as total usage by all users, including repeat visits. Membership information generally represents the number of enrolled members through a subscription.

1.13 Key service outcomes, highlights and snap shots from each partner during 2020/21 have been included for context. The primary purpose of the report is to present partner performance from a financial and quantitative perspective, albeit during a far from “normal” year.

## **2. Wales National Pool Swansea**

2.1 The partnership arrangement at WNPS is via a tri-partite agreement between the Council, Swansea University and Wales National Pool Swansea Limited, underpinned by lease and management agreements.

2.2 WNPS operates within a financial year that is aligned to the University, therefore runs August 2020 to July 2021 as opposed to the Council's, which runs April to March. The out-turn reflects the WNPS financial year and the contributory Council costs in their operating period.

2.3 WNPS is a not-for-profit organisation governed by a board of directors, including three Council members and three University representatives, independently Chaired, with advice given by the Head of Cultural Services, and the Swansea University Associate Commercial Services Director and Financial Accounting Manager. The current Council representatives are Councillors Mark Child, Robert Francis-Davies and Robert Smith. Anne Ellis MBE stood down as Chair in March 2021 and the partners sought a replacement throughout 20/21.

2.4 Day to day management is by the General Manager who reports to the Board. The General Manager is supported by a Management Group with representatives from the Council and Swansea University.

2.5 The funding of WNPS is on a 50% share of net cost after income received, funded by both the Council and Swansea University. As part of the agreement, Swansea Council also provides the schools' swimming programme under a Service Level Agreement (SLA); devolved funding for the Free Swimming Initiative (FSI) under the Welsh Governments Free Swim grant; and support towards Swim Swansea's programme costs for use of the facility.

2.6 WNPS have Service Level Agreements with the University and the Council for several support services. The Council provides support for delivering HR, Payroll, PR/Media and Water Safety.

2.7 Following the initial Covid-19 lockdown, WNPS re-opened to the Swim Wales elite swimmers on 10 August 2020, and subsequently restarted services for the public on 14 September, followed by club bookings on 29 September. A two-week firebreak was enforced at the end of October, and then another full lockdown followed from 20 December 2020 through to May 2021. On 3 May 2021, both public and clubs were able to return. The Learn to Swim programme restarted on 10 May with a phased return.

In accordance with Welsh Government guidance, WNPS remained open throughout the firebreak and final lockdown, to facilitate the Swim Wales elite squad, with commercial arrangements to retain this provision agreed between WNPS and Swim Wales.

- 2.8 WNPS took advantage of the Coronavirus Job Retention Scheme (JRS), and a high proportion of staff were furloughed during the closures, with a handful of staff retained to facilitate the Swim Wales elite squad, undertake regular building and safety checks and routine maintenance to plant and equipment.

The Aqua School staff saw the longest period on furlough and following a review of operations, a consultation with level 1 teachers was undertaken. It was identified that level 1 teachers were no longer required therefore they would be upskilled to level 2 teachers or offered redundancy. The majority of the staff were upskilled and retained.

- 2.9 The budgeted 2020/21 partner contribution for the Council was £302,800. However, due to the pandemic, an agreed maximum level of support through additional underwriting was agreed. The total additional cost for 2020/21 was £283,715.

The additional support being due to lost revenue, the Council was able to reclaim these additional monies through the Welsh Government's Hardship Fund, as 'lost income'.

The total Council contribution from the Council to WNPS for the period was £586,515

- 2.10 WNPS received £163,198 from the Government for the 'Coronavirus Job Retention Scheme' for the period 2020/21. All staff furloughed between August and October 2020 received 100% of their salary. This was 80% from the Government and 20% top up from WNPS, underwritten by the partners. Staff furloughed from November 2020 to May 2021 received salary percentage as per the Government guidelines.

- 2.11 WNPS were able to draw on additional financial support from Government initiatives and received two awards from the 'Sport Resilience Fund' totalling £26,339 and a £4,124 grant from the 'Economic Resilience Fund'.

- 2.12 The pandemic significantly impacted upon WNPS's ability to generate income, resulting in 49% less than the previous period.

- 2.13 At the end of this challenging year and largely due to reduced expenditure in a number of areas, WNPS performed considerably better than its early projections of anticipated losses. The partners' contribution at £586,515 each was based on a 'worst case scenario', resulting in the contribution required reducing to £483,990 each. The overpayment of £102,524 per partner was deferred to 2021/22.

- 2.14 Due to the pandemic and significant increases in partner subsidy, it was agreed at WNPS Board that there would be no allocation to the sinking fund during 2020/21 in order to limit revenue liabilities.
- 2.15 Total visitor numbers were impacted and were down 67% on the previous year.
- 2.16 Following government guidance and reduced capacity in line with restrictions, a booking system was introduced for public sessions and club bookings were limited. As WNPS were unable to take online bookings following the first reopening in 2020, due to a system upgrade, a telephone booking system was set up. This presented a further challenge due to the reduced staff and resources available at that time.

May 2021 saw the completion of the Leisure Management System upgrade and implementation, and the introduction of a new online booking system. A small team from both WNPS and the University spent time building the system during the lockdowns.

- 2.17 As part of the Leisure Management System upgrade, Swansea Bay Sports Park (SBSP) was launched by the partners. SBSP is now the overarching brand for WNPS and its neighbouring facilities.  
At present, the facilities continue to operate as they previously have. The most significant changes within WNPS are the installation of the access control gates, an enhanced on-line offer and app, and the shared provision of reception services for the University Sports Centre from the WNPS reception.
- 2.18 With regard to maintenance in the period, WNPS air-handling unit has been upgraded, fitting inverters to increase energy efficiency and allowing greater control over the introduction of fresh air into the pool hall, which has been particularly beneficial in respect of adherence to Covid-19 guidance.  
A rolling replacement of the internal lighting also began, upgrading original installations to LED to improve energy efficiency.
- 2.19 A small fire occurred in January 2021, due to a failure of the Combined Heat and Power Unit (CHP). The unit acts as the primary boiler and generates electricity. Since the fire, WNPS has been operating without a CHP and have been working alongside insurers and the University's Estates Department to determine the most appropriate replacement unit for WNPS.

## 2.20 Wales National Pool Swansea Performance

**Table 1**

<b>WNPS</b>	<b>2019/2020</b>	<b>2020/2021</b>
<b>Recreational Swim</b>	£227,417	£81,592
<b>Aqua School</b>	£176,629	£24,940
<b>Other Income</b>	£480,534	£345,435
<b>Total Income</b>	<b>£884,580</b>	<b>£451,967</b>
<b>Staff Costs</b>	£1,009,493**	£843,581**
<b>Furlough Grant</b> (Coronavirus Job Retention Scheme)	(£144,634)	(£163,198)
<b>Repairs &amp; Maintenance</b>	£117,292	£124,108
<b>Other Expenditure</b>	£727,377*	£615,457*
<b>Sinking Fund</b>	£0	£0
<b>Total Expenditure</b>	<b>£1,709,528</b>	<b>£1,419,948</b>
<b>Net Cost / (Surplus)</b>	<b>£824,948</b>	<b>£967,981</b>
<b>Council Contribution</b>	<b>£412,474</b>	<b>£483,990</b>
<b>Visitor numbers</b>	<b>138,577</b>	<b>45,700</b>

\* includes equipment depreciation

\*\*offset by 'Coronavirus Job retention Scheme' furlough recovery grant (80%)

### **3. Leisure Centres – Freedom Leisure Ltd**

3.1 The operation of the LC and the Community Leisure Centres (Penlan Leisure Centre, Penyrheol Leisure Centre, Morrision Leisure Centre, Bishopston Sport Centre, Cefn Hengoed Leisure Centre and Elba Sports Complex) were transferred under a partnership arrangement to Freedom Leisure Ltd on the 1<sup>st</sup> of October 2018. The contract is for 19.5 years. Freedom operate within the same financial year as the Council.

3.2 Each facility has slightly different arrangements in relation to proposed legal occupancy; The LC, Penlan Leisure Centre, Penyrheol Swimming Pool and the Elba Sports Complex operate under fully repairing lease principles, as Freedom have exclusivity for their main use. The remaining dual use school facilities operate under licence, or partial lease, as it is not possible to provide exclusivity to Freedom Leisure.

3.3 Due to the Covid-19 pandemic, all facilities were forced to close on 20 March 2020 until the end of July. On the 3<sup>rd</sup> of August, some facilities were able to reopen and a phased return was implemented, whilst following Government instructions and guidance. Wet-side activities did not re-open until the autumn. The facilities then closed for a two-week 'fire break' at the end of October and again on the 20<sup>th</sup> December until the end of the financial year.

Throughout the year, opening times were reviewed and adjusted accordingly, as Freedom Leisure followed Government advice and guidance throughout, ensuring high priority to the safety of both staff and public at all times.

3.4 During the closures a high proportion of staff were furloughed under the Government's Job Retention Scheme (JRS), with a handful of staff retained to undertake regular building and safety checks, and routine maintenance to plant and equipment.

During the phased re-opening periods, the JRS continued where appropriate enabling utilisation of necessary roles, whilst avoiding unnecessary costs for others.

3.5 In line with their bid submission and contractual terms, a Management Fee of £1,193,220 was paid to Freedom Leisure in 2020/21.

3.6 On top of the Management Fee, a level of underwriting support from the Council was agreed. The provision of this additional support was agreed on a monthly basis, through an open book process. The additional level of support provided in 2020/21 was £946,571.



The requirement was primarily due to lost revenue alongside retained costs. The Council was able to reclaim these monies through the Welsh Government Hardship Scheme, as lost income.

- 3.7 Freedom Leisure received £1,825,068 relating to the Swansea contract from the Government for the 'Coronavirus Job Retention Scheme' in 2020/21. All staff furloughed during the first two lockdowns and between April and October 2020 received 100% of their salary. This was 80% from the Government and 20% top up from the Council.

The Council agreed to top up all furlough staff between the months of April to October 2020, at an additional cost to the council. Total cost to the Council was £340,291.

Staff furloughed during the final lockdown from December up to the end of the financial year received the salary percentage as per the Government guidelines.

- 3.8 Following consultation with Trade Union representatives, the Council agreed a one off payment of £77,977 to Freedom Leisure, representing 2.75% of each eligible employee's salary for 2020/21, in reflection of the Council's pay award, to be paid to Freedom Leisure staff employed in 2020/21.

This was a goodwill gesture, as under the terms of the contract, Freedom Leisure is able to set its own pay award for employees, in light of market forces. There is no obligation on the Council, in future years, to match any future Local Government pay award.

- 3.9 Despite the pandemic impact, year-end accounts broke even, thanks to the tight controls and work of Freedom Leisure, coupled with the support received.

Due to long periods of no trading, contracted income expectations were not achieved. The aim for the next 12 to 24 months will be to return to a pre-covid-19 trading position, particularly rebuilding membership levels.

- 3.10 Across the Freedom sites in Swansea, visitor numbers in 2020/21 were 230,633. A drop of 88% in comparison to the previous year that was just short of 2-million. The decrease is attributable to the Covid-19 pandemic.

- 3.11 Freedom Leisure offered a 'Covid Guarantee' in 2020/21, which committed to gym members and all other users that they would not lose out financially during lockdown. Freedom Leisure stopped all direct debit payments as soon as closures were enforced, and a credit to those paying annually was provided. Despite these interventions, gym memberships decreased by 39% compared to the previous year, and the Learn to Swim programme also reduced by 17%.

- 3.12 Planned improvements continued during lockdown. Penlan and Morriston roofs and Morriston wet side changing rooms were completed.

Freedom Leisure also introduced a new internet based phone system and upgraded their Leisure Management System, enabling them to offer online 'one system' bookings across the sites.

- 3.13 Again, impacted by the pandemic, their Active Communities Plan (Swansea) faced challenges engaging with Schools and residents, resulting in an online 'Wales Well Being' web page, offering support and guidance to customers. A virtual fitness class was delivered, initially to Gym Members, and then to all customers free of charge, in a bid to help keep Swansea active. Results were encouraging and Freedom continue to have over 2,500 customers engaged in this group to date.
- 3.14 Freedom Leisure's funding to develop community leisure facility at Cefn Hengoed, with support from a number of key funding sources, has been maintained and the project has progressed. Key stages of the project planning procedure, including planning consent, tender appraisals and commencement are progressing.
- 3.15 'Visit Wales' recorded The LC as the 'third most visited paid attraction', in Wales in 2020, in the midst of the pandemic, with the top two being primarily outdoor attractions.

3.16 **Community Leisure Centre Performance - Per Facility Breakdown**  
**Table 2**

	<b>LC</b>	<b>Penlan</b>	<b>Penyrheol</b>	<b>Morriston</b>	<b>Bishopston</b>	<b>Cefnhengoed</b>	<b>Elba</b>	<b>Swansea Active Communities 2020/21</b>
	<b>2020/21</b>	<b>2020/21</b>	<b>2020/21</b>	<b>2020/21</b>	<b>2020/21</b>	<b>2020/21</b>	<b>2020/21</b>	
<b>Total Income</b> (Excluding Management Fee)	£1,013,460	£661,936	£541,744	£355,721	£152,441	£59,678	£46,893	£15,702
<b>Total Expenditure</b>	£2,229,849	£1,151,159	£823,976	£711,404	£255,126	£114,865	£92,176	£27,080
<b>Management Fee</b>	£20,945	£357,685	£150,868	£381,089	£97,633	£109,968	£75,032	N/A
<b>Total Usage</b>	49,446	77,466	50,417	29,651	16,497	1,036	6,120	N/A

3.17 **Community Leisure Centre Performance – Overall Contract**  
**Table 3**

	<b>2019/2020</b>	<b>2020/2021</b>
<b>Total Income</b> (Excluding Management Fee)	£6,111,251	£2,847,575
<b>Total Expenditure</b>	£8,080,645	£5,405,634
<b>Management Fee</b>	£1,923,370	£1,193,220
<b>Contract Support</b> (In relation to Covid-19 Pandemic)	N/A	£1,364,839*
<b>Total Usage</b>	1,995,013	230,633
<b>Total Membership</b>	10,965	6,991

\*Contract Support figure includes: £946,571 Underwriting / £340,291 Furlough top up / £77,977 Pay Award

#### **4.0 Plantasia – Parkwood Leisure Ltd.**

- 4.1 Parkwood Leisure Ltd (PLL) were awarded a 15-year contract to operate Plantasia in 2018 and took over the operation, from the Council, on the 1<sup>st</sup> of February 2019.
- 4.2 PLL's financial year runs January to December. This report reflects Plantasia's financial year January 2020 to December 2020 and the Council's costs in that period.
- 4.3 The financial information contained in the 2019 column in table 4 below, represents January to December 2019. This period includes 11 months of contracted responsibility for the facility and 9 months of trading. The facility officially re-opened to the public on the 13<sup>th</sup> April 2019 following completion of the capital works.
- 4.4 Plantasia had a good start in 2020, with over 20,000 visitors in the first two months; which are ordinarily 'off-peak' months for the tourism industry. As with other attractions, the enforced closure took place on 20 March 2020 for almost four months; followed by the two-week 'firebreak' at the end of October, and further closure in December 2020.

Visitors were able to return over the summer period with restrictions in place, which meant capacities reduced by 40% to allow safe access. All necessary adjustments were made to the operational procedures during these periods, including removing interactive experiences; cancellation of parties, group and school visits; and adopting a one way system, along with a reduction in operational staff.

- 4.5 Visitor numbers were impacted, resulting in a total 49,183 for 2020. 36% less than the previous year (9 Trading months (Apr-Dec2019)).
- 4.6 In line with our contract, a Management Fee of £127,388 was paid to PLL in 2020.
- 4.7 On top of the Management Fee, an additional level of underwriting losses was agreed. As with Freedom Leisure, actual amounts were agreed on a monthly basis, through an open book process. The cost for 2020 was £112,235. As the impact was primarily due to lost revenue, the Council was able to reclaim these monies through the Welsh Government Hardship Fund, as lost income.
- 4.8 PLL were able to draw on additional financial support from Government initiatives and received £18,750 from the 'Retail, Hospitality and Leisure Grant Fund' (RHLGF); £5,000 support grant from the 'Wales Local Tier 3 Lockdown Fund' and £94,106 from the 'Coronavirus Job Retention Scheme'.
- 4.9 Despite rigorous monitoring and cost management, at the close of this period, the outturn demonstrated an operating loss of £34,930.

4.10 Although the outturn for 2020 demonstrated a loss, the financial support provided by the Council aided PLL to reach an overall break-even position. This does not show in these figures due to differing and crossover of financial years.

4.11 During the closures, a high proportion of staff were furloughed under the Government’s Job Retention Scheme, with only a few staff retained to undertake daily building and safety checks, routine maintenance to plant and equipment and care of the animals.

As a company, PLL opted not to top up any of its workforce that were furloughed up to 100%, and therefore furloughed staff received 80% salary in line with the scheme’s parameters.

4.12 In light of the losses, a workforce planning exercise was undertaken, resulting in the reduction of operational staff from 11 FTE’s to 8.5 FTE’s and a new flexible way of working. All staff were re-trained across specific areas to allow more cover and support when needed.

A flexible team approach to operations continued into 2021, and the team will be developed further with this approach.

4.13 To maintain audience engagement and enthusiasm for visiting again, a new virtual offer, as live and recorded virtual experiences, was developed. Thousands of individuals were able to interact with the team, including school groups, corporate organisations, charities, care home residents, and even the Welsh Rugby Union. Virtual offers, along with Animal Adoption packs, are examples of two new income streams developed during the pandemic.

4.14 The shift in online bookings from 3% of visitors, up to 80%, is mirrored by a general shift to digital for most communication received. These changes continue, and PLL is launching a new booking system, website, and staff structure to meet this change in demand.

4.15 **Plantasia Performance**

**Table 4**

<b>Plantasia</b>	<b>2019</b> (Jan – Dec) *Open from April*	<b>2020</b> (Jan – Dec)
<b>Income</b>	<b>£445,977</b>	<b>£300,202</b>
<b>Total Expenditure</b>	<b>£553,088</b>	<b>£462,250</b>

NET expenditure/ Management Fee	£181,468	£127,388
Operating surplus/Loss	£74,357*	-£34,930
<b>Total Visitors</b>	<b>77,509</b>	<b>49,183</b>

\*Operating surplus' to be shared with the Council as part of contractual arrangements, reviewed on a cumulative and average basis based upon a number of years performance.

## 5. National Waterfront Museum Swansea

- 5.1 The National Waterfront Museum, Swansea (NWMS), is a not-for-profit limited entity, facilitated by a public sector partnership between Welsh Government, via Museum Wales (Amgueddfa Cymru) and Swansea Council. The management is controlled by Museum Wales, within the terms of an Operational Agreement of the parties, signed in 2005.
- 5.2 Under the terms of this Agreement, Swansea Council contributes around one third of the annual revenue costs. The company follows the same financial year as the Council.
- 5.3 The company is governed by a Board of representatives of the partners, and an independent Chair. This includes three elected members of Swansea Council (currently Cllrs Robert Francis-Davies, Joe Hale and Erika Kirschner) and three trustees of Amgueddfa Cymru, with Mr Roy Phelps undertaking the role of Chair, and the secretariat being provided by a remunerated post. Day to day operational matters are monitored by a group of officers from both the Council and Amgueddfa Cymru (the Operational Review Team). Both the Board and Operational Review Team meet at least twice a year.
- 5.4 Due to the Covid-19 pandemic, the museum was closed to the public for the majority of 2020/21, as with others opening for limited periods:
- 28<sup>th</sup> August to 27<sup>th</sup> September 2020
  - 9<sup>th</sup> November to 2<sup>nd</sup> December 2020
- During these periods, operational days were revised and reduced to three days a week, when a pre-booking system was in place to manage numbers, based on risk assessments and capacity reductions.
- 5.5 Although the temporary exhibition programme continued as planned when the museum was open, there were no school visits and in line with the Welsh Government guidelines, no public events. As a result, the museum received only 2,298 visits in 2020/21.

- 5.6 A wide range of activities and learning sessions were provided online via the Amgueddfa Cymru website, which, together with enquiries and follow ups, resulted in the events, curatorial and learning staff engaging with 132,485 people in the UK and beyond through online platforms.
- 5.7 Earned Income in 2020/21 was down 40% on the previous year, due to the reduction in footfall and restricted bookings.
- 5.8 Overall income was also impacted by a reduction in the National Museum Wales Grant, which was not able to be drawn down due to reduced costs for delivery across the programming, marketing and maintenance.
- 5.9 During lockdown, a 'Lockdown Security Team' was in place each day to undertake regular checks on the building and its services, and to support the skeleton Technical Team who were supervising contractors undertaking critical work. All other staff worked from home where possible, and some front of house staff were furloughed for periods.
- 5.10 In preparation for the re-opening of the museum to the public, staff undertook detailed training in Covid-19 safe work procedures, and appropriate PPE, signage, sanitisation, cleaning regimes and one way systems were implemented.
- 5.11 For a large part of 2020/21 only emergency and minor repairs were possible under the Covid-19 restrictions, but additional ventilation systems were put in place to ensure all parts of the building were compliant with the Covid-19 guidelines.
- 5.12 Major repairs, renewals and maintenance are the responsibility of Amgueddfa Cymru/National Museum Wales, funded from the Museum's core budget and its ring-fenced Renewals & Refurbishment Fund, as required.
- 5.13 The GRAFT community garden, occupying the open area between the two wings of the museum building, established in 2018, continued to flourish, despite minimal support being possible from its regular community volunteers. In October 2020, the project won Keep Wales Tidy's Green Flag Community Award. The garden's produce continues to be used for both educational and charitable purposes.
- 5.14 The museum's major temporary exhibition celebrated the centenary of Swansea University, extended into the summer of 2021 due to the interruptions of lockdown.

## 5.15 National Waterfront Museum Swansea Performance

**Table 5**

<b>National Waterfront Museum</b>	<b>2019/2020</b>	<b>2020/2021</b>
<b>National Museum Wales grant</b>	£827,000	£504,809
<b>Welsh Government grant</b>	£550,000	£550,000
<b>CCS contribution</b>	£475,776	£491,161
<b>Earned income</b>	£185,704	£110,566
<b>Furlough Grant</b> (Coronavirus Job Retention Scheme)	N/A	£76,434
<b>Total income</b>	<b>£2,038,000</b>	<b>£1,732,970</b>
<b>Staff costs</b>	£1,254,107	£1,284,828
<b>Repairs &amp; maintenance</b>	£188,399	£124,394
<b>Other expenditure</b>	£410,850	£247,314
<b>Total expenditure</b>	<b>£1,853,356</b>	<b>£1,656,536</b>
<b>Carry forward (to)/from Renewals &amp; Refurbishment Fund</b>	(£184,644)	(£76,434)
<b>Total visits</b>	<b>265,601</b> (Easter = 12 April)	In Person: <b>2,298</b> Online: <b>132,485</b>



## **6.0 Other Partnership Facilities**

- 6.1 The Council has a number of other successful partnership arrangements with leisure facilities. The most significant of these are the Swansea Indoor Bowls Centre and Swansea Tennis Centre.
- 6.2 The performance of each of these sites individually, illustrates a productive set of partnerships, with benefits to Swansea Council, our partners and Swansea's residents and visitors.
- 6.3 Each partnership operates in differently, in terms of monitoring, data collection and facility operation. The flexible approach allows each partnership to operate effectively, taking into account their individual circumstances.

### Swansea Indoor Bowls Stadium

- 6.4 Swansea Indoor Bowls was established as a limited company, 8 years ago. It manages the Bowls Stadium, with a fully repairing lease agreement. They receive no subsidy and follow the same financial year as the Council.
- 6.5 For all the same reasons as other sports and leisure facilities, the stadium was only open for 9 weeks during 2020/21; during which times it had reduced capacity and restrictions in place.
- 6.6 Income streams were severely impacted, but thanks to strict controls and government grants, the outturn was a positive £10,913 surplus.
- 6.7 All staff were retained on full salary for the duration of the closures. 80% of their salaries were met by the Governments 'Coronavirus Job Retention Scheme' and the additional 20% by Swansea Indoor Bowls Ltd.
- 6.8 Swansea Indoor Bowls Ltd appointed an additional member of staff in September 2020 to assist with Covid-19 compliance.
- 6.9 Membership as at the 31<sup>st</sup> March 2021 was 487 members; a 25% decrease on the previous year. Many members renewed in support of the club and desire to return, supported by a new online payment system, accessed via the club website.
- 6.10 The Club invested in "covid-19 friendly" systems for members' safety, and introduced contactless payment card readers. It also relocated 300 lockers to the playing arena, in order to comply with social distancing rules.
- 6.11 The board continues to invest in the upkeep of the stadium and in addition to the general maintenance and regulated electrical and mechanical inspections, renewed the boundary fences of both carparks during 2020/21.

## 6.12 Swansea Indoor Bowls Stadium Performance

**Table 6**

<b>Swansea Indoor Bowls Stadium</b>	<b>2019/20</b>	<b>2020/2021</b>
<b>Bowls Income</b>	£89,479	£11,414
<b>Bar &amp; Catering Income</b>	£21,905	£975
<b>Other Income</b>	£13,488	£82,402
<b>Total Income</b>	<b>£124,872</b>	<b>£94,791</b>
<b>Staff Costs</b>	£43,619	£40,342
<b>Building and Maintenance</b>	£16,318	£10,715
<b>Other Expenditure</b>	£79,706	£32,821
<b>Total Expenditure</b>	<b>£139,643</b>	<b>£83,878</b>
<b>Total Use</b>	<b>59,528</b>	<b>5,483</b>

### Swansea Tennis Centre

- 6.13 Tennis Swansea 365 Ltd (TS365) are the operators of Swansea Tennis Centre. They operate under a fully repairing lease, with no Council subsidy.
- 6.14 TS365 deliver a sustainable business model, providing indoor, outdoor and outreach Tennis development for Swansea and neighbouring counties. The facility has historically had a thriving and busy programme, catering for all ages and abilities and considered as a Regional Performance Centre and are often used as a benchmark or case study for similar facilities across the UK.

- 6.15 TS365 operates on a financial year that runs June 2020 to May 2021.
- 6.16 Due to the Covid-19 pandemic the Tennis Centre fluctuated between full closures, outdoor courts only and the whole facility open (with restrictions) throughout 2020/21. As below:
- 22 June 2020 outdoor courts only
  - 11 August 2020 whole facility open (with restrictions)
  - 23 October two week 'Firebreak'
  - 11 November 2020 whole facility open (with restrictions)
  - 20 December 2020 whole facility closed
  - 16 March 2021 outdoor courts only
  - 3 May 2021 whole facility open (with restrictions)
- 6.17 During the pandemic, staff were furloughed during closure periods, with a skeleton staff when operational. The facility reduced opening hours and days where required, and all bookings were made via the online booking system.
- 6.18 To assist through the pandemic, TS365 received a £5k loan from the Lawn Tennis Association, which is to be paid back in 2021/22; £24k in grants from the Welsh Government and £29k from the 'Coronavirus Job retention Scheme'. These figures are included as part of the "other income" figure in Table 7.
- 6.19 Earned income was down on the previous year by 14%, but with tightly controlled expenditure, TS365 ended the year with an operating surplus of £32,667.
- It must be noted, whilst TS365 demonstrated an operating surplus, there will need to be significant investment in both marketing and outreach work in the post pandemic period, to achieve pre Covid-19 usage and revenue.
- 6.20 Usage saw a 71% decrease in comparison to 2019/20 and Ace Fitness Members (Gym Membership) reduced by 91%.
- 6.21 The centre managed to run four coaching programmes during this period, primarily on the outdoor courts. Although at reduced capacity and for shorter periods than normal, they were well received and ensured the 'learn to play tennis' programmes continued.

**6.22 Swansea Tennis Centre Performance**

**Table 7**

<b>Swansea Tennis Centre</b>	<b>2019/20</b>	<b>2020/2021</b>
<b>Junior Course Income</b>	£132,501	£87,652

<b>Adult Course Income</b>	£22,264	£6,668
<b>Other Income</b>	£171,929	£186,940
<b>Total Income</b>	<b>£326,694</b>	<b>£281,260</b>
<b>Staff Costs</b>	£113,310	£87,265
<b>Repairs and Maintenance</b>	£6,968	£5,545
<b>Other Expenditure</b>	£216,593	£155,783
<b>Total Expenditure</b>	<b>£336,871</b>	<b>£248,593</b>
<b>Total Ace Fitness Members</b>	<b>1392</b>	<b>125</b>
<b>Total Usage</b>	<b>57,985</b>	<b>16,805</b>

## 7.0 Monitoring Arrangements

7.1 Officers will continue to monitor these facilities and partnerships to ensure that they are complying with the terms of their individual agreements and leases, and that they continue to contribute towards the objectives of the Council's ambitions as identified in the agreed Policy Commitments. Of particular interest are the contributions made to:

- The City of Sport and Culture
- Well-being of Future Generations
- A Healthy City
- The support of the tourism economy
- Creating an Active and Healthy Swansea

## 8.0 Summary

8.1 This report describes the various agreements that are in place with partners operating Leisure and Cultural Services for Swansea Council. The

report highlights the rationale for the variations in the operational year, due to the differing circumstances and requirements of each partner in sustaining the operation post covid.

- 8.2 With the differing models it is also clear that a mixed economy exists, necessitating a flexible, yet performance management approach to monitoring compliance to each agreement. Measures are in place to adopt and share good practice, based on this approach.
- 8.3 This report is also a mechanism of identifying the successes and challenges faced by our partners, with a transparent approach to reporting the delivery, costs and outcomes of services delivered by third parties on our behalf.
- 8.4 It also demonstrates that the Council is committed to maintaining quality and improving services to which all partners must also commit to delivering.

## **9.0 Integrated Assessment Implications**

9.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

9.1.1 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

9.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

9.2 An IIA screening form has been completed, with an agreed outcome that a full IIA report is not required.

9.3 This report is for information purposes only, detailing the partners who operate leisure facilities and visitor attractions within the Cultural Services portfolio, who provide services to local people, local communities and visitors of Swansea. The report is to evidence partner performance from a financial and quantitative perspective. The monitoring arrangements that aid in producing this report continue to ensure partners are contributing towards the objectives of the Council's ambitions as identified in the agreed Policy Commitments.

#### **10.0 Legal Implications**

10.1 There are no further legal implications over and above those outlined in the body of the report and any future implications would be subject to separate reports in line with the Councils constitution.

#### **11.0 Financial implications**

11.1 There are no further additional financial implications over and above those outlined in the body of the report and any future implications would be subject to separate reports in line with the Councils constitution.

**Background Papers:** None

**Appendices:**

Appendix A - IIA Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Cultural Services

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

Leisure Partnerships Annual Report 2020/2021  
 Report to advise Cabinet of the partner operations of key facilities within the Cultural Services portfolio

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

No engagement or consultation required.

The report is to evidence partner performance from a financial and quantitative perspective using KPI's agreed by the Council and partners who operate key facilities under lease or licence

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?

Yes  No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes  No

c) Does the initiative apply each of the five ways of working?

Yes  No

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No If yes, please provide details below

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

This report is for information purposes only and does not affect user groups, communities or services operated by Swansea Council



**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This report is for information purposes only, detailing the partners who operate leisure facilities and visitor attractions within the Cultural Services portfolio, who provide services to local people, local communities and visitors of Swansea. The report is to evidence partner performance from a financial and quantitative perspective.

The monitoring arrangements that aid in producing this report continue to ensure partners are contributing towards the objectives of the Council’s ambitions as identified in the agreed Policy Commitments.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Jamie Rewbridge
<b>Job title:</b> Strategic Manager – Leisure, Partnerships, Health & Wellbeing
<b>Date:</b> 11.2.22
<b>Approval by Head of Service:</b>
<b>Name:</b> Tracey McNulty
<b>Position:</b> Head of Cultural Services
<b>Date:</b> 11.2.22

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 12.



## Report of the Cabinet Member for Economy, Finance and Strategy

Cabinet – 17 March 2022

### Building Capital Maintenance Programme 2022/23

<b>Purpose:</b>	To agree the schemes to be funded through the Capital Maintenance programme
<b>Policy Framework:</b>	Financial Procedure Rule No. 7 (Capital Programming and Appraisals) The Revenue and Capital Budget as reported to and approved by Cabinet on the 17 <sup>h</sup> February 2022
<b>Consultation:</b>	Access to Services, Finance, Legal, Education
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Approves the proposed capital maintenance schemes as listed in <b>Appendix A</b> .  2) Authorises the schemes and their financial implications as identified in <b>Appendix C</b> to be included in the capital programme.
<b>Report Author:</b>	Nigel Williams
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1.0 Introduction

- 1.1 Cabinet has previously approved the Council's Asset Management Plan for Property Assets which sets out a series of measures to improve the management and performance of the property portfolio. This Report sets out the way in which the Capital Maintenance resources for 2022/23 will be deployed.

## 2.0 Capital Programme Process

- 2.1 On 17<sup>th</sup> February 2022, Cabinet approved a Capital Maintenance allocation of £4.094m for the Authority's building portfolio. The authority has also been awarded further funding from WG of £3.61M specifically for the education asset portfolio which has to be spent in 2021/22 financial year and £172,346 for improving ventilation in classrooms.

## 3.0 Objectives of Scheme

- 3.1 The proposals set out will directly support the corporate objectives of the Authority, in relation to the maintenance and improvement of the Authority's building portfolio.
- 3.2 This maintains the previous commitment to address the significant backlog of maintenance and minimise the potential effect of unforeseen breakdowns of building elements.
- 3.3 As was reported in previous building maintenance programme reports, attention needs to be drawn to the fact that the Authority still has a significant backlog of maintenance.

Notwithstanding the current financial pressures, further budget provisions will therefore need to be made in subsequent years to maintain this investment and minimise the risks of failure and unplanned closures.

- 3.4 The list of identified schemes (**Appendix A**) has been selected on a priority basis. The criteria for selection (unless otherwise stated) was based upon Condition rating, Legislative compliance, Health and Safety implications, likelihood of failure and business continuity. Whilst all schemes have been selected on these criteria there are a number of similar priorities which we are unable to progress within the budgets available.

## 4.0 Description of Schemes

- 4.1 The recommended list of schemes is included in **Appendix A** and to assist, a brief summary of the planned works have been included as follows:-

1a) **Statutory Compliance - Electrical**

The schemes listed consist of total rewires, partial rewires or upgrades to ensure safety and compliance with electrical regulations and maintained operation of the premises.

1b) **Mechanical/Heating Schemes**

The schemes listed in this section deal with the avoidance of heating failures within our establishments on a prioritised basis.

1c&1d) **Statutory Compliance - Legionella and Asbestos**

As a result of the existing policy to enable compliance with the legionella and asbestos legislation, capital repairs arising out of risk assessments and surveys need to be carried out to maintain compliance. These upgrades are actioned throughout the year and therefore a list of schemes cannot be prepared in advance. Separate revenue monies have been set aside to deal with the ongoing management process and minor repairs.

1e) **Statutory Compliance – Radon**

Further to the Welsh Government's directive for an awareness programme of RADON in schools, and in line with the "Ionising Radiations regulations 1999".

Welsh Government produced a directory of all schools that require testing for Radon; currently we have completed testing in all schools in the high risk areas. There is a need to carry out further testing within the remaining schools.

1f) **Statutory Compliance – Glazing Regulations**

Following Notice served by the Health and Safety Executive, money has been set aside to allow safety filming of relevant glazing within schools.

1g) **Statutory Compliance – Accessibility for Disabled People**

Consultation through Local Access Groups would determine required investment to the prioritisation of buildings within the available budget for 2022/23.

2) **Essential Building Repairs**

The schemes listed in **Appendix A** are a combination of prioritised schemes and allowances linked to the ongoing maintenance strategy.

2a) **Essential Repairs to Listed Buildings**

In line with the Listed Buildings Strategy agreed by Cabinet on the 6<sup>th</sup> January 2014, Building Services will liaise with planning officers and ensure that the available budget will continue a programme dealing with the Authority's listed assets on a prioritised basis.

3) **Drainage Works to Schools**

Previous allocations have been made to initiate a programme of drainage surveys to all of the Authority's Schools. This has identified a range of significant repairs which, if rectified, should assist the Authority in mitigating future structural failures and health and safety issues within the Schools. Minor repairs should be undertaken by Schools in line with their delegated budget.

4) **Energy/Sustainability Investment/Carbon Reduction Commitment**

The budget for 2022/23 will allow the extension of good practice measures to reduce the Council's energy use and carbon emissions. The planned programme of works will help deliver on the Council's Carbon Reduction Strategy approved by Cabinet on the 17<sup>th</sup> November 2011 and help mitigate the Authority's financial obligation within the Carbon Reduction Energy Efficiency Scheme (CREES). The energy strategy identifies within its action plan a number of feasibility studies, which will help explore future technologies. The appointment of appropriate consultants will help inform the feasibility studies, which in turn will inform our future strategies.

5) **Fire Risk Assessments**

The Council is required to undertake Fire Risk Assessments as dictated by *The Regulatory Reform (Fire Safety) Order 2005*. Mid & West Wales Fire Service (M&WWFS) who are responsible for the enforcement of general fire safety legislation to include *The Regulatory Reform (Fire Safety) Order 2005*.

A joint approach now takes place with M&WWFS who inspect council owned assets and at times can highlight a number of measures that require attention in relation to fire safety. It is difficult to quantify the scale of works required; therefore a budget will be allocated and monitored accordingly in line with prioritised actions.

6) **Emergency Reserve Fund**

This limited fund will allow immediate response to potential building failure to avoid significant disruption, Health and Safety risk or closure. This is a limited amount which will be allocated on a priority basis throughout the year and therefore individual schemes are not listed.

7) **Match Funding**

The Capital Maintenance programme has previously included an element for match funding capital projects within schools. This has allowed the Authority to develop a joint and consistent approach in dealing with the maintenance backlog problem within our Education Portfolio by pooling resources on projects where "liability" under the division of responsibilities is ambiguous. This works with schools using their devolved maintenance allocation, thus allowing more significant repairs to be undertaken. The programme over previous financial years has been highly successful. Whilst the funding pressures on schools are also recognised, it is proposed that during 2022/23 a further allocation is made to match fund medium value projects.

8) **Preliminary Design**  
This limited budget will allow initial design to commence for schemes likely to feature in 2023/24, which will in turn inform the future work programme, allowing early procurement and maximum spend against profile.

9) **Asset Management Plan**  
There are a number of Service Assets with projects that would need to factor within the 2022/23 allocated budget. Proposed investment within any of the affected assets will be undertaken in line with emerging priorities as part of the service rationalisation and Service in the Community strand.

To that end a modest capital allocation has been accounted for within the 2022/23 Capital Maintenance allocated budget.

The budget will be utilised to support priority works within the established post-commissioning review outcomes.

10) **Local Toilet Strategy**  
The Council is required by legislation to develop a Local Toilet Strategy which was put in place in 2019. Whilst this doesn't require the Council to provide or maintain toilets directly, it would seem appropriate to ensure that an allowance is contained within the capital programme to carry out such improvements that arise out of the strategy. As such, an allocation has been included within the 22/23 programme with specific schemes being developed in line with the emerging action plan.

11) **Improved Ventilation**  
Additional WG funding has been provided to help improve ventilation in Education settings, funding has also been allocated from our own budget for all Council Buildings.

#### 4.2 **QEd Programme**

4.2.1 The proposed list of schemes listed under **Appendix A** is based on the technical assessment of the individual establishments, resulting in the prioritised listing attached. However consultation has taken place with Education colleagues to confirm that none of the suggested schemes will conflict with the Authority's proposed Band B programme.

### 5. **Integrated Assessment Implications**

5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.

5.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

5.2 An IIA has been carried out for this project and is attached as **Appendix B**. The impact has been determined as low priority and as such, a full IIA is not required at this stage. The Capital maintenance investment within building assets and social services assets in Swansea will help to realise a more sustainable asset portfolio for Swansea Council. Where relevant, each specific project for which funding is agreed will be screened for an Equality Impact Assessment.

## 6.0 Financial Implications

### 6.1 Capital

The total capital cost of the schemes in the Authority’s Buildings Portfolio for 2022-23 delivery amount to £4.094 million capital maintenance which will be funded by £4.094 million of the Authority’s own resources and WG General Capital allocation. Details are set out in **Appendix C**.

6.2 An allocation of £3.61M, and £172,346 for improving ventilation in classrooms, from the Welsh Government Education capital maintenance grant provided in 2021-22 with the 2021-22 displaced funding applied to the 2022-23 programme. Details are set out in **Appendix C**.

### 6.3 Revenue

Maintenance costs will be met from existing revenue budgets.

### 7.0 Staffing Implications

7.1 Elements of the design and works may be procured externally to supplement in-house resources although the first call will be to seek interest from neighbouring Authorities.

### 8.0 Procurement and Legal Implications

8.1 The 2022/23 Capital Maintenance projects identified within **Appendix A** of this report will therefore be delivered by a combination of in-house resources, with other projects procured in line with Contract Procedure Rules. Any externalised works will be procured in accordance with Contract Procedure Rules (CPRs) and procurement rules and regulations. The Council must comply with various statutory requirements as well as general obligations under the Occupiers Liability Acts.

**Background Papers:** None

**Appendices:**

Appendix A: Capital Maintenance Budget 22/23– Proposed Programme

Appendix B: IIA Screening Form

Appendix C: Financial Implications Summary – Building Services



**CAPITAL MAINTENANCE BUDGET 2022/23**

	Building Services budget £4,094,000	WG additional budget £3,609,995	Improving ventilation WG £172,346
	£000's		
<b>PROPOSED PROGRAMME</b>			
<b>1 STATUTORY COMPLIANCE WORKS</b>			
<b>1a ELECTRICAL SCHEMES</b>			
Pontardulais Comp Rewire 5 of 6		150	
Townhill Primary School Rewire 5 of 5		60	
Mayals Primary School Rewire 2 of 2		80	
Whitestone Primary School Rewire 2 of 2		60	
Clwydd Primary School Rewire 1 of 3		100	
Bailing Plant Fire alarm		140	
Blaen Y Maes Primary School rewire and Fire alarm 1 of 3		130	
Gendros Primary School rewire and Fire alarm 1 of 2		100	
Tal Y copa Primary School Rewire and fire alarm 1 of 2		100	
Glais Primary school Rewire and fire alarm 1 of 2		100	
Pentrechwyth Primary School Rewire and fire alarm 1 of 2		100	
Olchfa Comprehensive School Fire alarm 2 of 5		90	
Bishop Vaughn Catholic School Lift replacement	120		
Emergency lighting upgrade schools	100		
Fire alarm upgrade schools	40		
Fire alarm upgrade Public Buildings	40		
<b>1b MECHANICAL SCHEMES</b>			
Upgrade pneumatic valves Civic Centre phase 1 of 2	20		
Dunvant Primary - Radiator Circuits refurbishment (Lower Block)		130	
Grange Primary - Radiator Circuit refurbishment phase 2 & 3 of 3		150	
Llangyfelach Primary - Boiler replacement		140	
Pontardulais Comp - Radiator Circuits refurbishment phase 2 of 5		210	
Dylan Thomas Comp - Radiator circuit refurbishment phase 3 of 5		150	
Cwmglas Primary - Radiator circuits refurbishment phase 1 of 5		150	
Former Maytree Autistic Unit - Boiler replacement		100	
Pontlliw Primary - Radiator circuits refurbishment		100	
St Josephs Prim RC Nursery - Boiler replacement		100	
Talycoppa Primary - Boiler replacement		150	
Improving ventilation in Education settings			172
1c Various - School labs upgrades to meet new legislation Phase 2 of 10	60		
1d Air Con Refurbishment		50	
1e Kitchen/Gas/Ventilation	100		
1f External Water Mains Replacement	50		
1g Swimming Pools Upgrades	20		
1h Legionella	70		
1i Radon	10		
1j Asbestos	50		
<b>PRELIMINARY DESIGN</b>			
1i Preliminary Design Works	20		
1j DDA Works	40		
<b>2 ESSENTIAL BUILDING REPAIRS</b>			
Civic contingency	1000		
Guildhall roofing/concrete repairs	100		
Various schools wall and door replacement	240		
Hendrefoilan Primary phase 1 roofing		170	
Ynystawe Primary ph 2 roofing		80	
CRC Primary ph 2 roofing		80	
Bishop Gore roof replacement		175	
Seaview Primary Structural repairs ph 2	80		
Olchfa Comp ph 2 roofing		150	
Cwmglas Primary concrete repairs	50		
YGG Gwyr roof replacement ph 2		100	
Clydach Depot Roofing	50		
Ynys Court roof replacement ph 2	60		
Portmead Primary Structural	50		
Penclawdd Primary Drainage		35	
Oystermouth Primary Roofing		90	
Bishopston Primary Roofing Junior Block		90	
Grand Theatre structure/roof repairs	250		
Gorseinon Job centre rendering	75		
Gorseinon Institute Roof	75		
Access improvements various	120		
2a ESSENTIAL REPAIRS TO LISTED BUILDINGS	80		
General repairs to Listed Buildings including War memorials			
2b GLAZING REGULATIONS	204		
Filming/Re-glazing Works			
3 DRAINAGE WORKS TO SCHOOLS	50		
Drainage Repairs to Schools			
4 ENERGY/SUSTAINABILITY INVESTMENT	100		
Energy/Sustainability Works			
5 FIRE RISK ASSESSMENT	50		
Building only			
6 EMERGENCY FUND FOR URGENT REPAIRS	300		
Emergency Fund Works			
7 MATCH FUNDING	200		
Match Funded Works			
8 PRELIMINARY DESIGN	40		
Preliminary Design Works <u>Building</u> only			
9 ASSET MANAGEMENT PLAN	80		
10 LOCAL TOILET STRATEGY	100		
Allowance for Local Toilet Strategy			

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Building Services

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**Capital Maintenance works programme 22/23**

To agree the schemes to be funded through the Capital Maintenance programme

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

Consultation has taken place with Education colleagues and senior managers within Building services who have identified the projects through a risk based assessment of the potential for business failure.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No If yes, please provide details below

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**  
*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

There will be a significant improvement to the facilities for each project, improved heating, lighting, reducing future maintenance requirements and reducing the possibility of business failure.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)

- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The summary of impacts has been categorised as low.

With regard to involvement this has taken place with Education and Building Services contributing, approval is also sought from the Director of Place and relevant Cabinet members.

Well-being and future generations and the five ways of working considerations include:

- The upgrade of Heating and lighting will more effectively support frontline services in the longer term
- The upgrade changes ways of working and provides a more resilient platform therefore reducing / preventing the risk of component failure
- All projects wherever possible must contribute to future net zero carbon emissions
- Collaboration is a key driver for project success. Many of the projects will be completed by local contractors utilising local suppliers

The report adheres to the transformation and future council development well-being objective in the Corporate Plan - so that we and the services that we provide are sustainable and fit for the future.

The risks surrounding the project are considered low as the programme of works has been delivered by Building Services for many years without issue and very little impact to service users.

With regard to the cumulative impact of the project, there will be a reduction in the backlog maintenance requirements, and an improvement to the authorities contribution to net zero.  
(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Martin Ridgeway</b>
<b>Job title: Group Leader Technical Services</b>
<b>Date: 12/1/2022</b>
<b>Approval by Head of Service:</b>
<b>Name: Nigel Williams</b>
<b>Position: Head of Building Services</b>
<b>Date: 12/1/2022</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

**APPENDIX C - £7.876m Capital Maintenance**

**FINANCIAL IMPLICATIONS : SUMMARY**

**Portfolio: PLACE**

**Service : BUILDING SERVICES**

**Scheme : CAPITAL MAINTENANCE BUDGET FOR BUILDINGS 2022/2023**

**Head of Service: BUILDING SERVICES**

**1.1. CAPITAL COSTS**

	2022/2023	2023/2024	2024/2025	2025/2026
	£'000	£'000	£'000	£'000

**EXPENDITURE**

**Capital Maintenance**

Stat Compliance - Electrical works	1,510			
Stat Compliance - Mechanical works	1,632			
Air Con	50			
Kitchen/Gas/Ventilation	100			
External water mains	50			
Swimming pools	20			
Legionella	70			
Radon	10			
Asbestos	50			
Prelim design	20			
DDA	40			
Building Repairs (Inc. Listed Buildings)	3,200			
Glazing Regulations	204			
Drainage	50			
Energy/Sustainability Investment	100			
Fire Risk assessment	50			
Emergency Fund for Urgent Repairs	300			
Match Funding	200			
Preliminary Design	40			
Asset Management Plan	80			
Local Toilet strategy	100			

**EXPENDITURE**

	<b>7,876</b>	<b>0</b>	<b>0</b>	
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**Financing**

Welsh Government Grants/Supported Borrowing	<b>4,094</b>			
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Additional funding Welsh Government for Education properties	<b>3,782</b>			
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**FINANCING**

	<b>7,876</b>			
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<b>1.2. <u>REVENUE COSTS</u></b>	<b>2021/2022</b>	<b>2022/2023</b>	<b>2023/2024</b>	<b>FULL YEAR</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Service Controlled - Expenditure</u>				
To be met by existing budgets				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Agenda Item 13.



## Report of the Cabinet Member for Environment Enhancement and Infrastructure Management

Cabinet – 17 March 2022

### FPR7 Capital Allocation to Highway Infrastructure Assets 2022-23

<b>Purpose:</b>	To confirm the Capital Work Programme for highway infrastructure assets.
<b>Policy Framework:</b>	The Revenue and Capital budget as reported to and approved by Council on 3 March 2022.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The proposed indicative allocations, together with the Financial Implications set out in <b>Appendix A</b> , are approved and included in the Capital Programme.  2) Authority is delegated to the Head of Service for Highways and Transportation with the agreement of the Cabinet Member for Environment Enhancement and Infrastructure Management to prioritise, finalise and allocate funding to the appropriate schemes in line with the prioritisation approach detailed in this report.
<b>Report Authors:</b>	Bob Fenwick/Stuart Davies
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1. At its meeting of 3<sup>rd</sup> March 2022, Council approved the Revenue and Capital Budget for 2022/23. The Capital budget included an allocation of **£3.468m** for highway and infrastructure assets.

- 1.2. In addition to Council capital funding, the Welsh Government has allocated £5.024m to the council. **£2.984m** has been allocated to Highways.

## **2. Capital Programme**

The City and County of Swansea's infrastructure is in need of significant investment and there is a significant backlog of works. The Authority is continuing to develop programmes of work based on the principles agreed as part of the all Wales Asset Management Project. This will ensure spending is targeted based on a whole life cost approach which will minimise financial and service demands.

- 2.1. The Authority considers a variety of different methods of repair and uses assessment approaches agreed across Wales. This enables decisions on the most efficient and effective approaches for managing the network based on a mix of preventative, reactive and planned maintenance works. The core funding is allocated to the highway capital programme (2020-25) which was developed with these principles.
- 2.2. The scheme prioritisation approach provides a framework whereby any additional funding will enable schemes in the 5 year plan to be brought forward for completion. These will be selected using the same asset management approach used to produce the forward works programme. There will be a split of approximately 60/40 between corrective work (e.g. resurfacing a road in poor condition) and preventative work (e.g. extending the life of a road in average condition). Carriageway and footway schemes will be selected based on a review of factors such as network importance, condition, network use and likely deterioration. A score for each assessed road will be calculated and the highest scoring schemes will be programmed. This prioritisation will be balanced by the need to give cost effective packages of work of similar types (for instance, surface dressing requires a minimum quantity of work to be cost effective when considering site set up costs).

## **3. Key Proposals**

- 3.1 It is critical to ensure that investment in the highway network is sustained to minimise future deterioration. For carriageways there is a calculated backlog of £70m. To maintain a steady state, to avoid further deterioration an annual capital spend on carriageways of between £7m to £8m would be required.

## **4. Allocation of the £3.468m Infrastructure Allocation.**

The core allocation will fund the following priorities.

- 4.1. This allocation funds the third year of the 5 year programme of carriageway works. The programme for 2020-25 and is available at <http://www.swansea.gov.uk/highways>. The programme was heavily amended due to covid restrictions in 2020. There may be minor changes to this programme during the year as schemes may have been brought



forward or pushed back for example to coordinate with utility works. Currently the programme is ahead of schedule.

- 4.2. The continuation of the PATCH programme of minor resurfacing works which is complimentary to the main carriageway resurfacing programme will continue on a ward by ward basis. The programme has been expanded this year with additional funding being received via the ERF process, this is a separate funding stream so will not be detailed further in this report.
- 4.3. This allocation funds the third year of the 5 year programme of footway works. The list of schemes planned is included in the published programme for 2020-25. The detail of the proposed schemes can be accessed at <http://www.swansea.gov.uk/highways>.
- 4.4. There are significant funding challenges for maintaining the bridges and structures as there are 147 bridges, 50 culverts, 14 subways and 3 gantries within highway ownership. The programme to update bridges has been prepared to reflect requirements on strategic routes and those where strengthening is required. A major culvert collapse is currently being repaired, this received £500k of Capital funding via a separate FPR7 report.
- 4.5. The condition of highway and council owned retaining walls continues to give cause for concern. There is a need to carry out proactive works to prevent others from failing. There are currently 4441 retaining walls on the asset register with an approximate total length of 13.5km.
- 4.6. The River Tawe barrage infrastructure requires sustained investment to ensure operations associated with Marina and other waterside activities are maintained.
- 4.7. Street lighting infrastructure remains a cause for concern. A testing regime has been put in place to identify lighting columns at risk, and this resulted in a significant number of columns being removed. A large number of these columns have been replaced however there around 1600 columns currently cut down and testing has identified further columns that need to be removed and replaced.
- 4.8. Longstanding works to reduce flooding on the highway will be implemented across the Authority. This will include specific works on several culverted watercourses. This element of the budget will also be used as match funding where Welsh Government funding streams are available.
- 4.9. An allocation has been made to deal with maintenance to Authority owned paved and surfaced areas that are in the public realm (non-Housing/Education). This is aligned with the “corporate ownership of assets”. Highways & Transportation will maintain the safety of these areas as problems are identified on a prioritised basis. This allocation also includes for providing emergency strips on a one off basis where there are life threatening emergencies on un-adopted privately maintained public

highways (excluding private streets). This budget will also cover additional work on back lanes.

- 4.10. A programme to undertake capital maintenance on highway safety barriers. The funding for barriers will focus on repair and renewal on a reactive/ as identified basis.
- 4.11. Damaged sections of the coastal defences require investment to prevent further damage and to repair ongoing damage caused by winter storms. The allocation also includes provision to investigate flood risks as identified by the Flood Risk Management Plan.
- 4.12. In the current year the Infrastructure funds will be allocated as follows:

Annual Allocation **£3.468m**

Carriageway Resurfacing	£670k
Patch	£700k
Footway Renewals	£650k
Bridges and Retaining Walls	£400k
Marina & Barrage	£75k
Street Lighting Refurbishment	£250k
Drainage/Flooding Works	£500k
Unadopted Council-Owned Streets	£43k
Car Park Resurfacing and Improvements	£30k
Safety Barriers	£50k
Coastal Defence Works and Flood Risk Management	£50k
Telematics Upgrades	£50k
<b>Total</b>	<b>£3.468</b>

- 5. The Additional Welsh Government Capital Grant
  - 5.1 The **£1.4m** will be dedicated to programmes on the carriageways. Schemes will be brought forward from the 5 year programme. Any newly identified schemes on areas of highways maintenance that give concerns will be prioritised as described in 2.2. A **£100k** contingency will be allocated as a contingency for other Highways assets. This funding will allow an addition 12 number of schemes to be carried out. The full additional programme for carriageways will be made available online once finalised and approved by the Cabinet Member. With all highways programmes it should be noted that some variation should be expected during the year due to issues like statutory undertakers works, accelerated deterioration etc.
  - 5.2 The **£1m** dedicated towards Public Lighting improvements will allow for approximately 3600 LED installations across the Network.
  - 5.3 The **£484k** dedicated for electric vehicles.

Carriageway Resurfacing and contingency	£1500k
LED upgrades	£1000k
Electric fleet	£484k
<b>Total</b>	<b>£2.984</b>

## 6. Integrated Assessment Implications

6.1. The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.1.1. The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

6.1.2. Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

6.2. The Capital investment in Highway and related Infrastructure will assist all road users. Individual projects will be subject to the IIA process on an individual basis where required.

## 7. Financial Implications

7.1. **Capital** - The cost of the Highways and Other Infrastructure works for 2022/23 funded by the WG General Capital Grant amounts to £3.468m. Details are set out in **Appendix A**.

- 7.2. **Welsh Government Capital Funding** The £2.984m allocation to Highways will be separated into £1.5m for carriageway resurfacing, £1m towards LED lighting and £484k towards increasing the Electric vehicle fleet.
- 7.3. **Revenue** - Future maintenance expenditure will be met from respective Revenue Service budgets. An effective capital investment programme will help reduce future revenue pressures.

## **8. Legal Implications**

- 8.1. This investment will assist the Authority in discharging its statutory duty to maintain the Highway. All procurement activity and contracts intended to be let in respect of the above Schemes must comply with current UK Legislation and the Council's Contract Procedure Rules.

**Background Papers:** None

### **Appendices:**

Appendix A Financial Implications.

**FINANCIAL IMPLICATIONS : SUMMARY**

Portfolio: PLACE  
 Service : HIGHWAYS AND OTHER SERVICES  
 Scheme : HIGHWAYS AND OTHER INFRASTRUCTURE ASSETS CAPITAL MAINTENANCE

		Memo									
1.1. CAPITAL COSTS		2021/22	2022/23	Financial Codes for 2022/23				2023/24	2024/25	TOTAL	
		£'000	£'000					£'000	£'000	£'000	
<u>Expenditure</u>											
<b>Highways and Other Infrastructures</b>											
21/22	Carriageway resurfacing	620	670	01	701	70001	xxxxxx	00000	C03007	2,010	
21/22	Carriageway resurfacing -PATCH	720	700	01	701	70001	xxxxxx	00000	C03014	2,100	
21/22	Footways	650	650	01	701	70001	xxxxxx	00000	C03004	1,950	
21/22	Bridges/Retaining walls	400	400	01	701	70001	xxxxxx	00000	C09557	1,200	
21/22	Marina barrage	75	75	01	701	70001	xxxxxx	00000	C08304	225	
21/22	Street lighting refurbishment	250	250	01	701	70001	xxxxxx	00000	C03371	750	
21/22	Drainage works	493	500	01	701	70001	xxxxxx	00000	C03514	1,500	
21/22	Safety barriers	50	50	01	701	70001	xxxxxx	00000	C03005	150	
21/22	Cycle ways	0	0	01	701	70001	xxxxxx	00000	C03006	0	
21/22	Unadopted Council owned Streets	50	43	01	701	70001	xxxxxx	00000	C03579	129	
21/22	Car park resurfacing/improvements	30	30	01	701	70001	xxxxxx	00000	C03667	90	
21/22	Coastal Defence Works	50	50	01	701	70001	xxxxxx	00000	C06233	150	
21/22	Advanced Warning Signs	0	0	01	701	70001	xxxxxx	00000	C03466	0	
21/22	Telematics Upgrades	80	50	01	701	70001	xxxxxx	00000	C03467	150	
21/22	Capital Scheme Design	0	0	01	701	70001	xxxxxx	00000	C03585	0	
21/22	Invest To Save	0	0	01	701	70001	xxxxxx	00000	C03008	0	
21/22	Invest To Save Lighting	0	0	01	701	70001	xxxxxx	00000	C03372	0	
21/22	Backlog Funding										
21/22	Additional Funding - Carriageways	780	0	01	701	70001	xxxxxx	00000	C03009	0	
21/22	Additional Funding - Footways	100	0	01	701	70001	xxxxxx	00000	C03013	0	
21/22	Additional Funding - Drainage	440	0	01	701	70001	xxxxxx	00000	C03515	0	
21/22	Additional Funding - Traffic Network	50	0	01	701	70001	xxxxxx	00000	C03468	0	
21/22	Additional Fundig - Bridges	30	0	01	701	70001	xxxxxx	00000	C09562	0	
21/22	Capital grant - Carriageways	1,191	1,500	01	701	70001	xxxxxx	00000	C03010	1,500	
22/23	Capital grant - Lighting		1,000	NEW CODE REQUIRED							1,000
22/23	Capital Grant - EC Charging		484	NEW CODE REQUIRED							484
21/22	Morfa Culvert	500									
<b>EXPENDITURE</b>		<b>6,559</b>	<b>6,452</b>					<b>3,468</b>	<b>3,468</b>	<b>13,388</b>	
<u>Financing</u>											
	Own resources/WG Capital Grant	5,368	3,468							3,468	
	Insurance Fund	360								0	
	WG Grant Funding	1,191	2,983							2,983	
<b>FINANCING</b>		<b>6,919</b>	<b>6,451</b>					<b>0</b>	<b>0</b>	<b>6,451</b>	
1.2. REVENUE COSTS		2021/22	2022/23	£'000				2023/24	2024/25	FULL YEAR	
		£'000	£'000	£'000				£'000	£'000	£'000	
<u>Service Controlled - Expenditure</u>											
	Employees	)									
	Maintenance	)									
	Equipment	)									
	Administration	)									
	NET EXPENDITURE	0	0	to be met from existing budgets						0	

# Agenda Item 14.



## Report of the Cabinet Member for Children Services

Cabinet – 17 March 2022

### Child & Family Services In-house Residential Capital Investment

<b>Purpose:</b>	To approve the Capital Investment to purchase properties to develop an in-house residential solution for Swansea Council and to comply with Financial Procedure Rule 7 (Capital Programming and Appraisals) to commit and authorise a scheme to the Capital Programme.
<b>Policy Framework:</b>	Social Services and Wellbeing (Wales) Act 2014 The Well-being of Future Generations Act 2015 Financial Procedure Rule No. 7
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet approves the capital investment for an in-house residential solution and its financial implications and adds the scheme set out in paragraph 3 to the capital programme.
<b>Report Author:</b>	Jane Whitmore
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services:</b>	Catherine Window

#### 1. Introduction

- 1.1. Evidence shows that the numbers of children in care has been increasing year-on-year (with the figures now being higher than at any point on record) and an analysis by the County Council Network indicates that the numbers could increase by an additional 20-25% by 2025.

- 1.2. While Swansea has successfully managed to safely reduce the numbers needing to be looked after we are detrimentally impacted by the implications this national trend has on placement availability, particularly for those with the most acute and complex needs.
- 1.3. We presently have one in-house service which offers emergency and short-term placements for up to three young people. When we require additional placements these are commissioned from independent private providers. Over the past three years there have been approximately 30 children living in an independent residential care service at any one point in time.
- 1.4. One of the Welsh Government's priorities is to remove profit from children's residential care. This is being driven at pace with the expectation that the framework and expectations in relation to this priority will start to be implemented during 2022. This is having an immediate impact on an already challenging placement market with some providers (both residential and independent fostering agencies) making the decision to pause planned developments and/or withdraw from offering placements to Welsh children.
- 1.5. As the national demand for residential services was already outstripping supply, and this was already compounded by the higher demand for foster placements than the market is able to meet, this move by Welsh Government has further exacerbated Swansea's ability to deliver its sufficiency strategy. So much so, that since December 2021, 6 children and young people have been placed in a provision in England

## **2. Use of Capital Funding**

- 2.1 The use of the capital funding will be for the purchase of two properties to be adapted into in-house residential provision for children and young people in Swansea.
- 2.2 Individual children's residential care services units need a medium to large family home with 3-4 bedrooms.
- 2.3 As well as the acquisition, there are the costs of adaptation. These will vary from property to property depending on the size and quality of the physical environment (e.g. does it need to be re-wired or a new heating system)
- 2.4 Any residential care service would need to comply with certain requirements such as those associated with fire safety (the installation of alarms, sprinkler systems, fire doors etc) and with those of the regulator, Care Inspectorate Wales.

## **3. Summary of Proposed Works to be added to Capital Programme**

- 3.1. A full financial implications summary and detail for the total capital scheme is outlined in the table below:

	<b>TOTAL 22/23</b>	<b>TOTAL 23/24</b>	<b>TOTAL 24/25</b>
• Purchase a property (1) to be registered and ready to use as standby for emergency placements	£400,000		
• Adaptations to property 1	£350,000		
• Purchase a property (2) to be registered for children with complex needs and disabilities		£400,000	
• Adaptations to property 2			£350,000
<b>TOTALS</b>	<b>£750,000</b>	<b>£400,000</b>	<b>£350,000</b>

Total Capital Scheme is £1.5 Million as noted in Capital Budget 22/23

#### **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.2 In order to comply with the relevant regulations, an IIA screening has been completed, which highlights that at this point a full report is not needed.



- 4.3 As this scheme progresses and once the locality of the properties is identified a full IIA will be needed along with engagement and consultation of both the community and children and young people who will be impacted by this.
- 4.4 The IIA process takes into account the United Nation Convention on the Rights of the Child (UNCRC), which the Council has embedded into the Authority's Policy Framework. UNCRC is relevant as this develops further and will be fully considered within a full IIA report.
- 4.5 The full IIA reporting process will also provide evidence that the initiative complies with Welsh Language Standards: specifically, that we have considered how to maximise any benefits and minimise any adverse effects on:
- opportunities for people to use the Welsh language
  - treating the Welsh language no less favourably than English.

## **5. Financial Implications**

- 5.1 It is proposed that the scheme outlined in section 3 is added to the Council's Capital Programme.
- 5.2 In 21/22 the Directorate received significant additional funding late in the financial year to cover costs we have already borne out of core budgets. We have assessed the situation and the specific guidance to understand how we can maximise this funding to meet the needs via a Capital Investment Programme over the next 3 to 5 years.
- 5.3 A transfer from revenue to capital has been made and will be developed in conjunction with any Regional Capital Funds.

## **6. Legal Implications**

- 6.1 The Council will need to ensure that all necessary planning consents are obtained.
- 6.2 The Council will need to ensure that it complies with its Contract Procedure Rules and any relevant procurement legislation when procuring any of the works and related contracts referred to above.

**Background Papers:** None

### **Appendices:**

Appendix 1 - IIA Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Child & Family Services

Directorate: Social Services

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

To develop a Capital Investment Programme for the purchase of two properties to be adapted into in-house residential provision for children and young people in Swansea.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

The proposal at this point is to create a Capital Investment Programme to purchase two properties to be adapted into in-house residential provision for children and young people, so this is very early stages of the process.

If this proposal is accepted a Capital Scheme will be developed, which will include engagement and consultation with community members once a location has been identified.

Co-production with children and young people will be paramount to ensure the provision is developed and designed with them and they will be involved in the process.

At this point it is anticipated a full IAA will be needed.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes       No      **If yes, please provide details below**

Legal, Financial and Capital will be involved in the process of setting up the Capital Scheme, Property Services and Legal will involve in the acquisition of the property and Corporate Building Services involved in the adaptations all working closing with Child and Family Services

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

As this is a screening for a proposal at this point in time there is a low impact, however

if the proposal is accepted significant involvement of children, young people and engagement of communities would sought to consider cumulative impacts and to mitigate against and negative impact.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**  
As this is a screening for a proposal at this point in time there is a low impact.
- **Summary of involvement (Q3)**  
If the proposal was accepted significant involvement of children, young people and community would sought and a full IIA completed.
- **WFG considerations (Q4)**  
We maintain a focus on the Well-being of Future Generations for Wales Act 2015, with actions reflecting the Five Ways of Working approach ensuring out thinking addresses;
  - Long-Term plans around short term delivery are made taking into consideration implications
  - Prevention through adopting a long term preventative approach to this type of investment leading to better outcomes for children
  - Integration through continual review to make sure we are engaging effectively and in a representative way. We will continue to target activity and make it accessible for people and families for whom Welsh is a first language.
  - Involvement working closely with children and young people to design delivery from inception, (co-production). Engaging with local communities and involving them in the process from the start
  - Collaboration with internal/external partners to ensure a cohesive and effective programme is delivered.
- **Any risks identified (Q5)**  
Not at this stage of the process

(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Jane Whitmore
<b>Job title:</b> Strategic Lead Commissioner
<b>Date:</b> 3 <sup>rd</sup> February 2022
<b>Approval by Head of Service:</b>
<b>Name:</b> Julie Davies
<b>Position:</b> Head of Child & Family Service
<b>Date:</b> 11 <sup>th</sup> February 2022

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 15.



## Report of the Cabinet Member for Children Services

Cabinet – 17 March 2022

### **National Collaborative Arrangements for Welsh (Local Authority) Adoption and Fostering Services**

### **National Adoption Service for Wales and Foster Wales – Enhancing Governance, Leadership and Enabling**

<b>Purpose:</b>	<ol style="list-style-type: none"><li>1. To update on the proposals for developing the governance and enabling for the National Adoption Service for Wales as it assumes responsibility for Foster Wales</li><li>2. To achieve agreement to signing the Joint Committee Agreement for the proposed Joint Committee</li></ol>
<b>Policy Framework:</b>	Social Services and Well Being Act 2014; section 3A of the Adoption and Children Act 2002; Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015
<b>Consultation:</b>	Access to Services, Legal, Finance
<b>Recommendation(s):</b>	It is recommended that Cabinet: <ol style="list-style-type: none"><li>1) Agrees that the Council signs the Joint Committee Agreement for the National Adoption Service and Foster Wales attached at Appendix C and authorises the Chief Legal Officer to enter into the Agreement on behalf of the Council.</li><li>2) Appoints the Cabinet Member for Child and Family Services as the Council's representative and voting member of the Joint Committee.</li></ol>
<b>Report Author:</b>	David Howes
<b>Finance Officer:</b>	Chris Davies
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## **1. Introduction**

- 1.1 The National Adoption Service has been in existence since 2014 and has enabled significant change and improvement in adoption services across Wales. Its structure and governance through national, regional and local arrangements were agreed by all councils at that time; a review in 2018 led to proposals to streamline governance and improve accountability. Some of these e.g. creating a Combined Governance Board (bringing together the Advisory Group and Governance Board required by the legislation) and a new Partnership Agreement to replace the original functional model have already been implemented.
- 1.2 Legal advice obtained by the Welsh Local Government Association (WLGA) determined that in order for NAS to operate effectively on behalf of all 22 Welsh authorities, and for there to be a robust hosting arrangement with the host authority for the national and enabling functions (Cardiff), co-operation between Welsh local authorities needed to be put on a formal footing. The preference of the WLGA and the Association of Directors of Social Services Cymru (ADDSC) was that this should be through a Joint Committee. Work on a National Joint Committee, to give proper effect to the co-operation and oversight from all 22 local authorities, has continued and is ready for implementation.
- 1.3 Since 2015, the National Adoption Service Director and central team has been supporting the work of the National Fostering Framework (NFF) to create a similar national, regional and local collaborative arrangement to improve Welsh fostering services albeit not through the creation of a national fostering service. Foster Wales has now emerged from the NFF and will support a defined range of fostering functions linked to recruitment and retention of local authority foster carers. Throughout this time, the WLGA and ADSS-C as lead bodies wanted the national functions for fostering to be linked to the National Adoption Service national functions to reduce duplication and costs as well as to maximise resilience, flexibility and longevity across both functions.
- 1.4 The proposed Joint Committee and the agreement underpinning it have been extended to include Foster Wales as has the capacity and functions for national co-ordination and enabling through a combined Central Team. The linking to the Joint Committee is critical for Foster Wales given the lack of a legislative basis for such co-operation for fostering services.

## **2. Governance – Establishment of a Joint Committee**

- 2.1 The proposed governance structure is presented diagrammatically and with a narrative in Appendix A. The national Joint Committee will, on behalf of the 22 Welsh Local Authorities, exercise their powers for the provision of the collaborative arrangements for the National Adoption

Service for Wales (NAS) and for Foster Wales (FW). It will be comprised of Council Members meeting twice yearly.

- 2.2 WLGA lawyers have drafted a Joint Committee legal Agreement to be signed by all 22 local authorities; this is now ready to progress and is available alongside this report at Appendix C. This also contains a formal Scheme of Delegation and provision for the formal agreement with the host local authority for national functions.
- 2.3 The Joint Committee will provide the mechanism for all Welsh local authorities to discharge an executive and oversight role for NAS and FW. It will approve / receive:
- The Annual Report of NAS and of Foster Wales;
  - The annual programme of work for the NAS and for Foster Wales;
  - The budget for the office of the Director and national work for NAS and for FW; and
  - The agreement, and any changes to the agreement, for the host authority support of the office of the Director and national work for NAS and FW.

For the National Adoption Service only it will also oversee how the authorities work together to exercise their powers and comply with the National Assembly Directions.

### **3. Enabling – National Infrastructure**

- 3.1 A functional structure is proposed which, below the Director, has separate lead functions for adoption and fostering but a combined business and enabling function supporting both. The range of functions that will be carried out is described in Appendix B with a staffing structure of 9.5 f.t.e. staff (incl. Director.)
- 3.2 The core funding for the national functions for the National Adoption Service and Foster Wales is provided from a top slice of the Revenue Support Grant made available through the WLGA. This allocation, currently £473k per annum for adoption and £400k per annum for fostering, is subject to the agreement of the relevant WLGA committee periodically. Foster Wales has been awarded Welsh Government grant funding up to the end of March 2023 to fund specific purposes, this is £573 for 2021/22 reducing by a small amount for 2022/23. Although Welsh Government investment is available to adoption this is fully utilised for direct service delivery through the regional structure. There are resources in both the Foster Wales WLGA allocation and the Foster Wales Welsh Government grant aid that part fund posts on a regional basis to directly support local authority activities.

- 3.3 The total cost of the proposed national structure is £586,384 for 2021/22 salary rates. Total available core budget across NAS and Foster Wales for 2021/22 is circa £1,449,000 albeit that over half the Foster Wales funding stream is subject to WG grant conditions for specific purposes as indicated above.
- 3.4 The structure is affordable up to the end of the Welsh Government Grant period (31.03.23) but there are pressures on staffing and operating budgets for both NAS and Foster Wales beyond that. The financial pressures have been flagged with Welsh Government, but work is commencing to consider how to resolve this beyond the current grant aid period. Resolving this will require the commitment of both Local Government and Welsh Government.
- 3.5 The proposals outlined are being progressed in order to formalise and consolidate the existing position of the Central Team in respect of the work it is currently doing for the National Adoption Service and for Foster Wales. This will allow both collaborative arrangements to continue to function and meet agreed plans and commitments in the short to medium term.

#### **4. Engagement of Stakeholders**

- 4.1 Local authority members have been kept informed throughout via the WLGA, most recently, during September 2021 via the Cabinet Members (social care and health) Network and the WLGA Council.
- 4.2 The National Adoption Service Governance Board, the Foster Wales Lead Heads of Children's Services and Social Services Directors via ADSSC have agreed these proposals in principle.
- 4.3 The proposals have been informed by and developed with the full engagement of these key stakeholder groups.

#### **5. Integrated Assessment Implications**

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language



- Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.4 There are no negative IIA implications of this proposal, which in itself is simply about establishing the governance of two national initiatives. The initiatives themselves are expected to have significant positive impacts for children who become looked after by the local authority, many of whom will have protected characteristics. Investment in supporting the LAs looked after children to achieve good outcomes is a positive means by which the LA can demonstrate its commitment to meeting its WFG obligations. The screening is attached at Appendix D.

## **6. Financial Implications**

- 6.1 As outlined above, funding for the governance arrangements and central / national leadership and enabling, is provided from the WLGA via a top slice of the Revenue Support Grant plus grant funding from the Welsh Government. There is no expectation that individual councils will incur additional costs in relation to these functions.

## **7. Legal Implications**

- 7.1 Individual local authorities remain legally responsible and accountable for the provision of adoption and fostering services. In respect of adoption services, the legal provisions outlined in paragraph 7.2 below require adoption responsibilities to be delivered in accordance with the arrangements for the National Adoption Service.
- 7.2 The legal basis underpinning the National Adoption Service is contained in section 3A of the Adoption and Children Act 2002 [which was inserted by the Social Services and Well Being (Wales) Act 2014] and the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015. These set out in detail expectations on local authorities to co-operate at regional and national level to deliver and improve adoption services. They do not, however, contain provisions that explicitly create a mechanism that gives proper legal effect to the co-

operation at national level or for the agreement with one local authority to host the national functions. The Joint Committee, and the Agreement that will accompany it, will put this on a formal legal footing as well as providing greater clarity and certainty for all authorities, the WLGA as well as the National Adoption Service and Foster Wales.

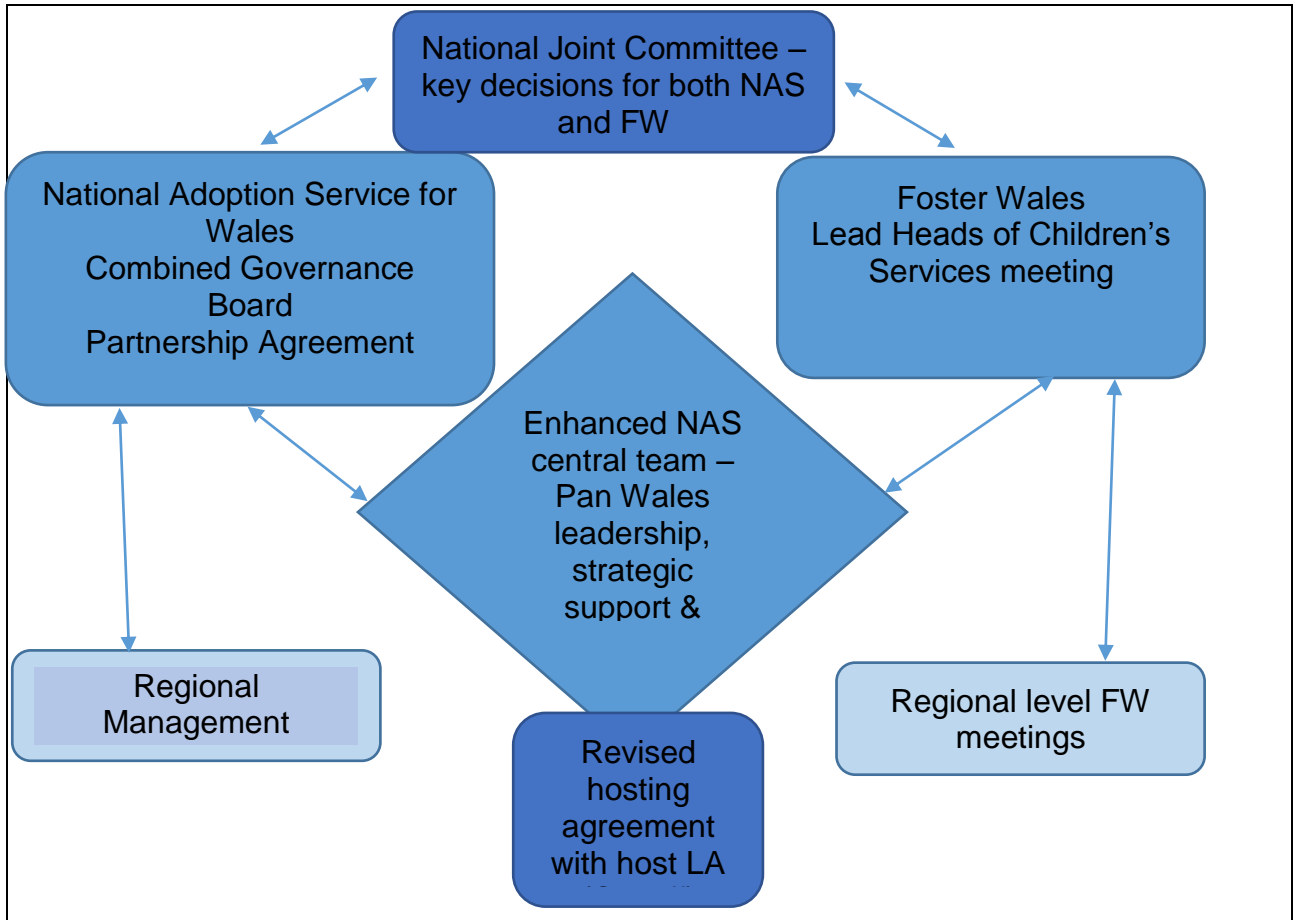
- 7.3 There are no regulations underpinning Foster Wales so the Joint Committee will provide the basis for the co-operation that is needed so it can operate as proposed.
- 7.4 Agreeing these proposals and signing the Joint Committee Agreement will put the Council's cooperation in these collaborative arrangements on a formal basis as well as clarifying roles and responsibilities for the hosting of and delivery of national functions which support and enable local authority delivery of their adoption and fostering responsibilities

**Background Papers:** None

**Appendices:**

Appendix A	Governance chart
Appendix B	Staffing infrastructure
Appendix C	Joint Committee Agreement
Appendix D	IIA screening

**Governance**



**WLGA Joint Committee (all 22 LA’s) over-sees NAS & Foster Wales:**

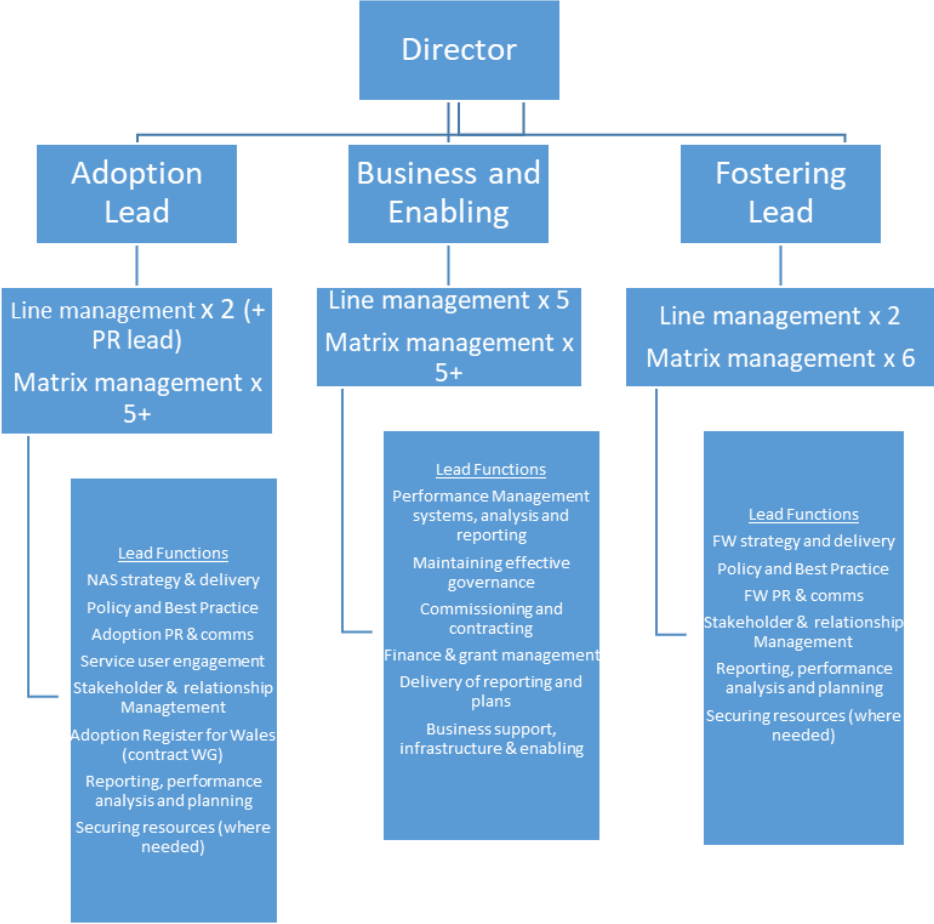
The Joint Committee will, on behalf of the 22 Welsh Local Authorities, exercise their powers with reference to the provision of the collaborative arrangements for the National Adoption Service for Wales (NAS) and for Foster Wales (FW). It will be underpinned by a legal agreement (Joint Committee Agreement) and be comprised of Council Members. Its role will be to oversee the work of NAS and Foster Wales and specifically approve / receive the below:

- The Annual Reports of NAS and of Foster Wales;
- The annual programmes of work for the NAS and for Foster Wales;
- The budget/s for the office of the Director and the national work of NAS and for Foster Wales; and
- The agreement, and any changes required, for the host LA support of the office of the Director to enable it to facilitate the work of NAS and FW.

For NAS only it will also oversee how the authorities work together to exercise their powers and comply with the National Assembly Directions.

<p><b><u>NAS - National level - Combined Governance Board (CGB)</u></b></p> <p>Provides strategic direction and decision making to facilitate the delivery and improvement of adoption services in Wales through the National Adoption Service arrangements in line the Senedd Directions and its Terms of Reference.</p>	<p><b><u>Foster Wales - National level - Lead Heads of Children’s Services meeting</u></b></p> <p>Provides strategic direction and decision making in relation to the agreed national and regional functions of Foster Wales on behalf of Welsh local authorities in line with its Terms of Reference.</p>
<p><b><u>NAS – regional / LA level - Regional Management Boards &amp; VAA’s Boards</u></b></p> <p>Each region is made up of specified local authority areas, set out in the Directions and overseen by Regional Management Boards (RMB’s). Primary role is to coordinate adoption activities at the regional level and to implement decisions and strategies from the national Governance Board; may also have roles determined by their legal agreement. Plus VAA equivalent.</p>	<p><b><u>Foster Wales - regional / LA level - Regional HoS meeting</u></b></p> <p>These are now in place and may be a specific FW meeting or included in the agenda of pre-existing HoS or HoS &amp; DSS regional meetings.</p>

Central team – leadership and enabling



DATED

2022

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL
  - (2) BRIDGEND COUNTY BOROUGH COUNCIL
  - (3) CAERPHILLY COUNTY BOROUGH COUNCIL
  - (4) THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
  - (5) CARMARTHENSHIRE COUNTY COUNCIL
  - (6) CEREDIGION COUNTY COUNCIL
  - (7) CONWY COUNTY BOROUGH COUNCIL
  - (8) DENBIGHSHIRE COUNTY COUNCIL
  - (9) FLINTSHIRE COUNTY COUNCIL
  - (10) GWYNEDD COUNTY COUNCIL
  - (11) ISLE OF ANGLESEY COUNTY COUNCIL
  - (12) MERTHYR TYDFIL COUNTY BOROUGH COUNCIL
  - (13) MONMOUTHSHIRE COUNTY COUNCIL
  - (14) NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
  - (15) NEWPORT CITY COUNCIL
  - (16) PEMBROKESHIRE COUNTY COUNCIL
  - (17) POWYS COUNTY COUNCIL
  - (18) RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
  - (19) THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA
  - (20) TORFAEN COUNTY BOROUGH COUNCIL
  - (21) VALE OF GLAMORGAN COUNCIL
  - (22) WREXHAM COUNTY BOROUGH COUNCIL
- and
- (23) THE WELSH LOCAL GOVERNMENT ASSOCIATION

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**AGREEMENT FOR THE ESTABLISHMENT OF A JOINT COMMITTEE FOR THE  
NATIONAL ADOPTION SERVICE**

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**BETWEEN:**

- (1) Blaenau Gwent County Borough Council of Municipal Offices, Civic Centre Ebbw Vale NP23 6XB ("Council")
- (2) Bridgend County Borough Council of Civic Offices, Angel Street, Bridgend CF31 4WB ("Council")
- (3) Caerphilly County Borough Council of Ty Penallta, Tredomen Park, Ystrad Mynach Hengoed CF82 7PG ("Council")
- (4) The County Council of the City and County of Cardiff of County Hall, Atlantic Wharf, Cardiff CF10 4UW ("Council")
- (5) Carmarthenshire County Council of County Hall, Carmarthen, Carmarthenshire SA31 1JP ("Council")
- (6) Ceredigion County Council of Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, Ceredigion SA46 OPA ("Council")
- (7) Conwy County Borough Council of Bodlondeb, Bangor Road, Conwy LL32 8DU ("Council")
- (8) Denbighshire County Council of County Hall, Wynnstay Road, Ruthin LL15 1YN ("Council")
- (9) Flintshire County Council of County Hall, Mold CH7 6NB ("Council")
- (10) Gwynedd Council of Council Offices, Shirehall Street, Caernarfon LL55 1SH ("Council")
- (11) Isle of Anglesey County Council of Council Offices, Llangefni, LL77 7TW ("Council")
- (12) Merthyr Tydfil County Borough Council of Civic Centre, Merthyr Tydfil CF47 8AN ("Council")
- (13) Monmouthshire County Council of PO Box 106, Caldicot NP26 9AN ("Council")
- (14) Neath Port Talbot County Borough Council of Port Talbot Civic Centre, Port Talbot SA13 1PJ ("Council")
- (15) Newport City Council of Civic Centre, Godfrey Road, Newport NP20 4UR ("Council")
- (16) Pembrokeshire County Council of County Hall, Haverfordwest, Pembrokeshire SA61 1TP ("Council")
- (17) Powys County Council of Powys County Hall, Spa Road East, Llandrindod Wells, Powys LD1 5LG ("Council")
- (18) Rhondda Cynon Taf County Borough Council of The Pavilions, Cambrian Park, Clydach Vale, Tonypany CF40 2XX ("Council")

- (19) The Council of the City and County of Swansea of Civic Centre, Oystermouth Road, Swansea SA1 3SN ("Council")
- (20) Torfaen County Borough Council of the Civic Centre, Pontypool, Torfaen NP4 6YB ("Council")
- (21) Vale of Glamorgan Council of Civic Offices, Holton Road, Barry, Vale of Glamorgan CF63 4RU ("Council")
- (22) Wrexham County Borough Council of The Guildhall, Wrexham LL11 1AY ("Council")

(collectively referred to as "the Councils" for the purposes of this Agreement) and

- (23) Welsh Local Government Association of One Canal Parade, Dumballs Road, Cardiff CF10 5BF("WLGA"); and

**WHEREAS:**

- A The parties to this Agreement have agreed to enter into this Agreement in order to provide a framework for the Councils to give effect to the obligations and arrangements for the Specified Functions set out by the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015 ("the Directions") made by the Welsh Ministers in exercise of their powers under section 3A of the Adoption and Children Act 2002 and to document and regulate their respective rights and obligations to each other in that regard. The Agreement also provides a framework for the parties to give effect to the co-ordination of identified foster service functions across Wales.
- B The Councils have agreed to establish and to participate in a joint committee to facilitate the delivery of the Specified and Agreed Functions with a view to their economical, efficient and effective discharge.
- C This Agreement sets out the arrangements in relation to the manner in which the Councils will work together and use the Joint Committee to deliver the Specified and Agreed Functions.
- D The Councils have agreed that the Director of Operations shall be responsible for the day to day management of the delivery of the Specified and Agreed Functions.
- E The Councils have entered into this Agreement in reliance on the powers of Welsh local authorities under:
  - (i) sections 101, 102, 112 and 113 of the Local Government Act 1972 and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts to make arrangements to discharge functions jointly and to employ staff and place them at the disposal of other local authorities;
  - (ii) the powers in section 9 of the Local Government (Wales) Measure 2009 to collaborate;
  - (iii) the incidental powers in section 111 of the Local Government Act 1972, and

(iv) all other powers them so enabling.

F The Councils have each taken decisions compliant with the requirements of their respective constitutions to participate in the Joint Committee and enter into this Agreement.

G The Parties to the Agreement have agreed to comply with the requirements of this Agreement to enable the Director of Operations to fulfil their legal obligations.

## **IT IS AGREED AS FOLLOWS:**

### **1. Interpretation**

1.1 The following definitions and rules of interpretation apply in this Agreement:

<b>Term here</b>	<b>Definition here</b>
<b>“Agreed Functions</b>	the functions relating to fostering to be discharged by the Joint Committee pursuant to this Agreement being set out at Schedule 5 and any other functions which from time to time the Councils arrange for the Joint Committee or one or other of the Councils to discharge pursuant to the Powers
<b>“Assets”</b>	any tangible assets or property acquired, leased, licensed, loaned or purchased as required by the Host Council or another Council for the administration of this Agreement;
<b>“Business Day”</b>	any day other than a Saturday or Sunday or a public or bank holiday in Wales;
<b>Combined Governance Board</b>	the group established in accordance with clause 4 to comply with the requirements of the Directions;
<b>“Commencement Date”</b>	the date of this Agreement or such later date as the Councils, by resolution of each them, agree;
<b>“Conflict of Interest Protocol”</b>	The protocol agreed by the Combined Governance Board as required by the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions

	2015 for identifying and avoiding conflicts of interests;
<b>“Constitution of the Joint Committee”</b>	the constitution set out at Schedule 1 to this Agreement;
<b>“Council”</b>	each of Blaenau Gwent County Borough Council, Bridgend County Borough Council, Caerphilly County Borough Council, the County Council of the City and County of Cardiff, Carmarthenshire County Council, Ceredigion County Council, Conwy County Borough Council, Denbighshire County Council, Flintshire County Council, Gwynedd Council, Isle of Anglesey County Council, Merthyr Tydfil County Borough Council, Monmouthshire County Council, Neath Port Talbot County Borough Council, Newport City Council, Pembrokeshire County Council, Powys County Council, Rhondda Cynon Taf County Borough Council, City and County of Swansea Council, Torfaen County Borough Council, Vale of Glamorgan Council, Wrexham County Borough Council and “Councils” shall be construed accordingly;
<b>Data Protection Legislation</b>	all applicable data protection and privacy legislation in force from time to time in the UK including the UK GDPR; the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended;
<b>“Director of Operations”</b>	the person employed by the Host Council in compliance with the Directions with day to day responsibility for leadership, co-ordination of the service as a whole as well as delivery of national functions
<b>“Directions”</b>	The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015;

<b>“Exempt Information”</b>	any information or class of information relating to this Agreement which may fall within an exemption to disclosure under FOI Legislation;
<b>“Financial Memorandum”</b>	the approach to financial and accounting matters agreed by the Councils as set out at Schedule 4 to this Agreement;
<b>“FOI Legislation”</b>	the Freedom of Information Act 2000 and subordinate legislation made under this and the Environmental Information Regulations 2004;
<b>Foster Wales</b>	The collaborative endeavour agreed by local government to deliver and improve certain fostering functions through national and regional leadership and enabling.
<b>“Governance Board”</b>	the board which the Councils are required by the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015 to establish to provide national oversight of regional collaboration on adoption services;. Since 2019 this function is managed through the Combined Governance Board
<b>“Host” and “Host Council”</b>	the Council appointed as Host Council in accordance with clause 7 of this Agreement;
<b>“IP Material”</b>	the Intellectual Property in the Material;
<b>“Information Request</b>	a request for information under FOI Legislation;
<b>“Intellectual Property Rights”</b>	patents, rights to inventions, copyright and related rights, trade-marks, trade names and domain names, rights in get-up, rights in goodwill or to sue for passing off, rights in designs, rights in computer software, database rights, rights in confidential information (including know-how and trade secrets) and any other intellectual property rights, in each case whether registered or unregistered and including all

applications (or rights to apply) for, and renewals or extensions of, such rights and all similar or equivalent rights or forms of protection which may now or in the future subsist in any part of the world;

**“Joint Committee”**

a committee of elected members from the Councils which will be responsible for ensuring and overseeing the delivery of the Specified and Agreed Functions in Accordance with the Directions and with a view to securing their more economical, efficient and effective discharge;

**“Material”**

all data, text, graphics, images and other materials or documents created, used or supplied by a Council in connection with this Agreement unless before the first use or supply the Council notifies the other Councils that the data or text supplied is not to be covered by this definition;

**“National Adoption Service”**

The adoption services and functions delivered collectively by the Joint Committee, the Regional Collaboratives, the Councils and partners;

**“Personal Data”**

Personal data as defined in the Data Protection Legislation;

**“Powers”**

The powers of Welsh local authorities under:

sections 101, 102, 112 and 113 of the Local Government Act 1972 and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts to make arrangements to discharge functions jointly and to employ staff and place them at the disposal of other local authorities;

the powers in section 9 of the Local Government (Wales) Measure 2009 to collaborate;

	<p>the incidental powers in section 111 of the Local Government Act 1972,</p> <p>the powers in section 1 of the Local Authorities (Goods and Services) Act 1970 and section 25 of the Local Government (Wales) Act 1994 to provide services;</p> <p>all other powers them so enabling;</p>
<b>“Proportionate Basis”</b>	<p>in accordance with the relevant proportion for each Council by reference to their respective percentage contribution as set out in the Financial Memorandum</p>
<b>“Regional Collaboratives”</b>	<p>the groupings of the Councils as set out in Schedule to the Directions for the purpose of collaboration on adoption services;</p>
<b>“Secondment Agreement”</b>	<p>an agreement made between the Councils for the secondment of staff from one Council to the Host Council or another Council relating to arrangements for the discharge of the Specified and Agreed Functions pursuant to this Agreement;</p>
<b>“Section 151 Officer”</b>	<p>the officer designated by a local authority as the person responsible for the proper administration of its financial affairs as required by section 151 of the Local Government Act 1972;</p>
<b>“Hosting Agreement”</b>	<p>an agreement made between the Councils pursuant to this Agreement relating to arrangements for the provision of specified support by the Host Council to assist the Joint Committee to discharge the Specified and Agreed Functions delegated to it pursuant to this Agreement;</p>
<b>“Services”</b>	<p>the Services to be provided on behalf of the Councils pursuant to the discharge of the Specified and Agreed Functions being set out at Schedule 5</p>
<b>“Specified Functions”</b>	<p>the functions relating to adoption to be discharged by the Joint</p>

Committee pursuant to this Agreement being set out at Schedule 5 and any other functions which from time to time the Councils arrange for the Joint Committee or one or other of the Councils to discharge pursuant to the Powers;

**“Staff Transfer Agreement”**

an agreement made between the Councils for the transfer of staff from one Council to the Host Council or another Council relating to arrangements for the discharge of the Specified and Agreed Functions pursuant to this Agreement;

- 1.2 References to any statute or statutory provision shall, unless the context otherwise requires, be construed in accordance with the Interpretation Act 1978.
- 1.3 The headings are inserted for convenience only and shall not affect the construction of this Agreement.
- 1.4 Words importing one gender include all other genders and words importing the singular include the plural and vice versa.
- 1.5 A reference in this Agreement to any clause, paragraph or schedule is, except where it is expressly stated to the contrary, a reference to a clause or paragraph of or schedule to this Agreement.
- 1.6 Any reference to this Agreement or to any other document unless otherwise specified shall include any variation, amendment or supplements to such document expressly permitted by this Agreement or otherwise agreed in writing between the relevant parties.
- 1.7 Words preceding “include”, “includes”, “including” and “included” shall be construed without limitation by the words which follow those words unless inconsistent with the context, and the rule of interpretation known as “*eiusdem generis*” shall not apply.
- 1.8 The schedules form part of this Agreement and will have the same force and effect as if expressly set out in the body of this Agreement and references to this Agreement includes the Schedules.
- 1.9 References to “the parties” shall be to the parties to this Agreement.

**2. Aims of Joint Discharge of Functions**

2.1 The aims of the joint discharge of the Specified Functions relating to adoption services under the provisions of this Agreement are:

- (a) The consistent delivery of high quality adoption services throughout Wales.



- (b) Keeping delay to a minimum in the placement of children for adoption.
- (c) Ensuring the widest choice possible of placements for adoption of children.
- (d) Ensuring that high quality and timely training and assessment for prospective adopters is consistently available.
- (e) Improving the process of matching children with prospective adopters.
- (f) The streamlining of adoption processes and improved liaison between social workers involved in adoption cases.
- (g) Keeping adoption breakdown to a minimum by the provision of adoption support services according to assessed need.
- (h) Collaborative working between local authorities, registered adoption societies, NHS local health boards and NHS Trusts and education services.

2.2 The aims of the joint discharge of the Agreed Functions relating to fostering are:

- (a) To support the strategic oversight of Foster Wales.
- (b) To consider the implications at local and regional level arising from the transition to Foster Wales.
- (c) To consider the development needs of services at local, regional, and national level.
- (d) To seek and support solutions to overcome barriers and challenges.
- (e) To continue to develop and maintain collaboration across local authority fostering.
- (f) To consider reports presented, agree actions, make decisions, and monitor progress.
- (g) To consider performance reports and monitor KPIs as identified and agreed.
- (h) To make recommendations for future areas of work programme development.

2.3 The Director of Operations and a central team of staff to support the Director of Operations are employed by the Host Council to fulfil a range of functions related to leadership, management and oversight of the National Adoption Service. The functions of the Director of Operations and central team include:

- (a) Providing leadership to set the direction for the National Adoption Service including strategic planning by agreeing priorities, targets and resourcing following engagement with partners and stakeholders as well as support to operational planning.

- (b) Reviewing progress including analysis of performance data and service information from the regions and Registered Adoption Agencies (otherwise known as Voluntary Adoption Agencies (VAA's's).
- (c) Providing annual and mid-year reports each year for agreement by the Combined Governance Board, endorsed by the Joint Committee and submission to Welsh Ministers as well as to WLGA and the Association of Directors of Social Services Cymru where required.
- (d) Providing specific functions nationally to support and enable National Adoption Service operations (currently as below).
- (e) Establishing and maintaining a website for the National Adoption Service for Wales.
- (f) Management of the Adoption Register for Wales (under contract from Welsh Government).
- (g) Commissioning and contracting national contracts to support service delivery functions and support.
- (h) Maintaining arrangements for service user engagement across Wales.
- (i) Leadership, matrix management oversight, advice and support to regions and VAA's.
- (j) Promotion of best practice and a culture of continuous improvement throughout the National Adoption Service.
- (j) Securing appropriate resourcing through new / additional finance or re-profiling of existing as well as managing the central team allocation, grants and investment.
- (k) Strategic commissioning as necessary for the discharge of functions.
- (l) Maintaining arrangements for national governance and allied sub / task & finish groups to engage stakeholders in carrying out the actions / work agreed by the Combined Governance Board.
- (m) Promotion of adoption, including national PR and marketing and the provision of the 'face and voice' of adoption in Wales.
- (n) Stakeholder and relationship management including with allied services and organisations in Wales and UK, Ministers and Welsh Government.
- (o) Strategic support and enabling functions, as agreed, for the National Fostering Framework / Foster Wales.

2.4 In addition Schedule 7 sets out a Scheme of Functions delegated to the Director of Operations to facilitate the achievement of the objectives of this Agreement.

### **3. Establishment of a Joint Committee**

3.1 In exercise of their powers under sections 101(5) and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act

2000 and all other enabling powers the Councils hereby create a joint committee to be known as the National Adoption Joint Committee with effect from the Commencement Date.

- 3.2 The Joint Committee shall take decisions relating to the use of the National Adoption Service budget which shall be provided as a topslice from the Revenue Support Grant via the Welsh Local Government Association for the discharge of the Specified Functions, a similar topslice from the Revenue Support Grant via the Welsh Local Government Association for the discharge of the Agreed Functions, to meet the costs of the Host Council and the Joint Committee relating to this Agreement and shall have regard to reports and advice from the Combined Governance Board, Lead Heads of Children's Service's Meeting and Director of Operations.
- 3.3 The Joint Committee shall ensure the Scheme of Delegation set out in Schedule 7 is kept under review in accordance with paragraphs 5.2 and 5.3 of Schedule 7.
- 3.4 The Joint Committee shall operate and conduct its business in accordance with the terms of this Agreement including the Constitution set out at Schedule 1.
- 3.5 The Joint Committee shall review the terms of reference of the Joint Committee towards the end of each council term and shall make recommendations to the Councils and the WLGA for their consideration as to any amendments that the Joint Committee are required to discharge the Specified and Agreed Functions in accordance with the Directions.
- 3.6 This Agreement is without prejudice to each Council's other powers and responsibilities for its area.

#### **4. Establishment of Combined Governance Board and other advisory groups**

- 4.1 The Councils have established the Combined Governance Board. The Combined Governance Board shall act as an advisory group to the Joint Committee and shall discharge the role of the Governance Board and Advisory Group which the Councils are required by the Directions to establish for the purpose of providing national oversight of regional collaboration arrangements over adoption services.
- 4.2 The terms of reference of the Combined Governance Board shall be as set out in Schedule 2.
- 4.3 In respect of fostering services, the Councils have established the Lead Head of Children's Services Group as an advisory group to the Joint Committee. The Lead Head of Children's Services Group shall advise the Joint Committee on issues relating to Foster Wales. The terms of reference for the Lead Head of Children's Services Group shall be as set out in Schedule 6.
- 4.4 The Joint Committee may establish other advisory groups to advise the Joint Committee.

## **5. Arrangements for the Discharge of Functions**

- 5.1 The Councils agree to use their Powers to enter into these arrangements under which the Joint Committee shall discharge on their behalf the Specified and Agreed Functions.
- 5.2 The Joint Committee shall discharge the Specified and Agreed Functions through the Host Council which shall, subject to and within the limitations and constraints of the resources allocated and paid to it pursuant to this Agreement, deliver the Services to support the delivery of the Specified and Agreed Functions. The Councils agree and acknowledge that the responsibility for discharging the Specified and Agreed Functions will none the less remain with the Joint Committee and notes the limitation of the Host Council's liability in that regard.
- 5.3 The Joint Committee may agree to bring additional functions and services within the scope of this Agreement but the Joint Committee may not agree to do so unless it has first received approval from all the Councils to discharge the additional functions and deliver the additional services. The provisions of this Agreement shall apply to any such additional functions and services.
- 5.4 The Councils here by agree the Financial Memorandum. The Councils shall have the discretion to agree variations to the Financial Memorandum at any time without varying the rest of this Agreement. For the avoidance of any doubt variation of the Financial Memorandum is subject to unanimous agreement of the Councils and is not a matter for decision by the Joint Committee.

Each of the Councils shall contribute to the costs of the discharge of the Specified and Agreed Functions pursuant to this Agreement in accordance with the terms of the body of this Agreement and the Financial Memorandum. Subject to the overarching terms set out in this Agreement, particulars of the arrangement may be further detailed, (including for example the mechanics of payment), in any Hosting Agreement, Secondment Agreement or Staff Transfer Agreement that may be entered into by the Councils.

- 5.5 The Councils intend to enter into a Hosting Agreement with the County Council of the City and County of Cardiff for the delivery of services (subject to all Councils being satisfied as to the terms and conditions proposed) pursuant to the discharge of the Specified and Agreed Functions. The Councils may enter into further Hosting Agreements to record the detailed requirements of further individual arrangements made in connection with the discharge of the Specified and Agreed Functions pursuant to this Agreement.
- 5.6 The Councils may also enter into a Secondment Agreement to record the arrangements for the secondment of staff for further individual arrangements made in connection with the discharge of the Specified and Agreed Functions pursuant to this Agreement.
- 5.7 The Councils may also agree to enter into a Staff Transfer Agreement to record the arrangements for the transfer of staff for further individual

arrangements made in connection with the discharge of the Specified and Agreed Functions pursuant to this Agreement.

## **6. Governance**

- 6.1 The Councils each undertake to ensure that they make any changes to their own constitutions as are necessary to facilitate the operation of this Agreement. Each Council shall notify the other Councils and WLGA in writing within twenty-eight days of the date of this agreement either that it has made (or is in the process of making) the necessary changes to its constitution or that no changes are considered necessary.

## **7. Appointment of Host Council**

- 7.1 Subject to the provisions of clauses 7.2 and 7.3 the Councils agree that the Council of the City and County of Cardiff should be the Host Council for the purposes of this Agreement.

- 7.2 The Council of the City and County of Cardiff and any other Council which is appointed as Host Council may terminate its appointment as Host Council by giving not less than twelve months' written notice or such other period of notice as is agreed by all the Councils to the other Councils of its intention to terminate its appointment. Such twelve months' written notice shall end at the end of a financial year.

- 7.3 The Joint Committee may terminate the appointment of City and County of Cardiff Council or any other Council as the Host Council by giving at not less than twelve months' written notice or such other period of notice as is agreed by all the Councils to the Host Council of the Joint Committee's intention to terminate the appointment of the Host Council. Such twelve months' written notice shall end at the end of a financial year.

- 7.4 If the appointment of a Council as the Host Council is terminated in accordance with clause 7.2 or clause 7.3 the Joint Committee may appoint one of the Councils as Host Council such appointment to be effective from the commencement of the financial year following the expiry of notice of termination under clause 7.2 or 7.3.

- 7.5 If the appointment of a Council as the Host Council is terminated in accordance with clause 7.2 or clause 7.3 any outstanding payment due to that Council from the Joint Committee for costs incurred in the role of the Host Council and any costs it incurs upon or as a consequence of Termination shall be paid in accordance with the terms of this Agreement, including the Financial Memorandum.

- 7.6 Any dispute over the appointment or the termination of the appointment of a Council as the Host Council shall be dealt with in accordance with the dispute resolution procedure in clause 23 of this Agreement.

## **8. Responsibilities of the Host Council**

- 8.1 (i) Subject to and within the limitations of the funding allocated and received by the Host Council, the Host Council shall provide Assets, staff and other resources as are necessary to discharge the Specified and Agreed Functions pursuant to this Agreement.

(ii) Subject to the overarching terms and principles set out in in this Agreement, in particular clause 13, the detailed provisions as to the payment of the costs of the Host Council in providing such Assets, staff and other resources shall be in accordance with a Hosting Agreement between the Councils, and the Host Council and shall be facilitated by the Welsh Local Government Association. Any such Hosting Agreement must be in a form to the satisfaction of the Host Council.

8.2 The Host Council shall employ the Director of Operations and the staff required for undertaking the national functions.

8.3 The Host Council has agreed and arranged for the Director of Operations to have the day-to-day responsibility for the management and delivery of the Services.

8.4 In carrying out its role the Host Council shall have regard to :

- (a) all applicable Laws and Regulations.
- (b) best practice.
- (c) the aims, principles and objectives of this Agreement and any applicable policies agreed by the Councils.
- (d) any relevant guidance issued or specified by the Care and Social Services Inspectorate Wales and any other relevant regulator.
- (e) the Councils duties under the Welsh Language (Wales) Measure 2011.

And shall facilitate the proper discharge of the Specified and Agreed Functions of the Councils and discretionary provision of in-scope elements of the Services.

8.4.2 The Host Council shall ensure that its health and safety policy statements together with related policies and procedures are made available to the Joint Committee on request.

8.4.3 The Host Council shall comply with any investigation by any statutory ombudsman or tribunal relating to the discharge of the Specified or Agreed Functions.

## **9. Expenses of Joint Committee Members**

9.1 Each Council shall be responsible for meeting any expenses to which any Joint Committee Member or officer appointed by it as its representative is entitled as a result of their attendance at duly authorised meetings.

## **10. Monitoring Officer**

10.1 The Councils agree that at the date of the Agreement the Monitoring Officer of Cardiff Council shall act as Monitoring Officer for the Joint Committee. The appointment of Cardiff Council's Monitoring Officer as Monitoring Officer to the Joint Committee shall cease at the earlier of (i) such date as Cardiff Council ceases to act as Host Council or (ii) the Councils unanimously decide to appoint the Monitoring Officer of a different Council as Monitoring Officer to the Joint Committee pursuant to clause 10.2.

- 10.2 The Councils may decide that the Monitoring Officer of a different Council shall be designated as Monitoring Officer for the Joint Committee. This shall require a unanimous decision from the Councils. Following such a decision the Host Council shall notify the officer who is currently acting as Monitoring Officer and the officer who has been designated as Monitoring Officer for the future.
- 10.3 The Councils acknowledge and agree that the Monitoring Officer will need to be provided with such resources as the Monitoring Officer considers sufficient to allow her to perform her duties and that this will be a cost of the Joint Committee.
- 10.4 For such time as the Host Council and the Monitoring Officer to the Joint Committee is being performed by the same Council then the Monitoring Officer's cost will be added to the Host Council's costs and the provisions of clause 13 of this Agreement shall apply.

## **11. Reviews**

- 11.1 The Joint Committee shall review the discharge of the Specified and Agreed Functions at least annually alongside the Combined Governance Board reviewing service progress and performance quarterly and reporting to the Joint Committee on the results of its review.
- 11.2 The Director of Operations shall submit a quarterly report to the Combined Governance Board and an annual report to the Joint Committee, setting out details of:
- (a) The performance of the Specified and Agreed Functions.
  - (b) Income and expenditure and compliance with the Financial Memorandum.
- 11.3 The Councils and the Regional Collaboratives shall carry out a review of their discharge of the regional Specified Functions for adoption and provide the following to the Director of Operations
- (a) An annual work programme by 31 March each year
  - (b) Quarterly performance reporting
  - (c) An annual report by 31 May each containing the items detailed in the Directions.
- 11.4 The Director of Operations will use this information as the basis for reporting to the Joint Committee for adoption services.

## **12. Audit**

- 12.1 The discharge of the Specified and Agreed Functions on behalf of the Councils and the finances relating to the discharge of the Specified or Agreed Functions shall be subject to an annual external audit by the central team of the National Adoption Service which shall be commissioned by the Host Council in accordance with the Host Council's audit processes.

### **13. Costs of Discharge of Functions**

- 13.1 The Host Council agrees that any of the Services it provides for the discharge of the Specified and Agreed Functions shall be on a cost recovery basis. For the avoidance of any doubt such costs shall be deemed to include all costs incurred howsoever arising, including , without limitation to the generality of the foregoing;
- (i) costs of any additional employees required in order to carry out the Host Council role/provide capacity to carry out such role and all associated recruitment costs,
  - (ii) all employee related costs including on costs,pension strain, termination costs and any employee related claims,
  - (iii) fees and charges incurred (including external fees or charges for any third party services, goods or works procured) and
  - (iv) expenses, legal costs, claims, damages, insurance premiums and the like that the Host Council reasonably incurs in carrying out its role.
- 13.2 The Councils shall each year apply the central National Adoption Services budget to fund the payment of the costs of the Host Council. Any shortfall in such funding shall be paid by the Councils within 30 days of demand by the Host Council and as follows. Each Council's contribution shall be calculated by reference to their respective percentage contribution as set out in the Financial Memorandum.
- 13.3 To aid transparency and accountability the Host Council shall:
- (i) Provide the Joint committee, at its first meeting, with a report outlining its estimated costs for acting as Host Council for the financial year 2022/2023. For the avoidance of any doubt the estimated costs submitted will be for noting purposes only and the Council's will be obliged to meet the Hosts Council's actual costs as set out in this Agreement.
  - (iii) For each subsequent financial year ('Subsequent Financial Year') the Host Council shall, prior to the Subsequent Financial Year in question, present to the Joint committee a report as to its estimate costs for acting as Host Council for the Subsequent Financial Year.
  - (iii) If, in any year, the Joint Committee does not find acceptable the estimated costs for the Subsequent Financial year then the Joint Committee may terminate the appointment of the then Host Council and the provision of clause 7.3 shall be deemed to apply save that the termination date of the appointment of the then Host Council shall be the 31<sup>st</sup> March, in the financial year proceeding the Subsequent Financial Year or such latter date as all the Councils may agree.
  - (iv) As part of its financial reporting to the Joint Committee the Host Council shall from time to time present to the Joint Committee reports of the actual costs incurred in carrying out the Host Council role.
- 13.4 The Host Council in determining the level of resources it requires to carry out its role under the Agreement shall (i) act responsibly and prudently (ii) use its reasonable endeavours to put in place and maintain in place sufficient assets staff and other resource to undertake its role and (iii) wherever reasonably practicable report to the Joint Committee and/or Director of Operations for information if in any financial year its costs are likely to materially exceed the estimated costs that have previously been submitted to the Joint Committee.



**14. Costs of the Joint Committee**

14. The Councils shall apply the central National Adoption Services budget to fund any costs of the Joint Committee, including the Host Councils costs. Any shortfall in such funding shall be paid by the Councils. Each Council's contribution shall be calculated by reference to their respective percentage contribution as set out in the Financial Memorandum. The Welsh Local Government Association shall be responsible for the administration of the payment of costs involved in the administration of the Joint Committee.

**15. Liabilities Under This Agreement**

15.1 The Host Council shall indemnify and keep indemnified each of the other Councils to this Agreement against any losses, claims, expenses, actions, demands, costs and liability suffered by that Council to the extent arising from any wilful default or wilful breach by the Host Council of its obligations under this Agreement or its statutory duties (and "wilful" in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of the Host Council or matters arising from any negligent act or omission in relation to such obligations).

15.2 No claim shall be made against the Host Council by the other Councils or any of them to recover any loss or damage which may be incurred by reason of or arising out of the carrying out by the Host Council of its obligations under this Agreement unless and to the extent such loss or damage arises from a wilful default or wilful breach by the Host Council under clause 15.1.

15.3 Each of the other Councils (acting severally) shall indemnify and keep indemnified the Host Council against all losses, claims, expenses, actions, demands, costs and liabilities which the Host Council may incur by reason of or arising out of the carrying out by the Host Council of its obligations under this Agreement for that Council or arising from any wilful default or wilful breach by a Council of its obligations under this Agreement (and wilful in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of that Council or matters arising from any negligent act or omission in relation to such obligations) unless and to the extent that the same result from any wilful breach by the Host Council of any such obligations.

15.4 The amount to be paid to the Host Council by any of the other Councils under clause 15.3 shall be borne by each of the Councils to the extent of its responsibility, however in the event that the responsibility is a shared one between the Councils (so that it is not reasonably practicable to ascertain the exact responsibility between the Councils) then the amount to be paid shall be divided between the Councils on a Proportionate Basis.

15.5 In the event of a claim under this clause 15 in which it is not reasonably practicable to determine the extent of responsibility as between the Councils then the amount shall be divided amongst the Councils on a Proportionate Basis.

15.6 A Council which receives a claim for losses, expenses, actions, demands, costs and liabilities related to the discharge of the Specified and Agreed

Functions shall notify and provide details of such claim as soon as is reasonably practicable to the other Councils.

- 15.7 Failure to give notice in accordance with clause 15.6 shall not relieve a party of its obligations to indemnify another under this clause 15.
- 15.8 Each Council shall not be obliged to indemnify the other Councils to the extent that the insurances maintained by the other Councils at the relevant time provide an indemnity against the loss giving rise to a claim and to the extent that another Council recovers under a policy of insurance save that the Council responsible for liabilities suffered by another Council shall be responsible for (i) the deductible under any such policy of insurance (ii) any amount over the maximum amount insured under such policy of insurance and (iii) any resultant increase in future year premiums (for a maximum of 10 years) incurred by the Council who claims on its insurance.
- 15.9 The indemnities given under this Agreement are in addition to any Hosting Agreement between the Host Council and any of the other Councils.

## **16. Duration of this Agreement**

- 16.1 This Agreement shall come into force on the Commencement Date and shall continue from year to year or until terminated in accordance with the provisions of this Agreement.

## **17. Variation of This Agreement**

- 17.1 Any of the Councils may request a variation to this Agreement by making such a written request to the officer acting as Monitoring Officer to the Joint Committee.
- 17.2 The officer acting as Monitoring Officer to the Joint Committee shall circulate the request to each of the Councils within ten Business Days of receipt of the request for consideration and approval by the Councils.
- 17.3 If each of the Councils approve such variation, then the officer acting as Monitoring Officer to the Joint Committee shall arrange for the preparation of an appropriate Deed of Variation to this Agreement to be prepared for execution by the Councils and such change shall only take effect upon completion of that Deed and the costs associated with the preparation of such Deed of Variation shall be shared equally between the Councils. Such Deed of Variation may be executed in parts by each Council that is then a party to this Agreement.
- 17.4 If one of the Councils does not approve such variation, then the variation to this Agreement shall not occur.

## **18. Withdrawal from the Joint Committee on Notice**

- 18.1 Any Council may withdraw from the Joint Committee in accordance with the following procedure:
- 18.2 Any Council which wishes to withdraw from the Joint Committee shall give not less than twelve months' written notice terminating at the end of a financial year to the other Councils and the officer acting as Monitoring

Officer to the Joint Committee shall consult the other Councils giving due consideration to:

- (a) Any loss of funding arising from such withdrawal and including any non-payment, clawback or repayment of such funding;
- (b) Any other loss, liability, damage, claim or expense,

which would be incurred by the Councils upon which notice has been served by reason of such withdrawal from the Joint Committee.

18.3 Any Council wishing to withdraw from the Joint Committee undertakes as a condition of such withdrawal to make, prior to withdrawal such reasonable payment or payments which fairly reflect the actual losses caused by or anticipated as a result of the withdrawal as shall be determined by the other Councils pursuant to clauses above and no notice under this clause 18 shall take effect unless and until such payment has been agreed or referred to the Dispute Resolution procedure under Clause 22.

18.4 Subject to the provisions of clause 15 or unless agreed otherwise by the parties, each Council reserves the right to recover from any party to this Agreement the costs of any claims, costs, expenses, losses or liabilities of any nature or which have been caused by any act or omission of that party and which are discovered after the party's withdrawal from this Agreement.

18.5 Any Council that withdraws from the Joint Committee shall be responsible for ensuring that it is able to comply with its legal obligations in respect of the discharge of the Specified and Agreed Functions. Any Council that withdraws from the Joint Committee shall include in its notice to the other Councils confirmation that it shall comply with its legal obligations in respect of the discharge of the Specified and Agreed Functions

**19. Termination of this Agreement for Cause**

19.1 Without prejudice to any other rights or remedies, this Agreement may be terminated in relation to any other Council ("Defaulter") by the other Councils ("Non-Defaulting Councils") acting unanimously in giving sixty-five Business Days written notice to the Defaulter where the Defaulter materially breaches any of the provisions of this Agreement or in the case of a breach capable of remedy fails to remedy the same within thirty Business Days (or such other period as agreed by the Non-Defaulting Councils) of being notified of each breach in writing by the Non-Defaulting Councils and being required to remedy the same.

19.2 If this Agreement is terminated each Council shall be responsible for ensuring that it is able to comply with its legal obligations in respect of the discharge of the Specified and Agreed Functions.

**20. Termination of the Agreement by Agreement**

20.1 The Councils agree that this Agreement may be determined upon terms agreed by all the Councils.

20.2 Upon termination of this Agreement the parties agree that the Joint Committee shall cease to exist and any arrangement for the discharge of

Specified and Agreed Functions which has been made pursuant to this Agreement shall cease on the expiry of the notice period specified in the relevant Hosting Agreement and the Specified and Agreed Functions shall be returned to the Councils which were responsible for them prior to this Agreement.

- 20.3 If this Agreement is terminated each Council shall be responsible for ensuring that it is able to comply with its legal obligations in respect of the discharge of the Specified and Agreed Functions.

## **21. Termination – Consequential Matters**

- 21.1 In the event of termination of this Agreement under Clause 20 as the case may be, any party shall supply to any other party when requested any information which the other party requires for the continuing discharge of the Specified and Agreed Functions; and
- 21.2 Any Intellectual Property Rights created under this Agreement shall be owned by the then parties in equal proportions; and
- 21.3 Each of the parties shall undertake to make such reasonable payment or payments which fairly reflect the obligations of that Council pursuant to this Agreement.
- 21.4 In the event of termination of this Agreement all Assets held by any of the Councils for the purposes of this Agreement shall be dealt with in accordance with the Financial Memorandum.
- 21.5 The Host Council shall: -  
21.5.1 be reimbursed by the Councils for all costs it incurs upon or as a consequence of Termination with each Council's contribution to such costs being calculated by reference to their respective percentage contribution as set out in the Financial Memorandum and  
21.5.2. transfer any relevant information it holds to the Council to which the relevant information relates.
- 21.6 It shall be the duty of the Councils to try to minimise any losses arising from the termination of this Agreement.
- 21.7 Each Council is responsible for its own compliance with the Directions and any other relevant law that applies to the Specified and Agreed Functions and shall take any action necessary to ensure that it is able to comply with its legal obligations following termination of this Agreement.

## **22. Dispute Resolution**

- 22.1 The Councils undertake and agree to pursue a positive approach towards dispute resolution which seeks in the context of this joint working arrangement to identify a solution at the lowest operational level that is appropriate to the subject of the dispute, and which avoids legal proceedings and maintains a strong working relationship between the parties.
- 22.2 Any dispute arising in relation to any aspect of this Agreement shall be resolved in accordance with this clause 22.

- 22.3 All disputes, claims or differences between the Councils arising out of or in connection with this Agreement or its subject matter or formation, including any question regarding its existence, validity or termination, (a "Dispute") shall be referred to the Director of Operations who shall produce and implement a plan for resolving the dispute.
- 22.4 If the plan of the Director of Operations does not resolve the dispute it may at the written request of any Council involved in the dispute, be referred by each Council to its chief executive.
- 22.4 If the Councils' chief executives do not agree a resolution of the Dispute within one month of the date of service of any such request, the Councils may agree a process to attempt to settle the Dispute by mediation or arbitration.

## **23. Notices**

### **Form of Notice**

- 23.1 Any demand, notice or other communication given in connection with or required by this Agreement shall be made in writing and shall be delivered to or sent by pre-paid first class post to the recipient at the address stated in Schedule 3 (or such other address as may be notified in writing from time to time) or sent by facsimile transmission to the recipient to the facsimile number stated in Schedule 3 or sent electronically to the e-mail address stated in Schedule 3.

### **Service**

- 23.2 Any such demand, notice or communication shall be deemed to have been duly served:
- (a) If delivered by hand, when left at the proper address for service.
  - (b) If given or made by pre-paid first-class post two Business Days after being posted;
  - (c) If sent by facsimile at the time of transmission provided that a confirmatory copy is on the same day that the facsimile is transmitted sent by pre-paid first class post in the manner provided for in clause 23.1 Provided That in each case that if the time of such deemed service is either after 4.00pm on a Business Day or on a day other than a Business Day service shall be deemed to occur at 10.00am on the next following Business Day; or
  - (d) If sent by e-mail, when it has been sent to the e-mail address stated in Schedule 4 and receipt of such e-mail has been acknowledged.

## **24. Information and Confidentiality**

- 24.1 Without prejudice to clauses 25 and 26 the parties shall keep confidential all matters relating to this Agreement or the Intellectual Property Rights of the parties and shall use all reasonable endeavours to prevent their employees and agents from making any disclosure to any person of any matter relating to the Agreement or Intellectual Property Rights of the parties.

24.2 Clause 24.1 shall not apply to:

- (a) Any disclosure of information that is reasonably required by persons engaged in the performance of their obligations under this Agreement.
- (b) Any matter which a party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of this clause.
- (c) Any disclosure which is required by any law (including any order or a court of competent jurisdiction) any Parliamentary obligation or the rules of any stock exchange or governmental or regulatory authority having the force of law.
- (d) Any disclosure of information which is already lawfully in the possession of the disclosing party prior to its disclosure by the disclosing party.
- (e) Any disclosure which is required or recommended by the rules of any governmental or regulatory authority including any guidance from time to time as to openness and disclosure of information by public bodies.
- (f) Any disclosure which is necessary to be disclosed to provide relevant information to any insurance broker in connection with obtaining any insurance required by this Agreement.
- (g) Any disclosure by a party to a department, office or agency of the Government.
- (h) Any disclosure for the purpose of the examination and certification of a party's accounts.

Where disclosure is permitted under clauses 24.2(a), 24.2(f), 24.2(g), or 24.2(h) the recipient of the information shall be placed under the same obligation of confidentiality as that contained in this Agreement by the disclosing Council.

## **25. Data Protection**

25.1 In relation to the subject matter of this agreement each party undertakes at all times to comply with the Data Protection Legislation. This clause 25 is in addition to and does not relieve remove or replace a party's obligations under the Data Protection Legislation.

25.2 Each Council:

- (a) Shall process Personal Data belonging to any other Council only on the instructions of that Council (subject to compliance with applicable law);
- (b) Shall only undertake processing of Personal Data reasonably required in connection with this Agreement.
- (c) Shall ensure that it has in place appropriate technical and organisational measures to protect against unauthorised or unlawful processing of Personal Data and against accidental loss or destruction

of or damage to Personal Data appropriate to the harm that might result from the unauthorised or unlawful processing or accidental loss destruction or damage and the nature of the data to be protected having regard to the state of technological development and the cost of implementing any measures (those measures may include where appropriate pseudonymising and encrypting Personal Data ensuring confidentiality integrity availability and resilience of its systems and services ensuring (subject to the terms of any third party arrangements that may be in place) that availability of and access to Personal Data can be restored in a timely manner after an incident and regularly assessing and evaluating the effectiveness of the technical and organisational measures adopted by it);

- (d) Shall ensure that all personnel who have access to and/or process Personal Data are obliged to keep the Personal Data confidential.
- (e) Shall not transfer any Personal Data outside of the European Economic Area unless the prior written consent of the other Councils has been obtained and the following conditions are fulfilled.
  - (i) The Council transferring the Personal Data has provided appropriate safeguards in relation to the transfer.
  - (ii) The data subject has enforceable rights and effective legal remedies.
  - (iii) The Council transferring the Personal Data complies with its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred
- (f) Shall assist the other Councils in responding to any request from a data subject and in ensuring compliance with their obligations under the Data Protection Legislation with respect to security breach notifications impact assessments and consultations with supervisory bodies.
- (g) Shall use its reasonable endeavours to procure that all relevant sub-contractors and third parties comply with this clause 25.

25.3 The Councils shall not disclose Personal Data to any third parties other than:

- (a) To employees and sub-contractors and third parties to whom such disclosure is reasonably necessary in order for the Councils to discharge the Councils' obligations in relation to this Agreement; or
- (b) To the extent required under a court order or to comply with any applicable laws

provided that any disclosure to any sub-contractor or any third parties under clause 25.3 shall be made subject to written terms substantially the same as, and no less stringent than, the terms contained in this clause 25 and that the Councils shall give notice in writing to all other Councils of any disclosure of Personal Data belonging to them which they or a sub-contractor or third parties are required to make under clause 25 immediately they are aware of such a requirement.

- 25.4 Any Council may, at reasonable intervals, request a written description of the technical and organisational methods employed by any other Council and the relevant sub-contractors. Within five Business Days of such a request, the Council requested to do so shall supply written particulars of all such measures as it is maintaining detailed to a reasonable level such that the requesting Council can determine whether or not, in connection with the Personal Data, it is compliant with the Data Protection Legislation. Each Council shall use its reasonable endeavours to ensure that the sub-contractors and any third parties also comply with such request from any other Council.
- 25.5 All Councils shall ensure that any Personal Data they obtain and provide to any other Council has been lawfully obtained and complies with the Data Protection Legislation and that the use thereof in accordance with this Agreement shall not breach any of the provisions of the Data Protection Legislation.
- 25.6 Each Council shall provide the other Councils as soon as reasonably practicable, with such information in relation to Personal Data and their processing as the other Councils may reasonably request in writing and the party asked to provide the relevant data may reasonably be able to provide in order for the other Council to comply with its obligations under this clause and the Data Protection Legislation.
- 25.7 Each Council shall take reasonable precautions (having regard to the nature of their respective obligations under this Agreement) to preserve the integrity of any Personal Data.
- 25.8 The Councils shall continually review any existing information sharing protocols being used in relation to this Agreement to ensure they remain relevant and to identify which Personal Data needs to be processed and on what basis to ensure compliance with this clause 25.
- 25.9 Each Council shall maintain complete and accurate records to demonstrate its compliance with this clause 25.

## **26. Freedom of Information**

- 26.1 The parties recognise that the Councils are public authorities as defined by FOI Legislation and therefore recognise that information relating to this Agreement may be the subject of an Information Request.
- 26.2 The Councils shall assist each other in complying with their obligations under FOI Legislation, including but not limited to assistance without charge in gathering information to respond to an Information Request.
- 26.3 Any Council shall be entitled to disclose any information relating to this Agreement and the Specified and Agreed Functions in response to an Information Request save that in respect of any Information Request which is in whole or part a request for Exempt Information.
- 26.4 The Council which receives the Information Request shall circulate the Information Request and shall discuss it with the other Councils and the Director of Operations.



- 26.5 The Council which receives the Information Request shall in good faith consider any representations raised by other Councils when deciding whether to disclose Exempt Information and
- 26.6 The Council which receives the Information Request shall not disclose any Exempt Information beyond the disclosure required by FOI Legislation without the consent of the Council or Councils to which it relates.
- 26.7 The parties to this Agreement acknowledge and agree that any decision made by a Council which receives an Information Request as to whether to disclose information relating to this Agreement pursuant to FOI Legislation is solely the decision of that Council. A Council will not be liable to any party to this Agreement for any loss, damage, harm or detrimental effect arising from or in connection with the disclosure of information in response to an Information Request.

## **27. Intellectual Property**

- 27.1 Each Council will retain all Intellectual Property in its Material.
- 27.2 Each Council will grant all of the other Councils a non-exclusive, perpetual, non-transferable and royalty free licence to use, modify, amend and develop its IP Material for the discharge of the Councils' obligations in relation to this Agreement whether or not the Council granting the licence remains a party to this Agreement.
- 27.3 Without prejudice to clause 27.1, if more than one Council owns or has a legal or beneficial right or interest in any aspect of the IP Material for any reason (including without limitation that no one Council can demonstrate that it independently supplied or created the relevant IP Material without the help of one or more of the other Councils), each of the Councils who contributed to the relevant IP Material will grant to all other Councils to this Agreement a non-exclusive, perpetual, non-transferable and royalty free licence to use and exploit such IP Material as if all the other Councils were the sole owner under the Copyright Design and Patents Act 1988 or any other relevant statute or rule of law.
- 27.4 Any entity or person who is at the date of this Agreement a party to this Agreement and who has licensed any Intellectual Property under this Agreement shall have a non-exclusive, perpetual right to continue to use the licensed Intellectual Property.
- 27.5 Each Council warrants that it has or will have the necessary rights to grant the licences set out in clause 27.2 and 27.3 in respect of the IP Material to be licensed.
- 27.6 Each Council agrees to execute such further documents and take such actions or do such things as may be reasonably requested by any other Councils (and at the expense of the Council or Councils making the request) to give full effect to the terms of this Agreement.

## **28. Language**

- 28.1 The Joint Committee shall arrange for the Specified and Agreed Functions to be discharged in such a way that each of the Councils comply with their duties under the Welsh Language (Wales) Measure 2011

## **29. Severability**

- 29.1 If at any time any clause or part of a clause or schedule or appendix or part of a schedule or appendix to this Agreement is found by any court, tribunal or administrative body of competent jurisdiction to be wholly or partly illegal, invalid or unenforceable in any respect:

- (a) That shall not affect or impair the legality, validity or enforceability of any other provision of this Agreement.
- (b) The parties shall in good faith amend this Agreement to reflect as nearly as possible the spirit and intention behind that illegal, invalid or unenforceable provision to the extent that such spirit and intention is consistent with the laws of that jurisdiction and so that the amended Agreement complies with the laws of that jurisdiction.

## **30. Relationship of Parties**

- 30.1 Each of the parties is an independent organisation and nothing contained in this Agreement shall be construed to imply that there is any relationship between the parties of partnership or principal/agent or of employer/employee. No party shall have any right or authority to act on behalf of another party nor to bind another party by contract or otherwise except to the extent expressly permitted by the terms of this Agreement.

## **31. Third Party Rights**

- 31.1 The parties to this Agreement do not intend that any of its terms will be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it.

## **32. Entire Agreement**

- 32.1 This Agreement and all documents referred to in this Agreement set forth the entire agreement between the parties with respect to the subject matter covered by them and supersede and replace all prior communications, representations (other than fraudulent representations), warranties, stipulations, undertakings and agreements whether oral or written between the parties. Each party acknowledges that it does not enter into this Agreement in reliance on any warranty, representation or undertaking other than those contained in this Agreement and that its only remedies are for breach of this Agreement, provided that this shall not exclude any liability which either party would otherwise have to the other in respect of any statements made fraudulently by or on behalf of it prior to the date of this Agreement.

## **33. Law of Agreement or Jurisdiction**

- 33.1 This Agreement shall be governed by the laws of England and Wales and the parties submit to the exclusive jurisdiction of the courts of England and Wales.

**34. Discretion of the Councils**

- 34.1 The discretion of any Council shall not be fettered or otherwise affected by the terms of this Agreement.

THE COMMON SEAL OF

[        ] Council

was affixed in the presence of

SIGNED BY

Duly authorised for and

on behalf of Welsh Local Government Association

in the presence of

## **Schedule 1 Constitution of the Joint Committee**

- 1 All 22 Councils shall appoint one representative as voting members of the Joint Committee.
- 2 The Joint Committee shall appoint one of its voting members as chair and one of its voting members as vice chair.
- 3 Unless they have already been appointed by their Council as its representative the Councils shall appoint the following persons (subject to the agreement of such persons) as non-voting members of the Joint Committee:
  - 3.1 A WLGA spokesperson for health and social services.
  - 3.2 A WLGA deputy spokesperson for health and social services.
  - 3.3 The executive leader or a deputy in respect of one of those roles of the Host Council.
  - 3.4 The Co-chairs of the Combined Governance Board.
- 4 The relevant Councils may nominate one or more substitute members from, subject to notification being given to the officer acting as Monitoring Officer to the Joint Committee before the start of the meeting. The member appointed as a substitute shall have full voting rights where the member for whom they are substituting does not attend.
- 5 Each voting member of the Joint Committee shall comply with the Code of Conduct of their Council when acting as a Member of the Joint Committee.
- 6 The Host Council or, as the case may be the relevant councils may remove any voting member or substitute voting members of the Joint Committee and appoint a different representative of the Host Council or, as the case may be, the same council as the member or substitute being replaced by giving written notice to the officer who is acting as Monitoring Officer to the Joint Committee.
- 7 Each voting member of the Joint Committee shall have one vote.
- 8 Each member of the Joint Committee shall serve upon the Joint Committee for as long as he or she is appointed to the Joint Committee by the relevant Councils, but a member shall cease to be a member of the Joint Committee if he or she ceases to be a member of the Council of which he or she was a member when he or she was appointed to the Joint Committee or if the Councils remove him or her as a member of the Joint Committee.
- 9 Any casual vacancies howsoever arising shall be filled by the Councils by notice in writing sent to the officer who is acting as Monitoring Officer to the Joint Committee.
- 10 Unless otherwise agreed by the Councils, meetings of the Joint Committee shall be held at the offices of the WLGA, Host Council or virtually.
- 11 The Joint Committee shall meet at least once annually.

- 12 The officer who is acting as Monitoring Officer to the Joint Committee shall call additional meetings at the direction of the chair by providing at least three clear days' notice to members of the Joint Committee, unless the meeting is called at shorter notice. The officer who is acting as Monitoring Officer to the Joint Committee must call a meeting of the Joint Committee if all the voting members of the Joint Committee request it or the Head of Paid Service of each Council requests it.
- 13 Meetings shall be notified to members of the Joint Committee by the officer who is acting as Monitoring Officer to the Joint Committee.
- 14 The officer who is acting as Monitoring Officer to the Joint Committee shall send electronically to all members and relevant officers of each Council the agenda for each meeting of the Joint Committee no later than three clear days before the date of the relevant meeting unless the meeting is convened at shorter notice
- 15 The officer who is acting as Monitoring Officer to the Joint Committee shall arrange for written minutes to be taken of each meeting of the Joint Committee and shall present them to the Joint Committee at its next meeting for approval as a correct record. The Officer who is acting as Monitoring Officer to the Joint Committee shall circulate the minutes to the Councils prior to the next meeting of the Joint Committee. If the Joint Committee confirms that the minutes contain an accurate record of the previous meeting, those minutes shall be signed by the chair or vice-Chair.
- 16 A meeting of the Joint Committee shall require a quorum of 60% of the voting members. If there is a quorum of members present but neither the chair nor the vice-chair is present, the members present shall designate one member to preside as chair for that meeting.
- 17 Subject to the provisions of any enactment all questions coming or arising before the Joint Committee shall be decided by a majority of the members of the Joint Committee immediately present and voting thereon. In the case of an equality of votes the chair shall have a casting vote. Subject to paragraph 18 below all voting shall be by a show of hands.
- 18 Any member of the Joint Committee may request the Joint Committee to record the votes of individual members of the Joint Committee on a matter for decision.
- 19 The order of business shall be indicated in the agenda for the meeting.
- 20 Any member of the Councils who is not a member of the Joint Committee is entitled to attend the Joint Committee but he or she shall not be entitled to vote, shall not take part in the consideration or discussion of any business, save by leave of the chair and comments will be recorded only on the direction of the chair.
- 21 A meeting of a principal council shall be open to the public except to the extent that they are excluded (whether during the whole or part of the proceedings).The public may be excluded from a meeting of the Joint Committee during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item, confidential information as defined in section 100A(3) of the Local Government Act 1972 or exempt

information as defined in section 100I of the Local Government Act 1972 would be disclosed to them. In view of the sensitivity of the matters for which the Joint Committee is responsible it is to be expected that most business to be transacted at meetings of the Joint Committee will include confidential or exempt information but the Joint Committee will consider this in respect of every item of business to be considered at a meeting of the Joint Committee.

- 22 Unless members of the public are excluded from a meeting of the Joint Committee in accordance with paragraph 21 above meetings of the Joint Committee will be open to the public.
- 23 Members of the public wishing to address the Joint Committee (or a sub-committee of the Joint Committee) on reports contained within the agenda for the meeting may at the discretion of the Chair be given the opportunity to do so.
- 24 Each Council may call in any decision of the Joint Committee in accordance with the overview and scrutiny provisions of that Council's constitution. If any decision of the Joint Committee is subject to call in by a Council, the Joint Committee shall take no action to implement that decision unless the call in process upholds the decision.
25. The Joint Committee may delegate a function to an officer. At the commencement of this agreement, the Joint Committee has delegated functions to the Director of Operations as outlined in Schedule 5

## **Schedule 2 Terms of Reference of the NAS Combined Governance Board**

### **Functions and responsibilities of the Combined Governance Board**

- 1 The Combined Governance Board shall have the following responsibilities:
  - 1.1 To provide political and professional leadership and advice to inform the overall strategic direction of the National Adoption Service in Wales.
  - 1.2 To hold the Regional Collaboratives (and their staff), the Director of Operations and central team, the VAA's and other services accountable for the delivery and performance of their services within the National Adoption Service arrangements.
  - 1.3 To approve for submission to the Joint Committee as prepared by the Director of Operations / central team.
    - An annual programme of work for the National Adoption Service.
    - A half year and full year progress report for the Welsh Local Government Association (WLGA – Full Council), the Minister for Health and Social Service and the Welsh Government.
    - The budget and financial management arrangements of services and the office of the Director of Operations.
  - 1.4 To monitor and have oversight of:
    - The performance of the National Adoption Service to ensure its successful delivery and improvements in the adoption process to lead to positive outcomes for children and adults affected by adoption.
    - The quality of engagement with the Voluntary Adoption Agencies (VAAs) and service user representatives at central and regional levels.
    - Compliance with The Directions
    - Compliance with the Conflict-of-Interest Protocol
  - 1.5 To consider and make recommendations for the future direction of the National Adoption Service using:
    - Information and data, including from the National Performance System in relation to the services as a whole, each Regional Collaborative, the VAA's and other services.
    - Professional and best practice advice from the sector.
    - The views of children, young people and adults who use services.
    - Other evidence including reports from the Director of Operations.

- 1.6 To ensure arrangements are in place for the flow of information, including receipt of minutes and papers, between the Combined Governance Board and:
- The Joint Committee.
  - Regional Management Committees.
  - Local government members and officers across Wales.
  - Equivalent bodies in VAA's and other services.
- 1.7 To encourage and enable the statutory and voluntary sectors to work in partnership to deliver the best outcomes for children and adults affected by adoption.
- 1.8 To ensure that the views of all stakeholders, including those who use adoption services, are represented effectively both at national and regional levels.
- 1.9 To ensure the National Adoption Service is working within Welsh Government guidance and strategies for children particularly looked after and adopted children.
- 1.10 To ensure that due consideration is given to the need for Welsh Language services in planning and delivery of adoption services throughout Wales.
- 1.11 To support the delivery of adoption services through the National Adoption Service arrangements to ensure it reflects the best possible practice and is based on a culture of continuous improvement.
- 1.12 To notify Joint Committee and Welsh Ministers of any issues regarding the National Adoption Service which it considers need to be drawn to their attention.
- 2 Membership of the Combined Governance Board will comprise of:
- WLGA Spokesperson for Health and Social Services or their representative.
  - WLGA Deputy Spokesperson for Health and Social Services
  - Independent Chair of the National Adoption Service Advisory Group (Chair of the Advisory Group and Co-Chair of the Combined Governance Board Meeting).
  - Leader (or nominated executive representative) of Host Council.
  - Elected member representative for each of the 5 Regional Adoption Collaboratives (from which the Vice Chair will be drawn).
  - Director / Head of Service from each of the Regional Collaboratives.
  - Senior officer representative of the Host Council.
  - Representative of the 5 VAAs in Wales.
  - Officer representative from the WLGA.



- Representative from the Association of Directors for Social Services Cymru (ADSSC).
  - Representative of Association of Directors of Education in Wales (ADEW).
  - A Designated doctor for Safeguarding/Looked After Children.
  - A current RAC Adoption Panel Medical Advisor.
  - Child and Adolescent Mental Health Services (CAMHS) representative.
  - Representative of a Social Research Centre (currently Cardiff University, CASCADE).
  - Representative of Children's Commissioner for Wales.
  - Representative of CAF/CASS Cymru
  - Citizen or service user.
  - Legal services representative from the Host Council.
  - Director of Operations, National Adoption Service and secretariat.
- 3 The Joint Committee may invite other persons to attend meetings of the Combined Governance Board as observers.
- 4 The terms of reference of the Combined Governance Board shall be reviewed by the Joint Committee at least once a year which may make amendments to the terms of reference.

### Schedule 3 Notice Provisions

Welsh Local Government Association  
One Canal Parade,  
Dumballs Road  
CARDIFF  
CF10 5BF

Blaenau Gwent County Borough Council  
Municipal Offices  
Civic Centre  
Ebbw Vale  
NP23 6XB

Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

Caerphilly County Borough Council  
Ty Penalta  
Tredomen Park  
Ystrad Mynach Hengoed  
CF82 7PG

The County Council of the City and County of Cardiff  
County Hall  
Cardiff  
CF10 4UW

Carmarthenshire County Council  
County Hall  
Carmarthen  
Carmarthenshire  
SA31 1JP

Ceredigion County Council  
Neuadd Cyngor  
Ceredigion  
Penmorfa  
Aberaeron  
Ceredigion  
SA46 OPA

Conwy County Borough Council  
Bodlondeb  
Bangor Road  
Conwy  
LL32 8DU

Denbighshire County Council  
County Hall  
Wynnstay Road  
Ruthin  
LL15 1YN

Flintshire County Council  
County Hall  
Mold  
CH7 6NB

Gwynedd Council  
Council Offices  
Shirehall Street  
Caernarfon  
LL55 1SH

Isle of Anglesey County Council  
Council Offices  
Llangefni  
LL77 7TW

Merthyr Tydfil County Borough Council  
Civic Centre  
Merthyr Tydfil  
CF47 8AN

Monmouthshire County Council  
PO Box 106  
Caldicot  
NP26 9AN

Neath Port Talbot County Borough Council  
Port Talbot Civic Centre  
Port Talbot  
SA13 1PJ

Newport City Council  
Civic Centre  
Godfrey Road  
Newport  
NP20 4UR

Pembrokeshire County Council  
County Hall  
Haverfordwest  
Pembrokeshire  
SA61 1TP

Powys County Council  
Powys County Hall  
Spa Road East  
Llandrindod Wells  
Powys  
LD1 5LG

Rhondda Cynon Taf County Borough Council  
The Pavilions  
Cambrian Park  
Clydach Vale  
Tonypany  
CF40 2XX

The Council of the City and County of Swansea  
Civic Centre  
Oystermouth Road  
Swansea  
SA1 3SN

Torfaen County Borough Council  
Civic Centre  
Pontypool  
Torfaen  
NP4 6YB

Vale of Glamorgan Council  
Civic Offices  
Holton Road  
Barry  
Vale of Glamorgan  
CF63 4RU

Wrexham County Borough Council  
The Guildhall  
Wrexham  
LL11 1AY

[The Councils to provide details of fax numbers and e-mail addresses.]

## Schedule 4 Financial Memorandum

- 1 The core budget for the office of the Director of Operations and national functions of the National Adoption Service is provided by a 'top slice' of the Revenue Support Grant and made available to the NAS via the Welsh Local Government Association. This arrangement was agreed by the Co-ordinating Committee of the WLGA in March 2014 as part of its agreement to the proposals to establish NAS.
- 2 The Councils shall ensure that:
  - 2.1 The Joint Committee, the Combined Governance Board and the Director of Operations make appropriate use of the National Adoption Services budget to perform their functions and to facilitate achievement of the aims in clause 2 of this Agreement.
  - 2.2 There are adequate financial and accounting procedures for the purposes of this Agreement.
- 3 The Host Council will provide the financial administrative accounting system and appropriate associated support for the discharge of the Specified and Agreed Functions on behalf of the Councils. Subject to the statutory role of each Council's Section 151 Officer in relation to their Council, the Host Council shall provide for the purposes of this Agreement the services of its Section 151 Officer to the Joint Committee.
- 4 The Director of Operations shall submit annual monitoring and accounting reports to the Joint Committee which shall include explanations for any variances against the profiled budget.
- 5 The Joint Committee shall review the expenditure and forecast to ensure that the allocated budget is being correctly adhered to.
- 6 The Joint Committee shall be presented with a report on the proposed use of the budget for the discharge of the Specified and Agreed Functions for approval on behalf of the Councils for the following financial year.
- 7 The Host Council shall apply its Financial Regulations and Contract Procedure Rules to the discharge of the Specified and Agreed Functions on behalf of the Councils pursuant to this Agreement.
- 8 Proportionate Basis for costs and liabilities of the Councils arising under the Agreement:

The Proportionate Basis for which each Council shall be liable for costs arising under the Agreement (to the extent that the same exceed the 'top slice' of the Revenue Support Grant made available to the Joint Committee) shall be calculated by reference to the proportion that the population of each Council's area makes of the total population of Wales. Any indemnity to be funded by all Councils shall be calculated on the same basis.

## **Schedule 5 Specified and Agreed Functions and Services**

### **1 Service Vision**

- 1.1 The Councils wish to use the joint discharge of the Specified Functions to improve the performance of the Councils and partners in meeting the needs of those children who require permanence through adoption by bringing together the best practice from each authority and partner into an integrated adoption service and similarly for an agreed range of fostering functions.
- 1.2 The Councils agree that the joint discharge of the Specified and Agreed Functions should be underpinned by the guiding principles that looked after children and prospective adopters alike are advantaged by the joint discharge of functions and that the joint discharge of functions is demonstrably more efficient and flexible in delivering the Services.

### **2 Aims, Principles and Objectives of the joint discharge of the Specified Functions for adoption services**

- 2.1 Enabling the Councils to comply with their obligations under the Directions.
- 2.2 Delivering a comprehensive adoption service at a national level.
- 2.3 Exercising oversight of Councils' compliance with legislation, regulations, minimum standards, local procedures and the performance management framework set by the Welsh Government and accountable to the Senedd / Welsh Parliament in line with the Directions.
- 2.4 Ensuring that services are carried out in a timely and efficient way and based upon the assessed needs of those persons requiring the service.
- 2.5 Ensuring that persons seeking approval as adoptive parents are welcomed without prejudice and delay and that their applications are considered on their individual merit.
- 2.6 Developing a recruitment strategy which ensures a range of adoptive placements are available nationally or through external agencies to ensure timely placements for all children where the placement plan is adoption.
- 2.7 Providing a child focused placement service to ensure that children are appropriately matched with adopters who can meet their needs throughout their childhood.
- 2.8 Providing a range of pre and post adoption support and intermediary services in conjunction with statutory and voluntary sector providers.
- 2.9 Establishing effective working links with key stakeholders.

- 2.10 Maintaining effective working links with local authority children's services departments to ensure that agency functions in relation to children requiring adoptive placements are maintained.
- 2.11 Utilising and building upon examples of good practice and promote consistency, excellence and continuous improvement.
- 2.12 Complying with the requirements of external audit and inspection.
- 2.13 Ensuring that customer feedback and the views of service users are obtained and considered in the development of services.

### **3 Aims, Principles and Objectives of the joint discharge of the Agreed Functions for fostering services through Foster Wales**

- 3.1 National leadership to ensure consistency of approach on a regional and local authority basis
- 3.2 Commission / monitoring of the programme management contract with Association for fostering and adoption Cymru (AFA Cymru) / creation of a post for this function plus oversight / support of programme manager's work
- 3.3 Maintaining a performance framework and supporting performance reporting at national and regional level to inform improvement
- 3.4 Production of annual report and any other reporting required
- 3.5 Administration of agreed Foster Wales national Governance arrangements and support to Regional Development Manager meetings, practice forums and task & finish groups
- 3.6 Promotion of best practice and culture of continuous improvement currently as below:
  - Oversight and ongoing development of the Foster Wales brand
  - Production of national Policy and Procedures handbook incl. for recruitment
  - Core Offer of support
  - Fees and Allowances
  - Learning and Development framework
- 3.7 Commissioning and contract monitoring of contracts required for FW work – incl. website, brand repository, national marketing manager, launch & campaigns.
- 3.8 Administration of FW finance and grants and accountancy support. Securing resourcing through new / additional finance where possible.

### **4 The Specified and Agreed Functions**

- 4.1 The Specified and Agreed Functions are:

The functions of the Director of Operations and central team including the following:

- Providing leadership to set the direction for NAS and Foster Wales including strategic planning by agreeing priorities, targets and resourcing following engagement with partners and stakeholders as well as support to operational planning.
- Reviewing progress including analysis of performance data and service information from the regions and VAA's.
- Providing annual and mid-year reports each year for agreement by the Combined Governance Board, Joint Committee and submission to Welsh Ministers as well as to WLGA and ADSS-C where required.
- Providing specific functions nationally to support and enable NAS operations (currently as below)
  - Establishing and maintaining a website for the National Adoption Service for Wales
  - Management of the Adoption Register for Wales (under contract from Welsh Government)
  - Commissioning and contracting national contracts to support service delivery functions and support
  - Maintaining arrangements for service user engagement across Wales
  - Leadership, matrix management oversight, advice and support to regions and VAA's.
  - Promotion of best practice and a culture of continuous improvement throughout the NAS.
  - Securing appropriate resourcing through new / additional finance or re-profiling of existing as well as managing the central team allocation, grants and investment.
  - Strategic commissioning as necessary for the discharge of functions
  - Maintaining arrangements for national governance and allied sub / task & finish groups to engage stakeholders in carrying out the actions / work agreed by the Combined Governance Board
  - Promotion of adoption, including national PR and marketing and the provision of the 'face and voice' of adoption in Wales.
  - Stakeholder and relationship management including with allied services and organisations in Wales and UK, Ministers and Welsh Government.
- Providing specific functions nationally to support and enable Foster Wales operations (currently as below)
  - Establishing and maintaining a national website for Foster Wales



- Commissioning and contracting national contracts to support service delivery functions and support
- Leadership, matrix management oversight, advice and support to regions and LA's
- Promotion of best practice and a culture of continuous improvement
- Managing the central team allocation, grants and investment, enabling negotiations with funding bodies to secure ongoing resourcing.
- Maintaining arrangements for national governance and allied sub / task & finish groups to engage stakeholders in carrying out the actions / work agreed by the Lead Heads of Children's Services Group
- Promotion of Foster Wales, including national PR and marketing.
- Stakeholder and relationship management including with allied services and organisations in Wales and UK, Ministers and Welsh Government.

## **5 The Services**

5.1 The services to be provided by the host local authority to facilitate the discharge of the Joint Committee's function shall be detailed in a separate agreement but will be provided subject to and on the overarching terms and conditions set out in this Agreement . Such Host services may include:

(i) Office accommodation and allied facilities services

(ii) Employment of staff, associated human resource functions and advising on workforce planning / issues

(iii) Use of its IT systems and databases, including provision of a separate email domain/s and stand-alone websites as needed

(iv) Finance / accounting services, supporting management of core budget and grant aid including facilitating the transfer of funds to relevant local government or partners agencies of NAS and Foster Wales.

(v) Information security advice and support, ensuring compliance with changing legislation

(vi) Facilitation of procurement and contracting requirements to deliver functions

(vii) Legal advice as required incl. for contracts.

(viii) Engagement of Officers and Members in governance arrangements as required by the Directions

5.2 The Host Authority may make arrangements with third parties for the discharge of the Services and recharge such costs to the Joint

Committee. The Host Authority shall first discuss such matters with the Director of Operations.

## **Schedule 6 Terms of Reference for the Lead Head of Children's Services Group**

### **1 Objectives and Scope**

- 1.1 The main objectives of this group are:
- (a) To support the strategic oversight of Foster Wales
  - (b) To consider the implications at local and regional level arising from the transition to Foster Wales
  - (c) To consider the development needs of services at local, regional, and national level
  - (d) To seek and support solutions to overcome barriers and challenges
  - (e) To continue to develop and maintain collaboration across local authority fostering
  - (f) To consider reports presented, agree actions, make decisions, and monitor progress
  - (g) To consider performance reports and monitor KPIs as identified and agreed
  - (h) To make recommendations for future areas of work programme development

### **2 Membership**

- 2.1 Core membership will include:
- (a) 6 x Regional designated Lead Head of Children's Services
  - (b) Director of the National Adoption Service
  - (c) 6 x Regional Development Managers
  - (d) A Director of Social Services
  - (e) Programme Manager
  - (f) An officer of the Welsh Local Government Association
- 2.2 Arrangements will be put in place to ensure good links between this meeting and members including briefing the WLGA spokesperson for health and Social Care or their nominated Deputy with responsibility for children's services.

### **3 Frequency of meetings**

- 3.1 Meetings will be held at an agreed frequency no less than quarterly (currently monthly), dates and times will be scheduled and provided with advanced notice.

#### **4 Accountability and communication**

- 4.1 The group is accountable to the Joint Committee, which holds responsibility for overall oversight of the National Adoption Service and Foster Wales.
- 4.2 Regional representatives are responsible for ensuring that effective communication channels are in place. This should include mechanisms for the sharing of information, decisions, and outcomes from this group to relevant forums and individuals within their own region.

## **Schedule 7 Scheme of Functions Delegated to the Director of Operations**

### **Part One**

#### **SCHEME OVERVIEW**

##### **1. Purpose**

- 1.1. The National Adoption Service for Wales (NAS) operates in a multi-agency partnership context. This is a complex arrangement best described as a local government led collaborative with a range of different interfaces including the voluntary sector. In order that the NAS national / central team staff can carry out its functions effectively under the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015, it is essential that employees at all levels of the organisation are clear that they have the delegated authority to make decisions. It is also important that employees are clear where they do not have the authority to make decisions.
- 1.2. The Scheme of Delegation is the framework creating the authority to make a decision or discharge a function. Delegation also means that those to whom responsibility has been given are prepared to be accountable for the decisions they have been asked to make and the functions they discharge. Effective and transparent decision making also requires that those making a decision must be confident about the scope of their authority.
- 1.3. The aim of the Scheme of Delegation is to set out who has the authority to make decisions within the national / central team of the National Adoption Service for Wales. It is a companion document to the National Adoption Service in Wales Partnership Agreement and the Agreement for the Establishment of a Joint Committee for the National Adoption Service.
- 1.4. This Scheme of Delegation sets out who can carry out the functions. It does not explain how they are to be carried out. The NAS has adopted the procedures of the Host Council (Cardiff Council) which set out the rules for this. The Host Council is also the employer of NAS staff. As a result, NAS Officers must be familiar with the Host Council's:
  - Financial Procedure Rules (Part 4.6 of the Constitution)
  - Contract Standing Orders and any Procurement guidelines issued by the Host Council
  - Human Resources guidance and procedures
- 1.5. All powers within the Scheme of Delegation are to be exercised within approved budgets and all staffing and recruitment delegations take effect subject to approved HR guidelines.
- 1.6. At the commencement of this Agreement the full arrangements for Foster Wales are being developed but it is anticipated that its relationship to the Joint Committee will be the same as for NAS albeit that governance is managed through the Lead Heads of Children's Services (LHOCS) meeting and that delegated authority will operate in the same way. The Terms of Reference of the Lead Heads of Children's Services meeting are in Schedule 6 of this Joint Committee Agreement.

##### **2. Arrangement of the Scheme of Delegation**

- 2.1. . The Scheme of Delegation is arranged in three parts.
  - a) Scheme Overview
  - b) The Joint Committee and Combined Governance Board
  - c) The Director of Operations

### **3. The Joint Committee, Combined Governance Board and Regional Collaboratives**

- 3.1. The complex nature of the arrangements has a number of key bodies either delivering the Adoption Services or setting overall strategy. They interact in a way that influences the approach to delegation.
- 3.2. The Joint Committee will, on behalf of the 22 Welsh Local Authorities, exercise their powers with reference to the provision of the collaborative arrangements for the National Adoption Service for Wales (NAS) and for Foster Wales (FW). It will be underpinned by a legal agreement (Joint Committee Agreement) and be comprised of Council Members. Its role will be to oversee the work of NAS and Foster Wales and specifically approve / receive the below:
  - The Annual Reports of NAS and of Foster Wales;
  - The annual programmes of work for the NAS and for Foster Wales;
  - The budget/s for the office of the Director and the national work of NAS and for Foster Wales; and
  - The agreement, and any changes required, for the Host Council support of the office of the Director to enable it to facilitate the work of NAS and FW.
- 3.3. For NAS (only) it will also oversee how the authorities work together to exercise their powers and comply with the National Assembly Directions (now Senedd Wales).
- 3.4. The Joint Committee has primary responsibility for the delegation framework as it may delegate a function to an officer.
- 3.5. The terms of reference for the Combined Governance Board are contained in schedule 2 of the Agreement for the Establishment of a Joint Committee for the National Adoption Services. The schedule indicates the Board must approve as prepared by the Director of Operations / central team the following:
  - An annual programme of work for the National Adoption Service.
  - A half year and full year progress report for the Welsh Local Government Association (WLGA – Full Council), the Minister for Health and Social Service and the Welsh Government.
  - The budget and financial management arrangements of services and the office of the Director of Operations.
- 3.6. The terms of reference also hold the following accountable for the delivery and performance of their services within the NAS arrangements:
  - Regional Collaboratives (and their staff),
  - the Director of Operations and central team,
  - the Voluntary Adoption Agencies and other services
- 3.7. In order to support the work of the Combined Governance Board the Director of Operations will prepare the items listed in section 3.3 using the support of the Host Council where appropriate.
- 3.8. As the lead executive of the NAS, the Director of Operations has delegated authority from the Joint Committee to manage the organisation. The Director of Operations is also responsible for delegating other decision-making responsibilities to officers within NAS.
- 3.9. The Joint Committee delegates to the Combined Governance Board or Director of Operations all matters which it does not reserve to itself for decision.

- 3.10. The Director of Operations shall provide regular reports to the Combined Governance Board and Joint Committee on the discharge of the Specified Functions.
- 3.11. The delegation of functions and responsibilities both from the Joint Committee and the Director of Operations requires those using delegated authority to carry out those functions in a way that will not prevent the effective discharge of any functions or bring the NAS into disrepute or in any other way have an adverse effect on the NAS.
- 3.12. The scheme of delegation can be removed by the Joint Committee if it takes a formal decision to do so. In these circumstances the Joint Committee would assume those responsibilities that it had previously delegated or delegate these responsibilities to the Combined Governance Board. The Director of Operations can also remove delegations they have granted to their team and in doing so would assume the previously delegated responsibilities or transfer these to another member of their team.
- 3.13. Each region is made up of a number of specified local authorities. These are regional collaboratives overseen by Regional Management Boards. For the NAS to work effectively Partnership Agreement states there should be robust links between RMBs, the Combined Governance Board and the central team (led by the Director of Operations). The RMBs are required to produce an annual report submitted to the Director of Operations by 31<sup>st</sup> May each year. Other aspects of regional working include the Regional Joint Committees, Regional Operation Groups and a lead authority for each region.
- 3.14 There is no legislation underpinning Foster Wales. Existing regional meetings link to the national Lead Heads of Children's Services meeting which in turn reports to the Joint Committee.

#### **4. Principles of Delegation**

- 4.1. The scheme of delegation has a number of principles that underpin the approach adopted so that the transfer of responsibility for a task or function from the Joint Committee, Board Meeting or Director of Operations does not change the overall accountability.
- The Joint Committee, Combined Governance Board LHOC's meeting and the Director of Operations remain accountable for all their functions, even those they have delegated. In order to be assured that the responsibilities that they have delegated are being discharged properly they require information about the exercise of those functions. Appropriate management oversight must be exercised to ensure there is sharing of delegated decisions.
  - In order to make sound decisions, the authority to take decisions must be supported by appropriate skills and knowledge. Those exercising delegated decision-making powers must be made aware of the decisions that have been delegated to them, the limits of their authority and have access to relevant advice if appropriate.
  - A record of delegated decisions will be kept and shared with the Joint Committee and the Combined Governance Board. The frequency of the information to be received will be determined by the Joint Committee and Board but should not be less than quarterly. Where a decision has been formally delegated to the Director of Operations by the Joint Committee or the Combined Governance Board, the decision to delegate will be recorded in the Committee or Board minutes. The decision and its outcome will then be contained in a separate section within the Director of Operations' Quarterly Report to the following

Combined Governance Board. An equivalent process will be developed for Foster Wales

- If the post holder for a delegated decision is absent the line manager will be expected to make the decision. Should the decision be urgent, and a matter delegated to the Director of Operations the Chair of the Combined Governance Board will be able to make the decision in consultation with the Board and, in the case of the absence of the Director of Operations, the relevant staff reporting to the Director of Operations.
- Where a delegated decision is viewed by the postholder as requiring further discussion due to the sensitivity of the issue they should consider approaching the Director of Operations for advice. In the case of the Director of Operations this would involve the Chair of the Joint Committee or the Combined Governance Board as appropriate.

## **5. Variation, ownership and review of the scheme**

- 5.1. The constitution of the Joint Committee includes authority to delegate a function to an officer (Schedule 1, paragraph 25). Variations to the Scheme of delegation will be approved by the Joint Committee and any deviation from it must be approved by the Joint Committee, with such deviations being reported to the next meeting.
- 5.2. For administrative purposes, the Director of Operations, on behalf of the Joint Committee, is the manager of the Scheme of Delegation and will keep the scheme under review in consultation with the Joint Committee Monitoring Officer who will be required to comment on the proposals. Any suggested amendments will be subject to consultation with the Combined Governance Board. Any proposed changes will be submitted to the Joint Committee unless authority to amend the scheme is delegated to the Combined Governance Board. If delegation occurs any changes to the Scheme of Delegation will be reported to the next Joint Committee.
- 5.3. However, the Scheme will be updated as often as is necessary to ensure it remains current, following review and consultation in accordance with paragraph 5.2.

## **Part Two**

### **The Joint Committee, the Combined Governance Board, Regional Collaboratives, Lead Heads of Children's Services meeting and Director of Operations**

#### **a. The Joint Committee**

1. The Agreement for the Establishment of a Joint Committee for the National Adoption Service indicates Welsh Councils have agreed to establish and participate in a joint committee to facilitate the delivery of the Specified and Agreed Functions with a view to their economical, efficient and effective discharge.
2. The Joint Committee is specifically responsible for:
  - a. The overall scheme of delegation.
  - b. establishing and delivering the NAS and Foster Wales strategic aims and objectives consistent with its overall strategic direction and within the agreed Welsh Government policy.
  - c. strategic direction and decisions as submitted by the Combined Governance Board and LHOC's meeting.
  - d. ensuring that the responsible minister is kept informed of any changes which are likely to impact on NAS strategic direction or the delivery of the



obligations set out in the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015.

**b. The Combined Governance Board**

3. The terms of reference of the Combined Governance Board (the Board) indicates the overall role is to provide strategic direction and decisions for submission to the Joint Committee to facilitate the delivery and improvement of adoption services on Wales through the National Adoption Service (NAS) arrangements.
4. The Board also holds the Regional Collaboratives and the Director of Operations and central team accountable for delivery and performance of their services within the NAS arrangements.
5. The Board is responsible for ensuring the Director of Operations has adequate resources to discharge the Specified Functions and deliver an effective NAS. In coming to a decision whether to recommend this to the Joint committee the Board will rely on the advice of the Director of Operations.

**c. Regional Collaboratives**

6. The Regional Collaboratives must provide an annual report to the Director of Operations by 31st May covering
  - a. The performance of the regional collaborative against the performance measures in the National Performance Management Framework
  - b. An analysis of the implementation of the annual work programme and plans to address any under-performance
  - c. Plans to develop the adoption service within the region in accordance with the national business priorities
  - d. Information regarding the resolution of complaints and determination of disputes at local and regional level and any impact on the provision of adoption services
7. The Scheme of Delegation recognises that the Director of Operations will need to act on behalf of the Combined Governance Board and the Joint Committee when working with the Regional Collaboratives.
8. The Scheme of Delegation recognises that the Director of Operations is not only a member of the Combined Governance Board but is also the principal professional advisor on delivery and improvement of adoption services in Wales through the National Adoption Service arrangements. This will include providing advice to the Joint Committee and Combined Governance Board on the Regional Collaborative arrangements including reporting on the position to the Board based on the reports that Regional Collaboratives must provide to the Director of Operations by 31<sup>st</sup> May of each year

**d. The Director of Operations**

7. The scheme of delegation will operate to enable the Director of Operations to carry out the following Specified and Agreed Functions:
  - a. Providing leadership to set the direction for NAS including strategic planning by agreeing priorities, targets and resourcing following engagement with partners and stakeholders as well as support to operational planning.
  - b. Reviewing progress including analysis of performance data and service information from the regions and VAA's.
  - c. Providing annual and mid-year reports each year for agreement by the Combined Governance Board, Joint Committee, and submission to

Welsh Ministers as well as to WLGA and ADSS-C where required;  
and

- d. Providing specific functions nationally to support and enable NAS operations including those outlined in the table below.

**MATTERS DELEGATED BY THE JOINT COMMITTEE TO THE DIRECTOR OF OPERATIONS. *(The delivery of these delegated functions will be overseen on a day-to-day basis by the Combined Governance Board for NAS and the Lead Heads of Services meeting for Foster Wales)***

**Strategic Direction and Business Planning**

The Director of Operations is responsible for:

- Overseeing the development of the annual programme of work and budget for the National Adoption Service (incl. Foster Wales). This will include a medium term (3 year) financial plan accompanied by the assumptions on which longer term planning is based
- A half year and full year progress report for the Welsh Ministers and the Welsh Government with required oversight of the Combined Governance Board and the Joint Committee.

**Financial Management, Commissioning, Propriety and Value for Money**

The Director of Operations is responsible for:

- Ensuring the NAS stays within its overall budget
- Ensuring the NAS operates within the financial regulations of the Host Council
- Signing agreements or other documents on behalf of the Joint Committee and/or the Combined Governance Board
- Securing appropriate resourcing through new/additional finance or reprofiling of existing as well as managing the central team allocation, grants and investment
- Ensuring the NAS complies with any requirements to publish information as required by legislation and the Welsh Government
- Approving the level of delegation for non-pay expenditure within the overall delegation scheme as approved by the Joint Committee and/or the Combined Governance Board
- Approving those posts as having the responsibility of Budget Holder
- Authorising contracts up to £1m, and in excess of £1m in conjunction with the Combined Governance Board
- Taking overall responsibility for the control of the NAS's fixed assets
- Ensures the Host Council's agreed systems of control are applied within the NAS to protect against fraud and losses including data losses
- Strategic Commissioning as necessary for the discharge of functions
- Ensuring all staff are aware that the NAS operates within the Host Council's:
  - Financial Regulations and procedures.
  - Contract Standing Orders and any Procurement guidelines issued by the Host; and
  - Human Resources guidance and procedures

**Risk Management and Assurance**

The Director of Operations is responsible for:

- Ensuring the risks to the Annual Plan are identified, assessed, managed and escalated where necessary in accordance with the Host Council's risk management policy
- Monitoring, controlling and assuring the Joint Committee and Combined Governance Board of the business and regulatory risks for which they are responsible

#### **Information and Information Governance**

The Director of Operations is responsible for:

- Understanding and addressing the risks to the information assets under their control or delegated to them by the Joint Committee and/or Combined Governance Board
- Providing assurance to the Host Council's SIRO on the security and use of information assets
- Ensuring data is managed in accordance with the requirements of the Data Protection Act 1998
- Approving the release of information about the provision of National Adoption Services
- Establishing and maintaining a website for the National Adoption Service for Wales
- Promotion of adoption, including PR and marketing and the provision of the 'face and voice' of adoption in Wales
- Management of the Adoption Register for Wales (under contract from the Welsh Government)
- Maintaining arrangements for service user engagement across Wales

#### **Dispute Resolution**

The Director of Operations is responsible for:

- Producing and implementing a plan to resolve any dispute that arises in relation to any aspect of the Agreement for the Establishment of a Joint Committee for the National Adoption Service

#### **Regional Arrangements and Regional Collaboratives**

- Advising the Joint Committee and/or the Combined Governance Board on the working arrangements for the Regional Collaboratives
- Leadership, matrix management oversight, advice and support to regions and VAA's
- Maintaining arrangements for national governance and allied sub/task & finish groups to engage stakeholders in carrying out the actions/work agreed by the Combined Governance Board

# INTEGRATED IMPACT ASSESSMENT SCREENING FORM – Appendix D

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: children services

Directorate: Social Services

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

Agree the governance and enabling for the National Adoption Service for Wales as it assumes responsibility for Foster Wales inc. the establishment of a Joint committee to provide overall Governance across the 22 LAs.

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

Engagement has taken place nationally as part of the development of the national adoption service and Foster Wales. This is simply a proposal to establish ongoing governance

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

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**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

---

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes

No

If yes, please provide details below

---

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

Whilst this is simply about enacting governance of two national initiatives, the initiatives themselves are expected to have significant positive impacts in developing capacity and resilience across local authorities to support permanence for the children in their care. This is often most difficult for children with protected characteristics.

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

• **Summary of Impacts (Q2)** Impacts are positive as whilst this is simply about enacting governance of two national initiatives , the initiatives themselves are expected to have significant positive impacts in developing capacity and resilience across local authorities to support permanence for the children in their care. This is often most difficult for children with protected characteristics who may then experience poorer long term outcomes as a result.

• **Summary of involvement (Q3)** engagement for the actual national initiatives has taken place nationally. This is about enacting governance and for this element all 22 LAs have been involved.

• **WFG considerations (Q4)** delivering effective permanence for children in local authority as key component of how LAs can deliver against their WFG requirements

• **Any risks identified (Q5)**

None

• **Cumulative impact (Q7).**

Positive across all domains

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Julie Davies
<b>Job title:</b> Head of Child and Family Services
<b>Date:</b> 25 February 2022

<b>Approval by Head of Service:</b>
<b>Name:</b> Dave Howes
<b>Position:</b> Corporate Director of Social Services
<b>Date:</b> 25 February 2022

Please return the completed form to [accesstoservices@swansea.gov](mailto:accesstoservices@swansea.gov).

# Agenda Item 16.



## Report of the Chief Legal Officer

Cabinet – 17 March 2022

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	17-18	14
	19	16
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

#### 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

#### 2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the

item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

### **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.



## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> <li>a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</li> <li>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</li> </ul> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b></p> <p><b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b></p> <p><b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

# Agenda Item 17.

By virtue of paragraph(s) 14 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

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# Agenda Item 18.

By virtue of paragraph(s) 14 of Schedule 12A  
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as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

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Document is Restricted



By virtue of paragraph(s) 14 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

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# Agenda Item 19.

By virtue of paragraph(s) 16 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
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