

Cyngor

Rydych dan wŷs trwy hyn i ddod i gyfarfod **Cyngor Dinas a Sir** i'w gynnal yn Cyfarfod Aml-Leoliad - Siambr y Cyngor, Neuadd y Ddinas / MS Teams ar Dydd Iau, 4 Mai 2023 am 5.00 pm.

Gwyllo ar-lein: <https://bit.ly/41fiSP2>

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeluCysylltiadau
3. **Cofnodion.** **1 - 14**
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod cywir.
4. **Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng Nghyfarfod Cyffredinol Diwethaf y Cyngor.** **15 - 16**
5. **Cyhoeddiadau'r Aelod Llywyddol.**
6. **Cyhoeddiadau Arweinydd y Cyngor.**
7. **Cwestiynau gan y Cyhoedd.**
Gellir cyflwyno cwestiynau'n ysgrifenedig i'r Gwasanaethau Democratiaidd Democratiaeth@abertawe.gov.uk hyd at ganol dydd y diwrnod cyn y cyfarfod. Bydd cwestiynau ysgrifenedig yn cael eu blaenoriaethu. Gall y cyhoedd ddod a gofyn cwestiynau'n uniongyrchol os bydd amser. Rhaid i gwestiynau fod yn berthnasol i'r eitemau ar ran agored yr agenda ac ymdrinnir â nhw o fewn cyfnod o 10 munud.
8. **Datganiad Polisi Tâl 2023/24.** **17 - 44**
9. **Cynllun Gwerthuso Swyddi Prif Swyddogion.** **45 - 69**
10. **Opsiynau ar gyfer y penodiad ar gyfer Swydd Cyfarwyddwr y Gwasanaethau Corfforaethol.** **70 - 86**
11. **Strategaeth Ymgynghori ac Ymgysylltu.** **87 - 102**
12. **Cwestiynau gan y Cynghorwyr.** **103 - 112**

Gweddarlledu: Gellir ffilmio'r cyfarfod hwn i'w ddarlledu'n fyw neu'n ddiweddarach drwy wefan y cyngor. Drwy gymryd rhan, rydych yn cytuno i gael eich ffilmio ac i'r delweddau a'r recordiadau sain hynny gael eu defnyddio at ddibenion gweddarlledu a/neu hyfforddiant o bosib.

Mae croeso i chi siarad Cymraeg yn y cyfarfod.

Dywedwch wrthym erbyn canol dydd, ddeuddydd cyn y cyfarfod.

Cyfarfod nesaf: Dydd Iau, 18 Mai 2023 am 4.00 pm



Huw Evans
Pennaeth y Gwasanaethau Democrataidd
Neuadd y Ddinas,
Abertawe.

Dydd Llun, 24 Ebrill 2023

I: Bob Aelod o'r Cyngor

Agenda Item 3.



City and County of Swansea

Minutes of the Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 30 March 2023 at 3.30 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
P M Black
P Downing
C R Doyle
M Durke
R Francis-Davies
L S Gibbard
J A Hale
T J Hennegan
C A Holley
P R Hood-Williams
D H Hopkins
L James
O G James
Y V Jardine
J W Jones
L R Jones

Councillor(s)

M H Jones
M Jones
E J King
H Lawson
A S Lewis
M B Lewis
W G Lewis
P Lloyd
P M Matthews
C L Philpott
S Pritchard
B J Rowlands
R V Smith
A H Stevens
R C Stewart
W G Thomas
G D Walker

Councillor(s)

L V Walton
T M White
R Fogarty
S Bennett
A Davis
C M J Evans
H J Gwilliam
V A Holland
D H Jenkins
S E Keeton
M W Locke
J D McGettrick
F D O'Brien
A J O'Connor
M S Tribe
R A Williams

Officer(s)

Gareth Borsden
Adrian Chard

Huw Evans
Tracey Meredith
Martin Nicholls
Mark Wade

Democratic Services Officer
Strategic Human Resources and Organisational
Development Manager
Head of Democratic Services
Chief Legal Officer / Monitoring Officer
Chief Executive
Director of Place

Apologies for Absence

Councillor(s): P N Bentu, A M Day, V M Evans, C R Evans, E W Fitzgerald, K M Griffiths, B Hopkins, S M Jones, N L Matthews, D Phillips, J E Pritchard and L G Thomas

139. Disclosures of Personal and Prejudicial Interests.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea no interests were declared.

140. Exclusion of the Public.

Council were requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendations to the report(s) on the grounds that it / they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 relevant to the items of business set out in the report(s).

Council considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following item(s) of business.

(Closed Session)

141. Confirmation of Appointment for the Post of Director of Place.

The Presiding Member stated that only one candidate had been recommended to Council by the Appointments Committee for the post of Director of Place.

She proposed that Council Procedure Rule 44 "Suspension of Procedure Rules" be enacted to dispense with the requirement:

- 1) That the Candidate be interviewed by Council.
- 2) That Council holds a written ballot.

Resolved that:

- 1) Council Procedure Rule 44 "Suspension of Procedure Rules" be enacted to dispense with the requirement:
 - i) That the Candidate be interviewed by Council.
 - ii) That Council holds a written ballot.

The Chief Executive, Martin Nicholls then provided feedback from the appointments process relating to the appointment of a Director of Place and the Candidate gave a presentation to Council.

Resolved that:

- 2) The verbal update on the assessment process be noted.
- 3) Mark Wade be appointed as Director of Place.

Note: Following this decision, Mark Wade was invited into the Meeting and offered the post.

Mark Wade accepted the post.

The meeting ended at 3.47 pm

Chair



City and County of Swansea

Minutes of the Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 30 March 2023 at 5.00 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
P M Black
P Downing
C R Doyle
M Durke
C R Evans
V M Evans
E W Fitzgerald
R Francis-Davies
L S Gibbard
F M Gordon
J A Hale
T J Hennegan
C A Holley
P R Hood-Williams
D H Hopkins
L James
O G James
Y V Jardine
J W Jones
L R Jones
M H Jones

Councillor(s)

M Jones
E J King
H Lawson
A S Lewis
M B Lewis
R D Lewis
W G Lewis
P Lloyd
P M Matthews
P N May
C L Philpott
S Pritchard
A Pugh
K M Roberts
B J Rowlands
R V Smith
A H Stevens
R C Stewart
L G Thomas
G D Walker
L V Walton
T M White

Councillor(s)

R Fogarty
S Bennett
P N Bentu
A Davis
C M J Evans
N Furlong
H J Gwilliam
V A Holland
D H Jenkins
S Joy
S E Keeton
M W Locke
N L Matthews
J D McGettrick
F D O'Brien
A J O'Connor
J E Pritchard
S J Rice
M S Tribe
R A Williams
A J Jeffery

Officer(s)

| | |
|-----------------|---|
| Gareth Borsden | Democratic Services Officer |
| Huw Evans | Head of Democratic Services |
| Tracey Meredith | Chief Legal Officer / Monitoring Officer |
| Martin Nicholls | Chief Executive |
| Ben Smith | Director of Finance / Section 151 Officer |
| Mark Wade | Director of Place |

Apologies for Absence

Councillor(s): A M Day, K M Griffiths, B Hopkins, S M Jones, E T Kirchner, D Phillips and W G Thomas

142. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

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

- 1) Councillors R D Lewis, F D O'Brien & A H Stevens declared a Personal & Prejudicial Interest in Minute 148 "Public Questions" and 159 "Councillors' Questions" and withdrew from the meeting prior to its discussion".
- 2) Councillors S Bennett, P N Bentu, J P Curtice, T J Hennegan, R Francis-Davies, A S Lewis, M B Lewis, P Lloyd, N L Matthews, S Pritchard, S J Rice, R V Smith, G D Walker & T M White declared a Personal Interest in Minute 151 "Statement of Accounts 2021/22".
- 3) Councillors P Downing, R A Fogarty, J W Jones, M H Jones, W G Lewis, N L Matthews, C L Philpott & S J Rice declared a Personal Interest in Minute 152 "School Admission Arrangements 2024-2025".
- 4) Councillor S Pritchard declared a Personal Interest in Minute 153 "Swansea Public Services Board Local Well-being Plan".
- 5) Councillors P M Black, C A Holley, P Lloyd & C L Philpott declared a Personal Interest in Minute 155 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024".
- 6) Councillors P R Hood-Williams & L G Thomas declared a Personal & Prejudicial Interest in Minute 155 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024 and withdrew from the meeting prior to its discussion".

143. Minutes.

Resolved that the following Minutes be approved and signed as a correct record:

- 1) Ordinary Meeting of Council held on 2 March 2023.

144. Written Responses to Questions asked at the Last Ordinary Meeting of Council.

The Chief Legal Officer submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

145. Announcements of the Presiding Member.

a) Condolences

i) Councillor Hazel Morris

The Presiding Member referred with sadness to the recent death of Councillor Hazel Morris. Hazel represented the Penderry Ward for approximately 15 years on:

| | |
|--------------------------|---------------------------|
| City & County of Swansea | 1 May 2008 - 2 March 2023 |
|--------------------------|---------------------------|

The Leader of the Labour Group led a tribute to Councillor Hazel Morris.

ii) Former Councillor June Evans

The Presiding Member referred with sadness to the recent death of former Councillor June Evans. June represented the Llansamlet Ward on:

| | |
|--------------------------|---------------------------------|
| Swansea City Council | 21 October 1993 - 31 March 1996 |
| City & County of Swansea | 4 May 1995 - 3 May 2012 |

All present observed a minute's silence as a mark of sympathy and respect.

b) Karen Thomas, Democratic Services Retirement

The Presiding Member stated that Karen Thomas aka Zippy would be retiring on 31 March 2023, having served 40 years with the Council. Karen had dedicated her career to supporting Councillors. On behalf of the Council, she thanked Karen.

The Presiding Member also thanked all other Officers that were scheduled to retire in the coming weeks & months for their service and dedication to the Council.

c) Thanks to the Test, Trace & Protect (TTP) Teams

The Presiding Member stated that the Welsh Government has recently thanked everyone involved in the TTP Teams for their exceptional hard work and commitment throughout the Covid-19 pandemic. On behalf of the Council, she added her thanks to the TTP Teams for their professionalism and work during such a difficult period.

d) Live Broadcast

The Presiding Member reminded all members of the public that the meeting was being broadcast live. Care must be taken to avoid any abusive or defamatory comments against Officers, Councillors, or other members of the public.

e) Remain Seated when Speaking

The Presiding Member reminded Councillors to remain seated when speaking in the Council Chamber, thereby making it easier for people to hear and see.

f) Amendments / Corrections to the Council Summons

i) Items 19 & 20 "Notice of Motion"

The name of Councillor Jan Curtice should be removed from both Notices of Motion.

146. Announcements of the Leader of the Council.

1) Explosion at Clydach Road, Morriston

The Leader of Council referred to the recent tragic death of Brian Davies following an explosion at Clydach Road, Morriston. He gave the Council's condolences to the family on behalf of the victim.

He also thanked the Swansea Council Officer, the Housing Team, and the Emergency Services for supporting the community.

2) Freeport at Milford Haven & Port Talbot

The Leader of the Council welcomed the announcement that Neath Port Talbot Council and Pembrokeshire Council as part of the Swansea Bay City Region had been successful in their Celtic Freeport bid to have Freeports at Milford Haven & Port Talbot.

3) Cwmrhydyceirw Primary School - Centenary

The Leader of the Council stated that he had attended Cwmrhydyceirw Primary School recently as part of their centenary celebrations.

4) MJ Awards 2023 - Nominated for the Local Authority of the Year Award

The Leader of the Council stated that Swansea Council had been nominated for the Local Authority of the Year in the MJ Awards 2023. He stated that Swansea Council was a runner up in the same category in 2022.

147. Public Questions.

Six members of the public asked questions relating to Minute 158 "Councillors' Questions - Question 1."

The Leader of the Council & Cabinet Member for Corporate Service & Performance responded and committed to providing written responses.

148. Corporate Plan 2023/28.

The Cabinet Member for Corporate Service & Performance submitted a report which sought approval to publish a Corporate Plan 2023/28 following a review as set out within the Well-Being of Future Generations (Wales) Act 2015 and statutory guidance relating to Public Bodies.

Resolved that the Corporate Plan 2023/28 be adopted.

Note: Councillor S Bennett stated that "Paragraphs 3.84 & 3.94 refer to "more than 1 in 5 respondents..." and "More than 1 in 4 respondents..." respectively. What did the majority say i.e., the 4 in 5 and 3 in 4 say? What do these Paragraphs mean?"

The Cabinet Member for Corporate Service & Performance stated that a written response would be provided.

149. Report of Audit Wales - Audit of Accounts Report - City & County of Swansea.

Derwyn Owen, Audit Wales presented the "Audit Wales, Audit of Accounts Report 2021-2022 for the City and County of Swansea".

Resolved that:

- 1) The Final Letter of Representation be approved and signed.

Note: Councillor C A Holley referred to Page 171, Appendix 3 and asked what the Council was leasing for £284,851,000.

The Leader of the Council stated that a written response would be provided.

150. Statement of Accounts 2021/22.

The Section 151 Officer submitted a report which sought approval of the 2021/22 accounts on or before 31 July 2022.

Resolved that the 2021/22 Statement of Accounts attached as Appendix A of the report be approved.

151. School Admission Arrangements 2024-2025.

The Cabinet Member for Education & Learning submitted a report which sought to determine the admission arrangements for maintained schools for the academic year 2024-2025.

Resolved that:

- 1) The proposed admission arrangements for 2024-2025 for Nursery as set out in Appendix A of the report be approved.
- 2) The proposed admission arrangements for 2024-2025 for Reception as set out in Appendix B of the report be approved.
- 3) The proposed admission arrangements for 2024-2025 for Year 7 as set out in Appendix C of the report be approved.
- 4) The proposed admission arrangements for 2024-2025 for in-year transfers as set out in Appendix D of the report be approved.
- 5) The proposed admission arrangements/criteria for entry for 2024-2025 for sixth forms set in Appendix E of the report be approved.
- 6) The Schedule of Events for primary and secondary as set out in Appendix F of the report be approved.
- 7) The admission numbers for primary and secondary schools as set out in Appendix G of the report be noted.

152. Swansea Public Services Board Local Well-being Plan.

The Cabinet Member for Service Transformation submitted a report which sought approval of the Swansea Public Services Board's Local Well-being Plan, which includes the Local Well-Being Objectives and the steps the Partnership will take to achieve them.

Resolved that:

- 1) The Swansea Public Service Board Local Well-being Plan be approved.

153. Appointment of a Lay Member to the Governance & Audit Committee.

The Interim Director of Corporate Services submitted a report which sought approval of the recommendation of the Appointments Committee held on 6 March 2023 and to appoint an additional Lay Member to the Governance & Audit Committee.

Resolved that:

- 1) David Roberts be appointed as Lay Member of the Governance & Audit Committee.
- 2) The Term of Office being five years, from 1 April 2023 to 31 March 2028.

154. Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024.

The Head of Democratic Services submitted a report which sought to nominate the Lord Mayor elect and Deputy Lord Mayor elect to enable the arrangements for the Inauguration of the Lord Mayor and Deputy Lord Mayor event to proceed.

Resolved that:

- 1) Councillor Graham Thomas be nominated Lord Mayor Elect 2023-2024.
- 2) Councillor Paxton Hood-Williams be nominated Deputy Lord Mayor Elect 2023-2024.

155. Timing of Council Meetings - Survey & Council Bodies Diary 2023-2024.

The Head of Democratic Services submitted a report which presented a draft Council Bodies Diary 2023-2024. The report also provided the results of the Timing of Council Meetings Survey.

Resolved that:

- 1) The draft Council Bodies Diary 2023-2024 be adopted subject to final approval at the Annual Meeting of Council on 18 May 2023.

156. Amendments to the Council Constitution - Constitution Working Group Terms of Reference & Membership.

The Presiding Member, Monitoring Officer & Head of Democratic Services jointly submitted a report that sought to make amendments to simplify, improve and / or add to the Council Constitution. A decision of Council is required to change the Council Constitution.

The amendments related to the Terms of Reference of the Constitution Working Group and to the Financial Procedure Rules.

Resolved that:

- 1) Paragraph 3.2 of the Constitution Working Group Terms of Reference be amended to read:

*“3.2 This Group is exempt from the Committee Balance Rules to allow the following membership and representation by each Political Group:
Presiding Member, Deputy Presiding Member, Leader & Deputy Leader*

*of Ruling Group and Largest Opposition Group, Leader of other Political Groups and Cabinet Member with responsibility for Constitutional matters. **Note:** Each Political Group Leader may substitute their Deputy Political Group Leader with another of their Group Members if required but the membership must be approved by Council."*

2) Councillor M H Jones replace Councillor E W Fitzgerald as the Largest Opposition Group representative on the Constitution Working Group.

3) Paragraph 11.6 of the Financial Procedure Rules be amended to read:

"11.6 Debts which are not recoverable must be written off. The Chief Finance Officer must approve all write off of debts up to £10,000. Debts above £10,000 must be written-off with the approval of the Chief Finance Officer and the Chief Legal Officer".

157. Review of Communities.

The Returning Officer submitted a report that sought approval to instruct the Local Democracy & Boundary Commission for Wales (LDBCW) to conduct the Community Review on behalf of the Council.

Resolved that:

1) The Local Democracy & Boundary Commission for Wales conduct a Section 26 Review of Communities on behalf of the Council.

2) The Constitution Working Group's Terms of Reference be amended to include:

"To oversee the Review of Communities and have responsibility for working with the Local Democracy & Boundary Commission for Wales to ensure any recommendations accurately reflect Swansea's communities and the Terms of Reference of the Review of Communities."

3) The Constitution Working Group consider a "Council Size Policy" and recommend such a Policy to Council in due course.

158. Councillors' Questions.

1) Part A 'Supplementary Questions'

Ten (10) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions required a written response are listed below.

Question 9

Councillor E W Fitzgerald asked for a clearer definition of what “roads are regularly cleaned” meant. She queried what the exact timescale was?

The Cabinet Member for Community stated a written response would be provided.

2) Part B ‘Questions not requiring Supplementary Questions’

Five (5) Part B ‘Questions not requiring Supplementary Questions’ were submitted.

159. Notice of Motion - The Brexit Risk to our Rights - The Retained EU Law Bill.

Proposed by Councillor R A Fogarty and Seconded by Councillor R C Stewart.

“So far, leaving the European Union has harmed our national standing in the world, cost our economy billions in lost trade and created uncertainty and paperwork for citizens and businesses across the UK. 65% of the British public think that the Conservative Government is handling Brexit badly.

The Retained EU Law Bill will give Government Ministers the ability to pick and choose which EU rules they will keep and which to scrap. This includes basic, but hard-fought, protections such as health and safety at work, disability protections and maternity rights. This risks causing further harm at a time of economic difficulty for many by ripping up 4,000 basic rights and protections with minimal parliamentary scrutiny and locking into the UK statute books the Conservative obsession with deregulation at all costs. It is particularly concerning to see attempts to sideline the sovereignty of Parliament at a time when there seems to be a new scandal involving UK Government Ministers every week, undermining public trust and confidence in our leaders to do what is in their best interests.

Like communities across the UK, Swansea is deeply affected by the cost of living crisis, with people living evermore precariously. The Government's priority at this time must be to secure economic prosperity, and prevent any further harm being done by those who wish to use Brexit as an opportunity to weaken hard fought rights and protections.

Therefore, this Council:

- *Urges the Government to rethink sunseting EU laws through the Retained EU Law Bill.*
- *Calls on the UK Government to make a commitment to uphold all existing rights and protections afforded to us in EU legislation.*
- *Asks the Leader to write to the Prime Minister outlining this Council's steadfast opposition to his Government's regular attacks on fundamental human rights.*

Minutes of the Council (30.03.2023)
Cont'd

- *Asks the Leader to also write to the Leader of the Opposition in Westminster, seeking assurance that as the Bill makes its way through Parliament, every step will be taken to fight this outright attack on Parliamentary democracy, including through focusing public scrutiny on the rights and protections we stand to lose."*

In accordance with Council Procedure Rule 30 "Voting" a recorded vote was requested. The voting was recorded as follows:

| For (50 Councillors) | | |
|-----------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| C Anderson | V A Holland | M W Locke |
| S Bennett | C A Holley | N L Matthews |
| P N Bentu | D H Hopkins | P M Matthews |
| P M Black | O G James | P N May |
| J P Curtice | Y V Jardine | J D McGettrick |
| A Davis | D H Jenkins | C L Philpott |
| P Downing | J W Jones | J E Pritchard |
| C R Doyle | M H Jones | S Pritchard |
| M Durke | M Jones | A Pugh |
| C M J Evans | S A Joy | S J Rice |
| V M Evans | S E Keeton | R V Smith |
| R A Fogarty | E J King | A H Stevens |
| N Furlong | H Lawson | R C Stewart |
| L S Gibbard | A S Lewis | L V Walton |
| F M Gordon | M B Lewis | T M White |
| H J Gwilliam | W G Lewis | R A Williams |
| T J Hennegan | P Lloyd | - |

| Against (3 Councillors) | | |
|--------------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| L R Jones | F D O'Brien | B J Rowlands |

| Abstain (2 Councillors) | | |
|--------------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| A J O'Connor | M S Tribe | - |

| Withdrawn from meeting due to declarable interest (0 Councillors) | | |
|--|-------------------|-------------------|
| Councillor | Councillor | Councillor |
| - | - | - |

Resolved that the Notice of Motion outlined above be adopted.

160. Notice of Motion - Illegal Immigration Bill.

Proposed by Councillor S Pritchard and Seconded by Councillor R C Stewart.

“This Council is appalled by the UK government’s illegal immigration bill which proposes to detain and later remove anyone who arrives in the UK on a small boat meaning the Home Office will not consider any of their Asylum claims regardless if they have fled war or persecution for being a minority.

These people seeking sanctuary will then be deported back to the country they have fled from or a ‘safe’ third country. This third country could be Rwanda or another country deemed safe by UK Govt but with a questionable record on human rights.

This ill-thought out and inhumane legislation will punish the most vulnerable people from across the world. Questions have been raised surrounding the legality of the Bill and whether it is compliant with the European Convention on Human Rights (ECHR) and consistent with the 1951 Refugees Convention. The Prime Minister has also stated in writing that if you come to the UK illegally “You can’t benefit from our modern slavery protections”.

This Council also notes and condemns the dangerous and dehumanising language which has been used to support this Bill. This rhetoric cultivates and provides a platform for a culture of abuse, racism and even violence against refugees and minorities.

As a City of Sanctuary, this Council and the people of Swansea have welcomed and accepted refugees and asylum seekers. This has made the city a more interesting, diverse and tolerant city because of this.

This Council condemns the action of the UK Government in bringing forward this legislation, and calls upon the prime minister and his ministers to withdraw these egregious proposals.

We call upon the Leader of Council to write to the Prime Minister in the strongest possible terms to outline our concerns.

We would also request the Leader of the Council to write to Swansea City of Sanctuary to reaffirm the Council’s support for the work they do.”

In accordance with Council Procedure Rule 30 “Voting” a recorded vote was requested. The voting was recorded as follows:

| For (48 Councillors) | | |
|-----------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| C Anderson | V A Holland | M W Locke |
| S Bennett | C A Holley | N L Matthews |
| P N Bentu | D H Hopkins | P M Matthews |
| P M Black | Y V Jardine | P N May |
| J P Curtice | D H Jenkins | J D McGettrick |
| A Davis | J W Jones | C L Philpott |
| P Downing | M H Jones | J E Pritchard |
| C R Doyle | M Jones | S Pritchard |
| M Durke | S A Joy | A Pugh |

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Cont'd

| | | |
|--------------|------------|--------------|
| C M J Evans | S E Keeton | S J Rice |
| V M Evans | E J King | R V Smith |
| R A Fogarty | H Lawson | A H Stevens |
| N Furlong | A S Lewis | R C Stewart |
| L S Gibbard | M B Lewis | L V Walton |
| F M Gordon | W G Lewis | T M White |
| H J Gwilliam | P Lloyd | R A Williams |

| Against (5 Councillors) | | |
|--------------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| L R Jones | A J O'Connor | M S Tribe |
| F D O'Brien | B J Rowlands | - |

| Abstain (0 Councillors) | | |
|--------------------------------|----------------------|----------------------|
| Councillor(s) | Councillor(s) | Councillor(s) |
| - | - | - |

| Withdrawn from meeting due to declarable interest (0 Councillors) | | |
|--|-------------------|-------------------|
| Councillor | Councillor | Councillor |
| - | - | - |

Resolved that the Notice of Motion outlined above be adopted.

The meeting ended at 8.30 pm

Chair

Agenda Item 4.



Report of the Chief Legal Officer

Council – 4 May 2023

Written Responses to Questions asked at the Last Ordinary Meeting of Council

The report provides an update on the responses to Questions asked during the Meeting of Council held on 30 March 2023.

For Information

1. Introduction

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

2. Responses

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

Background Papers: None

Appendices: Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council
30 March 2023**

| | |
|------------------|--|
| <p>1.</p> | <p>Councillor Sam Bennett</p> <p>In relation to Minute 149 – Corporate Plan</p> <p>He stated that “Paragraphs 3.84 & 3.94 refer to “more than 1 in 5 respondents...” and “More than 1 in 4 respondents...” respectively. What did the majority say i.e., the 4 in 5 and 3 in 4 say? What do these Paragraphs mean.</p> <p>Response of the Cabinet Member for Corporate Service & Performance</p> <p>Paragraphs 3.84 and 3.94 illustrates part of the response to survey questions on the level of agreement to which the corporate plan should contain steps to: deliver the Welsh Government ambition of Net Zero Wales by 2050, and; to continue collaborating with our regional partners to progress our well-being objectives. The majority of respondents agreed with the proposals with 62% agreeing to the steps on Net Zero and nearly 62% agreeing to the steps to continue collaboration to progress the Council’s well-being objectives.</p> |
| <p>2</p> | <p>Councillor Chris Holley</p> <p>In relation to Minute 150 – Audit Wales, Audit of Accounts Report</p> <p>He referred to Page 171, Appendix 3 and asked what the Council was leasing for £284,851,000.</p> <p>Response of the Leader</p> <p>This is a new statutory disclosure required in the Statement of Accounts under the Accounting Code of Practice. It should be considered a nominal/technical disclosure only. The figure relates to the capital value of the yearly <u>guaranteed</u> base income received by way of all leases – up until the end of their lease term for a large number of land/property interests. In many instances this will cover therefore several decades of future income streams per property and this drives the sheer scale of the disclosed future income figure.</p> |
| <p>3</p> | <p>Councillor Wendy Fitzgerald</p> <p>In relation to Minute 159 – Councillors Questions (Q9)</p> <p>Asked for a clearer definition of what “roads are regularly cleaned” meant. She queried what the exact timescale was.</p> <p>Response of the Cabinet Member for Community (Services)</p> <p>This is a new programme of more extensive works including a lot of work over and above litter picking. Initially it will be three monthly on all the dual carriageways, but this may change as the service assesses the results.</p> |



PAY POLICY STATEMENT 2023/24

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1.0 Introduction

- 1.1 Under Section 112 of the Local Government Act 1972 the Council has the power ‘to appoint officers on such reasonable terms and conditions as the Council thinks fit’.
- 1.2 This Pay Policy statement sets out the Council’s approach to Pay Policy in accordance with the requirements of sections 38 to 43 of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for each financial year, detailing:
- 1.3 The Council’s policies towards all aspects and elements of the remuneration of Chief Officers, including;
- i. The approach to the publication of, and access to, information relating to all aspects of the remuneration of Chief Officers;
 - ii. The Council’s policy on the remuneration of its lowest paid employees
 - iii. (including the definition adopted and reasons for it);
 - iv. The relationship between the remuneration of its Chief Officers and other employees.
- 1.4 Local authorities are large, complex organisations with multi-million pound budgets. They have a very wide range of functions and provide and/or commission a wide range of essential services. The general approach to remuneration levels may therefore differ from one group of employees to another to reflect the specific circumstances at a local, Welsh or UK national level. It will also need to be flexible when required to address a variety of changing circumstances, whether foreseeable or not.
- 1.5 The Council recognises the role of trade unions in consultation and negotiation of pay at local, regional and national levels. The Council supports the National Joint Councils and Joint Negotiating Committees, which govern the national agreements concerning pay and conditions of service, which are applicable to all of the employee groups referred to in this pay policy statement.
- 1.6 As required by legislation, full Council approved the first Pay Policy in 2012 and this policy statement came into immediate effect. The Policy is subject to review on a minimum of an annual basis in accordance with the relevant legislation. This policy will be submitted to full Council for approval.
- 1.7 This policy has made reference to the Welsh Government Guidance Pay Accountability in Local Government, December 2020 and November 2021.
- 1.8 The Council’s Workforce Strategy for 2022/27 identifies that Recognising Performance” is a key “Strand” to its success with the aim to *“achieve and recognise high levels of performance from direct and effective communication, regular evaluation and feedback, clear planning and understanding and supporting our workforce and incentivise appropriately”*. *“So that we have capable staff who are appropriately incentivised, recognised and motivated to achieve a high performance culture across all teams and demonstrating our core values.”*

2.0 Policy Statement

- 2.1 This Policy includes matters concerning the remuneration of Chief Officers, as defined under the Localism Act 2011, including the publication of and access to information relating to all aspects of their remuneration.
- 2.2 The policy includes details on the remuneration of its lowest paid employees (including the definition adopted and reasons for it) and the relationship between the remuneration of its Chief Officers and other employees.
- 2.3 The Council will endeavour to maintain the constructive Social Partnership approach that it has developed with the recognised Trade Unions and will continue to work closely with them on pay related matters. Collective bargaining will be followed as appropriate for any proposed changes to pay and/or allowances

3.0 Legislative Framework

- 3.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes:
- Equality Act 2010
 - Employment Act 1996
 - Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-term Employment (Prevention of Less Favourable Treatment) Regulations 2002
 - Working Time Regulations 1998
 - Agency Workers Regulations 2010
 - Transfer of Undertakings (Protection of Employment) Regulations 2006
 - National Minimum Wage (Amendment) Regulations 2021
- 3.2 The Council will ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

3.3 DEFINITIONS

The Act sets out the requirements for Pay Policy Statements and as part of this there are certain terms that are used to define different employee groups and in particular senior officers. This section explains these definitions, and how they apply in this Council. The Localism Act 2011 defines 'Chief Officer' as Chief Executive, Monitoring Officer, Statutory Chief Officers and Non Statutory Chief Officers.

As stated in the Local Government and Elections (Wales) Act 2021, (with reference to the changes introduction in the Local Government (Wales)

Measure 2011, the role of “Head of Paid Service” was replaced by the role of “Chief Executive” from May 2022

Chief Officers:

Swansea Council’s Chief Officers are as follows:

- Chief Executive
- Statutory Chief Officers:-
 - Director of Education
 - Director of Social Services
 - Director of Finance who undertakes the role of Section 151 Officer
 - Monitoring Officer – Head of Legal, Democratic Services and Business Intelligence
- Non-statutory Chief Officers – this refers to non-statutory posts that report directly to the Chief Executive / Directors
 - Director of Corporate Services
 - Director of Place

Deputy Chief Officers

The Localism Act 2011 defines ‘Deputy Chief Officers’ as those officers that report directly to statutory or non-statutory Chief Officers. In Swansea Council these are:

- Deputy Section 151 Officer and Deputy Chief Finance Officer
- Deputy Monitoring Officer and Deputy Chief Legal Officer

The Council’s senior management arrangements includes Heads of Service. In addition to the posts identified above there are also some Managers that report directly to statutory or non-statutory Chief Officers. These are as follows;

- Heads of Service:
- Place Directorate
 - Building Services
 - Cultural Services
 - Highways and Transportation
 - Housing and Public Health
 - Planning and City Regeneration
 - Property Services
 - Waste, Cleansing and Parks
- Education
 - Achievement and Partnership
 - Planning and Resources
 - Vulnerable Learners
- Social Services
 - Adult Services
 - Child and Family Services

- o Integrated Services
- Corporate Services
 - o Communications and Marketing
 - o Human Resources and Service Centre
 - o Digital and Customer Services
 - o Human Resources and Service Centre
- Finance

4.0 Scope

- 4.1 The Localism Act 2011 required Authorities to develop and make public their Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach and produce a Policy covering all employee groups with the exception of School Teachers (as the remuneration for this latter group is set by the Secretary of State and therefore not within Local Authority control).
- 4.2 The Council has autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local taxpayers. However, this Policy will be complied with in setting remuneration levels for all groups within its scope.

5.0 Principles of the Pay Policy

- 5.1 The Council is committed to an open and transparent approach to pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:
- o Swansea Council's Employee Pay Scales, Local Government Services Employees (Annex A)
 - o Swansea Council's Chief Officer Pay Scales (Annex B)
 - o National Pay Grades - Soulbury (Annex C)

The following are available on the Council's website:

- o JNC Chief Officer Terms and Conditions
- o JNC Chief Officer Employment Rules (as per Council Constitution)
- o Policy on Redundancy
- o Policy on Employee Performance Management
- o Annual Leave Policy
- o Policy on Travel and Subsistence
- o Partnership arrangements
- o Swansea Public Services Board
- o Swansea City of Sanctuary
- o Swansea Poverty Partnership Forum
- o Regeneration Swansea

- Safer Swansea Advice
- 5.2 In addition to the above, the Chief Executive also plays a lead role in regional agencies such as ERW/Partneriaeth, Swansea Bay City Deal and the South West Wales Corporate Joint Committee.
- 5.3 In this context, it does need to be recognised that, at the more senior grades in particular, remuneration levels need to enable the attraction of a suitably wide pool of talent. This would ideally include people from the private and public sector and from inside and outside Wales. It is recognised that the Council will often be seeking to recruit in competition with other good public and private sector employers.
- 5.4 In addition, the Council is the major employer in the area. As such we must have regard to our role in improving the economic well-being of the people of the City and County. The availability of good quality employment on reasonable terms and conditions and fair rates of pay has a beneficial impact on the quality of life in the community as well as on the local economy. The Council also has a role in setting a benchmark example on pay and conditions to other employers in the area for the same reasons.

6.0 Pay Structures within the Council

- 6.1 **NJC Pay Structure:** The Council uses the nationally negotiated pay spine as the basis for its grading structure. This determines the salaries of the larger majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 6.2 Pay increases for NJC staff are nationally negotiated. Pay rates for the period 1 April 2021 to 31 March 2022 are detailed in Annex B.
- 6.3 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 6.4 **The NJC (National Joint Council for Local Government Services) agreed that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine. It has now been agreed that, as a result, SCP1, relating to Grade 1 employees, will be removed from our pay scales and impacted employees moved onto SCP3 in Grade 2 with effect from 1st April 2023.**
- 6.5 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate.
- 6.6 **The Soulbury Committee** has its own pay scales and includes the following groups of staff:-
- Educational Inspectors and Advisers
 - Educational Psychologists

- Youth and Community Service Officers

In addition to the annual pay increase, the Soulbury Committee determines the national salary framework. On other conditions of service issues, the Soulbury agreement ensures that Soulbury officers have conditions which are not less favourable than other local government staff employed in the Council they work in.

All future nationally negotiated pay increases for Soulbury staff will follow the same process as for Chief Officers; see below. The Council will therefore pay future pay rises as and when determined in accordance with contractual requirements.

The pay rates for 2022 are still under negotiation. The current pay rates for this group of staff are attached at **Annex C**.

6.7 Teachers

Teachers' salaries are set nationally, and the Teachers' Pay Policy is available on the Council website.

7.0 Job Evaluation

- 7.1 Job evaluation is a systematic way of determining the value/worth of a job in relation to other jobs within an organisation. It aims to make a systematic comparison between jobs to assess their relative worth, for the purpose of establishing a rational pay structure and pay equity between jobs.
- 7.2 The Council implemented Single Status for all staff in terms of Pay, Grading and Terms & Conditions on 1 April 2014. The concept of equality was central to this work and our Equality Impact Assessment (EIA) process has been utilised throughout. It has informed the negotiating position of the Council in relation to a number of Terms and Conditions. The Council engaged Northgate to assist us to carry out an EIA in respect of our new pay model.
- 7.3 The Council currently uses 2 job evaluation schemes: the GLPC Chief Officers Scheme and the methodology of Job Family Allocation.
- 7.4 **As part of the Senior Management Review, it is intended that a further review of pay and grading arrangements will be undertaken. This will result in a new Chief Officer job evaluation scheme being decided upon by Council in 2023/24.**

8.0 Market Supplements

8.1

Job evaluation has enabled the Council to set appropriate remuneration levels based on internal job size relativities within the council. However, from time to time it may be necessary to take account of the external pay

market in order to attract and retain employees with particular experience, skills and capacity.

- 8.2 It is the Council's policy that any such additional payments be kept to a minimum and be reviewed on a regular basis so that they can be withdrawn where no longer considered necessary, as set out in the Market Supplement Procedure.
- 8.3 Where there are specialist technical roles required within a service, and the recruitment process has failed to deliver appropriately qualified suitable candidates for the role on offer, the Head of Service will submit a full business case for the additional market supplement payment, based on current labour market research for these required skills, to Corporate Management Team for approval.

9.0 Honoraria Payments

- 9.1 The Council recognises that it may be necessary from time to time to apply an additional payment when an employee is requested to 'act up' into a higher graded post or temporarily undertake additional duties associated with a higher graded post. In these circumstances an honoraria payment may be made, and the Honoraria Procedure seeks to ensure that honoraria payments are transparent, properly considered, subject to proper review and implemented on a consistent basis.

10.0 Pay and Performance

- 10.1 The Council expects high levels of performance from all employees and has a performance review process in place to monitor, evaluate and manage performance on an ongoing basis. No performance-related pay is currently applicable to any employee group.
- 10.2 The Chief Executive's performance review is undertaken by the Chief Executive's Appraisal and Remuneration Committee on an annual basis. The Chief Executive publishes the objectives set by the Council in the Chief Executive's blog.
- 10.3 For Chief Officers, the annual increment (if not already at top of scale) is awarded only when the Performance Review is deemed satisfactory.
- 10.4 The Council has an Employee Performance Management policy that is available on the Council's website.

11.0 Chief Executive

- 11.1 The role of Chief Executive is a full time and permanent appointment. The post holder is selected on merit against objective criteria, following public advertisement, and then will be appointed by full Council. The Local Government and Elections (Wales) Act 2021 introduced additional functions for the Chief Executive to keep certain matters including the organisation and appointment of the council's staff under review and where appropriate to do so to report to the council setting out proposals in respect of those matters.
- 11.2 The Chief Executive works closely with elected members to deliver the Council's Recovery Plan – Achieving Better Together.
- 11.3 The Chief Executive routinely works outside of the standard Monday to Friday business week, The Chief Executive also heads the Gold Command 'on call' arrangements particularly to cover emergency planning requirements.
- 11.4 The Chief Executive is employed on Joint National Committee for Chief Executives of Local Authorities (JNC for Chief Executives) terms and conditions. The JNC for Chief Executives negotiates on national (UK) annual cost of living pay increases, and any award of the same is determined on this basis. These pay awards are effective from 1 April each year however they are not normally confirmed in advance of this date.
- 11.5 The Chief Executive will act as the Returning Officer for Local Government Elections. The appointment of Electoral Registration Officer is required by S8 of the Representation of the People Act 1983 and the appointment of Returning officer by S35 of the Representation of the People Act 1983. All other Elections and referenda are not included; and this is covered by the JNC Terms and Conditions of Employment.
- 11.6 The Chief Executives Pay Award for 2022/23 will increase the Chief Executive's current salary to £156,887 per annum.

12.0 Chief Officers

- 12.1 'Chief Officers' are defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are as follows;
- (a) the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
 - (b) its monitoring officer designated under section 5(1) of that Act;
 - (c) a statutory chief officer mentioned in section 2(6) of that Act;
 - (d) a non-statutory chief officer mentioned in section 2(7) of that Act;
 - (e) a deputy chief officer mentioned in section 2(8) of that Act.

For the purposes of its Pay Policy, Swansea Council includes those who are designated Heads of Service.

- 12.2 No bonus or performance related pay mechanism is applicable to Chief Officers' pay; although the annual increment (if not already at top of scale) is

- only awarded once the Annual Performance Review has been deemed as satisfactory. The Chief Executive is on a spot salary, with no incremental progression.
- 12.3 In respect of the nationally agreed JNC Pay Award for the Chief Executive's salary, half is afforded automatically with the other half subject to the performance rating at the Annual Performance Review. The current Chief Executive is on a spot salary with no incremental progression.
- 12.4 **Chief Officer Pay Decisions:** Although any pay increases referred to above are part of the nationally agreed terms and conditions, the Council's Constitution Employment Procedure Rules states that any decision to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be made by full Council.
- 12.5 Therefore, in accordance with these rules, the Council's decision to agree this Pay Policy Statement constitutes agreement to implement future pay increases determined by the relevant negotiating body effective from 1 April 2022, as accounted for in the Budget set and agreed by Council.
- 12.6 Any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the Council's agreed Budget will be referred to Council for consideration and decision.
- 12.7 **Additions to salary of Chief Officers:** The Council does not apply any bonuses or performance related pay to its Chief Officers. However, the annual increment (if not already at top of scale) is only awarded once the annual Review has been deemed as satisfactory.
- 12.8 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.
- 12.9 The cost of membership of one half of a professional body is met by the Council if it is deemed an essential requirement of the post.
- 12.10 **Pay Increases - Chief Officers:** The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.
- 12.11 Agreement has been reached on the pay award applicable from 1 April 2022 and is for all officers within the scope of the JNC for Chief Officers attached as Annex A.

12.12 Chief Officer Pay: The current structure and pay remuneration was approved by the Independent Pay Review Panel in 2018. The pay award applicable from 1st April 2022 is appended as Annex B.

13.0 Exit Payments

- 13.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. This is in respect of a redundancy payment being based on actual weekly earnings (Regulation 5) and when an enhanced redundancy payment of up to 45 weeks' pay would be granted (Regulation 6).
- 13.2 Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Council does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).
- 13.3 The Council will comply with Chapter 8 Localism Act 2011 and the Council's Constitution which provides that the Council must determine the level, and any change in the level of remuneration to be paid to a chief officer. Remuneration includes any amounts payable to a chief officer on the chief officer ceasing to hold office, other than amounts that may be payable by virtue of any enactment.
- 13.4 The Council will comply with the Welsh Government's guidance that full Council should be given the opportunity to vote on chief officer severance packages to ensure any settlement represents value for money for taxpayers. In presenting information to full council, the authority will set out clearly all the components of the relevant severance package including any statutory or non-statutory components.
- 13.5 When calculating the value of a severance package, the following payments should include the following items:-
- salary paid in lieu
 - lump sum redundancy/severance payment
 - cost to the Council of the strain on the pension fund arising from providing early access to an unreduced pension
- 13.6 Exit Payment Cap: Previous Pay Policy Statements have referred to the potential introduction of a cap on exit payments. The Restriction of Public Sector Exit Payments Regulations 2020 came into force across the United Kingdom on 4 November 2020; however, in February 2021 the UK government issued a Treasury Direction to dis-apply the regulations whilst the process of formal revocation can take place, (Revocation of Restriction of Public Sector Exit Payments Regulations 2020).
- 13.7 On 12th February 2021 the UK Government announced its decision to revoke the above Regulations in full and has dis-applied the key Regulations until

this can be done by the UK Parliament. This means that the cap has been removed in both England and Wales, and there is no current requirement for public bodies to request waivers for exit payments over £95,000.

- 13.8 The Strategic HR&OD Manager will ensure that if there are further decisions made regarding this matter, the appropriate actions will be taken to ensure compliance.

14.0 Voluntary Severance

- 14.1 The Voluntary Redundancy Policy provides details of the position on making discretionary payments on early termination of employment under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Details of the Council's policy on whether to increase an employee's total pension scheme membership and on awarding additional pension under Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008 is included in our Employer's Pensions Discretions statement.
- 14.2 Further to the EAT decision *University of Sunderland v Drossou* (13 June 2017, the Council will take into consideration any pension contributions that form part of the overall package of 'remuneration' offered to an employee in return for their services. The result of this is that, where appropriate, the employer's pension contributions are included in the calculation of weekly pay subject to the current maximum allowed.

15.0 Pay relativities across the Council

- 15.1 The "lowest paid employees" under a Contract of Employment are defined as those employed on a full time [37 hours] equivalent salary in accordance with the minimum spinal column point currently in use within the Council's grading structure. The Council employs Apprentices [and other such Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 15.2 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.
- 15.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report explored the case for a fixed limit on dispersion of pay through a requirement

that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Council's workforce.

- 15.4 The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as 1:11 and between the lowest paid employee and average Chief Officer as 1:6
- 15.5 The multiple between the median (average) full time equivalent earnings and the Chief Executive is 1:5 and between the median (average) full time equivalent earnings and average Chief Officer is 1:3.
- 15.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

16 Independent Remuneration Panel for Wales

- 17.1 Section 143A Local Government (Wales) Measure 2011 refers to the Independent Remuneration Panel for Wales (IRPW) and sets out their functions in relation to salaries of Chief Executives.
- 17.2 Any changes to remuneration for the Chief Executive role will be referred to the IRPW and any recommendations received from the IRPW will be put before Council when determining any change in remuneration. Council will have regard to any recommendation received from the IRPW when deciding whether or not to proceed with any change to Chief Executive salary.
- 17.3 The Council is required to identify in this pay policy statement whether any such referral has been made to the IRPW, and if so, the nature of the referral, the IRPW's decision and the council response.
- 17.4 The Council has not made a referral to the IRPW relating to the salary payable to the Chief Executive.

18.0 Accountability and decision making

- 18.1 In accordance with the Constitution of the Council, Full Council is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to Chief Officer employees of the Council.
- 18.2 This policy has considered all the recommendations in the Welsh Government guidance notes on Pay Accountability in Local Government in Wales, and has been referred to throughout this Policy statement.

19.0 Non-Guaranteed Working Hours

- 19.1 In December 2016 the Welsh Government issued principles and guidance on the appropriate use of non-guaranteed hours arrangements in the devolved public services in Wales. These principles and guidance were developed by the Public Services Staff Commission in social partnership with the Welsh Government's Partnership Council and its sector groups.
- 19.2 The Council is committed to the principles determined by Welsh Government which apply to those employees who are employed on a relief, casual or sessional basis. These employees are used in services within the Council where there is either a need to bring in an additional workforce in order to cover peaks in workload or where the workload is on a one off basis.

20.0 Recruitment and Talent Management

- 20.1 Recruitment of Chief Officers: The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4 of the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.
- 20.2 Where the Council remains unable to recruit Chief Officers under a contract of service, or there is a need for an interim appointment to provide cover for a vacant substantive Chief Officer post or for any other reason, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council currently has one Chief Officer engaged under such an arrangement, the Director for Corporate Services.

21.0 Re-employment procedures

- 21.1 No Chief Officer who was previously made redundant or granted early retirement from the Council, will be later re-employed or re-engaged. This would be either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council unless in exceptional circumstances when a meeting of Council may waive this requirement.
- 21.2 The Council will inform Chief Officers on appointment who are in receipt of a pension under the LGPS from a previous employer that they must inform their Pension Fund Provider of their re-employment in Local Government. The appropriate abatement rules can then be applied.

22.0 Teachers Pay

22.1 The Teachers Pay Policy provides a framework for making decisions on Teachers' pay. It has been developed to comply with the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been the subject of consultation with ASCL, NAHT, NASUWT, NEU AND UCAC.

23.0 Pension Scheme

23.1 All Council employees (with the exception of teachers) are entitled to join the local government pension scheme (LGPS) which is offered by the Local Government Employers. If employees are eligible they will automatically become a member of the scheme (to join they must have a contract for at least 3 months duration and be under the age of 75). Employees can decide to opt out of the scheme. The benefits and contributions payable under the Fund are set out in the LGPS regulations.

23.2 The current level of contribution to the scheme by employees, effective from 1st April 2022, is outlined in the following table:

| Contribution table 2022/23 | | | |
|-----------------------------------|---|--|----------------------|
| Band | Actual pensionable pay for an Employment (per annum) | Contribution rate for that employment | |
| | | Main | 50/50 section |
| 1 | Up to £15,000 | 5.50% | 2.75% |
| 2 | £15,001 to £23,600 | 5.80% | 2.90% |
| 3 | £23,601 to £38,300 | 6.50% | 3.25% |
| 4 | £38,301 to £48,500 | 6.80% | 3.40% |
| 5 | £48,501 to £67,900 | 8.50% | 4.25% |
| 6 | £67,901 to £96,200 | 9.90% | 4.95% |
| 7 | £96,201 to £113,400 | 10.50% | 5.25% |
| 8 | £113,401 to £170,100 | 11.40% | 5.70% |
| 9 | £170,101 or more | 12.50% | 6.25% |

23.3 Teachers are entitled to join the Teachers' Pensions scheme. As the Teachers Pensions scheme is operated externally further information can be found on www.teacherspensions.co.uk.

23.4 The Council's Pensions Discretions Policy statement has been updated and agreed during 2021 and, as required is published on the Council's website as required by regulations and as follows;
https://www.swansea.gov.uk/media/50147/Employers-pensions-discretionspolicy-2021/pdf/Employers_pensions_discretions_policy.pdf?m=1642597102047

24.0 Off-Payroll Arrangements

- 24.1 Where the Council is unable to recruit to a job under a contract of service, or where there is a need for specialist support for a specific project, the Council will, where necessary, consider engaging individuals under a contract for service. These will be sourced through the relevant procurement process under the Council's Contract Procedure Rules, ensuring the council is able to demonstrate value for money from competition in securing the relevant service.

25.0 Publication

- 25.1 Upon approval by the full Council, this statement will be published on the Council's Website. In addition, for posts where the full time equivalent salary is at least £60,000, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council's Annual Statement of Accounts will include a note setting out the total amount of:
- salary, fees or allowances paid to or receivable by the person in the current and previous year;
 - any bonuses so paid or receivable by the person in the current and previous year;
 - any sums payable by way of expenses allowance that are chargeable to UK income tax;
 - any compensation for loss of employment and any other payments connected with termination;
 - any benefits received that do not fall within the above

26.0 Monitoring and review

- 26.1 The Policy outlines the current position in respect of pay and reward across the Council and it will continue to be monitored over the next year to ensure that it meets the principles of fairness, equality, accountability and value for money for citizens of Swansea.
- 26.2 This Pay Policy Statement will be kept under review and developments considered in the light of external best practice and legislation. The Pay Policy Statement may also be reviewed as part of the Council's existing Scrutiny arrangements. The Council will ensure the Pay Policy Statement is updated on an annual basis in line with the requirement of the Localism Act 2011.
- 26.3 This Pay Policy Statement will be reviewed and updated on an annual basis for consideration and agreement by full Council, with the next Pay Policy Statement to be in place for the 2023/24 financial year.

ANNEX A: NJC Pay Award 2022/23

| GRADE | 19/20 | HOURLY RATE 21/22 | SALARY 21/22 | HOURLY RATE 22/23 | SALARY 22/23 |
|----------------|-------|-------------------|--------------|-------------------|--------------|
| GRADE 1* | 1 | £9.50 | £18,333.00 | £10.50 | £20,258.00 |
| GRADE 2 | 3 | £9.79 | £18,887.00 | £10.79 | £20,812.00 |
| GRADE 2 Abated | 3A | £9.77 | £18,858.00 | £10.77 | £20,783.00 |
| GRADE 3 | 4 | £9.99 | £19,264.00 | £10.98 | £21,189.00 |
| GRADE 3 Abated | 4A | £9.97 | £19,235.00 | £10.97 | £21,160.00 |
| GRADE 4 | 5 | £10.19 | £19,650.00 | £11.18 | £21,575.00 |
| | 6 | £10.39 | £20,043.00 | £11.39 | £21,968.00 |
| GRADE 4 Abated | 5A | £10.17 | £19,621.00 | £11.17 | £21,546.00 |
| | 6A | £10.37 | £20,014.00 | £11.37 | £21,939.00 |
| GRADE 5 | 7 | £10.60 | £20,444.00 | £11.59 | £22,369.00 |
| | 8 | £10.81 | £20,852.00 | £11.81 | £22,777.00 |
| | 9 | £11.02 | £21,269.00 | £12.02 | £23,194.00 |
| GRADE 5 Abated | 7A | £10.58 | £20,415.00 | £11.58 | £22,340.00 |
| | 8A | £10.79 | £20,823.00 | £11.79 | £22,748.00 |
| | 9A | £11.01 | £21,240.00 | £12.01 | £23,165.00 |
| GRADE 6 | 11 | £11.47 | £22,129.00 | £12.47 | £24,054.00 |
| | 12 | £11.70 | £22,571.00 | £12.70 | £24,496.00 |
| | 14 | £12.17 | £23,484.00 | £13.17 | £25,409.00 |
| | 15 | £12.42 | £23,953.00 | £13.41 | £25,878.00 |
| | 17 | £12.92 | £24,920.00 | £13.91 | £26,845.00 |
| GRADE 7 | 19 | £13.44 | £25,927.00 | £14.44 | £27,852.00 |
| | 20 | £13.71 | £26,446.00 | £14.71 | £28,371.00 |
| | 22 | £14.26 | £27,514.00 | £15.26 | £29,439.00 |
| | 23 | £14.63 | £28,226.00 | £15.63 | £30,151.00 |
| | 24 | £15.12 | £29,174.00 | £16.12 | £31,099.00 |
| GRADE 8 | 25 | £15.60 | £30,095.00 | £16.60 | £32,020.00 |
| | 26 | £16.06 | £30,984.00 | £17.06 | £32,909.00 |
| | 27 | £16.53 | £31,895.00 | £17.53 | £33,820.00 |
| | 28 | £17.00 | £32,798.00 | £18.00 | £34,723.00 |
| | 29 | £17.36 | £33,486.00 | £18.35 | £35,411.00 |
| GRADE 9 | 30 | £17.82 | £34,373.00 | £18.81 | £36,298.00 |
| | 31 | £18.32 | £35,336.00 | £19.31 | £37,261.00 |
| | 32 | £18.85 | £36,371.00 | £19.85 | £38,296.00 |
| | 33 | £19.47 | £37,568.00 | £20.47 | £39,493.00 |
| | 34 | £19.98 | £38,553.00 | £20.98 | £40,478.00 |
| GRADE 10 | 35 | £20.51 | £39,571.00 | £21.51 | £41,496.00 |
| | 36 | £21.03 | £40,578.00 | £22.03 | £42,503.00 |
| | 37 | £21.56 | £41,591.00 | £22.56 | £43,516.00 |
| | 38 | £22.09 | £42,614.00 | £23.09 | £44,539.00 |
| | 39 | £22.58 | £43,570.00 | £23.58 | £45,495.00 |
| GRADE 11 | 40 | £23.13 | £44,624.00 | £24.13 | £46,549.00 |
| | 41 | £23.66 | £45,648.00 | £24.66 | £47,573.00 |

| | | | | | |
|----------|----|--------|------------|--------|------------|
| | 42 | £24.19 | £46,662.00 | £25.18 | £48,587.00 |
| | 43 | £24.71 | £47,665.00 | £25.70 | £49,590.00 |
| | 44 | £25.24 | £48,701.00 | £26.24 | £50,626.00 |
| GRADE 12 | 45 | £25.77 | £49,724.00 | £26.77 | £51,649.00 |
| | 46 | £26.31 | £50,753.00 | £27.30 | £52,678.00 |
| | 47 | £26.86 | £51,813.00 | £27.85 | £53,738.00 |
| | 48 | £27.42 | £52,892.00 | £28.41 | £54,817.00 |
| | 49 | £27.99 | £53,994.00 | £28.98 | £55,919.00 |

- In line with the 2022/23 NJC Pay Award, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine with effect from 1st April 2023. As a result, SCP1, relating to Grade 1 employees, will be removed from our pay scales and impacted employees moved onto SCP3 in Grade 2 with effect from 1st April 2023.

ANNEX B: Chief Officers Pay 2022/23

| CHIEF EXECUTIVE'S PAY SCALE | | | | | | | | |
|--|----------|----------|----------|----------|----------|----------|----------|----------|
| £156,887 per annum (fixed point) | | | | | | | | |
| DIRECTORS' PAY SCALES £109,182 to £123,681 per annum | | | | | | | | |
| Point 1 | Point 2 | Point 3 | Point 4 | Point 5 | Point 6 | Point 7 | | |
| £109,182 | £112,003 | £112,611 | £115,379 | £118,147 | £120,914 | £123,681 | | |
| CHIEF OFFICERS £92,246 to £112,611 per annum | | | | | | | | |
| Point 1 | Point 2 | Point 3 | Point 4 | Point 5 | Point 6 | Point 7 | Point 8 | Point 9 |
| £92,246 | £95,069 | £97,892 | £100,713 | £103,536 | £106,358 | £109,182 | £112,003 | £112,611 |
| HEADS OF SERVICE BAND 1 £75,311 to £92,246 per annum | | | | | | | | |
| Point 1 | Point 2 | Point 3 | Point 4 | Point 5 | Point 6 | Point 7 | | |
| £75,311 | £78,134 | £80,955 | £83,778 | £86,600 | £89,425 | £92,246 | | |
| HEADS OF SERVICE BAND 2 £64,021 to £80,955 per annum | | | | | | | | |
| Point 1 | Point 2 | Point 3 | Point 4 | Point 5 | Point 6 | Point 7 | | |
| £64,021 | £66,843 | £69,667 | £72,488 | £75,311 | £78,134 | £80,955 | | |
| HEADS OF SERVICE BAND 3 £58,377 to £69,667 per annum | | | | | | | | |
| Point 1 | Point 2 | Point 3 | Point 4 | Point 5 | | | | |
| £58,377 | £61,144 | £64,021 | £66,843 | £69,667 | | | | |

ANNEX C: Soulbury Award 2021

| SCP | 01.09.20 | 1.09.21 |
|-----|------------|------------|
| 1 | £36,419 | £37,056 |
| 2 | £37,723 | £38,383 |
| 3 | £38,955 | £39,637 |
| 4 | £40,203 | £40,907 |
| 5 | £41,443 | £42,168 |
| 6 | £42,684 | £43,431 |
| 7 | £43,988 | £44,758 |
| 8 | £45,243* | £46,035* |
| 9 | £46,705 | £47,522 |
| 10 | £48,009 | £48,849 |
| 11 | £49,295 | £50,158 |
| 12 | £50,541 | £51,425 |
| 13 | £51,951** | £52,860** |
| 14 | £53,209 | £54,140 |
| 15 | £54,598 | £55,553 |
| 16 | £55,854 | £56,831 |
| 17 | £57,114 | £58,113 |
| 18 | £58,350 | £59,371 |
| 19 | £59,625 | £60,668 |
| 20 | £60,283*** | £61,338*** |
| 21 | £61,549 | £62,626 |
| 22 | £62,653 | £63,749 |
| 23 | £63,867 | £64,985 |
| 24 | £64,956 | £66,093 |
| 25 | £66,121 | £67,278 |
| 26 | £67,257 | £68,434 |
| 27 | £68,419 | £69,616 |
| 28 | £69,597 | £70,815 |
| 29 | £70,777 | £72,016 |
| 30 | £71,956 | £73,215 |
| 31 | £73,124 | £74,404 |
| 32 | £74,311 | £75,611 |
| 33 | £75,498 | £76,819 |
| 34 | £76,714 | £78,056 |
| 35 | £77,927 | £79,291 |
| 36 | £79,174 | £80,560 |
| 37 | £80,402 | £81,809 |
| 38 | £81,642 | £83,071 |
| 39 | £82,866 | £84,316 |
| 40 | £84,089 | £85,561 |
| 41 | £85,318 | £86,811 |
| 42 | £86,546 | £88,061 |
| 43 | £87,773 | £89,309 |
| 44 | £89,006 | £90,564 |
| 45 | £90,236 | £91,815 |
| 46 | £91,468 | £93,069 |
| 47 | £92,705 | £94,327 |

| | | |
|----|-------------|-------------|
| 48 | £93,930**** | £95,574**** |
| 49 | £95,160**** | £96,825**** |

Notes to Educational Improvement Professionals above

Salary scales to consist of not more than four consecutive points based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

*normal minimum point for EIP undertaking the full range of duties at this level.

**normal minimum point for senior EIP undertaking the full range of duties at this level.

***normal minimum point for leading EIP undertaking the full range of duties at this level.

****extension to range to accommodate structured professional assessments.

Trainee Educational Psychologists SCP

01.09.20 01.09.21

| | | |
|---|---------|---------|
| 1 | £24,541 | £24,970 |
| | £26,337 | £26,798 |
| 3 | £28,131 | £28,623 |
| 4 | £29,929 | £30,453 |
| 5 | £31,724 | £32,279 |
| 6 | £33,520 | £34,107 |

Assistant Educational Psychologists

SCP 01.09.20 01.09.21

| | | |
|---|---------|---------|
| 1 | £30,166 | £30,694 |
| 2 | £31,399 | £31,948 |
| 3 | £32,630 | £33,201 |
| 4 | £33,856 | £34,448 |

Educational Psychologists - Scale A

SCP 01.09.20 01.09.21

| | | |
|---|---------|---------|
| 1 | £38,197 | £38,865 |
| 2 | £40,136 | £40,838 |
| 3 | £42,075 | £42,811 |
| 4 | £44,012 | £44,782 |
| 5 | £45,951 | £46,755 |

Notes to Educational Psychologists - Scale A above

Salary scales to consist of six consecutive points based on the duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

**Extension to scale to accommodate structured professional assessment points.*

| SCP | 01.09.20 | 01.09.21 |
|-----|-----------|-----------|
| 1 | £47,889 | £48,727 |
| 2 | £49,714 | £50,584 |
| 3 | £51,538* | £52,440* |
| 4 | £53,247 | £54,179 |
| 5 | £54,959 | £55,921 |
| 6 | £56,554 | £57,544 |
| 7 | £57,209 | £58,210 |
| 8 | £58,433 | £59,456 |
| 9 | £59,646 | £60,690 |
| 10 | £60,880 | £61,945 |
| 11 | £62,090 | £63,177 |
| 12 | £63,323 | £64,431 |
| 13 | £64,577 | £65,707 |
| 14 | £65,790** | £66,941** |
| 15 | £67,061** | £68,235** |
| 16 | £68,318** | £69,514** |
| 17 | £69,585** | £70,803** |
| 18 | £70,850** | £72,090** |

Notes to Senior and Principal Educational Psychologists above

Salary scales to consist of not more than four consecutive points based on the duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

**Normal minimum point for the principal educational psychologist undertaking the full range of duties at this level.*

***Extension to range to accommodate discretionary scale points and structured professional assessments.*



Report of the Cabinet Member for Corporate Service & Performance

Council – 4 May 2023

Pay Policy Statement 2023/24

| | |
|------------------------------------|---|
| Purpose: | To present to full Council for approval, the updated Pay Policy Statement for the City and County of Swansea for 2023/24. |
| Policy Framework: | None |
| Consultation: | Human Resources, Legal, Finance and Access to Services. |
| Recommendation(s): | It is recommended that; 1) The updated Pay Policy Statement 2023-2024 as attached at Appendix A of the report be approved and published. |
| Report Author: | Adrian Chard |
| Finance Officer: | Ben Smith |
| Legal Officer: | Tracey Meredith |
| Access to Services Officer: | Rhian Millar |

1. Introduction

- 1.1 Sections 38 to 43 of the Localism Act 2011 requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for each financial year, detailing:
- The Council's policies towards all aspects and elements of the remuneration of Chief Officers;
 - The approach to the publication of, and access to, information relating to all aspects of the remuneration of Chief Officers;
 - The Council's policy on the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
 - The relationship between the remuneration of its Chief Officers and other employees.

1.2 This Pay Policy statement sets out the Council's approach to Pay Policy in accordance with the requirements for the financial year 2023/24.

1.3 This updated Pay Policy statement is appended as Appendix A.

2. Key Points of Consideration

2.1 The updated Statement now incorporates the NJC agreement that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine. As a result CMT have agreed that SCP1, relating to Grade 1 employees, will be removed from our pay scales and impacted employees moved onto SCP3 in Grade 2 with effect from 1st April 2023. This is referred to in paragraph 6.4 of the Pay Policy attached at Appendix A.

2.2 The updated Statement also reflects the Council's intention to implement a new Chief Officer job evaluation scheme being decided upon by Council in 2023/24. This is referred to in paragraph 7.4 of the Pay Policy attached at Appendix A.

2.3 The Statement reflects the 2022/23 Pay Award for NJC employees and Chief Executives and Chief Officers which has already been agreed. The Pay Awards for 2023/24 remain under negotiation.

2.4 The Statement reflects the 2021 Pay Award for Soulbury employees as the 2022 Award which remains under negotiation.

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.

3.2 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'.

3.3 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.

3.4 An IIA screening has been undertaken (Appendix B) which demonstrates;

“All employees are directly affected by this policy, however the salary is set at UK national level. As such, it has been identified that there is a “Low Impact” on the Groups identified in Q2. It is a requirement that this Pay Policy is agreed at full Council, as a result, this has required consultation with Finance and Legal in its production (Q3) as well as consideration of the requirements of the WFG (Q4). There is “low risk” in adopting this policy relating to the impacts identified in Q5.

“The cumulative impact is to ensure that the Council has clearly outlined how employees and workers are paid, and the additional arrangements that are in place to provide remuneration and pension benefits. Overall the policy aims to ensure that how all employees and workers are paid for work, and also outlines the reasoning behind the policy, and to meet the guidance laid out by Welsh Government” (Q7).

4. Financial Implications

4.1 The costs arising from the Council's Pay Policy Statement are reflected in the 2023/2024 Budget. An assumption for pay has been made for 2023/24 but details of any likely offer or scope for agreed settlement remain unknown.

5. Legal Implications

5.1 Under s 39(1) of the Localism Act 2011, the Council is required to approve its Pay Policy Statement by 31 March each year. The Council has already approved a Pay Policy at the Council meeting on 2 February for publication. This report is simply seeking to amend the Pay Policy.

Background Papers: None

Appendices:

| | |
|------------|-------------------------------|
| Appendix A | Pay Policy Statement |
| Appendix B | Integrated Impact Assessment. |

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

Which service area and directorate are you from?

Service Area: HR&OD (Digital Transformation)

Directorate: CORPORATE 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:

Pay Policy Statement 2023/24– an updated Pay Policy Statement has been produced to reflect agreement that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine and that, as a result, SCP1 relating to Grade 1 employees, will be removed from our pay scales and impacted employees moved onto SCP3 in Grade 2 with effect from 1st April 2023. This update Policy also reflects the intention to introduce a new Job Evaluation scheme for Chief Officers during 2023/24. Policy is reviewed annually as per legislative requirements.

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

The Pay Policy consultation process includes reviews of new draft policies and procedures by relevant specialists that include Finance, Legal, Service Centre and full Council.

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

The Well-being goals are overarching and are considered during the development of all Council HR Policies. The pay structure is agreed nationally and implemented according to Local TU agreement.

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

All Council services must comply with this policy.

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.)

The cumulative impact is to ensure that the Council has clearly outlined how employees and workers are paid, and the additional arrangements that are in place to provide remuneration and pension benefits. Overall the policy aims to ensure that how all employees and workers are paid for work, and also outlines the reasoning behind the policy, and to meet the guidance laid out by Welsh Government.

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)**

All employees are directly affected by this policy, however the salary is set at UK national level. As such, it has been identified that there is a “Low Impact” on the Groups identified in Q2. It is a requirement that this Pay Policy is agreed at full Council, as a result, this has required consultation with Finance and Legal in its production (Q3) as well as consideration of the requirements of the WFG (Q4). There is “low risk” in adopting this policy relating to the impacts identified in Q5.

“The cumulative impact is to ensure that the Council has clearly outlined how employees and workers are paid, and the additional arrangements that are in place to provide remuneration and pension benefits. Overall the policy aims to ensure that how all employees and workers are paid for work, and also outlines the reasoning behind the policy, and to meet the guidance laid out by Welsh Government” (Q7).

(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.

| |
|--|
| Screening completed by: |
| Name: Adrian Chard |
| Job title: Strategic HR&OD Manager |
| Date: March 2023 |
| Approval by Head of Service: |
| Name: Rachael Davies |
| Position: Head of HR&OD and Service Centre |
| Date: March 2023 |

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 9.



Report of the Chief Executive

Council – 4 May 2023

Chief Officer Job Evaluation Scheme

| | |
|------------------------------------|---|
| Purpose: | To consider and Agree proposals in relation to adoption of a new Job Evaluation Scheme for Chief Officers |
| Policy Framework: | Pay Policy 2022, Workforce Strategy 2022/27 |
| Consultation: | Legal, Finance, Access to Services |
| Recommendation(s): | It is recommended that Council: 1) Consider the recommendations of the independent consultants as detailed in Sections 2 to 10. 2) Agree to the recommendations detailed in Section 11 to adopt the LGA Job evaluation scheme for Chief Officers for future use. 3) If recommendation 2 is accepted that the appropriate changes are made to the Pay Policy by Council. 4) Notes the summary of existing pay bandings in paragraph 11.6 and Appendix D. |
| Report Author: | Adrian Chard |
| Finance Officer: | Chris Davies |
| Legal Officer: | Stephanie Williams |
| Access to Services Officer: | Rhian Millar |

1. Introduction

- 1.1 In the Report of the Chief Executive to Council on 4th November 2021 on the Senior Management Structure it was stated “Following the implementation of the restructure a review of pay and grading for senior officers will be undertaken. This will require external expertise via consultancy support.

It is likely that this may need to include a consideration of senior managers in the tier immediately below heads of service, but this element will be the subject of further reports”.

- 1.2 The Council’s Workforce Strategy for 2022/27 identified under the Strand “Recognising Performance “the Action for a “Review of pay and grading across the Council and for senior roles as identified through the senior management review”.
- 1.3 Initial indicative proposals were received mid 2022 from the consultants setting out a series of recommendations. However since this date, a temporary pause was placed on the process while the budget discussions for 23/24 took place. In addition the appointment of a permanent CEO who sits outside of the wider Chief Officer JE scheme means that the process can now be taken forward.
- 1.4 The Council currently uses the GLPC scheme to evaluate senior management roles. This scheme was introduced in 2009 and all jobs reviewed in 2012. The scheme itself was introduced in the early nineties and we believe has not been updated and is not now widely used elsewhere. There is a lack of resource trained on this scheme in Swansea and is not considered flexible enough for modern use. The scheme is therefore no longer fit for purpose or suitable for current and future need and it has become increasingly difficult to review any Council roles due to its limited usage UK wide.
- 1.5 The previous report to Council confirmed that a review of pay and grading for senior officers will be undertaken. This will require external expertise via consultancy support. It is likely that this may need to include a consideration of senior managers in the tier immediately below heads of service but not the wider JE staff for the remaining workforce. This would be a matter for further consideration in due course.
- 1.6 Nawrat Seymour HR Service have been engaged as consultants to consider points i, ii and iii and their findings and recommendations in relation to point (i) relating to the Job Evaluation Workstream are italicised and detailed in Sections 2 to 9.
- 1.7 **It should be emphasised that the proposals contained in this paper relate specifically to the adoption of a new Job Evaluation scheme and do not refer to pay and grading arrangements in the Council. Their findings in relation to grading structure will be subject to a separate future report to ensure independence of process and decision-making.**

Paragraph 2 to 10 sets out the summary of the report provided by Nawrat Seymour plus an analysis of the two schemes

2. Report Provided by Nawrat Seymour HR Service in relation to the Job Evaluation Workstream

- 2.1 Nawrat Seymour HR Service were instructed to assess the merits of an appropriate job evaluation scheme and recommend a preferred scheme for approval. They have provided information on potential options for adoption by Swansea and made recommendations on the way forward. The detail of their report in relation to the Job Evaluation Workstream is as follows;
- 2.2 *Changes in pay and grading have consequences for individuals and where information is available to us, we have commented on impact. Changes must also be critically challenged to ensure that there is no adverse impact based on a protected characteristic, (for example, sex, disability, race). This is a very small group of people which makes statistical analysis difficult as small changes can skew results, however, we have provided comments on the equality impact alongside our proposals.*
- 2.3 *The existing methodology for senior managers has been discounted by the council on the basis that it provides no objective justification nor is future proofed. On that basis we have not analysed further. Senior Managers should be treated as other staff where posts are evaluated, albeit there are some employment groups, such as those on Soulbury grades, who are out of scope of standard job evaluation arrangements. This is not unusual for a local authority workforce.*
- 2.4 *Prior to looking at the merits of the appropriate job evaluation schemes it is worth briefly considering why use job evaluation at all. The Equal Pay Commission notes that whilst not mandatory, job evaluation is one of the most important tools for reviewing and assessing whole pay systems and ensuring employers meet their obligations under the Equality Act 2010. Job evaluation determines the relative size of jobs within an organisation and whilst not determining pay, provide a rational basis for the design and maintenance of a defensible grading structure. The application of job evaluation minimises subjectivity and enables systematic and consistent decisions to be made about the job rather than postholders therefore protecting the organisation against claims of bias and discrimination.*
- 2.5 *Alongside the adoption of a job evaluation scheme, the council must consider how it should be managed in house. We recommend the adoption of some basic principles:*
- i. **Job evaluation should be based on job documentation that is agreed by the organisation's management.** *Whilst at this level in particular job holders may participate in writing it is a management responsibility. Further comments on what job documentation should look like are given below.*
 - ii. **Job evaluation is undertaken by trained practitioners, who are independent of the post in question.** *Job evaluation of HR posts would therefore normally be done by the relative job evaluation*

method owner (LGA or Korn Ferry) or a reciprocal organisation, e.g. another local authority, albeit in our experience the latter is a fairly rare solution to ensuring independence.

- iii. **Job evaluation is undertaken by a panel of at least two people.** It is also valuable for panel outcomes to be scrutinised by a further trained practitioner; in Hay this is often referred to as sore thumbing. Its purpose is not to change the evaluation but to challenge and to question consistency with other evaluations.
- iv. **Job evaluation results are maintained on a database.** Often overlooked, rigour on retaining job evaluation marks is essential, to deal with queries, to cross check on consistency across posts and over time, to avoid the need to regularly job evaluate in response to minor changes when evidence shows small changes in job evaluation marks will not impact on grades.
- v. **A recognition that job evaluation marks, as well as grades, can go down as well as up.** Whilst this should be self-evident there can be a tendency for job evaluation to be associated with regrading, that is upwards. Failure to correct this view has the potential to create dissatisfaction with whatever scheme is adopted.

2.6 Two analytical evaluation schemes are considered. These are schemes where jobs are broken down into components (known as factors) and scores for each component of the job are awarded with a final total giving an overall rank order. Scores can be grouped into grades. These schemes are tried and tested in local authorities for senior manager roles and our task has been to see the best fit for Swansea at this time.

3. Local Government Association (LGA) Chief Officer Scheme

3.1 In the past the LGA worked closely with Hay on job evaluation of senior managers. However, they advise that they developed their own scheme 7/8 years ago. They estimate that around 60 authorities now use, including Birmingham and Manchester, as well as others such as Academies. The LGA advise they have ACAS approval on the scheme's rationality.

3.2 There is no cost to subscribe to the scheme. However, there are costs which arise from undertaking initial job evaluation and training. Their approach would be:

- To evaluate the posts in this cadre. As part of this process, they request that postholders provide information via a bespoke questionnaire.
- It is subsequently the consultants' view that this would take a minimum of eight days based on previous experience and may therefore vary. There would also be a further three days analysis.
- They would then train in-house evaluators to manage the job evaluation process going forward and "assumes that this is done face to face rather than remotely. The LGA's view is that this tends to work better".

The LGA have presumed that there will also be some active work on translation to pay using data and have included this in their total estimated cost.

- 3.3 *As part of the job evaluation process they would also look at the jobs that butt on to the chief officer grading. They have knowledge of the National Job evaluation scheme and the GLPC job evaluation, the latter being used in Swansea, albeit amended as noted below. This is to check that the job evaluation break between the senior management group and main grades is correct and to comment on any jobs that have the potential to change. It is difficult to be precise on timescale to do, but one or two days extra consultancy days would not appear unreasonable.*
- 3.4 *The scheme appears to be simple to use. It looks at four areas each with two sub factors; knowledge requirement, creative thinking / policy direction involved, impact on people / organisation, responsibility for resources. Whilst the LGA can provide guidance, e.g. how to take account of budgets in the evaluation, they suggest that their users do not suggest there is a need to do. There has also been no demand to create a user group, the LGA argue this is because the scheme is simple to apply. The LGA do not routinely quality sample new evaluations undertaken in-house, but they can, however, do if this is required. This would attract a cost at a percentage of the day rate.*
- 3.5 *The scheme does not provide a ready conversion to grades, albeit they can advise on suitable points to grade levels this is primarily local led. They do not hold a database of job evaluation marks and pay; their interest is in managing and providing a robust job evaluation scheme rather than broader pay data.*
- 3.6 *The scheme does not have a defined appeals procedure, but the LGA recognise that the ability to appeal provides a safety net to maintain user satisfaction and protect against equal pay claims. Their approach on such occasions is to offer independent evaluation where a matter cannot be resolved internally. As would be expected for posts at this level, where small changes in job accountabilities will infrequently change a grade, such occasions are rare.*

4. Korn Ferry Hay Job Evaluation Scheme

- 4.1 *The Hay Group Guide Chart Method of job evaluation was developed in the 1950s and is widely used across North America and Europe. It is owned by the consultancy group Korn Ferry who advise that in England and Wales it is now used by 150 authorities, 30 of these use from the bottom to the top of their organisation the remainder begin to use at different levels in the hierarchy most commonly at senior management levels. Hay job evaluation is also used for senior Civil servant posts and parts of the NHS. Korn Ferry advise that it has been tested to meet equal pay requirements, via the Courts.*

- 4.2 *The Hay job evaluation method is based on the concept that:*
- *all jobs exist to provide an impact or output to the organisation, (its “accountability”).*
 - *achievement of accountability demands an input of knowledge, skills, and experience, (the “know how”).*
 - *to turn know how into results it must be used to solve problems that arise in the job, (“problem solving”).*

The methods claim that any role can be characterised in terms of its know-how, problem solving and accountability. To refine the evaluations each factor is further sub divided into two or three elements, providing a depth of analysis. From our experience of using Hay, there is no need to write local conventions and the scheme lends itself well to organisations with a clear hierarchy.

- 4.3 *To be accredited to use Hay, Korn Ferry offer two routes, these are:*
- a) *Korn Ferry would evaluate all posts at this level, we have assumed up to 50. They would present a rank order and the total scores to the organisation for discussion with the Chief Executive and HR Director. They would provide support on the conversion of job evaluation totals to grades and guidance on parameters so that when a job changes, or new one is created, they can be slotted in where appropriate.*
- b) *Korn Ferry would evaluate the Chief Officers and undertake a sample of evaluations throughout the hierarchy to set benchmarks. They would then train inhouse staff, (up to 8), who would undertake the remaining evaluations. Korn Ferry would quality sample these evaluations and discuss as need be with the council. On a continuing basis Swansea staff would evaluate and use Korn Ferry to quality sample results, or request then to undertake where their independence is required, such as human resources evaluations.*

This hands-on approach by Korn Ferry is valuable in maintaining the integrity of the scheme particularly in its early implementation stages, where it is particularly important to ‘set’ the right direction and create a baseline.

- 4.4 *In addition to job evaluation outcomes, the Hay scheme has associated features, they are:*
- *Whilst we suggest it is a step too far for Swansea and the numbers of posts in question, Hay job evaluation is one component of Korn Ferry’s so called talent hub. Simplistically, this spans, individual assessments, competencies, job description, job evaluation, market insights, interview guides, etc.*
 - *Participation in the Hay local government user group which is currently led by Kent County Council.*
 - *Access to salary survey information, at a separate cost. This tends to be useful for posts that have a wide sector data set, at this level posts such as IT and Finance. Users compare total salaries based on total job evaluation points.*

- 4.5 *The scheme does not have an integral appeals process. Were Swansea want to set up, we would advise that Korn Ferry is used to undertake independent evaluation where there is a matter of continuing dispute that cannot be resolved internally.*

5. Analysis / Comparison of the Job Evaluation Schemes

- 5.1 *Our analysis of the two schemes is as follows:*
- a. *Both schemes are equally strong in safeguarding against equal pay claims. Both are analytical, look at the job not the person and rely on independent trained evaluators.*
 - b. *Both schemes are supported and maintained in a professional manner. Both schemes provide training and support. Both are future-proofed in terms of their maintenance and support.*
 - c. *In implementation terms, both offer the option for independent evaluations (at a cost) and a hybrid with more inhouse input. With both schemes this would create a baseline and conventions in application for the future.*
 - d. *The Hay scheme is more sophisticated and nuanced in its approach; this is unsurprising as it aims to have scope to evaluate all types of posts at all levels in all sectors. Hay scheme has checks and balances within the scheme which helps ensure proper application. The LGA scheme is specifically geared to local government senior posts and as such is simpler to operate. Both require professional judgement from trained evaluators; for Hay the demands are probably greater because it is more complex albeit in practice this has not been a barrier for existing users and the checks and balances add extra safeguards to ensure the quality of evaluations.*
 - e. *The Hay scheme offers the opportunity for external comparisons (market style) and a support group. In practice, comparisons are only valuable where there are large groups of similar staff and are less useful for senior posts due to size, structure etc. Market comparisons are better to determine relative pay for unique jobs. The LGA scheme by its nature is part of the local government family.*
 - f. *Both schemes would encourage an appeals process, and both would recommend a new independent evaluation (a review) as the route.*

6. Information from other users

- 6.1 *It is worth noting that until the LGA scheme was introduced for senior managers Hay was the only option, although many did not use an analytical job evaluation scheme. Both schemes now have a large number of existing users across local government. We have received some feedback from current LGA users and we have experiences with local authorities using the Hay scheme.*
- 6.2 *Feedback from two Welsh local authorities note that they find the simplicity of the LGA scheme makes it easy to pick up, especially for those with job evaluation experience in other schemes. They also advise*

that the LGA is available to quality sample job evaluation done in house when required.

- 6.3 *Having recently worked with a London authority who use Hay for senior jobs, they recognised the quality of the scheme and were assured that it appropriately distinguished between jobs. They were not frequent users and at times lacked confidence in using the scheme, albeit we suggest that this may be a typical problem when people only undertake job evaluation occasionally,*

7. Costs

- 7.1 *A comparison of costs between the two schemes indicate a significant difference.*

8. Documentation

- 8.1 *It is worth noting that regardless of the scheme chosen, the council will need to ensure that it holds current and accurate job documentation. At minimum both schemes will require for each job:*

- *Information on its accountabilities.*
- *A structure chart, showing who it reports to and those directly managed.*
- *Details of the total and type of staff under its overall control.*
- *Budget information.*

Typically, job evaluation exercises collate staff management and budget information through the use of questionnaires, as well as other details that help the evaluation process, such as noting key contacts. Evaluation of the jobs will provide an opportunity for the council to review its current job descriptions for posts at this level with a greater emphasis on accountabilities rather than broad values (which are more valuable for recruitment and management of staff).

9. Relationship between job evaluation and grading.

- 9.1 *The job evaluation process for both the above schemes gives a total score for each job. Neither converts these scores to grades, (or pay), but the way that schemes have been written, they create clusters of similar job evaluation scores which can be used to attach ranges of job evaluation scores to grades, for example at Chief Officer level rather than Head of Service type roles. Whilst the numbers of grades are a local decision, to maintain the integrity of the job evaluation scheme some guidance is provided, e.g., it would be questionable to use the scores to create say ten or twelve grades. To be accredited under the Hay scheme, Korn Ferry will provide support on the appropriate conversion of job evaluation scores to grades. Similarly, the LGA will also provide assistance on this point. It is best practice therefore to pursue a process of job evaluation before deciding on the final numbers of grades,*

however, for a hierarchy such as Swansea's four/five senior manager levels below the Chief Executive are sustainable.

10. Consultant Recommendations

Our recommendations are:

- 10.1 *That Swansea adopts the five principles in managing job evaluation as set out in paragraph 2.5 above.*
- 10.2 *There is a significant difference in cost between the two job evaluation schemes. LGA scheme is simpler to operate and to maintain in the future. Hay offers more "add-ons" but at cost and is more sophisticated in its application; however, it is questionable whether these additions are valuable to Swansea. Both schemes would do the job that it is required, and meet equality considerations, we suggest that the council's final decision will be reasonably based on cost, potential use of the add-ons, described and users' ability to evaluate only on an occasional basis.*
- 10.3 **Based on the information provided and, on the advice of our consultants, it is recommended that the LGA Scheme be adopted.**

11. Officer Comments

- 11.1 A summary of the Hay and LGA Schemes are attached as Appendices A and B.
- 11.2 Across Local Authorities in Wales there is a mix of Schemes applied. The LGA Scheme is known to be used in Ceredigion, Torfaen, Powys and Ynys Mon. The Hay Scheme is known to be used in Cardiff, Newport, Neath and Port Talbot and Wrexham.
- 11.3 Taking into consideration the comments of the independent consultants, the nature, and the potential cost of both schemes, it is the view of the Strategic HR&OD Manager and the Chief Executive that the LGA scheme is adopted. The rationale for this view is primarily due to cost and future operation, alongside the assurance that both schemes would be broadly equally applicable to Swansea Council and would also align to one of the objectives of the Council's Workforce Strategy.
- 11.4 In addition it is recommended that in relation to paragraph 3.3 above, it is proposed that the work is extended to look at those roles that "fall between" the current substantive JE scheme and the chief officer scheme as this continues to lead to some frustration and confusion.
- 11.5 If Council is minded to support the recommendations to proceed this would require careful management in its implementation, independent of impacted officers. This would also require consultation with impacted employees and Trade Unions. As such the trade unions were briefed by the Chief executive on the 14th of March and Chief officers were briefed on

the 15th of March. Further consultation will take place prior to Council on the 4th May and subsequently subject to Council's decision.

- 11.6 For awareness, the current Chief Officer Bands are attached as Appendix D.

12. Integrated Assessment Implications

- 12.1 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.

- 12.2 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.

- 12.3 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.

- 12.4 An IIA has been completed and determined that a full assessment is not required. It has been considered that there will be a low impact on the protected characteristics.

External independent consultants were engaged to undertake an analysis of Job evaluation scheme and prepare a report with recommendations to Council. There are no negative WFG implications.

The current scheme is no longer supported or fit for future use. There is a risk that there will be no suitable evaluation process and potentially, equal pay issues moving forward if we did not change the current scheme.

The consultants have included in their considerations the potential impact of each Job Evaluation Scheme and concluded that “both schemes are equally strong in safeguarding against equal pay claims” (5.1.a).

13. Financial Implications

- 13.1 **The recommendation, and decision by Council, to commission an evaluation, was explicitly on the basis of understanding that there would be no additional costs to the senior management structure longer term. Although it should be recognised that the grade and salary of some posts may go up whilst others may go down.**

There may be some elements of short term pay protection contractually obligated by existing contracts of employment and standard council terms and conditions on job evaluation grading outcomes to be met dependent upon the outcome of evaluation results. These short-term costs can be accommodated from the restructure reserve.

14. Legal Implications

- 14.1 There are no legal implications associated with this report other than the requirement to ensure that any agreed scheme meets the requirements of equal pay provisions referred to in Section 5.
- 14.2 The current GLPC Officers Scheme is referenced in Section 7.3 of the Pay Policy. Any change to this would need to be agreed by Council.

Background Papers: None.

Appendices:

- | | |
|------------|------------------------------|
| Appendix A | Hay Job Evaluation Scheme |
| Appendix B | LGA Job Evaluation Scheme |
| Appendix C | Integrated Impact Assessment |
| Appendix D | Chief Officer Salary Bands |

Accountability

The answerability for action and for the consequences of that action. It is the measured effect of the job on end results of the organisation. It has three dimensions in the following order of importance:

1. Freedom to act: the extent of the personal, procedural, or systematic guidance or control of actions in relation to the primary emphasis of the job.
2. Job impact on end results: the extent to which the job can directly affect actions necessary to produce results within its primary emphasis.
3. Magnitude: the portion of the total organisation encompassed by the primary emphasis of the job. Where possible, magnitude is expressed in annual financial figures representing the area of primary emphasis of the job.



Senior Manager Job Evaluation Scheme

Job Evaluation Scheme

Criteria 1 – Knowledge requirement

| Depth of knowledge required for the role | Breadth of Knowledge required for the role (Breadth of knowledge that has to be applied together with the extent of planning and integration required) | | | | |
|--|---|---|--|---|--|
| | 1 Specialist and substantial knowledge of discipline. Planning/delivery of specialist work area | 2 Complete range of knowledge across a service/function area. Planning delivery of entire service | 3 Integration across functions and/or services within the council and associated organizations or partnerships. Involved in corporate planning | 4 Integration of diverse functions within the council and with associated organizations or partnerships. Strategic planning across entire range of council services | 5 Integration and planning across the whole council, and between the council and other organisations. |
| 1 Professionally accredited or equivalent knowledge obtained through practical experience | 1 | 2 | | | |
| 2 Professionally accredited or equivalent knowledge obtained through significant applied experience combined with associated relevant practical managerial experience | 2 | 3 | 4 | | |
| 3 In depth diverse expertise together with significant managerial experience. | 3 | 4 | 5 | 6 | |
| 4 In depth diverse expertise combined with extensive senior managerial expertise. | | 5 | 6 | 7 | 8 |

Job Evaluation Scheme

Criteria 2 – Creative thinking required / policy direction involved

| | Level of discretion | | | | |
|--|---|---|--|---|---|
| | 1 | 2 | 3 | 4 | 5 |
| | Managerial guidance, policy and procedures available. Focus primarily on one operational area | Senior manager level guidance available, work within corporate policy, operational procedures must be developed and adapted. Focus on an entire function or service area | Guidance only from most senior managers and elected members. Contribute to development of corporate policy within strategic policy framework. Focus on diverse areas of organisations activity | Guidance primarily from elected members, developing strategic direction of entire organization. Focus on entire organisation | Guidance only from elected members and/or legislation high level strategic development and integration across the entire organisation |
| Nature and level of challenge (complexity of challenge and need for innovative thinking) | | | | | |
| 1 | A range of interrelated issues requiring innovative thinking and response to find a solution in one operational area | 1 | 2 | | |
| 2 | A range of related and unrelated issues requiring innovative thinking and response to find a solution in one function/service area | 2 | 3 | 4 | |
| 3 | A diverse range of related and unrelated issues across more than one function requiring innovative thinking to develop a solution | 3 | 4 | 5 | 6 |
| 4 | Highly complex issues requiring significant interpretation or extension of existing policy, across more than one department/service area. | | 5 | 6 | 7 |
| 5 | Challenging and highly complex situations with uncertain outcomes requiring the initiation and development of new policy impacting on the whole organisation. | | | 8 | 9 |

Job Evaluation Scheme

Criteria 3 – Impact on people / organisation(s)

| | External influencing requirement | | | | |
|--|---|---|--|---|--|
| | 1 | 2 | 3 | 4 | 5 |
| | Role mostly focused on the provision of internal services with limited external liaison | Regular external contact required for the on-going management of a range of service, supply and partnership relationships | Management and development of external relationships of significant importance to the Council. | High level contact with public and other external bodies to discuss negotiate and resolve controversial issues that impact on the council | High public visibility and negotiation with external partners/ stakeholders on significant and controversial matters relating to the whole council |
| Managerial (internal organisation) influence required | | | | | |
| 1 | Small team or full line management of small team, or impact across more than one department | 2 | 3 | | |
| 2 | Full line management of a number of teams, or impact across all departments | 3 | 4 | 5 | |
| 3 | Full line management of a department or large business unit. Or significant impact across all departments | 4 | 5 | 6 | 7 |
| 4 | Full responsibility for the entire work force | | | 7 | 8 |

Job Evaluation Scheme

Criteria 4 – Responsibility for resources

| Size of budget/resources managed | Type of responsibility for managing resources | | |
|--------------------------------------|---|---|---|
| | 1 Advisory/indirect | 2 Shared accountability with colleagues, partners, contractors etc | 3 lead responsibility or direct accountability |
| Indicative Revenue Budget (% of GRE) | | | |
| 1 Less than 1% | 1 | 2 | 3 |
| 2 2% – 5 % | 2 | 3 | 4 |
| 3 6% – 20% | 3 | 4 | 5 |
| 4 21% – 40% | 4 | 5 | 6 |
| 5 41% – 70% | 5 | 6 | 7 |
| 6 71% - total GRE | 6 | 7 | 8 |

Job Evaluation Scheme

Scoring matrix

| Level | Factors and points per level | | | |
|-------|------------------------------|---------------------------------------|------------------|------------------------------|
| | Knowledge | Creative thinking and policy decision | Impact on people | Responsibility for resources |
| 1 | 120 | 40 | 40 | 40 |
| 2 | 240 | 80 | 80 | 80 |
| 3 | 360 | 120 | 120 | 120 |
| 4 | 480 | 160 | 160 | 160 |
| 5 | 600 | 200 | 200 | 200 |
| 6 | 720 | 240 | 240 | 240 |
| 7 | 840 | 280 | 280 | 280 |
| 8 | 960 | 320 | 320 | 320 |
| 9 | | 360 | | |

When scoring it is possible to put a 'plus' or 'minus' onto any of the sub factor levels; for the 'knowledge' factor this has the effect of adding or subtracting 30 points to the score. In all other factors add or subtract 10 points. The exception to this is: level one in any factor cannot be subject to a "minus" and the highest level in any factor cannot be subject to a "plus".

Integrated Impact Assessment Screening Form – Appendix C

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

Which service area and directorate are you from?

Service Area: HR&OD and Service Centre

Directorate: Corporate 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
- Other

(b) Please name and fully describe initiative here:

Proposal to adopt a new Job Evaluation Scheme for Chief Officers. This proposal is to ensure that we have an appropriate scheme in place for Chief Officers.

The Council's Workforce Strategy Strand 5; Recognising Performance identified the Action for a "Review of pay and grading across the Council and for senior roles as identified through the senior management review".

The Council currently uses the GLPC scheme to evaluate senior management roles. This scheme was introduced in 2009 and all jobs reviewed in 2012. The scheme itself was introduced in the early nineties and we believe has not been updated and is not now widely used elsewhere. There is a lack of resource trained on this scheme in Swansea and is not considered flexible enough for modern use. The scheme is therefore no longer fit for purpose or suitable for current and future need.

Proposals were submitted for CMT consideration in May 2022 in relation to Senior Management Grading, Pay Structure and Organisational Structure. Included in the recommendations were the following;

- i. Seek Member approval for these proposals.
- ii. Engage an external consultancy to;
 - assess the merits of appropriate job evaluation schemes and recommend a preferred scheme for approval.
 - review the existing grading structure and provide recommendations for a structure that is cost-effective and fit for purpose for the future.

Nawrat Seymour HR Service have been engaged as consultants to consider points i, ii and iii and their findings and recommendations in relation to point (i) relating to the Job Evaluation Workstream .

Integrated Impact Assessment Screening Form – Appendix C

It should be emphasised that these proposals relate specifically to the adoption of a new Job Evaluation scheme and do not refer to pay and grading arrangements in the Council.

Their findings in relation to points (ii) and (iii) will be subject to a separate future report to ensure independence of process and decision-making.

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 | No Impact |
|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-----------------------------|--------------------------|
| | + | - | + | - | + | - | | |
| 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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <input type="checkbox"/> |
| Human Rights | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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

Due to the need for impartiality, independent consultants were engaged to undertake an external analysis of Job evaluation schemes.

Following CMT/Cabinet agreement of the preferred scheme, there will be a requirement to consult with impacted staff and Trade Unions.

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

Integrated Impact Assessment Screening Form – Appendix C

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 Will this initiative result in any changes needed to the external or internal website?

Yes

No

If yes, please provide details below

Q8 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 proposal will not impact on the wider community or Council employees below Grade 12. The financial impact will be limited to the cost of administering the preferred scheme

The consultants have therefore included in their considerations the potential impact of each Job Evaluation Scheme and concluded that “both schemes are equally strong in safeguarding against equal pay claims” (5.1.a).

In considering equal pay issues, the consultants have advised that in their analysis of the two Job Evaluation schemes considered “both schemes are equally strong in safeguarding against equal pay claims.”

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

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

It has been considered that there will be a low impact on the communities identified in Q2.

Integrated Impact Assessment Screening Form – Appendix C

External independent consultants were engaged to undertake an analysis of Job evaluation scheme and prepare a report with recommendations to CMT/ Cabinet. There are no WFG implications.

The current scheme is no longer supported or fit for future use. There is therefore a risk that there will be no suitable evaluation process and potentially, equal pay issues moving forward.

The consultants have therefore included in their considerations the potential impact of each Job Evaluation Scheme and concluded that “both schemes are equally strong in safeguarding against equal pay claims” (5.1.a).

(NB: This summary paragraph should be used in the ‘**Integrated Assessment Implications**’ 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.

| |
|---|
| Screening completed by: |
| Name: Adrian Chard |
| Job title: Strategic HR&OD Manager |
| Date: 12/9/22 |
| Approval by Head of Service: |
| Name: Rachael Davies |
| Position: Head of HR&OD and Service Centre |
| Date: 13/9/22 |

Please return the completed form to accesstoservices@swansea.gov.uk

Chief Officer Salary Bands

| Chief Officer Post Title | Directorate | Chief Officer Salary Band |
|--|--------------------|----------------------------------|
| Director of Finance | Finance | Director Band |
| Director Place | Place | Director Band |
| Director Education | Education | Director Band |
| Director Social Services | Social Services | Director Band |
| Chief Officers | | |
| Chief Legal Officer | Corporate Services | Chief Officer Band |
| Band 1 | | |
| Head of EDU Vulnerable Learners | Education | 1 |
| Head of Integrated Service (SS) | Social Services | 1 |
| Head of Adult Services | Social Services | 1 |
| Head of Digital and Customer Services | Corporate Services | 1 |
| Head of Highways and Transportation | Place | 1 |
| Head of Waste Management & Parks and Cleansing | Place | 1 |
| Head of Planning and City Regeneration | Place | 1 |
| Head of Property Services | Place | 1 |
| Head of Child & Family Services | Social Services | 1 |
| Head of Cultural Services | Place | 1 |
| Head of Housing & Public Health | Place | 1 |
| Band 2 | | |
| Head of HR & Service Centre | Corporate Services | 2 |
| Head of Planning & Resources | Education | 2 |
| Head of Achievement and Partnership | Education | 2 |
| Head of Commercial Services | Finance | 2 |

| | | |
|--|--------------------|---|
| Head of Comms/Marketing | Corporate Services | 2 |
| Head of Building Services | Place | 2 |
| Deputy Chief Finance Officer / Deputy S151 Officer | Finance | 2 |
| Band 3 | | |
| Head of Revenues and Benefits | Finance | 3 |
| Deputy Chief Legal Officer | Corporate Services | 3 |

Agenda Item 10.



Report of the Chief Executive

Council - 4 May 2023

Options for the Appointment for the Post of Director of Corporate Services

| | |
|---------------------------|--|
| Purpose: | To confirm the options for the role of the Director of Corporate Service. |
| Policy Framework: | Constitution - Recruitment & Selection procedure for Chief Officers as set out in the JNC Officer Appointment Procedure Rules. |
| Consultation: | Access to Services, Finance, Legal. |
| Recommendation(s): | It is recommended that: 1) Council notes the options set out in the report and agrees that option 2 is progressed and the post is recruited to in line with the JNC officer appointment Procedure Rules |
| Report Author: | Martin Nicholls |
| Finance Officer: | Ben Smith |
| HR Officer | Rachael Davies |
| Legal Officer: | Tracey Meredith |

1. Introduction

- 1.1 The role of Director of Corporate Services was previously advertised with shortlisted candidates attending an assessment centre on the 14th October 2022. At a meeting of Extraordinary Council on the 18th October 2022 Council was advised that following the assessment centre and subsequent Appointment Committee that there were no suitable applicants to be presented for interview. Council accepted this recommendation and requested the Chief Executive provide a further report in due course outlining the options for the role and this is set out below.

2. Options

2.1 Option 1: - Re-advertise the role on a permanent Full-time basis

The previous process attracted 19 applications and an ability to create a strong shortlist for assessment centre. Unfortunately this process failed to identify a candidate who met the threshold for the role and as such the Appointments Committee agreed not to progress to the next stage.

The option exists to re-advertise the role on the same basis since several months have passed since the last recruitment process to retest the market. In addition the Council could consider the use of an enhanced recruitment process utilising a recruitment consultant to seek a wider pool of candidates.

This is a credible option although as with all options there is no guarantee of success.

Attention is drawn to the fact that as part of the budget process for 23/24 a reduction in the Directorate budget provision has been made to reflect the fact that for the last 9 months the role has been fulfilled via an agency appointment on a part-time basis. If the role was advertised on a full-time basis a budget deficit would therefore exist.

2.2 Option 2: - Advertise the Role on a Permanent Part-time basis

Councils' attention is drawn to the fact that over the last 9 months the role has been fulfilled on a "part-time" basis at 3 days per week. It is the view of the Chief Executive that this has been effective in terms of the role required and this does take into account a backlog of corporate activity which at times has resulted in some peaks of workload. However this could be smoothed out by looking at such an appointment on an "annualised hours" basis which might better fit the needs of the service.

As referred to in option 1 the current budget provision reflects the role as being delivered on a part time basis so if council were to proceed with this option it would not impact on the published 23/24 budget.

It is understood that the Council has not previously advertised a chief officer role on a part-time basis so it is not clear if this would attract sufficient interest but it should be regarded as a credible option.

2.3 Option 3: - Not fill the role and amend the structure to redistribute duties across Remaining Senior Management Structure

Discussion with the wider Corporate Management Team has identified concerns in relation to the wider capacity at senior level to continue to deliver on the range of corporate priorities, transformation strategy and wider governance framework. Whilst some of this pressure will ease with the completion of the Oracle Fusion project it is felt essential by the Chief Executive that an element of corporate resource currently being delivered by

the Interim Director of Corporate Services will still be required for the foreseeable future.

Attention should be drawn to the opportunity that a deleted post would bring in terms of budget savings allowing an additional saving of circa £75,000 to be attained if the post were fully removed from the structure.

On balance the Chief Executive believes that the deletion of the role of Director of Corporate Services and the redistribution of these duties would be an unacceptable risk to the Council at this time and as such cannot be recommended.

2.4 Option 4: - Extend the Current agency appointment for a further period of up to 12 months

As referenced in option 2 above the current arrangements have worked well so the option of continuing with this arrangement for a further period would have positive benefits while keeping future option “open”.

However, current legislation dictates that the maximum period for an agency appointment is 12 months and this will be attained come July 2023. As such this cannot be a recommended option but that might need to be revisited if the decision to recruit fails to yield any appointable candidates.

2.5 Option 5: - Explore a “shared” role with another local Authority

If Council determined that an appointment could be made on a permanent part time basis as per option 2 then further consideration could be given to exploring the option of a “shared” role with another local authority.

In reality for a role such as this it is firstly felt highly unlikely that another Council would be interested in such an arrangement and secondly it may not work well for Swansea itself in terms of having “first call” on priorities. The Chief executive has explored such an arrangement with counterparts in the region who are not in a position to consider such an option at this time.

2.6 Summary and Recommendation

It is believed that option 1 and option 2 are credible options as outlined above. After considering these options in detail it is the recommendation of the Chief Executive that the Council progresses with Option 2 and seeks to advertise the role on a permanent part-time basis. In the event that this is not successful a further report will be brought back to Council.

3.0 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 than English;
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs

3.2 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.

3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also considers 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.

3.4 The recruitment process followed within the Council ensures that we have paid due regard to the above.

3.5 An IIA screening has been undertaken (Appendix 2). The IIA demonstrates that a full IIA is not required. The credible options presented within this report will have a positive impact. This role is key to the delivery of Council strategies and Corporate Plan and developing co-partnership arrangements with key external bodies.

4. Financial Implications

4.1 If the decision was to progress with option 1 and a full-time appointment then additional budget provision would have to be identified.

Option 2 already provides for the cost of the post on a part-time basis so if this option is progressed there would be no implications on the revenue budget.

If the role was to be deleted in line with option 3 then a further revenue saving could be identified but this would be subject to any residual impact on the remaining management team.

5.0 Legal Implications

- 5.1 The Council's Appointment Procedure Rules provide that where the Authority is proposing to appoint a Chief Officer with remuneration exceeding £100k per annum it must be advertised externally. Chief Officer will include any member of the Corporate Management Team and will therefore include the Director of Resources.
- 5.2 The Authority does not need to advertise if the appointment is for a period of no longer than 12 months.
- 5.3 Any reference to the appointment of a Chief Officer includes a reference to the engagement of such officer under a contract of employment.

Background Papers: None

Appendices:

Appendix 1

Appendix 2

JNC Appointment Procedures

IIA

JNC OFFICER APPOINTMENT PROCEDURE RULES

1 Explanatory

- 1.1 These Procedure Rules are intended to comply with Regulation 3, Schedule 1 Part 1 and Regulation 5 (1) (b), Schedule 3, part 2 of the Local Authorities (Standing Orders) (Wales) Regulations 2006 as amended by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 (“the Regulations”).
- 1.2 They are applicable in respect of Chief Officers, the Monitoring Officer, Heads of Service, Head of Democratic Services and any other officer to be employed on JNC terms and conditions only.
- 1.3 If there is a conflict between these Procedure Rules and the Regulations, the Regulations take precedence.
- 1.4 The Regulations are designed to be a statutory minimum and only dictate that the appointment of the Head of Paid Service is to be approved by Council itself (Regulation 7), but it has been customary within the City & County of Swansea for all Chief Officers to be appointed by Council and this will continue to be the case.
- 1.4.1 The Regulations also require that Council itself must determine the level, and any change in the level, of remuneration to be paid to a chief officer (Regulation 7) as defined in paragraph 2.2 below.
- 1.5 The Appointments Committee is delegated authority to exercise the functions set out in Paragraph 2 (1) (a) & (b) of Schedule 1 Part 1 of the Regulations – interview and short-listing of candidates for the post of Chief Officer. It is also delegated authority to shortlist, interview and appoint Heads of Service who are Deputy Chief Officers within the meaning of Section 2 (8) of the Local Government and Housing Act 1989.
- 1.6 The Joint Appointment Sub Committee has the power to make joint JNC / Chief Officer appointments to the Authority. Where such appointments are being considered the substantive rules of the JNC Officer Appointment provisions will apply.
- 1.6.1 Any joint appointment shall be made through the Joint Appointments Sub Committee. This Sub Committee shall be politically balanced and shall in respect of its membership comply with the Appointments Procedure set out in Paragraph 5 of the JNC Officer Appointment Procedure Rules, together with the application of these rules generally.
- 1.6.2 Further the Committee shall comprise of proportionate representation of all the joint partners to the appointment.
- 1.6.3 It is not envisaged that the Joint Appointments Sub Committee shall make any appointment under these rules that should require the sanction of the Council.
- 1.6.4 * For clarity should any disciplinary matters be progressed in respect of a joint appointment they shall be progressed via a Joint Disciplinary Sub Committee and any consequential amendment to the Constitution shall be made accordingly.
- 1.7 In respect of all other staff, the function of appointment of staff must be discharged by the Head of Paid Service, or by an Officer nominated by the Head of Paid Service and Members will not be involved in any of these processes except where such involvement is necessary

for any investigation or inquiry into alleged misconduct. (Regulation 5 (1) (b), Schedule 3 Part 2 “Authority with Leader and Cabinet Executive”).

- 1.8 In accordance with Section 7 of the Local Government and Housing Act 1989, all appointments to paid office within the Authority shall be on merit. However, there may be situations where a person is at risk of redundancy and the Authority will be required to attempt to re-deploy that person. Whilst no officer is entitled to be re-deployed so as to gain a promotion, it will be normal for that person to be given prior consideration or “ring fenced” to that post.
- 1.9 In such circumstances, the officer shall be required to undertake such assessment as may be considered necessary to ascertain their suitability for the post and will be interviewed by the Appointments Committee, who will then decide whether it is in a position to make an appointment. If it is not in a position to appoint then the post will be advertised, but the “at risk officer” will be entitled to re-apply for the post and compete with any other candidates.

2 Definitions

- 2.1 In these rules the following terms have the meaning prescribed by the Local Authority (Standing Orders) (Wales) Regulations 2006 as amended by the Amendment Regulations 2014, *and* “**the 1989 Act**” means the Local Government and Housing Act 1989
- 2.2 “**chief officer**”, means:
- a) The Head of Paid Service, designated under section 4(1) of the 1989 Act;
 - b) The Monitoring Officer;
 - c) A statutory chief officer mentioned in paragraph (a), (c) or (d) of section 2(6) of the 1989 Act, or
 - d) A non-statutory chief officer (within the meaning of section 2(7) of the 1989 Act).

(For the avoidance of doubt, this definition so far as Swansea is concerned includes all members of the Corporate Management Team in its current format but excludes Heads of Service. Any reference to an appointment or purported appointment of a Chief Officer includes a reference to the engagement or purported engagement of such an officer under a contract of employment);

- 2.3 “**chief finance officer**” means the officer having responsibility, for the purposes of section 151 of the Local Government Act 1972 (financial administration) for the administration of the local authority’s financial affairs;
- 2.4 “**deputy chief officer**” has the meaning referred to in section 2(8) of the 1989 Act. These are currently referred to as Heads of Service in Swansea.
- 2.5 “**head of the authority’s paid service**” means the officer designated under section 4(1) of the 1989 Act (designation and reports of head of paid service);
- 2.6 “**member of staff**” means a person appointed to or holding a paid office or employment, under a relevant authority;
- 2.7 “**monitoring officer**” means the officer designated under section 5(1) of the 1989 Act (designation and reports of monitoring officer);
- 2.8 “**head of democratic services**” means the officer designated under section 8 of the Local Government (Wales) Measure 2011;

2.9 “**remuneration**” has the same meaning as in section 43(3) of the Localism Act 2011 i.e. it means:

- a) The chief officer’s salary or, in the case of a chief officer engaged by the authority under a contract for services, payments made by the authority to the chief officer for those services,
- b) Any bonuses payable by the authority to the chief officer,
- c) Any charges, fees or allowances payable by the authority to the chief officer,
- d) Any benefits in kind to which the chief officer is entitled as a result of the chief officer’s office or employment,
- e) Any increase in or enhancement of the chief officer’s pension entitlement where the increase or enhancement is as a result of a resolution of the authority,
- f) Any amounts payable by the authority to the chief officer on the chief officer ceasing to hold office under or be employed by the authority, other than amounts that may be payable by virtue of any enactment.

3 Declarations

3.1 The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they have a personal connection with an existing Councillor or Officer of the Council; or of the partner of such persons. Although not an exhaustive list, examples of these are; parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece.

3.2 No candidate so related or connected to a Councillor or an Officer will be appointed without the certification of the relevant Responsible Officer or an Officer nominated by him/her that the Council’s recruitment Procedures have been followed and no conflict of interest has arisen during the recruitment process.

4 Seeking support for appointment

4.1 Subject to paragraph (4.3), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.

4.2 Subject to paragraph (4.3), no Councillor will seek support for any person for any appointment with the Council.

4.3 Nothing in paragraphs (4.1) and (4.2) above will preclude a Councillor or the Lord Mayor from giving a written reference for a candidate for submission with an application for appointment.

5 Appointments Procedure

5.1 Part One to Schedule Three, paragraph 4(2) of the Regulations, provides that:

“Where a committee...is discharging on behalf of the...authority the function of the appointment of... [a Chief Officer or Deputy Chief Officer]

- a. At least one member of the executive must be a member of that Committee; and
- b. Not more than half of the members of that committee are to members of the executive of the authority”

5.2 This must be given a literal interpretation and must be taken to mean any meeting of the Appointments Committee to deal with the appointment of a Chief Officer or Head of Service.

It must also be taken to relate directly to the composition of the Committee on the day that it meets and not as a whole.

6 General

6.1 All Members must have undertaken an appropriate training course.

6.2 All Members must declare any knowledge of or relationship with any of the applicants or applicant's families.

6.3 Short Listing

6.3.1 Members of the Appointments Committee **MUST** be present throughout all of the meetings that take place to shortlist, any candidates.

6.3.2 Interviewing and Appointing Candidate(s)

Members of the Appointments Committee must be present throughout all of the meetings that take place to interview and appoint any candidates, in order to vote on the appointment.

This note does **NOT** apply to:

1) Any selection centres or assessment processes that the candidate may be required to undertake;

2) Any informal meetings organised with the candidates which take place outside of the formal process.

6.3.3 Members shall consider at the commencement of the process whether they are able to commit to attending all the relevant formal meetings and if they are unable to do so, should absent themselves at the start of the process.

6.4 All stages of the appointments process will be advised by the Head of Paid Service or a nominated deputy, Human Resources officer and Legal Officer. In the case of an appointment of the Head of Paid Service, an independent consultant will be retained to carry out this function.

6.5 A Legal Officer must be present throughout all of the appointment process involving elected Members with the exception of informal meetings organised with the candidates which take place in an informal setting.

6.6 Where the Authority proposes to appoint a Chief Officer or Deputy Chief Officer, and the remuneration which it proposes to pay to the chief officer is £100,000 or more per annum, it must:

a) Draw up a statement specifying:

i) The duties of the officer concerned, and

ii) Any qualifications or qualities to be sought in the person to be appointed;

b) Make arrangements for the post to be publicly advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

c) Make arrangements for a copy of the statement mentioned in (a) to be sent to any person on request.

The Authority is not required to take the step set out in 6.6(b) i.e. to publicly advertise, if it proposes to appoint the chief officer for a period of no longer than 12 months.

- 6.7 Where a post has been advertised as provided in these Standing Orders, the Authority must:
- a) Interview all qualified applicants for the post, or
 - b) Select a short list of such qualified applicants and interview those included on the short list.
- 6.8 Where no qualified person has applied or if the authority intends to re-advertise any appointment, it must make further arrangements for advertisement in accordance with paragraph 6.6. (b).
- 6.9 The steps referred to under paragraphs 6.6 and 6.7 may be taken by a Chief Officer of the Authority or a person nominated for that purpose. In relation to an appointment of a Head of Paid Service, the Authority will instruct a professional consultant to carry out the steps in Paragraph 6.6.
- 6.10 The steps referred to under paragraph 6.7 shall be taken by the Appointments Committee.
- 6.11 Where the Local Authority proposes to appoint a Director of Social Services, regard be given to the recommended Competences for Appointment as Director of Social Services as laid out in the Statutory Guidance issued under Section 7 of the Local Authority Social Services Act 1970.

7 Procedure at the Appointments Committee

7.1 Short listing

- 7.1.1 All applications are to be technically assessed by appropriate officers or any professional consultants engaged for that purpose. They will then be ranked for short listing. The relevant Chief Officer or the nominated representative and/or professional consultant will prepare short listing report outlining the technical assessments of candidates applications, their scores and any irregularities in any application.
- 7.1.2 This will be presented to the Appointments Committee by an officer or professional consultant, who will speak to the report and answer any questions that Members may have regarding the process.
- 7.1.3 The report itself will be accompanied by the application forms of those candidates recommended for short listing, but the application forms of all applicants will be available one hour prior to the meeting should any Member of the Appointments Committee wish to see them. Any Member of the Appointments Committee will be able to inspect application forms after the initial sift has been carried out by the Responsible Officer and Human Resources. This should be by appointment with the Head of Human Resources.
- 7.1.4 The Appointments Committee may then either accept the report of the Officer or professional consultant without further debate or inspect those applications not included on the shortlist.
- 7.1.5 In the event that the Appointments Committee accepts the report, then a vote will be taken as to which candidates are to proceed to the assessment stage. This vote will be on a show of hands.

- 7.1.6 Should the report not be accepted, then applications considered by the Officer or professional consultant to be technically competent, will be compared against the person specification and job description and with the assistance of the Officer or professional consultant, will be marked accordingly.
- 7.1.7 Those candidates that receive the highest score shall be short listed for assessment - where the score indicates the appropriate qualification and experience. Ordinarily it would be unusual to shortlist more than 6 candidates for one post.
- 7.1.8 If Members of the Appointment Committee wish to do so, they may meet, as a group, with candidates after short listing and prior to the assessment centre.

7.2. The Assessment Procedure

- 7.2.1 Candidates will initially be interviewed by the Chief Executive and/or by other Chief Officers and/or professional consultants. If a professional consultant is retained, then they will be expected to declare any knowledge of the candidate at the outset in order that the relationship can be considered and whether it is appropriate to continue to use the services of the consultant.
- 7.2.2 Candidates will be subject to such testing as is considered appropriate. The Officers and/or professional consultants who conduct the initial interviews and testing will evaluate the performance of the candidates and present a report to the Appointments Committee with their assessment and view as to which candidates should continue through the remaining stages of the procedure.
- 7.2.3 The Appointments Committee will then be advised by the professional consultant as to whether there should be a further short listing as a result of the assessment process. The Appointments Committee can then either agree to reduce the shortlist or whether the Committee wishes to interview all of the remaining candidates. This is essentially a matter for the Committee to decide on a case by case basis.
- 7.2.4 Prior to interview, all short listed candidates may then be invited to attend an informal social meeting with the Members of the Appointments Committee, and in the case of Chief Officer Appointments, all other Members. In the latter situation, only members of the Appointments Committee will meet the candidate for the first 30 minutes and then other members thereafter.

7.3 Interview by the Appointments Committee

- 7.3.1 Candidates will make a presentation to and be interviewed by the Appointments Committee. Candidate's application forms will be available to Members throughout the interview process.
- 7.3.2 Presentation topics and questions designed to test the areas of knowledge/weakness of the candidates shall be prepared by the Officer/professional consultant, together with model answers. The questions may be provided to the candidates in written format. The Chairperson of the Committee will put the questions to the candidate.
- 7.3.3 Supplementary questions to elicit further information relating to the set questions or to address specific issues pertinent to that candidate as a result of the assessment centre may be put. These will be drafted by the appropriate person prior to the interview if possible.
- 7.3.4 The Chief Executive, their nominated representative and/or any professional advisor will outline their opinion on the performance of each candidate after each candidate has made

their presentation and been interviewed. Members of the Committee are required to evidence their provisional scoring of the candidates in writing during the interview process. For clarity the allocation of scores shall not be undertaken until after the advice of the professional advisor/Chief Executive has been given.

- 7.3.5 Members of the Appointments Committee will then allocate a final score for each candidate on their performance on a score of one to ten, one being poor and ten being excellent. This however is one of two considerations that Members must take into account when deciding whether they have a candidate that they can appoint or recommend to Council for appointment. The Members must also take into account the report of the Officer and/or the professional consultant and weigh up all of the information when coming to a decision. For the avoidance of doubt this will occur prior to members finalising their scores for each candidate.

8 Appointments

When all of the above process has been completed:

8.1 Appointments of Heads of Service

- 8.1.1 In the case of Heads of Service, the Appointments Committee may then take a vote as to whether they are in a position to make an appointment or whether the post ought to be re-advertised.

- 8.1.2 If the post is to be re-advertised, then the provisions of paragraph 6.6 apply.

- 8.1.3 If the vote to make an appointment is carried, then the Committee will proceed to appoint if there is one suitable candidate. If there are two suitable candidates, the Committee Members will vote for their chosen candidates and the candidate with the most votes will be appointed.

- 8.1.4 If there are more than two candidates, the following process is to be followed:

- a) A vote will be taken;
- b) If there is a clear majority in favour of one candidate, that person shall be appointed;
- c) If there is not a clear majority, the name of the person having the least number of votes will be struck off the list and a fresh vote shall be taken until an overall majority of votes is given in favour of one person.

- 8.1.5 The Appointments Committee will then make an appointment.

8.2 Appointments of Head of Paid Service and Chief Officers

- 8.2.1 In the case of Head of Paid Service and other Chief Officers, the Appointments Committee may then take a vote as to whether they are in a position to recommend candidates for interview by Council, or whether the post ought to be re-advertised.

- 8.2.2 If the post is to be re-advertised, then the provisions of paragraph 6.6 apply and the Chair of the Appointments Committee will make a report to Council as to why the Committee were not in a position to make a recommendation.

- 8.2.3 If the vote to make a recommendation is carried, then the Committee will proceed to recommend those candidates to Council.

- 8.2.4 The Appointments Committee is delegated the responsibility to carry out this process and no recommendation shall be invalidated purely by reason of the fact that there is only one suitable candidate. (The Regulations only stipulate that the appointment is confirmed by Council and therefore, there is not a statutory requirement for the Head of Paid Service and other Chief Officers to be interviewed and assessed by Council).
- 8.2.5 The Head of Paid Service or nominated deputy and/or the professional consultant will report to Council on their assessment of the candidates to be interviewed by Council. Candidate's application forms will be available in the Chamber for perusal by Members.
- 8.2.6 Candidates will then make a presentation to and be interviewed by Council. Questions will be put to the candidate by the Presiding Member and a list of themes that are expected to feature in the answers will be provided to Members.
- 8.2.7 Council will then carry out a ballot to determine whether it is in a position to make an appointment having heard the interview and considered the report from the Officers. This ballot will be in writing and will consist of one vote only which is either yes or no. Members can obviously abstain if they wish.
- 8.2.8 If the result of the ballot is that Council cannot make an appointment, then the provisions of paragraph 6.6 apply.
- 8.2.9 If Council is in a position to make an appointment, Members will vote for their preferred candidate. Again this will be in writing and by ballot and will consist of one vote for the candidate of the Members choice. Members can abstain from this vote if they wish.
- 8.2.10 If there are two suitable candidates, Members will vote for their chosen candidates and the candidate with the most votes will be appointed.
- 8.2.11 If there are more than two candidates, the following process is to be followed:
- a) A vote will be taken;
 - b) If there is a clear majority in favour of one candidate, that person shall be appointed;
 - c) If there is not a clear majority, the name of the person having the least number of votes will be struck off the list and a fresh vote shall be taken until an overall majority of votes is given in favour of one person and that person may then be appointed.

Note: an overall majority exists when the person with most votes has more votes than the sum of the votes cast for the remaining persons.

Appendix 2 - Integrated Impact Assessment 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: HR&OD and Service Centre

Directorate: Corporate 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
- Other

(b) Please name and fully describe initiative here:

To Consider Options for the Appointment for the Post of Director of Corporate Services. The role of Director of Corporate Services was previously advertised with shortlisted candidates attending an assessment centre on the 14th October 2022. At a meeting of Extraordinary Council on the 18th October 2022 Council was advised that following the assessment centre and subsequent Appointment Committee that there were no suitable applicants to be presented for interview. Council accepted this recommendation and requested the Chief Executive provide a further report in due course outlining the options for the role. There are 5 options outlined within the report:

Option 1: - Re-advertise the role on a permanent Full-time basis

Option 2: - Advertise the Role on a Permanent Part-time basis

Option 3: - Not fill the role and amend the structure to redistribute duties across Remaining Senior Management Structure

Option 4: - Extend the Current agency appointment for a further period of up to 12 months

Option 5: - Explore a "shared" role with another local Authority

The report outlines that option 1 and option 2 are credible options. After considering these options in detail it is the recommendation of the Chief Executive that the Council progresses with Option 2 and seek to advertise the role on a permanent part-time basis. In the event that this fails to yield an appointable candidate, Council delegates the decision on the next steps to the Appointments Committee.

This IIA has been undertaken on the basis of either option 1 or 2 are agreed.

Appendix 2 - Integrated Impact Assessment Screening Form

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 | No Impact |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|
| | + | - | + | - | + | - | | |
| 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"/> | <input type="checkbox"/> |
| Older people (50+) | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <input type="checkbox"/> |
| Gender reassignment | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | <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"/> | <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"/> | <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"/> | <input type="checkbox"/> |
| Marriage & civil partnership | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Human Rights | <input checked="" type="checkbox"/> | <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

The report identifies a number of options relating to the appointment to the role of Director of Corporate Services . The role was previously advertised with shortlisted candidates attending an assessment centre on the 14th October 2022. A previous IIA was completed in respect of this process.

At a meeting of Extraordinary Council on the 18th October 2022 Council was advised that following the assessment centre and subsequent Appointment Committee that there were no suitable applicants to be presented for interview. Council accepted this recommendation and requested the Chief Executive provide the attached report outlining the options for the role.

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

Appendix 2 - Integrated Impact Assessment Screening Form

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 Will this initiative result in any changes needed to the external or internal website?

Yes

No

If yes, please provide details below

Q8 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 role is key to the delivery of Council strategies and Corporate Plan and developing co-partnership arrangements with key external bodies.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

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

This assessment relates to the appointment process for the role of Director of Corporate Services. It is expected that this role will have a key and positive impact in supporting communities within Swansea

Potential risks will be in not being able to appoint a suitable candidate for this role. It is expected that the options listed in the report will mitigate this risk.

Appendix 2 - Integrated Impact Assessment Screening Form

This role is key to the delivery of Council strategies and Corporate Plan and developing co-partnership arrangements with key external bodies. The options outlined provides the Council with a direction of travel to recruit this key position.

(NB: This summary paragraph should be used in the **‘Integrated Assessment Implications’** 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.

| |
|---|
| Screening completed by: |
| Name: Adrian Chard |
| Job title: Strategic HR&OD Manager |
| Date: 31 st March 2023. |
| Approval by Head of Service: |
| Name: Rachael Davies |
| Position: Head of Strategic HR&OD and Service Centre |
| Date: 31 st March 2023 |

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 11.



Report of the Leader

Council – 4 May 2023

Consultation and Engagement Strategy 2023 - 2028

| | |
|------------------------------------|---|
| Purpose: | To adopt the Consultation and Engagement Strategy |
| Policy Framework: | None. |
| Consultation: | Access to Services, Finance, Legal. |
| Recommendation(s): | It is recommended that: 1) The Consultation and Engagement Strategy attached at Appendix A is adopted. |
| Report Authors: | Rhian Millar |
| Finance Officer: | Ben Smith |
| Legal Officer: | Tracey Meredith |
| Access to Services Officer: | Catherine Window |

1. Introduction

- 1.1 The Council has had a Consultation and Engagement Strategy since 2005, and this has provided an effective framework to complete consultation activities and the ongoing development and improvement of services for the community.
- 1.2 Since the introduction of the strategy there has been a greater prominence across the Council on consultation and engagement as a key principle of service delivery. Activity has shifted away from a focus on formal consultation to a more meaningful and inclusive public engagement approach.
- 1.3 There has been an increased focus on co-production within the Council, if possible we need to consider a co-productive approach can be taken when developing our services.

2. Purpose of the Strategy

- 2.1 The purpose of this strategy is to ensure effective meaningful consultation and engagement with the residents and our partner organisations, so the Council

can make informed decisions that improve the access, quality and delivery of services.

2.2 This strategy provides the Council with a framework to make sure that people are listened to in decisions that affect them. It provides guidance and direction on:

- When we should consult and engage stakeholders
- Level of consultation and engagement required
- Principles to consider when undertaking consultation and engagement
- Use of consultation and engagement results

Making sure people are listened to is important, and the Council will make sure that this strategy is implemented. In particular they will make sure that outcomes from consultation and engagement opportunities have been appropriately considered when making key decisions.

2.3 The strategy supports, (not replaces), existing statutory and regulatory consultation and engagement processes, long standing consultation and engagement arrangements within service areas, and existing partnership arrangements. These process will continue, and feed into (where appropriate) the overall framework for consultation and engagement outlined within this strategy.

2.4 The strategy builds on the good standard of consultation and engagement activity currently taking place across the authority. We continue to improve our consultation and engagement processes and have a number of areas of good practice to build on as an authority.

3. Developing the Strategy

3.1 The Strategy has been developed with involvement from both internal and external stakeholders through a variety of mechanisms:

- Discussions with Corporate Management Team
- Leadership team session
- Policy Development Committee input
- Strategic Equality Representatives

3.2 The draft Consultation and Engagement Strategy is attached as **Appendix A**.

3.3 The Consultation and Engagement Strategy has been subject to a period of formal consultation during October / November 2022. The responses have been considered in compiling the final draft Strategy.

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.

4.2 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'.

4.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also considers 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.

4.4 An IIA Screening Form has been completed and no adverse implications have been noted (Appendix B). The strategy will have a positive impact on communities.

5. Financial Implications

5.1 All costs associated with the Strategy will be contained within existing budgets.

6. Legal Implications

6.1 The proposals identified are in accordance with relevant legislation.

Background Papers:

None

Appendices:

Appendix A Draft Consultation and Engagement Strategy

Appendix B IIA screening

Consultation and Engagement Strategy 2023



1. Background

The Council has had a Consultation and Engagement Strategy since 2005, and this has provided an effective framework to complete consultation activities and the ongoing development and improvement of services for the community.

Since the introduction of the strategy there has been a greater prominence across the Council on consultation and engagement as a key principle of service delivery. Activity has shifted away from a focus on formal consultation to a more meaningful and inclusive public engagement approach.

There has been an increased focus on co-production within the Council, if possible we need to consider a co-productive approach can be taken when developing our services.

2. Purpose of the Strategy

The purpose of this strategy is to ensure effective meaningful consultation and engagement with the residents and our partner organisations, so the Council can make informed decisions that improve the access, quality and delivery of services.

This strategy provides the Council with a framework to make sure that people are listened to on decisions that affect them. It provides guidance and direction on:

- When we should consult and engage stakeholders
- Level of consultation and engagement required
- Principles to consider when undertaking consultation and engagement
- Use of consultation and engagement results

Making sure people are listened to is important, and the Council will make sure that this strategy is implemented properly. In particular, they will make sure that outcomes from consultation and engagement opportunities have been appropriately considered when making key decisions.

The strategy supports, (not replaces), existing statutory and regulatory consultation and engagement processes, long standing consultation and engagement arrangements within service areas, and existing partnership arrangements. These process will continue, and feed into (where appropriate) the overall framework for consultation and engagement outlined within this strategy.

The strategy builds on the good standard of consultation and engagement activity currently taking place across the authority. We continue to improve our consultation and engagement processes and have a number of areas of good practice to build on as an authority.

3. Consultation and Engagement – What is it?

Consultation and engagement means routinely:

- Involving service users, residents, businesses, partners and other stakeholders in our policies and services
- Listening to what they have to say
- Using the outcomes to respond to their needs
- Involving them in the decisions we take

To be effective, consultation and engagement has to be a two-way process of communication between the Council and its partners and the public (either as individuals or as a community) on key issues affecting them.

Consultation and Engagement is part of a wider spectrum of interactive activity illustrated in the diagram below, which ranges from coercion/ protection (e.g., public health responses to a pandemic) to coproduction and involvement (e.g., designing care services).

| doing to | | doing for | | | doing with |
|--|--|--|---|--|--|
| coercion protection | education persuasion | information | consultation | participation | co-production involvement |
| e.g. criminal justice, safeguarding | e.g. smoking cessation programmes | e.g. Council website info on bin collections | e.g. surveys, urban planning, FixMyStreet | e.g. drop-in events, focus groups | e.g. person-centred care, shared decision making |
| <i>"We have a duty to act to ensure people's safety."</i> | <i>"We know what people need to do, we need to get them to do it."</i> | <i>"We provide information where /when /how people need it."</i> | <i>"We decide what questions to ask, and collect data to inform our decisions."</i> | <i>"We listen to people's lived experience, to inform our thinking and decisions."</i> | <i>"We listen to people's experience and share ours. There is equal power in our decision making. We value different experiences."</i> |
| The organisation has the knowledge. The organisation makes the decisions. The organisation enforces the decisions. | | The organisation listens to people's knowledge. The organisation makes the decisions. The organisation enacts the decisions. | | | The organisation and the people listen to each other's knowledge. The organisation and the people make decisions together. The organisation and the people both take actions on the decisions. |

4. Consultation and Engagement – Why do it?

Effective consultation and engagement brings extensive benefits to the citizens and agencies involved. The main benefits to meaningful, two-way community engagement include:

Trust – it builds trust between people.

Opportunity to influence – it gives communities the opportunity to influence decisions that will affect them.

Removing barriers – it removes physical, language or social barriers to communities getting access to information or voicing needs or opinions.

Citizens' understanding – it helps communities to understand the services and support that are available to them and to have more knowledge of the role of the Council to act it's the public's best interest.

Satisfaction – it increases satisfaction with public services.

Knowledge of local issues - it allows service providers to reach a better understanding of their communities and be more in tune with their needs.

Improved Service Delivery - The Council can make informed decisions that improve the access, quality and delivery of services.

Consultation and engagement is also essential in supporting the Council deliver its core values:

People focussed - We need to focus on community needs and outcomes and on improving the lives of the people who live and work in Swansea. We will also respect, value and support our employees and demonstrate the highest standards of integrity.

Working together - We need to promote a whole partnership approach, working across services to maximise resources and knowledge and joining forces with others outside the Council to ensure we prioritise our resources and get the best for our communities.

Innovation - We promote and support a culture of innovation. We need to think and work differently to improve our ability to deliver and to meet the financial, demographic and societal challenges we face.

Duty to Consult

The law states that where there is a legitimate expectation that consultation will take place, the Local Authority needs to act on this expectation. If the Council has consulted on something previously, then we would be expected to do so in the future if any changes are made.

There is a range of legislation and statutory guidance requiring local authorities to consult on issues connected to the services they provide

The Equality Act 2010

The Act requires that consultation be undertaken with people who have protected characteristics where they may be impacted in some way. As part of the Equality Act Council's in Wales are subject to the Welsh Public Sector Equality Duty. In terms of Engagement the Welsh Public Sector Equality Duty states that we must involve people who are considered representative of those with different protected characteristics and those who have an interest in how an authority carries out its functions. The Council has a number of engagement forums that allow us to engage those from protected groups, such as the Disability Liaison Group and LGBT forum.

Socio-economic Duty

On 31 March 2021 a new legal duty came into place, the Socio-economic Duty, which will affect the way the Council works and support local communities. The aim is to deliver better outcomes for those people who experience socio-economic disadvantage. We need to ensure when deciding priorities and setting objectives how our decisions might help reduce the inequalities related to socio-economic disadvantage. Consultation and engagement play a key part in this.

Well-being of Future Generations Act (Wales) 2015

The Well-being of Future Generations Act (Wales) 2015 means that the council and other public services must do what we do in a sustainable way. Consultation and Engagement is key to the delivery of this Act which places a well-being duty on 44 public bodies (including Swansea Council) to carry out sustainable development by acting in accordance with the 'sustainable development principle'.

This means that when making decisions we take into account the impact on people living in the future. We do this by applying the 'Five Ways of Working':

- **Long term** - The importance of balancing short-term needs with the needs to safeguard the ability to also meet long-term needs
- **Prevention** - How acting to prevent problems occurring or getting worse may help public bodies meet their objectives
- **Integration** - Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies
- **Collaboration** - Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives
- **Involvement** - The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves

The Social Services and Wellbeing (Wales) Act 2014

The Social Services and Wellbeing (Wales) Act 2014 sets a clear expectation within the Code of Practice to Part 2 that Local Authorities adhere to the principles of Co-production when planning, designing and delivering care and support. Co-production puts people who receive care and support on an equal footing with the people organising care ensuring voice, choice and control.

This says that Local Authorities must:

- Put in place transparent arrangements where people are equal partners in designing and operating services
- Ensure these arrangements comprise local and regional panels of commissioners, citizens and providers working together to shape services that meet the needs of people who need care and support
- Report on what they are doing to support Co-production in the Directors' Annual Report

Children and Families (Wales) Measure 2010

The Children and Families (Wales) Measure 2010 is a Measure of the National Assembly for Wales to make provision about arrangements for participation of children in local authority decisions that might affect them;

Participation of children in local authority decision making

(1) A local authority must make such arrangements as it considers suitable to promote and facilitate participation by children in decisions of the authority which might affect them.

(2) A local authority must—

- (a) publish information about its arrangements under subsection (1), and
- (b) keep the information published up to date.

United Nations Convention on the Rights of the Child (UNCRC)

We became the first Council to embed the UNCRC into our Policy Framework and have developed a Children & Young People's Rights Scheme, which sets out our arrangements to embed children's rights in everything we do. Article 12 within the UNCRC states that Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

Dublin Declaration of Age Friendly Cities & Communities

In February 2014 the City and County of Swansea signed "The Dublin Declaration of Age Friendly Cities and Communities". We pledged to commit to specific actions and principles that aim to ensure that older people have the opportunities to make the most of their lives and to play as full a part as possible in their communities:

- Raise awareness & promote the rights of older people
- Person-centred engagement opportunities are developed to ensure that older people have meaningful involvement in local development and service changes

- Development of safe & inclusive public spaces, housing of the highest quality, communities for all ages, available & affordable public transport etc..

Statutory Obligation

There are a number of instances where a statutory obligation is placed on the Council to undertake consultation. Examples of this include closure of services such as schools, care homes and other major service changes.

5. Consultation and Engagement - What we want to deliver in Swansea

Our principles for delivery

We have taken account of both the National Principles for Public Engagement in Wales and the National Children and Young People's Participation Standards for Wales

[Engagement - WCVA, https://gov.wales/children-and-young-peoples-national-participation-standards](https://gov.wales/children-and-young-peoples-national-participation-standards)

Planning:

- Be clear about why we are undertaking a consultation and engagement activity
- Ensure that existing consultation and engagement results are used where applicable
- Have a clear idea of who needs and wants to take part
- Identify appropriate resources
- Involve departmental Equality Representatives*
- Ensure sufficient time is allocated for an effective consultation process
- Identify opportunities for joint working at the planning stage
- Ensure you have taken into the account the requirements of the Welsh Language measure to treat English and Welsh equally
- Ensure sure you have a consultation plans which actively encourages as many people as possible to take part

Doing:

- Be clear about how people can be involved
- Ensure the consultation and engagement methods and language used are suitable for the audience
- Provide clear information about what we are consulting on
- Be clear about what the results will be used for
- Ensure all affected stakeholders have the opportunity to be involved
- Widely promote your activity to encourage as many people as possible can take part

Decision Making, Review and Feedback:

- Review the results and who has taken part to ensure we have reached all those we need to
- Ensure results of consultation and engagement are activity considered when making decisions
- Share the results (where appropriate) with as wide an audience as possible
- Effectively feedback the outcome to participants e.g. summary of results, You said, We did/are doing
- Promote the outcomes of our key consultation and engagement activity both internally and externally

Gunning Principles

Any consultation that we undertake as a Council must adhere to the four **Gunning Principles**:

1. **Consultation should take place at a 'formative stage'**. In practice this means that the decision should not have already been taken, - most frequently the terminology used is pre-determination
2. **Consultation should include sufficient information** about the proposals so that consultees can give the matter intelligent consideration
3. **Adequate time needs to be provided for consideration and response**. In practice this means that consultees must be given enough opportunity to take part in the consultation in the time allowed.
4. **Consideration of consultation responses**. We need to be able to demonstrate how the consultation responses have been considered within our decision making process.

6. What Do We Consult On?

Deciding whether to consult

Where an activity (e.g. policy, service procedure or potential decision) will have an impact on members of the public we will always consider undertaking a consultation exercise. Sometimes there is not real scope for change, and decisions have to be made where consultation is not possible. On these occasions we should try and let people know why this has happened.

Equality Act 2010

The Equality Act 2010 addresses discrimination and inequalities and protects all individuals from unfair treatment. The Council has a number of statutory duties arising from the Act to better advance equality into our business planning and decision-making processes. The duties require the Council to consider how the decisions we make, and the services we deliver, affect people from different equality groups who share a 'protected characteristic'.

The key way in which the Council demonstrates compliance with this is by conducting Integrated Impact Assessments (IIA). This is an evidence led process that involves using relevant information to understand and make judgments about the impact of a Council 'activity' on equality. Information from our consultation projects forms a key part of the evidence used in an IIA, this is particularly important where our services are specifically delivered for those who share a protected characteristic. Consultation with these groups can help us understand the impact that the decision will have upon them and enable thoughtful consideration of how any perceived impact can be reduced.

Protected characteristics are defined in the Equality Act. These characteristics are:

- Age
- Disability
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including non-belief)
- Sex
- Sexual orientation

7. How Do We Consult?

Methods Available

There are a large number of different consultation and engagement methods and it is important that the correct ones are used. The methods used will depend on many factors such as the scope of the project, who we are consulting with and budget available. A consultation toolkit is available for staff to help them facilitate the most appropriate opportunities. Advice and guidance is available from the consultation co-ordinator.

Methods include:

- Surveys (online, paper, face to face, telephone)
- Public Meetings/teams meetings
- Workshops
- Focus groups
- Exhibitions
- Stakeholder meetings
- Social Media

Digital Consultation and Engagement

The Covid-19 pandemic and changed the way we engage and consult with our service users. The use of Microsoft Teams and Zoom as a mechanisms for conducting virtual meetings and workshops has ensured that we can continue to engage affectively and has widened the reach within communities. We need to ensure that we ae doing this consistently, staff can find advice in the consultation toolkit.

Making it appropriate for the audience

Different communities and stakeholders will have different levels of knowledge and experience of the service and levels of information on which to base their responses. Some methods may not be appropriate for all. The method(s) we use will account for this. For example, young people may not respond well to a postal survey but may be more receptive to a workshop or social media.

All those who have an interest in the issues should be able to access the information and take part in the consultation. We will ensure that consultations provide clear direction on how to request alternative formats such as large print, text only formats, easy read etc. The accessibility of the venue is also important. We will ensure that the requirements of people with disabilities are taken in to account and adjustments put in place.

Providing the Right Information

If our consultation is to be meaningful, it is important that 'consultees' have sufficient information available to make an informed response. We aim to present information in a way that is appropriate to stakeholders and those likely to have an interest in the subject matter.

Our consultations will clearly state:

- The dates of the consultation
- The ways in which people can take part
- The scope of the consultation
- Different options that are available including the advantages and disadvantages of each
- How and when decisions will be made, and how the consultation will inform the decision

Length of Consultation

An appropriate amount of time will need to be given for people to submit their responses. Unless the consultation length is set by law the consultation can be any length of time. Common consultation periods can be anything between 2 – 12 weeks depending on what you are consulting on and the complexity of the issue/project. The time of year that the consultation takes place is also relevant and consultation period should be extended if it runs over Christmas or the summer holidays. This is especially true if the consultation involves schools or other education settings.

8. Responsibilities for Implementation

All members of staff have a responsibility for the successful implementation of the Consultation and Engagement Strategy. For the Strategy to be effective it has to be part of the Council's culture and there needs to be a genuine commitment to engage with the local community. Specific responsibilities for implementation lie with:

Elected Members

Members play an essential role in the Council's consultative processes. In particular, they form a link between the community and Council, having a positive influence on the level of participation by the local community. The implementation of the Strategy should enhance the availability of consultation information for elected members. Elected members have an important role in ensuring that policy development takes account of consultation findings.

If conducting an engagement activity that affects particular wards or a particular portfolio area, ward members should be fully briefed on proposals that affect the areas they represent. Efforts should be made to ensure that relevant cabinet members, scrutiny chairs and vice chairs, committee chairs and ward members are aware of and have the opportunity to input into engagement activities.

Corporate Directors

Corporate Directors have a key role in providing a high level of commitment to the corporate consultation and engagement strategy and driving forward its effective implementation. They have specific responsibility for ensuring both that effective consultation takes place within their directorate and that consultation findings are used to influence strategic direction and that policy development takes account of consultation.

Heads of Services

Responsibility for undertaking specific service-based consultation will lie with the appropriate directorate officers under the guidance of their service head and director. Service heads will have responsibility to ensure:

- All staff are aware of and act on the Strategy
- Consultation activity is planned using the principles outlines within this 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: Communications and Customer Engagement

Directorate: Corporate 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
- Other

(b) Please name and fully describe initiative here:

Consultation and Engagement Strategy

The purpose of this strategy is to ensure effective meaningful consultation and engagement with the residents and our partner organisations, so the Council can make informed decisions that improve the access, quality and delivery of services.

This strategy provides the Council with a framework to make sure that people are listened to in decisions that affect them. It provides guidance and direction on:

- When we should consult and engage stakeholders
- Level of consultation and engagement required
- Principles to consider when undertaking consultation and engagement
- Use of consultation and engagement results

Making sure people are listened to is important, and the Council's Corporate Management Team will make sure that this strategy is implemented properly. In particular they will make sure that outcomes from consultation and engagement opportunities have been appropriately considered when making key decisions.

The strategy supports, (not replaces), existing statutory and regulatory consultation and engagement processes, long standing consultation and engagement arrangements within service areas, and existing partnership arrangements. These process will continue, and feed into (where appropriate) the overall framework for consultation and engagement outlined within this strategy.

The strategy builds on the good standard of consultation and engagement activity currently taking place across the authority. We continue to improve our consultation and engagement processes and have a number of areas of good practice to build on as an authority.

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 | No Impact |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|
| | + | - | + | - | + | - | | |
| 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"/> | <input type="checkbox"/> |
| Older people (50+) | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> | <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"/> | <input type="checkbox"/> |
| Asylum seekers | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> | <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"/> | <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"/> | <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"/> | <input type="checkbox"/> |
| Gender reassignment | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | <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"/> | <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"/> | <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"/> | <input type="checkbox"/> |
| Marriage & civil partnership | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Human Rights | <input checked="" type="checkbox"/> | <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

The Strategy has been developed with involvement from both internal and external stakeholders through a variety of mechanisms:

- Discussions with Corporate Management Team
- Leadership team session
- Policy Development Committee input
- Strategic Equality Representatives

The Consultation and Engagement Strategy has been subject to a period of formal consultation during October / November 2022. The responses have been considered in compiling the final draft Strategy.

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 Will this initiative result in any changes needed to the external or internal website?

 Yes No

If yes, please provide details below

Q8 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.)

Due to the nature of the Strategy, its whole focus is on ensuring that we meet our Consultation and Engagement requirements across the authority and is aimed at for everyone who, works, lives or visits Swansea. We have set out a number of Consultation and Engagement Principles to ensure that our approach to Consultation and Engagement across the Council is consistent and inclusive:

Planning:

- Be clear about why we are undertaking a consultation and engagement activity
- Ensure that existing consultation and engagement results are used where applicable
- Have a clear idea of who needs and wants to take part
- Identify appropriate resources
- Involve departmental Equality Representatives*
- Ensure sufficient time is allocated for an effective consultation process
- Identify opportunities for joint working at the planning stage
- Ensure you have taken into the account the requirements of the Welsh Language measure to treat English and Welsh equally
- Ensure sure you have a consultation plans which actively encourages as many people as possible to take part

Doing:

- Be clear about how people can be involved
- Ensure the consultation and engagement methods and language used are suitable for the audience
- Provide clear information about what we are consulting on
- Be clear about what the results will be used for
- Ensure all affected stakeholders have the opportunity to be involved

- Widely promote your activity to encourage as many people as possible can take part

Decision Making, Review and Feedback:

- Review the results and who has taken part to ensure we have reached all those we need to
- Ensure results of consultation and engagement are activity considered when making decisions
- Share the results (where appropriate) with as wide an audience as possible
- Effectively feedback the outcome to participants e.g. summary of results, You said, We did/are doing
- Promote the outcomes of our key consultation and engagement activity both internally and externally

The principles apply to all Consultation and Engagement undertaken by the authority and aim to provide everyone an opportunity to participate in engagement activity if they wish to.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

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

The Consultation and Engagement Strategy and its principles will have a positive impact. The principles to ensure that our approach to Consultation and Engagement across the Council is consistent and inclusive.

We have undertaken both internal and external consultation on the strategy and all view have been fed into its development.

The strategy supports the Well-being of Future Generations Act (Wales) 2015 and its goal. (NB: This summary paragraph should be used in the **‘Integrated Assessment Implications’** 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.

| |
|---|
| Screening completed by: |
| Name: Rhian Millar |
| Job title: Consultation Co-ordinator |
| Date: 13.3.23 |
| Approval by Head of Service: |
| Name: Lee Wenham |
| Position: Head of Communications and Marketing |
| Date: 13.3.23 |

Agenda Item 12.



Council – 4 May 2023

Councillors' Questions

Part A – Supplementaries

1 Councillor Peter May, Stuart Rice, Sandra Joy & Allan Jeffery

The condition of roads in Swansea is a bit of a problem

- a. Does the Cabinet Member agree with the Wales Online article (1st April 2023) that Swansea has some of the most potholed roads in Wales.
- b. What is the average life expectancy of a pothole repair that is carried out under the councils 48 hour pothole guarantee.
- c. Please could the Cabinet Member provide a full list of the roads that are due to be resurfaced in 2023/4 (including those that have been brought forward from 2024/5 and future planned years).

[I drove what has to be one of the most potholed roads in Wales and it's absolutely awful - Paul Turner - Wales Online](#)



[I drove what has to be one of the most potholed roads in Wales](#)

Bet you think you know one that's worse though

www.walesonline.co.uk

Response of the Cabinet Member for Environment & Infrastructure

A.

No – I don't agree with the views of Wales Online. Moreover, I think the video purposely ignores the excellent work carried out by the highways team elsewhere in the city.

I do not believe that Swansea has the most potholed road in Wales and doubt that the reporter has driven on every road in the country to support such a statement. Moreover, I think the video purposely ignores the excellent work carried out by the highways team elsewhere in the city.

We have not received any additional roads funding from UK Government via WG this year despite the treasury receiving billions of pounds from motorist in fuel duty and car tax. That money should be coming to local authorities, so we are able to resurface roads and make repairs more often. At present we have had zero, which

Swansea motorists will rightly be outraged by. It is appalling and leave the local authority in a very difficult position.

Despite this we have announced over £5m of investment in our roads and will continue with making repairs to roads, undertaking partial resurfacing and delivering our roads resurfacing programme.

An annual condition survey has maintained an overall steady state. There was however extensive damage to the roads over the winter period caused by freezing of wet roads. This has led to an increase in the number of pot holes which are being dealt with as they are reported with record numbers being fixed. Swansea remain the only Council in the UK to offer a 48 hours reactive surface for non-safety pot holes. The bulk of the defects being reported are surface issues not strictly pot holes, they are not considered dangerous but are very noticeable and give a poor ride. A programme of work is being put in place to deal with these issues. The Authority has also increased funding to Highways for both of the next 2 years to allow resurfacing of some of the most effected roads.

B.

The vast majority of the pot holes repaired under the pot hole scheme are permanent repairs. A survey of the repairs carried out gave a 95% durability. The small number of pot holes that do fail are generally too shallow to be repaired properly and are not safety defects.

C.

Drive, Killay

- Birchgrove Road, Birchgrove (Phase 4)
- Phillip Street, Manselton
- Mumbles Road (Ashleigh Road to Derwen Fawr)
- Valley Way, Llansamlet
- Heol Ddu, Treboeth
- Gors Avenue, Townhill (Gors Community School)
- Gors Avenue, Townhill (junction Townhill Road)
- Tycoch Road, Tycoch
- Station Road/Blodwen Terrace, Penclawdd
- Middle Road, Gendros - (mini R/A junc. Upper Gendros Crescent)
- Llewitha Phase 1 (Hospital Road to Llewitha)
- Junction 47 Penllergaer
- Church Road/Walters Road, Llansamlet
- Gorwydd Road, Gowerton (Phase 1)

Small Resurfacing Schemes (SRS)

- Nantong Way, Llansamlet
- Goetre Fawr Road, Killay
- B4295 Penclawdd Road/Gowerton Road
- Belle Vue, Penclawdd

2 **Councillors Lesley Walton, Wendy Lewis, Mike Lewis & Mike White**

Can you explain our progress on working with partners to engage hard to reach learners.

Response of the Cabinet Member for Well-being

The Lifelong Learning Service (LLS) continues to work with a range of partners to bring learning opportunities to the wider population of Swansea.

The Adult Community Learning (ACL) programme is open to all citizens of age 16 and over. Classes take place in a range of different venues across Swansea communities. In addition to the programme advertised on the Swansea Council website, LLS had undertaken and has plans for further learning opportunities delivered and organised in partnership with others. These include:

- Communities for Work - taster sessions are underway to challenge people to consider setting up a small business from home. We support the delivery of any bespoke training identified by participants. Support for ESOL Classes via ALPS (Adult Learning Partnership Swansea). Engagement work for Communities For Work Plus have included activities such as Christmas on a Budget;
- African Community Centre (ACC) – Conversational English support for participants going into care work;
- Pobl - Cooking on a Budget – for older people living in Llys y Werin and Llys y Vetch;
- Mawr communities - T/Digital literacy for the communities of Felindre, Garnswllt and Craigcefnparc;
- Rhoosili Community Council - ongoing discussions with regards to digital learning;
- Mencap & Llamau - discreet delivery to support service users;
- Local Area Coordinators - responded to requests in areas to deliver sessions and encourage capacity building from within the community;
- Gower College Swansea (GCS) - increasing bi-lingual and Welsh medium delivery in both ACL provision and Family Learning;
- Adult Learning Wales (ALW) - additional woodworking class, responding to increased demands;
- Swansea Libraries - Digital Creativity programme delivered to support people working in the Care sector;
- Swansea Carers - participation in upcoming event to raise profile with carers. This may lead to bespoke delivery;
- Maximus/Evolve/NHS - supporting client group with Essential Skills referrals and many others;
- Social Services - Digital Literacy support for Social Work team members. Support for staff with Additional Learning Needs/dyslexia/sensory impairments in accessing mandatory training (ongoing discussions);
- Gowerton Library volunteer - provide learning materials to assist delivery of learning opportunities;
- Ongoing accredited delivery in a wide range of subjects.

LLS has an increased Family Learning provision that is supporting Reception/Year 1 pupils and parents and more recently Year 6 pupils and parents – i.e. the transition into education and the transition to secondary education. We also continue to support pupils at Penybryn School with work-related skills. Further delivery to Penybryn will include some 3 Dimensional art/literacy learning.

Learning opportunities are widely advertised as follows:

- Swansea Council website;
- Lifelong Learning's Facebook page;
- Adult Learning Partnership Swansea (ALPS);
- Social Service Training Bulletin;
- Swansea Working Facebook and other marketing;
- Communities For Work Plus Newsletter;

| | |
|---|--|
| | <ul style="list-style-type: none"> • Email distribution lists to other departments and third sector organisations; • Participation in events e.g. community-based events, partner events, schools, Swansea Air Show, etc. <p>LLS continues to strive to support requests wherever possible.</p> |
| 3 | <p>Councillors Will Thomas, Francesca O'Brien & Angela O'Connor</p> <p>Could the Cabinet Member please confirm when the Bracelet Bay CCTV cameras will be fitted as the date we were given has passed.</p> <p>Response of the Cabinet Members for Well-being</p> <p>Cameras at Bracelet Bay will be installed as part of Phase 2 of the planned works and that phase will run from May through to July inclusive.</p> |
| 4 | <p>Councillors Mike White, Fiona Gordon, Lesley Walton & Wendy Lewis</p> <p>Can the Cabinet Member confirm how many acquisitions the Council has secured in terms of buying back CRTB homes as well as any other acquisitions.</p> <p>Response of the Cabinet Member for Service Transformation</p> <p>Since 2018 the Council has secured 125 acquisitions via the More Homes Programme, including 52 completed in 22/23. All the properties have been let as social housing, and funded via the Housing Revenue Account (HRA) and Social Housing Grant or other WG grants. The HRA also acquired the former education centre known as Bryn House, which was converted into 4 flats with an additional 5 units of accommodation in the grounds, funded via WG Phase 2 homelessness funding, as well as 3 sites from the General Fund which will be developed for affordable housing.</p> <p>There is budget in the HRA Capital programme to continue acquisitions of houses and flats for 23/24, as well as further land acquisitions to increase the supply of affordable housing in Swansea.</p> |
| 5 | <p>Councillors Peter May, Stuart Rice, Sandra Joy & Allan Jeffery</p> <p>The basic council tax payers' service of refuse and recycling collections have become a bit erratic recently.</p> <p>Since the turn of the year, Uplands ward members have received an increasing number of emails from the council on the day of collection which we pass on to our constituents. They state that a significant section of the ward will not be collected until the following day.</p> <p>A. Is this the same for other wards across the city. B. What is the reason for this problem and what is the remedy. C. Can the cabinet member provide data on the number of missed collections for Jan-Mar 2022 compared with Jan-Mar 2023.</p> <p>Response of the Cabinet Member for Community (Services)</p> <p>A. All Ward Members across the Authority are advised if there is likely to be a significant disruption to waste collections in their Wards. Disruptions can be for a number of</p> |

reasons, as outlined below, and which wards are affected depends on which days of the week there is disruption, and which rounds are affected. All Wards can be affected.

B.

Disruptions can be caused by vehicle breakdowns/delays in repairs, labour shortages due to unusually high level of absences and/or agency shortages, and extreme weather conditions. The Service Area continues to work with the Central Transport Unit to minimise vehicle issues, the current Traineeship of 29no. staff is due to end in May which will reduce absences due to the Traineeship, and we continue to put catch up plans in place when extreme weather is forecast.

C.

The number of reported missed domestic collections for January – March 2022 was 1423 which rose to 2225 for the same period in 2023. The Service Area is striving to minimise missed collections, and the permanent allocation of the 29 Trainees into the Waste Collection Team at the end of May should make a significant improvement. It should also be noted that even the increase level of missed collections in 2023 equates to 0.08% or 1 missed collection in every 1300 collections made.

6 Councillors Sam Bennett, Lynda James & James McGettrick

Given that Welsh Water Data have shown that the Tawe is the 6th most sewage polluted river in the UK, and Swansea Bay the 13th most sewage polluted beach. What conversations have been had with NRW and the Minister for Climate Change about cleaning our water ways for nature and bathers.

Response of the Cabinet Member for Corporate Service & Performance

Water Quality and Water Management

We queried if there had been any major incidents locally with sewerage (sewage) getting into the sea after storms. We were informed by NRW there are storm overflows in Swansea around the coast and near rivers designed to spill excess water, which gets into the sewerage system during heavy rainfall, into the environment to stop homes getting flooded. We were pleased to hear that lots of work has been done over the last 10 years, and on our most valuable stretches of coast, overflows only spill in extreme conditions. We heard the next stage is to identify which problem overflows still exist and to prioritise with Welsh Water and OFSTAD which of these get investment for improvement.

We queried who is responsible for sewerage (sewage) discharge into the sea and were informed NRW is responsible for discharges into controlled waters i.e. rivers, most lakes and sea. We heard that NRW works with the Council on public health impacts of some of the discharges, but NRW has primary responsibility for responding to pollution incidents. We also heard Welsh Water have a responsibility to stay within permit limits and will be informed if there are any issues relating to their assets, NRW will follow up enforcement of this if needed. We noted there is a pollution hotline and details of this are on the NRW website. People should ring this number if they see any pollution incident affecting rivers or sea.

We queried how effectively agricultural pesticide runoff is monitored in Swansea and heard from NRW that the main problem due to agriculture throughout Wales is runoff with regard to slurry and nutrients. Agriculture is not the biggest issue in Swansea regarding water quality but it is monitored and if necessary followed up.

We queried if Caswell is one of the trouble sites with regards to discharge into the sea, how many trouble sites we have and how we compare to similar authorities. We heard from NRW that there are emergency overflows at both Caswell and Langland.

There have been some problems with flooding in the system particularly at Caswell which has led to overflow alerts being triggered in the past, however volumes discharged at both beaches are very small. We also heard that Caswell has been a concern because of the pumping station getting overwhelmed and the valley tends to get flooded in storm conditions, however, the Council, Welsh Water and management of Caswell Valley been working on this, and the situation has significantly improved, and risk is a lot lower. We were informed that Welsh Water will release results of water quality on 25 November 2022, but they expect Langland and Caswell to come out very well. We were pleased to hear this.

We wanted to know if infrastructure improvements are planned or needed in the area and were informed by NRW they would always be looking for infrastructure in Swansea to be investigated and improved if needs be. They will be asking for improvements on high spillers in Swansea area, which tend to be on the Tawe rather than Mumbles. We heard NRW and Welsh Water will be monitoring the situation in Langland. The pumping station there might need maintenance, but it is not a storm discharge.

We queried how we are going to future proof the sewerage/drainage system. We heard from NRW that we are likely to get more intense storms in future which will put pressure on any drainage system and that Welsh Water are taking this into account in their forward planning. We also heard Welsh Water has a 25-year plan (Drainage and Wastewater Management Plan) which can be accessed on their website and does address climate change. If it is delivered it will be a significant step forward. We asked NRW's views on septic tanks in urban areas and were informed they would rather not see them in urban areas and would rather properties be connected to main drains. We noted that NRW cannot stop people applying for a septic tank permit and they cannot control the planning process.

We queried the involvement NRW has with building sites regarding silt. We were informed that building sites should not result in silt pollution in rivers. We heard there is currently a problem in Penllergaer, that NRW is working with the house developer to try and manage the situation better and is monitoring the situation. NRW stated they need to work better in future with Planning and developers. They would like to see much better phasing of building sites and developers working in a cleaner way. We mentioned that Sustainable Urban Drainage System (SUDS) regulations are now in place and asked if this helped at all. NRW felt it is a significant step forward but there are limits to what any legislation can do. We heard that SUDS are more about drainage on the finished development and that NRW want to get better at preventing pollution from building activities.

With regards to bathing water quality at Swansea Bay, NRW collects detailed scientific data on the cleanliness of our bathing waters (mostly beaches) every year between May and September. Swansea Bay's water quality was designated as 'Good' for 2022. The information for Swansea Bay is available for bathing water quality data on the NRW website [Bathing water profile \(data.gov.uk\)](https://data.gov.uk)

Officers from Pollution Control and Private Sector Housing work closely with colleagues in NRW with regards to bathing water quality, Our coastal waters are hugely improved by large and sophisticated treatment schemes. We monitor water quality to protect public health using standards set in a European Directive transposed to the Bathing Water Regulations 2013.

The standards protect public health but recognise that seawater is a natural variable environment. Bad weather will result in higher numbers of bacteria.

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| | <p>Gower beaches easily pass the standards but Swansea Bay is a little more complex. In order to protect public health and avoid a detrimental effect on tourism, the Pollution Control team participated in a multi-agency, EU-funded project called 'Smart Coasts' which was a Wales/Ireland cross border programme.</p> <p>In 2011, intensive sampling of seawater from the Designated Sample Point (opposite the Guildhall Slip) on Swansea Bay and various inputs into the Bay and monitoring of other environmental parameters, such as solar radiation, was carried out. This data enabled the development of a prediction model for Swansea Bay in real time. The model predicts the mean bacterial concentration, which determines the water quality in health terms. This information can be passed to the public so an informed decision can be made about whether to swim. This approach protects public health and improves compliance with the standards.</p> <p>During the summer water quality information for Swansea Bay is displayed on signs by the Slip. Results are updated hourly between 8am and 8pm. The water quality can change throughout the day depending on sunlight, wind direction, river flows and the tide. The results are also broadcast via our Twitter account. To get up to date information simply follow @SwanseaBayWater. The 2022 season was the first time that the Robotic Process Automation System ran. The 'Robot' is trained to use the same rules a human would follow, if they were doing the process manually, which means the system can run without the need for manual intervention. This method of running a Bathing Water Prediction model is the first in Wales and could be rolled out to other areas in the future.</p> |
| 7 | <p>Councillors Will Thomas, Francesca O'Brien & Angela O'Connor</p> <p>Highways schemes using community budgets to improve road safety and additional disabled bays are much needed by our local residents in Mumbles. However, these schemes do not seem to make much progress. It might be that this department needs additional resources as the turnaround is frustrating for residents. Can the Cabinet Member please comment on resources and help us progress these schemes please.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>In recent weeks the Council have taken on additional resource to assist in dealing with a backlog of traffic and parking schemes across a number of Wards in Swansea. This has subsequently enabled us to issue the survey information to Mumbles members which will assist in deciding which schemes they wish to progress through to implementation.</p> |
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| | <p>Part B – No Supplementaries</p> |
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| 8 | <p>Councillors Peter May, Stuart Rice, Sandra Joy & Allan Jeffery</p> <p>In the response to the Uplands group question at last Council, the Cabinet Member kindly outlined the formula for issuing builders parking waivers.</p> <ol style="list-style-type: none"> a. What level of consultation was there with Ward Members in constructing the formula. |

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| | <p>b. Did the formula need to be approved by Cabinet or was it implemented purely by officers under delegated powers.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>I can confirm that the formula for calculating the number of waivers is guidance only, this is used to prevent the street becoming oversubscribed due to issuing of parking waivers, this has not been amended since the introduction of Civil Parking Enforcement. Recent changes introduced with respect to waivers involve making all waivers virtual via the Mipermit system, and the introduction of charges. These were accepted by Cabinet in January 2023. If the Members have any specific streets of concern Officers will be more than happy to assist.</p> |
| 9 | <p>Peter May, Stuart Rice, Sandra Joy & Allan Jeffery</p> <p>Please can the Cabinet Member provide Council with an update on Swansea Airport.</p> <p>Response of the Cabinet Member for Corporate Service & Performance</p> <p>As was stated in a response to Councillor's questions on the 30th March it was intended that a report was to be submitted to Cabinet to consider further courses of action that were available. Further legal advice and investigations, including estimate of costs for all options, are required to ensure that any Cabinet decision is properly balanced and takes into account the interests of all Swansea residents.</p> |
| 10 | <p>Councillors Peter May, Stuart Rice, Sandra Joy & Allan Jeffery</p> <p>The top strip of concrete fascia on the Arena car park is looking a bit shoddy barely a year after completion. It is streaked with stain and algae, possibly from run off from the park above. Is it going to be left as it is or are their plans to clean and maintain it.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>Yes it will be cleaned periodically following winter weathering.</p> <p>A programme for cleaning concrete areas has not yet been activated but a sinking fund with regular planned maintenance is built into the financial model for the Copr Bay development.</p> <p>Whilst natural ageing and weathering is to be expected, especially in a coastal environment, cleaning of some areas may be required more regularly to keep this fantastic new asset looking pristine.</p> |
| 11 | <p>Councillors Peter May, Stuart Rice, Sandra Joy & Allan Jeffery</p> <p>On the Fabian Way in the St Thomas area, a living wall of ivy was installed in the central reservation. Two of the panels are hanging off leaning into the carriageway. It appears that they have become dislodged due to the weight of the ivy.</p> <p>A. Has the ivy been trimmed since installation to alleviate this obvious and inevitable occurrence.</p> <p>B. Is there a forward maintenance programme to make sure that it doesn't happen again.</p> |

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| | <p>C. Are the loose panels now in danger of falling into the road. D. Are they going to be left as they are or are the council going to fix them.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>The Green Screen has not been trimmed since its installation in March 2020 in order to allow it to establish. Officers from the Pollution Control and Private Sector Housing Division will visit to establish the works required and arrange a forward maintenance programme to ensure repairs are carried out and future issues avoided.</p> |
| 12 | <p>Councillors Peter Black, Jeff Jones & Mark Tribe</p> <p>Were external consultants employed as part of the council's levelling up fund bid and if so what was the total cost.</p> <p>Response of the Leader</p> <p>A total of £126,392 of costs were incurred in relation to the appointment of external consultant to assist in the development of the four levelling up bids that were submitted. These costs were financed through external grants from UK Government.</p> <p>As a result of this £126k expenditure four Levelling Up Fund grant bids were submitted, securing £20m in capital grant funding for the Lower Swansea Valley project.</p> <p>Whilst grant bids for the other three proposed projects were unsuccessful each proposal is now at a more advanced stage of design and technical development thanks to the necessary technical input from external consultants. This design and bid development work will be utilised for future bidding opportunities.</p> |
| 13 | <p>Councillors Lynda James, Mary Jones & Chris Holley</p> <p>What benefits accrue to the council for being awarded as Council of the Year, and what officer time and resources were used to apply and prepare for it.</p> <p>Response of the Leader</p> <p>The Council's reputational standing locally, regionally, and nationally is crucial and being shortlisted for such prestigious awards is a measure of its success. Reputation is also important when dealing with investment opportunities and the likes of Urban Splash, Skyline and a range of local developers would not be considering Swansea and a destination unless this reputation had improved over recent years.</p> <p>It is also important, that even in times of austerity, the council recognises the outstanding efforts carried out by its staff and there is no better way to do this than placing the Council and our employees on the national stage amongst the best in the UK</p> <p>In terms of officer time the submission was prepared by the corporate comms and marketing team. However a record of time was not made as part of its preparation.</p> |

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| 14 | <p>Councillors Chris Holley, Wendy Fitzgerald & Jeff Jones</p> <p>Can the Cabinet Member tell Council how much has been spent on Active Travel schemes over the last four years. Also are they dedicated cycle paths or shared use paths.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>We are unable to provide full spend for the current financial year (2022-23) as the financial outturn has not been determined, but I have provided a summary below of the total spent on the preceding four years through the Welsh Government's Active Travel Fund.</p> <p>Active Travel Fund (ATF) grants are used for delivering and constructing new schemes, for designing and developing future schemes, for preparatory works or land purchase, and for supporting minor activities and improvements.</p> <p>The vast majority of schemes which have been delivered or improved are off-road 'shared use' walking and cycling routes. These are either entirely away from traffic, such as the route between Gowerton and Gorseinon or Clyne Valley, or widened footways which enable shared use, such as along Dyfatty Street or Clasemont Road. Some dedicated cycle infrastructure, separated from pedestrians and motor traffic, exists on Mayals Road, and similar facilities are being delivered on Gorseinon Road.</p> <p>Total ATF spend each financial year: 2018/19 - 2,042,866.73 2019/20 - 4,919,865.97 2020/21 - 4,318,832.36 2021/22 - 3,890,331.99 Total - £15,171,897.05</p> |
| 15 | <p>Councillors Chris Holley, Peter Black & Susan Jones</p> <p>Can the Leader/Cabinet Member tell Council what the capital spending has been spent on our centre piece which is Swansea Market over the last four years.</p> <p>Response of the Cabinet Member for Corporate Service & Performance</p> <p>During the period 2019/20 to 2022/23, capital expenditure recorded against Swansea Market is £225,716. This includes investments made in the toilet/changing facilities and the market garden project. Further investment is also planned to improve the market entranceways in due course.</p> |
| 16 | <p>Councillors Chris Holley, Kevin Griffiths & Michael Locke</p> <p>Can the Cabinet Member inform Council how many empty industrial/commercial units are currently available for lease or rent in our ownership or in the private sector.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism/ Corporate Service & Performance</p> <p>We do not hold the information relating to all empty properties in private ownership but can confirm that out of the 94 small industrial units that are managed by the Property Services Team, only 2 are currently vacant- a 97.8% occupancy.</p> |