

## COUNCIL SUMMONS

You are hereby summoned to attend a Meeting of the COUNCIL OF THE CITY AND COUNTY OF SWANSEA to be held in the Council Chamber, Guildhall, Swansea on Thursday, 28 January 2016 at 5.00 pm.

The following business is proposed to be transacted:

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**
3. **Minutes.** 1 - 9  
To approve and sign as a correct record the minutes of the previous meetings.
4. **Written Responses to Questions asked at the Last Ordinary Meeting of Council.(For Information Report - Not for Discussion)** 10 - 15
5. **Announcements of the Presiding Member.**
6. **Announcements of the Leader of the Council.**
7. **Public Questions.**  
Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt within a 10 minute period.
8. **Public Presentation - Frack Free Wales.**
9. **Adoption of the Council Tax Reduction Scheme.** 16 - 25
10. **Membership of Committees.** 26 - 27
11. **Amendments to the Council Constitution.** 28 - 35
12. **Councillor Training and Development Programme 2016-2017.** 36 - 46
13. **Scrutiny Dispatches – Quarterly Impact Report.** 47 - 52
14. **Councillors' Questions.** 53 - 58
15. **Notice of Motion: Councillors R C Stewart, A S Lewis, R A Clay, M C Child, U C Clay, C Anderson. C Thomas, W Evans, J E C Harris, J P Curtice, N J Davies, T M White & C R Evans.**  
**Unconventional Gas Development**  
**(Shale Gas, Coal Bed Methane Extraction, Underground Coal Gasification and “Fracking”)**

There is a growing public concern that unconventional gas extraction entails significant risks to the environment and to the health and wellbeing of neighbouring communities. These include, but are not

limited to, potential air pollution, pollution of water resources and increased industrialisation of the countryside. There is also concern that exploration and extraction of fossil fuels by unconventional means undermines and diverts resources away from investment in a safe and secure renewable energy future.

There appears to be insufficient regulation and scrutiny of current unconventional gas extraction operations in the UK and as a consequence these operations risk irreversibly polluting fragile water courses and established nature and tourism.

The possibility of unconventional gas extraction in South Wales has led to significant concern among the local population, as evidenced by the level of objections to planning applications for test drilling and a growing number of petitions being submitted to Local Planning Authorities and the Welsh Government regarding this issue.

Council notes that it has a responsibility to protect the local environment and the wellbeing of local communities, and to play its part in supporting the ongoing renewable energy programme to provide sustainable energy for our future generations. Council aims to take steps within its statutory powers to work to harness the abundant sustainable and renewable energy resources available; such as our unsurpassed tidal range and windy hill sides. Council aims to work towards becoming fossil free by 2025 and aspires to be a leading provider of Tidal and Wind power within the UK.”

#### Notice of Motion:

Council is minded to adopt a policy which would contain a presumption that as a matter of planning policy it would not support applications for the unconventional exploration or extraction of gas, including the practice commonly known as ‘Fracking’, within the City and County of Swansea. This would also include test drilling. This would not stop planning applications being made and would take the form of a rebuttable presumption with the individual circumstances of each case considered.

Welsh Government is clearly concerned about the issue of unconventional oil and gas extraction as it has issued the Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015. The effect of this Direction is that no local authority can grant an application for unconventional extraction for a period of 21 days which is to give Welsh Government an opportunity to call in the application. The Direction does not apply to test drilling and Council is of the view that Welsh Government should consider the inclusion of test drilling within the Direction.

In taking this approach Council hopes that its commitment to a cleaner energy future will show the rest of Wales how important it is to protect our environment for future generations and to allow us to stand

together with other progressive Local Authorities.

Council further resolves that:

1) The Head of Economic Regeneration and Planning prepare a detailed report for Council to consider in March setting out the implications and a recommendation as to the possibility of the adoption of a change to planning policy relating to unconventional oil and gas extraction.

2) The Head of Economic Regeneration and Planning write to Welsh Government to suggest that the Direction be extended to include drilling solely for the purposes of unconventional gas exploration and extraction.

**16. Exclusion of the Public.**

**59 - 62**

**17. Judicial Review - Jewish Human Rights Watch.**

**Next Meeting - 5 p.m. on 25 February 2016.**



Patrick Arran  
Head of Legal and Democratic Services  
Civic Centre  
Swansea

**Tuesday, 19 January 2016**

**To: All Members of the Council**

## CITY AND COUNTY OF SWANSEA

### MINUTES OF THE EXTRAORDINARY COUNCIL

HELD AT COUNCIL CHAMBER, GUILDHALL ON THURSDAY,  
17 DECEMBER 2015 AT 4.00 PM

**PRESENT:** Councillor D W W Thomas (Presiding Member) Presided

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
C Anderson	V M Evans	P Lloyd
J C Bayliss	W Evans	P M Meara
P M Black	E W Fitzgerald	D Phillips
J E Burtonshaw	R Francis-Davies	J A Raynor
M C Child	J A Hale	T H Rees
R A Clay	J E C Harris	I M Richard
U C Clay	C A Holley	R C Stewart
A C S Colburn	P R Hood-Williams	D G Sullivan
D W Cole	B Hopkins	C M R W D Thomas
A M Cook	D H Hopkins	M Thomas
J P Curtice	L James	L G Thomas
A M Day	A J Jones	L J Tyler-Lloyd
P Downing	E T Kirchner	G D Walker
C R Doyle	A S Lewis	L V Walton
C R Evans	C E Lloyd	T M White

#### 117. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors S E Crouch, F M Gordon, J W Jones, M H Jones, S M Jones, D J Lewis, K E Marsh, B G Owen, C L Philpott, C Richards, P B Smith, R J Stanton and C Thomas.

#### 118. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

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

- 1) Councillor V M Evans declared a Personal Interest in Minute 120 "Presentation by Young People" - Member of the Foster Panel.
- 2) Councillor P M Meara declared a Personal Interest in Minute 120 "Presentation by Young People" - Member of the Foster Panel.

119. **EXCLUSION OF THE PUBLIC.**

Council were requested to exclude the public from the meeting during consideration of the following item(s) on the grounds that it / they involve(s) 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.

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

**RESOLVED** that the public be excluded for the following items of business.

**(CLOSED SESSION)**

120. **PRESENTATION BY YOUNG PEOPLE.**

The Presiding Member welcomed the group of young people to the meeting together with their supporting Officers. The young people gave a presentation to the Council together with an interactive question and answer session.

The Cabinet Member for Services for Adults and Vulnerable People, the Interim Head of Child and Family Services and the Director of People thanked the young people for their presentation.

The meeting ended at 4.25 pm

**CHAIR**

# CITY AND COUNTY OF SWANSEA

## MINUTES OF THE COUNCIL

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON  
THURSDAY, 17 DECEMBER 2015 AT 5.00 PM

**PRESENT:** Councillor D W W Thomas (Presiding Member) Presided

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
C Anderson	J C Bayliss	P M Black
J E Burtonshaw	M C Child	R A Clay
U C Clay	A C S Colburn	D W Cole
A M Cook	S E Crouch	J P Curtice
N J Davies	A M Day	P Downing
C R Doyle	V M Evans	C R Evans
W Evans	E W Fitzgerald	R Francis-Davies
F M Gordon	J A Hale	J E C Harris
T J Hennegan	C A Holley	P R Hood-Williams
B Hopkins	D H Hopkins	L James
Y V Jardine	M H Jones	A J Jones
J W Jones	E J King	E T Kirchner
R D Lewis	A S Lewis	C E Lloyd
P Lloyd	K E Marsh	P M Matthews
P N May	P M Meara	H M Morris
G Owens	D Phillips	J A Raynor
T H Rees	I M Richard	R C Stewart
D G Sullivan	G J Tanner	C M R W D Thomas
L G Thomas	M Thomas	L V Walton
L J Tyler-Lloyd	G D Walker	
T M White		

### **Apologies for Absence**

Councillor(s): S M Jones, D J Lewis, B G Owen, C L Philpott, C Richards, P B Smith, R V Smith, R J Stanton, C Thomas and N M Woollard

### 121. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

The Head of Legal and Democratic Services 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 actually 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) Councillor M Thomas declared a Personal Interest in Minute 129 "CSSIW Annual Performance Evaluation for 2014-2015: City and County of Swansea";
- 2) Councillor J A Raynor declared a Personal Interest in Minute 130 "Corporate Parenting Annual Report and Corporate Parenting Challenge Report";
- 3) Councillor R D Lewis declared a Personal Interest in Minute 133 "Honorary Freedom of the City and County of Swansea to 215 (City of Swansea) Squadron";
- 4) Councillor J E Burtonshaw declared a Personal Interest in Minute 136 "Councillors' Questions".

122. **MINUTES.**

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

- 1) Ordinary Meeting of Council held on 26 November 2015.

123. **WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL. (FOR INFORMATION REPORTS - NOT FOR DISCUSSION)**

The Head of Legal and Democratic Services submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

124. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

1) **Condolences**

a) **Albert Evans, Father of Councillor C Richards**

The Presiding Member referred with sadness to the recent death of Albert Evans, father of Councillor C Richards.

All present stood as a mark of sympathy and respect.

2) **Councillor J P Curtice - Illness**

The Presiding Member stated that Councillor J P Curtice wished to express her thanks for all of the support that she received during her recent period of illness.

**3) Congratulations**

**a) Jazz Carlin**

The Presiding Member was pleased to announce that Jazz Carlin, Swansea's British swimming star had recently won double Gold at the European Short Course Championships in the 400m and 800m freestyle. This follows her success earlier this year in winning Bronze at the World Championships in Kazan, and her Gold and three Silver medals in the World Cup and three Gold Medals at the British Championships.

**b) Councillor G Owens - Birthday**

The Presiding Member wished Councillor G Owens a happy birthday.

**c) Councillor T J Hennegan - Great Grandfather**

The Presiding Member announced that Councillor T J Hennegan had recently become a Great Grandfather.

**4) Happy Christmas and a Healthy New Year**

The Presiding Member wished a Happy Christmas and Healthy New Year to all.

125. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

**1) Sale and Development of Civic and St David's Sites**

The Leader of the Council stated that Cabinet had met earlier and had made a decision in relation to the sale and development of the Civic and St David's Sites.

**2) Tidal Bay Lagoon**

The Leader of the Council stated that a further bid for a strike price had been made to the UK Government. He was hopeful that the UK Government would make a speedy decision.

126. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded.

Those questions not requiring a written response are listed below:



1) Lis Davies asked questions in relation to Minute 136 "Councillors Questions - Question 6":

a) *"Is the Cabinet Member aware of the total outlay costs associated with the implementation of the disastrous Capgemini project and the total amount of savings actually delivered by the project? I ask because I would like to know how much public money the previous administration wasted on the Service @Swansea project?"*

b) *"Cabinet at its meeting on 30 December 2005 resolved to delegate authority to enter into a Strategic Partnering Agreement with Capgemini PLC. The minutes of those meetings were never presented back to a Cabinet Meeting. Why not?"*

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

2) Lis Davies asked questions in relation to Minute 129 "Corporate Parenting Annual Report and Corporate Parenting Challenge Report":

*"Page 41. The agenda makes mention of the schooling of looked after children. My questions relate to the time period, 2010 to date, and how many looked after children under the care of CCS have:*

a) *Achieved GCSE qualifications?*

b) *Achieved A level qualifications?"*

The Education Cabinet Member stated that a written response would be provided.

127. **PUBLIC PRESENTATION - NONE.**

No Public Presentations were received.

128. **CSSIW ANNUAL PERFORMANCE EVALUATION FOR 2014-2015: CITY AND COUNTY OF SWANSEA.**

The Services for Adults and Vulnerable People Cabinet Member presented the Care and Social Services Inspectorate Wales (CSSIW) Performance Evaluation Report 2014-2015.

**RESOLVED** that the report be noted.

129. **CORPORATE PARENTING ANNUAL REPORT AND CORPORATE PARENTING CHALLENGE REPORT.**

The Chair of the Corporate Parenting Forum submitted an information report which outlined the work of the Corporate Parenting Forum throughout 2014-2015 and covers actions identified in the 2013-2014 Annual Report, and key recommendations from inspections.

130. **REPORT ON THE PROGRESS OF THE CHILDREN & YOUNG PEOPLE'S RIGHTS SCHEME IN SWANSEA.**

The Services for Children and Young People Cabinet Member submitted a report which outlined the progress of the implementation of the Children and Young People's Rights Scheme for Swansea.

**RESOLVED** that:

- 1) The progress report on the Children and Young People's Rights Scheme be noted.

**Note:** Councillor P M Black asked the following question:

*"If embedded how were children in receipt of Child and Adolescent Mental Health Services (CAMHS) services consulted."*

The Services for Children and Young People Cabinet Member stated that a written response would be provided.

131. **TREASURY MANAGEMENT - MID YEAR REVIEW REPORT 2015/16.**

The Finance and Strategy Cabinet Member submitted an information report which outlined the Treasury Management Mid Year Review Report 2015-2016.

132. **HONORARY FREEDOM OF THE CITY AND COUNTY OF SWANSEA TO 215 (CITY OF SWANSEA) SQUADRON**

The Leader of the Council submitted a report which sought consideration of whether to confer the honorary freedom of the City and County of Swansea to 215 (City of Swansea) Squadron Air Training Cadets.

He stated that the 215 (City of Swansea) Squadron Air Training Cadets is one of the most successful squadrons in the whole of Great Britain and is one of the sixth largest in the United Kingdom. The squadron have undertaken community and voluntary work in support of the Swansea Branch of the Royal British Legion in organising Remembrance events for the last 10 years for the City and County of Swansea.

**RESOLVED** that:

- 1) The Honorary Freedom of the City and County of Swansea be conferred on 215 (City of Swansea) Squadron in recognition of their 75<sup>th</sup> Anniversary, long standing relations with the City and County of Swansea and their community work in support of the Swansea Branch of the Royal British Legion, Remembrance events and the annual Poppy Appeal.

133. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which provided an opportunity for nominations / amendments to the membership of Council Bodies.

He indicated that none had been received.

**RESOLVED** that the report be noted.

134. **AMENDMENTS TO THE COUNCIL CONSTITUTION.**

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report which sought to make amendments in order to simplify, improve and / or add to the Council Constitution in relation to the following area(s):

- 1) Part 3 - Responsibility for Functions - Terms of Reference - Swansea Student Liaison Forum and the Residents Partnership Meeting;
- 2) Part 4 - Rules of Procedure - Council Procedure Rules - CPR 17.2 "Rules of Debate" and CPR 30.1 "Voting".

**RESOLVED** that the changes to the Council Constitution as outlined in Paragraph 4 of the report together with any further consequential changes be adopted.

135. **COUNCILLORS' QUESTIONS.**

1) **Part A 'Supplementary Questions'**

Six (6) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

The following supplementary question(s) required a written response.

- a) Question 1. Councillor E W Fitzgerald asked if a charging facility for mobility scooters would be provided at Llys Gwalia, Gorseinon?

The Next Generation Services Cabinet Member stated that a written response would be provided.

- b) Question 4. Councillor J W Jones asked:

- i) What are the administrative costs of the Communities First Delivery Plan for 2014-2015 and the first six months of 2015-2016.

The Anti Poverty and Communities Services Cabinet Member stated that a written response would be provided.

**2) Part B 'Questions not requiring Supplementary Questions'**

No (0) Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 5.47 pm

**CHAIR**

# Agenda Item 4.

## Report of the Head of Legal and Democratic Services

Council – 28 January 2016

### 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 last Ordinary Meeting of Council on 17 December 2015.

#### 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 at Council –  
17 December 2015**

1.	<p><b>Mrs L Davies</b></p> <p>a) Is the Cabinet Member aware of the total outlay costs associated with the implementation of the disastrous Capgemini project and the total amount of savings actually delivered by the project? I ask because I would like to know how much public money the previous administration wasted on the Service @Swansea project?”</p> <p>b) Cabinet at its meeting on 30 December 2005 resolved to delegate authority to enter into a Strategic Partnering Agreement with Capgemini PLC. The minutes of those meetings were never presented back to a Cabinet Meeting. Why not?”</p> <p><b>Response of the Leader</b></p> <p>a) The E-Government programme as approved in December 2005 was divided into two phases as follows: Phase 1 – Resource@Swansea, Information Management, Strategic sourcing, ICT services.</p> <p>Phase 2 – Service@Swansea including call centre design, contact centre design, interactive web site and IM implementation.</p> <p>The total contract cost for phase 1 was estimated at £98.8million, including £15.5Million relating mainly to programme management, contract Management, training, data cleansing and other third party costs.</p> <p>The £83.3million external costs were effectively split as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 20%; text-align: right;">£m</th> </tr> </thead> <tbody> <tr> <td>New systems build</td> <td style="text-align: right;">17.8</td> </tr> <tr> <td>Cost of outsourced ICT service over 10 year period</td> <td style="text-align: right;">60.8</td> </tr> <tr> <td>Capital financing charges</td> <td style="text-align: right;">4.7</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>83.3</b></td> </tr> </tbody> </table> <p>The financial benefits target associated with phase 1 implementation was £26.2million which was crucial to implementation of phase 2, intended to be delivered at a future date.</p> <p>The reality is that the majority of these savings were not identifiable which led to the cancellation of phase 2 of the project at a meeting of Cabinet on 11 January 2007.</p> <p>Given that the previous Administration cancelled phase 2 of the project this inevitably meant that the promised benefits did not materialise. This was both short sighted and in my opinion wrong. It is only recently with the investment that this administration has made that real benefits being delivered.</p> <p>b) I can confirm that the minutes of the Cabinet meeting held on 30 December 2005 were not presented back to a Cabinet Meeting. One assumes that this was an oversight given that it was a Special Meeting of Cabinet. This error does not invalidate the decision in any way as Cabinet Minutes are only presented back at meetings to ensure their accuracy.</p>		£m	New systems build	17.8	Cost of outsourced ICT service over 10 year period	60.8	Capital financing charges	4.7	<b>Total</b>	<b>83.3</b>
	£m										
New systems build	17.8										
Cost of outsourced ICT service over 10 year period	60.8										
Capital financing charges	4.7										
<b>Total</b>	<b>83.3</b>										

2.

**Mrs L Davies**

Page 41. The agenda makes mention of the schooling of looked after children. My questions relate to the time period, 2010 to date, and how many looked after children under the care of CCS have:

- a) Achieved GCSE qualifications.
- b) Achieved A level qualifications.

**Response of the Cabinet Member for Education**

a) Education Looked After Children (LAC) – GCSE Results

	2010	2011	2012	2013	2014
<b>Total number of LAC pupils in Year 11 cohort</b>	27	36	50	51	38
<b>Total number of LAC pupils in Year 11 cohort on SEN Register</b>	12	27	41	37	34
<b>Total number LAC pupils in Year 11 cohort achieving Level 1 A* - G GCSE qualifications or equivalent qualifications</b>	10	9	27	33	28
<b>Total number LAC pupils in Year 11 cohort achieving Level 1 A*-C GCSE or equivalent qualifications</b>	4	3	11	15	9

b) Please note that the Education Department does not keep records of LAC pupils at A level as LAC support is for statutory school-aged pupils only.

3.	<p><b>Councillor E W Fitzgerald</b></p> <p><b>Question:</b> If a charging facility for mobility scooters would be provided at Llys Gwalia, Gorseinon.</p> <p><b>Response of the Cabinet Member for Next Generation Services</b> There is a hardstanding at Llys Gwalia which is intended as a scooter storage area. Tenants who wish to use this area for the storage of their mobility scooters can purchase their own storage units which sit on the hardstanding.</p> <p>There is no charge for the use of this area. Tenants are however advised that they need to make their own arrangements for charging of their mobility scooters. Many scooters now come with removable batteries and therefore can be charged within a tenant's own home.</p> <p>Previously two scooter users have used this hardstanding area for the storage of their mobility scooters but there are currently no scooter users in Llys Gwalia.</p>
4.	<p><b>Councillor J W Jones</b></p> <p><b>Questions:</b> What are the administrative costs of the Communities First Delivery Plan for 2014-2015 and the first six months of 2015-2016.</p> <p><b>Response of the Cabinet Member for Anti Poverty</b> The total audited expenditure on the Communities First delivery plan for 2014-15 was £2,884,445. Of this £68,577 was for administration costs which equates to 2.38% of the total.</p> <p>In the first six months of 2015-16 total expenditure claimed was £1,139,682. Of this £45,456 was for administration costs which equates to 3.99% of the total claimed so far.</p>
5.	<p><b>Councillor P M Black</b></p> <p>If embedded how were children in receipt of Child and Adolescent Mental Health Services (CAMHS) services consulted.</p> <p><b>Response of the Cabinet Member for Services for Children and Young People</b> It is important to emphasise that the groups at Trehafod have never been an Education Department service. They are a Health Authority service to which the Education Department contributed tuition and teaching assistant time from the Home Tuition Team. The service delivered by the CAMHS-based home tuition staff was managed on a day-to-day basis by the CAMHS clinical team and did not involve the delivery of home tuition or teaching programmes although it did involve contributing, with the CAMHS team, to the assessment of children's needs. The teachers have never been re-designated as "CAMHS Specialist Teachers" and their role in providing individual support in schools has never been consulted on or approved.</p> <p>The CAMHS team did not liaise with the Education Department about the children who were attending the groups and although the tuition team linked with the children's schools there was little information sharing with other teams in the Education Department that we are aware of.</p>



	<p>The groups at Trehafod offered a service across the ABMU area including both Neath Port Talbot and Swansea.</p> <p>Thus, this service is not statutory and has been developed within CAMHS, rather than as part of a coherent strategy agreed with the Education Department. Neither would the Education Department have known which Swansea children were receiving support during the consultation period for the reasons in the second point.</p> <p>The children receiving a Health Authority service at Trehafod through the “groups” were not directly involved in the consultation but children and young people who received a service from the Home Tuition Team were part of the consultation. It is worth re-iterating that the Education Department’s support provided to the Health Authority’s CAMHS was not a separate service but part of the home tuition team and the consultation included pupils receiving a service from that team.</p>
6.	<p><b>Councillor M H Jones(Response to Question asked at Council - 23 July 2015)</b></p> <p>601 Children and Young People have a better understanding of the importance of school, how many of these children and young people have now gone on to attend school regularly.</p> <p><b>Response of the Cabinet Member for Anti-Poverty</b></p> <p>This relates to a measure within the Communities First programme: LC-PM 2.2 – children and young people with a better understanding of the importance of school:</p> <p>The Young People Service Community First Team support young people to have a better understanding of the importance of school through a variety of youth engagement interventions.</p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• One to one support; where young people are directly supported in relation to addressing any issues they are facing. This also includes elements of supporting their family.</li> <li>• Targeted and accredited project work, which offers workshops, activities and informal learning opportunities where the young people can learn and gain knowledge and be supported with issues affecting their lives.</li> <li>• Residential programmes, where young people have the opportunity to have new experiences, challenge themselves and explore their learning in a new and fun environment.</li> <li>• School support sessions where youth workers work closely with their schools, offer support to young people and provide regular sessions within the school where young people can access support directly off the youth workers when needed.</li> <li>• Open access provision and detached work where youth workers engage with young people in their community to provide opportunities for young people where they can access support and be challenged to develop their knowledge, learning and values.</li> </ul> <p>Within these programmes we offer informal learning opportunities where young people can explore, learn and gain knowledge and understanding in</p>

issues that affect their lives. These include things such as workshops and conversations where the youth workers explore these issues with young people and help them to address these issues in line with young people's rights.

Throughout the year of 2014/15 the 601 young people supported, reported back to youth workers that through the above interventions they have a better understanding of the importance of school. The evidence gained to support this include development and progression through the matrix assessment tool, evaluations and questionnaires, verbal feedback through discussions and their consistent and repeated engagement in sessions.

The Young People's Service does not currently have a direct report on how many of these young people have gone on to attend school regularly. It is an aspiration of our Management Information System and our partnership with schools that we will be able to establish and draw down reports on changes in actual attendance during 2016/17.

# Agenda Item 9.

## Report of the Section 151 Officer

Council – 28 January 2016

### ADOPTION OF THE COUNCIL TAX REDUCTION SCHEME

<b>Purpose:</b>	<ol style="list-style-type: none"><li>1. To explain the requirement to annually consider whether to revise or replace the Council's existing Council Tax Reduction Scheme and the requirement to either adopt a new scheme or re-adopt the existing scheme by 31 January 2016.</li><li>2. To re-adopt the current scheme as set out in Section 3 of the report from 2016/17.</li></ol>
<b>Policy Framework:</b>	None
<b>Reason for Decision:</b>	Statutory Requirement
<b>Consultation:</b>	Consultation exercise undertaken on the current scheme in December 2014, Legal, Finance and Access to Services.
<b>Recommendation:</b>	<p>It is recommended that:</p> <ol style="list-style-type: none"><li>1. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 ("the Prescribed Requirements Regulations") by the National Assembly for Wales (NAfW) on 26 November 2013, as amended be noted.</li><li>2. The proposed amendments to "the Prescribed Requirements Regulations" contained in the draft Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016, due to be considered and approved by NAfW on 20 January 2016 be noted.</li><li>3. The outcome of the consultation exercise undertaken by the Council in December 2014 on the discretionary areas of the current scheme be noted.</li><li>4. The current scheme (2015/16) in relation to the discretionary areas (as set out in section 3) remain unchanged for 2016/17.</li></ol>

5. The Council adopts the scheme as set out in section 3 of this report and that any amendments to the regulations made by NAFW are reflected in the scheme.

**Report Author:** Rose McCreesh,

**Finance Officer:** Mike Hawes

**Legal Officer:** Tracey Meredith

**Access to Services Officer:** Ann Williams

## **1 Background**

1.1 Following the abolition of the national Council Tax Benefit scheme on 31 March 2013, responsibility for providing Council Tax support in Wales was devolved to the Welsh Government (WG) and is known as the Council Tax Reduction Scheme (CTRS).

1.2 The CTRS is governed by two sets of regulations. These regulations prescribe the main features of the schemes to be adopted in Wales from 2014/15 :-

- The Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) as amended.
- The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) as amended.

1.3 The regulations contain an obligation that an authority must consider each financial year whether to revise its scheme or to replace it with another scheme. Any revision or replacement must be made no later than 31 January, preceding the financial year for which the revision or replacement scheme will take effect.

1.4 Although there is a national scheme for Wales, within the Prescribed Requirements Regulations, there is limited discretion given to the Council to apply additional discretionary elements that are more generous than the national scheme. These are :-

- The ability to increase the standard extended reduction period of 4 weeks given for example to persons who have ceased to receive qualifying benefits after they return to work, where they have

previously been receiving a Council Tax Reduction that is to end as a result of their return to work;

- Discretion to increase the amount of War Disablement Pensions and War Widows and War Widowers Pensions which is to be disregarded when calculating income of the claimant; and
- The ability to backdate applications for Council Tax Reduction for periods longer than the new standard period of three months before the claim is made.

1.5 The Council adopted a CTRS for 2015/16 on 6 January 2015. It is a requirement of the Prescribed Requirements Regulations that the Council adopts a CTRS by 31 January 2016, regardless of whether it applies any of the discretionary elements set out in paragraph 1.4 above. If the Council fails to make a scheme, then a default scheme shall apply under the provisions of the Default Scheme Regulations. The Council can only apply discretion if it makes its own scheme under the Prescribed Requirements Regulations.

1.6 An amending set of regulations was laid before the NAFW on 1 December 2015, to up rate financial figures used to assess CTR entitlement, in line with the cost of living increases. Unfortunately the calculation of these figures was dependant on the Chancellor's Autumn statement which was announced on 25 November 2015 and also on a set of up rating figures used by the Department of Works and Pensions (DWP). The amending set of regulations also incorporate additional amendments to reflect technical and consequential amendments, which are related to the Social Services and Wellbeing Act 2014, the National Insurance Contributions Act 2015, and the Pensions Act 2014. Due to the Assembly's procedures which govern the making of the regulations, the amendment regulations are not due to be approved by the Assembly until 19 January 2016. The Council must however take account of the "Amendment Regulations" (The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016)<sup>1</sup> when adopting the scheme.

<sup>1</sup> These can be accessed at

<http://www.assembly.wales/Laid Documents/SUB-LD10462/SUB-LD10462-e.pdf>

<http://www.assembly.wales/Laid Documents/SUB-LD10462-EM/SUB-LD10462-EM-e.pdf>

## **2 Consultation**

2.1 A consultation exercise on the current scheme was conducted over the period 12 November 2014 to 11 December 2014 and advertised in a press release. An on-line survey form was placed on the Council web-site and consultation forms were available at the Contact Centre, District Housing Offices and libraries. Information was also sent to members, precepting authorities and various third sector agencies. A

summary of the responses to this consultation can be found in Appendix 1.

- 2.2 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015, approved by NAFW 20 January 2015, included a change which removed the requirement for Local Authorities to publish a draft scheme and consult interested persons where a Billing Authority revises a scheme in consequence of amendments made to the Prescribed Requirement Regulations. The effect of this amendment is to remove the requirement for Local Authorities to consult in relation to changes made by Welsh Ministers where authorities have no discretion (as opposed to the discretionary areas of the scheme outlined in 1.4).
- 2.3 As this report contains a recommendation that the current scheme is not replaced or changed for 2016/2017, other than to include amendments contained in the “Amendment Regulations” (explained in 1.6 above), there is no requirement for the Council to consult, as authorities have no discretion in relation to these amendments.

### **3 Adoption of the Council Tax Reduction Scheme**

- 3.1 The Council is required to adopt a scheme by 31 January 2016 under the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 as amended, regardless whether it chooses to apply any of the discretionary elements. If the Council fails to make a scheme then a default scheme will apply under the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (as amended).
- 3.2 As explained in 1.6 above, each year WG needs to amend the CTRS 2013 Regulations to ensure that the assessment calculation for Council Tax Reduction recipients is up-rated mostly in line with Housing Benefit. The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016 were laid on 1 December 2015. As well as the up-rating provisions, these “Amendment Regulations” incorporate additional amendments as follows:-
- to reflect consequential changes reflecting the new arrangements in relation to care and support needs, which have been introduced in Wales by the Social Services and Well-being (Wales) Act 2014,
  - to take into account terminology changes used in legislation as a consequence to the National Insurance Contributions Act 2015,

- to take account of new arrangements and terminology introduced via the Pensions Act 2014.

3.3 It is recommended that the Council adopts a Scheme for 2016/17 under “the Prescribed Requirements Regulations”, and any amendments made to those regulations by the “Amendment Regulations”, to include all the elements that must be included in the scheme and those discretionary elements set out in the table at Paragraph 3.5 below.

3.4 Part 5 of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (Other matters that must be included in an authority’s scheme) identifies which elements of the prescribed requirements of a scheme are minimum only requirements and in respect of which local authorities have an element of discretion.

3.5 Taking account of :

- the consultation responses for the current local scheme, (see Appendix 1) relating to the discretionary elements, noting that no changes have been proposed for 2016/17.
- the current local scheme in relation to the treatment of War Disablement Pensions, War Widows Pensions and War Widowers Pensions for Housing Benefit, which disregards these payments in full,
- the fixed funding available,

The recommendations in relation to the available discretionary elements are as follows in the table below:-

<b><u>Discretionary Elements</u></b> <b>Part 5 - Other Matters that must be included in an authority’s scheme</b>	<b>Prescribed Requirement Regulations</b> <b>(Minimum Requirements)</b>	<b>Recommended Details to be Adopted with regard to Discretionary Elements</b>
Ability to increase the standard extended reduction period of 4 weeks given to applicants where they have previously been receiving a Council Tax Reduction that is to end, as they have ceased receiving qualifying benefits as a result of returning to work, increasing their hours of work, or receiving increased earnings.  <i>Regulation 32 (3) and Regulation 33 (3), para (33) Schedule 1 and para (35) and</i>	4 Weeks	<u>Pensioners:</u> The 4 weeks period specified in para (33) Schedule 1 will apply, and  <u>Non- Pensioners:</u> The 4 weeks period specified in para (35) and (40) Schedule 6 will apply,

<i>(40) Schedule 6.</i>		
<p>Ability to backdate applications of CTR for periods longer than the standard period of 3 months before the claim is made.</p> <p><i>Regulation 34 (4) and Paragraph (3) and (4) of Schedule 13.</i></p>	3 Months	<p><u>Pensioners</u>: The period of 3 months specified in para (3) Schedule 13 will apply,</p> <p><u>Non-Pensioners</u>: The period of 3 months specified in para (4), Schedule 13 will apply,</p>
<p>Ability to disregard more than the statutory weekly £10 of income received in respect of War Disablement Pensions and War Widows Pensions and War Widowers Pensions (disregarded when calculating income of the applicant);</p> <p><i>Regulation 34 (5), Paragraphs 1(a) and 1(b) Schedule 4 and Paragraphs 20(a) and 20(b) of Schedule 9</i></p>	£10	<p><u>Pensioners</u>: The total value of any pension specified in para 1(a) and 1(b) Schedule 4 will be disregarded.</p> <p><u>Non-Pensioners</u>: The total value of any pension specified in para 20(a) and 20(b) Schedule 9 will be disregarded.</p>

#### 4. Equality and Engagement Implications

- 4.1 The WG undertook a comprehensive regulatory impact assessment in respect of the national Council Tax Reduction Scheme regulations, in November 2013.
- 4.2 The Council has previously undertaken a consultation exercise in relation to the discretionary areas, which assists the Council in satisfying the public sector equality duty in the Equality Act.
- 4.3 A local equality impact assessment (EIA) was carried out by the Council in January 2014, for the 2014/15 scheme and is contained in Appendix 1. As there were no changes to the discretionary elements in the Amendment Regulations, for the 2015/16 scheme, the EIA was reviewed (with the action plan's progress updated). Likewise as the proposed Amendment Regulations for 2016/17 scheme, do not contain any changes to the discretionary elements the EIA has been reviewed again (with the action plan's progress updated further) and no changes to the EIA report are required.
- 4.4 It should be noted that in terms of equality impact there are no significant changes in the scheme recommended from 2016/17 compared to 2015/16. As this is a national scheme the Council cannot vary the provisions other than those discretionary areas detailed in 1.4 above, which are proposed to remain the same as exist in the current (2015/2016) local scheme. The Revenues and Benefits Take-up Team



will continue in its efforts to provide advice to maximise benefit income and signpost and fast-track to the appropriate agencies where appropriate.

## 5. Financial Implications

5.1 Welsh local authorities receive a fixed sum provision from WG for the CTRS. This is fundamentally different to the funding received from DWP, for the former Council Tax Benefit scheme, which was demand led and almost fully funded on a pound for pound basis. Any changes that affect the amount of CTR to be paid, for example due to Council Tax increases, increases in customers' CTR entitlement or increases in the number of customers actually claiming CTR, exposes the Council to financial risk, as the shortfall between the amount of CTR paid out and the funding received from WG, result in authorities having to bear the additional cost.

5.2 The table below shows the number of current CTR recipients in Swansea, the latest estimate of CTR paid for 2015/16 and the latest estimated shortfall of £776k which has to be met by the Council.

<b>Current CTR Recipients</b>	<b>Current CTR Recipients who receive 100% CTR</b>	<b>Latest estimate of CTR to be paid in 2014/15</b>	<b>Fixed Funding Received from WG for 2014/15</b>	<b>Shortfall between funding and CTR paid to recipients.</b>
24,611	18,779	£19.757M	£18.981M	£776K

5.3 The actual amount of CTR funding for distribution in 2016/17 in Wales is detailed in the final settlement made on 9th December 2015. The funding available for the whole of Wales was £244M with this Council's provisional allocation being £18.984M.

5.4 The table in 5.2 shows the estimated shortfall between CTR paid out and the fixed funding received from WG for 2015/16.

5.5 For every 1% increase in Council Tax levels in 2016/17, the yield will be reduced by an estimated £197,574 to reflect the cost of the CTRS.

## 6. Legal Implications

The Council is obliged to make a Council Tax Reduction Scheme under the Prescribed Requirements Regulations as amended by 31 January 2016. Although the legislation provides for a default scheme to apply in the absence of the Council making a scheme, the Council is

nevertheless under a statutory duty to adopt its own scheme, even if it chooses not to apply any of the discretionary elements.

Section 149 of the Equality Act 2010 requires Local Authorities to have “due regard” to their public sector equality duties when exercising their functions. That includes the need to remove or minimise disadvantages suffered by reason of age, race, or disability or other protected characteristics which the rest of the population may not suffer from. There are no other legal implications other than those already highlighted in this report.

**Background Papers:** Equality Impact Assessment.

**Appendices:** Appendix 1: Summary of the responses to the CTRS consultation undertaken in November/December 2014.

## APPENDIX 1

### 1 Consultation

1.1 A consultation exercise on the current scheme was conducted over the period 12 November 2014 to 11 December 2014 and advertised in a press release. An on-line survey form was placed on the Council web-site and consultation forms were available at the Contact Centre, District Housing Offices and libraries. Information was also sent to members, precepting authorities and various third sector agencies.

#### 1.2 Summary of Responses

- a) A total of 15 responses were received. 5 were completed on line and 10 written responses received.
- b) 14 responses were completed by individuals with 1 indicating they were completing on behalf of an organisation.

#### 1.3 Responses to the Three Discretionary Areas

##### **I. Ability to Increase the standard Extended Payment Period of 4 weeks.**

Question 1 on the consultation form:		
Discretionary element	Proposal	Responses
The ability to increase the standard extended payment period of 4 weeks given to people after they return to work when they have been in receipt of a relevant qualifying benefit for at least 26 weeks.	The Council proposes that the existing 4 week standard extended payment should remain unaltered. Do you think this is reasonable?	15 responses.  10 said it was reasonable,  2 said it was not.  3 said "don't know".
	If you indicated no to the above, please outline what you consider the period should be?	Of the 2 who thought it was not reasonable, 1 opted for a period of 6 weeks and 1 for 8 weeks

##### **II. Discretion to increase the amount of War Disablement and War and War Widows Pensions which will be disregarded when calculating income.**

Question 2 on the consultation form:		
Discretionary element	Proposal	Responses
Discretion to disregard part	The Council proposes	15 responses.

or the whole amount of War Disablement Pensions and War Widows Pensions when calculating income.	to continue to disregard all of this income, as it is currently disregarded for Council Tax Reduction. Do you think this is reasonable?	<p><i>9 said it was reasonable,</i></p> <p><i>1 said it was not.</i></p> <p><i>5 answered "don't know"</i></p>
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**III. Ability to backdate the application of Council Tax Reduction Awards for more than the standard period of 3 months prior to the claim.**

<b>Question 3 on the consultation form:</b>		
<b>Discretionary element</b>	<b>Proposal</b>	<b>Responses</b>
The ability to back date the application of Council Tax Reduction awards for customers for more than the standard period of 3 months prior to the claim.	The Council proposes to keep the maximum back date available to the 3 month statutory period. Do you think this is reasonable?	<p><i>15 responses.</i></p> <p><i>9 said it was reasonable,</i></p> <p><i>6 said it was not.</i></p> <p><i>0 answered "don't know"</i></p>
	If not, what period do you think is reasonable?	<i>Of the 6 who thought it was not reasonable, 1 opted for a period 6 months, 4 for 12 months and 1 did not offer a suggestion and indicated they would need more information before doing so.</i>

# Agenda Item 10.

## Report of the Cabinet Member for Transformation and Performance

Council – 28 January 2016

### MEMBERSHIP OF COMMITTEES

<b>Purpose:</b>	Council approves the nominations/amendments to the Council Bodies.
<b>Policy Framework:</b>	None.
<b>Reason for Decision:</b>	To agree nominations for Committee Membership.
<b>Consultation:</b>	Political Groups.
<b>Recommendation:</b>	It is recommended that: 1) any amendments to Council Bodies submitted be approved.
<b>Report Author:</b>	Gareth Borsden
<b>Legal Officer:</b>	Pat Arran
<b>Finance Officer:</b>	Paul Cridland
<b>Access to Services Officer:</b>	N/A

#### 1. Introduction

- 1.1 Meetings of Council regularly agree and amend the membership of the various Committees/Council Bodies as reflected in the lists submitted by the Political Groups.

#### 2. Changes to Council Body Membership

- 2.1 The political groups have indicated that they may have changes to the following Council Bodies:
- 2.2 This report has been included on the agenda to facilitate any changes.

#### 3. Outside Bodies

- 3.1 The Leader has made the following changes to the organisations listed below.

**ABMU - Children and Young People Emotional and Mental Health Planning Group**

Add Councillor J E C Harris

**Inter Authority Agreement Partnership Board (Food Waste) –**

Add Councillors M C Child and D H Hopkins

**Mid & West Wales Fire Authority**

Remove Councillor J C Bayliss and Add Councillor C Anderson

### **3. Financial Implications**

3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

4.1 There are no legal implications associated with this report.

**Background Papers:** Local Government & Housing Act 1989, the Local Government (Committees & Political Groups) Regulations 1990.

**Appendices:** None

# Agenda Item 11.

## Joint Report of the Presiding Member, Monitoring Officer and Head of Democratic Services

Council - 28 January 2016

### AMENDMENTS TO THE COUNCIL CONSTITUTION

<b>Purpose:</b>	To make amendments in order to simplify, improve and / or add to the Council Constitution. A decision of Council is required to change the Council Constitution.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal, Corporate Parenting Forum
<b>Recommendation(s):</b>	It is recommended that:  1) The changes to the Council Constitution as outlined in Paragraph 4 of the report together with any further consequential changes be adopted.  2) The Forum be renamed as the Corporate Parenting Board.
<b>Report Author:</b>	Huw Evans
<b>Finance Officer:</b>	Carl Billingsley
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Phil Couch

#### 1. Introduction

1.1 In compliance with the Local Government Act 2000, the City and County of Swansea has adopted a Council Constitution. A number of issues have arisen since adoption and in order to maintain the aims, principles and procedures set out in Articles 1 and 15 of the Council Constitution, it is proposed that the amendments set out below should be made to the Constitution.

#### 2. Delegated Minor Corrections to the Council Constitution

2.1 There are no delegated minor corrections to the Council Constitution.

#### 3. Amendments to the Council Constitution

3.1 This report outlines a number of suggested amendments to the Council Constitution. The amendments are within the following area of the Council Constitution:

a) Part 3 - Terms of Reference;

#### **4. Part 3 - Terms of Reference - Corporate Parenting Forum**

- 4.1 The Corporate Parenting Forum at its meetings on 5 October 2015 and 7 December 2015 discussed seeking Council approval to amend its membership, terms of reference and to seek clarity whether they would be permitted to rename the Forum as the Corporate Parenting Board.
- 4.2 The Head of Democratic Services advised that an amendment to the Forum's membership, terms of reference and / or a change of name was within the remit of Council and that it was for Council to consider and determine.
- 4.3 The current terms of reference of the Corporate Parenting Forum are appended as **Appendix A** of the report.
- 4.4 The proposed terms of Reference are appended as **Appendix B** of the report. These have been amended so as to clarify and strengthen the role of the Forum and addressing the issue of membership. Currently there are 10 Councillors and 17 Officer / External Stakeholders represented on the Forum.
- 4.5 The Forum be renamed as the Corporate Parenting Board.

#### **5. Equality and Engagement Implications**

- 5.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

#### **6. Financial Implications**

- 6.1 There are no specific financial implications associated with this report.

#### **7. Legal Implications**

- 7.1 There are no specific legal implications associated with this report. The amended version of the Council Constitution will be available at [www.swansea.gov.uk/constitution](http://www.swansea.gov.uk/constitution)

**Background Papers:** None.

#### **Appendices:**

<b>Appendix A</b>	Current - Corporate Parenting Forum - Terms of Reference
<b>Appendix B</b>	Proposed - Corporate Parenting Board - Terms of Reference



## Appendix A

### Current - Corporate Parenting Forum - Terms of Reference

- 1 Some children and young people need additional help and support because of their needs and circumstances. In some cases this requires that they are looked after by the Local Authority. The purpose of the Corporate Parenting Forum will be to encourage all agencies and individuals to work together to deliver good outcomes for Looked After Children.
- 2 To do this, the Forum members will:
  - a. Listen and communicate the views of Looked After children and young people;
  - b. Develop an annual action plan to deliver its purpose;
  - c. Establish Task and Finish groups as required;
  - d. Raise the profile of issues affecting Looked After children and young people.
- 3 Corporate parenting places collective responsibility on Authorities to provide good parenting for all children in their care. It requires ownership and leadership at a senior level, this includes all elected members.
- 4 The Corporate Parenting Forum will report annually to Council.
- 5 Reports will be made available to all interested organisations, including the Cabinet member for Social Services and Child and Family Overview and Scrutiny Board, CYP Overview and Scrutiny Board, and the Health Social Care and Wellbeing Overview and Scrutiny Board.
- 6 Specific matters of interest or concern will be forwarded to the appropriate Council Member.
- 7 The Chair and Vice Chair shall be elected from the Councillors appointed to the Forum by the Council.
- 8 The Forum will be representative of the Local Authority, Foster Carers, Accommodation Team managers, Looked After Children/Care Leavers, Health, Education, Housing and other specific departments as necessary.
- 9 The Forum will meet bi monthly.
- 10 Support arrangements will be kept under review; the Forum will be supported by the Principal Officer for Accommodation and the Planning and Commissioning Officer for Child and Family Services.
- 11 The Forum will be serviced by Democratic Services which will draft the agenda.

- 12 The Forum will establish its financial requirements and keep any allocated budget under review.
- 13 The Forum will receive monthly performance data on Looked After children.
- 14 The Forum will ask looked after children and young people how it can best help them and what they want the relationship to be.
- 15 These Terms of Reference will be reviewed annually in June.
- 16 The term 'looked after' was introduced by the Children Act 1989. Although there are two different groups of children/young people who may become "looked after", the Children Act emphasises that the duties owed to them by Local Authorities are the same. Section 20; Provision of accommodation for children: general.
- 17 Every Local Authority shall provide accommodation for any child in need within their area who appears to them to require accommodation as a result of;
  - a. There being no person who has parental responsibility for him/her;
  - b. His/her being lost or having been abandoned; or
  - c. The person who has been caring for him/her being prevented (whether or not permanently and for whatever reason) from providing him/her with suitable accommodation or care.
- 18 Before providing accommodation under this section, a Local Authority shall, so far as is reasonably practicable and consistent with the child's welfare;
  - a) Ascertain the child's wishes and feelings regarding the provision of accommodation; and
  - b) Give due consideration (having regard to his age and understanding) to such wishes of the child as they have been able to ascertain.
- 19 A Local Authority may not provide accommodation under this section for any child if any person who has parental responsibility for him/her objects.
- 20 Any person who has parental responsibility for a child may, at any time, remove the child from accommodation provided by or on behalf of the Local Authority under this section.
- 21 On the application of any Local Authority, the court may make an order placing the child with respect to whom the application is made in the care of a designated Local Authority.

- 22 A court may only make a Care Order if it is satisfied that the child concerned is suffering, or is likely to suffer, significant harm; and that the harm, or likelihood of harm, is attributable to the care given to the child, or likely to be given to him/her if the order were not made, not being what it would be reasonable to expect a parent to give to him/her; or the child's being beyond parental control.
- 23 No Care Order or supervision order may be made with respect to a child who has reached the age of seventeen (or sixteen, in the case of a child who is married). No Care Order may be made with respect to a child until the court has considered a section 31A plan.
- 24 The Children (Leaving Care) Act 2000 created new and stronger duties on Local Authorities to support care leavers up to at least 18 with the main aims of ensuring that:
- a. Young people do not leave care until they are ready.
  - b. They receive more effective support once they have left.
- 25 The main purpose of the Act is to help young people who have been looked after by the Local Authority to move from care into living independently in as stable a fashion as possible. To do this it amends the Children Act (Part 111, introducing new Sections 23 and 24). These now place a duty on Local Authorities to assess and meet the care and support needs of 'eligible and relevant' children and young people and to assist those who are 'former relevant' young people.
- 26 'Eligible' can be thought of as young people who have been in Local Authority care for over 13 weeks when they turn 16 and 'Relevant' refers to this being a full time care responsibility (e.g. not for short breaks where the parent retains all responsibilities). Former relevant are over 18 and did meet the above criteria.
- 27 Other duties are the duty to keep in touch with all care leavers who qualify the need for Pathway Plans, the new role of the Personal Adviser, and simplified and extended financial support.

### Proposed - Corporate Parenting Board - Terms of Reference

#### 1. Purpose

- 1.1 Some children and young people need additional help and support because of their needs and circumstances. In some cases this requires that they are looked after by the Local Authority.
- 1.2 The purpose of the Corporate Parenting Board is to encourage all Councillors, Officers, Agencies and Individuals to work together to ensure that every looked after child, young person and care leaver receives the best possible support to achieve their full potential.
- 1.3 This may be educational, social or in any other area of their development. This means seeking the highest quality outcomes that every good parent would want for their own child by asking themselves 'If this were my child would it be good enough for them?' and striving to achieve the standards that a good parent would want.
- 1.4 The Board will always seek a consensus opinion prior to making any recommendations to the appropriate decision making body.

#### 2. Legislation

- 2.1 Ensuring a joined up approach to fulfilling the responsibilities of corporate parenting is important. The corporate parenting responsibility, towards children looked after by the Authority and care leavers applies to all Councillors. It is important to bear in mind that it is not just social services that impact on these children. Section 27 of the Children Act 1989 places a duty on the NHS as well as each Local Authority's housing and education services to assist social services in carrying out their functions under the Act – including their corporate parenting function.
- 2.2 The Children Act 2004 places a duty on the local authority, health and other key partners to co-operate to improve the wellbeing of children in their area. Members will seek to ensure the provision of all public services used by looked after children and young people is high quality, joined up, and takes account of their needs. This entails commitment and collaboration across a range of Council services and with key partners where appropriate:
  - i) Local health services, Paediatrics and Child and Adolescent Mental Health Services (CAMHS);
  - ii) Flying start and early years provision;
  - iii) Schools and other education settings;
  - iv) Youth offending teams;
  - v) Housing associations;
  - vi) Leisure, library and youth services;

- vii) Leaving Care and Therapeutic Services that may be contracted out to private or voluntary sector organisations;
- viii) Fostering Services.

2.3 In addition there is a requirement (Children Act, 2004) that the local Children and Young People's Plan ensures the improvement of wellbeing outcomes for children through effective local partnerships which co-ordinate the planning and delivery of **all** services for children and young people.

### **3. Function. To do this, the Board members will:**

- a) Listen to, communicate with and champion the views of Looked After children and young people.
- b) Develop a Corporate Parenting Strategy and annual action plan to deliver its purpose.
- c) Facilitate multiagency Task and Finish groups as required.
- d) Raise the profile of issues that may put children and young people at risk of becoming Looked After; issues affecting Looked After Children, children, young people and care leavers within the Council and with partner organisations.
- e) Promote the work of the Corporate Parenting Board within the Council, with partner organisations and the broader arena as appropriate.
- f) Develop, receive and respond to regular performance data on Looked After children and Care Leavers.
- g) Ensure the Corporate Parenting Forum is kept up to date on relevant legislation, guidance and inspections and implications thereof.
- h) Ensure that children looked after by the Local Authority are offered the protection of the UN Convention on the Rights of the Child.

### **4. Membership**

- a) The Board will comprise cross-party representation of Councillors. It is currently 10 Councillors (7 Labour and 1 from each other Political Group).
- b) The Chair and Vice Chair shall be elected from the Councillors appointed to the Board by the Council.
- c) Senior representation from across the Local Authority reflecting the needs of children and young people in need, the looked after children and young people who are leaving or have left care. As a minimum

this should include Education, Housing, and Public Protection, Child and Family Services and the Youth Offending Service.

- d) Senior representation from a number of partner agencies/organisations will be required to ensure the Board fulfils its obligations to young people in promoting their safety and wellbeing and ensuring their wellbeing outcomes are achieved.
- e) Co-opted members as necessary.

## **5. Quorum**

- 5.1 The quorum shall be one quarter of the Councillor members of the Board.

## **6. Reporting arrangements**

- a) Provide an annual report to Council.
- b) Reports will be provided to interested parties, including the Cabinet Member for Services to Children and Young People and others as required.
- c) Specific matters of interest or concern will be forwarded to the appropriate Cabinet Member.

## **7. Meeting arrangements**

- a) The Board will meet two monthly.
- b) The Board will be supported by Child and Family Social Services.
- c) The Board will be serviced by Democratic Services which will draft the agenda and produce the minutes.
- d) The Board will establish its financial requirements and keep any allocated budget under review.

# Agenda Item 12.

## Report of the Head of Democratic Services

Council – 28 January 2016

### COUNCILLOR TRAINING AND DEVELOPMENT 2016-2017

<b>Purpose:</b>	To consider the responses of the Councillors / Co-opted Member Training Needs Analysis and to agree the principles set out in the Councillor Training and Development Programme 2015-2016.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Democratic Services Committee, Chair of Democratic Services Committee, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that: <ol style="list-style-type: none"><li>1) The 14 training sessions for Councillors and Co-opted Members as listed in paragraph 2.2 of the report be deemed compulsory;</li><li>2) Regular reports on attendance or non-attendance of Councillors at training / development events be passed to the relevant Political Group Leaders / Political Whips by the Head of Democratic Services in order to encourage increased attendance;</li><li>3) All training sessions, where possible, be timetabled with both a daytime and an evening session in order to encourage better attendance;</li><li>4) Training sessions be adapted into e-learning programmes wherever possible to compliment the Councillors / Co-opted Members Training Programme.</li><li>5) Training be divided into 3 categories namely Compulsory, Recommended and Councillor / Co-opted Member Requested;</li><li>6) There be greater use of e-learning;</li><li>7) The Head of Democratic Services work closely with the Senior Organisational Development Officer / Corporate Training Lead in order to commence work on an e-learning programme targeting as many of the necessary courses as possible;</li><li>8) Councillors / Co-opted Members should attend relevant / compulsory training or development sessions at least once per electoral term or more frequently should the content of the training change significantly due to legislation / guidance etc;</li></ol>

- 9) The priority training areas for the coming period as set out in paragraph 7.3 be agreed.
- 10) The Chair of the Democratic Services Committee and Head of Democratic Services in consultation with the Democratic Services Committee continue to add to the priority training areas as required.

**Report Author:** Huw Evans

**Finance Officer:** Carl Billingsley

**Legal Officer:** Tracey Meredith

**Access to Services Officer:** Phil Crouch

## **1. Introduction**

- 1.1 Training and Personal Development is vital for Councillors and Co-opted Members. It helps them to progress, improve and to carry out their role as effectively as possible.
- 1.2 Training is the process of acquiring the essential skills required for a certain role. Personal Development puts emphasis on broader skills, which are applicable in a wide range of situations such as decision making and creative thinking.
- 1.3 Section 7 “Training and Development of Members of a Local Authority” of the Local Government (Wales) Measure 2011 places a duty on Local Authorities to secure the provision of reasonable training and development opportunities for its Councillors and Co-opted Members.
- 1.4 During 2015, Councillors and Co-opted Members were asked to complete a Training Needs Analysis. The information obtained from this was to be used to produce a Councillor Training Programme 2016-2017.
- 1.5 The opportunity was also taken to review the needs of Councillors and Co-opted Members in ensuring that the appropriate areas of training and development was available to all and that it fitted with the Authority’s Corporate Objectives.

## **2. Training Needs Analysis (TNA)**

- 2.1 The Democratic Services Committee at its meeting on 16 June 2015 agreed the Training Needs Analysis form to be circulated to all 72 Councillors and to the 7 Statutory Co-opted Members.
- 2.2 During the discussions on 16 June 2015, the Democratic Services Committee stated that some training / development events should be deemed compulsory for Councillors and Co-opted Members to attend.



These events would need to be ratified by Council. The suggested events being:

<b>Proposed Compulsory Training for Councillors and Co-opted Members</b>	
<b>1</b>	Corporate Parenting.
<b>2</b>	Data Protection.
<b>3</b>	Good Decision Making, Bias, Pre-determination and Rules of Natural Justice.
<b>4</b>	Interests, Gifts & Hospitality including Public Services Ombudsman for Wales (PSOW) guidance.
<b>5</b>	Introduction to Code of Conduct & Standards.
<b>6</b>	Rules of Debate.
<b>7</b>	Safeguarding Adults.
<b>8</b>	Safeguarding and Protection of Children.

<b>Proposed Compulsory Training for Councillors and Co-opted Members who sit on a specific Committee</b>	
<b>1</b>	Audit (for members of the Audit Committee prior to be allowed to sit on the Committee).
<b>2</b>	Disciplinary and Disciplinary Investigation (for members of the Appeals and Awards Committee prior to be allowed to sit on the Committee).
<b>3</b>	Licensing (for members of the General / Statutory Licensing Committee and Sub Committee prior to be allowed to sit on the Committee).
<b>4</b>	Planning (for members of the Planning Committee prior to be allowed to sit on the Committee).
<b>5</b>	Recruitment and Selection (for members of the Appointments Committee prior to be allowed to sit on the Committee and for Councillors taking part in the appointment of a Chief Officer at Council).
<b>6</b>	Scrutiny questioning skills (for members on Scrutiny Programme Committee / Scrutiny Panel).

- 2.3 The Democratic Services Committee on 16 June 2015 also held discussions with members of the Standards Committee in order to gauge their opinion on how to increase the attendance numbers of Councillors and Co-opted Members attending training sessions.
- 2.4 The general view was to ensure that regular reports on attendance or non-attendance at training / development events be passed to the relevant Political Group Leaders / Political Whips by the Head of Democratic Services in order to encourage increased attendance.
- 2.5 They also suggested that all training sessions, where possible, be timetabled with both a daytime and an evening session in order to encourage better attendance.

- 2.6 They also suggested that successful training sessions be adapted into e-learning programmes wherever possible to compliment the Councillors / Co-opted Members Training Programme.
- 2.7 The Training Needs Analysis form was circulated to all Councillors and Co-opted Members. They were asked to complete the form and return it within the given timescale. The responses to the TNA (14 from Councillors and 2 from Co-opted Members) are attached as **Appendix A**.
- 2.8 These responses shall be used to assist the Head of Democratic Services in creating a Councillor / Co-opted Member Training Programme 2016-2017.
- 2.9 Following further consideration, it is proposed to divide training into 3 categories: Compulsory, Recommended and Councillor / Co-opted Requested.

### **3. Conclusions based on the Responses to the TNA**

- 3.1 Whilst it is disappointing to note that only 16 responses were received, it is important that the work continues and that a training / development programme is devised.
- 3.2 The day and time most convenient for attendance at training was Monday - Thursday commencing at 10.30am with the most preferable evening time being Monday, Wednesday, Thursday and Friday commencing at 4.00pm or Wednesday / Thursday commencing at 6.00pm; however it is difficult with such a small return to put much weight on the result.
- 3.3 What is clear however is that Councillors / Co-opted Members would prefer to be trained on a time and day that suits them and equally on a matter that either attract their interest or has been identified as important to their personal development.
- 3.4 It is therefore proposed to make far greater use of e-learning. This allows the Authority to establish set training programmes for Councillors and Co-opted Members and even Staff. These can be reviewed as required to ensure that they remain up to date with all current guidance, legislation and thinking.
- 3.5 It is proposed that the Head of Democratic Services work closely with the Corporate Learning and Development Manager in order to commence work on an e-learning programme targeting as many of the necessary courses as possible. In order to achieve this each relevant Officer would need to take responsibility for the content and regular reviewing of the e-learning module.
- 3.6 In addition to the proposed e-learning programme, there will be a need to keep offering other training as required. However, wherever possible, consideration of creating an e-learning module following the traditional

training should be considered so as to further develop the e-learning training suite.

#### **4. Frequency of Training and Refresher Training**

4.1 One of the issues often raised is how often a Councillor / Co-opted Member should attend a training / refresher training session. Clearly, this is mainly down to what the Councillor / Co-opted Member to believe that they require or perhaps the frequency would stem from the Councillors Personal Development Review.

4.2 It is difficult to give definitive guidance on this due to a myriad of external factors. However for ease, it is proposed that Councillors / Co-opted Members should attend relevant / compulsory training or development sessions at least once per electoral term or more frequently should the content of the training change significantly due to legislation / guidance etc.

#### **5. Compulsory Training**

5.1 A good Council will often need to identify some key areas of training as top priorities for learning. Such a move will assist the Council in being a top performing Council. By not being proactive and setting some of these training events as compulsory can easily lead to complacency. Councillors and Co-opted Members have an important role to play as the eyes and ears of their locality; training can assist them in that vital role.

5.2 The term 'Compulsory Training' is often mooted; however it is important to note that whilst the Council may resolve to make certain training courses compulsory for Councillors to attend, in reality there is no widely available sanction open to the Authority to enforce such a resolution.

5.3 The Council can and does require each Councillor to be trained in areas such as Recruitment and Selection, Licensing and Planning prior to allowing a Councillor to sit on the Appointments Committee, General and Statutory Licensing Committees and the Planning Committee.

5.4 Equally, legislation can mandate a Councillor / Co-opted Member to attend specific training.

5.5 As Council has little power in this area and many of the training topics are viewed as high priority and important topics for the Council, it is proposed to utilise the Political Group Leader and / or Political Whips to assist the Head of Democratic Services in this area.

5.6 The proposal being to instruct the Head of Democratic Services to email each Political Group Leader and / or Political Whips on a monthly basis outlining what training courses were scheduled for the previous month together with a list of who or who did not attend the training course. It is hoped that the Political Groups will take responsibility in ensuring that their

Group Councillors have attended training marked as compulsory by the Council.

## 6. e-Learning and Additional Training Sessions

- 6.1 Historically, the formal Training Programme runs once a month for 11 months of the year. Given that there are already 14 proposed compulsory training courses, there is little or no time for additional training. This therefore reinforces the requirement for e-learning to be extended. Learning Pool and the All Wales Academy are already working closely with the Welsh Local Government Association to roll out more e-learning opportunities.
- 6.2 The All Wales Academy is a Welsh Government initiative, aimed at providing e-learning across all aspects of Public Service. It supplements and complements the Council's existing e-learning provision which is managed by the Corporate Learning and Development Manager. The Head of Democratic Services and Corporate Learning and Development Manager will tap into this resource.
- 6.3 In addition to this there are many other additional training sessions added following requests from Councillors, Officers and External Agencies. These additional training sessions are of equal importance however they allow some fluidity within the training programme; otherwise we would not allow training in certain topics until an excessively long waiting time. Some examples of recent requests for training are listed below and these will be included in the Training Programme:

<b>Training Area</b>	<b>Contact</b>	<b>Length of Session</b>
Anti-Slavery	Lyn Minshall	One hour lunch & learn session
Council Budget / Financial Scrutiny	Scrutiny	-
Equalities & Welsh Language	Sherill Hopkins	-
Tackling Poverty	Karen Grunhut	Tackling Poverty Agenda
Understanding the requirements of the Equality Act 2010, the Wales Specific Equality Duties and the UN Convention on the Rights of Disabled People (UNCRDP)	Disability Wales	Regional Training Session being arranged in Bridgend CBC – 23 February 2016

- 6.4 The Democratic Services Committee at its meeting on 15 December 2015 tasked the Chair of the Committee and the Head of Democratic Services to

establish a formal Training Programme and also which ones need to be initially added to the additional training programme.

## 7. Councillor Training Programme 2016-2017

7.1 The Chair of the Democratic Services Committee and Head of Democratic Services met on 6 January 2016 in order to finalise the Councillor Training Programme 2016-2017.

7.2 They agreed that a rigid training programme be created running for 10 months of the year. To complement this programme, a flexible system be introduced whereby additional training can be added as and when required, thereby allowing more than one training course per month to be run.

7.3 Based on the results of the Training Needs Analysis (TNA) and feedback at the various meetings of the Democratic Services Committee it is proposed that the priority training areas for the coming period be as follows:

<b>Training Area</b>	<b>Contact</b>	<b>When</b>
Cabinet Portfolio - Topics of Strategic Importance (As identified by the Cabinet Member)	Leader of the Council & Cabinet Members	TBC
Corporate Parenting	Social Services	TBC
Safeguarding Adults <a href="http://swansea.learningpool.com/course/">http://swansea.learningpool.com/course/</a>	e-Learning	Online
Safeguarding and Protection of Children <a href="http://swansea.learningpool.com/course/">http://swansea.learningpool.com/course/</a>	e-Learning	Online
Safeguarding Vulnerable People	Social Services	9 February 2016 5.30-8pm 25 February 2016 10am-1pm
Understanding the Council Budget and Departmental Budgets	Head of Financial Services	Early Summer 2016
Understanding the requirements of the Equality Act 2010, the Wales Specific Equality Duties and the UN Convention on the Rights of Disabled People (UNCRDP)	Disability Wales	23 February 2016 10am-1pm Bridgend Civic Centre

7.4 The Chair of the Democratic Services Committee and Head of Democratic Services in consultation with the Democratic Services Committee shall continue to add to the priority training areas on a regular basis.

7.5 The Chair of the Democratic Services Committee will seek to liaise with each Councillor over the term of Office in order to seek to establish their training and development needs. This will compliment the outcomes of the Councillor Personal Development Review (PDR).

**8. Equality and Engagement Implications**

8.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

**9. Financial Implications**

9.1 Any costs that arise will be minimal and will be met from within existing budget.

**10. Legal Implications**

10.1 None.

**Background Papers:**

Equality Impact Assessment (EIA) Screening Form.

**Appendices:**

<b>Appendix 1</b>	Training Needs Analysis (TNA) Responses
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## Appendix A

### Training Needs Analysis (TNA) Responses

Responses Received from: 14 Councillors and 2 Co-Opted Members

**1. What day and time is convenient for you to participate in workshops?  
(Mark 'X')**

Day	Early am (09.00)	Mid am (10.30)	Lunchtime (Noon)	Early pm (14.00)	Late pm (16.00)	Evening (18.00)
Monday		8	3	3	3	2
Tuesday	2	8	2	3	2	2
Wednesday	2	9	3	6	3	3
Thursday	2	10	4	5	4	3
Friday		5	3	3	3	2

**2. Please indicate the workshop(s) which you are interested in. If you would like to make your own suggestions, then please list them at the end.**

Title	Is Training Required? R-Refresher B-Basic A-Advanced	Mark 'X' if interested
Media Skills	R-Refresher B-Basic A-Advanced	1 6 2
Effective Chairing Skills	R-Refresher B-Basic A-Advanced	1 5 1
Understanding the Council Budget & Departmental Budgets	R-Refresher B-Basic A-Advanced	0 9 2
Corporate Parenting ( <b>Compulsory</b> )	R-Refresher B-Basic A-Advanced	4 4 0
Freedom of Information Act	R-Refresher B-Basic A-Advanced	1 2 0
Getting the Most from your Tablet Computer / Smart Phone	R-Refresher B-Basic A-Advanced	2 3 2
Cabinet Portfolio – Topics of Strategic Importance (As highlighted by Cabinet Member)		6
Tackling Slavery / Anti-Slavery	R-Refresher B-Basic A-Advanced	1 3 0

<b>The following Courses provided as part of the Induction Programme / on an ad-hoc basis. Please indicate whether you require refresher training on any of the below:</b>	
<ul style="list-style-type: none"> <li>• Introduction to Code of Conduct &amp; Standards - <b>Compulsory</b></li> <li>• Interests, Gifts &amp; Hospitality including Public Services Ombudsman for Wales Guidance - <b>Compulsory</b></li> <li>• Good Decision Making Bias, Pre-determination and Rules of Natural Justice - <b>Compulsory</b></li> <li>• Rules of Debate - <b>Compulsory</b></li> </ul>	9
Council Constitution (General) & Council Procedure Rules, Etiquette and Behaviour etc including Committee and Scrutiny Procedure Rules	7
Equalities, Social Inclusion & Welsh Language (to include Disability Awareness) Also see staff course on Equalities	4
Introduction to Scrutiny	4
Smart phone / Tablet training (including the application of)	3 & 1 Adv

<b>Committee Specific Courses</b> (Councillors will only be required to attend training on the below subjects if they become a member of the relevant Committee)	<b>Mark 'X' if interested</b>
Audit ( <b>Compulsory</b> for Audit Committee Members)	4
Disciplinary and Disciplinary Investigation ( <b>Compulsory</b> for Appeals & Awards Committee Members)	4
Licensing Committee Training ( <b>Compulsory</b> for Licensing Committee Members)	3
Planning Committee Training ( <b>Compulsory</b> for Planning Committee Members)	4
Recruitment & Selection Training ( <b>Compulsory</b> for Council and Appointments Committee Members)	3
Scrutiny questioning skills ( <b>Compulsory</b> for Members on a Scrutiny Committee / Panel)	5

**3. Please note that other courses are also available via the following formats:**

<b>The following courses can be accessed via the on-line Learning Pool resource</b> (please contact Member Support if you require your log on details). The link to Learning Pool can be found here: <a href="http://swansea.learningpool.com/">http://swansea.learningpool.com/</a>	<b>Mark 'X' if interested</b>
Bullying and Harassment	1
Capability Procedure	2
Data Protection Act (An introduction to) ( <b>Compulsory</b> )	4
Display Screen Equipment (Health & Safety)	
Fire Safety Awareness (Health & Safety)	1
Information Security	
Introduction to Windows 7 & Office 2010	
Safeguarding Adults ( <b>Compulsory</b> )	4
Safeguarding and Protection of Children ( <b>Compulsory</b> )	4



<b>Staff Information Technology Courses</b> (Councillors are also able to attend the below courses which are advertised on Staffnet via the link below): <a href="http://staffnet/index.cfm?articleid=53853">http://staffnet/index.cfm?articleid=53853</a>	Is Training Required? R-Refresher B-Basic A-Advanced	Mark 'X' if interested
How to Create an Effective Presentation using PowerPoint	B	1
Spreadsheets – Excel		1
Introduction to Windows 7 & Office 2010 (E-mail / Outlook)		
Data Bases	B	1
Word	R	1

<b>Staff Courses</b> Councillors are also able to attend the below Officer courses which are advertised on Staffnet via this link: <a href="http://staffnet/index.cfm?articleid=53853">http://staffnet/index.cfm?articleid=53853</a>	Is Training Required? R-Refresher B-Basic A-Advanced	Mark 'X' if interested
Corporate Induction		
Dealing with Aggressive Behaviour from the public (PAMOVA)	B	1
Understanding the Importance of Emotional Intelligence ( <i>The ability to understand, manage and direct your own emotions and the emotions of your work colleagues to enhance performance</i> )	R B A	2 2 2
Equalities		1
Facilitation Skills	B A	1 1
How to Give an Effective Presentation	B	1
Sickness Absence Management		2

<b>Councillors Own Suggestions</b>		
Awareness Raising i.e.: Healthy Cities; Welfare Reform etc. <b>Please list your choice of topics here below :</b>		
Healthy Cities		1
Service Delivery Protocol / contracts		1
<b>Please list below any other training you would like to receive:</b>		
Twitter, blogs, Facebook	B A	1 1
Holistic implications of cuts to spending functions and personnel		1
Mediation		1
Conduction of Community / Town Council Meetings		1
Analytical training		1

## Report of the Chair of the Scrutiny Programme Committee

Council – 28 January 2016

### SCRUTINY DISPATCHES – QUARTERLY IMPACT REPORT

Purpose:	To present the quarterly report from the committee to Council on the impact of scrutiny
Report Author:	Brij Madahar, Scrutiny Coordinator
Finance Officer:	Carl Billingsley
Legal Officer:	Wendy Parkin
Access to Services Officer:	Sherill Hopkins

#### **FOR DISCUSSION**

#### **1.0 Introduction**

- 1.1 The Scrutiny Programme Committee is responsible for the overall work programme, including the various informal scrutiny activities, and monitoring progress to ensure that the work is effective.
- 1.2 The committee is also concerned about improving communication and public engagement, and getting more coverage in the media so that the public are more aware of the work of scrutiny.
- 1.3 In order to provide ‘headlines’ from scrutiny activity and give the work of scrutiny greater visibility, both for council and public audience, a quarterly ‘Scrutiny Dispatches’ report is published.

#### **2.0 Scrutiny Dispatches**

- 2.1 ‘Scrutiny Dispatches’ is intended to demonstrate scrutiny achievements and outcomes. It is effectively a regular report about impact and how scrutiny is making a difference, rather than a descriptive account of scrutiny activities. The aim is to focus on and promote a small number of ‘significant stories’. A chair’s roundup is also featured to highlight other work.
- 2.2 The quarterly report is attached for Council discussion – see **Appendix 1**.

2.3 As well as being a report to Council the content will be shared more widely, with advice and support from the Council's Communications Team and utilising social media. This should help raise awareness of the work and impact of scrutiny, and hopefully encourage more public engagement and participation in scrutiny. It is anticipated that some of the impact stories within Scrutiny Dispatches will generate press releases.

2.4 In order to ensure that people are informed more generally about the work of scrutiny a monthly information list is also being produced. This list is shared via an email subscription, and includes details of:

- Forthcoming panel and working group meetings
- Topics being looked at by scrutiny
- Progress with current activities

### **3.0 Equality & Engagement Implications**

3.1 There are no specific equality and engagement implications raised by this report.

### **4.0 Financial Implications**

4.1 There are no specific financial implications raised by this report.

### **5.0 Legal Implications**

5.1 There are no specific legal implications raised by this report.

**Background Papers:** None

**Appendices:**

Appendix 1 – Scrutiny Dispatches

‘How scrutiny councillors are making a difference’

## Championing Children’s Rights

*(Lead: Councillor Mary Jones, Fiona Gordon, Paxton Hood-Williams)*

Scrutiny is championing children’s rights in Swansea.

Scrutiny Councillors have identified ways in which they can champion children’s rights in Swansea, and ask the right questions to assess the work of the Council in this area.

For relevant scrutiny activities questioning strategies are going to be tailored, based on the guiding principles of the United Nations Convention on the Rights of the Child (UNCRC), and the following were identified as useful questions:

- Is the work being scrutinised designed/planned in the best interests of children and young people?
- Does the work being scrutinised:
  - foster good relationships between different groups?
  - advance equality of opportunity between different groups?
  - eliminate/reduce discrimination and/or social exclusion and how does it do this?
- Does the work being scrutinised contain adequate provision to safeguard those involved?
- Does the work being scrutinised offer resources, skills and contributions necessary for the survival and full development of children and young people
- What consultation and engagement has been undertaken? Does it meet the National Participation Standards for Children and Young People?

This is in response to two key developments:

- Council agreement (September 2013) to embed the UNCRC within the Council’s policy framework; and
- the launch of a Children & Young People’s Rights Scheme by Cabinet (November 2014) which provided an overview of the arrangements in place to demonstrate ‘due regard’ to the UNCRC and consider the rights of the child in decision making processes.

A training session was also held in October to develop understanding of children’s rights and the policy context within which they sit in Swansea.

The Scrutiny Programme Committee recently monitored progress on the implementation of the Council’s Children & Young People’s Rights Scheme and recognised a lot of good work, but made a number of suggestions:

- Making a session on ‘Children’s Rights’ part of the councillor induction programme
- Clearer mapping of schools to show the level of engagement with the Rights Respecting School initiative.
- Close working with Governors (which include councillors) in encouraging those schools not already engaged in the Rights Respecting School Initiative, as well as supporting the rights of children and young people generally.
- More use of social media to develop the involvement and participation of children and young people.
- Promotion of the City & County of Swansea as ‘rights respecting’ in corporate branding.

## Public Question Time introduced

*(Lead: Councillor Mary Jones)*

Public Question Time is now on the scrutiny agenda.

There is now more opportunity for the public to get involved in the work of scrutiny and participate in meetings. Scrutiny councillors are committed to getting more members of the public contributing in the work of scrutiny so that they can reflect their views.

Following a commitment to develop opportunities for public participation a 'Public Question Time' will be in the agenda of future Scrutiny Programme Committee meetings, starting with the meeting on 11 January 2016.

Public Question Time will operate in the same way that it operates at Council and Cabinet. In practice for the committee this means:

- Any member of the public present may put a question to the Chair of the Scrutiny Programme Committee and any Cabinet Member(s) present on matters included on the open part of the agenda.
- A 10 minute period will be allocated for Public Question Time
- No notice has to be given of a Public Question but any submitted in advance will receive priority within the allotted 10 minutes.

The introduction of a Public Question Time is one action to help deliver agreed priorities for scrutiny. Public Question Time is in addition to existing opportunities for the public to suggest questions to the committee for Cabinet Member Question & Answer Sessions, as well as make requests for scrutiny.

## Developing a 'can do' culture

*(Lead: Councillor Andrew Jones)*

Cabinet has agreed to implement recommendations contained within a report on the council's corporate culture made by scrutiny councillors.

An in-depth inquiry on the Council's Corporate Culture found that there was no one overarching culture within the Council, rather a number of shared cultures that operated within the Council to bind us together as one organisation. The challenges faced by cuts to Council budgets and the implications of public sector re-organisation posed a serious threat to that notion of a shared culture. Therefore as Councillors, management and staff we had a shared responsibility to respond to these challenges by developing a "can do culture" that ensures the citizens of Swansea continue to receive the best Council service possible.

The evidence showed that there was a genuine will and enthusiasm from all involved to develop a "can do culture" throughout the Council. However this can only be achieved through the development of a clear shared vision that encourages innovation, values staff and puts in place mechanisms that empower and motivate all involved to deliver high quality services.

Cabinet agreed all 19 recommendations made by scrutiny and will draw up an action plan for taking them forward over the coming months. The Panel will reconvene during 2016 to monitor implementation of recommendation and assess the impact of this inquiry.

This topic was chosen for scrutiny because as a Council our corporate culture underpins everything we do, from how we engage with our citizens and provide services to how we treat our staff and how we grow and develop as an organisation. The Corporate Culture Scrutiny Inquiry Panel originally reported its findings and recommendations to Cabinet on 20 August. The Cabinet response was made on 15 October.

## Shining a light on Mental Health

*(Lead: Councillor Mary Jones)*

Scrutiny is looking at a serious issue which has for too long been neglected – children’s mental health.

A new scrutiny inquiry has been agreed, looking at ways in which the council and its partners can reduce the demand for specialist child & adolescent mental health services. There is concern because the number of referrals into specialist child and adolescent mental health services has doubled in the last 4 years and resources are getting scarcer. Specialist Child & Adolescent Mental Health Services are commissioned by the Local Health Board.

The Panel’s work will lead to:

- Evidenced proposals that will lead to better access to child & adolescent mental health services
- Increased councillor understanding about how child and adolescent mental health services are delivered and the effectiveness of the services
- Greater public awareness of child and adolescent mental health services.

This will be carried out by a cross-party Panel of scrutiny councillors, but they need your help. A ‘call for evidence’ has been issued. Over the next few months the Panel will be seeking a range of perspectives into this area so that they can propose practical changes for improvement.

Interested groups or individuals are encouraged to submit written evidence to the inquiry by email to [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk). The Panel may contact you to discuss your evidence. All evidence that is submitted will usually be published as part of the inquiry, unless specifically requested otherwise.

## Chair’s Roundup:

This is my second quarterly roundup of the work of [scrutiny](#).

### Improving Social Services

Some good news! The Care & Social Services Inspectorate Wales (CSSIW) has recently praised our scrutiny of child & family services and adult services, noting “effective and well managed scrutiny arrangements”. This is recognition of the hard work of both the Child & Family Services and Transformation of Adult Social Services Scrutiny Panels, and their contribution to improving social services. The report said that our work programmes are clear, both panels’ scrutiny of performance by councillors is robust and challenging, there is evidence of member led policy development and challenge to decision making and we’re getting our message out there through social media and other means, to improve information about scrutiny activities. Amongst these positive comments inspectors noted close working with the executive and officers. These comments can be found in the recently published Performance Evaluation Report for 2014/15.

### Developing the Relationship with Audit Committee

We have been looking at developing the relationship between the Scrutiny Programme Committee and the Audit Committee. The committee recently met with the Chair of the Audit Committee, Alan Thomas, who told us that he was pleased with the relationship between the two committees, coordination, and mechanisms for dialogue and raising issues. He was also pleased at being able to participate in the Annual Scrutiny Work Planning Conference. He did not feel there were any concerns about duplication in work plans. He also remarked at the significant amount of scrutiny being undertaken and work completed, and praised the commitment of those scrutiny councillors involved and management of the overall work programme.

## **Scrutiny of Education through Regional Working**

We have been working with the six councils participating in Education through Regional Working (ERW). ERW is the regional school improvement service and we have been meeting with colleagues across the region in order to coordinate scrutiny work across the region and ensure a consistent approach. A Scrutiny Councillor Group has been set up to support this. I am pleased that the Swansea Scrutiny Team is providing support for this group as the Council's contribution to ERW. The Group will meet for the first time in Swansea during March 2016.

## **Holding Cabinet Members to account.**

Each month's Scrutiny Programme Committee meeting features a Q & A session with a Cabinet Member in order to hold them to account for their work. As I write we are due to meet with the Cabinet Member for Anti-Poverty in January and Cabinet Member for Adults and Vulnerable People in February. We have developed a programme for all Cabinet Members to come before the committee during the year. Acting as a 'critical friend' we question and challenge them on their priorities, actions, achievement and impact. We invite members of the public and all scrutiny councillors to contribute ideas to ensure the committee asks the right questions. A summary of each session and views of the committee are published in the form of letter to relevant Cabinet Members. Over the last few months we have put questions to the Cabinet Members for Education, Transformation & Performance, and the Leader / Cabinet Member for Finance & Strategy.

## **Working in different ways to look at some issues.**

Adopting a more light-touch approach, some of the topics which we have looked at recently through one-off Working Groups have included Civic Events and Local Flood Risk Management, sharing our views and recommendations with relevant Cabinet Members. Others in the pipeline include a look at the issue of Tethered Horses, and progress in relation to the Welsh Housing Quality Standard.

## **Co-opting Scrutiny Performance Panel Conveners**

The valuable contribution of Scrutiny Performance Panel Conveners has been recognised by their co-option to the Scrutiny Programme Committee. We recognised that they have developed knowledge and expertise about specific services and would add value to the work of committee when those areas are being discussed, with their contribution to questioning. I think there is also wider benefit to the work programme from co-option, enabling better co-ordination between the work of the Committee and Performance Panels.

## **Making the work of scrutiny more transparent and accessible.**

Something really important to us is making the work of scrutiny more transparent and accessible. That's why we have created an on-line '[publications page](#)'. Here you can access all scrutiny agenda packs, reports and letters as well as responses from Cabinet Members. Filters enable easy access to publications by topic, publication type or meeting type. Publications linked to a specific piece of work can now be viewed in one place. This initiative follows a suggestion from Wales Audit Office during the recent corporate assessment.

## **We want to know if people have any issues of concern.**

Even with a work programme established [requests for scrutiny](#) from all scrutiny councillors or members of the public can be made throughout the year. I will consider any issue raised and, with the committee's agreement, determine how best scrutiny can deal with it to make a difference.

### **Connect with Scrutiny:**

Gloucester Room, Guildhall, Swansea. SA1 4PE (Tel. 01792 637732)

**Web:** [www.swansea.gov.uk/scrutiny](http://www.swansea.gov.uk/scrutiny)

**Twitter:** @swanseascrutiny

**Email:** [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk)

**Bulletin Board:** [www.swanseascrutiny.co.uk](http://www.swanseascrutiny.co.uk)

Council – 28 January 2016

## COUNCILLORS' QUESTIONS

### PART A – SUPPLEMENTARIES

1. **Councillor P M May**

A planning application to build 8 houses on the Ganges Field has been submitted. Two previous applications have been refused by the planning committee. The most recent application was refused on 17<sup>th</sup> July 2015. On 26<sup>th</sup> August 2015, I received a letter from the planning department saying that "we are instructed to re-submit the application". Exactly five months to the day a third application has been submitted again asking the same question.

Who has instructed that the application be resubmitted.

Why has this been done 5 months after the question has already been answered for the second time by the committee refusing both previous applications.

**Response of the Cabinet Member for Enterprise, Development & Regeneration**

By virtue of a Cabinet Minute (20/01/2015) authority was received to submit a planning application for limited redevelopment of the main road frontage.

The planning application was considered at Planning Committee on the 14<sup>th</sup> July 2015 and was refused (contrary to Planning Officer recommendation) for the following reasons:-

1. That the proposal to develop the playing field for residential development would involve the loss of designated community recreational land.
2. The proposal would lead to the loss of an important hedgerow and that previously undeveloped land would be brought into use.

The site is located entirely within Townhill Ward. However, due to its proximity to Uplands both Uplands and Townhill Ward Members were advised on the 26<sup>th</sup> August 2015 that officers were instructed to resubmit the application following consultation with Head of Corporate Building & Property Services/Chief Operations Officer. In this response it confirmed that the loss of community recreational land was only 5.45% of the entire playing fields. Secondly, it was confirmed that following a report prepared by the Council it was confirmed that the hedge referred to was only approximately 20 years old and was only a woody species Hawthorn and has no exceptional features and did not qualify as an important hedge under the 1997 Hedgerow Regulations.

It was further confirmed that the reason for persisting in the application was in regard to the fact that planning permission would substantially increase the value of the site at the time when the Council is facing severe budgetary constraints with the essential need to generate significant capital receipt and reduce cost of Council assets.

Townhill Ward Members confirmed that they were content for the application to proceed and no further responses were received within the constitutional requirement of a 10 working day period.

As the planning application was originally refused contrary to Planning Officer recommendations, the application can be re-submitted at nil cost. We can confirm that following further discussion with Planning Officers it has been



	<p>agreed to defer the application subject to re-submission as there are other opportunities to consider in relation to this site. Officers will meet with Councillor May on site to confirm the Council's position and reaffirm the response with regards to the two reasons for refusal at Committee.</p>
<p>2.</p>	<p><b>Councillors P M Black, M H Jones, P M Meara</b>  Will the Cabinet Member make a statement on educational provision for children receiving support at Trehafod.</p> <p><b>Response of Cabinet Member for Education</b>  The majority of children and young people who receive support from the CAMHS Team at Trehafod receive their education through their mainstream school placements. Through their school placements, they also have access to a continuum of educational support which includes:</p> <ul style="list-style-type: none"> <li>• support provided by schools in the form of pastoral and special educational needs (SEN) staff, many of whom have expertise in autistic spectrum disorder (ASD), attention deficit hyperactivity disorder (ADHD) and speech, language and communication needs (SLCN), as well as access to the Exchange counselling service (Swansea's school-based counselling service); and</li> <li>• access to support from behaviour support teachers, specialist teachers for SLCN (including ASD) and the Educational Psychology Service (four of whom have specialism in ASD and work closely with Health to assess children and young people).</li> </ul> <p>A minority of children and young people supported by Trehafod also have access to provision in the form of specialist teaching facilities for pupils with ASD and SLCN as well as specialist expertise in Penybryn Special School.</p>
<p>3.</p>	<p><b>Councillors E W Fitzgerald, L James, S M Jones, K E Marsh, I M Richard, D G Sullivan and G D Walker</b>  Could the Cabinet Member clarify what protocols exist when Members use the emergency 'out of hours' telephone number in relation to an urgent issue in their wards? Are there procedures in place to ensure that Members are regularly updated.</p> <p><b>Response of the Cabinet Member for Transformation and Performance</b>  There are no specific procedures for handling out of hour emergency calls from Members. If a Member requires an emergency service then they should contact the Council using the published emergency numbers on the link below:  <a href="http://www.swansea.gov.uk/emergencycontacts">http://www.swansea.gov.uk/emergencycontacts</a></p> <p>The services listed there are the only ones offered out of hours as an emergency.</p> <p>All calls will be responded to either by our own Security Team within our Public Buildings or as mentioned in question 5 by OCS Security in the depots in relation to Building and Property Services and Highways.</p> <p>Information at the point of call is taken on an incident log and passed on to the appropriate Officer on standby duty. If a Member identifies themselves then they can:</p> <ul style="list-style-type: none"> <li>• Place an emergency service request</li> <li>• Request that the appropriate standby Officer returns their call if further discussion is required</li> </ul>

	<p>In all cases the information would be logged and either passed to the standby officer or allocated for processing the next working day if was not deemed to be an emergency as set by the criteria for each service.</p> <p>There are no procedures in place to regularly update Members regarding issues in their Wards, however, depending on the nature of the issue or emergency, it would be appropriate that they are updated by a senior officer as necessary by phone or email either at the time or the following working day.</p> <p>For emergency matters relating to Housing and Public Protection, if a Member contacts the Council using the 'out of hours' main number i.e. 01792 636000 details will be passed to security who hold relevant emergency standby contact numbers for all service areas and would pass on the matter as required. In the case of Housing issues this would be passed to the Neighbourhood Support Unit to deal with initially and they would contact the standby officer (a senior officer) if it was thought to be necessary. An incident report would be logged and passed to the relevant officer/team the following working day. If the emergency related to Public Protection, then security would follow the same procedure and refer the matter to the relevant standby officer. The Member would be updated by a senior officer as necessary by phone or email.</p>
4.	<p><b>Councillors P M Black, C A Holley, J W Jones</b> Will the Cabinet Member make a statement on what proportion of the council's social care budget is spent on mental health services.</p> <p><b>Response of the Cabinet Member for Services for Adults and Vulnerable People</b> In 2014/15, a total of £3,065,707 was spent on mental health services which equated to 4.71% of the total Adult Services budget. In 2015/16, the projected budget on mental health services is £3,106,400 which is 4.79% of the total Adult Services budget.</p>
5.	<p><b>Councillors C A Holley, J W Jones, T H Rees</b> Will the Leader/Cabinet Member tell Council what is the expected date for the completion of works on the roof and refurbishment of the Market.</p> <p><b>Response of the Cabinet Member for Enterprise, Development &amp; Regeneration</b> The replacement of the Market's iconic barrel roof including the glazing to a higher specification at the northern and southern gable was completed during the autumn with a positive impact on the internal appearance at these elevations plus improved ventilation and luxe levels.</p> <p>The subsequent Phase 1b works of applying a new liquid membrane to the Market's flat roof areas including addressing issues with existing water gully's and installing new, is at an advanced stage; however recent delays have occurred in completing the flat roof works due to the unprecedented weather. Subject to the weather conditions going forward completion of these works is scheduled for the end of the month.</p> <p>These works will protect and benefit the Market as an important feature to the City Centre for many years to come.</p> <p>Roofing works plus cosmetic improvements to the exterior first floor premises of the retail units adjoining the Market were also agreed as a result of the Market</p>

roof project at the landlord's expense. Whilst the latter, which has included cleaning of the exterior glass canopy, has been completed; similar delays to the roofing aspect of the planned works have occurred because of the weather.

In regards to further refurbishment works to the Market, whilst some residual budget is expected to remain, this will not be enough to complete any substantive improvements and hence future plans will be subject to securing the necessary grant funding.

6. **Councillors A M Day, C A Holley, C L Philpott**  
How many surplus places do we currently have in both Primary and Secondary schools and how many are predicted for the next 2 years.

**Response of the Cabinet Member for Education**

The table below provides the information that has been requested.

**Primary**

	Actual NOR	Projected NOR		
		September 2015	September 2016	September 2017
Total primary	18320	18467	18614	18691
Capacity	20478	20478	20478	20478
Unfilled places	2158	2011	1864	1787
% Unfilled places	10.54%	9.82%	9.10%	8.73%

**Secondary**

	Actual NOR	Projected NOR		
		September 2015	September 2016	September 2017
Total secondary	13392	13583	13560	13710
Capacity	15186	15186	15186	15186
Unfilled places	1794	1603	1626	1476
% Unfilled places	11.81%	10.56%	10.71%	9.72%

Please note: Projected Number on Roll (NOR) based on most recent pupil projections – September 2015. Numbers exclude Nursery and STF.  
Capacity info as at September 2015.

7. **Councillors J W Jones, M H Jones, L G Thomas**  
Following problems encountered by some Councillors recently accessing Officers, will the Cabinet Members clarify who is dealing with enquiries when contacting:

- (a) Trading Standards/Public Protection;
- (b) Highways (when the Help Desk is closed);
- (c) Any other department that is not manned by CCOS staff.

**Response of the Cabinet Member for Transformation and Performance**

**(a) Trading Standards/Public Protection**

An email was sent to all Councillors on 11 January 2015 outlining the appropriate contact details for Councillors to use.

**(b) Highways (when the Help Desk is closed)**

For emergency matters relating to Highways, should a Member contact the Council using the 'out of hours' Highways number i.e. 01792 841657 Security at Clydach Depot will respond. They will take the information and pass it on to the standby manager (a senior officer) if it was thought to be necessary. An incident report would be logged and the officer would take the appropriate action to remedy the situation.

**(c) Any other department that is not manned by CCOS staff?**

The corporate contract for security is provided by OCS Security. It was previously handled by PSM Security but a new contract at a reduced cost was awarded on 1<sup>st</sup> November 2015 and this has resulted in a recent change in staff covering a number of areas. As with any new contract, it is taking time to bed in but is being monitored and reviewed as appropriate. The out of hours number in relation to Corporate Building and Property Services which includes emergency Housing Repairs is 01792 521500. These calls are also handled by the security contract mentioned above, with the calls being diverted by the guard at Heol Y Gors to the relevant standby operative or escalated to the on call manager.

Apart from the security contract as mentioned above, all other lines are answered by employees of CCoS with Security within our Public Buildings undertaking the Out of Hours service provision.

The Out of Hours contact handling provision will be reviewed in due course as part of the Council's Customer Contact Strategy, which is currently in its early stages of implementation.

Within office hours, all officers can be contactable via the Switchboard. If there is no response then the caller will be advised accordingly. We do not currently have a voicemail provision on every extension number however Officers should use the technology we have to divert their calls to other members of the team to answer on their behalf, as per link below:

<http://www.swansea.gov.uk/staffnet/telephonefacilities>

Officers should ensure that they that they make appropriate provision to enable their calls to be answered when they are not available.

With further implementation of Corporate Customer Services, as more services migrate into the Contact Centre a 'single point of contact' for the Authority is being created to ensure that all calls are answered irrespective of whether Officers are in or out on site and the appropriate messages relayed.

**8. Councillors E W Fitzgerald, L James, S M Jones, K E Marsh, I M Richard, D G Sullivan and G D Walker**

Could the Leader provide information on the assessment undertaken by the University on the effectiveness of Local Area Coordinators. If a report has been completed can this be made available, in full, to all Members.

**Response of the Leader**

The first phase evaluation report has been completed by Swansea University. This evaluates activity up until 30<sup>th</sup> September 2015. This report is publically available and can be made available to all Members. It provides a positive assessment of activity to date, demonstrating the benefit of Local Area

	<p>Coordination and the positive connections that are being made in the 3 initial areas. Swansea University have now been commissioned to undertake the next phase of the evaluation and this phase will evaluate activity up until 31<sup>st</sup> December 2015. It is anticipated that this report will be publicly available in the Spring.</p>
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**PART B - None**

## Report of the Head of Legal & Democratic Services

Council – 28 January 2016

### EXCLUSION OF THE PUBLIC

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Reason for Decision:</b>	To comply with legislation.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	17	16
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Patrick Arran – Head of Legal & Democratic Services (Monitoring Officer)	

## 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## 2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the

grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

### **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <p><b>a)</b> Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p><b>b)</b> Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>



No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. His view on the public interest test was that whilst he is mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them he was satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b>  <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b>  <b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>