



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Cabinet

**At:** Council Chamber - Guildhall, Swansea

**On:** Thursday, 19 September 2019

**Time:** 10.00 am

**Chair:** Councillor Rob Stewart

**Membership:**

Councillors: M C Child, R Francis-Davies, D H Hopkins, A S Lewis, C E Lloyd, S Pritchard, J A Raynor, A H Stevens and M Thomas

**Also Invited:** E J King, A Pugh

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

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

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

### Agenda

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2. Disclosures of Personal and Prejudicial Interests. <a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a>	
3. Minutes. To approve & sign the Minutes of the previous meeting(s) as a correct record.	1 - 4
4. Announcements of the Leader of the Council.	
5. Public Question Time. Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt with in a 10 minute period.	
6. Councillors' Question Time.	
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*\* Call In Procedure - Subject to Pre-Decision Scrutiny: This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

**Next Meeting:** Thursday, 17 October 2019 at 10.00 am



**Huw Evans, Head of Democratic Services**  
**Tuesday, 10 September 2019**

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

# Agenda Item 3.



City and County of Swansea

## Minutes of the **Cabinet**

Council Chamber, Guildhall, Swansea

Thursday, 15 August 2019 at 10.00 am

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

### **Councillor(s)**

M C Child

E J King

A Pugh (Minute 51-55)

### **Councillor(s)**

R Francis-Davies

C E Lloyd

M Thomas

### **Councillor(s)**

D H Hopkins

### **Officer(s)**

Adam Hill

Tracey Meredith

Jeremy Parkhouse

Phil Roberts

Jason Rogers

Ben Smith

Deputy Chief Executive / Director of Resources

Chief Legal Officer

Democratic Services Officer

Chief Executive

Communications and Marketing Officer

Chief Finance Officer / Section 151 Officer

### **Also present**

Councillor(s): P Lloyd and A H Stevens

### **Apologies for Absence**

Councillor(s): A S Lewis, S Pritchard and J A Raynor

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#### **45. Disclosures of Personal and Prejudicial Interests.**

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

Councillors M C Child, E J King and M Thomas declared personal and prejudicial interests in Minute No.53 – Local Authority Governor Appointments and left the meeting prior to discussions regarding the item commencing.

#### **46. Minutes.**

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

- 1) Cabinet held on 18 July 2019.

**47. Announcements of the Leader of the Council.**

**1) Webcasting of Meeting**

The Leader of the Council stated that as part of the ongoing works to enable the Webcasting of Council, Cabinet, Planning Committee and the Scrutiny Programme Committee; this meeting was being recorded.

**48. Public Question Time.**

No questions were asked.

**49. Councillors' Question Time.**

No questions were asked.

**50. Annual Performance Monitoring Report 2018/19.**

The Cabinet Member for Business Transformation & Performance reported on the corporate performance for 2018/19.

**Resolved** that: -

- 1) The performance results be noted and reviewed to help inform executive decisions on resource allocation and, where relevant, corrective actions to manage and improve performance and efficiency in delivering national and local priorities.

**51. Revenue and Capital Budget Monitoring 1st Quarter 2019/20.**

The Cabinet Member for Economy & Strategy reported on the financial monitoring of the 2019/20 revenue and capital budgets, including the delivery of budget savings.

**Resolved** that: -

- 1) The comments and variations in this report, and the actions in hand to address these, be noted;
- 2) Directors develop and rapidly bring forward sufficiently detailed plans to assure Cabinet that service budgets can be sustainably brought back into line for 2019-20 and beyond;
- 3) The consequences of continued service overspending are that no officer may consider any material further spending commitments until those savings plans are assured.

**52. Establishing a Partnership Agreement for Pooled Funds for Care Homes.**

The Cabinet Member for Care, Health and Ageing Well presented a report which sought approval to enter into a partnership agreement under S33 National Health

Service (Wales) Act 2006 (“NHS”) with Neath Port Talbot Council and Swansea Bay University Health Board for the purposes of creating a regional pooled fund for care homes.

**Resolved** that: -

- 1) Approval to enter into the S33 agreement be granted, and authority to vary or amend any of the provisions within the agreement, as may be required to ensure arrangements remain fit for purpose and to meet obligations under part 9 of the SSWBA, be delegated to the Director of Social Services.

### **53. Local Authority Governor Appointments.**

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

**Resolved** that:

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

1. Clydach Primary School	Mrs Janice Jarman
2. Gors Community School	Cllr Elliot King
3. Grange Primary School	Cllr Mark Child
4. Penclawdd Primary School	Cllr Mark Thomas
5. Pennard Primary School	Mrs Karen Hopkins
6. Pontybrenin Primary School	Mrs Sarah John
7. St Helen's Primary School	Dr Nilufar Ahmed
8. YGG Llwynderw	Dr Katherine Fender
9. YGG Tan Y Lan	Rev Canon Hugh Lervy
10. YGG Tirdeunaw	Mrs Jodi Jones
11. YGG Y Login Fach	Mrs Rebecca Sisto
12. Dylan Thomas Community School	Mrs Sybil Smith
13. Gowerton School	Mrs Carol Griffiths
14. Morryston Comprehensive School	Mr Steven Minney
15. Ysgol Gyfun Bryntawe	Mrs Margaret Greenaway

**54. Exclusion of the Public.**

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

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

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

**(Closed Session)**

**55. Agreed Heads of Terms for Third Party Occupation of Civic Centre.**

The Cabinet Member for Business Transformation and Performance presented a report which outlined a proposal for two proposed short-term lettings of vacant space within the Civic Centre.

**Resolved** that the recommendations contained in the report be approved.

The meeting ended at 10.30 am

**Chair**

<b>Call In Procedure – Relevant Dates</b>	
Minutes Published:	15 August 2019
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 20 August 2019
Decision Comes into force:	21 August 2019

# Agenda Item 7.



**To/  
Councillor Clive Lloyd  
Cabinet Member for Business  
Transformation & Performance**

**BY EMAIL**

cc: Cabinet Members

*Please ask for:  
Gofynnwch am:*

*Direct Line:  
Linell Uniongyrochol:*

*e-Mail  
e-Bost:*

*Our Ref  
Ein Cyf:*

*Your Ref  
Eich Cyf:*

*Date  
Dyddiad:*

Scrutiny

01792 637257

scrutiny@swansea.gov.uk

SPC/2019-20/5

11 September 2019

Summary: This is a letter from the Scrutiny Programme Committee to the Cabinet Member for Business Transformation & Performance following the meeting of the Committee on 9 September 2019. It is about a proposed cabinet decision on the Enterprise Resource Planning (ERP) System.

Dear Councillor Lloyd,

## **Pre-decision Scrutiny of Cabinet Report: Enterprise Resources Planning (ERP) System**

The Scrutiny Programme Committee met on 9 September to consider the report that you intend to present to Cabinet on 19 September, and give a view on the proposed decision. We thank you and relevant officers for engaging with scrutiny councillors on this matter and inviting a view from the Committee prior to decision-making.

Your report concerns the need to upgrade the Council's existing Oracle system, which is responsible for back office processes across the whole Council, and therefore, in your words, the lifeblood of the organisation. You reported that the system will not be supported from November 2020 and will not receive regular updates and patches as it does now, which increases the risk of cyber-attacks and potential data theft. Furthermore, we noted that the system will be completely obsolete by December 2021. The Committee understood that this clearly presented a risk to the operation of key Council functions, including accounting, procurement, and payroll systems. Clearly doing nothing was not an option.

**OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU**  
**SWANSEA COUNCIL / CYNGOR ABERTAWE**  
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I dderbyn yr wybodaeth hon mewn fformat arall neu yn Gymraeg, cysylltwch â'r person uchod  
To receive this information in alternative format, or in Welsh please contact the above

You explained to the Committee the approach taken to identify suitable options to upgrade the system, and rationale for recommending a move to Oracle Cloud following due diligence, taking into account Council resources, which you told us was both cheaper and more advantageous than upgrading to the next version of Oracle (version R12.2). In your view Oracle Cloud will deliver everything the Council already does whilst significantly improving and transforming processes, and provide better resilience for the Council and support for business continuity. You added that a move to Oracle Cloud will put the Council in an advantageous position compared with other regional partners. Given the regionalisation agenda there would be an opportunity for Swansea to run the back office functions of other public bodies and potentially sell consultancy services given staff knowledge and experience.

We noted, however, that the move to Oracle Cloud is a large programme that will involve significant technical and service resources over the implementation period, which your report describes in detail, and outlines some urgency to proceed to allow enough time for procurement and backfill processes before the delivery / implementation programme starts in November. You reported that there would be a training requirement for staff to support the implementation as the look and feel and ways of working will be completely different. We also noted that there would be no scope to tailor the new system to around local processes but rather the organisation expected to adapt to the system. You felt that the customisable nature of the existing system has led to inefficient processes within the Council, involving manual workarounds. Your report shows the opportunities for change and service and subsequent efficiency and cashable savings from moving to Oracle Cloud.

The Committee would raise the following points as a 'critical friend' with Cabinet, which should be taken into account before committing the Council to this project.

Cabinet should:

- Consider its confidence in, and the shelf life of the new system. To what extent is it future-proof, e.g. integration with future AI (artificial intelligence) systems? Will the Council find itself needing to upgrade / move to a different system, at significant expense, in a few years' time?
- Fully understand the financial implications and revenue costs associated with the upgrade, which were unclear during the Committee discussion. There is no indication of what the revenue costs will be after 2021. We would expect that there will be an ongoing commitment for many years after that date and there should be some indication of this in the financial implications. Committee members also felt the one-off costs outlined in the report were confusing and could be clearer. There was some concern at the proposed use of the capital equalisation reserve. Members were under the impression that this reserve was allocated to cover the cost of the arena. What are the revenue implications for the Council if Cabinet is using this reserve for this ICT project instead?



- Satisfy itself about the projected / potential benefits (non-cashable and cashable) of the new system. Are they realistic? Councillors, like myself, can remember previous decisions to implement / upgrade the Oracle System and were understandably cautious about the benefits outlined in the report as there was some concern about the level of benefits / savings delivered by the existing system, which some years ago promised a similar transformation of the Council's operations. We would ask how are these benefits going to be monitored?
- Ask why a re-charging model, referred to in para. 5.1 of your report, has not already been explored given that cloud services are priced based on consumption. It is unclear what business processes will change and what they will look like following the move to Oracle Cloud and again reinforces the need for Cabinet to be realistic about the transformation opportunities, including the expectation of more sophisticated and streamlined processes. Cabinet should be aware of the budgetary impacts, including risk on the revenue budget, if ambitious savings targets are not realised. It should also consider whether there is going to be a financial impact to specific departments across the Council, e.g. arising from any re-charging model. There should be an idea of what the recharge system would look like with some example of costs per use.
- Be clear that cashable savings outlined in the report could include a reduction in staffing.
- Be clear that the Oracle Cloud data centre is based in the UK, not overseas, which will improve the Council's resilience / disaster recovery, business continuity, and reduce the physical server footprint within the Civic Centre that will also save energy.
- Check that new system requirements will be conducive to the growing number of Council staff working agile, and equally accessible whether working within Council offices or from home.

We intend to keep a watch on the upgrade and as well as following up with you when we see you next for Q & A Session we will call for a post-implementation report back in due course. e.g. after the first year of operation.

Finally, we welcome the early availability of this report to scrutiny ahead of the planned cabinet meeting and hope cabinet can facilitate similar opportunity of early engagement for future pre-decision scrutiny activity to give us more time to consider reports and allow our input to be more meaningful.

I will attend the Cabinet meeting on 19 September, assuming inclusion of your report in that agenda, to feedback the Committee's views as contained in this letter.

### **Your Response**

We hope that you find the contents of this letter useful and would ask you to write back by 2 October to confirm the decision of Cabinet and response to the points and questions raised.

Yours sincerely,

Mary Jones

**COUNCILLOR MARY JONES**

Chair, Scrutiny Programme Committee

✉ [cllr.mary.jones@swansea.gov.uk](mailto:cllr.mary.jones@swansea.gov.uk)

# Agenda Item 8.



## Report of the Cabinet Member for Business Transformation and Performance

Cabinet – 19 September 2019

### Enterprise Resource Planning (ERP) System Upgrade

<b>Purpose:</b>	To approve the Enterprise Resource Planning (ERP) system upgrade and to commit and authorise this project to the capital programme, due to the system becoming unsupported in November 2020.
<b>Policy Framework:</b>	Digital Strategy and Sustainable Swansea - Fit for the Future
<b>Consultation:</b>	Access to Services, Finance, Legal. All Directorates have been engaged in a four-week due diligence exercise around the upgrade.
<b>Recommendation(s):</b>	It is recommended that:  1) This project and its financial implications are approved and added to the capital programme in order to achieve implementation of the ERP system upgrade by November 2020.
<b>Report Author:</b>	Sarah Caulkin
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

##### 1.1 What does the current ERP do?

The Council's ERP system is the lifeblood of the organisation, responsible for most of the fundamental back office processes across every Directorate including:

- All accountancy functions: ledgers, budget monitoring, capital monitoring, cash management, expenses including closing of annual financial accounts and statutory reports for the whole Council
- Paying and raising invoices
- Paying all staff and pensioners and producing payslips
- Holding all HR details and managing HR processes: recruitment, timesheets, absence
- Training for most but not all learning and development
- Pays all suppliers including foster carers and care homes
- Orders food for schools
- Orders all the Council's goods and services from stationery to road materials and housing stocks for stores
- All the major projects within the Place Directorate, e.g. building homes, managing and maintaining schools and maintaining the Councils other public assets
- Linking to several other systems so information and business intelligence are integrated through reports, e.g. social services, housing, schools and care homes data.

The Council's current ERP is Oracle e-business suite version R12.1 and is a fully integrated system.

- 1.2 There are several risks to the Council which are driving the move from Oracle R12.1:
- The system will be completely obsolete by December 2021
  - The system will not be supported from November 2020 and will not receive regular updates and patches as it does now. This increases the risk of cyber-attacks and potential data theft
  - There is a risk payroll may not function, staff and pensioners may not be paid
  - Disaster recovery (DR) is already an issue with the current system, which is flagged as a potential risk every year
  - The Council risks failing its Public Service Network (PSN) accreditation. This means there is a risk the Council could be removed from the network and prevented from sharing data with: Health, Police, Department for Work and Pensions (DWP) and other key bodies. This will seriously impact service delivery including: Health hubs, social services, and Benefits
  - The Council risks losing its Cyber Essentials accreditation
  - The current system does not support new legislation such as Making Tax Digital and new Teachers' Pension legislation.

Given the critical nature of this change, doing nothing is not an option.

## **2. System Upgrade and FPR7 Report**

### **2.1 Options already explored**

#### **2.1.1 Upgrade to R12.2 or Oracle Cloud**

The Council has reviewed the option of upgrading to the next version to Oracle R12.2 versus the move to Oracle Cloud. Oracle Cloud is the recommended option for the following reasons:

- R12.2 is significantly more expensive to run, with ongoing revenue costs of £1.459m compared to £985k per year for Oracle Cloud
- R12.2 would require Council servers to be moved to a cloud data centre in order to improve both the Council's DR and to reduce the server room in the new Civic Centre, which adds an additional £400k to the one-off implementation costs. (Please note this is not software as a service (Saas), just physically moving servers, which digital services would still need to maintain and support)
- The disruption and overall change for R12.2 would be the same as the move to Cloud, but without any of the additional benefits and at a significantly higher revenue and implementation cost
- All previous versions of Oracle will be forced to move to cloud at some point, therefore R12.2 will become obsolete in 2030 and this exercise will need to be done anyway, should the Council choose to stay with Oracle.

#### 2.1.2 Other systems

Infosys, the Council's digital support partner, undertook an independent review of other products in the market. Particularly whether other products deliver a cloud offer, as this is the Council's strategic digital direction. The Council also held a supplier day as well as speaking with other organisations that had recently undergone ERP procurements. The Council is seeking the ERP to deliver at least the same functionality currently listed at point 1.1, be cloud based, not cost more than Oracle Cloud, and deliver transformational benefits. The Infosys evaluation and due diligence work deduced that only Oracle Cloud meets all these requirements.

## 2.2 Partnership working / shared services

A move to Oracle Cloud will put the Council in an advantageous position compared with other regional partners. Given the regionalisation agenda there would be an opportunity for Swansea to run the back office functions of other public bodies and potentially sell consultancy services given staff knowledge and experience.

## 2.3 Outputs from the Due Diligence Exercise

### 2.3.1 Resources required

The move to Oracle Cloud is a large programme involving significant technical and service resources. The due diligence exercise undertook 39 workshops to ascertain the number of process changes required within services and level of resources to support implementation. The temporary resources to implement the project are below. Costs for temporary backfill / honoraria / additional posts to deliver implementation

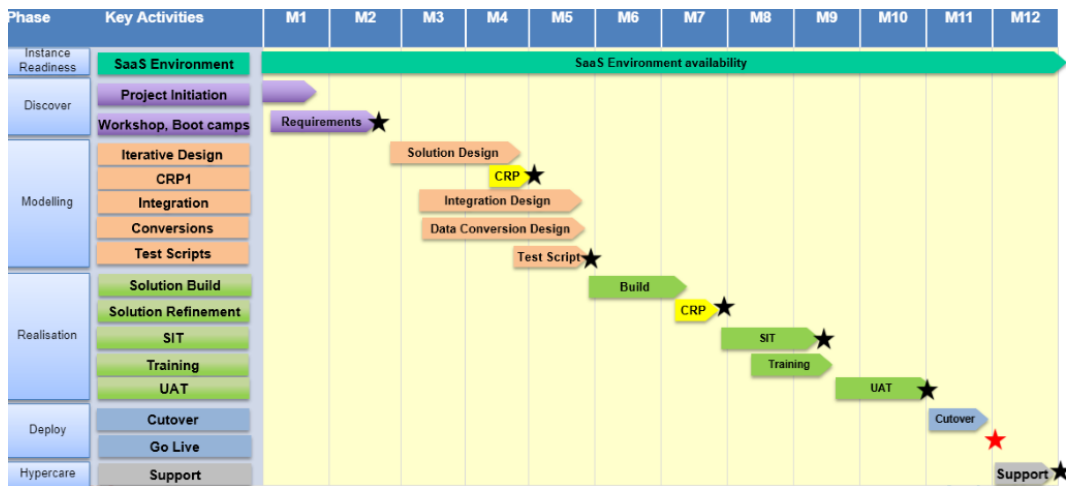
are included in the financials at 5.2.

Recent experience of filling vacancies has shown that recruiting temporary staff in service areas is challenging. Therefore, services have proposed a mix of backfill and honoraria to existing staff, releasing the capacity to work on the programme implementation.

<b>Team</b>	<b>Backfill of posts / honoraria:</b>
Workforce recruitment, analytics and changes	4 posts backfill
Employee Service Desk	0.5 post backfill
HR&OD	2 posts backfill
Payroll	4 posts backfill
Payables and Purchasing	3 posts backfill
Accounts Receivable and Cash Management	3 posts backfill
Finance and Projects	4 posts backfill 14 x honoraria
Digital Services	7 x honoraria
<b>Temporary Project Implementation New Posts:</b>	
Digital Services	Project Officer x 2 Project Manager Change Manager Data Cleanser (Infosys) x 2

### 2.3.2 Implementation Plan and key milestones

The plan below represents a twelve-month delivery programme (Month M1-12). The yellow Conference Room Pilots (CRP) at month five and month seven act as key milestones, with a dry run of the product to date. Infosys undertake the build phase during month six, which is currently over accounts closure. It is critical the programme keeps to deadline to avoid both, impacting year-end, and the current system going out of support in November 2020. In order to align with year-end, it is proposed the programme implementation begins on 1<sup>st</sup> November 2019. It is critical the decision to proceed is taken now, in order to allow enough time for procurement and backfill processes before the programme starts.



Oracle Cloud will deliver everything the Council already does whilst significantly improving and transforming processes. However, the look and feel and ways of working will be completely different. Some staff and managers may find this quite challenging so the change and training activities to support the implementation are significant and robust. Asset accounting for Chartered Institute of Public Finance and Accountancy (CIPFA) may require a degree of modification.

### 2.3.3 Service transformation opportunities

The service transformation opportunities are far reaching however, it is important Cabinet understands the implications of moving to Oracle Cloud. The previous implementation and subsequent upgrade saw significant customisation in order to tailor the system around local processes, no matter how inefficient. There will be little or no customisation with this implementation, as is the nature with all cloud based software solutions. The platform is used by global organisations across all sectors and therefore processes are homogenous. The organisation will be expected to adapt to the system. Staff who attended the due diligence workshops are aware of this and reviewed the product and processes with this end in mind.

That said there are significant opportunities for change and transformation and subsequent efficiency and cashable savings including:

- Fully digital contracts (paperless), particularly useful for the Place Directorate where the most contracts are raised operationally
- Transformed monitoring of fixed assets and capital. This will help both Finance and Directorates monitor fixed assets, which is currently all manual with no resilience
- Resolve integration issues with the new Oracle Field Services project and make integration with other new cloud based systems easier
- The Projects functionality will benefit the Central Transport Unit (CTU) and Building Services with full integration between projects and Capital

- Complete Disaster Recovery, which will completely resolve current resilience and audit compliance issues
- Significantly modernised Payables and Receivables processes with better period-close. This will radically transform and improve year end statutory reporting
- Real-time, faster, self-service reporting dashboards will benefit all services and Performance & Financial Monitoring
- Fully automated invoice processes. Matching purchase orders is currently manual. This will also improve debt recovery
- Reduced manual efforts for data entry. This includes timesheets which are completely manual currently with significant double keying of information. Oracle Cloud will give the ability to batch process large amounts of data which is currently processed on a line by line basis
- Mobile applications will transform the speed and efficiency of approvals, expenses, and of viewing payslips amongst others, all from a mobile phone
- Automated notifications to suppliers will reduce calls chasing progress on invoices for all Directorates but particularly schools and social services
- Current manual workarounds using spreadsheets and access databases would be completed using Oracle Cloud
- Transformed performance management with seamless integration between appraisals, objective setting, monitoring and learning plans
- E-learning – all corporate training for Council staff in one place
- Transformed HR and payroll integration with hundreds of reports to support best practice monitoring and analysis at strategic and operational levels, e.g. gender pay, public sector equality duty
- Best practice sickness absence monitoring in line with new Policy etc, which will help all Directorates. Reports will drill down to staff level and provide analysis to help managers have more meaningful conversations on sickness and other performance related matters
- Service restructures much easier to design with improved information to Heads of Service
- Transformed payroll processes, which are currently mostly manual. This will benefit both Place and Finance
- Statutory changes will be implemented quicker with less disruption and downtime.

#### 2.3.4 Savings and efficiency opportunities

During the due diligence exercise potential savings were calculated based on time saved as a result of process efficiencies, including the following:



Cumulative Non-cashable efficiencies:

Area	Benefit Summary	Improvement / Reduction	Year 1 (£)	Year 2 (£)	Year 3 (£)
Goals and Performance	Productivity-Performance Management	↑	64,800	97,000	129,600
Payroll	Open enrollments/ Life Events	↑	86,400	129,000	172,800
		<b>TOTAL</b>	<b>151,200</b>	<b>226,000</b>	<b>302,400</b>

Cumulative Cashable Savings:

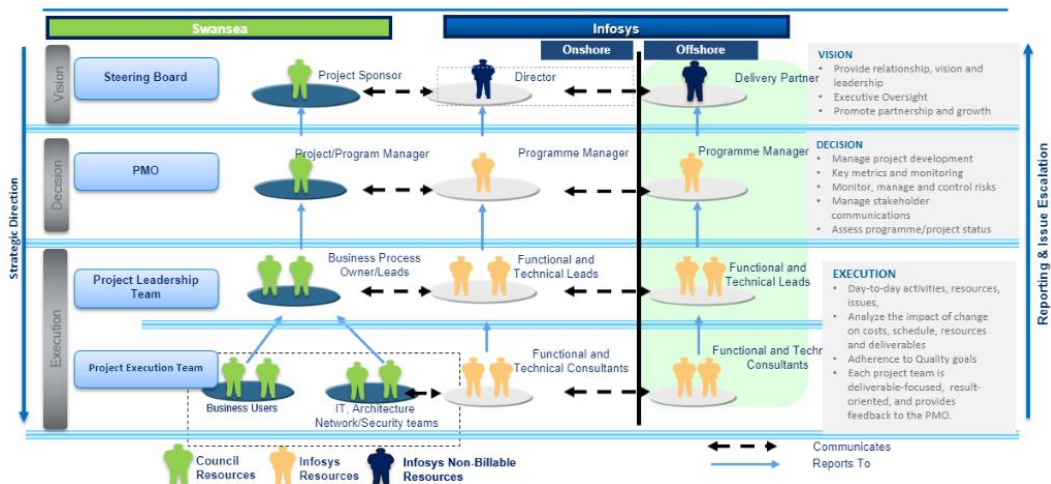
Area	Benefit Summary	Improvement / Reduction	Year 1 (£)	Year 2 (£)	Year 3 (£)
Payables	Productivity in Invoicing	↑	40,500	54,000	67,500
Procurement	Spend on products and services	↓	35,700	51,000	51,000
Expenses	Expense Processing Time	↓	25,900	51,840	103,680
Payroll Admin	Staff Productivity	↑	3,700	5,500	7,400
Audit	Internal Audit Productivity	↑	5,240	10,480	20,960
		<b>TOTALS</b>	<b>111,040</b>	<b>172,820</b>	<b>250,540</b>

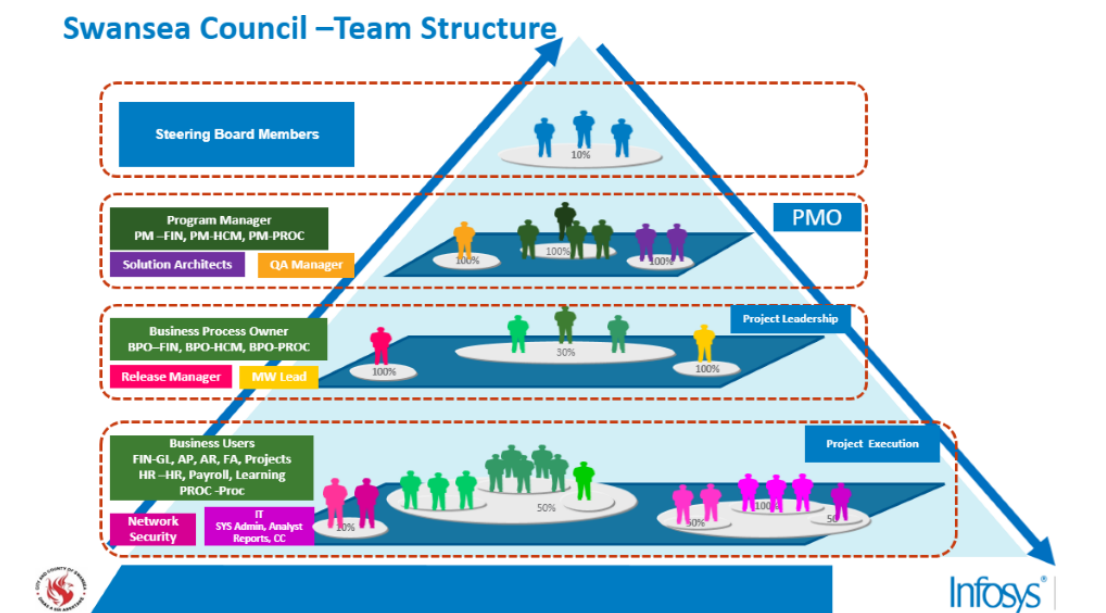
3. General Issues

3.1 Governance

Robust governance is important given the scale and complexity of the programme. The two diagrams below highlight the governance and team structures within the programme. Senior managers from Infosys and members of the Corporate Management Team (CMT) and the lead Cabinet Member will form the Steering Board. The programme sponsor (Chief Transformation Officer) will provide highlight reports to CMT as part of performance management and monitoring.

Proposed Governance Structure





## 4. Equality and Engagement Implications

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

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

Our Equality Impact Assessment (EIA) process ensures that we have paid due regard to the above.

4.2 An EIA Screening Form has been completed with the agreed outcome that a full EIA report was not required as this is wholly a back office system. The screening form is attached at Appendix A. However, significant engagement with internal stakeholders has already been undertaken to this point through a series of 39 workshops. There is training planned within the project as well as two change managers who will walk business users through the use of the new software and help adjust processes in a way that minimises disruption to service delivery.

4.3 The Council has also taken account of Well-being of Future Generations (Wales) Act 2015 implications by: futureproofing the technology in ways which will make it easier to integrate with partners; taking a digital first approach that is sustainable; and more energy efficient via cloud.

## 5. Financial Implications

### 5.1 Ongoing revenue implications

When in steady state post implementation Oracle Cloud will cost just under £985k per annum. This is an increase of £330k per year in year 3, which will be met from £251k of the cashable savings identified at point 2.3.4 above and £79k from the Digital Development Fund. As cloud services are priced based on consumption, a re-charging model will also be explored during the programme.

### 5.2 One-off implementation costs spread over two years

Area of expenditure	Year 1	Year 2
New licences and framework	810,436	810,436
Implementation - training	91,788	
Implementation - development of assets	765,126	
Implementation - transformation and working with services to change processes	1,210,826	
Integration	20,832	20,832
Backfill and resources	1,067,474	
Archive	3,684	3,684
<b>TOTAL</b>	<b>3,970,166</b>	<b>834,952</b>

Areas to note:

- New licences and framework costs are additional in years one and two only as two systems must be paid for in parallel. By year three these form part of the steady state revenue budget
- Integration and archive forms part of the steady state revenue budget by year three.

It is proposed the one-off implementation costs are funded through £1,210,826 as Capital Receipts and the remaining £3,594,292 by accessing the capital equalisation reserve (which is 100% funded from revenue and thus eligible to meet revenue non-capitalisable revenue costs) and in lieu £900,000 will be funded by revenue budget from Digital Services and £2,694,292 will be given up from the existing digital capital budget and be available to underpin the wider capital programme.

If ultimately capital receipts cannot be used then a further sum will be taken from the capital equalisation reserve and capital receipts used to support other future capital expenditure.

The opportunity to re-allocate the digital capital budget is due to a change in the environment and strategy over the past two years. An allocation had been made to provide all staff with a Council device. However, the changes to technology and new ways of working, including licencing costs, has shifted Council thinking in this area.

5.3 The financial summary for this ERP report is attached at appendix B, showing allocation of capital budgets to this project.

## **6. Legal Implications**

6.1 The Council will undertake a mini competition on the Health Trust Europe (HTE) procurement framework, which is fully compliant with EU procurement regulations. The way in which this framework has been procured and established allows the Council to name the product (Oracle Cloud) and has been subject to due diligence.

6.2 The current contract with the support provider, Infosys, is able to be lawfully extended in compliance with the relevant procurement legislation. However, a Voluntary Ex-Ante Transparency notice (VEAT) has been published in order to be completely transparent with the market and no adverse response has been received.

**Background Papers:** None

**Appendices:**

**Appendix A** EIA Screening Form - ERP

**Appendix B** Financial Summary for allocation of Capital for ERP

# Equality Impact Assessment Screening Form – Appendix A

**Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).**

## Section 1

Which service area and directorate are you from?

Service Area: **Digital and Transformation Services**

Directorate: **Resources**

### Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Oracle Cloud Transformation. This project is to migrate away from the existing on-premise ERP platform, to a cloud-based ERP. Doing so will enable numerous transformation opportunities which will see business processes changing to align with the best practice models available through cloud.

### Q2(a) WHAT DOES Q1a RELATE TO?

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input checked="" type="checkbox"/> (L)

### (b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (M)	<input checked="" type="checkbox"/> (L)

### Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older people (50+) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum seekers →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?**

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

This project has been several years in the planning. Through this process there have been several engagements with the Oracle Superuser group (who represent the business process owners) to discuss the impacts of the project.

Furthermore, key business users were heavily involved in a four-week due diligence process through a series of 39 workshops to assess the readiness of the organisation for change, and to map the gaps between our existing processes and the cloud platform.

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input checked="" type="checkbox"/> (L)
---	---	---

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION? (Consider the following impacts – legal, financial, political, media, public perception etc...)**

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input checked="" type="checkbox"/> (L)
---	---	---

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

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

This will result in changes to processes and software within finance, HR, the Service Centre and procurement.

**Q7 HOW DID YOU SCORE? Please tick the relevant box**

**MOSTLY H and/or M → HIGH PRIORITY →  EIA to be completed  
Please go to Section 2**

**MOSTLY L → LOW PRIORITY / NOT RELEVANT →  Do not complete EIA  
Please go to Q8 followed by Section 2**

**Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.**

A full EIA report is not required as this is wholly a back office system and therefore there are no equality implication in relation to this project. There is training planned within the project as well as two change managers who will walk business users through the use of the new software and help adjust processes in a way that minimises disruption to service delivery.

## Section 2

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

<b>Screening completed by:</b>
Name: Matthew Knott
Job title: Enterprise Digital Solutions Architect
Date: 26/07/2019
<b>Approval by Head of Service:</b>
Name: Sarah Caulkin
Position: Chief Transformation Officer
Date: 26/08/2019

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

**FINANCIAL IMPLICATIONS : SUMMARY**

Portfolio: Corporate Services  
 Service : Digital and Transformation  
 Scheme : Oracle Fusion ERP - One-off implementation Costs

<b>1. CAPITAL COSTS</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>TOTAL</b>	
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
<u>Expenditure</u>					
Implementation - development of assets	255	510		765	
<b>EXPENDITURE</b>	<b>255</b>	<b>510</b>	<b>0</b>	<b>765</b>	
<u>Financing</u>					
Capital Equalisation Fund	255	510		765	
<b>FINANCING</b>	<b>255</b>	<b>510</b>	<b>0</b>	<b>765</b>	

<b>2. REVENUE COSTS</b>	<b>2019/20 (from Nov 19)</b>	<b>2020/21</b>	<b>2021/22 (to Oct 21)</b>	<b>TOTAL</b>	<b>2021/22 Full Year Effect</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Service Controlled - Expenditure</u>					
New licences and framework	338	811	473	1,622	811
Implementation - training	31	61		92	
Integration	9	21	12	42	21
Backfill and resources	445	623		1,068	
Archive	0	3	2	5	4
Implementation - transformation and working with services to change processes	404	807		1,211	
<b>EXPENDITURE</b>	<b>1,227</b>	<b>2,326</b>	<b>488</b>	<b>4,040</b>	<b>836</b>
<u>Financing</u>					
Capital Equalisation Fund	373	1,069	488	1,929	
Digital Rev Contribution - 33001	450	450		900	
Capital Receipts	404	807		1,211	
				0	
				0	
<b>FINANCING</b>	<b>1,227</b>	<b>2,326</b>	<b>488</b>	<b>4,040</b>	<b>0</b>

<b>3. TOTAL EXPENDITURE</b>					
<b>TOTAL: Purchase and Implement ERP</b>	<b>1,482</b>	<b>2,836</b>	<b>488</b>	<b>4,805</b>	<b>836</b>



# Agenda Item 8.a



## Cabinet Member for Business Transformation and Performance

Cabinet – 19 September 2019

### Revised Agile and Mobile Working Programme 2018 - 2022

<b>Purpose:</b>	To amend the capital programme for the rollout of agile and mobile ICT equipment. To comply with Financial Procedure Rule 7 (capital programming and appraisals) to commit and authorise schemes onto the capital programme.
<b>Policy Framework:</b>	Sustainable Swansea – Fit for the Future, Aspiring to a Digital Business 2020
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) This report and capital budgets are approved and the budgets are committed to the capital programme.
<b>Report Author:</b>	Jo Harley
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1. The original agile and mobile working capital budget was agreed in 2018.
- 1.2. Agile and mobile working are important projects for Swansea Council to achieve its ambition of being a digital council. The original vision was to provide all staff with a device to enable them to work either agile or mobile.

- 1.3. The original vision aimed to provide all staff with a device, establishing agile working areas on the basis of a 7:10 ratio. New technology has been implemented to compliment agile working including flooding WIFI within the Civic Centre and Guildhall, rollout of Skype for Business and new lightweight laptops.
- 1.4. The Digital Strategy supports both agile and mobile working. It was a highly ambitious and visionary plan to enable the digital workforce. It increases productivity and will ultimately reduce cost where a process can be automated. It supports staff engagement and skills development, which contributes to an open and learning culture across the council.
- 1.5. Following eighteen months of agile and mobile rollout, the requirement for the entire workforce to have an individual device has been revised, as there are certain members of the workforce that will not require this type of access on an individual basis.

## **2. Proposed Amendment to Agile and Mobile Capital Programme**

### **2.1. Agile Programme**

The agile programme within the Civic Centre has been completed by February 2019. The Guildhall rollout is underway and is expected to complete at the end of 2019. Budget provision within this capital programme will continue to be funded to complete this rollout.

- 2.2 As part of the agile rollout, new furniture will be sourced to ensure the office environment is refurbished to the agreed standard. The furniture is required for the completion of the Civic Centre and Guildhall.

### **2.3 Mobile Programme**

The original mobile programme had a number of streams to it. It included enabling other council sites to utilise mobile devices including laptops, docking stations, peripherals and mobile phones on the same basis as the agile programme. In future it will also be providing cloud based solutions where suitable and possible. Options for replacing all council site PCs with mobile devices are currently being planned. This will also include any robust devices for use in the field.

- 2.4 The objective of the scheme is to ensure that equipment is purchased for the Agile and Mobile programme and that they can be deployed within the agreed timescales to all staff who have been identified as requiring a device.
- 2.6 The timescales and investment required per year will be dependent on the plan and costs of the equipment alongside deployment, which will be determined by the tender results.

### **3. Equality and Engagement Implications**

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

An EIA screening form for agile and mobile equipment was been completed with the agreed outcome that a full EIA report was not required on the basis that any specific ICT needs e.g. accessibility requirements are catered for on a case-by-case basis to meet individual needs. See Appendix A.

### **4. Financial Implications**

4.1 The investment for the agile and mobile programme has been estimated based on current market prices. However the actual cost of the equipment and services purchased will be dependent on the tender. Due to the number of devices required it is likely that the costs will be lower than anticipated. However, digital costs fluctuate greatly and are influenced by changes in the value of the pound.

4.2 The yearly allocation of budget has changed as it was dependent on rollout and services being able to accommodate the changes to their services. Factors involved are configuration of systems, business process analysis, where required, for changes to mobile working.

4.3 The original estimated costs were indicative and high level, based on the number of corporate employees of 9,000. Following eighteen months of agile and mobile rollout, the requirement for the entire workforce to have an individual device has been revised. There are certain members of the workforce that will not require such a device on an individual basis. Therefore the new costs have been reduced to reflect this change.

4.4 There is a current revenue budget of £450,000 in the Digital and Transformation budget for replacement of equipment, which is not required for 2019/20 & 2020/21, but this is based on the current user base and not the expected increase in users as part of the plan. The cost of replacing this equipment will require future investment after 5 years of life. Funding for this equipment replacement will be requested in future years.

- 4.5 There is an increase in revenue commitment as part of the plan, for which there is no budget within Digital and Transformation Services. The likely revenue items are for licences, mobile phone data and calls. Any revenue costs associated with the rollout to new service areas, where users have never had any ICT provision, will be expected to be covered by the service area based on a business case.
- 4.6 The reduction in funding in the agile & mobile IT programme of £2.694m will reduce the unsupported borrowing required to fund this scheme and reduce the overall borrowing within the capital programme releasing borrowing headway within the capital programme.
- 4.7 The detail revised breakdown of these costs are shown in Appendix B.
- 4.8 Updated financial reports will be prepared once the procurement process has commenced and prices are established if significantly different.

## **5. Legal Implications**

- 5.1 Any procurement processes will be undertaken in accordance with the Council's Contract Procedure Rules and with European procurement legislation as appropriate

**Background Papers:** None.

### **Appendices:**

**Appendix A:** EIA Screening

**Appendix B:** Detailed Financial Implications Agile and Mobile 2018 – 2022

# Equality Impact Assessment Screening Form – Appendix A

**Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).**

<b>Section 1</b>
Which service area and directorate are you from?
Service Area: Digital and Transformation
Directorate: Resources

**Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?**

Service/ Function <input type="checkbox"/>	Policy/ Procedure <input type="checkbox"/>	Project <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>	Proposal <input checked="" type="checkbox"/>
--	--	-------------------------------------	--------------------------------------	----------------------------------	---

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

Approval of an FPR7 report for the capital fund for equipment for the Agile and Mobile Working programmes

**Q2(a) WHAT DOES Q1a RELATE TO?**

Direct front line service delivery  <input type="checkbox"/> (H)	Indirect front line service delivery  <input type="checkbox"/> (M)	Indirect back room service delivery  <input checked="" type="checkbox"/> (L)
---	---	---

**(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?**

Because they need to  <input type="checkbox"/> (H)	Because they want to  <input type="checkbox"/> (M)	Because it is automatically provided to everyone in Swansea <input type="checkbox"/> (M)	On an internal basis i.e. Staff <input checked="" type="checkbox"/> (L)
---	---	---	--

**Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...**

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Equality Impact Assessment Screening Form – Appendix A

**Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?**

Please provide details below – either of your planned activities or your reasons for not undertaking engagement

This is for the approval of a FPR7 report for the capital funding for the Agile and Mobile Working programmes. As part of the equipment rollout any individual requiring specialised equipment will be dealt with on a case by case basis.

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input checked="" type="checkbox"/> (L)
---	---	---

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION? (Consider the following impacts – legal, financial, political, media, public perception etc...)**

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input checked="" type="checkbox"/> (L)
---	---	---

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

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

**Q7 HOW DID YOU SCORE? Please tick the relevant box**

**MOSTLY H and/or M → HIGH PRIORITY →  EIA to be completed Please go to Section 2**

**MOSTLY L → LOW PRIORITY / NOT RELEVANT →  Do not complete EIA Please go to Q8 followed by Section 2**

**Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.**

This is screening for the approval of the FPR7 report for the capital fund for equipment for the agile and mobile programmes.

**Section 2**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

<b>Screening completed by:</b>
Name: Sarah Topliss
Job title: Programme & Portfolio Manager
Date: 22 <sup>nd</sup> August 2018
<b>Approval by Head of Service:</b>
Name: Jo Harley
Position: Head of Digital and Transformation
Date: 22 <sup>nd</sup> August 2018

**FINANCIAL IMPLICATIONS : SUMMARY**

Portfolio: Corporate Services

Service : Digital and Transformation Services

Scheme : Agile and Mobile Working Programme 2018 - 2022

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>	<b>2020/21 £'000</b>	<b>2021/22 £'000</b>	<b>TOTAL £'000</b>
<u>Expenditure</u>				
Mobile Phone - C09478	746	225	150	1121
Laptops / Mobile devices - C09479	1,404	890	1930	4223.5
Bags / Headsets / Peripherals - C09480	309	75	50	434
Furniture	600	275		875
Budget Code:				
<b>EXPENDITURE</b>	<b>3,059</b>	<b>1,465</b>	<b>2,130</b>	<b>6,654</b>
<u>Financing</u>				
CCS funding - unsupported borrowing	3,059	1,465	2,130	6654
<b>FINANCING</b>	<b>3,059</b>	<b>1,465</b>	<b>2,130</b>	<b>6,654</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2018/19</b>			
		<b>£'000</b>		
<u>Service Controlled - Expenditure</u>				
Employees				
Maintenance				
Equipment				
Administration				
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>		

# Agenda Item 9.



## Report of the Equalities Scrutiny Inquiry Panel

Cabinet – 19 September 2019

### SCRUTINY INQUIRY INTO EQUALITIES

<b>Purpose:</b>	This report presents the findings, conclusions and recommendations resulting from the Panel's Inquiry into Equalities
<b>Policy Framework:</b>	Council Constitution.
<b>Reason for Decision:</b>	To consider the recommendations made by the Equalities Scrutiny Inquiry Panel and agree action.
<b>Consultation:</b>	Legal, Finance, Access to Services
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet receives the report and tasks the relevant Cabinet Member to report back to a Cabinet meeting with a written response to the scrutiny recommendations and proposed action(s) for Cabinet decision.
<b>Report Authors:</b>	Cllr Louise Gibbard, Convener Equalities Scrutiny Panel Michelle Roberts, Scrutiny Officer
<b>Finance Officer:</b>	Paul Cridland
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1.0 Introduction

- 1.1 This report presents the findings, conclusions and recommendations resulting from the scrutiny inquiry into Equalities. The Scrutiny Panel's final report, appended, requires a Cabinet decision.
- 1.2 In accordance with the Council Constitution reports from scrutiny to the Executive are presented to a Cabinet meeting. The convener of the Panel Cllr Louise Gibbard will attend to present the report and accompanying recommendations.



## **2.0 Scrutiny Programme Committee**

- 2.1 On 8 July 2019 the Scrutiny Programme Committee discussed and agreed the report for submission to Cabinet.

## **3.0 Cabinet Decision**

- 3.1 At this meeting the role of the Cabinet is to receive the report and task the relevant Cabinet Member to prepare a written response on behalf of Cabinet. The Cabinet Member's response report should be scheduled for a future Cabinet meeting **no later than two months** following formal receipt of the scrutiny report (for this report this would be Cabinet scheduled for 21 November 2019).
- 3.2 In their response report the Cabinet Member should recommend approval or rejection of each of the scrutiny recommendations together with an explanation. Within their report the Cabinet Member should also provide a proposed action plan to show what steps are being or will be taken to implement recommendations. Cabinet will then make a decision on the Cabinet Member's response report.

## **4.0 Follow Up**

- 4.1 The Panel will schedule a follow up on progress with the implementation of the action plan agreed by Cabinet and impact of the scrutiny inquiry, and report their views to the Scrutiny Programme Committee. The panel convener and the Scrutiny Officer will ensure that a review of progress against accepted recommendations is scheduled into future work programmes. Usually a progress report will be requested by the Panel within 6-12 months after the action plan has been agreed by Cabinet.

## **5.0 Equality and Engagement Implications**

- 5.1 Equality and engagement issues were formally considered at the scoping stage of this inquiry and borne in mind by the panel throughout evidence gathering. The Cabinet Member will need to ensure that implications are considered via application of the corporate Equality Impact Assessment process when considering the response to the recommendations.

## **6.0 Legal Implications**

- 6.1 There are no specific legal implications at this stage.

## **7.0 Financial Implications**

- 7.1 There are no financial implications to this report. Any potential implications will be outlined in the Cabinet response.

**Background Papers:** None.

**Appendices:** Appendix A – Final Inquiry Report.

# Equalities Scrutiny Inquiry

*How can the Council improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales 2011)*



## Why This Matters

Foreword by **Councillor Louise Gibbard**



It was with great pride that I convened the first meeting of this Scrutiny Inquiry in October 2018 on International Day of the Girl. In a year of some important equality anniversaries such as the centenary of some of the first women in the UK winning the right to vote, seventy years since the arrival of the “Windrush generation” and fifteen years since the repeal of Section 28 amongst other significant commemorations.

We chose to look at this issue because it featured highly on the list of suggested areas of scrutiny highlighted by both the general public and councillors ourselves. It provided us with the perfect opportunity, almost ten years on from the passing of the Equality Act, to reflect on how far we have come as a city and a local authority to embed the principles of equality and diversity in all we do.

From the beginning of the inquiry we were determined that we should reach out to the wider community and especially to people with ‘protected characteristics’ to find out from them if we are really putting our policies into practice. I am hugely grateful to every single person that took the time to attend our meetings, submit written responses and share their views. Whilst we have not been able in this report to address every point raised, please be assured we have listened, taken on board and value every comment made throughout the process.

It was encouraging to hear of the very positive work going on across the Council to make Swansea an inclusive environment. When we took part in one of the “Big Conversation” events with learners I was incredibly proud and heartened to learn of the warm welcome one young man, a recent refugee from Syria, had received on moving to Swansea. However, from other discussions particularly those with carers and the Disability Liaison Group, it is evident that at times we have fallen short of expectations and still have some distance to travel in ensuring that as an organisation we are consistently ‘getting it right’ for all our citizens.

We hope that Cabinet will find this report useful and that our recommendations will go some way in helping Swansea Council to become a truly inclusive organisation, both internally and in its interactions with our diverse communities.

I would like to thank the members of the Inquiry Panel who gave their time and commitment and once again, to acknowledge all those people who gave evidence and information to the Panel. A very big thank you too to Michelle Roberts, our Scrutiny Support Officer who has guided us throughout and worked incredibly hard to pull everything together into this final report.

## Summary of Conclusions and Recommendations

Find below a summary of the conclusions and recommendations arising from this inquiry. Full detail are in the main body of the report.

### Conclusions

The Inquiry, firstly, looked at whether the Council is meeting its duties under the Equality Act 2010 (and Public Equality Duty for Wales 2011). They concluded:

On balance the Council does have due regard to eliminating discrimination, to advancing opportunity and fostering good relations. Many areas of good practice were found throughout this inquiry but also areas where the Council could do better.

The Inquiry, secondly, looked at *how the Council can improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales 2011)*.

The Panel concluded that this could be improved by:

1. Keeping a close eye on the national picture and how this impacts us locally
2. Continuing to build upon the commitment to equality and diversity already evident within the Council
3. Ensuring effective policy, practice and processes are in place that meet and help embed the Equalities Duty
4. Improving the accessibility of council services
5. Improving how we work with and learn from others
6. Continuing to improve how we consult and engage
7. Protecting future generations.

### Recommendations

#### Quick wins

- 1 Implement a high-level cross council Strategic Equality Group.
- 2 Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council should take up the offer from the Equality and Human Rights Commission (EHRC) Wales to work with us on our Plan.
- 3 Promote "SMART" working with our Equality Forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishing of Women's and Inter-Faith Consultative Forums.
- 4 Clarify and further promote the role of Councillor Champions, ensure better engagement with Equality Groups/Forums and establish links with the Strategic Equality Group.
- 5 Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training and that they are linked to a wider knowledge base/support network for advice, guidance and support.
- 6 Complete the Carers Strategy as a matter of urgency.
- 7 Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of Black, Asian and Ethnic Minority people (BAME), disabled people, Lesbian Gay Bisexual and Transgender (LGBT), veterans and women in male dominated roles (and vice-versa).

- 8 Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50<sup>th</sup> Year as a City Anniversary to launch what will be an ongoing process.

### **Medium Term Actions**

- 9 Review training opportunities to ensure they are fit for purpose. Including:
  - a) Ensuring better uptake of equality related training amongst staff, especially front facing staff.
  - b) Ensuring middle managers have completed training and encourage staff to do so
  - c) Developing training with equality groups where possible.
  - d) Ensuring the opportunities to do the training are repeated regularly particularly around unconscious bias, using alternative formats and making a reasonable adjustment.
  - e) Smarter working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales.
- 10 Support the continued development of community hubs across the Council area and ensuring that all staff involved have full equalities training.
- 11 Address the significant issues with the Council website as identified in this report. Key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers.
- 12 Develop more easy read and plain English resources.
- 13 Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.
- 14 Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example based upon a toolkit by Stonewall '*what it has got to do with you*'. In future report on 'pay gaps such as disability and BAME, as well as gender.
- 15 Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

### **Longer Term Goals**

- 16 Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention on the Rights of the Child. Ensure these Conventions are reflected in the Councils new Equalities Plan in 2020.
- 17 Develop further opportunities for adults with disabilities, including looking at expanding our social enterprise base.
- 18 Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

### **Recommendation for all Councillors**

- 19 Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussion aimed at young people, women, BAME, LGBT and disabled residents.

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## **Glossary of Terms**

ALN	Additional Learning Needs
BAME	Black, Asian and Minority Ethnic people
CEDAW	Conventions on the Elimination of all forms of Discrimination Against Women
CNCRPD	Convention on the Rights of Persons with Disabilities
DLG	Disabled Liaison Group
EHRC	Equality and Human Rights Commission
EIA	Equality Impact Assessment
EU	European Union
LGBT	Lesbian, Gay, Bisexual and Transgender
NEAT	Neighbourhood Environment Action Team
SMART	Specific, Measurable, Agreed upon, Realistic and Time-based
UNCRC	United Nations Convention on the Rights of the Child
WLGA	Welsh Local Government Association

# 1 WHY WE PRODUCED THIS REPORT

## Overview

- 1.1 This report focusses on the following question: *How can the Council improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales).*

## Selecting a topic

- 1.2 Councillors chose to look at this topic to:

- Ensure that the Council is meeting its duties under the Equality Act 2010 (Public Sector Equality Duty for Wales)
- Ensure that there is the staff knowledge, skills and capacity to enable the Council to meet the duty
- Actively promote a positive attitude to equalities in Swansea.

The Panel agreed to investigate the following aspects and these formed the basis of our questioning strategy:

**Role:** What is the Council's role under the Equality Act 2010 (Public Sector Duty for Wales) and how well is the Council meeting and embedding this duty?

**Skills and ability:** Do Council staff have the necessary skills, training and capacity to ensure the Council is meeting this duty?

**Culture:** Is there a positive attitude and a commitment to ensuring equality across the organisation?

**Systems/processes and consistency of approach:** Are there effective and efficient systems/practices/processes in place across the Council to enable meeting of the duty. Are Council Officers consistently applying these practices?

**Partnership working:** How the Council is working with local communities, the voluntary sector and others to help meet and embed this duty.

**Measuring success:** How is the Council measuring how it is meeting and embedding this duty?

## Intended Contribution of Inquiry

- 1.3 As a Panel, we believe that we can make a valuable contribution to this topic. We recognise that, while there are no easy answers, success will only come from a conversation to which everyone is able to contribute. It is in this spirit that our conclusions and recommendations are offered.

- 1.4 Specifically this report aims to contribute to this vital debate by:

- Offering proposals for improvement
- Providing a Councillor perspective
- Drawing together some general principles
- Pointing to good practice examples
- Sharing the views of different people involved.

- 1.5 We recognise the limitations of the Inquiry. Given the complexity of the topic



and the time that we had this report necessarily provides a broad view.

- 1.6 Finally, many of our conclusions are in line with the Council's current direction of travel and these are offered in order to provide reassurance. Others may be either additional or contrary to what has already been agreed. These are intended to offer challenge and to stimulate debate. Where we have made recommendations these are intended to help improve the service.

## **Evidence Collected**

- 1.7 The evidence was collected between October 2018 and March 2019. The evidence gathering activities undertaken included:
- a. Overview of subject and Q&A with Cabinet Member for Better Communities (People) and Chief Legal Officer
  - b. Consideration of relevant key policies, strategies and documentation including Swansea's Equality Plan and the Equality Impact Assessment screening process
  - c. Question and Answer session with individual Directors and the Strategic Organisational Development and Human Resources Manager
  - d. Departmental staff representatives
  - e. Equality and Human Rights Commission
  - f. Equalities Community/Partner Groups including Carers, BME Forum, Young People through the Big Conversation, LGBT Forum, Disability Liaison Group, Joining the Jots Team, Veterans and 50+ Forum
  - g. Survey of Council staff.

## **Context**

- 1.8 The legal background includes the Equality Act 2010. The three aims of the equality duty are to give due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act
  - Advance equality of opportunity between people who share a protected characteristic and those who do not
  - Foster good relations between people who share a protected characteristic and those who do not.
- 1.9 The general duty covers the following protected characteristics: age, gender, race (including ethnic or national origin, colour or nationality, disability, gender reassignment, pregnancy and maternity, sexual orientation, religion or belief, or lack of belief, marriage or civil partnership).
- 1.10 In Wales, there is also a Statutory Duty, which takes things further. The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 places specific duties on the authority to:
- Produce a Strategic Equality Plan
  - Set and publish equality objectives
  - Publish a statement setting out the steps it has taken to achieve the equality objectives
  - Review the equality objectives within 4 years from when first set

- Comply with engagement provisions
- Identify and collect relevant information about compliance with the general duty
- Publish information in an accessible way
- Assess and monitor the impact of policies, and changes to service provision
- Gather employee related data on an annual basis
- Have due regard to award of contract conditions in procurement which should include considerations to comply with general duty
- Publish an equality objective in relation to addressing any gender pay difference identified and take steps to address any pay gap.

1.12 The Inquiry did not look in detail at the point relating to procurement and therefore did not make recommendations in the area. We would welcome the Scrutiny Programme Committee taking this on as a possible topic in future.

## Equalities and Engagement

1.13 As part of the Councils Equality Impact Assessment process the Equalities Inquiry needed to ensure that it itself paid due regard to the above. When planning this inquiry we considered which groups might be particularly effected and how we might engage them. An Equality Impact Assessment screening form has been completed as part of this inquiry.

## 2 CONCLUSIONS

2.1 The Inquiry, firstly, looked at whether the Council is meeting its duties under the Equality Act 2010 (and Public Equality Duty for Wales 2011).

### 2.1.1 **Specific duties are:**

To have due regard to the need to eliminate discrimination, to advance equality of opportunity and to foster good relations, listed public bodies are required to meet very detailed specific duties to demonstrate compliance with the general duty. The specific duties are summarised below.

We concluded that on balance the Council does have due regard to eliminating discrimination, to advancing opportunity and fostering good relations. Many areas of good practice were found throughout this inquiry but also areas where the Council could do better. In particular, in ensuring we are making consistent reasonable adjustments in our service provision, how we consult and how people are able to have contact with the Council. These, along with how the Panel believe they can be addressed are detailed within this report.

In addition to meeting the general duty, in Wales the duty is extended to include:

- a) **Objectives:** prepare and publish equality objectives in respect of each protected characteristic, or reasons for not doing so, by 2 April 2012 and review thereafter every four years. Publish details of the steps it has taken or intends to take to meet the objectives and how long it expects to take to meet each objective. Monitor progress and effectiveness of steps taken to meet the objectives and publish any new or revised objectives.

This is done, but it could be driven by a higher level Strategic Equality Group

that ensures ongoing oversight and priority.

- b) **Strategic Equality Plan:** prepare a strategic equality plan by 2 April 2012, publish it as soon as possible and keep it under review.

A plan was completed but as it expires the new plan should be a lot more streamlined and focussed.

- c) **Engagement:** involve representatives of protected groups in setting equality objectives, preparing and reviewing the strategic equality plan, identifying how the authority's work contributes to meeting the general duty and assessing the impact of policies and practices on protected groups.

This is done, although the equality forums we have spoken to feel this it is often insufficient and needs a much more thorough approach.

- d) **Impact Assessments:** assess the equality impact of policies and procedures, complying with the engagement provisions and considering the relevant information held by the authority. Where the impact of a policy or practice on equality is found to be substantial, a report on the equality impact assessment must be published including: the purpose of the proposed policy/practice; a summary of steps taken to carry out the assessment; a summary of the information taken into account in the assessment; the results of the assessment; any decision taken in relation to those results.

Equality Impact Assessments (EIAs) are carried out but the Panel would like to see better training on their completion and better monitoring of them to take account of issues of cumulative impact. We would also like the Council to think about how EIAs can deal with issues like intersectionality. Intersectionality refers to every person being a web of various identities not just one, for example a black woman who is part of the LGBT community.

- e) **Equality Information:** identify what information is and is not held by the authority, identify information on differences of pay for employees with a protected characteristic, publish this information and review periodically.
- f) **Employment Information:** collect and publish annually
- The number of people employed by the authority on 31 March each year by protected characteristic;
  - The gender breakdown of staff by job, grade, pay, contract type, working pattern;
  - Applicants and leavers by protected characteristic;
  - Career progression by protected characteristic;
  - Employees applying for and completing training by protected characteristic;
  - Employees taking or being the subject of grievance and disciplinary procedures by protected characteristic.

This is only done to a very limited extent, as we do not hold enough data on our employees. More thorough data collection and better reporting, possibly with investment in updated IT systems is required.

- g) **Pay Differences:** have regard to the need to address the causes of any pay differences and publish an action plan including any equality objective to address any gender pay gap identified or reasons why it has not done so.

Swansea Council does report on its gender pay gap, but there is still potential for improvement in narrowing that gap. We would also like to see reporting on other pay gaps, particularly Black, Asian and Minority Ethnic (BAME) and disabled staff, in future.

h) **Staff Training:** authorities must ensure that their employees are trained on the general and specific duties.

Training is available but take up seems low and could be wider ranging.

i) **Procurement:** consider whether contracts should include considerations to meet the general duty and whether to stipulate contractual conditions relating to performance.

Not considered as part of the Inquiry.

j) **Publish:** an annual equality report by 31 March each year.

This is done.

k) **Review:** review equality objectives every four years and review Strategic Equality Plans.

Yes and a new one is due in 2020. See *above 2a* – This would be better driven by a Strategic Equality Group.

The Panel, secondly, looked at *how the Council can improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales)*.

The Panel concluded that this can be improved by:

## 2.2 **Keeping a close eye on the national picture and how this impacts us locally**

2.2.1 Councillors were acutely aware of the budget constraints of the Council, recognising that the current financial climate is a very difficult one. Councillors were mindful of this when discussing their conclusions and recommendations.

2.2.2 The Panel looked at the role of the Equality and Human Rights Commission (EHRC) meeting with the Commission's Head in Wales. They heard the key role is to safeguard and enforce the laws that protect people's rights to fairness, dignity and respect. The EHRC use their unique powers to challenge discrimination, protect equality of opportunity and to protect human rights. They have a range of powers under both the Equalities Acts 2006 and 2012.

EHRC will shortly be publishing their strategic plan for the coming years. It was explained that the Commission's plan is to prioritise a smaller number of areas where they can make the most traction (these will be based on public consultation). The approach moving forward will be to strengthen the enforcement and compliance arm of the organisation. The Inquiry heard that in recent years they have mainly concentrated on advice and guidance but that

the Commission will have a harder edge moving forward using its compliance arm more. They will also continue to give guidance and support, continuing with research reports like 'Is Wales Fairer' moving forward.

Councillors supported this changing/evolving role, recognising that more enforcement was needed because without 'consequences' some bodies are slower to improve. They were also pleased to hear that this is still the final step and that support and advice are still key to moving councils (and other public bodies) forward.

2.2.3 The Panel looked at the EHRC report '[Is Wales Fairer 2018](#)', considering some examples are particularly appropriate to the Inquiry and to Swansea moving forward. Some of the key headlines from this report include, for example:

- socio-economic disadvantage including increased poverty rates and the adverse effects of the UK-wide social security reforms on the poorest groups
- disabled people falling further behind, being denied their right to independent living and in many cases not experiencing the progress seen for other groups, with gaps in educational attainment and employment widening rather than narrowing
- race inequality persists in Wales, some ethnic minorities are experiencing improvements, but hate crime motivated by race is still far too prevalent in Wales
- challenges to women's safety and career progression, the prevalence of societal gender norms in education and employment, and experiences of harassment and violence, obstruct this progress.

The Panel would like to see the key recommendations relating directly to local authorities in this report considered and addressed in the Council's Equality Plan moving forward.

2.2.4 The Panel welcomed the work of the EHRC in relation to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). They heard that the United Nations Convention on the Rights of the Child (UNCRC) has the most firm hold in law. The EHRC would like to see these conventions reflected in each individual Council's Equalities Plans moving forward.

The Panel welcomes the initial work being done to make Swansea a Human Rights City and wish to see this completed in the near future. Councillors believe, as part of this, we should look to embed the UNCRPD and CEDAW into all our work in the same way as with the UNCRC in Swansea. They heard from the Head of Stakeholder Engagement Unit in Education that the UNCRC has helped them embed children's rights widely across education. Councillors would like to see this happen across the organisation with the other conventions.

2.2.5 The consequences of leaving the European Union (EU) was raised. The Panel discovered that leaving the EU does not affect our rights under the European

Convention on Human Rights (ECHR), as this comes from the Council of Europe, not the EU. The impact of Brexit on our equality and human rights will depend on the laws that are passed to deal with leaving the EU. The Government published a [White Paper on a Great Repeal Bill](#) on 30 March 2017. The White Paper provides some clarity about how equality and human rights concerns will be addressed. For example:

- existing EU law in place at the point the UK leaves the EU will be preserved 'wherever possible'
- the protections in the Equality Acts 2006 and 2010 will be retained after we leave the EU
- worker's rights that arise from EU law will continue to be available in the United Kingdom
- current European Court (CJEU) case law will be preserved, but the Bill will not provide any role for the CJEU in the interpretation of new laws and will not require our courts to consider future CJEU's case law
- the Charter of Fundamental Rights will be removed from UK law.

If these provisions are brought into law, many existing protections under EU law will be preserved. In addition, many protections in EU law, especially equality rights, have already been written into UK law by legislation, which will stay the same unless withdrawn by Parliament. In light of the government intentions explained in the White Paper, the most significant effect of Brexit on equality and human rights are likely to be:

- the loss of the Charter of Fundamental Rights which includes some rights which are not in the Human Rights Act, for example on the rights of the child and a general right to non-discrimination. The Charter also provides a stronger way of enforcing human rights than the Human Rights Act
- the loss of the guarantee for equality rights provided by EU law. As a result of Brexit, a future government could seek to pass laws which repeal or weaken our current rights below the standard of EU law rights.

2.2.6 Councillors were concerned to hear, from the equality forums they spoke to, about the change towards negative attitudes and intolerance relating to disability, sexual preference, faith, race and immigration, since the onset of Brexit. An article recently published in the Independent newspaper highlights the issue of attitudes to racism found by the United Nations in a visit to the United Kingdom in 2018. A quote from the article says:

Racism and religious intolerance has become more acceptable in Britain in the wake of the Brexit referendum, a United Nations expert has warned.

At the end of an 11-day visit investigating the impact of Brexit on racial equality in the UK, the UN special rapporteur on racism reported a "notable shift" in attitudes.

A Brexit-related trend that threatens racial equality in the UK has been the growth in the acceptability of explicit racial, ethnic and religious intolerance," said E Tendayi Achiume. She said that although far-right parties had not enjoyed the political success seen elsewhere in Europe, extreme views were gaining ground in mainstream political parties on both the right and left.

She highlighted the documented rise in hate crime reported to police following the referendum in June 2016, with incidents increasing almost a third year-on-year to more than 80,000 – the vast majority racially motivated.

[11 May 2018 – Independent Newspaper](#)

In the EHRC report 'Is Wales Fairer', it indicated that some ethnic minority people are experiencing improvements in relation to equality but there is not nearly enough progress and more needs to be done. Hate crime motivated by race is still far too prevalent in Wales. The majority (75%) of hate crimes reported and recorded in Wales in 2016/17 were motivated by race or religion. This was seen as a particular concern given Britain's impending exit from the EU and the spikes in hate crime after the EU referendum and recent terrorist attacks.

In the light of this evidence, the Panel want to emphasise the importance of celebrating Swansea's diversity. It is essential we work with different groups in society to do this and emphasise the Council and partner organisations' role in community cohesion.

**Recommendations:**

- Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50<sup>th</sup> Year as a City Anniversary to launch what will be an ongoing process
- Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention on the Rights of the Child. Ensure these Conventions are reflected in the Council's new Equalities Plan in 2020.

**2.3 Continuing to build upon the commitment to equality and diversity already evident within the Council**

2.3.1 The Inquiry did find an overall commitment in the Council to equalities but felt that it lacks a clear vision and therefore direction to drive forward improvement. The Directors and Cabinet Members the Panel spoke to recognise their equalities duties and showed clear ownership. The Cabinet Member for Better Communities (People) said that she would like the Council to go beyond its legal duty and emphasised the importance of embedding equalities. The Panel recognised the commitment showed but did feel there is limited cross-departmental dialogue on this issue that ensures there is no overlap, conflicting advice/ways of working and that improves consistency.

2.3.2 The Panel found minimal reference in the Council's Corporate Plan to our Equalities Duty. Councillors recognise that it is integral to all the objectives outlined in the Plan but note that it does not allude to it specifically. All references in the document relate specifically to inequalities, it does not refer to how we are committed to and plan to meet our Equalities Duty in relation to protected characteristics. In order to raise the profile and show clear commitment to Equalities it needs to be explicit in the headlines of the Corporate Plan.

2.3.3 The Panel were pleased to see a clear commitment in the Public Services Board Wellbeing Plan to the Equalities Duty, particularly under the Stronger Communities objective. The Public Services Board is a multi-agency partnership that includes Swansea Council. The Wellbeing Plan says, the partnership want to *make Swansea a vibrant, tolerant and welcoming place where everyone has equal access to opportunities and feels truly proud to live, work and play in Swansea. To achieve this we need to develop a place where people belong, feel safe, and where people's backgrounds and circumstances are appreciated and valued. Our communities are changing; we want to learn from each other and work together to build a better Swansea. We know that good relationships are an essential component of well-being. As communities change we will celebrate what they have in common and face challenges together, including tackling barriers to employment, training, educational attainment and inclusion.*

2.3.4 The Inquiry found that equalities does not have a high enough profile within Swansea Council. Councillors believe that equalities must be driven from the top of the organisation if it is to move forward and improve in a co-ordinated and sustained manner, meeting both our Equalities Duties and Wellbeing Goal 4 of the Wellbeing and Future Generations Act, 'a more equal Wales'. The Council needs to take an authority wide approach to equalities. The idea of a Strategic Equality Group was raised, that would be a high level cross council group with the purpose of ensuring compliance and driving improvement in equalities across the Council.

The Panel believe that its first role should be to co-ordinate the development of the new Equality Plan, which is due to be written by 2020. This plan would then be used by the Group to monitor and drive improvement across the organisation by, for example:

- Taking an overview of the Equality Impact Assessment process, in particular noting and keeping a watching brief of cumulative impact and issues of intersectionality
- Driving improvement in equalities related training by reviewing and ensuring it is fit for purpose, monitoring and improving uptake especially those mandatory aspects
- Having close links and regularly consulting with the Community Groups, for example the Disability Liaison Group, LGBT Forum and BAME Forum.
- Working with the Councillor Equality Champions and the departmental equality representatives as required
- Leading positive campaigns celebrating Swansea's diversity and counteracting negative media stories around equalities matters.

The Panel would like to see this Strategic Equality Group as the vehicle to translate the Council's commitments on equalities into further action.

2.3.5 The role middle managers play within the organisation was seen as key in ensuring staff are trained, are committed to and have the right attitude with regard to equalities. The Inquiry did find the need for more consistency in application in these aspects. It is vital that managers understand the Council's Equality Duty and are committed to equalities especially in relation to aspects



like ‘making a reasonable adjustment’ and unconscious bias. Their role working directly with staff delivering Council services puts them in the position to have a strong influence on the staff within their remit. With this in mind, Councillors believe managers have an important role in ensuring there is the right culture, attitude and that staff have appropriate training.

In the Staff Survey we asked:

**Do you agree or disagree that managers in the Council take equality and diversity issues seriously?**

29 (25.2%)	Strongly agree	61 (53.0%)	Agree	24 (20.9%)	Disagree	1 (0.9%)	Strongly disagree
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**Do you agree or disagree that your manager supports flexible working? (such as part-time working, job-share arrangements, home-working, etc.)**

42 (35.9%)	Strongly agree	52 (44.4%)	Agree	15 (12.8%)	Disagree	8 (6.8%)	Strongly disagree
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Some comments made:

*‘I have been offered reasonable adjustments due to my disability and have been lucky enough to have a Manager who has taken time to understand my Mental Health condition and has offered appropriate support.’*

*‘I and others have experienced difficulties in obtaining reasonable adjustments for physical health reasons and I do feel there is a lack of support in this area. I am also aware of comments made to women around part time working and how this limits their promotional opportunities, which I feel is discriminatory. Part-time contracts appear to be actively discouraged.’*

The Panel wished to emphasise the importance of the staff appraisal process in identifying training needs and ensuring completion of required courses.

2.3.6 Evidence suggests that there is a need for better support for, and valuing of, the role of Equality Forums. The Panel spoke to a selection of different consultative groups including the Disability Liaison Group (DLG), 50+ Network, Lesbian, Gay, Bisexual and Transgender Forum (LGBT), Black, Asian and Minority Ethnic (BAME) Engagement Programme.

The Panel heard about the relationships the Council has with community groups/forums including:

- The Swansea Bay LGBT Forum, which is run by Swansea Council in partnership with South Wales Police and whose membership includes employees or volunteers from local and national organisations who represent the interests of LGBT citizens
- The BAME Forum, which is a regional Network, which was introduced last year. It is led by Ethnic Minorities and Youth Support Team (EYST) as part of the Welsh Governments Equality and Inclusion Programme
- The Disability Liaison Group, this group was established to enable a two way dialogue between the Council and disabled people and/or disabled

groups/organisations

- The 50+ Network, this is supported by the Council and is a network of people who have signed up and are over 50 or who groups/organisations that represent this age group
- Veterans Club Swansea is a post-traumatic stress disorder support group and Social Hub for serving HM Forces & Veterans
- “Big Conversation” organised events run by Swansea Council’s Young Person’s Participation Team that include school age pupils from schools across Swansea.

Members of the Disability Liaison Group (DLG) expressed concern that they did not currently have clear terms of reference, invite list or clear structure/work programme. They felt that work was required to get it back on track and meeting regularly. We heard from the Council’s Access to Services Officer that a meeting took place in January with the DLG to start to address these aspects.

Whilst we agree that the equality forums need better support, the Council currently only has enough resources for a small team of one part time equality officer and one full time consultation and engagement officer in Access to Services. Moreover, it is important that members of the group are leading their own work to ensure their voices and concerns are being heard and to better empower its members. We will therefore need to look at how we can help these forums going forward, potentially in conjunction with partners in the voluntary sector if possible.

The Panel found gaps in representation of protected characteristics involved in council consultation and would therefore encourage the facilitation of a Women’s and an Inter-faith Group.

The Panel feel that the profile and work of these equality forums need to be raised more, both within and outside the Council, to ensure their role is understood and valued by both council staff and the public. We also found that better links with Councillor Champions for many groups was required. We agreed with the 50+ Network when they said we need better cross-pollination between groups to address the issue of intersectionality, for example, disabled women have different needs to disabled men and LGBT people; BAME people might have contrasting views to those from other ethnic groups. Closer links and two-way communication with the proposed Strategic Equality Group would also provide better access to decision making.

2.3.7 When the Panel spoke to the different equality forums, they asked them whether they felt that *Swansea Council is committed to ensuring staff and service users are treated with equal dignity and respect, and to what extent they believe the Council takes equality and diversity issues seriously*. What they said is summarised as follows:

- Negative attitude of some staff when talking to people especially the older people and disabled people
- Frustration at being passed around the Council when making a telephone call
- Difficulties in finding out where and when councillor surgeries are especially

if they are not online

- Praise for Local Area Co-ordinators but disappointment that they do not cover all areas
- Need to be involved in development of projects at an earlier stage when barriers can be identified, feeling this would save time and money
- Commitment in the form of funding for equalities. Groups/forums felt they run on a shoestring with limited support. They felt that investing even a small amount of money could make a huge difference in customer engagement and therefore improving services provided
- Need more education in schools around awareness of different characteristics
- The Council seeming to work on one “hot topic” at a time, targeting one group for support and then shifting to another, so not being consistent. Joining up everything seen as important, including the intersection between different characteristics
- Equality forums would like the opportunity to take part in training for council staff
- A Carers Strategy is needed. Without a clear strategy that is transparent and addresses their many concerns, they cannot feel that they are valued
- Some staff go above and beyond while in other departments too many do not think it is their responsibility to consider equality issues
- Not committed to informing, engaging and consulting with everyone because do not make things available in accessible formats enough.
- Feel that the commitment to activities like co-production is there but that currently the resources are not there
- Still feel there is a culture of doing to and not enough emphasis on empowering citizens
- Seems to be a lack of dignity and respect for citizens especially in relation to asking for what they are entitled to, like making a reasonable adjustment when needed. They feel they are often denied because of poor knowledge and lack of respect
- The words in Council policies are good but need to translate these into practice better. Council needs to be consistently good rather than pockets of good in relation to equalities
- Education system in Swansea is not inclusive enough, teacher training is too general, teachers not taught about inclusivity with regard to children with disabilities and ALN. Children are often taught elsewhere rather than in the local school. One parent said *she feels like they are ‘othered’*
- Do not feel that the Council respects the aspirations of disabled young people because opportunities once leave school are very limited.

In the Staff Survey we asked:

**Do you agree or disagree that there is real commitment at the Council to continuing to improve performance on equality and diversity in terms of service provision?**

17 (14.8%)	Strongly agree	75 (65.2%)	Agree	18 (15.7%)	Disagree	5 (4.3%)	Strongly disagree
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**In your experience, do you agree or disagree that staff from different backgrounds are readily accepted and made to feel welcome at the Council**

41 (35.3%)	Strongly agree	64 (55.2%)	Agree	10 (8.6%)	Disagree	1 (0.9%)	Strongly disagree
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**Overall, do you agree or disagree that the culture within Swansea Council makes it a fair place to work?**

31 (26.3%)	Strongly agree	59 (50.0%)	Agree	24 (20.3%)	Disagree	4 (3.4%)	Strongly disagree
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Some Comments made:

*'It's a large organisation and whilst there is commitment, delivering against that commitment is a big challenge.'*

*'Institutionally yes, however all teams are made up of individuals and groups of people, their dynamics affect how individuals are accepted and made to feel welcome.'*

*'Corporately yes I agree, but you have to ensure that all staff have proper training - not just the online training which can be skimmed through.'*

*'It's an overwhelmingly white organisation. In my experience the staff from non-white backgrounds make an effort to share their culture e.g. office buffet for Eid which is really nice. Brexit has made it harder for staff from EU countries outside the UK because of the uncertainty and also the attitude of some residents.'*

2.3.8 Carers in Swansea strongly expressed the need for the Council to better value their role, their rights as carers and to provide better provision of services.

Some of what they said included:

- Question whether the new Carers Act was in place in Swansea especially relating to care packages. Concerned as we are legally entitled to receive this as carers. There is no equality for parent carers because assessments are not being done
- All support is assessed on a criteria but we have no idea what that criteria is. There needs to be more transparency around the criterion and how and why a decision has been made. People could then understand and accept decisions more
- We feel there is no consistent approach across social services teams to assessment and care planning. Each team interprets and applies the guidance differently. Each team/department write their own assessment...there should be a standard format for all.
- Young carer's assessments do not seem to be taking place and when they do the young person is often not told about it
- Communication between Adult Services and Child and Family Services seems to be problematic when it comes to supporting carers and the child - two different standpoints
- No provision for Welsh Speaking in respite or adult day services.
- There is very little available to assist carers of people with challenging behaviour. This is often to do with the condition and not a mental health

issue but nearly always treated as such. Need more people to understand the issues around challenging behaviour. No respite services available

- We should not have to keep fighting for everything. Carers should be valued and able to live life equally to everyone else. By not doing this, the Council is really short sighted because carers save society millions of pounds.

The Panel heard that a Carers Strategy was due to be written in 2017, it is still not in place. The Panel agreed that the Carers Strategy must be completed as a matter of urgency.

2.3.9 The Inquiry found a need to develop further opportunities for disabled adults to gain meaningful employment and to improve their skills. The Joining the Dots Team suggested that the Council move forward more with the different aspects of Social Enterprise. The Panel agreed believing that the Council could build on the already valuable contribution of the work of NEAT and Victoria Park Kiosk, recognising that a wider variety of opportunities needs to be developed, expanding on those already in place. A member of the public at a meeting said *'more needs to be available other than litter picking and catering for those people with different interests'*.

2.3.10 Young people at a Pupil Voice Event raised the issue of stereotypes within schools. They felt this was particularly evident in sport within schools, with some schools encouraging access to all sports by both boys and girls and mixed gender sports activities whilst others still only offer certain sport based on gender. They also pointed to different expectations between boys and girls around discipline. The Panel did agree with the young people who felt this was reinforcing stereotypical behaviour. This issue of the prevalence of societal norms in education has also been highlighted in the findings of the EHRC report 'Is Wales Fairer'. It was felt that schools should be working harder to challenge these norms and not reinforce them.

Young people said:

*'I do feel that boys and girls are generally treated differently in my school when it comes to sports, like girls only get a chance to do netball. I would like to play football but told I cannot. Sometimes boys go outside for sport while the girls have to stay inside.'*

*'Schools should do more mixed gender sports, should not be judged as whether good enough based on whether a boy or a girl.'*

2.3.11 We felt that there is a need to continue the work to make the council staff, councillors and governing bodies more representative of the community in which they serve. As with many workplaces, Swansea Council staff and indeed Councillors do not fully reflect the diversity of the community in which we live. The groups that tend to be under-represented include women in higher paid roles, ethnic minorities, disabled employees and those from the LGBT community.

Employers have a responsibility to ensure that workplaces are inclusive and

free from discrimination. However, inequalities can result from years of hiring practices that have excluded certain groups, usually unintentionally. It is important to ensure that Swansea Council is open to everyone in our communities, including groups that have historically not applied to work for the Council. Expressly encouraging applications from those in under-represented groups should be encouraged. The Panel believe there needs to be better promotion of staff vacancies and apprenticeships to different groups. Advertising should be more carefully designed to promote applications from LGBT and BAME people, disabled people, and women in male dominated roles (and vice versa).

The Panel heard that the Council publishes information on the Gender Pay Gap and that an action plan is in place to work to close this gap, one of the Council's Policy Development Committees looks at the annual report and resulting plan.

Councillors were of the view that we need to report on not only the gender pay gap, but also put systems in place to report on the other identified pay gaps like, for example, for disabled people and BAME, to draw attention to any inequalities in this area and plan to better support diverse staff in future.

The Panel recognised that the make-up of councillors needs to be more diverse in Swansea, which is also reflective of most Welsh Councils. The Welsh Local Government Association (WLGA) said in their response to the National Assembly for Wales Inquiry into diversity in local government *'that evidence shows that diverse decision-makers lead to better and more diverse decisions. Diverse decision-makers encourage public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all. It ensures that more diverse life-experiences shape our decision making'*.

Councillors considered what could be done locally to encourage interest in standing to be local councillor by a more diverse range of people. They heard about some of the national activity that took place before the local elections in 2017 in the [Diversity in Democracy Programme](#).

When the Panel met to the DLG, they asked whether any of them had ever considered standing for Council. As an example of the difficulties faced a member of the group said *'I considered it but cannot face it, so many barriers. There are huge barriers for disabled people and those with mental health problems. There is also the fear of victimisation or bullying when a disabled person speaks out'*.

The Panel discussed some of the good practice outlined in the WLGA response that could be considered by Swansea including:

- Councils having good links with school councils and youth forums, with many actively engaging young people in council business and the democratic process through mock election, meetings with councillors and local democracy week
- Some Councils have open days ahead of elections and a programme of mentoring and shadowing

- Making the role of the councillor more accessible including, for example, facilitating remote attendance.

The Panel heard about the successful [Access to Elected Office schemes](#) used in Scotland and England. These provide financial support for disabled people standing in elections. Welsh Government have explored a similar potential 'door to democracy' fund. It is anticipated that a future programme will be rolled out in Wales and this was welcomed by the Panel.

- 2.3.12 Better collection of equalities employment information is required. The Panel reviewed the information provided for the Equalities Plan, expressing concern that in its current form it is not fit for purpose because it does not reflect correctly details about the staff employed, those leaving or making job applications. Councillors were told this is because completion of certain characteristics by employees or applicants was not mandatory. Councillors believe more assurance may be required so that staff or applicants feel that the information given is confidential and will be used appropriately. It was felt that lack of completion of personal data could be 'a perception issue' about why the questions are being asked and for what the data will be used.

The Staff Survey asked:

**Would you be willing to give the Council this information in order to help monitor equality and diversity within the organisation?**

67 (57.3%)	Yes	10 (8.5%)	No
31 (26.5%)	Yes but only anonymously	9 (7.7%)	Don't know

The Panel would like to see a way developed of encouraging completion using the Stonewall Toolkit '*what it has got to do with you*'. This can then be a tool used in a campaign to contact staff encouraging completion of personal data.

*Monitoring and evaluation are central to ensuring any activity is successful. They are the means of checking whether an organisation's diversity policy is being implemented effectively. They provide valuable management data, which can assist the organisation in making the right strategic and operational decisions to ensure it employs and retains a skilled and diverse workforce. **Stonewall***

The Panel heard that Human Resources and Organisational Development has recently started to build current data on grievances/bullying and harassment complaints and that this will be able to be analysed going forward. There is a clear role for the Strategic Equality Group to monitor and act on this data.

**Recommendations:**

- Implement a high-level cross council Strategic Equality Group
- Promote "SMART" working with our equality forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishing of Women's and Inter-Faith Consultative Forums
- Complete the Carers Strategy as a matter of urgency
- Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example, based upon a

toolkit by Stonewall '*what it has got to do with you*'. Report on 'pay gaps' such as disability and BAME, as well as gender in the future

- Develop further opportunities for disabled adults, including looking at expanding our social enterprise base
- Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

## 2.4 **Ensuring effective policy, practice and processes are in place that meet and help embed the Equalities Duty**

- 2.4.1 The Cabinet Member for Better Communities (People) explained that the current Equality Plan finishes in 2020 so it will shortly be revised and that preparations for that will soon begin. She said that the new plan would set clearer strategic direction for equalities, which the departments will deliver.

The Panel agreed with the Cabinet Member that the objectives in the new Plan must result directly in improved outcomes for people. Currently there is no overall assessment of the success of the plan; it is therefore difficult to make a judgement on its impact. Councillors felt it important that the Plan have political oversight in future. Revision of the plan should look at what it should and should not contain, how those items are decided upon and its format and ease of access. It was felt that the new Plan needed to be outcome focused and streamlined in design. The Equalities and Human Rights Commission have offered to work with Swansea in developing the new Plan; we should take them up on this offer. The Panel would like to see the key elements of the Plan produced co-productively. The final Plan must be available in accessible formats and these kept online. The Panel were keen to feed the outcomes of this Inquiry into that process.

- 2.4.2 The Equalities Impact Assessment (EIA) process is the way in which the Council assesses the impact of council decisions in relation to equalities matters. This is one way the Council plays due regard to Public Sector Duty (Wales) Act. In Swansea EIA's are integral to the decision making process and departments are advised to undertake it as early as possible in any initiative, ideally at inception. The Panel heard failure to undertake one or doing so after a decision has been made may invalidate the decision, or in the very least leave it open to challenge or judicial review. An EIA screening or full report must accompany any report for decision presented to Committees, Executive Board, Corporate Briefing, Cabinet or Council.

The Panel recognised that it is important the EIA process is consistently applied and to a high standard. It must demonstrate engagement has taken place. The EIA should be a living document, which can be left open throughout the project and continuously updated as appropriate, like for example, the EIA for the City Centre Redevelopment.

The Panel heard from the Head of EHRC in Wales that not all public bodies use stand-alone EIAs and some are using integrated software in the form of online portals that have shared live forms. This is something we could look at in Swansea in the future.



The Panel found the EIA process itself to be strong but, in practice, is dependent on the knowledge and understanding of individuals and this was felt to be inconsistent across departments. It was hoped that the introduction and further development of Equality Staff Representatives within Council departments would help to improve this. Although it was felt that it will only be the case if they are fully engaged in that role, attend regular co-ordination meetings and partake in training. It was felt that commitment to this from all departments will be key in its success. The Panel heard that dedicating time to this may be difficult but it is better to have people doing the role from within the departments who understand the departmental issues, as well as the equalities aspect.

- 2.4.3 The Panel heard about the designated Councillor Champions that cover a range of equality issues. The role of champions is to provide a voice for traditionally under-represented groups or issues, which need to be kept at the forefront of Council business.

After speaking to the Equality Forums and staff it was felt that this role needed to be more visible, recognising that they can play an important part in developing, communicating and supporting equalities. The Panel felt that there should be a better-defined role for Councillor Champion's better communication links with departments and the relevant Equality Forums.

- 2.4.4 The Panel welcomed the introduction of the Equality Staff Representatives, who are volunteers from each council area that will act as a link within departments in relation to equalities matters. We heard that their particular role is to advise and support staff in EIA process. Councillors were concerned that this role is limited by the capacity of the volunteer in their 'day job' because they have taken on this aspect in addition to their current roles.

When the Panel met with a group of 16 staff equality representatives they said that they saw their main role as assisting, giving advice and providing challenge on EIAs. Many pointed out that it was a new role for them so they would like help, training and support as required. They had received some initial training but recognised that more is needed, especially as the role develops. They have received some support from Access to Services Team but recognised that a lot more now falls on departments because the Access to Services Team has diminished. They did say that time is an issue, that like with co-production proper full engagement carried out for EIAs is time and resource intensive. They welcomed their role in getting the equalities message out there and embedded in departments. They had very little awareness of the role of Councillor Champions and were interested in making those links. They did feel that equality and diversity was taken seriously in the Council; saying it was not perfect and that it was about translating intention into action but they were surprised about how much better Swansea was doing in comparison to other local authorities. They did feel staff are much more comfortable with engagement and do have a more engagement 'mind set'. One concern is that time and capacity to release staff in some areas, to be able to do training, can be difficult.

The staff equality representatives think that the following can be done to

promote and improve diversity:

- Recruitment and Selection process needs to be looked at
- Engaging with and reaching out into communities more
- Using different modes to get messages out there
- Review the Councils website
- Improve access online to EIAs.

The Panel considered it important that:

- All Equality Staff Representatives have the capacity to fully engage with this role including attending training and the regular co-ordination meetings. The Strategic Equality Group should keep this under review and it be addressed if a department is not fully engaging, otherwise any improvement in consistency will be patchy
- The role is clearly defined and the staff representatives understand the expectations of the role
- Staff representatives are linked to a wider knowledge base/support network for advice, guidance and support.

- 2.4.5 Council policy and practice must be regularly reviewed to ensure equalities are widely and consistency embedded across the whole Council. We must ensure that when we amend or produce one policy it is not in isolation from other policies/strategies, as this can result in the creation of barriers and/or disadvantaging sections of our community.

*'The policies are all in place to make these things happen but on some occasions I feel that these policies actually highlight differences with people and end up doing the polar opposite.'* Staff Survey

Council policy must be reflective of what the Council wants to achieve. For example, we want the Council to be more reflective of the communities we serve. Council policies, therefore, must encourage applications from people with protected characteristics being employed and we must understand the current make up of our employment base.

*'The staff policies are not reflective of LGBT, BME and other minority backgrounds. The Council should do more to support the staff LGBT group, have the Council represented at Prides and should support minority groups through positive action. The Council should also make the services that can be tailored to minority groups easier to access.'* Staff Survey

If we want a more diverse workforce, we as an authority have to change our approach to recruitment and employment practice. Human Resources are working with Poverty and Prevention to improve the Council's Recruitment and Selection process. This will include a review of the existing Recruitment and Selection policy to ensure that it provides everyone with the ability to easy access employment opportunities advertised by the Council. The Panel welcomes this.

- 2.4.6 Councillors had a number of concerns with regard to of the quality, execution,

consistency and uptake of training on equalities and it is one of the key findings of the Inquiry.

The Panel heard that there is a selection of online training relating to equalities as well as some half-day, face-to-face sessions for staff. There is also a module on the manager-training programme and there is a section within the recruitment and selection course. Councillors heard that the uptake for equalities training is low, even the mandatory courses. The people the Panel spoke to clearly felt there needs to be a package of training that is consistently applied across the council. While there are many good examples of how staff respond and assist users well, there were a number of issues identified including the consistency in knowledge about 'making a reasonable adjustment', staff attitudes and understanding of unconscious bias.

From the evidence gathered and the feedback received from the consultation sessions the indication is that we need to focus on improving:

- the quality, relevance and delivery of training – involving others and real life scenarios designed to ground training. Some staff, such as those in 'frontline' services, need more detailed training where for others online courses may be suitable
- the skills and knowledge of Departmental Equality Representatives and Councillor Champions
- identification of gaps in knowledge and ensuring attendance through the staff appraisal process
- the use of skills, knowledge and experience on offer from equality forums to help improve and ground our training
- the monitoring and encouraging of uptake including collecting data on attendance and ensuring mandatory courses are completed.

*'Staff attitudes and knowledge of 'making a reasonable adjustment' vary widely, some go out of and some give no assistance at all.'* DLG

It would be beneficial for those working on the front line especially to have a direct understanding of some of the key barriers that people experience when accessing services. Recognising how they react and respond to service requests is vital to their role. Assistance from equality forums and/or people with protected characteristics in this staff training could help to improve this.

The Panel did find the training information/data provided in the current Equality Plan to be extremely limited. This information was found to be meaningless to the reader, and could be seen to have been produced to satisfy a tick box rather than to drive improvement. A system to collect better information needs to be put in place so that the Strategic Equality Group and managers can monitor that data and ensure effective take-up by staff.

Those staff who responded to the staff survey said:

**How would you rate your awareness of equality and diversity issues?**

40 (34.5%)	Very good	68 (58.6%)	Fairly good	7 (6.0%)	Fairly poor	1 (0.9%)	Very poor
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**Do you agree or disagree there is adequate training opportunities available for staff around Equality and Diversity within the Council?**

15 (13.2%)	Strongly agree	58 (50.9%)	Agree	35 (30.7%)	Disagree	6 (5.3%)	Strongly disagree
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**Have you ever received any equality and diversity training at the Council?**

93 (78.8%) Yes  
25 (21.2%) No

**If not, why not?**

19 (61.3%)	Never offered	5 (16.1%)	Not relevant to me
3 (9.7%)	Unable to attend sessions due to other commitments	4 (12.9%)	Other

Clearly whilst the majority of staff feel there are adequate training opportunities available around Equality and Diversity issues, a significant amount feel there is not, and almost a quarter of respondents have not received any.

The Panel feel that it should be a key role for the proposed Strategic Equality Group to review, explore and drive improvements in equalities training.

2.4.7 The Panel concluded that better internal communications with staff was required to specifically address equalities matters and keep them on the agenda, this should include:

- to inform of and proactively encourage take up in training, awareness raising
- provide a basis for what is considered as acceptable attitudes/behaviour
- celebrate good work
- advice on how to challenge negative views effectively/appropriately

**Recommendations**

- Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council take up the offer from the EHRC Wales to work with us on our Plan
- Clarify and further promote the role of Councillor Champions, ensuring better engagement with consultative forums and establish links with the Strategic Equality Group
- Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training, and that they are linked to a wider knowledge base/support network for advice, guidance and support
- Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of BAME, disabled people, LGBT, veterans and women in male dominated roles (and vice-versa)
- Review training opportunities to ensure they are fit for purpose. Including:
  - a) Ensure better uptake of equality related training amongst staff, especially front facing staff
  - b) Ensure middle managers have completed training and encouraging staff

- to do so
- c) Developing training with equality groups where possible
- d) Ensure the opportunities to do these are repeated regularly, particularly around unconscious bias, using alternative formats and making a reasonable adjustment
- e) Smarter Working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales
- Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

## 2.5 Improving the accessibility of council services

2.5.1 The Panel learnt from their engagement with the Equality Forums/Groups about the wide spectrum of accessibility issues that people face including physical accessibility/buildings, online and the website, telephone, face to face/attitudes, and language. When the Panel spoke to the different Equality Forums and Groups, they asked them *whether they had experienced any unfair barriers to accessing a service with the Council*. They said:

- Accessing the loop system can be problematic
- It is important for people who chair meetings to understand the impact of not being able to communicate easily and make allowances for that
- Transport can be difficult, availability of routes and accessibility of vehicles
- Council paperwork often not inclusive to everyone.
- Sometimes find staff not respectful in the way they treat you
- Physical access can be an issue, particularly in the Guildhall with very limited public disabled parking and the building difficult to access
- Many staff do not understand what 'making a reasonable adjustment' means so can be difficult to access services
- Council staff do not understand many of the issues people face.

The inquiry explored how well we are meeting our Equalities Duty in relation to accessibility, including what is being done to reduce or mitigate barriers to accessing our services. The Panel concluded that more needs to be done in this area and have detailed their concerns and suggestions for improvement as follows.

2.5.2 Firstly, high on the agenda of all the Equality Forums the Panel spoke to was the use of alternative formats and the valuing of different communication methods to reach and engage service users and the wider public.

Evidence showed that Easy Read, plain English, and young people friendly versions have been produced for some key documents, like for example the Annual Review of the Equality Plan. This was welcomed but the Panel did feel that currently this does not go far enough. Considering the use of alternative formats should be mainstream to Council services. Awareness raising/training and information on this aspect needs to be provided so staff clearly understand and are committed to this aspect of the Equality Duty.

The Panel heard that the Council has its own Welsh translation service and has membership of the Wales Interpretation and Translation Services (WITS); a partnership used for all other translation required.

Councillors were of the view that projects at the outset need to investigate who their audience is, then decide upon what the best methods to communicate with them is; ensuring that those most affected are provided with methods of communication that they can engage with. Making 'a reasonable adjustment' must be considered.

- 2.5.3 Secondly, the Council's website design, content and accessibility came out strongly in the consultation exercise as an area for improvement, with people finding it hard to access, difficult to navigate, out of date and having complex content. It was felt that little regard has been given to disabled people in the design and the accessibility aspects and that the website as a whole lacked understanding from the user's perspective.

From the evidence gathered the Panel concluded that the:

- the website needs to be reviewed and key aspects redesigned co-productively
- seeing it from the user's perspective is key, not only to make sure we are getting across what we need to tell people but we must also look at what people actually access our website for
- content needs to be available in a wider range of alternative formats, word versions of PDFs and text only for tables available
- navigation across the site needs to be reviewed so information is not hidden away through many links
- there is a need to explore creating "hover over" images to illustrate key terms and more difficult concepts similar to easy read
- need to look for good practice examples of websites from other councils and organisations
- need to provide simple guidance, advice and training for content providers.

- 2.5.4 Understanding challenges to accessibility allows us to plan for a more inclusive environment. The Panel felt it was essential to involve disabled adults and young people in the development and improvement of the Council's physical environment. We must address issues and barriers that individuals with mobility and sensory impairments face. Evidence also indicates that eliminating physical barriers to access benefits everyone.

The Panel heard about the idea of Community Hubs and how they can benefit accessibility locally. Cardiff's Hub was cited as a good example. Swansea is currently piloting one such Hub in Clydach. It is currently testing the technology and communications processes, if this is successful there are five other sites that have been identified for consideration.

*A Parent Carer attending a Panel meeting said 'we would like to see planning permission for buildings to have at least the bare minimum of accessibility and especially public buildings like schools. Thinking much bigger and building accessibility into policies. Need to work with people to develop this'.*

Another example she gave was about the ability to access large events by disabled people. *'At the Airshow last year, we welcomed the efforts put in place to have an area for disabled people, but we were ultimately disappointed and could not attend because the Council was not joined up in ensuring people were able to access it via car or public transport.'*

Nearly every group the Panel spoke to highlighted the need for appropriate and accessible toilet provision. The Panel welcomed the development of a toilet strategy for Swansea and its associated consultation exercise using elements of co-production.

2.5.5 When the Panel met with equality forums, they asked them about the accessibility of Council services including about digital inclusion. Some of what was said included:

- Not everyone has access to a computer so still need to communicate in different ways
- Can be difficult getting a response to emails, sometimes no acknowledgement or no response at all
- Carers Strategy not in place so no clarity and consistency around care packages and carers assessments. Swansea committed to producing a strategy that was to commence in 2017 but not yet in place
- Young Carers assessments are not taking place regularly and when they are, the young person is not always told about it
- Lack of Easy Read and plain English documents. More valuing of alternative formats. Need to think about how you are going to communicate with your audience at the outset of a project
- More opportunities made available to ALN 16 year+
- Better understanding and use of 'a reasonable adjustment'
- Need more consideration for the visually impaired in relation to trip hazards on pavements for people who are visually impaired, including street furniture and rubbish and recycling bins thrown across pavements
- The Councils website is inaccessible and hard to navigate. Some websites have widgets that help people with impairments access them. What is on offer on the website is often not what people need; need to look at content from perspective of user
- Idea of community hubs good for improving accessibility of some services.
- Attitude of frontline staff can make things difficult, lack of understanding and empathy of equality issues
- Staff need better understanding of equality related issues including cultural sensitivities. It is about education and engagement with ethnic communities, getting a balanced view and not stereotypes
- Experiencing negative attitudes much more since Brexit, we all need to get ahead of this
- Job application process needs looking at to encourage more diverse applications
- Council staff, teachers and Councillors have training/awareness raised on how to challenge racist or hate behaviour and attitudes effectively.

In their own words some people said:

*'I experienced homophobic abuse recently in Brynmill Park which has put me off using it. Could we have signs in public parks about them being inclusive and not tolerating bad behaviour including abuse and hate crime.'* LGBT Forum

*'Staff need better understand of equality related issues including cultural sensitivities. It is about education and engagement with ethnic communities, getting a balanced view and not stereotype.'* BAME Forum

*'Support for young people with ALN good until they reach adulthood and then there is very little support via colleges or other services. Pupils learn at school to have high aspirations when they leave school and there is nothing for them.'* Joining the Dots Team

- 2.5.6 The Panel looked briefly at the ease of engaging with the Council's democratic structures including the information that is available about the role of councillors, for example, use of alternative formats. They agreed that like with many other services we need to improve our visibility and accessibility.

Some people the Panel spoke to did say that accessing the Guildhall could be difficult with large number of steps, coming in the side entrance if you are in a wheelchair and the lack of public allocated disabled parking. This acts as a barrier to taking part in public meetings. Furthermore, the language used and formal procedure is often off-putting and hard to follow.

As Councillors, the Panel were dismayed at the lack of knowledge and understanding of our role amongst many people we spoke to and feel that we should all work harder to encourage more residents to engage with us, particularly those from more marginalised communities. The young people we spoke to indicate the desire to attend dedicated surgeries to talk to councillors on a more regular basis.

- 2.5.7 When the Panel spoke to the different Equality Forums/Groups they asked them *if they had ever engaged with the Councils democratic structures*. They said they felt that:

- Councillors could have a signification role in communicating information out into the community
- Could provide better information about Council meetings explaining how to engage and rules
- Would like more information available about how to engage with new projects and the consultation process
- Need better understanding and visibility of what the Councillor Champion's role involves. We would like an active champion that engages with our group
- Would like better links with decision makers
- Need to use more commonly used language that can be accessed by all your audience, need to be more down to earth and understandable
- Can be difficult to access some meetings in the Guildhall, accessibility is not ideal
- Find attitudes to disabled people can be negative at times and no one seems to challenge that in meetings.



2.5.8 When the Panel spoke to the different equality groups they asked them if *they had any suggestions about what would lead to a more inclusive environment*. They said:

- One point of contact with someone within the council who has understanding of the issues faced (Veterans Club)
- Raise awareness and improved training (all Equality Groups)
- More Community Hubs, Cardiff cited as good example along with the new pilot here in Clydach (Veterans Club, BAME Forum and Network 50+)
- Better signposting if unable to provide service, assist or have concerns (Veterans Club, BAME, LGBT)
- Include wider community in co-production activities (Carers, Network 50+, DLG)
- Need to improve staff attitudes, awareness and understanding of all equalities aspects (All Equality Groups)
- More use of alternative document formats (DLG, Carers, Join the Dots Team, BAME)
- More people able to use sign language, good access to loop system (Network 50+)
- School to be more consistently physically accessible and for attitudes of some schools to be more inclusive for children with a disability or ALN (Join the Dots Team, Carers, Big Conversation)
- Making large events in Swansea accessible to all (Joining the Dots Team, DLG).
- More co-production and better consultation mechanisms; look at services from the perspective of the user (All Equality Groups)
- Value equality groups, include and consult with them more, Council need to tap into their knowledge more. (All Equality Groups)
- Better more accessible website (All Equality Groups)
- Implement Human Rights based practice in all council work and review and monitor against these standards (DLG, LGBT)
- Transparency, sharing budgets and interdepartmental working (Carers)
- Training on unconscious bias particularly in interviewing and in first impressions (BAME, LGBT)
- Councillors because they have 'on the ground' knowledge have stronger role in communicating information out into their communities especially to those people who are harder to reach.

Some of these are reflected in the words of consultees:

*'Swansea Council does go a long way in promoting diversity and this is recognised but it is also about doing with groups and not to them.'* Parent/carer

*'Swansea has an amazing wealth of cognitive resources including stakeholder reference groups. These are wisdom pots and should be used more.'* LGBT Forum

### **Recommendations**

- Support the continued development of community hubs across the Council area. Ensure that all staff involved have full equalities training

- Address the significant issues with the Council website as identified in this report, key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers
- Develop more Easy Read and plain English resources
- Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussion aimed at young people, women, BAME, LGBT and disabled residents.

## 2.6 Improving how we work with and learn from others

2.6.1 The Welsh Government recognises the role of Councils and other large public organisations in eliminating unlawful discrimination, harassment and victimisation, as well as advancing equality of opportunity and fostering good relations between those people who share protected characteristics and those who do not. The Panel understand that the Council must pay due regard to these duties but they would like to see it also leading by example.

2.6.2 The issue of 'doing *with* groups/individuals and not *to* them' was raised a number of times throughout this piece of work by Equality Forums/Groups. Co-production and the ethos behind it was seen as important moving forward in identifying and helping to address this. We need to learn more from service users and the community so we can provide the best and most suitable services.

2.6.3 We must be smarter at working with others to help us meet our responsibilities and to do this well. This could include the third sector, Equality Forums and other public bodies. The proposed Strategic Equality Group could look into possibilities for sharing some training and consultation activities, this could include possible savings to the council through shared procurement and/or economies of scale.

Can we share, for example, training with other large organisation like for example the police, health, DVLA? There will be a number of areas of common ground particularly relating to the duties of large public bodies in Wales. This could also extend to some of our consultation activities. This could help provide more effective and economical training in a wider learning environment.

2.6.4 Learning from and with others is vital to the health of any organisation. It is important that we do this in relation to our equalities duty. We need to continue to investigate good practice elsewhere and this should not be restricted to just other councils. The Panel suggests that some areas that could be looked at in the near future could include recruitment and job application practice, the Council website and training.

## 2.7 Continuing to improve how we consult and engage

2.7.1 The Panel recognises that the Council carry out a wide range of consultation exercises as part of its day-to-day activities as well as those that are completed for large projects, policy changes and key council decision.

2.7.2 The Panel discussed consultation and the tools used and whether they are the most appropriate for our users. It was recognised that services use many different means to engage and consult with users and with the wider public, including for example surveys, events, and the face to face work the is done by Social Services.

The Panel did emphasise the need to reach out more into communities to get the views of those who do not normally engage with such activities. Also that our consultations must be more accessible to all. The Panel also heard that the current consultation strategy is old and needs reviewing and updating.

2.7.3 The Panel looked at some of the work the Council is doing around co-production. Co-production is the relationship where professionals and citizens share power to design, plan, assess and deliver support together. It recognises that everyone has a vital contribution to make in order to improve quality of life for people and communities.

The Panel explored the co-production activities that are taking place within the Council and with our partners, they heard that:

- That Social Services has been the department working most using co-production activities, but as a Council we are in the very early stages but have the ambition to do much more...councillors heard '*it is a work in progress*'
- There is a Co-production Development Officer based in the third sector with SCVS who promotes awareness, knowledge and support to the Council, health, West Glamorgan and the third sector
- The Co-production Network for Swansea launched in 2018
- The procurement process is being opened up to co-productive practices
- A number of areas of service improvement are being co-produced with citizens including, for example, Direct Payments Process and elements of the new Adult Services Framework
- The Council is in the process of developing a corporate co-production strategy expanding on the work done so far by Social Service. The Panel felt that the development of toolkit for staff to use would also be beneficial.

*'Co-production needs to be done in a consistent manner, have terms of reference and be at times of the day people can actually make, which may be outside of normal office hours.'* Carers Meeting

The Panel was interested in what we have learnt so far from our co-production experience, hearing that:

1. Genuine co-production is extremely time and resource intensive
2. Needs a certain amount of skill in building trust between those involved
3. Important to manage expectations
4. Difficult to find and include the really excluded people, must reach out more.

The Panel agreed with the Director of Social Services when he said '*when co-production is done well it will mean real decisions being made collectively. It should make the finished product better and more likely to provide the services people want.*'

The Panel supports the development of the co-production strategy.

2.7.4 The Panel recognised that by consulting effectively we could improve both our service provision, the making of policy and its implementation. It is therefore essential that we get it right. The Panel believe that our consultation activities need to:

- a) be clear and concise, using plain English and avoiding acronyms
- b) have a clear purpose that do not ask questions when a final view/decision has already been made
- c) be proportional to the potential impacts of the proposal
- d) given an appropriate amount of time
- e) consider the full range of people, business and voluntary bodies affected and target appropriately
- f) take account of the groups being consulted and consult in a way that best suits them where possible
- g) feedback to contributors

2.7.5 Equality Forums/Groups felt that earlier involvement and engagement in the development of projects, policy or service changes would be beneficial for both the Council and the service user, by influencing how they develop rather than the Council having to spend money going back and changing things later. The Panel recognised co-production is key to improving how we do this.

2.7.6 Through the Inquiry evidence gathering, the Panel heard about the need to feedback to contributors after a consultation exercise has taken place, whether this is through social media, press or individually via email. Some people also felt that certain consultations have been 'a tick box exercise', consulting on change but not really taking on board concerns and making original decision anyway. They could not understand why, in that case, we would consult rather than just inform people it is going to happen. It was felt strongly that consultation should have the true ability to influence change.

### **Recommendations**

- Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.

## **2.8 Protecting future generations**

2.8.1 All the Inquiry conclusions and recommendations relate to the Wellbeing and Future Generations Act goal 'a more equal wales' *A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).*

The Panel did recognise the importance of protecting future generations in its work looking at equalities in Swansea. The Panel believes by building good equalities practice into Council plans, policies and service provision will not only improve equalities in the shorter term but will lay the ground for the long term goal of 'a more equal wales'. It was believed that the Council can meet its equalities duty well and influence the longer term goal of 'a more equal

Wales' by:

- Effective and rolling programme of equalities training. Regularly reviewing this to ensure current and reflective of the Council's needs
- The Council being more representative of the community it serves including both staff and councillors
- Strong leadership from the top
- Working more with communities co-productively
- Better links with and between community groups, forums and officers/councillors in equalities
- Better communication of key messages to staff and the public
- More accessible and inclusive services
- Aim to create a more inclusive education system in Swansea where disabled children and those with Additional Learning Needs can access education in their local school
- Working more with our partners to address particular challenges and/or where responsibilities are wider than the Council. For example, in reducing isolation and increasing accessibility through the development of better accessible transport links.

The Panel heard that a well-being measurement framework would be used by Public Services Board to analyse how we are meeting the Wellbeing and Future Generation Act goals.

### **3 RECOMMENDATIONS**

**It is recommended to Cabinet that it should:**

#### **Quick wins**

- 3.1 Implement a high-level cross council Strategic Equality Group.
- 3.2 Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council take up the offer from the EHRC Wales to work with us on our Plan.
- 3.3 Promote "SMART" working with our Equality Forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishment of Women's and Inter-Faith Consultative Forums.
- 3.4 Clarify and further promote the role of Councillor Champions, ensuring better engagement with consultative forums and establish links with the Strategic Equality Group.
- 3.5 Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training and that they are linked to a wider knowledge base/support network for advice, guidance and support.

- 3.6 Complete the Carers Strategy as a matter of urgency.
- 3.7 Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of BAME, disabled people, LGBT, veterans and women in male dominated roles (and vice-versa).
- 3.8 Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50<sup>th</sup> Year as a City Anniversary to launch what will be an ongoing process.

### **Medium Term Actions**

- 3.9 Review training opportunities to ensure they are fit for purpose. Including:
  - a) Ensure better uptake of equality related training amongst staff, especially front facing staff.
  - b) Ensure middle managers have completed training and encouraging staff to do so.
  - c) Developing training with equality groups where possible.
  - d) Ensure the opportunities to do these are repeated regularly particularly around unconscious bias, using alternative formats and making a reasonable adjustment.
  - e) Smarter Working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales.
- 3.10 Support the continued development of community hubs across the Council area ensure that all staff involved have full equalities training.
- 3.11 Address the significant issues with the Council website as identified in this report, key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers.
- 3.12 Develop more Easy Read and plain English resources.
- 3.13 Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.
- 3.14 Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example, based upon a toolkit by Stonewall '*what it has got to do with you*'. Report on 'pay gaps such as disability and BAME, as well as gender in the future.
- 3.15 Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

## **Longer Term Goals**

- 3.16 Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention of the Rights of the Child. Ensure these Conventions are reflected in the Councils new Equalities Plan in 2020.
- 3.17 Develop further opportunities for disabled adults, including looking at expanding our social enterprise base.
- 3.18 Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

## **Recommendation for all Councillors**

- 3.19 Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussions aimed at young people, women, BAME, LGBT and disabled residents.

## 4 ACKNOWLEDGEMENTS

The Panel would like to record its thanks to the following people who came and gave evidence to us:

- 50+ Network
- BME Forum
- Young People through Big Conversation
- LGBT Forum
- Joining the Dots Team
- Disability Liaison Forum
- Swansea Veterans Club
- Carers who attended the focus group
- Head in Wales, Equality and Human Rights Commission
- Cabinet Member for Better Communities (People)
- Cabinet Member for Business Transformation and Performance
- Chief Legal Officer
- Chief Digital and Transformation Officer
- Staff Equality Representatives
- Consultation Co-ordinator
- Strategic Delivery and Performance Manager
- Council Directors, Strategic OD and HR Manager
- All those people who contributed to the Inquiry through our public Call for Evidence.

## 5 ABOUT THE INQUIRY PANEL

The **Equalities Scrutiny Inquiry Panel** is a team of Councillors who are not members of the Cabinet. Their role is to examine a strategic issue of concern and to make recommendations about how policies and services can be improved.

### **Membership of the Panel**

Louise Gibbard (Convener)  
Lyndon Jones  
Sam Pritchard  
Erika Kirchner  
Terry Hennegan  
Susan Jones  
Yvonne Jardine  
Dr Gideon Calder (Co-optee)

Michelle Roberts from the Council's Scrutiny Unit supported the Inquiry.

### **For further information contact:**

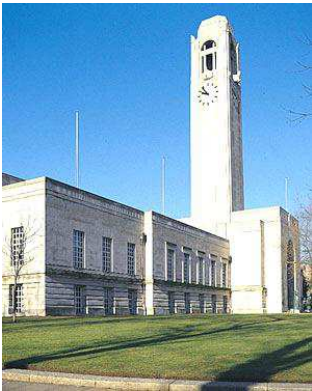
Michelle Roberts, Scrutiny Officer  
Swansea Council  
[Michelle.roberts@swansea.gov.uk](mailto:Michelle.roberts@swansea.gov.uk)  
01792 637256



## Making Sure Swansea Council is Treating People Fairly



A Councillor is someone you and people in your area vote for



They work with your local council.



Some Councillors make decisions about your area. They are called Cabinet Members



The rest of the Councillors look at the decisions they make. They are called Scrutiny Councillors



This year they looked at how they can make things fairer for people in Swansea.



This means everyone should be treated fairly and should feel well, safe and respected



They found that Swansea Council does treat people fairly most of the time but could do better.



Councillors think we could be better at treating people fairly by:

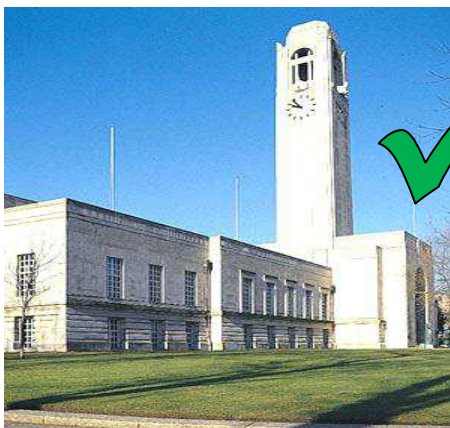


- Looking at what is happening here and in other places to see what it means for us



**Understand**

- The Council understanding how important it is to treat people fairly



- Making sure the Council is set-up in the right way to treat people fairly



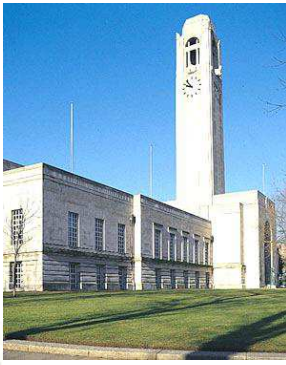
- Making the Council services easy to use for everyone



- Working with other people like you to make the Council fairer

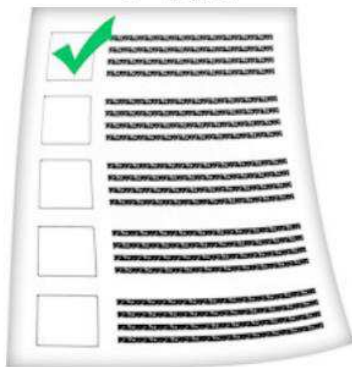


- Making the Council fairer for all people in the future



The Councillors have asked those who make the decisions for Swansea Council to:

## Plan



- Put together a plan that will make the Council fairer



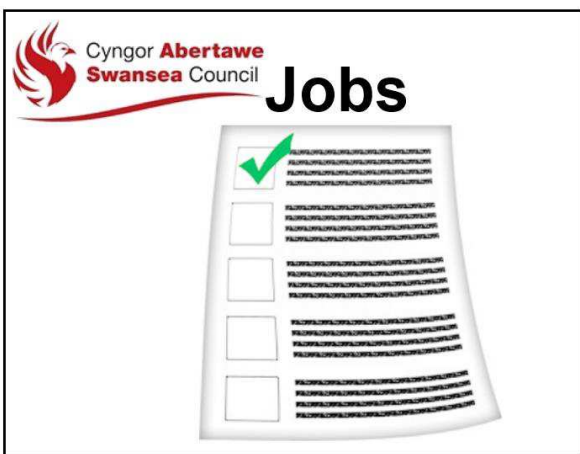
- Put together a group of people that can make sure the Council is fairer in the future



- Work with other people to make the Council fairer



- Put together a plan for people who look after others



- Look at how the Council gives people jobs and make sure it is done fairly



- Make sure we all celebrate being different and feel good about who we are



- Make sure that Council staff are trained to treat people fairly



- Make the Council services easier to use



- Make it easier for everyone to say what they think about Council Services



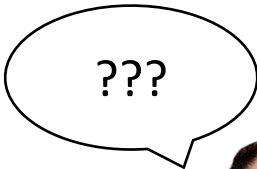
- Look for ways to offer different types of work for disabled people in Swansea



- Making sport in school fair for boys and girls



Councillors thanked all the people that helped them with their work



If you would like to speak to us more about this, you can:



Call us on:

01792 637732



Email us:

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



Send us a letter to:

Scrutiny  
Gloucester room - Guildhall  
Swansea  
SA14PE



# Scrutiny Equalities Inquiry Report

For 11 – 18 year olds



## Important information!

Swansea Council has **72** locally elected Councillors.

**12** of these are **Cabinet Members**. They make all **decisions and policies** for the Council.

The other **60 Councillors** are required to look at and examine the **Decisions & policies** made by Cabinet Members to make sure that the Council is doing the best it can for the people of Swansea.

### Swansea Council



### ↳ This is Scrutiny! →

When Councillors look at one topic in detail, we call this a:

### Scrutiny Inquiry →

There is also a group of Council staff: **'The Scrutiny Team'** who support the Scrutiny work – They write letters and reports like this one you are reading now.

Recently they looked at:  
How Swansea Council is meeting its duties under the **Equality Act 2010**



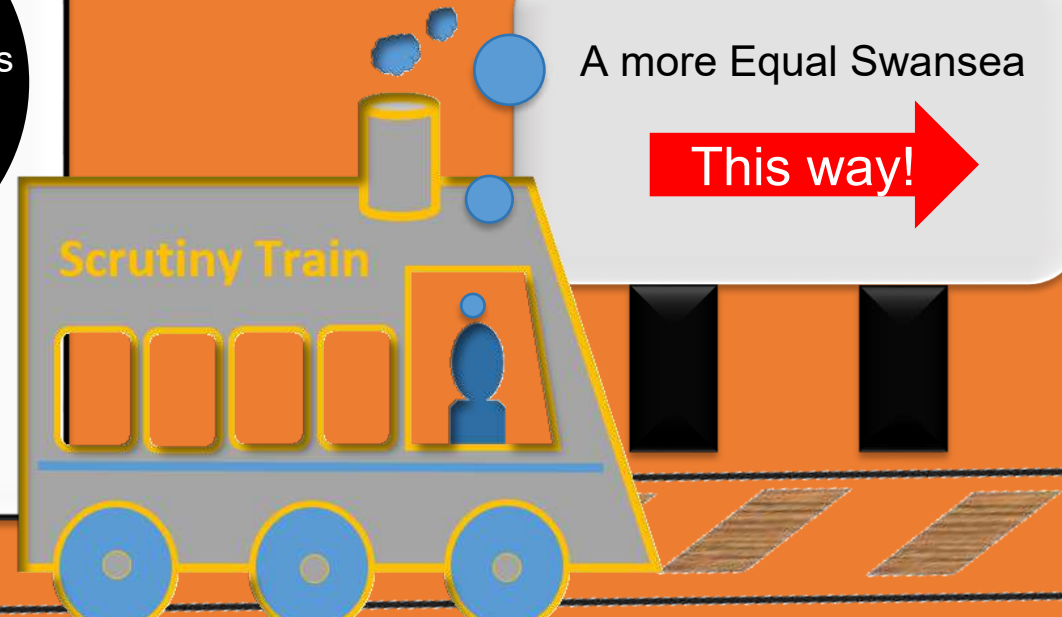
## Hop On Board!

We'll take you through this Scrutiny Journey  
Make sure you read all the information boards we come across!

A more Equal Swansea

**This way!** →

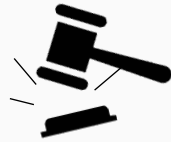
### Scrutiny Train





It is against the law to discriminate against anyone because of their **'Protected Characteristics'** – These are:

- Age
- Gender reassignment
- Being Married or in a Civil Partnership
- Being Pregnant or on Maternity Leave
- Disability
- Race (including colour, nationality, ethnic or national origin)
- Religion or Belief
- Sex
- Sexual orientation



**The Equality Act 2010 is a law that was put in place to legally protect people from discrimination in the workplace and in wider society. It sets out the different ways in which it's unlawful to treat someone.**

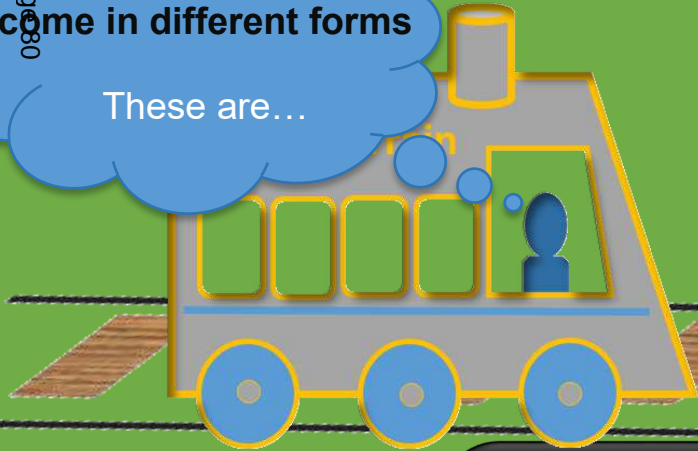


**Firstly**  
What is the Equality Act???  
...It's a LAW!



Discrimination can come in different forms

These are...



**✗ Direct discrimination**  
Treating someone with a protected characteristic less favourably than others

**✗ Indirect discrimination**  
Putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage

**✗ Harassment**  
Unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them

**✗ Victimisation**  
Treating someone unfairly because they've complained about discrimination or harassment

## Interesting Fact!

All letters and reports and details of all the meetings held by this Scrutiny Panel are published on the Council's website!

### The councillors concluded:

Overall the council is doing well to eliminate discrimination but the Scrutiny Enquiry Panel also found some areas where the Council could do better.

Things to improve include:



**Scrutiny Inquiry Panels** look at one topic in detail for 6-9 months and develop a report with evidence and ideas to improve the Council's services.

**The Scrutiny Councillors** gathered information, held discussions with different organisations and residents of Swansea to investigate how Swansea Council is meeting its duties under the Equality Act 2010.

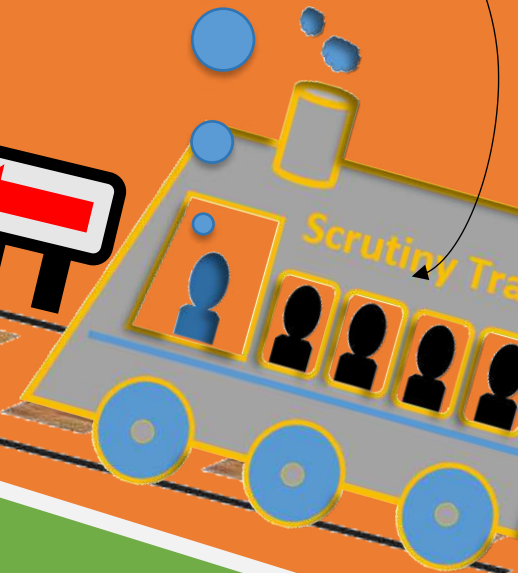
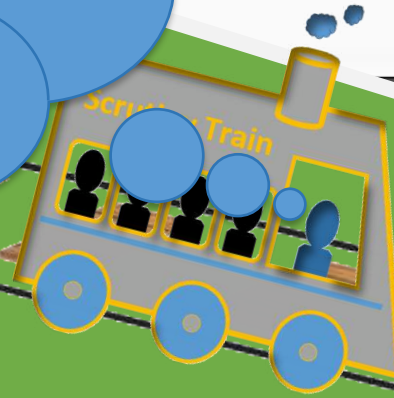
Scrutiny Councillors also went to speak to young people at the Big Conversation Events earlier this year to get their views.



### For this Scrutiny Inquiry:

A group of Councillors got together and formed a Scrutiny Inquiry Panel

Page 81



✓ Keeping a close eye on what is happening throughout the UK and how this impacts us in Swansea

✓ Continuing to build upon the commitment to equality and diversity that is already in place within the Council

✓ Make sure there are policies, practices and processes in place that meet the Equalities Duty of the Council

✓ Ensure council services are more accessible to everyone

✓ Improve how we work with and learn from others

✓ Protecting future generations

## Interesting Fact!

The Scrutiny Team write a [monthly Newsletter](#) – You can keep updated with the work of Scrutiny by subscribing to this, click [here](#).

These are the list of recommendations the Scrutiny Councillors presented to the Cabinet Members:



Scrutiny Councillors give recommendations for improvements to the Cabinet Members.

Cabinet Members will look at these suggestions and see if they can take any on board.

Off to see the Cabinet Members!

The Scrutiny Councillors asked the Cabinet Members to consider some recommendations

Cabinet  
This way!

More Recommendations  
This way!

1. Develop a new Equality Plan – With the help of different groups of people in Swansea



3. Put together an Equality Group for Swansea Council

2. Review the way Swansea Council Employs People, Urgently!

You're hired!



4. Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination – use the Swansea 50th Year as a City Anniversary to launch this as an ongoing process



5. Complete a plan to look after Carers in Swansea, Urgently!



6. Ensure all Swansea Council Staff are well trained to treat others equally



.. more recommendations



7. Ensure more of the Council's services & documents are accessible to different people

8. Make it easier for everyone in Swansea to share their views of the Council's Services

10. Work with teachers and learners to tackle issues in schools around gender stereotyping – especially in sport activities



9. Councillors should increase their engagement with equality groups

11. Find different ways to offer jobs to disabled people



**This is our last stop!**

If you would like any further information on this Scrutiny Inquiry or any other work of the Scrutiny Councillors, then please contact us...



The Scrutiny Councillors will now wait to see which of the recommendations the Cabinet Members will take on board.

They will re-visit this Inquiry again in 1 year to see what progress has been made.

This train terminates here



**By Phone:** 01792 637732

**By E-mail:** [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk)

**By Post:**

Scrutiny  
Gloucester room, Guildhall  
Swansea, SA1 4PE

# Agenda Item 10.



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

Cabinet – 19 September 2019

### Quarter 1 2019/20 Performance Monitoring Report

<b>Purpose:</b>	To report corporate performance for Quarter 1 2019/20.
<b>Policy Framework:</b>	<i>Delivering a Successful &amp; Sustainable Swansea Corporate Plan 2018/22</i> <i>Sustainable Swansea – Fit for the Future</i>
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The performance results are noted and reviewed to help inform executive decisions on resource allocation and, where relevant, corrective actions to manage and improve performance and efficiency in delivering national and local priorities.
<b>Report Author:</b>	Richard Rowlands
<b>Finance Officer:</b>	Paul Roach
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 This report presents the performance results for Quarter 1 2019/20 delivering the Council's Well-being Objectives (priorities) described in the Corporate Plan 2018/22 *Delivering a Successful & Sustainable Swansea*.
- 1.2 The outturn presented in the performance tables (Appendix A) incorporates an overview of performance that needs to be considered alongside the current financial situation of the Council.
- 1.3 The financial resources required to achieve the specified performance levels in 2019/20 have been provided in the approved budget. As part of the work on Sustainable Swansea – Fit for the future there will be an increased focus on understanding the level of activity and outcomes that

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

## **2. Performance and Improvement**

- 2.1 Performance is judged using the results measured by Corporate Plan performance indicators compared to agreed targets.
- 2.2 Improvement is measured by comparing the results of Corporate Plan performance indicators against the results from the same period last year where comparison is possible.
- 2.3 It is important to point out that each of the corporate priorities cannot be seen in isolation from each other. Each priority both affects and is affected by the others. For example, Improving Education and Skills is both important to our efforts to tackle poverty and improve the economy. For this reason, many of the performance indicators allocated to measuring one priority can also be used to show progress meeting other priorities.

## **3. Outturn**

- 3.1 The Corporate Plan performance indicators measure progress meeting the following key objectives:
  - i) Safeguarding people from harm.
  - ii) Improving education and skills.
  - iii) Transforming our economy & infrastructure.
  - iv) Tackling poverty.
  - v) Transformation & future Council development.
  - vi) Maintaining and enhancing Swansea's natural resources and biodiversity.
- 3.2 The outturn for Quarter 1 2019/20 shows that **36 out of 57 (63%)** Corporate Plan performance indicators (that had targets and where there was data) met their targets. **25 out of 53 (47%)** comparable Corporate Plan performance indicators also showed improvement compared to Quarter 1 2018/19.
- 3.3 The performance tables in Appendix A also set out an overview of performance for each Corporate Plan priority provided by Directors and Heads of Service who are the responsible leads; these overviews are set out in para 4.0.

## **4. Context: Overviews of Performance in Quarter 1 2019/20**

- 4.0.1 The following overviews provided by responsible departments describe the context to the performance meeting the Council's key objectives as at the Quarter 1 2019/20.

#### 4.1 *Safeguarding people from harm*

- 4.1.1 It is difficult to judge whether the continued reduced rate of take up of corporate safeguarding training reflects non-compliance with a mandatory training requirement or simply that the numbers of new staff for whom training is required is much lower than in the past. Improvements to the corporate training database to develop a better understanding are scheduled but are unlikely to be implemented this financial year.
- 4.1.2 Performance in children services remains strong despite high levels of demand that are impacting on capacity to meet the Council's challenging stretch targets. Looked after children numbers have levelled off and are expected to begin reducing again this year.
- 4.1.3 Adult services performance is similarly impacted by both increased demand and the increasing complexity of that demand. The most obvious area of concern remains the availability of timely recourse to personal care for individuals at home and the consequent impact on delayed transfers of care for individuals from hospital back into the community.

#### 4.2 *Improving education & skills*

- 4.2.1 Swansea's performance was above the expected benchmark level at key stage 4. Attainment of primary age pupils at foundation phase and key stage 2 indicate that, although targets were not met, outcomes suggested increased confidence in the accuracy of teacher assessments in Swansea as well as the impact of changes in assessment areas in foundation phase.
- 4.2.2 The attainment of learners who are looked after children is variable. Education staff reported a number of factors that can affect this performance indicator each year due to the small numbers of learners involved including a higher number of pupils with additional learning needs, late arrivals from other counties, and a volatile population who move in and out of care which can disrupt education at key points in their educational career particularly in adolescence. Attendance in Swansea remains comparatively high.
- 4.2.3 Partneriaeth Sgiliau Abertawe/Swansea Skills Partnership (PSA) meets regularly and has two, clear workstreams - digital capacity and advice, information and guidance for vocational education and careers.
- 4.2.4 Looking forward the implementation of the Additional Learning Needs and Education Tribunal Act 2018 and Curriculum for Wales 2022 under the Welsh Government's National Mission will pose challenges and opportunities that will need reflecting in the performance frameworks of the Education Department.



4.2.5 Measures of inclusion such as attendance, exclusions and numbers of learners who are educated otherwise than at school continues to be monitored. There is an increasing emphasis on progress made and value added within a more localised curriculum and service offer.

### 4.3 *Transforming our economy and infrastructure*

4.3.1 The vast majority of targets have been met this quarter. However, the Percentage of all major applications with an economic imperative that are approved has missed target owing to two applications that were unjustified development in the countryside and within a floodplain respectively. Negotiation would not have resulted in a positive outcome as the schemes were unacceptable in principle.

4.3.2 A new PI, EC7, has been added for 2019/20 and it was very pleasing to see this PI, which measures the average turnaround time for land charge searches completed in the period, over-achieving against the target. This is a new area of work for the Planning & City Regeneration Service following the commissioning review.

4.3.3 Turning to the major regeneration priorities, Swansea Central Phase 1 has made excellent progress with the start of the enabling works contract. The main contract will be awarded subject to Cabinet approval in Q2. The Kingsway infrastructure project continues to make good progress on site, and the multi-disciplinary consultants appointed for the Employment Hub building have now completed Stage 2 of their design process. We envisage a planning application will be submitted later this year.

4.3.4 At Hafod Copperworks, the HLF Stage 2 Powerhouse project procurement is underway. The Morfa bascule lifting bridge repair programme has also commenced. Further discussions have taken place with the Skyline project team and a board decision is envisaged in Quarter 2.

4.3.5 The Mariner Street student development works contract finally commenced on site which, on completion, will have a major effect on footfall at High Street. The Felindre inward investment being delivered by DpD is making excellent progress on site and is due for completion in Quarter 3. Preparations are in hand to progress the marketing exercise for strategic development sites which has seen an encouraging response to the Council's initial PIN notice.

4.3.6 Quarter 1 saw us celebrate the reopening of the newly refurbished Plantasia, following a £1m capital investment by our operating partners Parkwood Leisure. This work took place as part of our long term sustainability strategy for leisure and recreation, which also includes the city's Leisure Centres benefiting from a £5m capital investment, currently underway. In relation to this, as a result of collaboration with Education, further investment was also secured for Cefn Hengoed's community and leisure facilities and a work programme agreed accordingly. Over the

course of the forthcoming year work initiated this quarter will come to fruition and be reported on as it unfolds.

- 4.3.7 Continuing the celebratory theme, the Council is leading on celebrating Swansea's 50th anniversary of city status, the celebration of which was launched, with partners, at the Liberty Stadium, with a new brand and programme rolled out across the city, including street dressing, community events, theatre productions, and a Royal Visit during the first week of July.
- 4.3.8 Our annual programme of events continued to grow as Croeso Festival opened the season with Welsh music and dance and street food, which was further enhanced in May with the second - and largest yet - Pride Festival taking place alongside the Street Food Festival. May also saw our annual Tourism Summit taking place, which was better attended than ever and our key messages and campaign news was well received by our partners in the tourism and hospitality industry, all of whom buy into and benefit from our strategic marketing campaigns to raise the profile of and drive visits to the destination. This work is invaluable to the business case for Skyline and other developments and we continued to work with partners to ensure the data and case for investment is robust.
- 4.3.9 Ongoing activities to promote artist involvement in the city centre regeneration continues, helping secure the planning consent for Phase 1 of Swansea Central and we continue to deliver on wider regeneration and tackling poverty priorities, including the recruitment of apprentices and work placements in our theatre and museums - in partnership with Creative & Cultural Skills and Gower College.
- 4.3.10 The quarter concluded with the announcement that our partnership with Race Council Cymru had secured a quarter million grant to invest in the creation of a cultural hub in the Arts Wing of the Grand Theatre, and the lead in to the Wales Airshow - which was delivered successfully to a larger audience than ever, with the inclusion of a special 50th night time event, prior to the delivery of the iconic 20th anniversary Stereophonics gig at Singleton Park to an audience of 35,000 plus. We will report further on this and the rest of the summer programme in the next quarter report.
- 4.3.11 The Council's More Homes Programme, focussed on providing new build Council housing, continues to move forward at pace. Cabinet approved the Housing Revenue Account Development Plan in February 2019. This sets out the programme to develop over 140 new homes up to 2022. Following on from the first passivhaus pilot at Colliers way, the second phase of the More Homes project is underway at a further 2 sites at Parc Y Helyg and Colliers Way Phase 2. As part of this phase, 34 new homes will be built as 'Homes as Power Stations' using funds from a £1.5m Innovative Housing Programme grant from the Welsh Government. The homes will have innovative features such as solar panels and battery-powered energy, as well as the inclusion of swift bricks to support biodiversity.

4.3.12 As part of the Council's commitment to innovative, energy efficient housing, a retrofit scheme is also being carried out on 6 bungalows in Craig Cefn Parc. This will test the addition of renewable technology to existing inefficient housing, transforming them into some of the most energy efficient homes, and continues the Homes as Power Stations theme.

4.3.13 Two new family homes are also being developed in West Cross as part of a refurbishment of a former social services building and a further 24 homes are planned for a new development in Hill View Crescent & Beacons View Road in Clase, where a piece of land has been identified as suitable for 25 new 3 Bedroom Houses. This will also be the site of a new build Welsh medium primary school, and will provide an opportunity to regenerate the area. The Council has also published a PIN to explore interest from potential partners in delivering a development programme across around 30 potential HRA sites in phases. The aim will be to deliver mixed tenure housing on the Council owned sites, whilst maximising the delivery of affordable housing to meet local need.

#### 4.4 *Tackling Poverty*

4.4.1 We know that levels of poverty in Wales remain persistently high, particularly for working age people and those under 18 years of age and the risk of poverty has increased for working and workless households. In-work poverty where somebody in the household is working, is more common than workless poverty.

4.4.2 The roll out of cuts to the welfare system has had a significant impact on people experiencing poverty and people that are at risk of poverty. Across the UK and in Swansea we have seen a rise in the demand for foodbanks and an increase in rising debt including rent arrears. Joseph Rowntree Foundation's Poverty in Wales report (2018) identifies that the drivers of rising poverty across the country are reductions to working age benefits, rising living costs, especially housing costs and poor quality work. The Council is committed to reducing poverty and the impacts poverty has upon its citizens.

4.4.3 We have been working with partners to implement the revised Poverty Strategy including working to establish a 'Swansea Poverty Truth Commission'. The Commission will bring together people with lived experience of poverty, with key decision makers. Together they will develop relationships and facilitate understanding and identification of issues that can be worked through to make change.

4.4.4 To help address the impacts of Welfare Reform, data is being utilised to target households with details of how to take up the Welsh Government's Child Care offer. Plans are in place to target lone parents whose youngest child is between 3 and 4 years old with an offer of employability support, prior to the child turning 5 years old and triggering a potential loss of entitlement.

- 4.4.5 There are also plans to utilise data to target a further cohort of households that could benefit from employment support via Swansea Working. Swansea Working continues to be embedded into working practices across the Council to provide a single entry point for employability support.
- 4.4.6 Work has begun to develop a pilot programme that will support prison leavers prior to and following their release, to include housing, welfare benefits and employability support. Accredited training in key employment sectors continues to be offered with further courses planned in health and social care, construction, health and safety, security, hospitality and customer service.
- 4.4.7 We continue to facilitate key forums focussing on tackling poverty including the internal Poverty Forum which is currently developing actions around the themes of Employability, Financial Inclusion and Data Sharing, the Swansea Poverty Partnership Forum and the Financial Inclusion Steering Group.
- 4.4.8 Plans are in place to carry out a Financial Inclusion review and Employability Support review to ensure there is appropriate accessible support, advice, guidance and coordination of resources to best meet the needs of citizens.

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

- 4.5.1 Progress continues to be made towards delivering the Corporate Plan Well-being Objectives. The revised Sustainable Swansea programme continues to deliver in Quarter 1 with:
- Digital: 50% of the Digital projects are already complete, enabling new ways of working and efficiency across the Council. The shift to digital channels continues to increase as demonstrated in the performance indicators CUST2a and b above, with more people choosing digital first. The Digital Inclusion Strategy is underway and will be completed by September.
  - Future Council: Areas of the organisational development strategy are now being delivered after months of development work, e.g. new cohorts of management training. Work also continues on the Well-being of Future Generations and corporate strategy. The Scrutiny Inquiry into Equalities and Diversity delivered its findings. Overall the report was positive however, there were several recommendations which are now being incorporated into the Council's future work plan and Strategic Equality Plan. Cabinet and senior managers have met to discuss the long-term strategic opportunities around regionalisation and shared services. Commercial opportunities continue to be monitored and pursued in line with the commercial plan.
  - Transformation: New re-shaping reviews are underway alongside new models of delivery and continuous improvement projects. These new areas are in addition to the 17 commissioning reviews and 4 cross-cutting reviews already in flight. Senior managers have also undertaken

a review of potential radical long-term options. Although progress on the delivery of savings shows an improvement in Quarter 1 compared to the same period last year the indicator FINA6 remains red. Directors, Corporate Management Team and Cabinet Members are delivering remedial actions to ensure overall net expenditure is held within the current budget as set by Council. New governance arrangements are in place to seek assurance around financial sustainability and that planned savings will be achieved. Projects to increase public engagement continue to develop including webcasting within the Council Chamber and the corporate co-production strategy. Further developments to Welsh Language delivery continue to be made with a review of training provision during the period.

#### 4.6 *Maintaining and enhancing Swansea's natural resources and biodiversity*

4.6.1 Maintaining and enhancing Swansea's Natural Resources and Biodiversity is a new corporate priority adopted mid-year in October 2018 for which nearly all performance indicators are measured annually for the period 2019/20. The municipal waste recycling figures reported a quarter in arrears show that an upward trend was achieved over the course of 2018/19 and whilst marginally below target a further improvement is expected following the recent introduction of new recycling campaign.

4.6.2 Swansea is one of the most ecologically rich and diverse counties in the UK. Its unique variety of habitats and species and wonderful range of parks, greenspaces, nature reserves, beaches and landscapes needs to be maintained, enhanced and sustainably managed for the benefit of everyone now and into the future. The Council has a duty to maintain and enhance this biodiversity across all its services, reduce its carbon footprint and improve knowledge and understanding of the natural environment, thus benefitting health and well-being.

4.6.3 To this end we have been working with partners to develop a Green Infrastructure Strategy for Swansea and develop and implement opportunities to enhance biodiversity and improve ecological connectivity. We have identified initiatives that will increase Swansea's urban tree canopy cover and are in the process of preparing a Council tree policy. Recent negative public reaction to tree felling on public and private land is testimony to the value that Swansea residents attach to trees. Unfortunately a substantial number of trees will need to be felled across the County over the next few years due to Ash Dieback - a disease which destroys trees and for which there is no cure. This means the planting of new trees will become increasingly important and steps have already been taken to support this planting through partnership working with Swansea Trees, the Woodland Trust, Trees for Cities and volunteers.

4.6.4 The Local Biodiversity Action Plan is under review and we continue to develop and deliver the Nature Recovery Action Plan, for example, by working with Education to support schools to enhance their grounds for biodiversity. Primary schoolchildren have been provided with the opportunity to access and learn about their natural environment and

there have been a number of public events held to improve awareness and understanding of our natural environment.

- 4.6.5 Actions have been taken that help to control invasive non-native species and there have been enhancements to greenspace as part of an environmental works programme to meet our commitment to the Welsh Housing Quality Standard. We continue to minimise our use of non-recyclable products and materials, and recycle more waste.
- 4.6.6 Ongoing commitments include working towards creating a low carbon economy, which promotes renewable energy and taking actions to reduce our carbon footprint. We also continue to participate in and support Low Carbon Swansea initiatives and deliver a programme of wildflower planting and management.
- 4.6.7 Planned actions over the course of this year include beginning to map existing Green Infrastructure assets and ecosystem service provision and identifying areas which provide the best opportunities for improvement. We also plan to undertake a preliminary biodiversity audit of Council owned land and where possible will be seeking to manage our corporate assets for the benefit of biodiversity and natural resources. This supports ongoing work towards improving access to and maintaining the quality of our parks and greenspaces and engaging with local communities to encourage volunteering and to support them taking action to enhance and maintain their local greenspaces and wildlife sites.

## **5. Considerations**

- 5.1 When making comparisons between previous quarters and 2018/19, the following should be considered:
  - 5.1.1 The nature and number of some performance indicators (PIs) has changed between these two periods and therefore direct comparisons may not always be appropriate.
  - 5.1.2 Many of the performance measures are new and definitions may need further refinement.
  - 5.1.3 Some targets for new performance indicators are still being baselined.
  - 5.1.4 Some data will be enhanced and improved to be more robust as data collection methods are developed and / or refined by services over the coming quarters.
  - 5.1.5 The results do not always account for changes in resources and workload during that period (although details can be seen in the numerator and denominator information and in the comments column of the data tables attached to this report).
  - 5.1.6 There may be changes to the numerator and denominator information that may affect the trends by showing a decline while the volume of work has increased.

## **6. Equality & Engagement Implications**

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

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

6.1.1 Our Equality Impact Assessment (EIA) process ensures that we have paid due regard to the above.

6.1.2 This report has no direct equality and engagement implications itself although the data reported may form part of the information that leads to a service screening for and undertaking an EIA as required.

## **7. Financial Implications**

7.1 In the current and anticipated financial environment further discussion and consideration will be required around priorities and target setting for performance improvement as part of *Sustainable Swansea – fit for the future*.

## **8. Legal Implications**

8.1 There are no legal implications associated with this report.

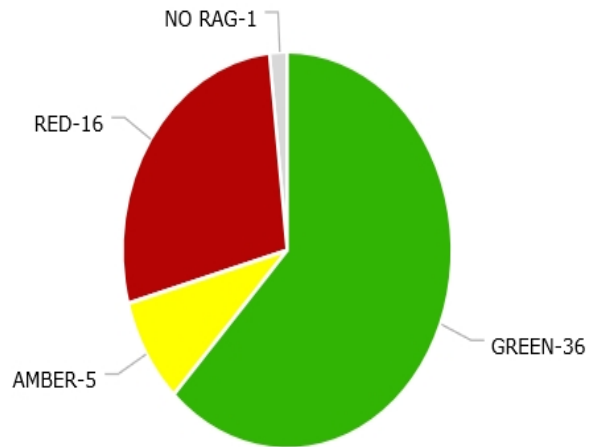
**Background Papers:** None.

**Appendices:** Appendix A – Quarter 1 2019/20 Performance Monitoring Report.

## Corporate Performance Management Report Q1 2019/2020

### Performance against Target - Overall Council Summary

2019/2020 Quarter 1

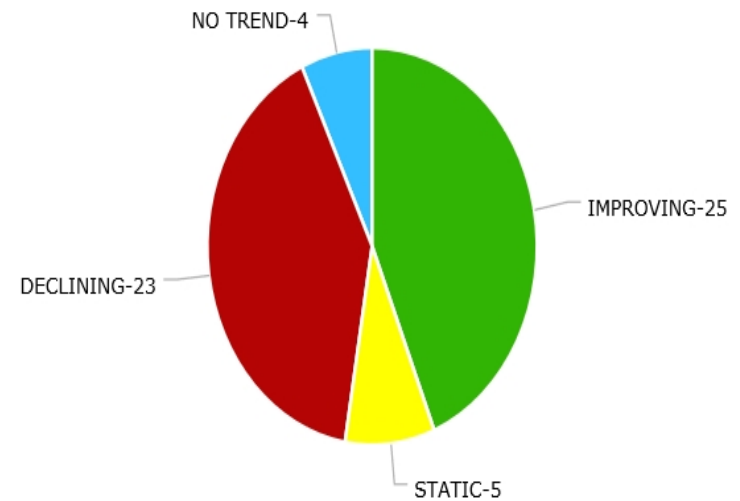


#### Performance against the target:

<b>GREEN</b>	Met or exceeded target
<b>AMBER</b>	Missed target (less than 5%)
<b>RED</b>	Missed target (more than 5%)
<b>NO RAG</b>	No target set

### Performance compared to same Period of previous year

2019/2020 Quarter 1

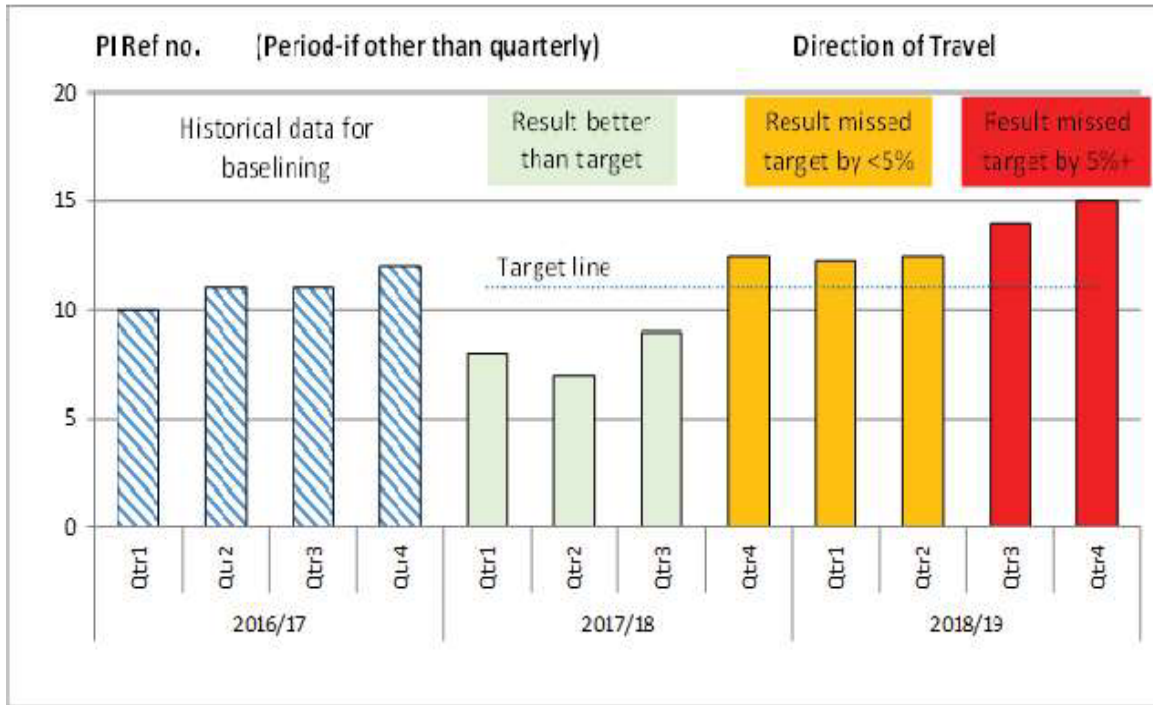


#### Performance compared to the same period of the previous year:

<b>IMPROVING</b>	Better performance
<b>STATIC</b>	Same performance
<b>DECLINING</b>	Worse performance
<b>NO TREND</b>	New indicator - No historical comparison



KEY TO GRAPHS

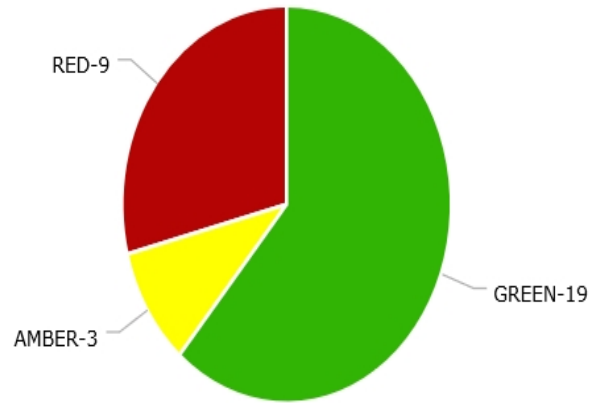


It is difficult to judge whether the continued reduced rate of take up of corporate safeguarding training reflects non compliance with a mandatory training requirement or simply that the numbers of new staff for whom training is required is much lower than in the past. Improvements to the corporate training database to develop a better understanding are scheduled but are unlikely to be implemented this financial year.

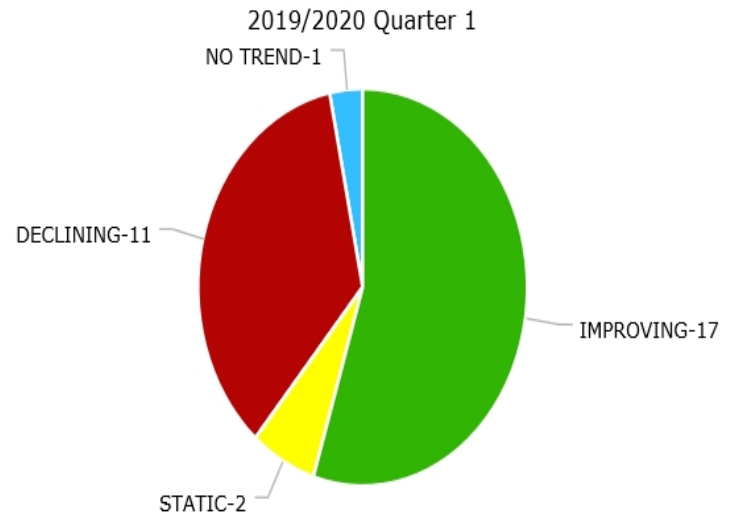
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Adult services performance is similarly impacted by both increased demand and the increasing complexity of that demand. The most obvious area of concern remains the availability of timely recourse to personal care for individuals at home and the consequent impact on delayed transfers of care for individuals from hospital back into the community.

**Performance against Target**  
2019/2020 Quarter 1



**Performance compared to same Period of previous year**



# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>AS10</b> <span style="color: red;">↑</span> Percentage of annual reviews of care and support plans completed in adult services	RAG	<b>GREEN</b>	<b>AMBER</b>	<b>AMBER</b>	There continues to be variation across teams. Some teams have improved but there is a cumulative impact of a number of teams performing below their typical rate. To address this issue a reviewing team is going to be established as part of the Adult Services restructure.
	Result	<b>67.37%</b>	<b>68.98%</b>	<b>66.65%</b> <span style="color: red;">-3.4%</span>	
	Target	65.00%	70.00%	70.00%	
	Trend	<b>DECLINING</b>	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	4105	4058	3621 <span style="color: red;">-10.8%</span>	
	Den	6093	5883	5433 <span style="color: red;">-7.6%</span>	
<p><b>AS10 HIGH is Good</b></p>					
<b>AS11</b> <span style="color: red;">↓</span> Rate of adults aged 65+ receiving care and support to meet their well-being needs per 1,000 population	RAG	<b>GREEN</b>	<b>GREEN</b>	<b>GREEN</b>	There continues to be variation across teams. Some teams have improved but there is a cumulative impact of a number of teams performing below their typical rate. To address this issue a reviewing team is going to be established as part of the Adult Services restructure.
	Result	<b>87.70</b>	<b>64.78</b>	<b>62.74</b> <span style="color: red;">-3.1%</span>	
	Target	88.00	86.00	68.00 <span style="color: red;">-15.1%</span>	
	Trend	<b>DECLINING</b>	<b>IMPROVING</b>	<b>IMPROVING</b>	
	Num	4141	3080	2983 <span style="color: red;">-3.1%</span>	
	Den	47220	47549	47549	
<p><b>AS11 LOW is Good</b></p>					

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<p>AS12 ↓</p> <p>Rate of adults aged 18-64 receiving care and support to meet their well-being needs per 1,000 population</p> <p><b>AS12</b> <span style="float: right;">LOW is Good</span></p>	RAG	GREEN	GREEN	GREEN	Improved signposting at our Front Door, i.e. to 3rd Sector. Potential intervention from Local Area Coordinators keeping potential clients from our front door.
Result	9.47	8.28	7.74	-9.3%	
Target	11.00	9.00	9.00		
Trend	IMPROVING	IMPROVING	IMPROVING		
Num	1420	1248	1166	-9.3%	
Den	149958	150659	150659		
<p>AS13a ↑</p> <p>Number of carers (aged 18+) who received a carer's assessment in their own right during the financial year</p> <p><b>AS13a</b> <span style="float: right;">High is Good</span></p>	RAG			RED	Whilst carers' assessments are being offered, it a carer's right to decline an assessment. However, we are trying to encourage and change the language of the offer to carers to try to improve take up
Result		197	160	-18.8%	
Target			175		
Trend		No data	DECLINING		
Num		197	160	-18.8%	
Den					

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>AS14</b> <a href="#">↑</a> The percentage of people who have completed reablement who were receiving less care or no care 6 months after the end of reablement.	RAG	GREEN	GREEN	GREEN	
	Result	82.79%	83.57%	95.10% <span>+13.8%</span>	
	Target	82.00%	80.00%	80.00%	
	Trend	IMPROVING	IMPROVING	IMPROVING	
	Num	202	117	136 <span>+16.2%</span>	
	Den	244	140	143 <span>+2.1%</span>	
<p><b>AS14</b> HIGH is Good</p>					
<b>AS15a</b> <a href="#">↑</a> The percentage of quantitative statutory performance indicators where performance is broadly maintained (within 5%) or improving compared to previous year's performance	RAG			GREEN	The ongoing challenge in relation to capacity to meet Domiciliary Care is impacting the performance of the Service
	Result		85.71%	71.43% <span>-18.5%</span>	
	Target			70.00%	
	Trend		No data	DECLINING	
	Num		6	5 <span>-18.5%</span>	
	Den		7	7	
<p><b>AS15a</b> High is Good</p>					

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020																																							
<b>AS9</b> <span style="color: red;">↑</span> The percentage of Deprivation of Liberty Safeguarding (DoLS) Assessments completed in 21 days or less.	RAG	AMBER	RED	AMBER	We are showing a significant & sustained improvement in performance and it looks likely to continue due to the revised organisational arrangements.																																							
	Result	58.60%	50.60%	67.88% <span style="color: green;">+34.1%</span>																																								
	Target	60.00%	70.00%	70.00%																																								
	Trend	DECLINING	DECLINING	IMPROVING																																								
	Num	246	243	262 <span style="color: green;">+7.8%</span>																																								
	Den	420	480	386 <span style="color: red;">-19.6%</span>																																								
	<p><b>AS9 HIGH is Good</b></p> <table border="1"> <caption>AS9 Performance Data</caption> <thead> <tr> <th>Year</th> <th>Qtr</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>2017/18</td><td>Qtr1</td><td>58.60%</td></tr> <tr><td>2017/18</td><td>Qtr2</td><td>~60%</td></tr> <tr><td>2017/18</td><td>Qtr3</td><td>~58%</td></tr> <tr><td>2017/18</td><td>Qtr4</td><td>~55%</td></tr> <tr><td>2018/19</td><td>Qtr1</td><td>~50%</td></tr> <tr><td>2018/19</td><td>Qtr2</td><td>~55%</td></tr> <tr><td>2018/19</td><td>Qtr3</td><td>~50%</td></tr> <tr><td>2018/19</td><td>Qtr4</td><td>~68%</td></tr> <tr><td>2019/20</td><td>Qtr1</td><td>67.88%</td></tr> <tr><td>2019/20</td><td>Qtr2</td><td>-</td></tr> <tr><td>2019/20</td><td>Qtr3</td><td>-</td></tr> <tr><td>2019/20</td><td>Qtr4</td><td>-</td></tr> </tbody> </table>						Year	Qtr	Percentage	2017/18	Qtr1	58.60%	2017/18	Qtr2	~60%	2017/18	Qtr3	~58%	2017/18	Qtr4	~55%	2018/19	Qtr1	~50%	2018/19	Qtr2	~55%	2018/19	Qtr3	~50%	2018/19	Qtr4	~68%	2019/20	Qtr1	67.88%	2019/20	Qtr2	-	2019/20	Qtr3	-	2019/20	Qtr4
Year	Qtr	Percentage																																										
2017/18	Qtr1	58.60%																																										
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2019/20	Qtr3	-																																										
2019/20	Qtr4	-																																										
<b>FS11</b> <span style="color: red;">↓</span> The number of children on the Local Authority's Child Protection Register (CPR) at end of the period	RAG			GREEN	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING																																							
	Result		252	231 <span style="color: red;">-8.3%</span>																																								
	Target			260																																								
	Trend		No Data	IMPROVING																																								
	Num		252	231 <span style="color: red;">-8.3%</span>																																								
	Den																																											

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
<b>CFS14</b> <span style="color: red;">↑</span> The percentage of decisions about a referral for care and support received by Child and Family Services which are taken within 24 hrs from receipt of referral.	RAG	GREEN	GREEN	GREEN		
	Result	100.00%	100.00%	100.00%		
	Target	100.00%	100.00%	100.00%		
	Trend	STATIC	STATIC	STATIC		
	Num	555	362	295	-18.5%	
	Den	555	362	295	-18.5%	
<b>CFS16</b> <span style="color: red;">↑</span> The percentage of initial core group meetings held within 10 working days of the initial child protection conference.	RAG	AMBER	GREEN	GREEN	This indicator remains above target. Performance in this area is exceptional and a small decrease is not a concern.	
	Result	88.79%	92.71%	94.90%		+2.4%
	Target	90.00%	89.00%	90.00%		+1.1%
	Trend	DECLINING	IMPROVING	IMPROVING		
	Num	95	89	93		+4.5%
	Den	107	96	98		+2.1%





# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>CFS18</b> ↓ The rate of looked after children (LAC) per 10,000 of the 0-17 Swansea population at end of the period.	RAG	GREEN	GREEN	RED	The looked after population remains a challenge, however progress is positive and the measures put in place to progress the safe LAC reduction strategy are beginning to impact. Performance is still favourable on a national basis.
	Result	104.62	108.52	116.34 +7.2%	
	Target	110.00	109.00	110.00 +0.9%	
	Trend	IMPROVING	DECLINING	DECLINING	
	Num	492	513	549 +7.0%	
	Den	47026	47272	47189 -0.2%	
<b>CFS19</b> ↓ The rate of children on the Local Authority's Child Protection Register per 10,000 of the 0-17 Swansea population.	RAG	GREEN	GREEN	GREEN	
	Result	54.23	53.31	48.95 -8.2%	
	Target	60.00	55.00	55.00	
	Trend	DECLINING	IMPROVING	IMPROVING	
	Num	255	252	231 -8.3%	
	Den	47026	47272	47189 -0.2%	

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
CFS19a <span style="color: red;">↑</span> The percentage of visits to children on the Child Protection Register (CPR) which were not overdue.	RAG			<b>GREEN</b>	This is a significant improvement and one of the indicators identified as requiring improvement from last year's CIW inspection.
	Result		48.78%	<b>95.77%</b> +96.3%	
	Target			90.00%	
	Trend		No Data	<b>IMPROVING</b>	
	Num		120	204 +70.0%	
	Den		246	213 -13.4%	
NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING					
CFS2 <span style="color: red;">↓</span> The number of Looked After Children (LAC) at end of the period.	RAG			<b>RED</b>	The looked after population remains a challenge, however progress is positive and the measures put in place to progress the safe LAC reduction strategy are beginning to impact. Performance is still favourable on a national basis.
	Result		513	<b>549</b> +7.0%	
	Target			520	
	Trend		No data	<b>DECLINING</b>	
	Num		513	549 +7.0%	
	Den				
NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING					

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
<b>CFS20</b> ↓ The rate of Children in Need (CiN) with a care and support plan per 10,000 of the 0-17 Swansea population at end of the period.	RAG	AMBER	GREEN	GREEN	The impact of the front door arrangements and the development of the what matters conversation and diversion shows signs of embedding	
	Result	236.46	186.58	163.81		-12.2%
	Target	230.00	205.00	170.00		-17.1%
	Trend	DECLINING	IMPROVING	IMPROVING		
	Num	1112	882	773		-12.4%
	Den	47026	47272	47189		-0.2%
<b>CFS20a</b> ↓ The number of Children in Need (CiN) with a care and support plan at end of the period.	RAG			GREEN		
	Result		882	773	-12.4%	
	Target			800		
	Trend		No Data	IMPROVING		
	Num		882	773	-12.4%	
	Den					
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING					

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
CFS23a  The percentage of contacts to the Child & Family IAA (Information, Advice and Assistance) Hub that are subsequently passed on for formal assessment.	RAG			RED	Performance is very close to target and demonstrates the success of the IAA pilot. It is unlikely that this indicator will improve prior to the remodelling of early help.
	Result		12.60%	10.77% -14.6%	
	Target			10.00%	
	Trend		No Data	IMPROVING	
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num	362	295 -18.5%	
		Den	2872	2740 -4.6%	
FS23b  The number of contacts to the Child & Family IAA (Information, Advice and Assistance) Hub that are subsequently passed on for formal assessment.	RAG			RED	This is a very challenging target and is unlikely to improve prior to the remodelling of early help services.
	Result		362	295 -18.5%	
	Target			150	
	Trend		No Data	IMPROVING	
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num	362	295 -18.5%	
		Den			

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
CFS23c <span style="color:red">↕</span> The percentage of referrals to Child & Family Services that were received with 12 months of the previous referral.	RAG			GREEN	
	Result		13.54%	11.53%	-14.9%
	Target			15.00%	
	Trend		No Data	IMPROVING	
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num	49	34	-30.6%
		Den	362	295	-18.5%
FS24 <span style="color:red">↕</span> The total number of children with a care and support plan at the end of the period.	RAG			GREEN	
	Result		1623	1533	-5.5%
	Target			1600	
	Trend		No Data	IMPROVING	
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num	1623	1533	-5.5%
		Den			

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
Measure 18 <span style="color: red;">↑</span> The percentage of adult protection enquiries completed within 7 days	RAG	GREEN	GREEN	GREEN	Whilst there is a slight variation in performance, the performance in this area remains strong.	
	Result	92.92%	97.32%	94.88%		-2.5%
	Target	90.00%	90.00%	90.00%		
	Trend	IMPROVING	IMPROVING	DECLINING		
	Num	302	291	241		-17.2%
	Den	325	299	254		-15.1%
<p><b>Measure 18</b> HIGH is Good</p>						
Measure 19 (PAM025) <span style="color: red;">↓</span> The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over	RAG	GREEN	RED	RED	Delayed Transfers of Care continue due to a lack of providers' availability. However, recommissioning of providers is ongoing which will improve the situation as well as the regional work of hospital to home will hopefully improve the situation.	
	Result	0.92	1.69	2.82		+67.6%
	Target	1.00	1.50	1.50		
	Trend	IMPROVING	DECLINING	DECLINING		
	Num	20	37	62		+67.6%
	Den	21672	21956	21956		
<p><b>Measure 19</b> LOW is Good</p>						

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
Measure 24 (PAM028) <span style="color: red;">↑</span> The percentage of assessments completed for children within statutory timescales 	RAG	<b>RED</b>	<b>AMBER</b>	<b>RED</b>	This area continues to present challenges due to the number of assessments being undertaken and the number of follow up assessments. A specific piece of work is underway focusing on ensuring that assessments are proportionate.
	Result	<b>76.22%</b>	<b>86.41%</b>	<b>78.28%</b> <span style="color: red;">-9.4%</span>	
	Target	86.00%	90.00%	90.00%	
	Trend	<b>DECLINING</b>	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	250	178	191 <span style="color: green;">+7.3%</span>	
	Den	328	206	244 <span style="color: green;">+18.4%</span>	
Measure 27 <span style="color: red;">↓</span> The percentage of re-registrations of children on local authority Child Protection Registers (CPR) at end of the period.  NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	RAG			<b>RED</b>	This is a focus for the service and we are beginning to see a small improvement in performance. Remedial action is being taken in terms of ensuring robust plans are in place that are sustainable going forward when a family has exited Child & Family Services.
	Result		24.21%	<b>22.51%</b> <span style="color: red;">-7.0%</span>	
	Target			20.00%	
	Trend		No Data	<b>IMPROVING</b>	
	Num		61	52 <span style="color: red;">-14.8%</span>	
	Den		252	231 <span style="color: red;">-8.3%</span>	

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
Measure 28 The average length of time for all children who were on the Child Protection Register (CPR) during the period	RAG	GREEN	GREEN	GREEN	
	Result	199.00	247.73	248.34	+0.2%
	Target	300.00	300.00	300.00	
	Trend	DECREASING	INCREASING	INCREASING	
	Num	22330	20314	26076	+28.4%
	Den	112	82	105	+28.0%
PAM029 (Measure 33) Percentage of Looked After Children (LAC) at end of the period who have had three or more placements during the year (formerly SCC004)	RAG			GREEN	No comment submitted
	Result		11.31%	11.66%	+0.2%
	Target			12.00%	
	Trend		No Data	DECLINING	
	Num		58	64	+0.2%
	Den		513	549	+0.2%
NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING					



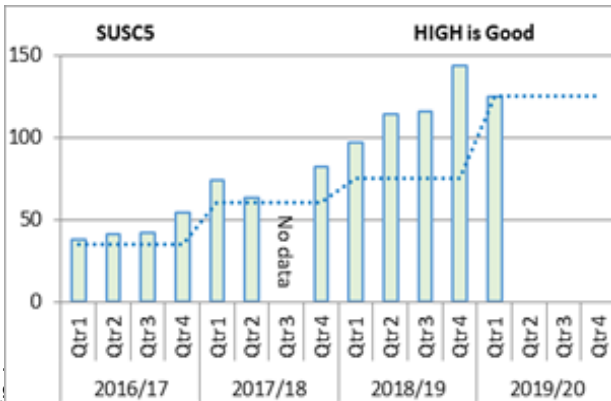
# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>SAFE27</b> <span style="color: red;">↑</span> Total number of staff who have completed the corporate mandatory safeguarding awareness training (excludes school based staff)	RAG	<b>RED</b>	<b>GREEN</b>	<b>RED</b>	14 staff completed both adult and child e-learning modules: 36 staff completed one e-learning module: 10 staff completed face to face training. Results from e-learning and Oracle. This course has been reinforced as "Mandatory training".
	Result	176	201	60 <span style="color: red;">-70.1%</span>	
	Target	200	175	175	
	Trend	No Data	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	176	201	60 <span style="color: red;">-70.1%</span>	
	Den				
<b>SAFE8b</b> <span style="color: red;">↑</span> Percentage of Elected Members who have received training in safeguarding vulnerable people	RAG	<b>GREEN</b>	<b>AMBER</b>	<b>GREEN</b>	All elected Members have received Safeguarding Training. Target achieved.
	Result	47.22%	81.90%	100.00% <span style="color: green;">+22.0%</span>	
	Target	25.00%	85.00%	100.00% <span style="color: green;">+17.6%</span>	
	Trend	No Data	<b>IMPROVING</b>	<b>IMPROVING</b>	
	Num	34	59	72 <span style="color: green;">+22.0%</span>	
	Den	72	72	72	

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
SCC013ai <a href="#">↑</a> The percentage of children on the Child Protection Register (CPR) at the end of the period allocated to a social worker  NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	RAG			GREEN		
	Result		100.00%	100.00%		
	Target			100.00%		
	Trend		No Data	STATIC		
	Num		252	231	-8.3%	
	Den		252	231	-8.3%	
SCC013aai <a href="#">↑</a> The percentage of Looked After Children (LAC) at the end of the period allocated to a social worker  NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	RAG			AMBER	This relates to 4 cases out of a total of 550, which were unallocated for a three day period. This was dealt with immediately by the responsible manager.	
	Result		99.42%	99.27%		-0.1%
	Target			100.00%		
	Trend		No Data	DECLINING		
	Num		510	545		+6.9%
	Den		513	549		+7.0%

# Safeguarding 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>SUSC5</b> <span style="color: red;">↑</span> The number of new introductions recorded by Local Area Coordinators	RAG	GREEN	GREEN	GREEN	
	Result	74	97	125	+28.9%
	Target	60	75	125	+66.7%
	Trend	IMPROVING	IMPROVING	IMPROVING	
	Num	74	97	125	+28.9%
	Den				



Swansea's performance was above the expected benchmark level at key stage 4. Attainment of primary age pupils at foundation phase and key stage 2 indicate that, although targets were not met, outcomes suggested increased confidence in the accuracy of teacher assessments in Swansea as well as the impact of changes in assessment areas in foundation phase.

The attainment of learners who are looked after children is variable. Education staff reported a number of factors that can affect this performance indicator each year due to the small numbers of learners involved including a higher number of pupils with additional learning needs, late arrivals from other counties, and a volatile population who move in and out of care which can disrupt education at key points in their educational career particularly in adolescence.

Attendance in Swansea remains comparatively high.

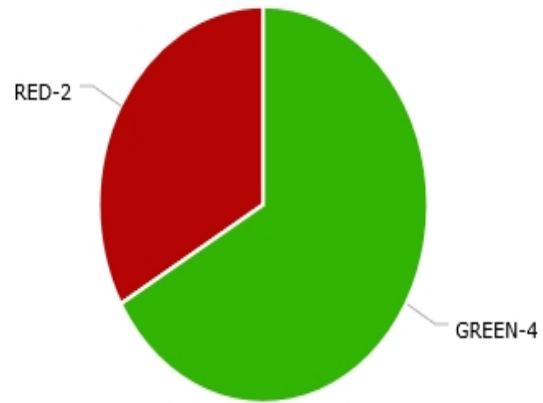
Partneriaeth Sgiliau Abertawe/Swansea Skills Partnership (PSA) meets regularly and has two, clear workstreams - digital capacity and advice, information and guidance for vocational education and careers.

Looking forward the implementation of the Additional Learning Needs and Education Tribunal Act 2018 and Curriculum for Wales 2022 under the Welsh Government's National Mission will pose challenges and opportunities that will need reflecting in the performance frameworks of the Education Department.

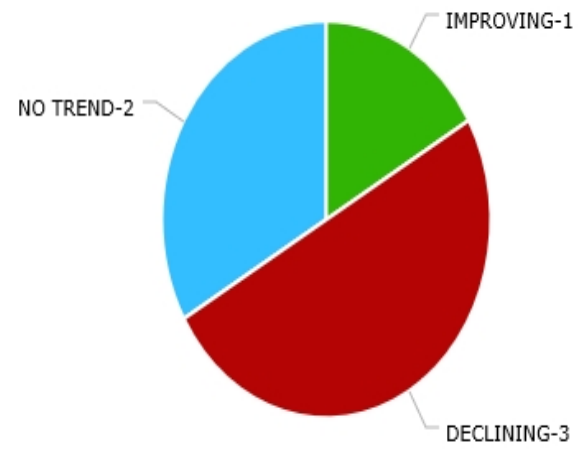
Measures of inclusion such as attendance, exclusions and numbers of learners who are educated otherwise than at school continues to be monitored.

There is an increasing emphasis on progress made and value added within a more localised curriculum and service offer.

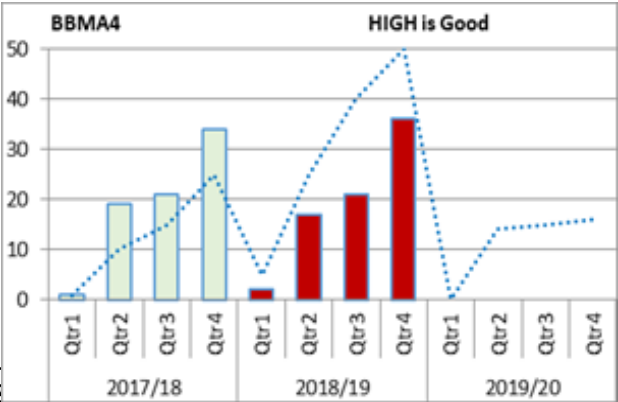
**Performance against Target**  
2019/2020 Quarter 1



**Performance compared to same Period of previous year**  
2019/2020 Quarter 1



# Education & Skills 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
<b>BBMA4</b> <a href="#">↑</a> The number of apprenticeships or trainee starts in the Council  	RAG	GREEN	RED	GREEN	Whilst targets are lower this year, owing to the current financial climate, we envisage that numbers will increase throughout the year.	
	Result	1	2	0		-100%
	Target	1	5	0		-100%
	Trend	No Data	IMPROVING	DECLINING		
	Num	1	2	0		-100%
	Den					
<b>DU015a</b> <a href="#">↑</a> The percentage of final statements of Special Education Need (SEN) issued within 26 weeks including exceptions  NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	RAG			GREEN		
	Result			8.16%		
	Target			5.00%		
	Trend			No Data		
	Num			4		
	Den			49		

# Education & Skills 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020																				
EDU015b <a href="#">↑</a> The percentage of final statements of Special Education Need (SEN) issued within 26 weeks excluding exceptions	RAG			RED	A considerable number of cases are being returned to the ALN Panel following a recommendation of placement & provision. The challenges are coming from schools and / or parents. This is causing a delay in the system to issue final statements as time is taken to seek a resolution. As well as that, there are considerable capacity issues within the ALNU resulting from significant increased demand on the service.																				
	Result			8.16%																					
	Target			10.00%																					
	Trend			No Data																					
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num				4																			
		Den				49																			
EDU016a (PAM007) <a href="#">↑</a> Percentage of pupil attendance in primary schools	RAG	GREEN	GREEN	GREEN	<p><b>EDU016a (Termly) HIGH is Good</b></p> <table border="1"> <caption>Attendance Data from Chart</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> </tr> </thead> <tbody> <tr> <td>2016/17</td> <td>~94.5%</td> <td>~94.5%</td> <td>~95.0%</td> </tr> <tr> <td>2017/18</td> <td>~94.5%</td> <td>~94.0%</td> <td>~95.0%</td> </tr> <tr> <td>2018/19</td> <td>~94.5%</td> <td>~94.0%</td> <td>~95.0%</td> </tr> <tr> <td>2019/20</td> <td>~95.0%</td> <td>~95.0%</td> <td>~95.0%</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	2016/17	~94.5%	~94.5%	~95.0%	2017/18	~94.5%	~94.0%	~95.0%	2018/19	~94.5%	~94.0%	~95.0%	2019/20	~95.0%	~95.0%	~95.0%
	Year	Qtr1	Qtr2	Qtr3																					
	2016/17	~94.5%	~94.5%	~95.0%																					
	2017/18	~94.5%	~94.0%	~95.0%																					
	2018/19	~94.5%	~94.0%	~95.0%																					
	2019/20	~95.0%	~95.0%	~95.0%																					
	Result	95.40%	94.70%	95.04% +0.4%																					
Target	94.00%	94.00%	94.00%																						
Trend	IMPROVING	DECLINING	IMPROVING																						
Num	1940695	1604664	1984045 +23.6%																						
Den	2034238	1694499	2087489 +23.2%																						

# Education & Skills 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
EDU016b (PAM008) <a href="#">↑</a> Percentage of pupil attendance in secondary schools	RAG	GREEN	GREEN	GREEN	Secondary school attendance is lower by 0.03% points in comparison to the same time in the previous year. In order to improve, consistent use of the attendance pack (guidance and resources) for secondary schools will be monitored further.
	Result	93.65%	93.74%	93.71%	
	Target	93.00%	93.00%	93.00%	
	Trend	IMPROVING	IMPROVING	DECLINING	
	Num	1407576	1161814	1491975 +28.4%	
	Den	1503075	1239349	1592089 +28.5%	
POV07 <a href="#">↑</a> The number of training and employment person weeks created by BBM for unemployed and economically inactive.	RAG	GREEN	GREEN	RED	There has been a delay in the start of a number of new projects, which has reduced the opportunities available for training and work.
	Result	806	688	326 -52.6%	
	Target	500	450	450	
	Trend	No Data	DECLINING	DECLINING	
	Num	806	688	326 -52.6%	
	Den				



The vast majority of targets have been met this quarter. However, the Percentage of all major applications with an economic imperative that are approved has missed target owing to 2 applications that were unjustified development in the countryside and within a floodplain respectively. Negotiation would not have resulted in a positive outcome as the schemes were unacceptable in principle. A new PI, EC7, has been added for 2019/20 and it was very pleasing to see this PI, which measures the average turnaround time for land charge searches completed in the period, over-achieving against the target. This is a new area of work for the Planning & City Regeneration Service following the commissioning review.

Turning to the major regeneration priorities, Swansea Central Phase 1 has made excellent progress with the start of the enabling works contract. The main contract will be awarded subject to Cabinet approval in Q2. The Kingsway infrastructure project continues to make good progress on site, and the multi-disciplinary consultants appointed for the Employment Hub building have now completed Stage 2 of their design process. We envisage a planning application will be submitted later this year. At Hafod Copperworks, the HLF Stage 2 Powerhouse project procurement is underway. The Morfa bascule lifting bridge repair programme has also commenced. Further discussions have taken place with the Skyline project team and a board decision is envisaged in Quarter 2. The Mariner Street student development works contract finally commenced on site which, on completion, will have a major effect on footfall at High Street. The Felindre inward investment being delivered by DpD is making excellent progress on site and is due for completion in Q3. Preparations are in hand to progress the marketing exercise for strategic development sites which has seen an encouraging response to the Council's initial PIN notice.

Quarter 1 saw us celebrate the reopening of the newly refurbished Plantasia, following a £1m capital investment by our operating partners Parkwood Leisure. This work took place as part of our long term sustainability strategy for leisure and recreation, which also includes the city's Leisure Centres benefiting from a £5m capital investment, currently underway. In relation to this, as a result of collaboration with Education, further investment was also secured for Cefn Hengoed's community and leisure facilities and a work programme agreed accordingly. Over the course of the forthcoming year work initiated this quarter will come to fruition and be reported on as it unfolds. Continuing the celebratory theme, the Council is leading on celebrating Swansea's 50th anniversary of city status, the celebration of which was launched, with partners, at the Liberty Stadium, with a new brand and programme rolled out across the city, including street dressing, community events, theatre productions, and a Royal Visit during the first week of July. Our annual programme of events continued to grow as Croeso Festival opened the season with Welsh music and dance and street food, which was further enhanced in May with the second - and largest yet - Pride Festival taking place alongside the Street Food Festival. May also saw our annual Tourism Summit taking place, which was better attended than ever and our key messages and campaign news was well received by our partners in the tourism and hospitality industry, all of whom buy into and benefit from our strategic marketing campaigns to raise the profile of and drive visits to the destination. This work is invaluable to the business case for Skyline and other developments and we continued to work with partners to ensure the data and case for investment is robust. Ongoing activities to promote artist involvement in the city centre regeneration continues, helping secure the planning consent for Phase 1 of Swansea Central and we continue to deliver on wider regeneration and tackling poverty priorities, including the recruitment of apprentices and work placements in our theatre and museums - in partnership with Creative & Cultural Skills and Gower College. The quarter concluded with the announcement that our partnership with Race Council Cymru had secured a quarter million grant to invest in the creation of a cultural hub in the Arts Wing of the Grand Theatre, and the lead in to the Wales Airshow - which was delivered successfully to a larger audience than ever, with the inclusion of a special 50th night time event, prior to the delivery of the iconic 20th anniversary Stereophonics gig at Singleton Park to an audience of 35,000 plus. We will report further on this and the rest of the summer programme in the next quarter report.

The Council's More Homes Programme, focussed on providing new build Council housing, continues to move forward at pace. Cabinet approved the Housing Revenue Account Development Plan in February 2019. This sets out the programme to develop over 140 new homes up to 2022.

Following on from the first passivhaus pilot at Colliers way, the second phase of the More Homes project is underway at a further 2 sites at Parc Y Helyg and Colliers Way Phase 2. As part of this phase, 34 new homes will be built as 'Homes as Power Stations' using funds from a £1.5m Innovative Housing Programme grant from the Welsh Government. The homes will have innovative features such as solar panels and battery-powered energy, as well as the inclusion of swift

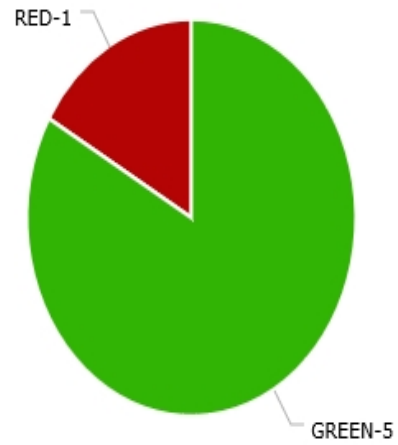
bricks to support biodiversity.

As part of the Council's commitment to innovative, energy efficient housing, a retrofit scheme is also being carried out on 6 bungalows in Craig Cefn Parc. This will test the addition of renewable technology to existing inefficient housing, transforming them into some of the most energy efficient homes, and continues the Homes as Power Stations theme.

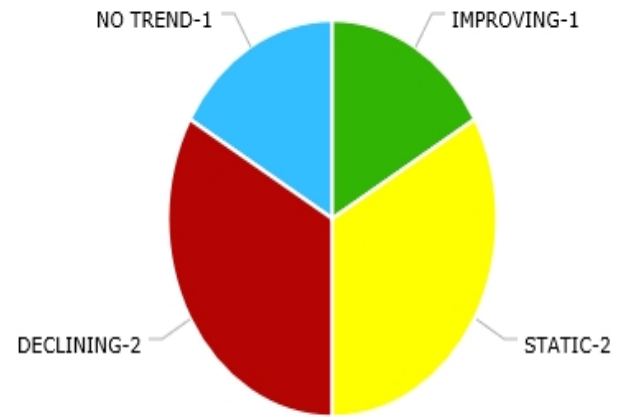
2 new family homes are also being developed in West Cross as part of a refurbishment of a former social services building and a further 24 homes are planned for a new development in Hill View Crescent & Beacons View Road in Clase, where a piece of land has been identified as suitable for 25 new 3 Bedroom Houses. This will also be the site of a new build Welsh medium primary school, and will provide an opportunity to regenerate the area.

The Council has also published a PIN to explore interest from potential partners in delivering a development programme across around 30 potential HRA sites in phases. The aim will be to deliver mixed tenure housing on the Council owned sites, whilst maximising the delivery of affordable housing to meet local need

**Performance against Target**  
2019/2020 Quarter 1











**Performance compared to same Period of previous year**  
2019/2020 Quarter 1



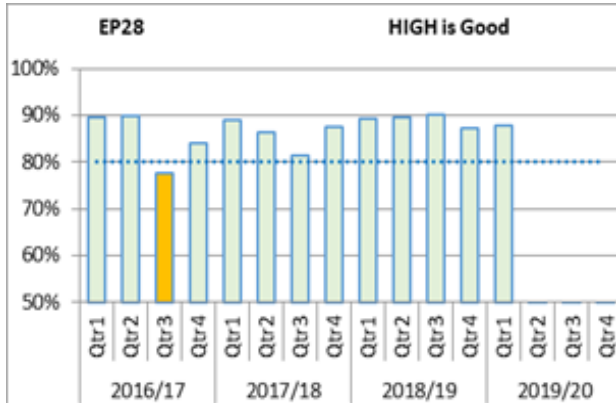
# Economy & Infrastructure 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020																									
<b>BBMA1</b> <a href="#">↑</a> The number of projects with social benefit clauses and Beyond Bricks & Mortar in their contracts	RAG	GREEN	GREEN	GREEN																										
	Result	3	5	5																										
	Target	2	4	5	+25.0%																									
	Trend	No Data	IMPROVING	STATIC																										
	Num	3	5	5																										
	Den																													
<p><b>BBMA1</b> HIGH is Good</p> <table border="1"> <caption>BBMA1 Quarterly Data</caption> <thead> <tr> <th>Year</th> <th>Q1</th> <th>Q2</th> <th>Q3</th> <th>Q4</th> </tr> </thead> <tbody> <tr> <td>2017/18</td> <td>3</td> <td>6</td> <td>12</td> <td>19</td> </tr> <tr> <td>2018/19</td> <td>5</td> <td>12</td> <td>12</td> <td>20</td> </tr> <tr> <td>2019/20</td> <td>5</td> <td>12</td> <td>12</td> <td>20</td> </tr> </tbody> </table>	Year	Q1	Q2	Q3	Q4	2017/18	3	6	12	19	2018/19	5	12	12	20	2019/20	5	12	12	20										
Year	Q1	Q2	Q3	Q4																										
2017/18	3	6	12	19																										
2018/19	5	12	12	20																										
2019/20	5	12	12	20																										
<b>EC2</b> <a href="#">↑</a> The Percentage of all major applications with an economic imperative that are approved	RAG	GREEN	GREEN	RED	Two major applications were refused as unjustified development in the countryside and within a floodplain respectively. Negotiation would not have resulted in a positive outcome as the schemes were unacceptable in principle.																									
	Result	100.00%	100.00%	60.00%		-40.0%																								
	Target	85.00%	85.00%	90.00%		+5.9%																								
	Trend	IMPROVING	STATIC	DECLINING																										
	Num	4	9	3		-66.7%																								
	Den	4	9	5		-44.4%																								
<p><b>EC2</b> HIGH is Good</p> <table border="1"> <caption>EC2 Quarterly Data</caption> <thead> <tr> <th>Year</th> <th>Q1</th> <th>Q2</th> <th>Q3</th> <th>Q4</th> </tr> </thead> <tbody> <tr> <td>2016/17</td> <td>75%</td> <td>90%</td> <td>90%</td> <td>100%</td> </tr> <tr> <td>2017/18</td> <td>90%</td> <td>90%</td> <td>85%</td> <td>85%</td> </tr> <tr> <td>2018/19</td> <td>90%</td> <td>90%</td> <td>85%</td> <td>85%</td> </tr> <tr> <td>2019/20</td> <td>60%</td> <td>85%</td> <td>85%</td> <td>85%</td> </tr> </tbody> </table>	Year	Q1	Q2	Q3	Q4	2016/17	75%	90%	90%	100%	2017/18	90%	90%	85%	85%	2018/19	90%	90%	85%	85%	2019/20	60%	85%	85%	85%					
Year	Q1	Q2	Q3	Q4																										
2016/17	75%	90%	90%	100%																										
2017/18	90%	90%	85%	85%																										
2018/19	90%	90%	85%	85%																										
2019/20	60%	85%	85%	85%																										

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
EC5  Amount of commercial floorspace (measured by sq m) created within the TRI (Targeted Regeneration Investment) Programme target areas to accommodate job creation	RAG		GREEN	GREEN	Multiple schemes currently on site.	
	Result		0 	0 		
	Target		0	0		
	Trend		No Data	STATIC 		
	NO GRAPH DISPLAYED - NO STATISTICAL TREND AVAILABLE	Num		0		0
		Den				
EC6  Number of new housing units created in TRI target areas as a result of Targeted Regeneration Investment (TRI) Programme funding.	RAG		GREEN	GREEN	Multiple schemes are currently on site	
	Result		0 	4  +100%		
	Target		0.	4 +100%		
	Trend		No Data	IMPROVING 		
	NO GRAPH DISPLAYED - NO STATISTICAL TREND AVAILABLE	Num		0		4 +100%
		Den				

# Economy & Infrastructure 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
EC7 ↓ Average Turnaround Time for Land Charge Searches completed in the period	RAG			GREEN		
	Result		6.94	5.00	-28.0%	
	Target			10.00		
	Trend		No Data	No Data		
	NO GRAPH DISPLAYED - FIRST YEAR OF FULL REPORTING	Num		6.94	5.00	-28.0%
		Den				
EP28 ↑ The percentage of all planning applications determined within 8 weeks.	RAG	GREEN	GREEN	GREEN	Minor fluctuation in timescales for determination is anticipated due to the day to day nature of individual applications submitted.	
	Result	88.84%	89.35%	87.69%		-1.9%
	Target	80.00%	80.00%	80.00%		
	Trend	DECLINING	IMPROVING	DECLINING		
	Num	422	470	463		-1.5%
	Den	475	526	528		+0.4%



We know that levels of poverty in Wales remain persistently high, particularly for working age people and those under 18 years of age and the risk of poverty has increased for working and workless households. In-work poverty where somebody in the household is working, is more common than workless poverty.

The roll out of cuts to the welfare system has had a significant impact on people experiencing poverty and people that are at risk of poverty. Across the UK and in Swansea we have seen a rise in the demand for foodbanks and an increase in rising debt including rent arrears.

Joseph Rowntree Foundation's Poverty in Wales report (2018) identifies that the drivers of rising poverty across the country are reductions to working age benefits, rising living costs, especially housing costs and poor quality work.

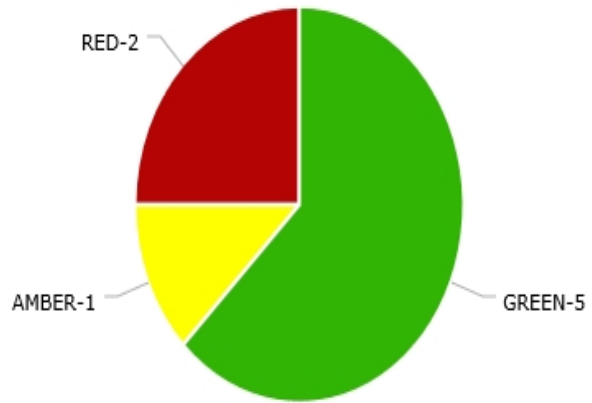
The Council is committed to reducing poverty and the impacts poverty has upon its citizens. We have been working with partners to implement the revised Poverty Strategy including working to establish a 'Swansea Poverty Truth Commission'. The Commission will bring together people with lived experience of poverty, with key decision makers. Together they will develop relationships and facilitate understanding and identification of issues that can be worked through to make change.

To help address the impacts of Welfare Reform, data is being utilised to target households with details of how to take up the Welsh Government's Child Care Offer. Plans are in place to target lone parents whose youngest child is between 3 and 4 years old with an offer of employability support, prior to the child turning 5 years old and triggering a potential loss of entitlement. There are also plans to utilise data to target a further cohort of households that could benefit from employment support via Swansea Working.

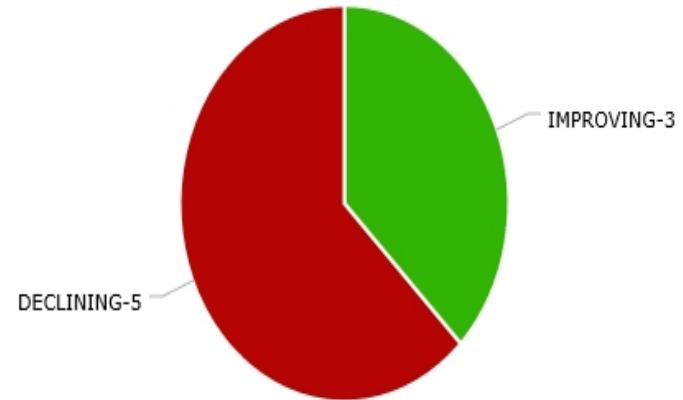
Swansea Working continues to be embedded into working practices across the Council to provide a single entry point for employability support. Work has begun to develop a pilot programme that will support prison leavers prior to and following their release, to include housing, welfare benefits and employability support. Accredited training in key employment sectors continues to be offered with further courses planned in health and social care, construction, health and safety, security, hospitality and customer service.

We continue to facilitate key forums focussing on tackling poverty including the internal Poverty Forum which is currently developing actions around the themes of Employability, Financial Inclusion and Data Sharing, the Swansea Poverty Partnership Forum and the Financial Inclusion Steering Group. Plans are in place to carry out a Financial Inclusion review and Employability Support review to ensure there is appropriate accessible support, advice, guidance and coordination of resources to best meet the needs of citizens.

**Performance against Target**  
2019/2020 Quarter 1



**Performance compared to same Period of previous year**  
2019/2020 Quarter 1





# Tackling Poverty 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
HBCT01a <span>⬇</span> Housing Benefit Speed of Processing: Average time for processing new claims.	RAG	GREEN	GREEN	GREEN	Outcome is higher than last year as expected due to reduced resources and changes in procedures designed to maximise CTR entitlement but still within target.	
	Result	17.25	12.77	14.18		+11.1%
	Target	19.00	22.00	20.00		-9.1%
	Trend	IMPROVING	IMPROVING	DECLINING		
	Num	25484	7290	6993		-4.1%
	Den	1477	571	493		-13.7%
HBCT01b <span>⬇</span> Housing Benefit Speed of Processing: Average time for processing notifications of change in circumstances.	RAG	GREEN	GREEN	GREEN		
	Result	6.06	7.80	4.92		-37.0%
	Target	7.00	8.00	7.00		-12.5%
	Trend	DECLINING	DECLINING	IMPROVING		
	Num	82434	87376	37413		-57.2%
	Den	13601	11196	7607		-32.1%

# Tackling Poverty 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
HBCT02a ↴ Council Tax Reduction Speed of Processing: Average time for processing new claims.	RAG	GREEN	GREEN	AMBER	Target is a stretch one for the whole year and it is expected that performance in year will improve from first quarter and trend back towards target by year end.
	Result	18.50	19.60	22.90 +16.7%	
	Target	22.00	22.00	22.00	
	Trend	IMPROVING	DECLINING	DECLINING	
	Num	28672	25924	36381 +40.3%	
	Den	1550	1321	1588 +20.2%	
HBCT02b ↴ Council Tax Reduction Speed of Processing: Average time for processing notifications of change in circumstances.	RAG	GREEN	GREEN	GREEN	Target is appropriate level of service expectation and performance continues to comfortably exceed that target.
	Result	3.83	5.02	4.84 -3.5%	
	Target	8.00	8.00	7.00 -12.5%	
	Trend	IMPROVING	DECLINING	IMPROVING	
	Num	72777	84338	77790 -7.8%	
	Den	19018	16810	16070 -4.4%	

# Tackling Poverty 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020
<b>POV05</b> <span style="color: red;">↑</span> The amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights Team (£)	RAG	<b>RED</b>	<b>RED</b>	<b>GREEN</b>	There have been 14 successful appeals this quarter and one unsuccessful, 233 enquiries have been dealt with and 3 training courses delivered to 68 participants.
	Result	175546.00	122941.00	296241.94 <span style="color: green;">+141%</span>	
	Target	200000	200000	175000 <span style="color: green;">-12.5%</span>	
	Trend	<b>DECLINING</b>	<b>DECLINING</b>	<b>IMPROVING</b>	
	Num	175546.00	122940.65	296241.94 <span style="color: green;">+141%</span>	
	Den				
<p><b>POV05 HIGH is Good</b></p>					
<b>POV06</b> <span style="color: red;">↓</span> The average number of days all homeless families with children spent in Bed and Breakfast accommodation	RAG	<b>GREEN</b>	<b>GREEN</b>	<b>GREEN</b>	The primary cause of homelessness for these families was domestic abuse where there was no suitable refuge accommodation available at the time of needing a place of safety. Robust case monitoring is in place for all families placed in B&B accommodation to reduce the stay to an absolute minimum.
	Result	1.50	0.00	4.50 <span style="color: green;">+100%</span>	
	Target	6.00	6.00	5.00 <span style="color: green;">-16.7%</span>	
	Trend	<b>IMPROVING</b>	<b>IMPROVING</b>	<b>DECLINING</b>	
	Num	3	0	27 <span style="color: green;">+100%</span>	
	Den	2	0	6 <span style="color: green;">+100%</span>	
<p><b>POV06 LOW is Good</b></p>					

# Tackling Poverty 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020															
POV10 Number of people gaining employment through Employability Support	RAG		GREEN	RED	Engagement numbers on programmes have reduced year on year for quarter 1 and this has had an impact on the employment outcomes. Engagement plans and performance plans have now been put in place to counteract this trend.															
	Result		128	70 -45.3%																
	Target		125	100 -20.0%																
	Trend		No Data	DECLINING																
	Num		128	70 -45.3%																
	Den																			
<p>POV10 High is Good</p> <table border="1"> <caption>POV10 Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>128</td> <td>90</td> <td>90</td> <td>88</td> </tr> <tr> <td>2019/20</td> <td>70</td> <td>125</td> <td>115</td> <td>115</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	128	90	90	88	2019/20	70	125	115	115					
Year	Qtr1	Qtr2	Qtr3	Qtr4																
2018/19	128	90	90	88																
2019/20	70	125	115	115																
POV11 Number of accredited qualifications achieved by adults with local Authority support	RAG		RED	RED	Swansea Working training did not commence in Quarter 1 due to procuring the training. This has had an impact on numbers achieving accredited qualifications this quarter. Additional qualifications have been achieved through the Employability Programmes, but these can only claimed as a training outcome once the client has exited the provision. These will be included in later quarters.															
	Result		117	86 -26.5%																
	Target		200	100 -50.0%																
	Trend		No Data	DECLINING																
	Num		117	86 -26.5%																
	Den																			
<p>POV11 HIGH is Good</p> <table border="1"> <caption>POV11 Data</caption> <thead> <tr> <th>Year</th> <th>Qtr1</th> <th>Qtr2</th> <th>Qtr3</th> <th>Qtr4</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>117</td> <td>180</td> <td>100</td> <td>250</td> </tr> <tr> <td>2019/20</td> <td>86</td> <td>250</td> <td>250</td> <td>250</td> </tr> </tbody> </table>	Year	Qtr1	Qtr2	Qtr3	Qtr4	2018/19	117	180	100	250	2019/20	86	250	250	250					
Year	Qtr1	Qtr2	Qtr3	Qtr4																
2018/19	117	180	100	250																
2019/20	86	250	250	250																

Progress continues to be made towards delivering the Corporate Plan well-being objectives.

The revised Sustainable Swansea programme continues to deliver in Qtr 1 with:

- Digital: 50% of the Digital projects already complete, enabling new ways of working and efficiency across the Council. The shift to digital channels continues to increase as demonstrated in the performance indicators Cust2a and b above, with more people choosing digital first. The Digital Inclusion Strategy is underway and will be completed by September.

- Future Council: Areas of the organisational development strategy are now being delivered after months of development work, e.g. New cohorts of management training. Work also continues on the well-being of future generations and corporate strategy. The Scrutiny Inquiry into Equalities and Diversity delivered its findings. Overall the report was positive however, there were several recommendations which are now being incorporated into the Council's future work plan and Strategic Equality Plan. Cabinet and senior managers have met to discuss the long-term strategic opportunities around regionalisation and shared services. Commercial opportunities continue to be monitored and pursued in line with the commercial plan.

- Transformation: New re-shaping reviews are underway alongside new models of delivery and continuous improvement projects. These new areas are in addition to the 17 commissioning reviews and 4 cross-cutting reviews already in flight. Senior managers have also undertaken a review of potential radical long-term options.

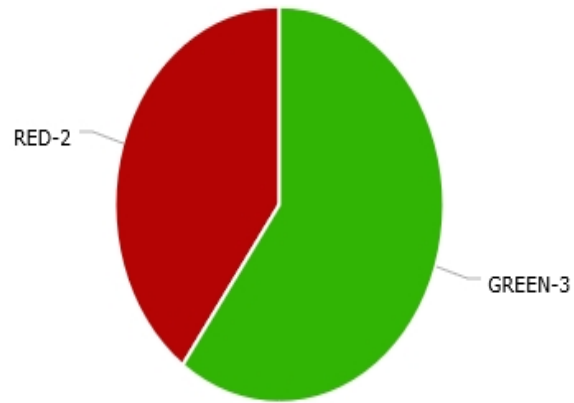
Although progress on the delivery of savings shows an improvement in qtr 1 compared to the same period last year the indicator Fina 6 remains red. Directors, corporate management team and Cabinet Members are delivering remedial actions to ensure overall net expenditure is held within the current budget as set by Council.

New governance arrangements are in place to seek assurance around financial sustainability and that planned savings will be achieved.

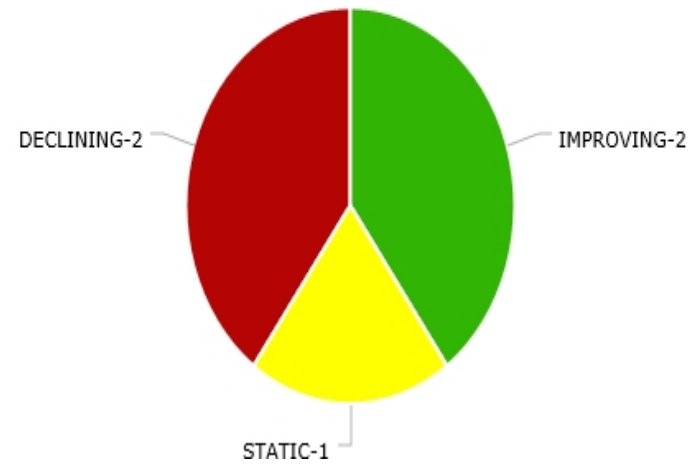
Projects to increase public engagement continue to develop including webcasting within the Council Chamber and the corporate co-production strategy.

Further developments to Welsh Language delivery continue to be made with a review of training provision during the period.

**Performance against Target**  
2019/2020 Quarter 1



**Performance compared to same Period of previous year**  
2019/2020 Quarter 1






# Transformation & Future Council 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
CHR002 (PAM001) <span style="color:red">⬇</span> The number of working days/shifts per full time equivalent lost due to sickness absence	RAG	RED	GREEN	RED	Note from Corporate Performance Team - Data quality under review. Management of Attendance Policy to be consulted on with Trade Unions. Paper to CMT proposing specific targets to be included in Directorate objectives. Specific support to be provided to High absence sections in Place, Social Services and Education.	
	Result	2.25	2.37	3.64		+53.8%
	Target	2.00	2.50	2.50		
	Trend	IMPROVING	DECLINING	DECLINING		
	Num	23145.00	21535.45	32404.50		+50.5%
	Den	10299.00	9089.21	8892.36		-2.2%
CUST2a <span style="color:red">⬆</span> Number of online payments received via City and County of Swansea websites	RAG	GREEN	GREEN	GREEN	Note from Corporate Performance Team - Data quality under review. Management of Attendance Policy to be consulted on with Trade Unions. Paper to CMT proposing specific targets to be included in Directorate objectives. Specific support to be provided to High absence sections in Place, Social Services and Education.	
	Result	20697	22930	26390		+15.1%
	Target	18750	20700	22950		+10.9%
	Trend	DECLINING	IMPROVING	IMPROVING		
	Num	20697	22930	26390		+15.1%
	Den					

# Transformation & Future Council 17-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
<b>CUST2b</b> Number of forms completed online for fully automated processes.	RAG	GREEN	GREEN	GREEN		
	Result	3748	4692	7502 +59.9%		
	Target	3600	4500	4700 -4.4%		
	Trend	IMPROVING	IMPROVING	IMPROVING		
	Num	3748	4692	7502 +59.9%		
	Den					
<b>FINA6</b> Percentage of identified forecast General Fund Revenue savings and income for the year compared to originally approved budget (£000's)	RAG	RED	GREEN	RED	CMT have reinforced expectation that both service and overall net expenditure must be held within the relevant limits of the current year budget as set by Council. The overall judgement at this point is that there remains an urgent need to identify and implement existing and additional budget savings across all Council Services to improve the 19/20 position and beyond. There is confidence that some further inroads can be made into the forecast overspend by ongoing management and Member action.	
	Result	62.09%	85.18%	79.00% -7.3%		
	Target	85.00%	85.00%	85.00%		
	Trend	DECLINING	IMPROVING	DECLINING		
	Num	11627	14081	9985 -29.1%		
	Den	18727	16530	12640 -23.5%		



Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020	
PROC12  Number of data breaches which has resulted in an enforcement or monetary penalty notice being issued by the Information Commissioners Office (ICO)	RAG		GREEN	GREEN		
	Result		0 	0 		
	Target		0	0		
	Trend		No Data	STATIC		
	NO GRAPH DISPLAYED - NO STATISTICAL TREND AVAILABLE	Num		0	0	
		Den				

Maintaining and enhancing Swansea's Natural Resources and Biodiversity is a new corporate priority adopted mid-year in October 2018 for which nearly all performance indicators are measured annually for the period 19/20. The municipal waste recycling figures reported a quarter in arrears show that an upward trend was achieved over the course of 18/19 and whilst marginally below target a further improvement is expected following the recent introduction of new recycling campaign.

Swansea is one of the most ecologically rich and diverse counties in the UK. Its unique variety of habitats and species and wonderful range of parks, greenspaces, nature reserves, beaches and landscapes needs to be maintained, enhanced and sustainably managed for the benefit of everyone now and into the future. The Council has a duty to maintain and enhance this biodiversity across all its services, reduce its carbon footprint and improve knowledge and understanding of the natural environment, thus benefitting health and well-being

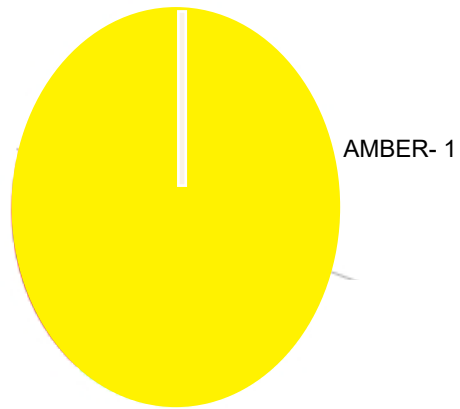
To this end we have been working with partners to develop a Green Infrastructure Strategy for Swansea and develop and implement opportunities to enhance biodiversity and improve ecological connectivity. We have identified initiatives that will increase Swansea's urban tree canopy cover and are in the process of preparing a Council tree policy. Recent negative public reaction to tree felling on public and private land is testimony to the value that Swansea residents attach to trees. Unfortunately a substantial number of trees will need to be felled across the County over the next few years due to Ash Dieback - a disease which destroys trees and for which there is no cure. This means the planting of new trees will become increasingly important and steps have already been taken to support this planting through partnership working with Swansea Trees, the Woodland Trust, Trees for Cities and volunteers.

The Local Biodiversity Action Plan is under review and we continue to develop and deliver the Nature Recovery Action Plan, for example, by working with Education to support schools to enhance their grounds for biodiversity. Primary schoolchildren have been provided with the opportunity to access and learn about their natural environment and there have been a number of public events held to improve awareness and understanding of our natural environment. Actions have been taken that help to control invasive non-native species and there have been enhancements to greenspace as part of an environmental works programme to meet our commitment to the Welsh Housing Quality Standard. We continue to minimise our use of non-recyclable products and materials, and recycle more waste.

Ongoing commitments include working towards creating a low carbon economy, which promotes renewable energy and taking actions to reduce our carbon footprint. We also continue to participate in and support Low Carbon Swansea initiatives and deliver a programme of wildflower planting and management. Planned actions over the course of this year include beginning to map existing Green Infrastructure assets and ecosystem service provision and identifying areas which provide the best opportunities for improvement. We also plan to undertake a preliminary biodiversity audit of Council owned land and where possible will be seeking to manage our corporate assets for the benefit of biodiversity and natural resources. This supports ongoing work towards improving access to and maintaining the quality of our parks and greenspaces and engaging with local communities to encourage volunteering and to support them taking action to enhance and maintain their local greenspaces and wildlife sites.

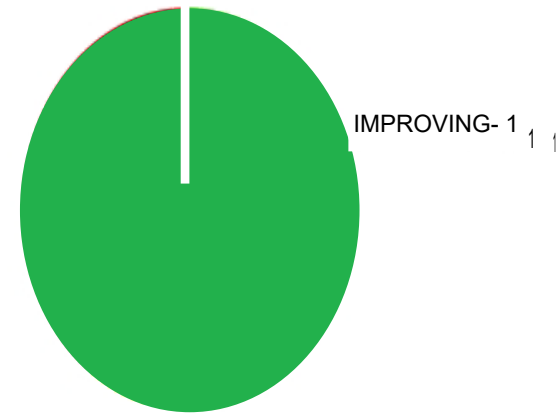
**Performance against Target**

2019/2020 Quarter 1



**Performance compared to same Period of previous year**

2019/2020 Quarter 1



# Nature & Biodiversity 19-22

Performance Indicator	KEY	2017/2018 Quarter 1	2018/2019 Quarter 1	2019/2020 Quarter 1	Comment-2019/2020																									
<p>WMT009b (PAM030) <a href="#">↑</a></p> <p>The percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source segregated biowastes that are composted or treated biologically in another way</p> <p><b>WMT009b</b> <b>HIGH is Good</b></p> <table border="1"> <caption>WMT009b Performance Data (Estimated from Chart)</caption> <thead> <tr> <th>Year</th> <th>Qtr 1</th> <th>Qtr 2</th> <th>Qtr 3</th> <th>Qtr 4</th> </tr> </thead> <tbody> <tr> <td>2016/17</td> <td>59%</td> <td>65%</td> <td>64%</td> <td>62%</td> </tr> <tr> <td>2017/18</td> <td>63%</td> <td>64%</td> <td>65%</td> <td>63%</td> </tr> <tr> <td>2018/19</td> <td>60%</td> <td>65%</td> <td>63%</td> <td>61%</td> </tr> <tr> <td>2019/20</td> <td>61%</td> <td>67%</td> <td>64%</td> <td>62%</td> </tr> </tbody> </table>	Year	Qtr 1	Qtr 2	Qtr 3	Qtr 4	2016/17	59%	65%	64%	62%	2017/18	63%	64%	65%	63%	2018/19	60%	65%	63%	61%	2019/20	61%	67%	64%	62%	RAG	GREEN	AMBER	AMBER	<p>As with previous returns due to the unavoidable delay in getting the data required to complete the return the figures quoted are one quarter in arrears. The figures quoted are for Q4 2018/19. The result is just below the target, however with the introduction of the Keep Recyclables Out campaign, there has been a stepped increase in performance in the following quarter.</p>
	Year	Qtr 1	Qtr 2	Qtr 3	Qtr 4																									
	2016/17	59%	65%	64%	62%																									
	2017/18	63%	64%	65%	63%																									
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	2019/20	61%	67%	64%	62%																									
	Result	63.15%	59.86%	61.24%	+2.3%																									
Target	58.00%	62.00%	61.41%	-1.0%																										
Trend	IMPROVING	DECLINING	IMPROVING																											
Num	16732.66	15325.89	15032.22	-1.9%																										
Den	26496.50	25603.75	24547.87	-4.1%																										

# Agenda Item 11.



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

Cabinet – 19 September 2019

### Annual Equality Review 2018/19

<b>Purpose:</b>	To publish the Council's Annual Equality Review for 2018/19 in line with the Public Sector Equality Duty and reporting regulations for Wales.
<b>Policy Framework:</b>	Strategic Equality Plan 2016 – 2020.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet approve the report content for publication.
<b>Report Authors:</b>	Richard Rowlands/Jo Portwood
<b>Finance Officer:</b>	Paul Roach
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1 The report attached at Appendix A is the third review of the refreshed Strategic Equality Plan (SEP) 2016 – 2020. It is the eighth review under the Public Sector Equality Duty and reflects the annual reporting regulations for Wales introduced in 2011.

#### 2. Content

- 2.1 The report sets out progress against the refreshed Equality Objectives contained within our SEP. The report is a backward looking review of progress against the actions to meet the Objectives during 2018/19, which is set out in more detail in Appendix 1. Details on employment & training information is attached at Appendix 2. Additional information (of relevance

to the requirements of the Public Sector Equality Duty) has also been included, outlining work in areas including:

- Councillor Champions
- Engagement and co-production
- Hate crime
- Children's Rights
- Community cohesion
- Domestic abuse
- Co-production
- Education & schools
- Work with older people

### **3. Equality and Engagement implications**

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

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

3.1.1 Our Equality Impact Assessment process ensures that we have paid due regard to the above.

3.1.2 There are no direct equality and engagement implications associated with this report. However, the report sets out progress to deliver the actions to meet our Equality Objectives that are set out within the Strategic Equality Plan; these actions will have been screened or subjected to an EIA.

### **4. Financial Implications**

4.1 There are no direct financial implications associated with this report.

### **5. Legal Implications**

5.1 There are no direct legal implications associated with this report.

**Background Papers:** None

**Appendices:** Appendix A - Equality Review Report 2018/19  
Appendix 1 - Equality Review Report 2018/19 (progress April 2019)  
Appendix 2 – Employment and Training Information 2018/19  
Appendix 3 – EIA Screening Form



**Equality Review Report  
2018/19  
(Year ending March 2019)**

## **Equality Review Report 2018/19**

### **1. Introduction**

This is the City and County of Swansea's Equality Review Report for 2018-19. This is our eighth review under the Public Sector Equality Duty and reflects the reporting regulations for Wales, which were introduced in 2011.

This report contains details on:

- The third review of progress for our Equality Objectives 2016 – 2020,
- Equality information,
- Employment and training information,
- Additional information relevant to our legislative duties.

### **2. Reviewing the Equality Objectives**

The annual review of progress took place during May – June 2019 and all departments provided details of their progress. All of the information can be found at Appendix 1.

Our refreshed Strategic Equality Plan for 2016 – 2020 was adopted by Council in March 2016. Our [Strategic Equality Plan 2016-20, the summary and easy read versions are here.](#)

### **3. Equality Information**

Analysis of equality information has been maintained and developed in the last year, with additional and updated demographic information included on the Council's 'Statistics' web pages where available. This includes local social and demographic data from the Census and other official sources. For example, a new 'Population characteristics' page has been added which includes a summary of recent ONS research containing inter-censual estimates of Swansea's population by ethnicity, country of birth and nationality.

Our local area profiles, which bring together a range of statistical and other information about local areas in Swansea, including data linked to aspects of equalities (where available), were updated in August 2018 and January 2019. Profiles are currently available for the county, the 36 Wards, the local Constituency Areas, Community Areas (as defined in the 2017 Assessment of Local Well-being, as required by the Well-being of Future Generations Act) and Delivery Areas (former Communities First areas). The content and information sources included in the profiles are regularly reviewed, especially ahead of each new set, and the next versions are due to follow later in 2019.

Monitoring and analysis of available statistics around people with protected characteristics also continues to be undertaken for the Welsh Government's Community Cohesion programme. As part of this and to support other tasks



and projects, staff maintain awareness of developments in data and information on protected characteristics.

We continue to use equality information to inform our Equality Impact Assessments (EIAs); this varies according to the EIA subject, relevance and focus.

#### **4. Employment and Training Information**

Please see Appendix 2 for this information. In addition, our gender pay gap report has been published. Our [Gender Pay Gap report is available here](#).

#### **5. Additional information**

This section briefly details some of our other work relevant to the requirements of the Public Sector Equality Duty during 2018-19.

##### **5.1 Councillor Champions**

Councillor Champions are selected by the Leader of the Council. They cover a wide range of equality issues including; Disability and Access to Services, Diversity, LGBT (Lesbian, Gay, Bisexual and Transgender), Sanctuary and Inclusion in addition to wider themes such as Health and Wellbeing, Carers and Domestic Abuse. The Champions provide a voice for traditionally under-represented groups or issues, which need to be kept at the forefront of Council business although they may not be the responsibility of any individual or Committee. They make sure that the issue or group that they are championing is taken into account when Council policy is being developed and decisions are made.

[For a full list of Councillor Champions click here](#)

##### **5.2 Scrutiny Inquiry Panel – Equalities**

Equalities were identified as an important topic for scrutiny at the Scrutiny Work Planning Conference in June 2018 and was agreed as a topic for in-depth scrutiny by the Scrutiny Programme Committee in July 2018. A Scrutiny Inquiry Panel – Equalities, was established in October 2018. The primary focus for the inquiry was to examine how the Council was meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales) and to explore how the Council was meeting its duties in terms of; eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, advancing equality of opportunity between people who share a protected characteristic and those who do not and fostering good relations between people who share a protected characteristic and those who do not.

Overall, the inquiry concluded that the Council was meeting its duties under the Equality Act 2010 (and the Public Equality Duty for Wales 2011). Many areas of good practice were identified throughout the inquiry, but the Panel also identified a number areas for improvement. The inquiry recommended that improvements should be made in relation to monitoring the national picture and implications for local communities within Swansea, building upon existing work to ensure effective policy, practice and processes are embedded and improve the accessibility of Council services. The inquiry also recommended improving how Councillors and Staff work with, and learn from others and continuing to improve consultation and engagement processes.

A full list of recommendations from the Scrutiny Inquiry Panel including some quick wins, medium term and long term actions can be found in the main report. Our [Scrutiny Panel report into Equalities can be found here](#).

### **5.3 Equality Impact Assessments (EIA)**

EIAs are an integral part of any decision making process and we aim to undertake them as early as possible during any initiative - ideally at its inception. The Council's budget and savings programme are subject to the full EIA process.

We continue to use our comprehensive EIA process, which also takes into account the United Nations Convention on the Rights of the Child (UNCRC), the needs of carers, community cohesion, poverty, social exclusion and Welsh language. Our focus has been on ensuring that the process remains user-friendly, effective and workable for colleagues across the Council. Colleagues have access to a series of on-line tools and guidance from early screening of equality implications to completing a full EIA. The Access to Services Team continue to co-ordinate dedicated EIA support via information, advice and the quality assurance of EIAs.

Our Equality and Engagement protocol (to ensure that EIAs are tracked and monitored through the Council's reporting and decision making process) continues to be very useful in ensuring that equality issues are considered and addressed where needed..

[All completed EIA reports continue to be published alongside relevant corporate reports here](#).

### **5.4 Equality Representatives**

In order to ensure greater integration on Equalities in core Council business and service delivery, departments now play a much greater role in ensuring the Council meets its duties under the Equality Act. A network of Equality representatives from departments across the Council has been established in order to support and build capacity to integrate work on Equalities. The purpose of this group is to raise awareness of the needs and views of people with protected characteristics within the Council through their service areas and departments. The group act as a link between their department and

Access to Services team to identify any issues with equality issues and support the completion of EIAs. Some members of the group have received equality and diversity training, specific disability awareness training and information on GDPR in relation to equality monitoring. The group have also met with representatives from an organisation which supports Adults with learning disabilities to discuss how to produce Council documents in an Easy Read Format. Swansea Public Service Board, supported by Swansea Council have procured training for staff and key partners on how to produce Easy Read and Plain English versions of documents and reports in January 2019.

## **5.5 Consultation and Engagement**

[Information about our current consultations and engagement methods are available here](#) . Further updates are provided in Appendix 1 We are continuing to support our commitment to consultation by involving residents, other stakeholders and employees in our decision making processes. We continue to apply the Gunning Principles in relation to our overall approach to consultation and a consultation toolkit, a list of frequently asked questions and links to consultation resources. The Access to Services team continues to offer advice and support about consultation conducted by the Council, including support in relation to any equality implications and appropriate consultation with hard to reach groups, including groups with protected characteristics.

During 2018-19, the Council have undertaken a number of formal statutory consultations to seek the views of residents, other stakeholders and staff. For example, extensive consultation has been carried out in relation to the Council's budget and Commissioning Reviews including proposals to remodel Residential Care and Domicillary Care. The Access to Services Team have worked to ensure that consultation materials and methods have been tailored to ensure that the opportunity to take part in the consultation have been accessible and open to all.

A review of the Consultation Strategy and the development of Co-production Strategy are underway, building on good practice and pilots which have already been undertaken in some services. This work is closely aligned with the strategic review of Sustainable Swansea and the new Medium Term Financial Plan.

We have continued to develop our relationship with local community groups:

### ➤ LGBT Forum

The Swansea Bay LGBT Forum was established in February 2012 and is run by Swansea Council in partnership with South Wales Police. Membership includes employees or volunteers from local and national organisations who represent the interests of LGBT citizens.

Forum members take part in and support annual events such as International Day Against Homophobia and Transphobia (IDAHOT), LGBT History Month

and Bi Visibility Day. This year the LGBT forum supported the second Pride event in Swansea which was held in the National Waterfront Museum on 4th May 2019. The Pride parade once again took place but was much bigger and better than the previous year seeing over 1,000 people march through Swansea City Centre. Figures for the National Waterfront showed over 4,710 people came and took part in the celebrations, which included entertainment and information stalls

We have also established a Council Staff LGBT+ Group that meet regularly to provide a peer support network for LGBT+ staff, raise awareness of LGBT+ issues in the workplace and fundraise for LGBT+ charities, including World AIDS Day. The LGBT+ group have held information stands at staff Health and Wellbeing events, while some members of the committee are part of the Council's bully buddy scheme providing dedicated LGBT+ support to those who require it. A number of members have publicised personal profiles on the staff Intranet that tell their experiences of coming out, and being an out LGBT+ person in the workplace.

➤ BME Forum

A regional BME forum was introduced this year. Led by EYST as part of the Welsh Government's Equality and Inclusion Programme. The forum met three times during 2018-19 and discussed issues such as racism affecting Asylum seekers and refugees, school children and labour exploitation of EU migrants. The forum also contributed to a national conference Race, Poverty and Representation 2018.

➤ Disability Liaison Group

The Disability Liaison Group allows for two-way dialogue between the Council and disabled people and/or their organisations. The group is made up of local disabled people and disability organisations as well as Swansea Council for Voluntary Services.

During 2018-19, we have been reviewing the Disability Liaison Group including the membership, terms of reference, code of conduct and encouraging departments to have stronger links to the group through the departmental Equality representatives.

## **5.6 Co-production**

A Corporate Co-Production Strategic Framework is in draft following a development workshop with the Transformation and Future Council Policy Development Committee. The Committee will continue to develop Policy on co-production and make recommendations to Cabinet during 2019-10. This will be aligned with our revised Consultation and Engagement Strategy.

Adult Social Services are continuing to develop its approach to the co-production of services. The Adult Social Work Practice Framework has been developed and co-produced with service users contributing to the amended

assessment format and the development of a handbook for service users to prepare potential service users for the assessment and to guide them through the process. A Framework for Supported Living was also co-produced with service users last year and a number of co-produced commissioning projects in Adult Services are in progress. There has been a strong involvement of citizens and service users across commissioning reviews of Learning Disability and Physical Disabilities. Swansea SCVS continues to support a Coproduction network for Swansea which aims to promote co-production awareness, knowledge and support to the Council, health partners, Western Bay, third sector partners and citizens.

## **5.7 Hate Crime**

Hate crime reporting and intelligence at the community level is supported with a partnership approach in place with South Wales Police. The Hate Crime Stakeholder Planning Group meets quarterly and was chaired by the Council, until Victim Support took over the chair June 2019.

We are continuing to implement a Swansea Hate Crime Stakeholder Action Plan with key partners (to link to the Welsh Government's 'Tackling Hate Crime and Incidents: A Framework for Action'). A 'Train the Trainer' course was delivered by Victim Support during 2018-19 and was undertaken by four members of Council staff. A Hate Crime E-learning course has been produced and is currently a mandatory course for all Council staff

The Action Plan is a dynamic document which is maintained by Swansea Council. A Hate Crime awareness week of events is being planned with partners for October 2019

The Council continues to promote Victim Support, the Official National Hate Crime Report and Support Centre for Wales. For more information see [visit the Report Hate website](#).

## **5.8 Community Cohesion**

We have continued to implement the Welsh Government Community Cohesion programme during 2018-19. The new programme focused on four objectives:

- Work at a strategic level to break down barriers to inclusion and integration across marginalised groups.
- Work at a local level to break down barriers to inclusion and integration for particular groups and communities.
- Supporting migrants, refugees and asylum seekers and host communities during the integration process.
- Tackling discrimination, hostility, tensions and extremism.

Work has been undertaken to engage Councillors, multi-agency staff, volunteers and individuals in countering negative messaging concerning sections of our community. Mythbusting information has been developed and

shared to help counter misconceptions. In addition, we have enabled groups to come together such as the Inter-faith Group and supported community events such as Swansea University's the Bigger Picture Festival, and the annual Eid in the Park event.

Our Community Cohesion delivery plan has also incorporated a number new of activities in relation to identifying and mitigating actions related to community tensions about Brexit. We have established a Brexit Steering in order to understand the implications of Brexit for the Council and to ensure that we mitigate risks and are effectively prepared for developments, including community. Work has included gathering information about perceptions of community safety, hate crime and Brexit from an on-line survey.

Community cohesion work to support Gypsy Travellers, Refugees and Asylum Seekers, Modern Day Slavery and Hate Crime has continued. We are continuing to participate in the Home Office's Dovetail pilot. The Local Authority Channel Co-ordinator monitors Counter Terrorism and radicalisation cases and a number of multi-agency interventions are in place. Work has been undertaken to embed the Anti-Slavery Wales Victim Response pathway into the Ethical Care Charter for procurement and we are currently developing a policy statement. Swansea Social Services Strategic Working Group has now developed an internal referral pathway for Modern Day Slavery and training on Modern Day Slavery has been delivered to over 100 people, including the development of a 'Train the Trainer' session. Information sessions on Refugees and Asylum Seekers has been held with Housing, Social Services and Communities for Work staff. Future training is imminently planned for Team Around the Family and Local Area Coordinators.

### **5.9 United Nations Convention on the Rights of the Child (UNCRC)**

We are continuing to embed Children's Rights into key Council policies, plans and practice. During 2018-19 we have continued to incorporate UNCRC standards within the Strategic Equality for Plan for Schools, Child and Family Services Participation Strategy, the Corporate Parenting Strategy, the Early Years Strategy, the Healthy and Sustainable Pre-School Scheme, the Play Sufficiency Assessment, Young People's Service plans and Swansea's Public Service Board's Well-Being Plan.

During 2018-19, projects which received funding from the Children and Young People Fund were required to evidence how children & young people are involved in the planning and delivery of services, in line with the UNCRC. Workforce development opportunities have been offered by the Life Stages Team through Poverty and Prevention, Education and Child and Family Services training programmes. UNCRC training has also been provided to Governors and Councillors. We have also provided bespoke sessions on Human Rights for Young Families and Cultural Services. A number of Officers have been trained to undertake Rights Respecting Schools Award assessments.

We have continued to disseminate information about the UNCRC through a range of forums, events and projects across Swansea, including the Big Conversation, Pupil Voice Forum, a consultation on services for children whose first language is not English, forums for Children who have experienced care and the Play Sufficiency Assessment. Additionally, specific consultation was undertaken on several new and upgraded play areas, as well as the design of the Dilly Trail and “Dilly Footprints” which is part of the new Kingsway development. We celebrated International Children’s Rights Day in Swansea by presenting our work to over 100 guests from across Wales

### **5.10 Education and schools**

We continued to work with the Show Racism the Red Card programme during 2018-2019 by participating in a number of workshops and events in our schools. The sessions explored various issues around racism, stereotyping, terminology and media influence. Schools from Swansea were also well represented at the annual Show Racism The Red Card Wales creative competition awards. There was a range of categories from clothing design and creative writing to digital media and poster design. This year’s special category saw pupils tasked with designing an anti-racism advert for Show Racism the Red Card which is the UK’s largest anti-racism educational charity.

A number of schools in Swansea have been using My Concern to record instances of safeguarding/well-being concerns. We have promoted the software in order to get an overarching view of all incidents across schools in Swansea. Work has taken place with a group of primary Head Teachers to re-develop My Selfie. My Selfie provides primary pupils with the opportunity to directly feedback on their school life and wellbeing. The website provides sign-posting to well-being and safeguarding resources for pupils of all ages. Key teaching staff at schools can make use of the information to gain a holistic understanding of an individual pupil’s needs and development.

The Welsh Government has consulted on new bullying guidance for all schools in Wales and we are awaiting the final publication of this guidance to improve our recording all incidence of bullying in Swansea schools. In addition we will shortly be consulting on a policy that is concerned with ensuring the inclusion of and raising standards for pupils from minority ethnic backgrounds (including young people from gypsy and traveller community) attending maintained schools in Swansea.

### **5.11 Work with Older People**

#### ➤ Live Well, Age Well / Swansea’s Local Wellbeing Plan

We have continued to implement the steps in Swansea’s Wellbeing Plan action plan to meet one of our key partnership objectives – Live Well, Age Well and ensure activity is aligned to Ageing Well work. Swansea’s Public Services Board have endorsed the principles and actions set out in the Dublin

Declaration on Age-Friendly Cities and Communities in Europe and supports the development of a Human Rights City approach in Swansea.

We have continued to raise awareness of the Human Rights Principles for Older Persons and the Human Rights Declaration more broadly. The Ageing Well Engagement Plan has incorporated human rights principles. The review of the 50+ Network to develop a Big Conversation forum for those that are 50+ has enabled us to make explicit links to human rights and ensure that citizens that are 50+ are engaged in a more meaningful mechanisms to have a voice on issues that impact on their lives. The first Big 'Intergenerational' Conversation took place on December 10th 2018 (International Human Rights Day) to launch the start of our intergenerational approach.

Engagement events with our older community members have taken place in relation to what an Age Friendly City looks like for Swansea. Planning colleagues and developers have been provided with advice and resources to ensure City Centre development is considerate of issues relating to Older community members and is accessible to people of all ages. In addition, following feedback from participants at UK Day For Older People which took place on 1st of October 2018, we have developed a Live Well, Age Well Forum, which has identified a number of themes including Digital Inclusion, Health & well-being, Transport & Safety, which are important issues for Older People.

We have continued to work with the Network 50+ and Dementia Friendly Swansea to develop work around Ageing Well. A Health & Well-being Forum was held with a variety of community groups and individual 50+ members. We have also co-produced a Dementia Friendly Action Plan which will be further developed in 2019/20. An action plan and engagement plan has been developed within the Life Stages team setting out priorities for the next three years; this includes promoting Intergenerational projects e.g. the BIG Intergenerational conversation, Dementia Friendly Schools and Dementia Friendly Homes.

## **5.12 The Well-being of Future Generations**

The Well-being of Future Generations Act (Wales) 2015 requires the Council:

*“To act in a manner which seeks to ensure the needs of present are met without compromising the ability of future generations to meet their own needs”.*

This essentially means actively considering impacts on 'the unborn' when we make decisions across all services. The Council is committed to ensuring our actions contribute as fully as possible to the social, economic, cultural and environmental well-being of Swansea and its residents both now and in the future. By maximising the Council's contribution to the national well-being goals we create the conditions ensuring greater equality for all.



Swansea's Sustainable Development Policy adopted this central principle in 2012. All departments now take into account (to an increasing degree) the long term impact on future generations when designing, planning and delivering services. We ensure that we adopt the Sustainable Development Principle in everything we do; this includes consideration of the long term.

The five ways of working help us involve people more effectively, focus on prevention and early intervention, align our priorities with other organisations and Council services to achieve better integration, collaborate and work better with partners and focus on the long term outcomes. These behaviours create an enabling environment that supports works towards our strategic equality objectives.

### **5.13 Poverty**

Tackling Poverty continues to be a corporate priority and one of six key objectives within our Corporate Plan. Our Tackling Poverty Strategy continues to support the premise that Tackling Poverty is Everyone's Business. A cross departmental Delivery Plan sets out commitments across the Council ensuring that tackling poverty is everyone's business. Key actions from the Delivery Plan have ensured a cross departmental approach to delivering on utilising the Policy In Practice Data to target appropriate services at households in need or at risk. This approach is further supported through Swansea Council's Poverty Forum and the Swansea Partnership Poverty Forum, promoting the message and developing projects and services that support this principle.

The Swansea Poverty Partnership Forum has met quarterly throughout 2018/19 providing an opportunity for partnership discussion and the sharing of knowledge and best practice. The Forum has considered a number of topics this year including Universal Credit and the predictions made by the Policy In Practice data analysis, Swansea Working, Regional Learning and Skills Partnership and Holiday Hunger. Membership has grown over the previous year with many organisations represented at the forum.

The Financial Inclusion Steering Group has also met quarterly through 2018/19 providing an opportunity for organisations involved in the provision of financial support to network and share good practice. This has been particularly useful during the roll out Universal Credit in Swansea which has dominated the agenda throughout the year. Several pieces of work have been delivered through the group including the production and distribution of the 'Quids In!' guides and the delivery of the Loan Shark Awareness Training to front line staff in Swansea.

The Poverty Reduction Policy Development Committee – a cross party Council committee established to develop new Council policies in relation to reducing poverty - has examined a number of topics during 2018-19 including; welfare reform, high cost lending, the effectiveness of employability programme such as Swansea Working and Extended Childcare, diverted

giving and Extended Childcare and subsequently made Policy recommendations.

Steps have been taken to establish a Swansea Poverty Truth Commission which will bring together key decision makers with people with direct lived experience of poverty. A series of meetings were recently held to explore the interest in developing a Poverty Truth Commission for Swansea. Facilitated by Andrew Grinnell (Leeds Poverty Truth Commission), the three meetings engaged with Civic Leaders, key organisations and people with lived experience of poverty. Preparations are being made for the next step of setting up a 'Start-Up Group' and identifying potential Commissioners.

#### **5.14 Lifelong Learning Service**

The Life Long Learning Service (LLS) continues to develop and deliver Essential Skills, digital literacy, family learning and learning for life courses across Swansea. The Service works with partner providers to ensure clear progressive pathways between learning opportunities from engagement to accredited provision and training opportunities are available. The Service has worked with employability partners to develop and deliver a number of bespoke programmes to meet a range of learners' needs and improve employability prospects. These include sector specific accredited courses, accredited training opportunities and intensive employability programmes addressing literacy, numeracy, digital literacy and essential employability skills. Partnership working between providers and employability services continues to strengthen and increase both learning opportunities and employability prospects.

Swansea Learning Festival for 2019 - Unlocking Opportunities - was held between the 1<sup>st</sup> and 6<sup>th</sup> April 2019. The event included over 300 free events and catered for a range of interests, ages and abilities. Over 8000 participants took part in the event. Activities included interactive taster sessions, exhibitions, demonstrations, performances, workshops and seminars and a free all-day family event in Castle Square. Areas of learning included art and crafts, health and well being, sports and science, technology and media, poetry, entrepreneurial opportunities, business support and employability skills to name a few. The festival's themes of 'Innovation, Inclusive and Entrepreneurial' were also reflected throughout the celebrations. Events took place in traditional learning venues such as libraries, schools and museums but also in some more unusual locations including the Quadrant shopping centre, Castle Square, Swansea beach and pubs and clubs.

#### **5.15 Welfare Reform**

The Welfare Rights Team continues to increase welfare rights awareness and knowledge of the workforce in Swansea. They do this by providing training on a range of welfare benefit issues; an advice line; appointments for appeal representation and complex casework; publications and self-help guides and policy work. The work of the Welfare Rights Team has resulted in changes at both a national and local level; for example the results of a mini take up of

former Incapacity Benefit claimants migrated to Employment and Support Allowance was fed into a national campaign which resulted in the Government agreeing to revise all claimants awards of Contributory Employment and Support Allowance. The result of this take up campaign increased average weekly income by £62.53 and a backdated lump sum payment of £6,089.20 for each of the 17 claimants involved.

The Welfare Rights Team provide appeal representation at both First tier and Upper Tribunal hearings. During 2018-19 a total of 64 appeals were successful in securing rights and entitlements to welfare benefits which raised over £876,200 following appeal representation. It has been estimated that this is worth £3,500,000 to the local economy. The work of the team has in many of the cases prevented eviction proceedings being enforced and has reduced both rent and council tax arrears. This has impacted on all our services, including Child and Family services because the children are no longer at risk. In some cases an award of a Disability Benefit not only increases income but will prevent claimants moving over to Universal Credit in the short term and when they do, they will receive significantly more income going forward. Benefit under-claiming remains a huge issue and households affected by welfare reform are at risk of becoming high demand users of our costly services, where effective income maximisation could de-escalate their issues.

The final 'Policy In Practice' analysis of Swansea's Single Household Benefit Extract took place in September 2018. A Data Sharing Agreement has been written and approved that allows the household level data to be utilised in order to provide offers of support to targeted and selected cohorts. Welsh Government have commissioned Policy In Practice to carry out a Wales wide analysis; Local Authorities across Wales will be required to submit their Single Household Benefit Extract Data for the analysis

### **5.16 Violence against Women, Domestic Abuse & Sexual Violence**

The Violence against Women, Domestic Abuse & Sexual Violence Strategic Partnership Group have reviewed the objectives in the strategy and established actions for 2019/20. These include projects working with young people to ensure they have healthy, safe and equal relationships.

Swansea's Domestic Abuse Hub continues to support children and their families and takes a 'whole family approach' to support. This Hub ensures a more proportionate response and pathway to police PPNs (Public Protection Notices) issued after a police call-out to an incident. As the overwhelming majority of referrals would not necessarily hit the threshold for statutory intervention, the Hub helps to coordinate early intervention, prevention and family support services. This development is enhanced by a Domestic Abuse One-Stop Shop, with open access to anyone (female or male) who has experienced domestic abuse currently or in the past or to anyone looking for information and support.

The Domestic Abuse One Stop Shop (OSS) continues to develop its services through a multi-agency partnership approach. The range of services on offer

are across the continuum of need, from crisis drop-in through to the Freedom Programme, Nurturing Programme, and coffee and crafts sessions. Surgeries on a range of issues are on offer including legal advice, substance misuse and debt advice. The OSS services are monitored by the Partnership Group who aim to provide services that cover a continuum of care from prevention, crisis and after care and are accessible by all members of the community. Work is being started to look at implementing specific support for male victims and those from the LGBT community.

A Swansea and Neath Port Talbot commissioning review of domestic abuse provision is underway aiming to ensure that service delivery models are of good quality, financially sustainable, and meet strategic and legislative requirements. The focus of the review will take into consideration the five ways of working and ensure we develop robust data collection across services to evidence impact and ensure there is a continual understanding of client groups and client need. A working group will establish a training package and timetable for delivery. In 2019/20 a new partnership agreement will be developed with service users to ensure there is an agreed way of working so people can get the right support at the right time, to enable them and their family to feel safe and not afraid, now and in the future.

The Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Partnership held its annual White Ribbon Day event to raise awareness amongst professionals and the public of issues around violence against women. This was supported and attended by MPs, Councillors, the Swans, Ospreys and a range of public services

### **5.17 Easy read**

Last year we published our annual review in three formats:

- full report
- summary
- easy-read.

We will do the same this year to ensure the information is accessible as possible.

### **5.18 Wales Interpretation & Translation Service (WITS)**

As a result of our membership of the WITS partnership, we have a co-ordinated approach to all interpretation and translation, including telephone and face-to-face provision. This does not include in-house Welsh-English translation through our translation unit.

The top five languages requested in 2018 – 2019 were:

1. Arabic
2. Polish
3. Kurdish (Sorani)
4. Bengali
5. Romanian

## 5.19 Website

To help us make the Swansea Council website accessible, Digital Services uses the Web Content Accessibility Guidelines (WCAG) 2.1. These guidelines explain how to make web content more accessible for people with disabilities, and user friendly for everyone.

The guidelines have three levels of accessibility (A, AA and AAA) and level AA is the target for the Swansea Council website. We aim to ensure that the site is free of jargon, uses simple, plain English and Welsh, is easy to search and presents information in a logical order. The Web Team provides support to web editors and written guidance via the staff portal (Staffnet) to encourage clearly written, consistent pages. Following on from the work done by Swansea Public Service Board on how to produce Easy Read and Plain English versions of documents, there is now information on Staffnet to which staff can refer.

Digital Services promotes [free computer and tablet courses for beginners](#) in Swansea, which are planned and supported by the Digital Inclusion Co-ordinator and delivered by Lifelong Learning tutors. The courses provide a basic introduction to using a device and accessing the internet and provides information on how to keep personal and financial data safe. An important part of the course is teaching attendees how to access money saving deals that are only available online, for example switching energy provider, which supports the Council's anti-poverty agenda. In 2018/2019 there were 454 course attendees, exceeding the target of 440. At present the risk of digital exclusion in Swansea is considered to be low.

The Web Team also helps to promote equality campaigns across the council, including Hate Crime Awareness Week and elements of Community Cohesion. Extensive support was given to the first Swansea Learning Festival with promotion through online advertising as well as facilitating the bookings for various sessions. The Local Well-being Plan pages were developed and promoted both externally and to staff, and the Live Well / Age Well pages were updated. Regular newsletters have been designed and sent on the Ageing Well team's behalf.

Digital Services and Transformation teams undertook a considerable amount of work to ensure the whole council and all the systems used to store data was fully prepared for GDPR in the build up to 24 May 2018. This involved working with all sections of the council to ensure there was a central record of how and where personal and sensitive personal data was collected and to make it clear to service users why their information is taken and how it is used. This is done at the point of data capture and informs them of their rights. The privacy policy was updated and accessible information about [privacy rights for children and young people](#) which complies with GDPR and also helps to support the work done on [children and young people's rights](#) within the council.

Staff from Digital Services also continued to work with Communications and Trading Standards to raise awareness to staff and Swansea residents about the [dangers of scams](#) (including updates on current scams operating in Swansea). Information and regular updates from the Information Security Officer is provided for staff on how to protect their own data and those of our service users both online and offline.

Planning started for a new council website and an EIA screening was submitted in March 2019. A full EIA will be completed and the Web Manager is working with Access to Services to ensure the Disability Liaison group is consulted to provide advice and guidance.

## **6. Concluding comments**

This annual report has allowed us to assess our progress during the third year of our refreshed SEP. Progress has been made against all of our Equality Objectives and the amount of additional information we have to report over and above our Equality Objectives continues to grow, which is very positive. This demonstrates both our ongoing commitment to the equality agenda and the additional progress that is being made.

Service	Equality Objective	Equality Action	Department Rep	Progress April 2019
Poverty & Prevention	Equality Objective 1 – Ensure equality of access to services	Develop arrangements with the Corporate Complaints Team to ensure accessible mechanisms for addressing any issues arising in relation to children's rights in Swansea (including signposting to advocates and providing feedback)	Jane Whitmore	<i>Process map in place. Work to be carried out with Equality Champions to review mechanisms for raising issues in relation to due regard to UNCRC.</i>
Poverty & Prevention	Equality Objective 1 – Ensure equality of access to services	Continue facilitation of Play Access Group and BME Family and Play Group	Jane Whitmore	<i>The Play Access Group continued to meet bi-monthly throughout 2018/19 with a cross-cutting cohort of parent/carers and representative organisations, feeding into the overall Play Network (and accordingly to the CYP Board). The Play Access Group ensured issues affecting access to play for those with disabilities and their families was fed into Swansea's Play Sufficiency Assessment submitted on 31st March 2019. Capacity issues have meant that the BAME Family &amp; Play workstream hasn't formally met during the year, but issues affecting access to play by minority groups remains a key subject at the Play Network and the circulation list is consulted on play sufficiency.</i>

Poverty & Prevention	Equality Objective 1 – Ensure equality of access to services	Provide a range of services through the Families First programme targeted at families with disabled children	<b>Jane Whitmore</b>	<p><b>During 18/19 Families first funded the following disability related projects:</b></p> <ol style="list-style-type: none"> <li><b>1. Support for families with preschool children who have an emerging or diagnosed disability. Delivered through Stepping stones.</b></li> <li><b>2. Hollsitic family support and an advocacy service centred around ALN and education, provided by SNAP.</b></li> <li><b>3. Life skills and family support for young people with very challenging behaviour and high end disability via the Local Aid Buddies project.</b></li> <li><b>4. Early Language Development support via the Early Interventions internal team</b></li> </ol>
Poverty & Prevention	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	<p>Develop a Hate Crime Strategy</p> <p>Increase understanding of hate crime and awareness of how to report it amongst staff and key partners</p>	<b>Jane Whitmore</b>	<p><b>In progress:</b></p> <ul style="list-style-type: none"> <li><b>• Swansea Hate Crime Stakeholder Action Plan established and is a dynamic document maintained by Swansea Council</b></li> <li><b>• HC Stakeholder Planning Group meets quarterly, chaired by Council for 2 and half years, Victim Support taken over chair June 2019</b></li> <li><b>• HC E-learning course is being accessed by staff as a mandatory course</b></li> <li><b>• Train the Trainer course delivered by Victim Support undertaken by 4 members of Council staff - delivery co-ordinated by Victim Support.</b></li> <li><b>• HC awareness week events being planned with partners (Oct 2019)</b></li> <li><b>• Victim Support take the lead on this agenda as commissioned by Welsh Government.</b></li> </ul>



<p>Poverty &amp; Prevention</p>	<p>Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.</p>	<p>Maintain a framework for the delivery of Prevent interventions and support to vulnerable individuals at risk of or being drawn into violent and/or non-violent extremism.</p>	<p><b>Jane Whitmore</b></p>	<p><b><i>In progress:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Participating in the Home Office Dovetail pilot</i></b></li> <li>• <b><i>Local Authority Channel Co-ordinator managing Counter Terrorism and radicalisation case load</i></b></li> <li>• <b><i>Community Integration and Partnership Manager chairs Channel Panel</i></b></li> <li>• <b><i>Multi-agency Channel Panel meets monthly to discuss cases.</i></b></li> <li>• <b><i>Interventions in place for current cases.</i></b></li> <li>• <b><i>Prevent Action Plan 2017-20 established and maintained.</i></b></li> <li>• <b><i>Community Co-ordinator Counter Extremism vacancy being filled, Summer 2019</i></b></li> </ul>
<p>Poverty &amp; Prevention</p>	<p>Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.</p>	<p>Increase awareness amongst staff and partner organisations on modern slavery and how to signpost victims</p>	<p><b>Jane Whitmore</b></p>	<ul style="list-style-type: none"> <li>• <b><i>Assisted colleagues in Swansea Procurement team to embed the Anti-Slavery Wales Victim Response pathway into the Ethical Care Charter for procurement. Currently assisting colleagues with the policy statement.</i></b></li> <li>• <b><i>Swansea Social Services Strategic Working Group has now developed the internal referral pathway, and this will be presented to the next Western Bay Anti-Slavery Forum.</i></b></li> <li>• <b><i>The Coordinator supported the Anti-Slavery Train the Trainer session, 7 people from Western Bay area attended the session.</i></b></li> <li>• <b><i>Anti-Slavery Awareness training - 109 people attended these sessions.</i></b></li> <li>• <b><i>The Swansea Anti-slavery first responder session in March was delivered to Swansea Social work colleagues.12 people attended this session.</i></b></li> <li>• <b><i>The Cohesion Coordinator currently providing the secretariat to the Western Bay Anti-Slavery Forum.</i></b></li> </ul>

Poverty & Prevention	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Continue role of BME Family and Play Group within cross-sector Play Network in relation to hate crime awareness and understanding of modern slavery	<b>Jane Whitmore</b>	<b><i>There was no specific training or awareness relating to this area delivered via the Play Network or Early Years during 2018/19 as it has been provided in recent years.</i></b>
Poverty & Prevention	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Establish a working group to explore opportunities in relation to confidence and safety in getting around the City and County of Swansea	<b>Jane Whitmore</b>	<b><i>No change</i></b>
Poverty & Prevention	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People's Rights Scheme	Increase knowledge and understanding of the UNCRC by ensuring all staff attend/participate in the UNCRC corporate training	<b>Jane Whitmore</b>	<ul style="list-style-type: none"> <li><b><i>• Funded projects supported by the CYP Fund are required to evidence how children &amp; young people are involved in the planning and delivery of services, in line with the UNCRC</i></b></li> <li><b><i>• Workforce development opportunities offered by Life Stages Team through Poverty and Prevention, Education and Child and Family Services training programmes.</i></b></li> <li><b><i>• UNCRC training provided to Governors and Councillors and bespoke sessions include human rights sessions for Young Families and Rights in cultural services.</i></b></li> </ul>

<p>Poverty &amp; Prevention</p>	<p>Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme</p>	<p>Promote and raise awareness of the UNCRC by embedding children’s rights within day to day practice and utilising the Children’s Rights logo in all promotional activity</p>	<p><b>Jane Whitmore</b></p>	<p><b><i>In addition to a range of examples of where Children’s Rights have been central to our work, a significant success for awareness of children’s rights has been with the ‘Dilly Footprints’ work that will form a key part of the new Kingsway development. With the intention of highlighting the city centre as belonging to children &amp; young people just as much as adults, Dilly footprints will be embedded into paving slabs along the streets, with an additional awareness campaign which got underway in 2018/19, to promote children’s rights. Dilly Dragon, the rights mascot is disseminated by teams to raise awareness of the UNCRC and the Council’s commitment through the Children’s Rights Scheme. This is done in a number of ways: a Dilly flag flies during planned periods from the Civic Centre Building. #DillyDragon #DdraigDilly is linked to the Corporate Facebook and Twitter</i></b></p>
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<p>Poverty &amp; Prevention</p>	<p>Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme</p>	<p>Ensure quality opportunities for Children &amp; Young People’s voice in policy/service developments that affect them</p>	<p>Jane Whitmore</p>	<p><b>UNCRC due regard information is disseminated by The Children’s Play Team at every opportunity to support awareness and responsibility across departments and members. Different forums, events and projects across Swansea through Big Conversations – open, safe and fun ways for children and young people to be heard:</b></p> <ul style="list-style-type: none"> <li>• <b>Big Conversation Forum – 539 11-18 year olds explored topics including extremism, gender equality and Swansea Council’s Budget.</b></li> <li>• <b>Pupil Voice Forum – 165 children and young people aged 7-18 took part in the Pupil Voice Forum. Topics included Identity and Equality, The Future of Education in Swansea (Abertawe 2025) and a consultation on services for children whose first language is not English.</b></li> <li>• <b>Forums for Children who have experienced care – 67 children took part in forums to let us know what is important for children in care and those who have been, and have now left.</b></li> <li>• <b>School Visits – 617 children worked with through visits to schools, to school councils and other school clubs. The 2019 Play Sufficiency Assessment was submitted in March 2019 and incorporated the views of over 600 children &amp; young people. Additionally, specific consultation was undertaken on several new and upgraded play areas, as well as the design of the Dilly Trail (detailed above).</b></li> </ul>
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Poverty & Prevention	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Continue to embed Children’s Rights in all practice and procedures within the department and with partner commissioned organisations	<b>Jane Whitmore</b>	<p><b>Continued incorporation of UNCRC standards in the following;</b></p> <ul style="list-style-type: none"> <li>• <b>Strategic Equality plans in schools</b></li> <li>• <b>Child and Family Services Participation Strategy.</b></li> <li>• <b>School Council Audit.</b></li> <li>• <b>Corporate Parenting Strategy.</b></li> <li>• <b>The Early Years Strategy.</b></li> <li>• <b>Our approaches to school readiness in Childcare settings.</b></li> <li>• <b>Healthy and Sustainable Pre-School Scheme.</b></li> <li>• <b>Play Sufficiency Assessment.</b></li> <li>• <b>Young People’s Service plans.</b></li> <li>• <b>Child and Family Service’s Participation and Children’s Rights Plan.</b></li> <li>• <b>Swansea’s Public Service Board’s Wellbeing Plan.</b></li> </ul> <p><b>On International Children’s Rights Day, children and adults in Swansea presented their success to over 100 guests from across Wales.</b></p> <p><b>A new contract to embed and sustain the Rights Respecting Schools Award at a cost that is free to Schools in Swansea is progressing. A number of internal staff have been trained to undertake assessments on behalf of the Council. This will begin in Summer 2019.</b></p>
Poverty & Prevention	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Raise awareness of “Big Conversation Mechanisms”, ensuring children & young people have an understanding of a variety of opportunities to have their voice heard	<b>Jane Whitmore</b>	<p><b>This year has seen the first Big Conversations for children aged 7-10, and also Intergenerational Big Conversation for people across the life stages to come together to have their voices heard.</b></p>

Poverty & Prevention	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Develop a communication strategy and campaign plan with key objectives to be delivered across the whole of Swansea	<b>Jane Whitmore</b>	<b><i>Gender equality continues to feature within discussions through the Big Conversation for Primary &amp; Secondary school aged children. The Equalities Scrutiny Enquiry saw councillors participate in Big Conversations across the age range and gender equality with regards to service provision, sports and within our schools featured heavily in the discussions.</i></b>
Poverty & Prevention	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Establish a working group to explore issues around gender stereotyping	<b>Jane Whitmore</b>	<b><i>Dilly Dragon, the rights mascot is disseminated by teams to raise awareness of the UNCRC and the Council’s commitment through the Children’s Rights Scheme. This is done in a number of ways; a Dilly flag flies during planned periods from the Civic Centre Building</i></b>
Poverty & Prevention	Equality Objective 5 – Improve pupil attainment and continue to close performance gaps	Reduce inequalities in school readiness	<b>Jane Whitmore</b>	<b><i>The Flying Start Programme continued to operate with the Foundation Phase Profile adapted for pre-school children and the Wellcomm speech and language screening tool rolled out across all childcare settings. Further development of the Best Start Campaign through Social media, posters and events. Consolidation of the Jig-so Project supporting young parents during their child’s 1st 1000 Days. Collaboration with the Health Board and Public Health Wales to facilitate a 1st 1000 Days multi-agency event to inform a new action plan.</i></b>

Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Through the Families First and Flying Start programmes, deliver a range of services to children, young people and their families to improve outcomes, through interventions such as Parenting, Language and Play etc	<b>Jane Whitmore</b>	<b><i>Families First continues to develop new and initiative ways to deliver services to children, young people and their families. In 2018/19 Families First engaged with 5,328 cases, comprised of 10,780 individuals. Flying Start continues to provide the Best Start in life for children in our most deprived areas. In 2018/19 2925 children benefitted from the Flying Start programme. The childcare attendance average was 79%.</i></b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Promote and provide a range of upskilling opportunities on a multi-agency basis in order to achieve quality services through the workforce development approach. This will include training on Motivational interviewing, Team Around the Family (TAF), Solutions Focused Thinking, etc.	<b>Jane Whitmore</b>	<b><i>1,014 training places filled covering 20 different subject matters.</i></b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Identify those young people who are most at risk of becoming NEET (not in employment, education or training) and provide them (and their families) with the personal support they require to remain engaged with education, employment and training	<b>Jane Whitmore</b>	<b><i>Regular meetings take place between, schools, careers, evolve and partner organisations to regularly track those at risk during year 11. This information is used to broker the most appropriate support for each individual. The attached provides an overview of the most recent review of data by area, school and level of need.</i></b>

Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Continued use of Child Poverty Impact Assessments (CPIAs) for Play	<b>Jane Whitmore</b>	<b>No change</b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Food Poverty Community Interest Company: Create a food enterprise to tackle food poverty and feed people well in Swansea	<b>Jane Whitmore</b>	<b>No change</b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Deliver a range of services through the, Communities for Work Plus and Communities for Work Programmes, and through the effective allocation of the Legacy Fund that support people and families in our most deprived communities to improve their opportunities and reach their potential	<b>Amy Hawkins</b>	<b><i>The Communities for Work, Communities for Work Plus and Legacy fund provision is now fully implemented and is operational in delivery areas across Swansea. The Swansea Working approach has also been implemented with closer links and a single referral point being key objectives achieved in the first year.</i></b>



Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	New action added for 2018 Lifelong Learning Service: Provide a wide range of high quality accredited and non-accredited Adult Education provision throughout Swansea, supporting learners to improve and enhance their employment skills and prospects through various learning opportunities	Amy Hawkins	<p><i>The Lifelong Learning Service continues to develop and deliver Essential Skills, digital literacy, family learning and learning for life courses across Swansea. The Service works with partner providers to ensure clear progressive pathways between learning opportunities from engagement to accredited provision and training opportunities are available. The Service has worked with employability partners to develop and deliver a number of bespoke programmes to meet a range of learners' needs and improve employability prospects. These include sector specific accredited courses, accredited training opportunities and intensive employability programmes addressing literacy, numeracy, digital literacy and essential employability skills. Partnership working between providers and employability services continues to strengthen and increase both learning opportunities and employability prospects.</i></p>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	New action added for 2018 Ensure the adoption, delivery and effective monitoring and reporting of the Council's Poverty Strategy and Prevention Strategy	Amy Hawkins	<p><i>In progress: Swansea's Tackling Poverty Strategy continues to support the premise that Tackling Poverty is Everyone's Business. Key actions from the Delivery Plan have ensured a cross departmental approach to delivering on utilising the Policy In Practice Data to target appropriate services at households in need or at risk. Steps have been taken to establish a Swansea Poverty Truth Commission which will bring together key decision makers with people with direct lived experience of poverty. A mid-term review is planned of the Delivery Plan during 19/20.</i></p>

Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Provide a welfare rights training programme to support staff from Swansea Council and partner organisations to negotiate the significant changes to the benefits system resulting from Welfare Reform	<b>Amy Hawkins</b>	<b><i>In progress: The Welfare Rights Training Programme delivered training to 219 participants. The 19/20 Training Programme has been planned and the initial courses have been advertised.</i></b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	New action added for 2018 Provide a specialist advice line service to support staff of Swansea Council and partner organisations negotiate the welfare benefit system to ensure that clients are receiving their correct entitlement.	<b>Amy Hawkins</b>	<b><i>In progress: The Welfare Rights advice line runs three days a week – Monday, Wednesday and Friday. The queries on the advice line have become more complex due to the significant changes within welfare reform, including Universal Credit and right to reside cases. The team have also opened up an advice email advice - this is currently being monitored</i></b>
Poverty & Prevention	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	New action added for 2018 Appeal Representation at both first tier and Upper Tribunal hearings	<b>Amy Hawkins</b>	<b><i>Appeal outcomes: Successful = 64 Withdrawn = 4 Unsuccessful = 3  Money raised from appeal representation: £876,206.23</i></b>

<p>Poverty &amp; Prevention</p>	<p>Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities</p>	<p>Ensure that the Big Conversation continues to encompass a range of mechanisms that aim to facilitate the widest possible participation of all children and young people</p>	<p><b>Jane Whitmore</b></p>	<p><b><i>The Big Conversation continues to expand and different forums, events and projects across Swansea through Big Conversations – open, safe and fun ways for children and young people to be heard:</i></b></p> <ul style="list-style-type: none"> <li><b><i>• Big Conversation Forum – 539 11-18 year olds explored topics including extremism, gender equality and Swansea Council’s Budget.</i></b></li> <li><b><i>• Pupil Voice Forum – 165 children and young people aged 7-18 took part in the Pupil Voice Forum. Topics included Identity and Equality, The Future of Education in Swansea (Abertawe 2025) and a consultation on services for children whose first language is not English</i></b></li> <li><b><i>• Forums for Children who have experienced care – 67 children took part in forums to let us know what is important for children in care and those who have been, and have now left.</i></b></li> <li><b><i>• School Visits – 617 children worked with through visits to schools, to school councils and other school clubs. The Big Conversation has also successfully been delivered with primary school aged children as well as intergenerational opportunities for people aged 7+ in 2019 and will continue in 2019/20.</i></b></li> </ul>
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Poverty & Prevention	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Continue a range of inclusive play specific consultation with identified groups and individuals. Undertake specific consultation with key groups with protected characteristics as part of the 2016/19 Play Sufficiency Assessment	<b>Jane Whitmore</b>	<b><i>A Parent Carer Forum has been commissioned in Swansea and this mechanism will support much of the ongoing consultation and engagement of parent carers on a wider range of subject matters. Through the Big Conversation, the Life Stages Team continue to explore opportunities to engage with more vulnerable cyp and make existing mechanisms accessible to all and this includes STF units and Special Schools etc.</i></b>
Poverty & Prevention	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Engage with traveller communities via Play on Wheels mobile play	<b>Jane Whitmore</b>	<b><i>Play on Wheels attended sessions at the Morganite site during Q1, however a decision was made for the team not to return for the time being due to a concern on site that impacted upon the very important relationship between the team and the community. It is hoped to return once this has been resolved.</i></b>
Poverty & Prevention	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Ensure a wide range of engagement by local people, including the most marginalised members of the community, in the Communities First (CF) Programme. Activities will include information sharing, active participation, collaboration and partnership working between individuals and organisations, and empowering local people	<b>Jane Whitmore</b>	<b><i>Consultation and engagement is a key theme of all Children's and Community grant delivery.</i></b>

Poverty & Prevention	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Ensure that the relevant aspects of the Ageing Well Plan are embedded within these Equality Objectives from 2017 onwards	<b>Jane Whitmore</b>	<b><i>The Life Stages Team have continued to raise awareness of the Human Rights Principles for Older Persons and the Human Rights Declaration more broadly. The Ageing Well Engagement Plan has incorporated Human Rights principles. The review of the 50+ Network to develop a more Big Conversation like forum for those that are 50+ has enabled us to make explicit links to human rights and ensure that citizens that are 50+ are engaged in a more meaningful mechanism to have a voice on issues that impact on their lives.</i></b>
Poverty & Prevention	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Deliver appropriate and suitable levels of training on the UNCRC & Children’s Rights	<b>Jane Whitmore</b>	<b><i>Ongoing bespoke workforce development opportunities including: sessions to develop understanding of rights for young families in cultural services and for those championing participation of children who are care experienced. 2019 has seen progress toward a programme of workforce development that explores rights across the life stages, exploring children’s human rights in line with other human rights declarations.</i></b>
Poverty & Prevention	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Re-circulate the staff survey first completed in 2014 to all staff and Councillors to measure knowledge and understanding of children’s rights and the UNCRC	<b>Jane Whitmore</b>	<b><i>Work continues across the Directorates to ensure there is increased knowledge and understanding of Rights based practice.</i></b>

Poverty & Prevention	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Deliver Asylum Seeker and Refugee Awareness Training to enable staff to understand issues facing asylum seekers and refugees and make services more accessible and welcoming	Jane Whitmore	<b><i>In progress: This year information sessions have been held with Housing, Social Services and Communities for Work staff. Future training is imminently planned for Team Around the Family and Local Area Coordinators</i></b>
Poverty & Prevention	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Develop and disseminate information on Swansea's migrant communities for staff and elected Members	Jane Whitmore	<b><i>In progress: Relevant and current information passed on to elected members (including Cabinet members), and staff as required and appropriate. This includes information on the EU settlement Scheme and the Windrush Scheme.</i></b>
Poverty & Prevention	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Deliver awareness events and Workshop to Raise Awareness of Prevent (WRAP) Training to appropriate frontline staff and Elected Members	Jane Whitmore	<b><i>In progress: In this reporting period, April 18 – March 19 • 233 individuals (including staff from Schools, Housing Services, Gwalia, Coastal, Evolve, Social Service and Environmental Health) received Prevent awareness training. • 145 members of staff completed the mandatory Prevent e-learning course ( these figures are up to Dec '18 as now unable to access the figures as the Home Office has closed access to the portal).</i></b>

Communications and Customer Engagement	Equality Objective 1 – Ensure equality of access to services	Introduce a new British Sign Language service at the Contact Centre	<b>Julie Nicholas-Humphries</b>	<b>Complete:</b> <b>The Council now use existing internal resources to deliver a British Sign Language Service with two officers available at Level 1 BSL and three officers available at Level 2 BSL. We also have access to higher level resource as required through our partnership with the Welsh Interpretation &amp; Translation Service and residents can request a preferred translator if they are available.</b>
Communications and Customer Engagement	Equality Objective 1 – Ensure equality of access to services	Introduce a SMS texting service for residents	<b>Julie Nicholas-Humphries</b>	<b>Complete:</b> <b>Service in place with 546 texts received between April 2017-March 2018 (SMS: 07919 626434)</b>
Communications and Customer Engagement	Equality Objective 1 – Ensure equality of access to services	Provide additional support to Contact Centre customers by having staff positioned at the entrance to assist as needed	<b>Julie Nicholas-Humphries</b>	<b>Complete:</b> <b>The Council continues to have 'floor walkers' at the entrance of the Civic Centre to assist with resident with their queries or make payments at the payment kiosks.</b>

<p>Communications and Customer Engagement</p>	<p>Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities</p>	<p>Continue programme of equality engagement with key forums and groups including: Disability Liaison Group, BME Forum, LGBT Forum and 50+ Network</p> <p>Continue to support equality-related events in association with these forums and groups</p> <p>Improve engagement with local disability groups via the Disability Liaison Group (DLG)</p>	<p><b>Tracey Meredith/Jane Whitmore</b></p>	<p><b><i>The work of the LGBT forum has continued and the group met four times over this period. The forum continues to support events such as Swansea Pride and LGBT History Month. There is a West Wales Regional BME forum which we are members of, although meetings have been quiet this year. We have been reviewing the Disability Liaison Group including the membership, terms of reference, code of conduct and encouraging departments to have stronger links to the group through the departmental equality reps.</i></b></p>
<p>Communications and Customer Engagement</p>	<p>Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities</p>	<p>Review the City and County of Swansea Local Service Board &amp; Healthy City Board Ageing Well and Strategy for Older People Action Plan 2015 – 2019</p> <p>Include work with Swansea Network 50+ and other relevant engagement mechanisms / methods with older people in the annual review</p>	<p><b>Jane Whitmore</b></p>	<p><b><i>A Health &amp; Well-being Forum was held with a variety of community groups and individual 50+ members. Report findings from the Health &amp; Well-being Forum were circulated to relevant internal colleagues and external organisation across the local authority area. We continue to work with a variety of community groups, engaging through the newly formed "Live Well, Age Well Forums.</i></b></p>



Communications and Customer Engagement	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Organise an event to include an Annual Meeting of Swansea Network 50+ and a public event to mark UK Day of Older People	<b>Jane Whitmore</b>	<b><i>As a result of feedback from participants at UK Day For Older People which took place on 1st of October 2018, the Life Stages Team have progressed a Live Well, Age Well Forum, which has focussed on prioritise identified for exploration and discussion as matters that are important to those ageing well within Swansea and. Forum themes inc. Digital Inclusion, Health &amp; well-being, Transport &amp; Safety.</i></b>
Communications and Customer Engagement	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Continue to provide and promote service-specific equality training / information where needed	<b>Lee Wenham</b>	<b><i>Communications: The Communications team helps promote equality issues via our internal Communications platforms to all staff and training opportunities are promoted and discussed within the team.</i></b>
Communications and Customer Engagement	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Continue to operate the Equality Impact Assessment (EIA) process across the organisation	<b>Tracey Meredith</b>	<b><i>In progress: This process continues to be applied to the subject of all Corporate Reports submitted to Corporate Briefing, Cabinet and Council (as well as other Committees). It is also applied to the budget setting process, major projects as well as all commissioning reviews.</i></b>
Communications and Customer Engagement	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Continue to quality assure completed EIA screenings and reports, providing feedback to departments	<b>Tracey Meredith</b>	<b><i>In progress: Officers are supported by the Access to Services Team via meetings, initial informal feedback and bespoke team sessions on request. The EIA quality assurance process includes officers with expertise in equality, children's rights, poverty, Welsh language, consultation and engagement</i></b>

Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Develop a Rents Strategy. Part of this strategy will ensure that the arrears recovery process is easy to understand and takes account of customer needs, particularly those who may be vulnerable	<b>Mark Wade</b>	<b><i>Resourcing the Rents Strategy has been difficult particularly due to the demands of dealing with Universal Credit. Delivering the Rents Strategy is a key priority for the Rents Team, it is anticipated that it will be completed by December 2019.</i></b>
Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Continue with programme of customer access audits of Housing and Public Protection services to ensure that services are accessible to everyone	<b>Mark Wade</b>	<b><i>The next round of customer access audits will be completed by November 2019.</i></b>
Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Incorporate all relevant equality issues into the new Local Housing Strategy (LHS)	<b>Mark Wade</b>	<b><i>Latest LHS will be under development shortly and will be published in 2020. There will be a dedicated equalities chapter as per previous strategies.</i></b>
Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Raise awareness of the availability of Disabled Facilities Grants (DFGs) particularly in terms of disabled children and young people	<b>Mark Wade</b>	<b><i>Ongoing promotion of these services.</i></b>

Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Produce a strategy as part of the More Homes project for using Housing Revenue Account resources to provide more Council Housing, which will help meet the needs of a diverse community	<b>Mark Wade</b>	<b><i>Cabinet approved the Housing Revenue Account Development Plan in February 2019. This sets out the programme to develop over 140 new homes up to 2022. Following on from the first Passivhaus pilot at Colliers way, the second phase of the More Homes project is underway with development commencing at a further 2 sites at Parc Y Helyg and Colliers Way Phase 2. As part of this phase, 34 new homes will be built as ‘Homes as Power Stations’ using funds from a £1.5m Innovative Housing Programme grant from the Welsh Government. The homes will have innovative features such as solar panels and battery storage and will be built to DQR (Development Quality Requirements.)</i></b>
Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Provide burial/cremation arrangements in line with the requirements of Swansea’s diverse community	<b>Mark Wade</b>	<b><i>Ongoing, there is minimal demand.</i></b>
Housing & Public Health	Equality Objective 1 – Ensure equality of access to services	Develop protocol for inspection of dwellings proposed to be used to accommodate asylum seekers	<b>Mark Wade</b>	<b><i>Ongoing</i></b>
Housing & Public Health	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Review the Statement of Policy for Licensing in respect of alcohol, entertainments and late night refreshment, taking particular account of the need to ensure protection of children	<b>Mark Wade</b>	<b><i>Policy adopted by Council July 2018. Next full review is due in July 2023. The Special Policy, which is contained within the main policy is due for review in July 2021.</i></b>

Housing & Public Health	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Review the Council's policy in respect of gambling, taking particular account of the need to ensure protection of children and vulnerable people	<b>Mark Wade</b>	<b><i>The Policy was adopted by Council in 2018. The next review is due January 2022.</i></b>
Housing & Public Health	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Raise awareness of doorstep crime and scams to prevent people becoming victims	<b>Mark Wade</b>	<b><i>Ongoing, periodic awareness campaigns undertaken.</i></b>
Housing & Public Health	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Provide training and raise awareness with support agencies in identifying scams	<b>Mark Wade</b>	<b><i>Ongoing</i></b>
Housing & Public Health	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Implement an updated Local Tenant Participation Strategy (LTPS) 2015-18	<b>Mark Wade</b>	<b><i>The new TP Strategy 2019-2021 will be published in September 2019 and launched with tenant groups.</i></b>

Housing & Public Health	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Continue to work in partnership with the Youth Inclusion Team, to encourage participation of young people in housing matters (with the aim of setting up a group exclusively for young people and encouraging them to join other groups)	<b>Mark Wade</b>	<b><i>Big Conversation housing session took place in March 2019 on homelessness issues, future session planned for WHQS environmental improvements later this year. A council housing facebook group has been established. We hope to increase the membership during 2019 with the aim of engaging with younger people and other harder to reach groups.</i></b>
Housing & Public Health	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Promote and raise awareness of the availability of: <input type="checkbox"/> Same Sex Marriage into the Civil Marriage ceremony and the legal process which enables couples who have previously entered into Civil Partnerships to convert them into marriage	<b>Mark Wade</b>	<b><i>Ongoing and regularly monitored.</i></b>
Housing & Public Health	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Deliver a Tobacco Action Plan for Swansea, which will concentrate on areas identified in local needs assessments and mapping exercises	<b>Mark Wade</b>	<b><i>Continuing investigations being undertaken to deal with the illicit supply of tobacco in the Swansea area in conjunction with HMRC / partners.</i></b>

Housing & Public Health	<b>New***</b> Equality Objective 1 – Ensure equality of access to services	Ensure that the Homelessness Strategy reduces homelessness and improves access to the service by implementing a range of actions over the life time of the strategy 2018-2022	<b>Mark Wade</b>	<b><i>New Action for 2018-19</i></b>
Legal & Dem Services	Equality Objective 1 – Ensure equality of access to services	Continue to review Polling Stations; seeking to improve them to ensure a positive experience for the voter	<b>Tracey Meredith Huw Evans Rhian Millar</b>	<b><i>The Review for 2019 has just been completed. It was presented to Council in April 2019. Some comments were received and we are looking at following up any suggestions, in order to improve access wherever possible.</i></b>
Legal & Dem Services	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People's Rights Scheme	Promote and raise awareness of the UNCRC by embedding children's rights within day to day practice and utilising the Children's Rights logo in all promotional activity	<b>Tracey Meredith Huw Evans Rhian Millar</b>	<b><i>In progress: Children's rights continue to be considered as part of the report clearance cycle and during the decision making process. Impact assessments will include any relevant considerations.</i></b>
Legal & Dem Services	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	To provide 6 monthly updates on legal section of intranet site as to case law dealing with equality issues	<b>Tracey Meredith Huw Evans Rhian Millar</b>	<b><i>Regular bulletins are produced by the legal department relating to equality issues/considerations and published on internal website.</i></b>

Cultural Services	Equality Objective 1 – Ensure equality of access to services	Continue project in libraries to introduce or improve the computer skills of people of all ages	<b>Tracey McNulty</b>	<b>Swansea Libraries are in the process of rolling out access to Learn My Way a free digital tool to support improved digital literacy and provided by the Good things foundation. This will see all libraries registered to enable access to a new digital learning tool. The service is continuing to promote its growing digital resources which makes access to online information and reading materials more accessible. It supports this with e-resources workshops across libraries delivered by library staff.</b>
Cultural Services	Equality Objective 1 – Ensure equality of access to services	Consider sourcing and implementation of additional/improved visual impairment computer aids in libraries	<b>Tracey McNulty</b>	<b>The improvement to libraries hardware continue this year and we are working closely with IT to install currently purchased improved hardware and to replace additional to ensure Windows 10 compliance on the public network. This will also allow us to evaluate alternative accessibility tools to improve accessibility in libraries. The CodeClub at the Central Library continue to grow providing opportunities for young people to learn coding skills outside of the school environment in a structures way. We are shortly to become a centre for the Assisted Digital Service for UK Visa applications.</b>

Cultural Services	Equality Objective 1 – Ensure equality of access to services	Continue variety of activities that takes Swansea Museum to older people and groups	<b>Tracey McNulty</b>	<b><i>We offer volunteering opportunities at Swansea Museum, at the moment we have 20. Most of whom are Retirees. This provides opportunity to socialise whilst developing new skill and knowledge. We also continue to provide outreach talks to the county of Swansea with 320 attending in 2019 so far, with groups such in Killay Libraries &amp; St Davids Church in Morriston participating.</i></b>
Cultural Services	Equality Objective 1 – Ensure equality of access to services	Explore the history and heritage of the LGBT community as an option for the Museum programme	<b>Tracey McNulty</b>	<b><i>We have explored diversifying collections to better represent LGBT community. Museum has held a collecting Stall at Pride event and held an exhibition highlighting the relevant collections we hold for the Pride celebrations.</i></b>



Cultural Services	Equality Objective 1 – Ensure equality of access to services	Undertake a range of equality- focused activities at the Glynn Vivian, working with groups such as children & young people, disabled people, BME and LGBT communities	Tracey McNulty	<p><b><i>Our dynamic Exhibitions programmes includes work by emerging and established artists based in Swansea and Wales, together with internationally renowned artists.</i></b></p> <p><b><i>N. S. Harsha is an Indian artist whose work featured in the Gallery during summer 2018. As part of the exhibition, schools from Castle ward; St, Helen's, Sandfields, Login Fach and Hafod Primaries, as well as Step Ahead Pupil Referral Unit, worked with the Gallery's learning team to make work for an exhibition called 'The Future'.</i></b></p> <p><b><i>In Autumn 2018, we displayed the incredible work by Yinka Shonibare, End of Empire, to coincide with Black History month.</i></b></p> <p><b><i>In Spring 2019 Phytopia included work by International Artists from China, Israel, France and Taiwan and the celebrated British artist, Derek Jarman.</i></b></p> <p><b><i>India Wales, a joint initiative between Wales Arts International and the British Council that supports artistic collaboration and exchange between creative professionals and arts organisations in Wales and India. As part of the programme supporting the exhibition by N.S. Harsha, Glynn Vivian hosted several events including A Feast of Words – poetry and writing event, Rangoli community workshop and Mindfulness workshop with Neeta Madahar.</i></b></p>
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			<p><i>(continued). Our Artists in Residence in 2018/2019 included Shiraz Bayjoo, Nazma Botanica, Durre Shahwar, all of whom are from BAME backgrounds Our learning programmes have continued in 2018/2019 with activities for key targeted and core community groups and individuals.including;</i></p> <ul style="list-style-type: none"> <li><i>• Art Babas Pre-school &amp; Early years children.</i></li> <li><i>• Young Art Force Young NEETS (not in education, employment to training).</i></li> <li><i>• Wednesday Adult Workshops (55+).</i></li> <li><i>• Welcome group - Refugee's and Asylum Seekers.</i></li> <li><i>• Alternative Art School Adults with additional and special needs.</i></li> <li><i>• RNIB art class Monthly art classes for adults with visual impairments</i></li> <li><i>• Glynn Vivian at Night In February 2019, celebration LGBT+ History month with a late night Gallery opening</i></li> <li><i>• Pride Workshops - Family Fun Days Holiday workshops to make banners, placards and flags for Swansea Pride 2019.</i></li> <li><i>• Gwanwyn Festival Worked with Gwanwyn Festival on an intergenerational/ cross community Festival day.</i></li> <li><i>• Sensory Art Backpacks Our Gallery trails and backpacks include sensory toys and resources for visitors with autism</i></li> <li><i>• Family Film Club Autism friendly film screenings.</i></li> <li><i>• Training with Engage Cymru Dementia Awareness.</i></li> <li><i>• Additional film screening Ad hoc screenings for BAME women, LGBTQ+, adults and young people</i></li> </ul>
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<p>Cultural Services</p>	<p>Equality Objective 1 – Ensure equality of access to services</p>	<p>Continue to deliver Dylan Thomas Centre Heritage Lottery Fund Project Activity Plan</p> <p>Action amendment for 2018 onwards: Following completion of the Dylan Thomas Centre’s successful HLF project (ended March 18), continue to build on and deliver the range of equality-focused activities developed throughout the project, in line with Corporate Priorities.</p>	<p><b>Tracey McNulty</b></p>	<p><b><i>In Progress</i></b> <b><i>Following completion of the Dylan Thomas Centre’s successful HLF project (ended March 18), we continue to build on and deliver the range of equality-focused activities developed throughout the project, in line with Corporate Priorities, and despite reduced resource.</i></b></p> <p><b><i>Running ‘Literature and Trauma’ workshops for refugees and asylum seekers and help develop further opportunities for the group, such as readings for Refugee Week and at other venues. Transport costs and children’s activities are provided to ensure as many people as possible are able to attend.</i></b></p> <p><b><i>Continue to run and develop free family learning opportunities on every day of the school holidays during operating hours, including a programme of tutor-led workshops. All sessions are accessible and open to all, with range of activities provided to appeal to different ages and abilities</i></b></p> <p><b><i>Continue to develop and expand free Young Writers Squad workshops for children and young people across Swansea. From one Squad for 11-16 year olds, we now have two Squads for 11-16 year olds and one for 8-11 year olds. We are also trialling off-site writing workshops in libraries such as Morryston.</i></b></p>
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				<p><i>(continued) Continue to host free community creative writing sessions in partnership with Fusion and Swansea University. Continue working with Swansea People First – a user-led group for people with a learning disability. Member of 4-Site programme delivering workshops for schools across Swansea, including free sessions for SEN . Reminiscence Box sessions available: boxes are themed to Dylan’s work, eg ‘Dylan’s Swansea’, ‘A Child’s Christmas in Wales’, ‘Holiday Memory’ and also work well with school groups as well as with older people in the community. Continue to make our bilingual Dylan Thomas Exhibition even more accessible to groups, including easy read guide produced in partnership with Swansea People First. Continue to develop partnerships with other venues to target resources effectively and develop and share audiences. Continue to work with Fusion and Pilot Cities to develop Diversity Pledge. Continue providing staff training to ensure each visitor is welcomed warmly and confidently: courses already completed include Autism Friendly, Refugees Welcome, Dementia Friendly, Human Rights, Safeguarding Adults and Children. Age Friendly standards achieved, to sit alongside Family Arts Standards award. Esmée Fairbairn funding secured to deliver a three year learning and outreach programme on and off site, focusing on target areas, due to commence later this year.</i></p>
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<p>Cultural Services</p>	<p>Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities</p>	<p>Raise awareness of Cultural Services and identify any barriers to participation via engagement with key equality groups</p>	<p><b>Tracey McNulty</b></p>	<p><b>Cultural Services/Pilot Cities- Diversity Pledge</b></p> <p><b><i>As part of the Pilot Cities programme, Cultural Services is drawing up a diversity pledge. The pledge enshrines the principle that access to and participation in culture is a fundamental human right, not a privilege. The pledge will incorporate aims and objectives relating to: relationships, communications and participation; creative process and programming; audience, ticketing, welcoming and access; and organisational culture, governance, recruitment and representation to ensure a diverse range of cultural activity that represents and meets the needs of all sectors of the community, taking steps to satisfy the needs of people with protected characteristics as well as those living at economic disadvantage where these are different from the needs of other people. Fusion has supported this area of work by consulting with local people from a variety of age groups, working in partnership with the Life Stages Partnership, visiting other cities to gain knowledge and insight from best practice and putting on pilot projects which embed the aims of the pledge group.</i></b></p>
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				<p><i>(continued) Libraries: Swansea Libraries provide venues for many organisations. Often these are hard to reach groups such as Swansea Association for independent living, Swansea Lip Reading Group, Swansea Hard of hearing group. Libraries are challenged to reach out to hard to reach groups and we are asked to demonstrate examples of this when reporting on the Welsh Public Library Standards. One particular example is an event organised by Oystermouth Library with Whitestone Primary School and a group of children with learning difficulties. The visit involved story reading and activities and an introduction to e-resources that were suitable for the children to access.</i></p> <p><i>Swansea Museum: Crossing Borders. Project led by RCC with partner support from AFC, YMCA and Swansea Museum.</i></p> <p><i>HLF funded and exploring music, dance and identity. Number of visits to the museum looking at the heritage side and oral history. The project includes accredited training on composition skills and will culminate with recording a song at Rockfield Studios on Saturday 9th June and a Grand Finale the following Saturday. Due to space the final event will take place at the National waterfront. An exhibition on the project will be exhibited at the Museum during Black History Month in October.</i></p>
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				<p><i>(continued ) First Waves Project in partnership with Parliament and RCC celebrating the 50th anniversary of the 1968 discrimination act. Artist Scarlett Crawford was commissioned by Parliament to work with 6 groups across the UK. The workshops were run at Swansea Museum in July 2018 and apparently were the most diverse group across the country. The work of the Swansea group was displayed in October and November before being transported for the full exhibition at the Palace of Westminster early 2019. Suffrage: As part of Take Over the Museum Day, Lougher Brownies worked with the museum to explore the 100th anniversary of Women's Suffrage. Over a few sessions, one of which at the museum where they considered slogans and create their own banner. The Brownies also achieved their Suffrage badge. Fusion Project: The Fusion Programme aims to engage with people from across the city from a broad range of ages, backgrounds and situations, many of whom don't currently engage with cultural venues or activities.</i></p>
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				<p><i>(continued) New activity, partnerships and venues include; Halloween Cinema and free cinema screenings and craft sessions to Clase, North Penlan, Morriston and St Phillips Community centres. Adult Animation at the Glynn Vivian – in the Glynn Vivian for unemployed adults from across the city to learn digital skills and team work. 50 years of Music – a diverse group of volunteers supporting a film making project where participants learn skills in photography and film making including. Music for Wellbeing – free sessions in partnership with the Stroke Association and Swansea Music Hub. Creative Writing Club – Free open access monthly writing sessions for adults of any background and experience. In partnership with the Dylan Thomas Centre and Swansea Uni. 50 Years of St Helen’s Road – A project in partnership with St Helen’s Primary School (where over 20 languages are spoken), local residents and Elysium Artists. Fusion was able to apply for ACW monies to deliver the artistic element of the project. In partnership with DTC, free classes for wellbeing and creative expression. Sport &amp; Health: BME Sports Forum and work of the BME sports officer, Women and Girls Forum and targeted women and and INSPORT integrated sport programme. Our Streetgames/doorstep sport programme agreed with Streetgames UK, delivered in targeted area of poverty. Cultural &amp; Digital Hub working with Race Council Cymru and 15 partners.</i></p>
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Cultural Services	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Ensure that relevant equality issues are considered when revising leisure centre (and other venue) timetables	<b>Tracey McNulty</b>	<b><i>Leisure Centres are now operated by Freedom Leisure following the Commissioning process. Equalities issues formed part of the contract and will continue to do so.</i></b>
Cultural Services	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Develop Inclusive Futures Programme working on disability sport programmes events and legacy	<b>Tracey McNulty</b>	<b><i>As previously stated, the inclusive futures process has been taken on by Disability Sport Wales and in Swansea has become part of the Disability Sports Officers role through links to generic volunteering and the Young Ambassadors Project.</i></b>
Cultural Services	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Continue rollout of InSport to target partners and voluntary organisations to encourage integration of disabled people into mainstream sport clubs through national governing body of sport pathways	<b>Tracey McNulty</b>	<b><i>We achieved Bronze level accreditation via application and presentation to the disability sports wales board. We are now compiling the requirements for the silver accreditation level which we hope to achieve this financial year (2019-20).</i></b>
Cultural Services	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Increase opportunities for young people to participate in after-school (extra-curricular) sporting opportunities	<b>Tracey McNulty</b>	<b><i>As previously stated, this is a fundamental part of the sport and health services delivery plan and is measured both internally and externally against a set of outcomes agreed with key funding partners and linked to Swansea Councils priorities connected to the Well Being of Future Generations Act. Targets and outcomes are measure quantitatively both internally and externally and through the collection of "snapshots" showing outcomes directly contributing to WBFGA and Sustainable Swansea priorities.</i></b>

Cultural Services	Equality Objective 12 – Work on health and sport initiatives that focus on outcomes for our communities	Continue to take steps to further reduce the gender gap in participation in sport and physical activity	<b>Tracey McNulty</b>	<b><i>Us girls continues to be delivered as part of our equality programme. Team members have also developed a women and girls sports forum with representatives from a wide range of sporting and community agencies including education, clubs, governing bodies, facilities management and local authority. We have also secured additional funding from sport Wales for specific women and girls sports initiatives for the financial year 2019-20. We have a full development plan agreed with sport wales for this work stream.</i></b>
Highways & Transportation	Equality Objective 2 – Undertake a range of work focused on safety including hate crime, modern slavery, protection of vulnerable people, radicalisation and extremism etc.	Undertake Safer Routes in Communities (SRIC) project with schools	<b>Lee Davies Gill Walters Stuart Davies</b>	<b><i>Funding secured for the Clydach Safe Routes in Communities project for 2019/2020.</i></b>
Highways & Transportation	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Increase knowledge and understanding of the UNCRC by ensuring all staff attend/participate in the UNCRC corporate training	<b>Lee Davies Gill Walters Stuart Davies</b>	<b><i>Staff access training online or by attending face to face sessions. Further 'face to face' sessions are being planned for this year.</i></b>

Highways & Transportation	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Promote and raise awareness of the UNCRC by embedding children’s rights within day to day practice and utilising the Children’s Rights logo in all promotional activity	<b>Lee Davies Gill Walters Stuart Davies</b>	<b><i>Safe Routes in Communities schemes continue to be delivered.</i></b>
Highways & Transportation	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Ensure quality opportunities for Children & Young People’s voice in policy/service developments that affect them	<b>Lee Davies Gill Walters Stuart Davies</b>	<b><i>This was successful. The same approach is being adopted for future SRIC bids.</i></b>
Highways & Transportation	Equality Objective 8 - Improve access to the infrastructure around pavements, roads and parking provision for disabled and older people, as well as families with young children	Implement the Pavements for People Policy	<b>Lee Davies Gill Walters Stuart Davies</b>	<b><i>The Council continues to maintain the standards set out in the policy.</i></b>

Highways & Transportation	Equality Objective 8 - Improve access to the infrastructure around pavements, roads and parking provision for disabled and older people, as well as families with young children	Review accessibility of street furniture, e.g. seating	<b>Lee Davies</b> <b>Gill Walters</b> <b>Stuart Davies</b>	<b>Maintenance: React to issues as reported.</b>
Highways & Transportation	Equality Objective 8 - Improve access to the infrastructure around pavements, roads and parking provision for disabled and older people, as well as families with young children	Installation of dropped kerbs to assist access where needed	<b>Lee Davies</b> <b>Gill Walters</b> <b>Stuart Davies</b>	<b>No change.</b>
Highways & Transportation	Equality Objective 8 - Improve access to the infrastructure around pavements, roads and parking provision for disabled and older people, as well as families with young children	Consider equality issues when designing highway and traffic schemes	<b>Lee Davies</b> <b>Gill Walters</b> <b>Stuart Davies</b>	<b>No change.</b>

Highways & Transportation	Equality Objective 8 - Improve access to the infrastructure around pavements, roads and parking provision for disabled and older people, as well as families with young children	Provide permits for qualifying care organisations and carers to park within residents parking bays	<b>Lee Davies Gill Walters Stuart Davies</b>	<b>Where staff are attending a genuine emergency, without a designated permit, then any subsequent appeals against a parking fine will be looked at sympathetically.</b>
Highways & Transportation	Equality Objective 9 - Improve access to public transport by bus for disabled and older people, as well as families with young children	Promote the RNIB REACT system for visually impaired people at the Bus Station The system gives audio messages about the services at each departure bay and provides a wayfinding tool in association with the tactile strip through the concourse	<b>Lee Davies Gill Walters Stuart Davies</b>	<b>Transportation Officers have researched potential alternative provisions. A preliminary meeting and a feasibility study may start during Q1 of 2019/20 to explore the potential for implementation.</b>
Highways & Transportation	Equality Objective 9 - Improve access to public transport by bus for disabled and older people, as well as families with young children	Continue to implement programme to provide raised kerbs at bus stops to allow easy access for all passengers. Continued engagement with disability groups	<b>Lee Davies Gill Walters Stuart Davies</b>	<b>No change.</b>
Highways & Transportation	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Continue to provide and promote service-specific equality training / information where needed	<b>Lee Davies Gill Walters Stuart Davies</b>	<b>The H &amp; T Equalities Representative regularly attends the corporate 'Equalities Rep' meetings and training sessions. They provide guidance and advise as and when required.</b>

Child & Family	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Increase knowledge and understanding of the UNCRC by ensuring all staff attend/participate in the UNCRC corporate training		<b><i>Participation work is being led by the Children's Rights and Participation officer for the service. This links in with the work ongoing on the UNCRC.</i></b>
Child & Family	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Promote and raise awareness of the UNCRC by embedding children’s rights within day to day practice and utilising the Children’s Rights logo in all promotional activity		<b><i>This is achieved in day to day practice via the SOS Practice framework.</i></b>
Child & Family	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Ensure quality opportunities for Children & Young People’s voice in policy/service developments that affect them		<b><i>This is ongoing through our participation offer to children and young people which is reported to SMT and Corporate Parenting Board on a quarterly basis.</i></b>

Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Further develop our front door service in accordance with the Social Services and Wellbeing (Wales) Act to enable equitable access to information, advice and assistance about statutory services and the preventative sector		<b><i>Integrated IAA pilot established in November 2018 for a period of 12 months.</i></b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop a service for perpetrators of domestic abuse including 1:1 and group work, informed by service user feedback, which supports the work already being undertaken with women and children where domestic violence is a feature in their lives		<b><i>Complete: Completed in 2016 with the development of the DV Hub.</i></b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Implement the Active Offer of Advocacy Arrangement to help ensure children and young people have access to additional support to have a voice in the decisions that affect them		<b><i>Complete: In place as of April 2017.</i></b>

Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop and implement Looked After Children Review arrangements, which enable children and young people to lead on their reviews		<b><i>This is ongoing through our participation offer to children and young people which is reported to SMT and Corporate Parenting Board on a quarterly basis.</i></b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Further develop and implement the Signs of Safety Methodology within Social Work Teams. This is a strengths based model which promotes the voice of the child, includes their family and wider networks in safety planning and is focused on outcomes		<b><i>Complete: SOS implementation strategy in place and reviewed annually. Recent review, April 2018, by WBCSB acknowledged the impact of SOS in this area.</i></b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop a Child Disability Strategy consulting with children, young people, families, multiagency partners and the third sector to ensure that disabled children and their families can access a range of provision across the continuum of need – accessing the right opportunity/service from the right place at the right time		<b><i>The local offer sub group which includes representatives from Adult Services, Education, the third sector, parent/carers as well as CFS has been established. The aim of this group is to produce a local offer for children with a disability in Swansea. Current priorities are around a better understanding and mapping of provision for transition periods.</i></b>



Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop a leaving care service in partnership with a third sector provider. Final ‘shape’ of the new service to be informed by partners and young people’s views		<b>Completed in 2016.</b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop a comprehensive support and review framework for all individuals awarded a Special Guardianship order. Services to include training opportunities for carers, groups for young people and general advice and assistance via a dedicated team		<b>Completed in 2016.</b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	In accordance with the Social Services and Wellbeing (Wales) Act, develop policy and procedures for a Swansea “When I’m Ready” scheme in line with Welsh Government Guidance. This will enable more young people to remain with their foster carers beyond the age of eighteen and until they are ready for independence		<b>Completed in 2016.</b>

Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Develop an updated Disability Strategy for Children in accordance with the Social Services (Wales) Act. This will include greater involvement of parents and carers in Care planning via the increased use of Direct Payment packages		<b>Complete: Completed in 2016.</b>
Child & Family	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Further establish Social Services involvement in the provision of support for children who require therapeutic support by <ul style="list-style-type: none"> <li>• continued and active membership by the Head of Service of Child and Family in the Mental Health Planning Group</li> <li>• developing packages of therapeutic support for children, families and significant adults from the recently established Internal Therapy Team</li> </ul>		<b>Completed.</b> <b>In addition a regional MAPPS service with Clinical Psychology support has been established to provide support to children with complex needs.</b>
Adult Services	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Further develop safeguarding measures for vulnerable adults in a safer, personal and more timely way	<b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b>	<b>In progress:</b> <b>Some changes made but work in progress to further improve approach and deal with safeguarding issues in a timely manner and ensure that the approach to safeguarding is as robust as possible. A revised SW structure for various teams in Dept is being progressed and staff/TUs to be consulted as necessary with the aim that changes will be implemented by approx. June 2020.</b>

Adult Services	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Improve the deprivation of liberty and safeguarding (DOLS) processes	Lucy Friday, Amanda Williams & Jessica Fitzpatrick	<p><b><i>In progress:</i></b>  <b><i>Some changes made but work in progress to further improve . A revised SW structure for various teams in Dept is being progressed and staff/TUs to be consulted as necessary with the aim that changes will be implemented by approx. June 2020.</i></b></p>
Adult Services	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities	Review integration with health in the three community hubs	Lucy Friday, Amanda Williams & Jessica Fitzpatrick	<p><b><i>In progress:</i></b>  <b><i>Considerable work has been done to strengthen the role of the multi-disciplinary team of social workers, Occupational Therapists, Physiotherapists and the third sector at the Common Access Point as well as within the Integrated community Hubs. Expansion of this team has also included the addition of Dementia support and Community Psychiatric interventions. More work in progress to further improve through analysis of outcomes and impact.</i></b></p> <p><b><i>In addition maximisation of resource across the community Integrated Hubs and the practical implementation of the Practice Framework and 'doing what matters' agenda is being supported through a review of the SW structure for various teams across Adult Services - staff/TUs to be consulted and engaged throughout with the aim that changes will be implemented by approx. June 2020</i></b></p>

<p><b>Adult Service</b></p>	<p>Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child &amp; Family Services, ensuring that the service user’s needs are at the centre of all planning and commissioning activities</p>	<p>Continue to transform adult service in order to ensure a citizen directed service</p>	<p><b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b></p>	<p><b><i>In Progress. A Co-production Strategy and implementation plan has been co-produced and is currently in draft format. Next steps are to agree the strategy, launch and begin implementation in the summer.</i></b></p> <ul style="list-style-type: none"> <li><b><i>• Adult Services Practice Framework has now been developed and training is now being delivered to the teams. This is encouraging social work practitioners and those responsible for assessment to take a more person-centred, outcome focussed approach. A practice handbook has been developed and is due to be implemented.</i></b></li> </ul> <p><b><i>Collaborative comms - is being rolled out across relevant workforce All the team leaders and senior practitioners to be mentors to influence change in teams, working with Social Care Wales, to link mentors nationally to learn from best practice elsewhere. Supervision template also in progress so that the collaborative comms language runs through this template,</i></b></p> <ul style="list-style-type: none"> <li><b><i>• We continue to develop our in-house service provision in line with the wishes and needs of those we work with. A number of co-produced commissioning projects are in progress.</i></b></li> </ul>
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<p>Adult Service</p>	<p>Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child &amp; Family Services, ensuring that the service user's needs are at the centre of all planning and commissioning activities</p>	<p>Further review Commissioning Plans for Adult Services</p>	<p><b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b></p>	<p><b>Commissioning Reviews across the service are in various stages of progress.</b> <b>Preferred options for both Domiciliary care, the internal provision of residential and day services submitted and approved for 'roll out' - full engagement and consultation with citizens and staffing throughout.</b> <b>Citizens engaged and actively involved in recommissioning of Domiciliary care helping to inform and shape provider criteria.</b> <b>Strong involvement of citizens and service users across commissioning review of Learning Disability, physical disability. Person centred approach supported through the development of wider systems and support processes.</b></p>
<p>Adult Service</p>	<p>Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child &amp; Family Services, ensuring that the service user's needs are at the centre of all planning and commissioning activities</p>	<p>Web pages updated as appropriate to improve access to information, assistance and advice</p>	<p><b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b></p>	<p><b>In progress:</b> <b>This continues to be work in progress in line with the requirements surrounding Information, Advice and Assistance contained in the Social Services and Wellbeing Act. Limitations due to the central resource in supporting preventative information sharing via public website but work ongoing to improve and better manage how public communications and engagement are shared.</b></p>

<p>Adult Service</p>	<p>Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child &amp; Family Services, ensuring that the service user's needs are at the centre of all planning and commissioning activities</p>	<p>Develop Adult Social Work practice framework. This approach needs to be strength based and outcome focused, to promote the voice of service users, their families and the wider community</p>	<p><b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b></p>	<p><b>We held a co-production session in February 2019 where citizens worked with us to establish a set of guiding principles governing 'what a good assessment looks like' which will be used in developing the new assessment format and assessment practice. We also co-produced a draft handbook for service users and carers to guide and prepare them for the assessment. Next steps include producing a final handbook and ensuring the principles that were co-produced influence the assessment format and practice.</b></p>
<p>Adult Service</p>	<p>Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child &amp; Family Services, ensuring that the service user's needs are at the centre of all planning and commissioning activities</p>	<p>Further develop our front door service in accordance with The Social Services and Wellbeing (Wales) Act to enable ease of access to information, advice and assistance and also preventative services</p>	<p><b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b></p>	<p><b>In progress: some changes made but work in progress to further improve . A revised SW structure for various teams in Dept is being progressed and staff/TUs to be consulted as necessary with the aim that changes will be implemented by approx. June 2020.</b></p> <ul style="list-style-type: none"> <li><b>• All Information and Advice Assistants trained to provide information, advice and assistance as well as signpost people to preventative services.</b></li> <li><b>• A full Multi-Disciplinary Team is now in place at the Common Access Point to offer information and advice.</b></li> <li><b>• A common approach to Information, Advice and Assistance has been developed across Social Services so there is consistency of approach.</b></li> </ul>

Adult Services	Equality Objective 4 – Continue to improve Social Services provision within both Adult and Child & Family Services, ensuring that the service user's needs are at the centre of all planning and commissioning activities	Ensure current assessment tool is compliant in accordance with Welsh Government recommendations in preparation for the implementation of The Social Services and Wellbeing (Wales) Act	<b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b>	<b><i>We held a co-production session in February 2019 where citizens worked with us to establish a set of guiding principles governing 'what a good assessment looks like' which will be used in developing the new assessment format and assessment practice. We also co-produced a draft handbook for service users and carers to guide and prepare them for the assessment. Next steps include producing a final handbook and ensuring the principles that were co-produced influence the assessment format and practice.</i></b>
Adult Services	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Continue to provide and promote service-specific equality training / information where needed	<b>Lucy Friday, Amanda Williams &amp; Jessica Fitzpatrick</b>	<b><i>In Progress Adult Services has developed a Training Needs Analysis which will inform an all Adult Services Workforce Development Plan, to date has this work has involved identifying mandatory training for all AS and C &amp; F roles and is to identify any skills gaps.. Equality Training will form part of this.</i></b>
Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People's Rights Scheme	Increase knowledge and understanding of the UNCRC by ensuring all staff attend/participate in the UNCRC corporate training	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>All staff continue to be encouraged to complete the online UNCRC corporate training.</i></b>

Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Promote and raise awareness of the UNCRC by embedding children’s rights within day to day practice and utilising the Children’s Rights logo in all promotional activity	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>The Education Department promotes and raises awareness of the UNCRC at every opportunity</i></b>
Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Ensure quality opportunities for Children & Young People’s voice in policy/service developments that affect them	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>The Education Directorate ensures that the voice of children and young people is heard with all major policy and service development by utilising the Big Conversation, School Councils and pupil specific consultation meetings.</i></b>
Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Children and young people from ethnic minority backgrounds continue to achieve at least as well as their peers at end of Key Stage 4 (KS4)	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>In progress: 67.1% in 2018 compared to 59.4% for other pupils.</i></b>



Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Learners from Asian / Bangladeshi backgrounds achieve at least as well as their peers at end of Key Stage 4	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>In progress: Asian: 74.7% in 2018 compared to 59.4% for other pupils. Bangladeshi: 63.8% compared to 59.4% for other pupils.</i></b>
Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Maintain improving trends in assessment of boys and girls at Key Stage 2 (KS2) and Key Stage 3 (KS3)	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>In progress: KS2: In 2018 the gender gap widened slightly and is the largest for 5 years. KS3: 2018 gender gap is slightly smaller than 2017 but 5 year widening trend remains.</i></b>
Education	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Close the performance gap between boys and girls	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>In progress: KS2: gender gap -4.1% in 2017 increase to -7.8% in 2018.</i></b>

<p>Education</p>	<p>Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme</p>	<p>Close the performance gap between pupils who receive free school meals (FSM) and those who don’t</p>	<p><b>Rhodri Jones</b>  <b>Mark Sheridan</b>  <b>Helen Morgan-Rees</b>  <b>Brian Roles</b></p>	<p><b><i>In progress:</i></b>  <b><i>KS2: FSM gap has widened to 20.3% below non-FSM in 2018.</i></b>  <b><i>KS3: Upward trend for FSM pupils continues, but the gap remains at 17.8% below non-FSM.</i></b></p>
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<p style="text-align: center;">Education</p>	<p>Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme</p>	<p>Reduce inequalities in school readiness</p>	<p><b>Rhodri Jones</b>  <b>Mark Sheridan</b>  <b>Helen Morgan-Rees</b>  <b>Brian Roles</b></p>	<p><i>In Progress: Flying Start programme continued to operate with the Foundation Phase Profile (FPP) adapted for pre-school children and the Wellcomm Speech and language tool. Focus this year has been on data &amp; moderation of the FPP, ensuring it has been consistently applied across settings. Links have been made with Education to allow analysis of FPP for Flying Start Children throughout their Education. 29% of children reaching or exceeding their speech and language milestones on childcare entry (screened via WellComm) 61% of children reaching or exceeding their speech and language milestones on childcare exit (screened via WellComm), 45% of children achieving 'Gold' in Personal &amp; Social Development on childcare Entry (assessed via FPP), 72% of children achieving 'Gold' in Personal &amp; Social Development on childcare Exit (assessed via FPP). Jigso continues to work with some of our most vulnerable families, In 2018 Jigso won Reducing Inequality Award, Royal College of Midwifery. In 2017/18 Jigso 344 families supported 53% of parents who completed an ACEs questionnaire had experienced 4+ ACEs (Welsh Average 14%). A Cost Avoidance analysis showed Jigso interventions potentially saved £8,783 per case. Best Start Social Media reach was over 175,000 during 18/19. Several Best Start engagement events were undertaken with the emphasis on promotion of key Best Start messages. First 1,000 days event undertaken November 2017 with the collaborative focus and emphasis continuing via events and conferences.</i></p>
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Education	Equality Objective 6 - Provide equality support for schools	Continue progressive improvement to access to infrastructure in schools	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>In progress: The Council's 21st Century Schools Programme (Band B) is progressing well with a number of projects due to start on various sites in the near future. This will continue the progressive improvement to access to infrastructure in schools.</i></b>
Education	Equality Objective 6 - Provide equality support for schools	Young people from Gypsy and Traveller communities are offered appropriate access to secondary education and support in engaging with those opportunities	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>We will shortly be consulting on a policy that is concerned with ensuring the inclusion of and raising standards for pupils from minority ethnic backgrounds (including young people from gypsy and traveller community) attending maintained schools in Swansea.</i></b>
Education	Equality Objective 6 - Provide equality support for schools	Launch tool for Recording of Identity Based Bullying across all schools	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>The Welsh Government has consulted on new bullying guidance for all schools in Wales - we await the final publication of this guidance before deciding on a way forward for recording all incidence of bullying in Swansea schools.</i></b>
Education	Equality Objective 6 - Provide equality support for schools	Review guidance to schools on Strategic Equality Plans and present update to Headteachers at a termly meeting and via the schools newsletter	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b><i>Complete.</i></b>

Education	Equality Objective 6 - Provide equality support for schools	Continue the contractual agreement with UNICEF UK to embed the Rights Respecting Schools Award in all schools in Swansea	<b>Rhodri Jones Mark Sheridan Helen Morgan- Rees Brian Roles</b>	<b>Complete.</b>
Education	Equality Objective 6 - Provide equality support for schools	Ensure schools are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk, and intervening/supporting them as appropriate	<b>Rhodri Jones Mark Sheridan Helen Morgan- Rees Brian Roles</b>	<b>Complete.</b>
Education	Equality Objective 6 - Provide equality support for schools	Ensure schools are directed to relevant Welsh Government guidance so this can be practiced in schools, for example: provision of counselling, specific equality- related advice and information and any relevant training for school staff, pupils and governing bodies	<b>Rhodri Jones Mark Sheridan Helen Morgan- Rees Brian Roles</b>	<b>Further work is planned in 2019/2020.</b>
Education	Equality Objective 6 - Provide equality support for schools	Develop and publish Transgender Guidance for schools	<b>Rhodri Jones Mark Sheridan Helen Morgan- Rees Brian Roles</b>	<b>Complete.</b>

Education	Equality Objective 6 - Provide equality support for schools	Stonewall training offered to all schools via Education through Regional Working (ERW)	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b>Complete.</b>
Education	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Continue to provide and promote service-specific equality training / information where needed	<b>Rhodri Jones Mark Sheridan Helen Morgan-Rees Brian Roles</b>	<b>All staff are required to complete the online corporate equalities training module.</b>
CBS	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Increase knowledge and understanding of the UNCRC by ensuring all staff attend/participate in the UNCRC corporate training	<b>Emma Lewis</b>	<b>Safeguarding training delivered at all inductions for new employees, we are on e of the few departments with 100% completion of training.</b>

CBS	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Promote and raise awareness of the UNCRC by embedding children’s rights within day to day practice and utilising the Children’s Rights logo in all promotional activity	Emma Lewis	<b><i>Safeguarding remains a regular topic with updates added frequently.</i></b>
CBS	Equality Objective 3 – Develop a whole council approach to the United Nations Convention on the Rights of the Child (UNCRC), to meet our commitments contained within the Children and Young People’s Rights Scheme	Ensure quality opportunities for Children & Young People’s voice in policy/service developments that affect them	Emma Lewis	<b><i>EIA’s completed for major projects, impact on future generations always considered.</i></b>
CBS	Equality Objective 7 - Provide opportunities via apprenticeships and work placements	Work experience placements – provide quality opportunities to students to experience the real workplace. Enable a student to understand and develop the necessary skills to equip them for their chosen career path	Emma Lewis	<b><i>We continue to offer work placements for school leavers which has proven to be popular in all areas of Swansea.</i></b>

CBS	Equality Objective 7 - Provide opportunities via apprenticeships and work placements	Ensure that all future recruitment within CB&PS continues to be undertaken within the realms of the Equality Act 2010; paying particular attention to the apprenticeship recruitment programme. Further develop links with external groups/organisations to enable wider awareness of the initiative and support CB&PS. The continuation of the apprenticeship programme is dependent on future budget approval	<b>Emma Lewis</b>	<b>No further action to date.</b>
CBS	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Review current consultation with local access groups to improve physical access to buildings and services	<b>Emma Lewis</b>	
Economic Regeneration and Planning	Equality Objective 11 - Ensure consultation and engagement is inclusive and undertake awareness raising activities	Focus on engagement arrangements and methods with equality groups to ensure inclusivity and help improve the delivery of ongoing work programmes	<b>Phil Holmes</b>	<b>In progress:</b> <b>Significant further engagement undertaken as part of the planning application process for the Swansea Central scheme and sub contractor engagement in the pre-construction process. The LDP has been adopted following a final round of consultation.</b>
Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Provide support for Universal Credit (UC) applicants by providing two digital self-serve zones in the Contact Centre, as UC is an on-line application. Our customer service team will provide digital support, assistance with making on-line applications and UC advice and information to customers. A Personal Budgeting Support service has also been arranged for appropriate UC customers	<b>Ben Smith</b>	<b>The digital zones are still available for clients to make their claim for Universal Credit, however, the support we have provided has been very minimal. We will continue to provide some basic assistance however from April 2019 responsibility for assistance with making Universal Credit claims has been transferred from the local authority to CAB along with the funding for that service.</b>



Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Provide a dedicated take-up advice line and email address to offer welfare advice to customers, which includes advice on how to claim Housing Benefit (HB), Council Tax Reduction (CTR), Discretionary Housing Payment (DHP) and help and advice on welfare reform changes and other welfare benefits	<b>Ben Smith</b>	<b><i>This service remains as-is from April 2019.</i></b>
Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Proactively support all HB cases affected by the Benefit Cap	<b>Ben Smith</b>	<b><i>This service remains as-is from April 2019.</i></b>
Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Work with other organisations such as Age Cymru, Swansea Carers' Centre and DWP Visiting Team to provide advice and guidance on Benefits, Council Tax Reduction and Council Tax discount schemes	<b>Ben Smith</b>	<b><i>This service remains as-is from April 2019, however, we now advise customers needing support to make UC claims to visit CAB who have contracted to provide this service from 01/04/19.</i></b>
Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Work with Foodbanks such as the Swansea Foodbank (where we are the highest distribution agent), Eastside Foodbank and the Swansea Mosque Foodbank. For all foodbanks we will act as a referring agent and provide welfare benefit advice to the foodbanks to assist customers in food crisis	<b>Ben Smith</b>	<b><i>This service remains as-is for 2019.</i></b>
Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Provide advice to parents and schools on Free School Meals (FSM) and Uniform Grant queries	<b>Ben Smith</b>	<b><i>This service remains as-is for 2019.</i></b>

Finance & Delivery	Equality Objective 10 – Ensure we tackle and alleviate the effects of poverty	Provide advice and information to customers on a range of assistance available, e.g. Warm Home Discount, Welsh Water Assist, Healthy Start Vouchers, Discretionary Assistance Fund, Passport to Leisure, etc.	<b>Ben Smith</b>	<b>From 12/06/19 Benefits staff will manage the administration and delivery of the Passport to Leisure scheme on behalf of Cultural Services. This service will primarily be for on-line applications however, face to face applications can be taken by the Benefits Customer Services team. We continue to provide advice and signposting as previously for other discounts that may be available.</b>
HR&OD	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Regularly review training material to ensure it is up-to-date and covers emerging work areas e.g. age-friendly communities, dementia, UNCRC, etc	<b>Adrian Chard Linda Phillips Cath Bell</b>	<b>CSE has recently been reviewed and this training is now online.  Otherwise no change to 2018 comments.</b>
HR&OD	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Ensure that all school based staff and teachers have access to appropriate equality-related awareness raising training	<b>Adrian Chard Linda Phillips Cath Bell</b>	<b>No Change to 2018 comments.</b>
HR&OD	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Develop a suite of e-learning courses on a modular basis to cover subject areas such as dementia, hate crime, trafficking etc.	<b>Adrian Chard Linda Phillips Cath Bell</b>	<b>Hate Crime is now available on Learning Pool – Currently updating the formatting but the content will remain unchanged  Otherwise – no change to 2018 comments.</b>

HR&OD	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Regularly review Corporate Induction to ensure training is up-to-date and covers emerging work areas e.g. age-friendly communities, dementia, UNCRC, etc.	<b>Adrian Chard Linda Phillips Cath Bell</b>	<b><i>Corporate Induction training is currently being reviewed. A proposed face to face Corporate Induction day is in the design phase and will be available in due course.</i></b>
HR&OD	Equality Objective 13 – Continue to improve staff and Member awareness of equality and diversity issues	Ensure that monitoring of corporate training is carried out to reflect accurately the attendance on all corporate training courses	<b>Adrian Chard Linda Phillips Cath Bell</b>	<b><i>No Change.</i></b>
Commercial Services	Equality Objective 14 - Comply with the Procurement and Assessment of Impact regulations set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011	When procuring works, goods or services, we will have due regard to whether it would be appropriate: • for the Pre-Qualification and/or award criteria for that contract to include considerations to help meet the general duty • to stipulate conditions relating to the performance of the contract to help meet the three aims of the general duty	<b>Chris Williams</b>	<b><i>This is part of business as usual for Procurement. We have signed up to the Welsh Governments Ethical Employment in the Supply Chains Code of Practice.</i></b>

## Equalities Data report – Year end 31 March 2019

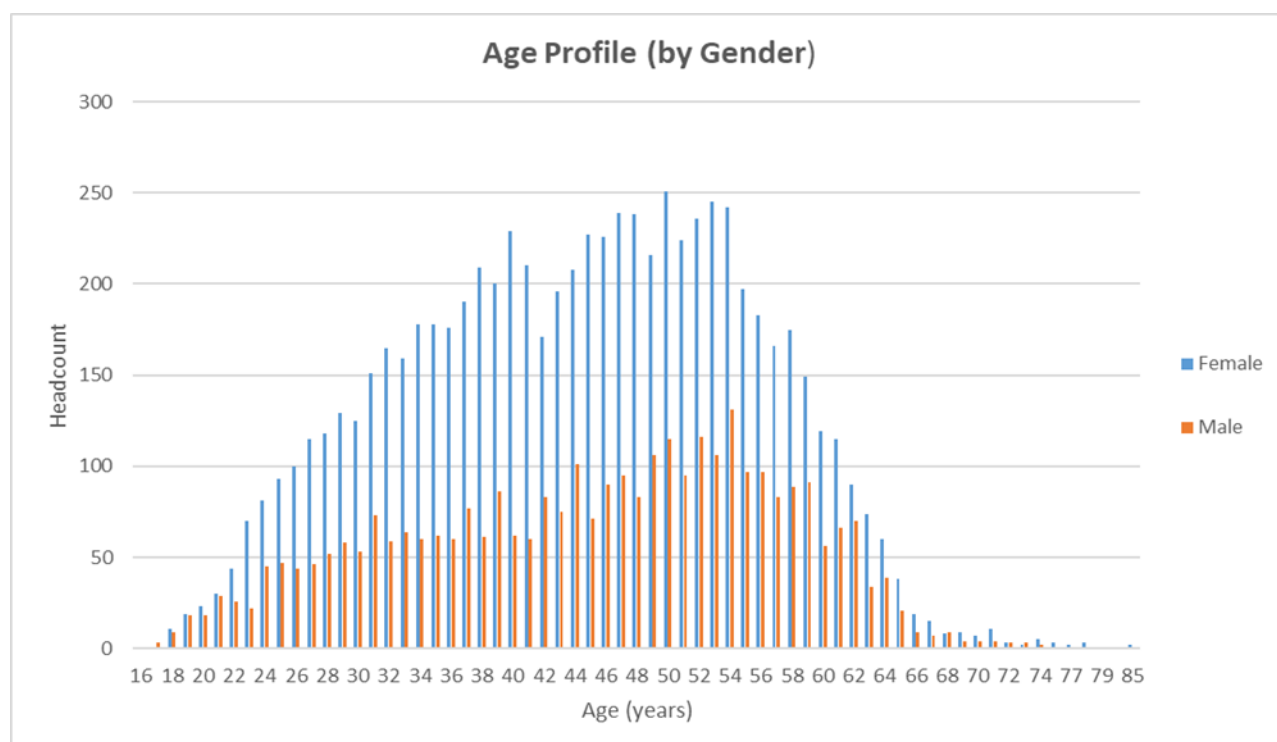
The system used to collect employment and training data continues to be updated to close gaps and provide more detailed and relevant information. In addition, employees are not required to provide information; work is ongoing to encourage employees to update their details.

Note: Data includes all school staff including teachers

### Workforce Profile – Gender and Working pattern

Count of User Employee Person Type	Gender		Grand Total
	Female	Male	
Employment category			
Permanent - full time	2006	2308	4314
Permanent - job share	70	6	76
Permanent - part time	2776	339	3115
Temporary - full time	561	367	928
Temporary - job share	5	1	6
Temporary - part time	1960	229	2189
Grand Total	7378	3250	10628

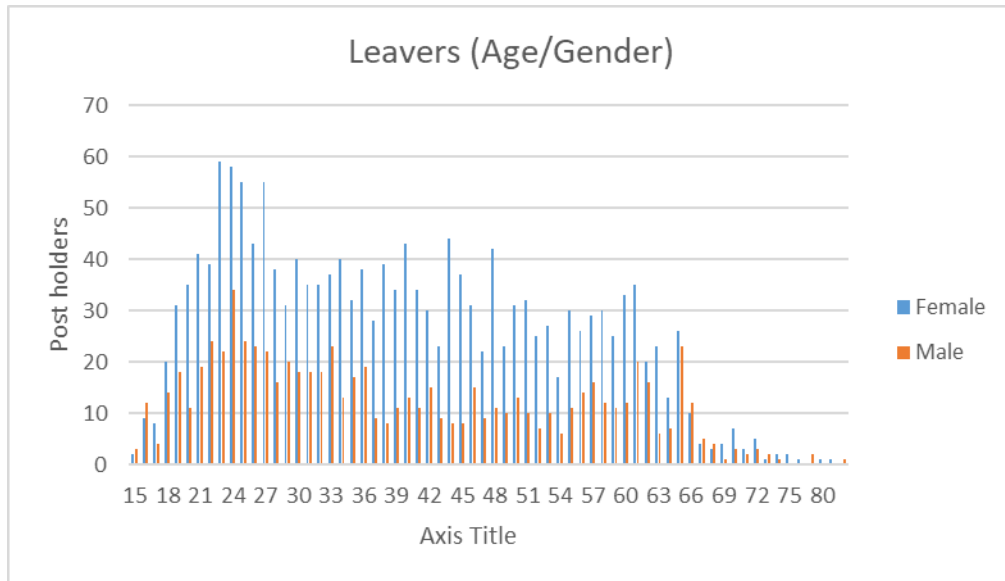
### Age Profile by Gender



## Leavers by Gender

Count of Employee Number	Gender		
Termination Reason	Female	Male	Grand Total
Deceased	7	2	9
Dismissed - Absence		1	1
Dismissed - Capability		1	1
Dismissed - Gross Misconduct	2	5	7
Dismissed - Health Capability	18	7	25
Dismissed - Misconduct	1		1
Dismissed - Other		1	1
Dismissed - Probation	4	2	6
End of Apprenticeship	1	2	3
End of Fixed-Term Contract	73	32	105
End of Temporary Contract	161	97	258
End of Traineeship	1		1
ERVR - Early Retirement/Voluntary Redundancy	12	4	16
Frustration of Contract	4	2	6
Gross Misconduct	1		1
Other	41	18	59
Promotion	1		1
Redundancy	27	8	35
Redundancy - Compulsory	27	9	36
Resigned	408	149	557
Resigned - Whilst Under Investigation	2	1	3
Resigned 55+	15	33	48
Resigned 60+	8	2	10
Retirement	8		8
Retirement - Early	17	5	22
Retirement - ER/VR (Teachers)	8	2	10
Retirement - Ill Health	18	12	30
Retirement 65+	4	5	9
TUPE Transfer	82	84	166
Voluntary Redundancy	74	20	94
Grand Total	1025	504	1529

## Leavers by Age / Gender



## Protected Characteristics (Total headcount at time of download = 10634)

### Disability Declaration

Count of Assignment Number	
Disability	Total
No	627
Undeclared	9958
Yes	49
Grand Total	10634

### Ethnicity Declaration

Count of Assignment Number		
Ethnic Origin	Total	% of workforce
Asian or Asian British - Any Other	*	
Asian or Asian British – Bangladeshi	*	
Asian or Asian British – Chinese	*	
Asian or Asian British – Indian	*	
Asian or Asian British – Pakistani	*	
Black or Black British - African	*	

Black or Black British - Any Other	*	
Black or Black British - Caribbean	*	
Mixed - Any Other	*	
Mixed - White and Asian	*	
Mixed - White and Black African	*	
Mixed - White and Black Caribbean	*	
Undeclared	8794	82%
Other Ethnic Group	*	
Prefer not to say	*	
White - Any Other	56	0.5%
White – British	1844	17.5%
Grand Total	10634	

\*Numbers too small to report

### Marital Status

Marital Status	Total	% Workforce
Civil Partnership	39	0.4%
Divorced	396	3.7%
Formally in Civil Partnership now legally dissolved	1	0.0%
Legally Separated	20	0.2%
Living with Partner (not married or in civil partnership)	193	1.8%
Married	5046	47.5%
Undeclared	1048	9.9%
Partner	49	0.5%
Prefer not to say	14	0.1%
Separated – but still legally in Civil Partnership	2	0.0%
Separated – but still legally married	37	0.3%
Single	3747	35.2%
Widowed	42	0.4%
Grand Total	10634	

## Sexual Orientation

Headcount		
	Total	%Workforce
Bisexual	10	0.1%
Gay/Lesbian	31	0.3%
Heterosexual/Straight	1441	13.6%
Undeclared	9126	85.8%
Prefer not to say	26	0.2%
Grand Total	10634	

## Gender reassignment

Headcount

Q5 Gender Same as Birth	Total
No	*
Undeclared	84%
Prefer not to say	*
Yes	15%
Grand Total	10634

" Numbers too small to report (less than 0.1%)

## Maternity and Pregnancy

Maternity = 1.7% workforce  
Pregnancy = data unavailable

## Religion

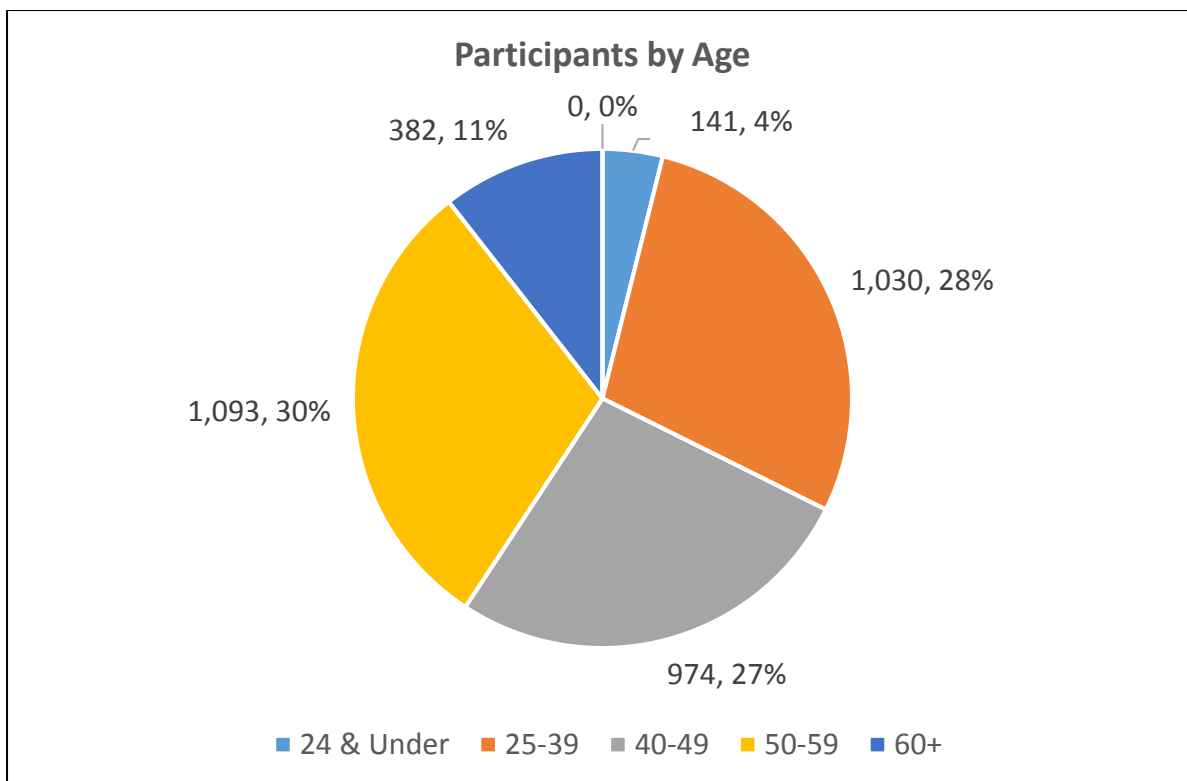
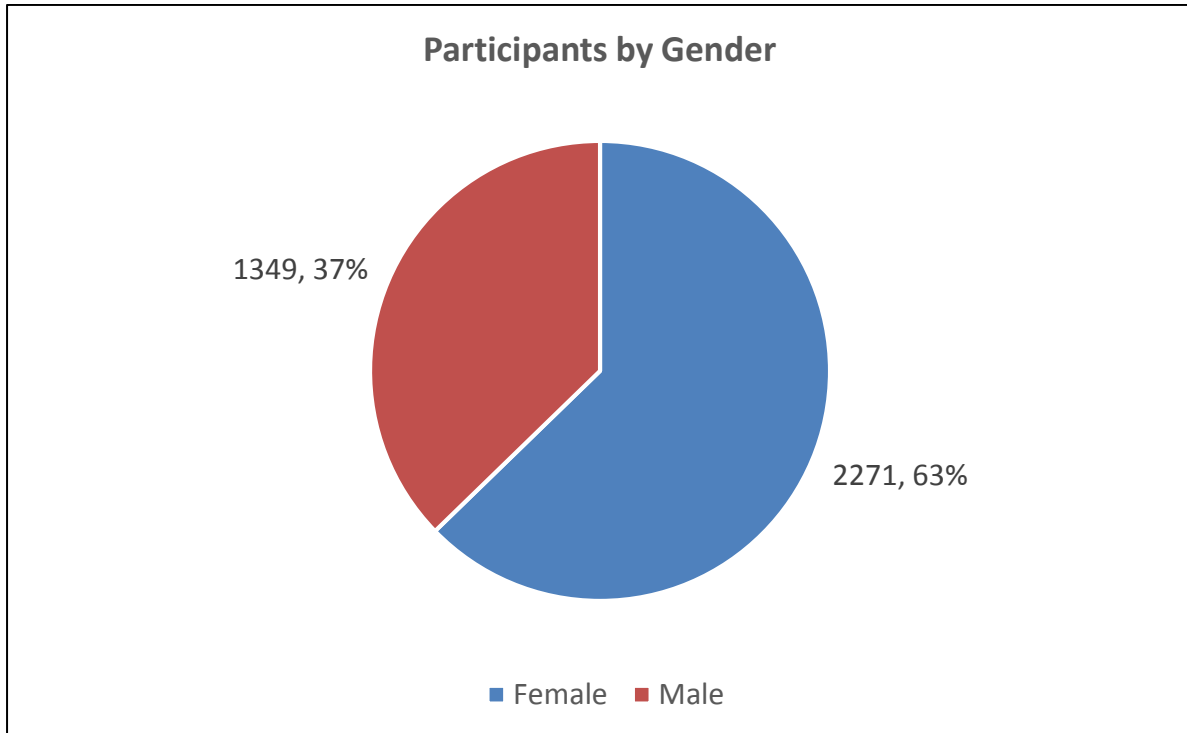
Count of Person Name		
Q8 Religion	Total	%
Buddhist	*	
Christian	766	7%
Hindu	*	
Muslim	*	
No Religion or belief	646	6%
Undeclared	9118	86%
Other	46	
Prefer not to say	37	
Sikh	*	
Grand Total	10634	

\* Numbers too small to report (less than 0.1%)

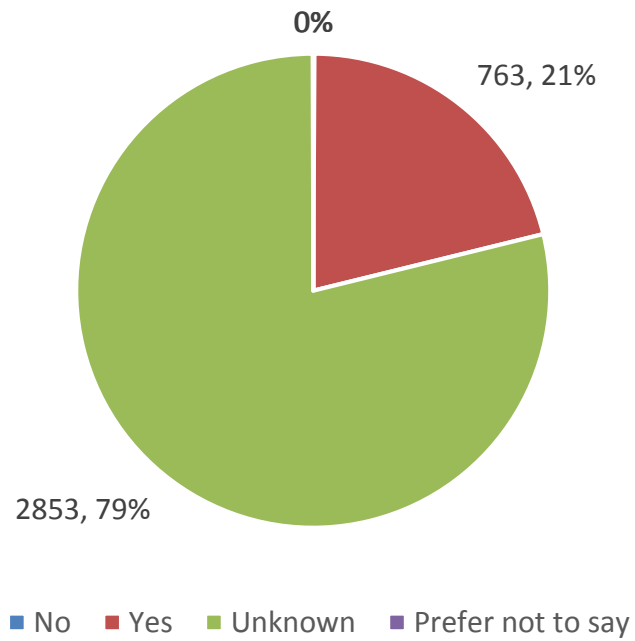


## Training information collected 2018-19

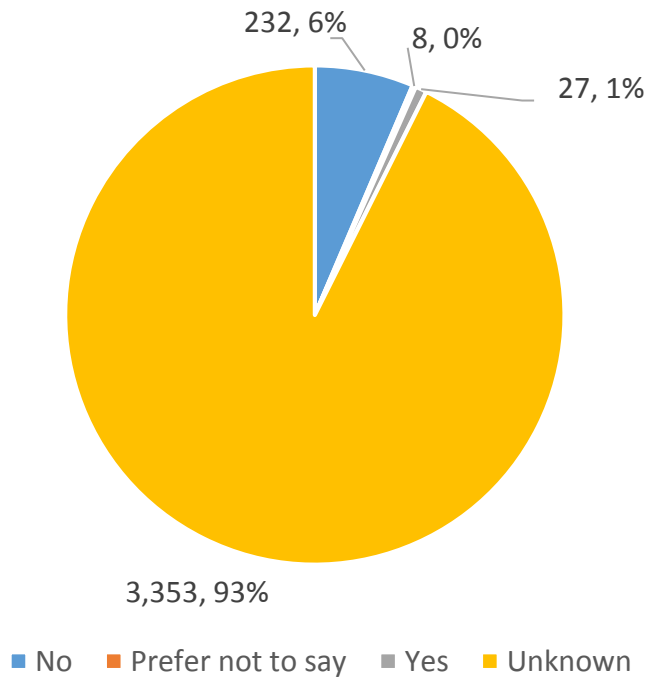
The information below relates to some of protected characteristics of employees who undertook training during 201-19. Employees were not required to provide this information but work is ongoing to encourage employees to provide the information.

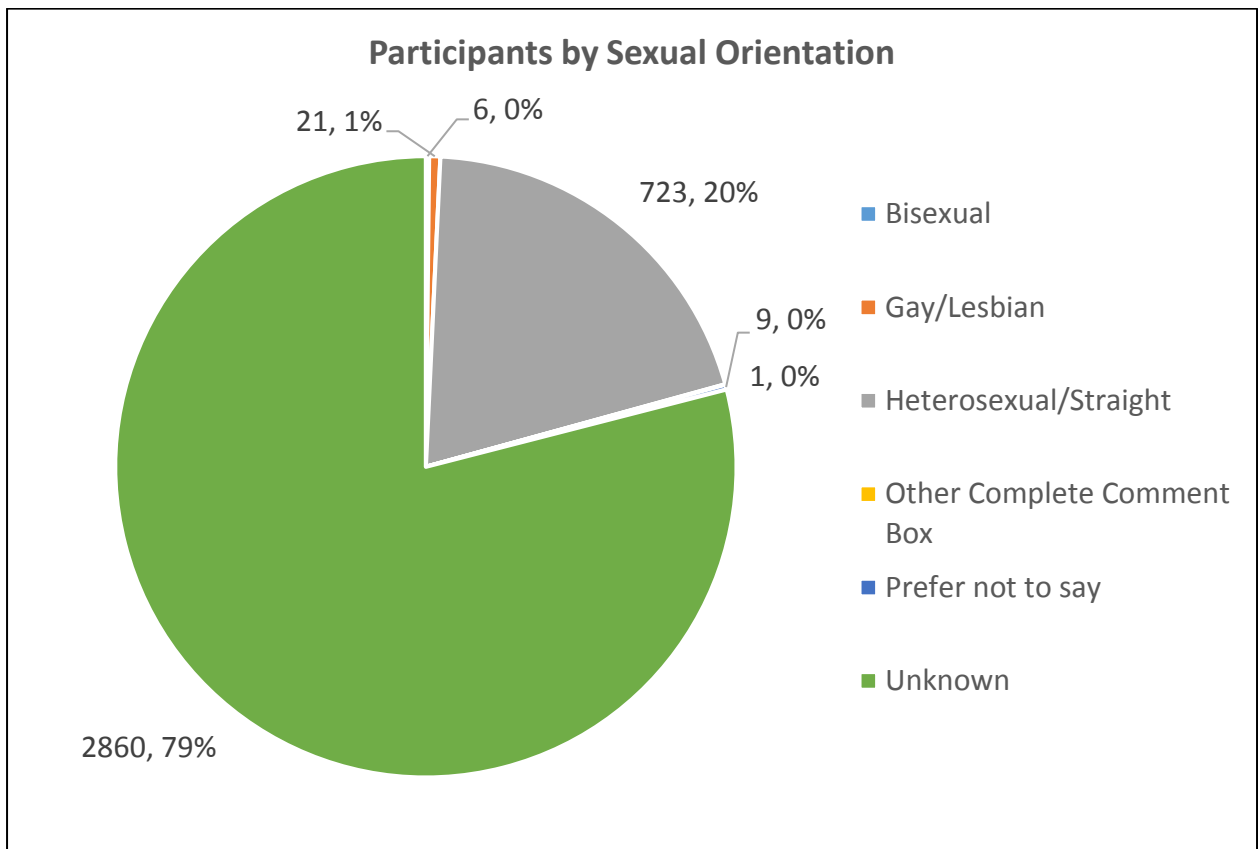
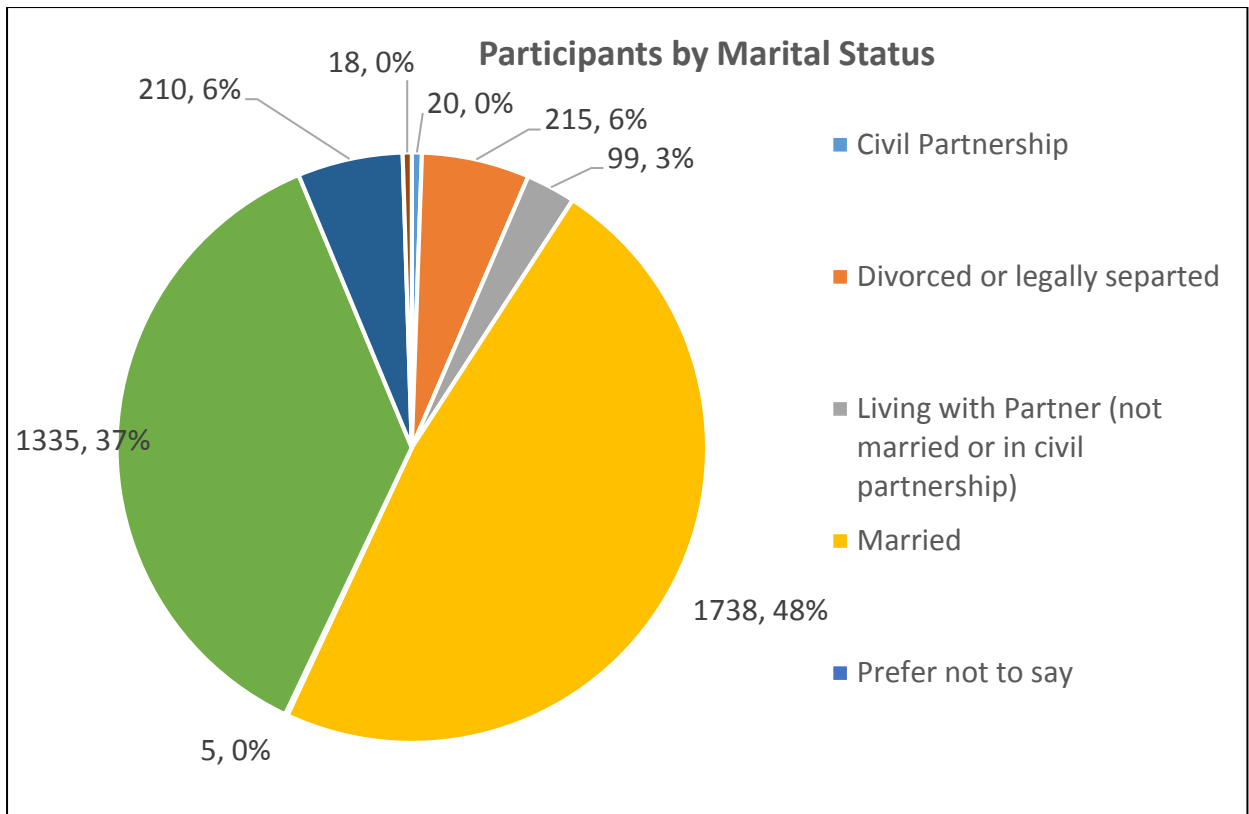


**Participants by Gender as Born Re-assignment**

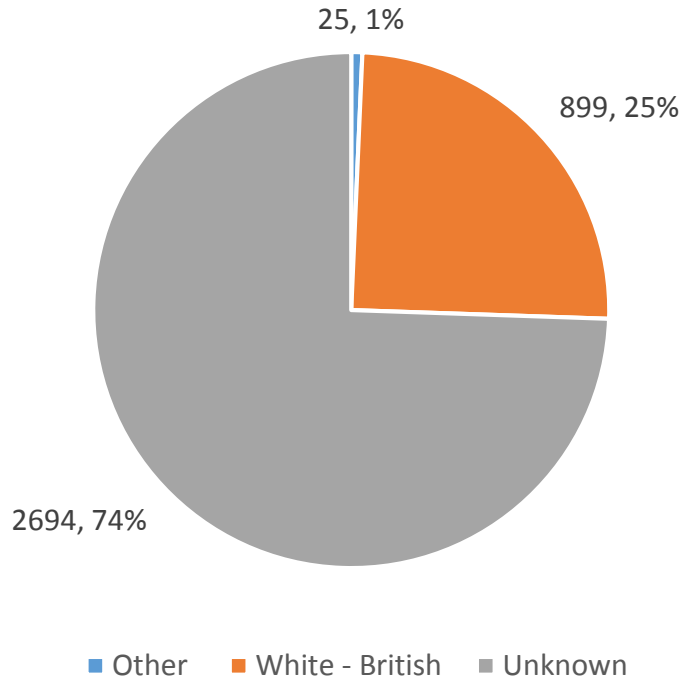


**Participants by Disability**

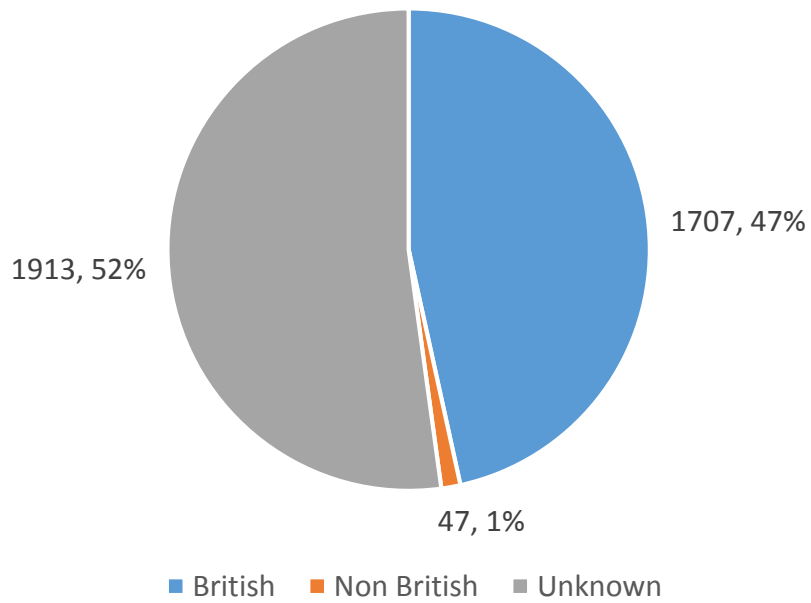




### Participants by Ethnic Origin



### Participants by Nationality



# Equality Impact Assessment Screening Form – Appendix 3

**Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).**

## Section 1

Which service area and directorate are you from?

Service Area: Strategic Delivery Unit

Directorate: Corporate

### Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Annual Equality Report 2018/19. The report is a requirement of the Public Sector Equality Duty and reporting regulations for Wales, which were introduced in 2011. The report contains details on: progress meeting for our Equality Objectives 2016 – 2020; Equality information; Employment and training information, and; additional information relevant to our legislative duties

### Q2(a) WHAT DOES Q1a RELATE TO?

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input type="checkbox"/> (H)	<input checked="" type="checkbox"/> (M)	<input checked="" type="checkbox"/> (L)

### (b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input checked="" type="checkbox"/> (M)	<input type="checkbox"/> (L)

### Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>

### Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?

## Equality Impact Assessment Screening Form – Appendix 3

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

Consultation and engagement not directly applicable to the Equality Annual Report

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility x (L)
---	---	-------------------------

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL’S REPUTATION?**  
*(Consider the following impacts – legal, financial, political, media, public perception etc...)*

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk x (L)
---	---	-------------------

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

Yes                      x No    If yes, please provide details below

**Q7 HOW DID YOU SCORE?**  
*Please tick the relevant box*

**MOSTLY H and/or M → HIGH PRIORITY →**     EIA to be completed  
 Please go to Section 2

**MOSTLY L → LOW PRIORITY / NOT RELEVANT →**    x Do not complete EIA  
 Please go to Q8 followed by Section 2

**Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.**

There are no direct equality and engagement implications associated with this report. However, the report sets out progress to deliver the actions to meet our Equality Objectives that are set out within the Strategic Equality Plan; these actions will have been screened or subjected to an EIA

**Section 2**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

<b>Screening completed by:</b>
Name: Richard Rowlands
Job title: Strategic Delivery & Performance Manager
Date: 21/08/19
<b>Approval by Head of Service:</b>
Name: Sarah Caulkin
Position: Chief Transformation Officer
Date: 22 <sup>nd</sup> August 2019

# Agenda Item 12.



## Report of the Cabinet Member for Environment & Infrastructure Management

Cabinet – 19 September 2019

### Tender for a Dynamic Purchasing System for the Provision of Taxi Services

**Tender Reference Number: CCS/19/050**

<b>Purpose:</b>	To provide details of the outcome of the tendering process and to seek approval to award contracts to successful bidders.
<b>Policy Framework:</b>	Transportation Cross cutting review. Sustainable Social Services – Framework for action. Home to school transport policy
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Dynamic Purchasing System for Taxi Services be implemented for the period 28 October 2019 to 30 June 2021 with an option to extend for up to a further 36 months. 2) The Tenders from the operators listed in Appendix 1 be accepted and they be awarded a place on the DPS.
<b>Report Author:</b>	Catherine Swain
<b>Finance Officer:</b>	Chris Davies
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The current Taxi Framework Agreement is due to expire on 27 October 2019. The Framework is used by the Integrated Transport Unit (ITU) to

procure taxi services for Home to School Transport on behalf of Education, and Social Care clients on behalf of Social Services.

- 1.2 A replacement mechanism for procuring taxi services has therefore been sought for implementation from 28 October 2019.

## **2. The Dynamic Purchasing System**

- 2.1 The current Taxi Framework Agreement was let in 2015 and comprises of a fixed number of suppliers who have met the required Quality standards. When the ITU receives a request for transport that requires taxi provision, prices for the specified service are requested from all providers on the Framework.
- 2.2 During the term of the Agreement the number of suppliers has diminished as companies have ceased trading or been excluded due to poor operational performance. As a result there has been less competition for contracts as time has gone by and the prices received for individual services/ routes have increased.
- 2.3 Tenders have therefore been invited for a Dynamic Purchasing System (DPS) which will allow new suppliers to apply to join the DPS at any point during the contract term, subject to them completing the quality evaluation process. It is considered that this will enable a reasonable number of suppliers to be maintained and ensure competitive prices continue to be submitted throughout the term of the DPS.
- 2.4 When new taxi services are required, the providers will be contacted with a Request for Quotation to provide a specified service. These ongoing mini competitions mean that the Council will be able to take advantage of the market conditions at the time. The call off mechanism for tendering and evaluating individual routes will be done through an electronic web based system, which has been built and will be maintained by the Council's ICT Department.
- 2.5 The majority of taxi services are for pupils with Additional Learning Needs for whom the Council has a statutory duty to provide home to school transport or for social care clients. The transport requirements of these clients can change frequently so the contract will allow the Council to terminate the contracts for individual routes giving one weeks' notice. This also allows the Council to revise arrangements quickly where efficiencies are identified. Taxi providers will be required to give 3 weeks' notice to the Council.
- 2.6 The DPS will be used to procure pre-programmed and longer term taxi transport services using vehicles with between 4 and 8 passenger seats. Emergency, short term, or ad hoc taxi requirements, such as for respite care and Officer and Councillor travel, will continue to be procured using a separate Framework Agreement



### **3. Procurement Process**

- 3.1 Supplier engagement meetings were held with taxi service providers on 3 occasions to gather feedback on the existing framework arrangements and to obtain their views on the proposed DPS mechanism. Business Wales also attended these events to explain how their service could support companies and provide assistance with the tendering process.
- 3.2 The estimated value of the contract over the full term exceeds the European Union threshold under the Public Contract Regulations 2015. The contract was therefore advertised in the Official Journal of the European Union ( OJEU) via Sell2Wales.
- 3.3 The 'open' procedure was selected and the Invitation to Tender ( ITT) was issued on 29 March 2019 via the eTenderWales Portal.
- 3.4 Following the publication of the ITT, Business Wales provided support to potential bidders in the preparation of their tender submissions including a Tendering Briefing session.
- 3.5 The tenders were opened by Commercial Services on the initial deadline of 29 April when 40 tenders were received with a further one tender opened on 12 June 2019. This is permissible since the DPS allows tenders to be submitted throughout the term of the contract.

### **4. Evaluation**

- 4.1 The tenders received were evaluated by two officers from the Integrated Transport Unit with support from an Officer of the Commercial Services Team.
- 4.2 The tenders received were all compliant.
- 4.3 Clarifications had to be sought on elements of the submissions from tenderer numbers 3, 14, 15, 27 and 36. These clarifications adhered to the requirements of CPR 11 in all instances.
- 4.4 The evaluation of the tenders was undertaken in accordance with the criteria set out in the Invitation to Tender and has been based 100% on quality.
- 4.5 Evaluation of tenders for the individual taxi routes procured through the DPS will be based 100% on price.
- 4.6 The Quality Evaluation has been based on the assessment of 11 method statement questions to ensure that the tenderers were able to demonstrate a minimum understanding of the key operational requirements. The questions were as follows:

- i. DBS checking procedures
- ii. Dealing with staff shortages
- iii. Dealing with vehicle breakdowns
- iv. Accident procedures
- v. Emergency and inclement weather operating procedures
- vi. Contract performance management.
- vii. Monitoring of driver compliance.
- viii. Staff training.
- ix. Communications with staff.
- x. Vehicle and licensing inspection regime.
- xi. Vehicle defect and maintenance reporting.

4.7 Tenderers were required to achieve a minimum score of 33 from the maximum 55 marks available for all 11 Method Statement questions.

4.8 All of the tenderers achieved the minimum score.

4.9 Details of the companies that tendered and their quality scores are provided in Appendix 1.

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

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

5.2 An Equality Impact Assessment Screening Form was completed for the retendering exercise with the outcome that a Full Equality Impact Assessment Report is not required. This is because the taxi services procured through the current framework mechanism will be replaced with similar services procured through the DPS.

## **6. Financial Implications**

6.1 In 2018/19 services with an approximate value of £1,058,000 were let using the existing Taxi Framework contract. This takes into account the fact that some services started during the course of the year rather than from the beginning of the year, and that some finished at various time

during the year. A similar spend profile is anticipated when using the DPS.

6.2 For a 5 year contract term the expenditure would be as follows:

	Year	Annual call off (£)	Cumulative call off (£)	Indexation (3%) (£)
<b>School Transport</b>	<b>1</b>	923,000		
	<b>2</b>	923,000	1,846,000	27,690
	<b>3</b>	923,000	2,769,000	56,211
	<b>4</b>	923,000	3,692,000	84,756
	<b>5</b>	923,000	4,615,000	113,303
	<b>Sub total</b>		4,615,000	281,960
	<b>Total for School transport</b>	<b>£4,896,960</b>		

Client Transport	Year	Annual call off (£)	Cumulative call off (£)	Indexation (3%) (£)
	<b>1</b>	135,000		
	<b>2</b>	135,000	270,000	4,050
	<b>3</b>	135,000	405,000	8,590
	<b>4</b>	135,000	540,000	12,408
	<b>5</b>	135,000	675,000	16,572
	<b>Sub total</b>		675,000	41,620
	<b>Total for Client transport</b>	<b>£716,620</b>		
<b>Total cumulative call off value over 5 years is £5,613,580</b>				

6.3 The services procured through the DPS will be funded from the budgets for Home to School transport and Social Services Client transport. Most of the school transport provided using taxis is for pupils with Additional Learning Needs. The budget for this transport is £4,638,900 in 2019/20. The budget for taxi transport for Social Services clients (LAC) is £113,800.

## 7. Legal Implications

7.1 The Responsible Officer is satisfied that the tender process has been undertaken in compliance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules, and recommends approval in accordance with those Rules.

7.2 The contracts for tenderers listed in Appendix 1 are to be prepared by Legal, Democratic Services and Business Intelligence. All contractual liabilities / obligations will be covered by the contract documentation.

**Background Papers:** Tender Evaluation Panel report dated 5 July 2019 and electronic approvals received from the Panel members.

**Appendices:**

Appendix 1 Scores of Bidders from whom tenders were received

Appendix 2 Equality Impact Assessment Screening Form

**Dynamic Purchasing System for Taxi Services 2019**

**Scores of Bidders from whom Tenders were received**

<b>Bidder No(s)</b>	<b>Score(s) (Out of 55)</b>
1	52
2	50
3	41
4	54
5	46
6	50
7	44
8	54
9	53
10	40
11	48
12	50
13	53
14	49
15	55
16	50
17	49
18	49
19	49
20	51
21	52
22	50
23	49
24	35
25	46
26	49
27	39
28	55
29	52
30	49
31	51
32	54
33	53
34	51
35	55
36	49
37	47
38	35
39	55
40	55
41	46

Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).

<b>Section 1</b>
Which service area and directorate are you from?
Service Area: Highways & Transportation – Integrated Transport Unit
Directorate: Place

**Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?**

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

This is a tendering exercise for a procurement mechanism to replace the current Framework Agreement for Taxi Services that has been in place since 2015. The proposed mechanism is a Dynamic Purchasing System that will be used to obtain prices from taxi providers for statutory home to school transport services and transport for social care clients.

**Q2(a) WHAT DOES Q1a RELATE TO?**

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

**(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?**

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

**Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...**

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18) →	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group →	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability →	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum seekers →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?**

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

The services will be mainly for pupils with Additional Learning Needs or for social care clients. Transport will be procured to meet the specific needs of the pupils/clients concerned. Therefore, a need to undertake engagement or consultation specifically in line with the retendering exercise is not necessary.

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input type="checkbox"/> (H)	Medium visibility <input checked="" type="checkbox"/> (M)	Low visibility <input type="checkbox"/> (L)
---	--	--

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL’S REPUTATION?  
(Consider the following impacts – legal, financial, political, media, public perception etc...)**

High risk <input type="checkbox"/> (H)	Medium risk <input checked="" type="checkbox"/> (M)	Low risk <input type="checkbox"/> (L)
---	--	--

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

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

**Q7 HOW DID YOU SCORE?  
Please tick the relevant box**

**MOSTLY H and/or M → HIGH PRIORITY →  EIA to be completed  
Please go to Section 2**

**MOSTLY L → LOW PRIORITY / NOT RELEVANT →  Do not complete EIA  
Please go to Q8 followed by Section 2**

**Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.**

This is a routine contract re-tendering exercise to comply with Contract Procedure Rules. All existing service users will continue to be able to access services.

**Section 2**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

<b>Screening completed by:</b>
Name: Catherine Swain
Job title: Integrated Transport Unit Manager
Date: 14.07.2019
<b>Approval by Head of Service:</b>
Name: Stuart Davies
Position: Head of Highways and Transportation
Date:

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

# Agenda Item 13.



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

Cabinet – 19 September 2019

### Financial Procedure Report Rule 7 – Highways and Transportation Vehicle Replacement Capital Programme 2019/20

<b>Purpose:</b>	To seek approval for capital expenditure on the proposed vehicle replacement programme for Highways and Transportation for 2019/20
<b>Policy Framework:</b>	The Revenue and Capital Budget as reported and approved by Council on 28 <sup>th</sup> February 2019
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) the Highways and Transportation Vehicle Replacement Capital Programme for 2019/20 be approved.
<b>Report Author:</b>	Mark Barrow
<b>Finance Officer:</b>	Jayne James
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1 A capital programme was established within the Highways and Transportation group in 2005 to make provision for the scheduled replacement of specialist vehicles within its sections.
- 1.2 This includes provision for the replacement of 14 vehicles, 5 specialist demountable vehicle bodies and 1 crusher unit during 2019/20, with an estimated expenditure of £1,423,000.



## **2. Proposed Works**

2.1 The 14 vehicles to be replaced are grouped into 4 distinct types, the 5 demountable specialist bodies constitute 2 different types and the crusher unit is a single requirement. The purchase of these items will be based on separate lots as summarised below,

- 3 x 18 tonne gulley tankers
- 1 x Medium panel van mounted graffiti removal unit
- 2 x 18t tonne 4x4 chassis cabs with demountable body equipment
- 8 x 4 tonne compact road sweepers
- 2 x demountable gritter bodies
- 3 x demountable insulated tipper bodies
- 1 x crusher unit

2.2 Fleet Management, in conjunction with the Highways and Cleansing sections, specify the vehicle requirements. The procurement of the respective vehicle types is then subject to the Council's Contract Procedure Rules and EU Procurement Rules.

## **3. Objective of the Scheme**

3.1 The objective of these renewals is to provide fit for purpose vehicles for Highways and Transportation in accordance with the overall replacement programme

## **4. Equality and Engagement Implications**

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

4.2 An Equality Impact Assessment Screening Form has been completed and is attached as a background paper

## **5. Financial Implications**

5.1 The renewal of the existing vehicles, demountable specialist bodies and crusher unit are scheduled for 2019/20 as they have now reached the end of their economic working life. It is anticipated that they will now begin to

incur incrementally increasing revenue costs, as well as increased non-availability due to breakdown and mechanical repairs.

- 5.2 The total cost of the purchases is estimated as £1,423,000 (exc. VAT) and will be funded by the Highways and Transportation vehicle replacement capital reserve. Details are set out in Appendix A, including start and completion dates. The anticipated unit costs are set out below,

Description	Qty	Price per Unit (exc. VAT)	Sub Total
18 tonne Gulley Tanker	3	£120,000	£360,000
Medium panel van mtd. Graffiti removal unit	1	£25,000	£25,000
18 tonne 4x4 chassis cabs c/w demountable body equipment	2	£104,000	£208,000
4 tonne compact road sweepers	8	£75,000	£600,000
Demountable gritter bodies	2	£16,000	£32,000
Demountable Insulated tipper bodies	3	£16,000	£48,000
Crusher Unit	1	£150,000	£150,000
<b>Total</b>			<b>£1,423,000</b>

- 5.3 Revenue costs will be met by existing revenue budgets within the Highways and Transportation group, as they are replacing existing vehicles and equipment.
- 5.4 The vehicle replacement capital reserve has an uncommitted earmarked reserve budget of £1,522,048.50.

## 6. Legal Implications

- 6.1 As noted above, the procurement of the vehicles and equipment is subject to compliance with the Council's Contract Procedure Rules and EU Procurement Rules.

**Background Papers:** 'Equality Impact Assessment Screening Form'

### Appendices:

Appendix A Financial Implications

## FINANCIAL IMPLICATIONS : SUMMARY

**Portfolio:** Environment

**Service :** Highways & Transportation

**Scheme :** Vehicle Replacement Capital Programme 2019/20

<b>1. CAPITAL COSTS</b>	<b>2019/20</b> £'000	<b>2020/21</b> £'000	<b>2021/22</b> £'000	<b>2022/23</b> £'000	<b>TOTAL</b> £'000
<u>Expenditure</u>					
Works					0
Env Improvements					0
Fees					0
Furniture/Fittings					0
Vehicles	1,423,000				1423000
Budget Code:					
<b>EXPENDITURE</b>	<b>1,423,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,423,000</b>
<u>Financing</u>					
CCS funding - Highways					
Replacement Vehicles					
Reserve	1,423,000				1423000
WG grant					0
WEFO grant					0
Other					0
<b>FINANCING</b>	<b>1,423,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1423000</b>

<b>2. REVENUE COSTS</b>	<b>2019/20</b> £'000	<b>2020/21</b> £'000	<b>2021/22</b> £'000	<b>2022/23</b> £'000	<b>FULL YEAR</b> £'000
<u>Service Controlled - Expenditure</u>					
Employees					0
Maintenance					0
Equipment					0
Administration					0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Agenda Item 14.



## Report of the Cabinet Member for Environment & Infrastructure Management

Cabinet – 19 September 2019

### Financial Procedure Rule 7 – Local Transport Fund, Local Transport Network Fund & Active Travel Fund Capital Grants 2019/20

<b>Purpose:</b>	<p>To confirm the outcome of the bid for Local Transport Fund (LTF), Local Transport Network Fund (LTNF) and Active Travel Fund (ATF) monies and seek approval for expenditure on the associated projects in 2019/20.</p> <p>To comply with Financial Procedure Rule No. 7 (Capital Programming and Appraisals): to commit and authorise schemes in the Capital Programme.</p>
<b>Policy Framework:</b>	Local Transport Plan 2015 – 2020
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	<p>It is recommended that:</p> <ol style="list-style-type: none"><li>1) the LTF, LTNF &amp; ATF schemes, together with their financial implications, are approved.</li></ol>
<b>Report Author:</b>	Ben George
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

## 1.0 Introduction / Background

- 1.1 A funding bid for the Local Transport Fund, Local Transport Network Fund and Active Travel Fund (LTF, LTNF and ATF) was originally submitted to the Welsh Government on 18<sup>th</sup> January 2019 in accordance with guidance from the Welsh Government. The funding bid was ultimately approved by the External Funding Panel and the Council was successful in securing £4.503million for the development and delivery of seven schemes.
- 1.2 The guidance stated that there was a total funding pot of £20 million for the Active Travel Fund, £27 million for the Local Transport Fund and £4 million for the Local Transport Network Fund in 2019/20. This funding is available to all Welsh Local Authorities. The Welsh Government elected not to set a maximum value for each scheme, but rather elected to set a banded scoring criteria, with higher values attracting a lower point allocation. Whilst match funding is not a requirement of the funding bids, it was made clear that those schemes that benefited from match funding would be more likely to receive an allocation.
- 1.3 The City & County of Swansea submitted bids totalling £16.859million, and the Welsh Government ultimately awarded funding amounting to £4.503 million for FY2019/20.
- 1.4 This report seeks approval to commit these funds and the match funding offered to the capital programme in accordance with the Financial Procedure Rules.

## 2.0 Submitted Bids

- 2.1 A total of £16.859million was bid for by the City & County of Swansea, and the Welsh Government has subsequently allocated £4.503million for the delivery of seven schemes with LTF, LTNF and ATF in 2019/20. The bid and the successful funding allocation are shown in the tables below.

**Table One – Summary of Bids for LTF, LTNF & ATF 2019/20**

Fund		Total Bid (£k)	Match funding (£k)	Total project cost (£k)
LTF	South West Wales Metro	727	0	727
LTF	Baldwins Bridge	3000	0	3000
LTF	Broadway Interchange	750	100	850
LTF	EV Charging	494	0	494
LTF	Dyfatty Junction Improvements	812	0	812
LTNF	Phase 2b - Strategic Bus Corridors	461	0	461
LTNF	Phase 3 - Strategic Bus Corridors	721	0	721

<b>ATF</b>	<b>STRATEGIC - Northern Strategic</b>	<b>1714</b>	<b>0</b>	<b>1714</b>
ATF	<i>A48 Link</i>	1009	0	1009
ATF	<i>Kingsbridge Link</i>	625	0	625
ATF	<i>DVLA to Morriston Hospital (Development)</i>	25	0	25
ATF	<i>Penllergaer to Gorseinon (Development)</i>	55	0	55
<b>ATF</b>	<b>STRATEGIC - Clyne Valley Links</b>	<b>3011</b>	<b>1209</b>	<b>4220</b>
ATF	<i>Swansea Central Bridge</i>	1229	1209	2438
ATF	<i>Blackpill to Killay</i>	609	0	609
ATF	<i>Killay to Dunvant</i>	283	0	283
ATF	<i>Dunvant to Gowerton</i>	314	0	314
ATF	<i>Ridgeway Access Link</i>	346	0	346
ATF	<i>Pontarddulais Link (Development)</i>	190	0	190
ATF	<i>Blackpill Bridge (Development)</i>	40	0	40
<b>ATF</b>	<b>LOCAL - City Centre</b>	<b>3984</b>	<b>0</b>	<b>3984</b>
ATF	<i>Gors Avenue Shared Use Path</i>	708	0	708
ATF	<i>Townhill Northern Link</i>	825	0	825
ATF	<i>Cockett Road Link</i>	492	0	492
ATF	<i>Rosehill Quarry Link</i>	523	0	523
ATF	<i>Townhill Road</i>	265	0	265
ATF	<i>Penlan Crescent, Glanmor Avenue &amp; Ffynone Link</i>	111	0	111
ATF	<i>St. Helens Shared Use Path Extension</i>	93	0	93
ATF	<i>Walter Road and Sketty Road Cycle Lanes</i>	191	0	191
ATF	<i>Sandfields Link</i>	87	0	87
ATF	<i>Mayhill Link</i>	689	0	689
<b>ATF</b>	<b>LOCAL - Loughor Estuary Links</b>	<b>1186</b>	<b>0</b>	<b>1186</b>
ATF	<i>North Gower Trail</i>	47	0	47
ATF	<i>Loughor Estuary Active Travel Improvements</i>	35	0	35
ATF	<i>Penyrheol Link</i>	245	0	245
ATF	<i>Northern Estuary Link</i>	720	0	720
ATF	<i>Grovesend Link</i>	139	0	139
	<b>Total</b>	<b>16860</b>	<b>1309</b>	<b>18169</b>

**Table Two – Summary of Allocations for LTF, LTNF & ATF 2019/20**

Fund		Total Bid (£k)	Match funding (£k)	Total project cost (£k)
LTF	South West Wales Metro	432	0	432
LTF	Broadway Interchange	750	100	850
LTF	EV Charging	89	0	89
<b>LTNF</b>				
LTNF	Phase 2b - Strategic Bus Corridors	461	0	461
<b>ATF</b>				
ATF	Core ATF Allocation	533	0	533
<b>STRATEGIC - Northern Strategic</b>				
ATF	<i>Kingsbridge Link</i>	625	0	625
ATF	<i>DVLA to Morriston Hospital (Development)</i>	25	0	25
ATF	<i>Penllergaer to Gorseinon (Development)</i>	55	0	55
<b>LOCAL - City Centre</b>				
ATF	<i>Gors Avenue Shared Use Path</i>	708	0	708
ATF	<i>Townhill Northern Link</i>	825	0	825
<b>Total</b>		<b>4503</b>	<b>100</b>	<b>4603</b>

### 3.0 Details of Schemes - LTF

3.1 The projects approved for funding from the Local Transport Fund 2019/20 are summarised below.

3.2 South West Wales Metro – The Welsh Government has allocated £432k to continue the strategies and development work for the South West Wales Metro. The City & County of Swansea is acting as the lead delivery partner on a scheme, which has regional significance and is pleased to be working in close partnership with Neath Port Talbot County Borough Council, Carmarthenshire County Council and Pembrokeshire County Council. The South West Wales Metro is expected to provide a transport system that will be imperative to the delivery of the City Region’s aims, objectives and strategic projects.

- 3.3 The allocation of this funding for 2019/20 will build on the work of the previous year to add further detail and vision in the development of a South West Wales Metro for Swansea and its neighbouring Local Authorities.
- 3.4 The £432,000 will fund the delivery of the following elements:
- Project Coordination
  - Rail Business Cases
  - Walking and Cycling Strategy
  - Regional Travel Pattern Survey
- 3.5 Broadway Interchange – This scheme has been awarded £750k for delivery of this scheme in 2019/20.
- 3.6 This interchange has been identified as a key route in the west of Swansea which experiences high levels of congestion successively throughout the day. It is proposed that the junction be redesigned to ease congestion, introduce active travel accessibility, increase capacity and improve public transport journey time reliability and efficiency.
- 3.7 The scheme has previously been awarded funding from the Local Transport Fund and Local Transport Network Fund to complete a feasibility study and detailed design.
- 3.8 This grant funding will progress this project from design to delivery and will be completed in 2019/20.
- 3.9 EV Charging Infrastructure (Phase 1) – A bid of £494k was submitted in January 2019, to seek funding for Phase 1. The Welsh Government subsequently allocated £89k to the provision of charging infrastructure in parking interchanges.
- 3.10 This funding will partly fulfil a small proportion of the proposed first phase of delivery, through the installation of electric vehicle charge points in parking interchanges throughout the City and County of Swansea.
- 3.11 **Details of Schemes- LTNF**
- 3.12 Strategic Bus Corridors – The Welsh Government has allocated £461k to continue the excellent work that began in 2018/19 to improve bus corridors on some of the busiest routes around Swansea.
- 3.13 Funding has been allocated to deliver a suite of improvements; at bus hub interchanges, in Gowerton where bus access amendments will be made, at Kings Road in Swansea for a bus gate as well as improvements to Swansea City Bus Station.



### 3.14 **Details of Schemes- ATF**

- 3.15 Core ATF Allocation – The Welsh Government reserved a proportion of the available funds for Active Travel this year, for the pro-rata distribution to all Local Authorities in Wales. A grant allocation was subsequently issued by the Welsh Government for £533k.
- 3.16 This grant allocation will allow the authority to undertake; feasibility, survey and design work from INM schemes, consultation and engagement, promotion and minor infrastructure improvements subject to separate Welsh Government review and approval.
- 3.17 Swansea Northern Strategic – The Welsh Government has allocated £705k for the delivery of one scheme and the design of a further two in service of the Active Travel (Wales) Act. The schemes are summarised below:
- 3.18 *Kingsbridge Link* – This funding will fund the construction of this 1.4km route providing an off-road connection between Gowerton and Kingsbridge for the communities of Kingsbridge, Gorseinon and Grovesend which will link to the National Cycle Network Route 4.
- 3.19 *DVLA to Morriston Hospital (For Development Only)* – This funding will enable the design of this route. The route would connect two of the largest employers in the City and County of Swansea to the existing off-road network.
- 3.20 *Penllergaer to Gorseinon Link (For Development Only)* – The feasibility of this proposed route will be established with the funding allocated. It is anticipated that subject to establishing the feasibility of the route, that it will link the community of Penllergaer with the existing provision in Gorseinon.
- 3.21 City Centre Links – The Welsh Government has allocated £1.533m for the delivery of two substantial schemes to provide off-road connections to the community of Townhill to the existing off-road network for walking and cycling. Details of the individual schemes to be constructed in 2019/20 are listed below:
- 3.22 *Gors Avenue Shared Use Path* – This 3.16km shared use path will provide a spine route for an access tributary linking with the Cwm Road Shared Use Path, which was completed in 2017/18. The route will provide safe, off-road connectivity for pedestrians and cyclists in an area which does not currently benefit from this type of dedicated infrastructure. Local residents will also benefit from the improvements which will stretch through the main corridor of the community, serving the adjacent primary school (Gors Community School) and local amenities.

- 3.23 *Townhill Northern Link* – This 1.46km route will provide an important route connecting the community of Townhill to Carmarthen Road, which serves as an arterial route into the city centre. Pedestrian users of this path can also benefit from the frequent public transport services which operate on this corridor. A major proportion of this route will provide access to the communities at the highest point of Townhill, providing good quality walking and cycling infrastructure to enable otherwise difficult journeys with the challenging topography that is present in this area. Switchbacks will be created through the middle section of this route to alleviate the steep incline that is only accessed through the use of steps at present to provide an accessible route for both pedestrians and cyclists.

#### **4.0 Equality and Engagement Implications**

- 4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 4.2 Our Equality Impact Assessment process ensures that we have paid regard to the above.
- 4.3 An Equality Impact Assessment Screening Form has been completed. The outcome of the Assessment is that full Equality Impact Assessments will be required if these schemes are progressed.
- 4.4 All schemes will be designed in accordance with the national design guidance and will be compliant with the Equality Act 2010.

#### **5.0 Financial Implications**

- 5.1 The schemes described in this report, rely upon the Local Transport Fund, Local Transport Network Fund and Active Travel Fund to provide grant funding to secure their delivery.
- 5.2 The majority of schemes are 100% reliant upon grant to secure their delivery, but one scheme also includes a match fund element which will be required to achieve full spend.
- 5.3 Broadway Interchange – Local Transport Fund: £10k has been secured from the Gower College, Ty Coch development by means of S106. This funding has been transferred to Swansea Council and is available to match fund this project. The remaining £90k match fund contribution will be funded from residual capital funds from former Highways & Transportation projects.

5.4 Claims are to be made to the Welsh Government on a quarterly basis. The grant must be claimed in full by 31 March 2020 otherwise it will be lost.

5.5 Any revenue costs arising from capital schemes will be met by existing revenue budgets.

## **6.0 Staffing / IT Implications**

6.1 There are none.

## **7.0 Legal / Procurement Implications**

7.1 When delivering Transport Schemes, compliance will be required with the relevant Highways and Transport Act measure and guidelines. The Active Travel (Wales) Act 2013 puts an obligation on local authorities to provide walking and cycling infrastructure.

7.2 It will be necessary to ensure that all terms and conditions attached to external grant funding are complied with and that the Council's Financial Procedure Rules Regarding Grant Applications and Acceptances are followed.

7.3 Land agreements whether by purchase or lease should be in place prior to the commencement of scheme construction and delivery.

7.4 Planning Consent may be required for the following schemes:

- a. Active Travel Scheme Development: works to deliver the active travel schemes may require land purchase and planning consent where the works fall outside of the permitted development regulations and Council land ownership.
- b. Strategic Bus Corridors: The vast majority of this scheme involves changes to the highway network and as such would fall under permitted development and would not therefore require a planning application. The scheme may however require planning applications where bus shelters are installed at new sites, particularly those that will host advertising panels. Planning Permission will therefore be sought as appropriate.

7.5 Separate legal advice will need to be sought regarding any contract and procurement issues relevant to the schemes.

**Background Papers:** Local Transport Fund, Local Transport Network Fund and Active Travel Fund Bid Documents

### **Appendices:**

Appendix A – South West Wales Metro Financial Summary

Appendix B – Broadway Interchange Financial Summary

Appendix C – EV Charging Infrastructure (Phase 1) Financial Summary

Appendix D – Strategic Bus Corridors (Phase 2b) Financial Summary

Appendix E – Core ATF Allocation Financial Summary  
Appendix F – Strategic – Kingsbridge Link Financial Summary  
Appendix G – Strategic – DVLA to Morrision Hospital (Development)  
Appendix H – Strategic – Penllergaer to Gorseinon (Development)  
Appendix I – Local – Gors Avenue Shared Use Path Financial Summary  
Appendix J – Local – Townhill Northern Link Financial Summary

## APPENDIX A – SOUTH WEST WALES METRO FINANCIAL SUMMARY

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : LTF – SOUTH WEST WALES METRO**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Business Cases & Resource	237				237
Strategy & Survey	195				195
<b>EXPENDITURE</b>	<b>432</b>				<b>432</b>
<u>Financing</u>					
LTF grant	432				432
<b>FINANCING</b>	<b>432</b>				<b>432</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## APPENDIX B – BROADWAY INTERCHANGE FINANCIAL SUMMARY

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : LTF – BROADWAY INTERCHANGE**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	815				815
Fees	35				35
<b>EXPENDITURE</b>	<b>850</b>				<b>850</b>
<u>Financing</u>					
LTF grant	750				750
S106	10				10
Residual Highway Project Funding	90				90
<b>FINANCING</b>	<b>850</b>				<b>850</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX C – ELECTRIC VEHICLE CHARGING INFRASTRUCTURE  
(PHASE 1) FINANCIAL SUMMARY**

**Portfolio: PLACE**  
**Service : HIGHWAYS**  
**LTF – ELECTRIC VEHICLE CHARGING**  
**Scheme : INFRASTRUCTURE (PHASE 1)**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	80.5				80.5
Fees	8.5				8.5
<b>EXPENDITURE</b>	<b>89</b>				<b>89</b>
<u>Financing</u>					
LTF grant	89				89
<b>FINANCING</b>	<b>89</b>				<b>89</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## APPENDIX D – STRATEGIC BUS CORRIDORS FINANCIAL SUMMARY

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : LTNF – STRATEGIC BUS CORRIDORS (PHASE 2B)**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	444.5				444.5
Fees	16.5				16.5
<b>EXPENDITURE</b>	<b>461</b>				<b>461</b>
<u>Financing</u>					
LTNF grant	461				461
<b>FINANCING</b>	<b>461</b>				<b>461</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**APPENDIX E – CORE ATF ALLOCATION FINANCIAL SUMMARY**

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : ATF – CORE ATF ALLOCATION**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Design	306.5				306.5
Land Purchase	50				50
Minor Works	176.5				176.5
<b>EXPENDITURE</b>	<b>533</b>				<b>533</b>
<u>Financing</u>					
ATF grant	533				533
<b>FINANCING</b>	<b>533</b>				<b>533</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX F – STRATEGIC – KINGSBRIDGE LINK FINANCAL SUMMARY**

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : ATF – STRATEGIC – KINGSBRIDGE LINK**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	595				595
Fees	30				30
<b>EXPENDITURE</b>	<b>625</b>				<b>625</b>
<u>Financing</u>					
ATF grant	625				625
<b>FINANCING</b>	<b>625</b>				<b>625</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX G – STRATEGIC – DVLA TO MORRISTON HOSPITAL FINANCIAL SUMMARY**

**Portfolio: PLACE**  
**Service : HIGHWAYS**  
**Scheme : ATF – STRATEGIC – DVLA TO MORRISTON HOSPITAL**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Fees	25				25
<b>EXPENDITURE</b>	<b>25</b>				<b>25</b>
<u>Financing</u>					
ATF grant	25				25
<b>FINANCING</b>	<b>25</b>				<b>25</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX H – STRATEGIC – PENLLERGAER TO GORSEINON FINANCIAL SUMMARY**

**Portfolio: PLACE**  
**Service : HIGHWAYS**  
**Scheme : ATF – STRATEGIC – PENLLERGAER TO GORSEINON**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Fees	55				55
<b>EXPENDITURE</b>	<b>55</b>				<b>55</b>
<u>Financing</u>					
ATF grant	55				55
<b>FINANCING</b>	<b>55</b>				<b>55</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX I – LOCAL – GORS AVENUE SHARED USE PATH FINANCIAL SUMMARY**

**Portfolio: PLACE**  
**Service : HIGHWAYS**  
**Scheme : ATF – LOCAL – GORS AVENUE SHARED USE PATH**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	683				683
Fees	25				25
<b>EXPENDITURE</b>	<b>708</b>				<b>708</b>
<u>Financing</u>					
ATF grant	708				708
<b>FINANCING</b>	<b>708</b>				<b>708</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX J – LOCAL – TOWNHILL NORTHERN LINK FINANCIAL SUMMARY**

**Portfolio: PLACE**

**Service : HIGHWAYS**

**Scheme : ATF – LOCAL – TOWNHILL NORTHERN LINK**

<b><u>1. CAPITAL COSTS</u></b>	<b>2019/20 £'000</b>				<b>TOTAL £'000</b>
<u>Expenditure</u>					
Works	780				780
Fees	45				45
<b>EXPENDITURE</b>	<b>825</b>				<b>825</b>
<u>Financing</u>					
ATF grant	825				825
<b>FINANCING</b>	<b>825</b>				<b>825</b>

<b><u>2. REVENUE COSTS</u></b>	<b>2019/20 £'000</b>				<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Agenda Item 15.



## Report of the Cabinet Member for Delivery

Cabinet – 19 September 2019

### HMO Licensing Policy 2020

<b>Purpose:</b>	To review HMO licensing in Swansea, including application of Additional licensing.
<b>Policy Framework:</b>	HMO Licensing Policy
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Public consultation takes place on a draft HMO Licensing Policy for 2020 including an Additional HMO licensing scheme in the Castle, Uplands and St Thomas Wards.  2) The results of the consultation are subsequently reported back to Council for adoption of a new Licensing Policy 2020.
<b>Report Author:</b>	Paula Livingstone
<b>Finance Officer:</b>	Aimee Dyer
<b>Legal Officer:</b>	Lyndsay Thomas
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1 The Houses in Multiple Occupation (HMO) Licensing Policy 2016 lays out Council's approach to HMOs across the whole authority area. It also includes an Additional HMO licensing scheme for the Castle and Uplands Wards. Legally this Additional scheme must be reviewed and re-designated, if appropriate, within a five-year period.
- 1.2 This report outlines the legal framework and options for control of HMOs within a changing landscape across the private rented sector and describes a policy review.

## **2. Legal Framework**

- 2.1 Management Regulations apply to all HMOs, irrespective of whether the property is licensable and impose certain duties on managers including the maintenance of fixtures and fittings, fire safety measures, gas and electricity supplies and waste disposal arrangements. There is no provision for service of enforcement notices within the Regulations. Breaches of the Regulations are dealt with via prosecution.
- 2.2 The Housing Health and Safety Rating System (HHSRS) applies to all housing including HMOs, irrespective of whether the property is licensable. It involves an assessment of the effect of housing conditions on the health of occupiers and is the legal tool on which enforcement is based. Enforcement action is by a variety of notices and orders requiring a landlord to carry out work or to prohibit occupation of part or the whole of a property.
- 2.3 Mandatory HMO licensing is a statutory requirement, which, in Wales, applies to HMOs of three storeys or more that also have five or more occupiers.
- 2.4 Councils have discretion to introduce Additional HMO licensing schemes for smaller HMOs in part or all of their areas where specific conditions apply relating to how those properties are managed. Swansea has had an Additional HMO licensing scheme in the Castle and Uplands Wards since the legislation was introduced in 2006. This means that all HMOs in Castle and Uplands require licensing with a small number of legal exemptions.
- 2.5 A landlord does not have to wait for a licence to be granted before being able to let the property. Once an application for a licence has been made, a landlord can let an HMO, but must comply with licence conditions once a licence is granted. Conditions may require work to be carried out to improve facilities or conditions within the property within a specific time, which will relate to the work required at each individual property.
- 2.6 It is an offence to fail to comply with a statutory notice, order, Management Regulations or licence conditions. It is an offence to operate a licensable HMO without a licence or to let an HMO to more than the maximum number of occupiers specified in a licence. Prosecutions are taken in the Magistrates Court.
- 2.7 The Housing (Wales) Act 2014 introduced mandatory registration for landlords and licensing for agents and self-managing landlords for a range of rental properties across Wales, including HMOs. This is in addition to HMO licensing. The Rent Smart Wales scheme replaced the previous voluntary Landlord Accreditation Wales scheme. Rent Smart Wales licences are linked to mandatory training for landlords and agents and compliance with a code of conduct. They are not property based. Whilst administered by a single licensing authority for the whole of



Wales, local councils share some enforcement powers with Rent Smart Wales.

### **3. Additional HMO Licensing**

3.1 The aim of additional HMO licensing is to improve the management standards and conditions in HMOs in an area. It does not control numbers of HMOs.

3.2 Prior to designating an additional licensing scheme, the Council is legally required to carry out a thorough appraisal and consultation exercise with the relevant stakeholders. In particular, this would include:

- Consult persons likely to be affected by the designation and consider any representations
- Consider that a significant proportion of the HMOs are being managed ineffectively so as to give rise to, or likely to give rise to, one or more particular problems either for those occupying the HMOs or for members of the public.
- As part of this have regard to the extent to which any code of practice approved under Section 233, Housing Act 2004 has been complied with by persons managing HMOs in the area (no such code of practice has been introduced either by central or Welsh government).
- Ensure that the introduction of additional licensing is consistent with the authority's overall housing strategy.
- Ensure that there is a co-ordinated approach in connection with homelessness, empty properties and anti-social behaviour.
- Consider whether there are any other courses of action available to the Council that might provide an effective method of dealing with the problem or problems in question.
- Consider that making the designation will significantly assist the Council in dealing with the problems in the area.

### **4. Recent Changes to Housing Legislation in England**

4.1 Central Government introduced changes to legislation in England in 2018 that extended the remit of mandatory HMO licensing to include HMOs with five occupiers irrespective of the number of storeys of the property. Minimum room sizes for licensed HMOs have been introduced and new powers have been given to local authorities to levy financial penalties for failure to comply, the money then having to be used for housing functions within the local authority.

- 4.2 A scoping exercise on a review of HHSRS has also recently taken place in England, which has recommended that further guidance be given to landlords and local authorities on its application in order to increase understanding and add consistency of application.
- 4.3 Welsh Government has made initial steps to consult with local authorities via the All-Wales Private Sector Housing Expert Panel on whether similar changes would be welcomed in Wales. Members have a role in lobbying for the introduction of extended powers and controls over HMOs as in England should they decide that is appropriate.

## **5. Planning Controls**

- 5.1 The LDP includes new provisions for HMOs and Purpose Built Student Accommodation and includes considerations for density and concentration of HMOs. Planning legislation is separate from housing law and cannot be taken into consideration when considering HMO licensing.

## **6. Local Context and St Thomas**

- 6.1 There are approximately 2,200 HMOs across Swansea, mainly located in Castle, Uplands, and St Thomas Wards. At the beginning of August 2019, there were 1,758 licensed HMOs.
- 6.2 HMOs are not only occupied by students, but provide a vital choice for many households in the private rented sector. This includes young professionals and, increasingly, people for whom single occupancy properties are no longer an option due to reductions in their finances for housing because of the introduction of Universal Credit.
- 6.3 Alongside general concerns about the impact HMOs may have on specific communities, particularly around the issues of waste and anti-social behaviour, ward Members and residents have raised concerns over the potential increase in numbers of HMOs in St Thomas. This has primarily been since the development of Swansea University's Bay Campus in September 2015 and the subsequent development by the University of Wales Trinity St David's in SA1. Concerns mainly relate to the possibility of the breakdown of and impact on, the long-term community with higher numbers of transient HMO tenants.
- 6.4 These concerns were investigated by a Scrutiny Working Group at meetings in November 2016 and January 2017.
- 6.5 As a result, a survey was carried out in March 2017 to identify HMOs in St Thomas. Officers in Housing and Public Health visited approximately 3,100 residential properties. This suggested that 107 of those were HMOs and 11 of those were already licensed under mandatory HMO licensing requirements. No further licensable properties were identified.

6.6 Further investigations were made using existing records and details from Council Tax and Planning records and 99 properties were inspected using existing Housing Act powers. 71 properties were found to be existing or proposed HMOs.

## **7. Considerations**

7.1 If Council wishes to designate an Additional licensing scheme in the St Thomas ward, it would be preferable, in operational terms, for it to run concurrently with the existing scheme in Castle and Uplands. This would require consultation on renewing the existing scheme at the same time and would form part of the required review of the HMO Licensing Policy.

7.2 All HMOs in Castle and Uplands (with the exception of those with more than 10 occupiers, which are managed by a university that are legally exempt from licensing) require licensing under the Additional scheme and it is proposed that the same requirements would apply in St Thomas. Additional licensing schemes apply to existing HMOs as well as properties, which become multi-occupied after a scheme is declared.

7.3 Where HMO licensing schemes apply, a local authority can levy a fee, set on a cost-recovery basis, relating to their costs incurred regarding the licensing requirements. An Additional scheme in St Thomas would require an estimated two additional officers in Housing and Public Health. These would be funded from fee income.

7.4 A local authority has a statutory duty to carry out an HHSRS inspection once during the span of an HMO licence (the statutory maximum duration of an HMO licence is five years). That inspection is currently made at the start of the licensing process. Concerns about the frequency of inspections to check compliance with licence conditions in existing licensed HMOs, irrespective of location, have been expressed by Members, residents and some landlords. A review of HMO licensing fees could take account of additional inspections and more proactive monitoring of compliance with licence conditions. Further assessment of resources would be required, but additional new posts could then be funded from licence fees in order to carry out this work. Such posts would be in addition to those required for an Additional licensing scheme in St Thomas.

7.5 It is expected that the planning controls introduced under the LDP and subsequent Supplementary Planning Guidance (SPG) will control numbers of HMOs and slow the increase of newly converted properties, however these controls would not directly affect the condition of HMOs and the effect on tenants. Without an Additional HMO licensing scheme, the only way to check conditions and legal compliance proactively would be to carry out a survey periodically.

7.6 Such surveys are resource-intensive and would be difficult to do within existing resources as they take officers away from other statutory duties.

## 8. Next Steps

- 8.1 The inspection of properties in St Thomas did not identify any unlicensed HMOs under the mandatory licensing regime. However, around 60 properties were identified as HMOs, which do not currently require licensing, but would under an Additional licensing scheme. The evidence base for poor management of HMOs is open to interpretation and there is no threshold for poor management laid down in legislation. This means there is a risk of challenge to the declaration of an Additional licensing scheme in St Thomas. The consultation required prior to any designation allows opportunity for all stakeholders to express their views
- 8.2 Additional HMO licensing in Castle and Uplands has been successful, with an increase in the number of compliant properties since the first scheme was introduced in 2006. However, there are recurring issues in a relatively small number of properties that a re-designation of an Additional HMO licensing scheme in the Wards with additional resources could help to address, particularly around the issues of property management.
- 8.3 In the case of HMOs occupied by students, our continued partnership work with both universities and South Wales Police, which includes contributing towards the salary costs of the Community Liaison Officer employed by Swansea University, will help to identify HMOs and deal with resident issues in the most appropriate way.
- 8.4 Given the location of St Thomas bordering with Neath Port Talbot and the Bay Campus location in Neath Port Talbot it is proposed that there should be consultation with existing and potential landlords across the two councils. Consultation will take place over a 10 week period.
- 8.5 Any new or renewed additional licensing scheme is subject to designation by Council and a new HMO Licensing Policy would be reported to Council after the completion of consultation and consideration of responses. There is a legal requirement for the local authority to give at least three months' notice of the designation of an Additional HMO licensing scheme before the date at which it comes in to force.
- 8.6 The proposals will be aligned to the five ways of working of the Well-being of Future Generations (Wales) Act 2015.
- 8.7 A draft HMO Licensing Policy for 2020 is included as Appendix A to this report. A review of the 2016 Policy and its appendices has been completed. The principal changes are summarised as follows:
- Policy. **General updating** of Council name, document dates and contents page to include appendix F.
  - Policy. Introduction. **General updating** of dates, statistics and reference to importance of HMOs in the private rented sector and re-numbering of some paras.

- Policy. Expansion of para 1.7 to 1.7 – 1.9 to provide more detail on **HMO occupancy**.
- Policy. Revisions to para 1.8 (now 1.10) to refer to **HMOs in St Thomas**.
- Policy. New para 1.11 to introduce **Additional Licensing in St Thomas Ward**.
- Policy. Revision to para 3.3 for clarification on **properties occupied as flats**.
- Policy. Revisions to para 4.2 and new para 4.3 to refer to **survey of properties** in St Thomas.
- Policy. New para 4.4 to refer to **complaint statistics** in Castle, Uplands and St Thomas.
- Policy. New para 4.5 to refer to **enforcement activity** in Castle, Uplands and St Thomas.
- Policy. Revisions to 4.7 to refer to **types of HMOs** to be included in Additional HMO licensing scheme.
- Policy. Revisions to para 6.4 to take account of the introduction of **Rent Smart Wales**.
- Policy. Revisions to para 6.8 and 6.9 relating to **finer**.
- Appendix A. **Amenity Standards**. Updating to Council and team names only.
- Appendix B. **Means of Escape – Fire Precautions**. Updating to Council names and reference only.
- Appendix C. Criteria for **Fit and Proper Persons**. No change.
- Appendix D. **Changes in circumstances** to be notified to the Council in writing within 14 days not seven to allow reasonable time for licence holders.
- Appendix D. New condition 6 stipulating the Council can **vary or revoke the licence** if the property is no longer suitable, management arrangements are no longer satisfactory, or that the licence holder/manager are no longer 'fit and proper'.
- Appendix D. Condition 12 (now 13). Addition of specific condition relating to **decorative condition** of the external appearance of the property.
- Appendix D. New condition 16 relating to provision of **adequate space heating** in each unit of living accommodation.
- Appendix D. New condition 17 relating to the minimum **energy performance standard** requirements.
- Appendix D. Condition 16 (now 19). Clarification of servicing requirements for **fire alarms**.
- Appendix D. Condition 18 (now 21). Simplification of wording regarding notification of **fire incidents** to the Council.
- Appendix D. Inclusion of reference to **carbon monoxide** in the 'Gas, Electrics and Furniture' section and reorganisation of paragraphs to aid ease of reference.
- Appendix D. New condition 27 requiring provision of **carbon monoxide alarms**.
- Appendix D. New condition 30 requiring regular documented inspection of the property regarding evidence of **anti-social behaviour**.
- Appendix D. New condition 32 regarding **reporting of criminal activity** at the property.

- Appendix D. Condition 27 (now conditions 33 and 34) expanding the requirements, both inside and outside the property, for the **management of waste**.
- Appendix D. New condition 45 regarding **retention of documents** relating to the licence conditions.
- Inclusion of '**Limitations of the Licence**' section beneath condition 45.
- Appendix E. Updated **map** of Castle and Uplands Electoral Divisions.
- Appendix F. Insertion of **map** of St Thomas Electoral Division.

## 9. Equality and Engagement Implications

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

9.2 The Equality Impact Assessment (EIA) process has been applied to the review of the policy.

9.3 An EIA Screening Form has been completed with the agreed outcome that a full EIA report was not required:

- The Policy will apply across the whole of Swansea and the application of Additional HMO licensing provisions is based upon specific legal requirements in the Housing Act rather than on any particular characteristic of individuals or groups within a community.
- Whilst landlords of licensable properties will have to apply for an HMO licence, which will incur a cost in paying the licence fee, this is set on a cost-recovery basis as required by statute. The Council has no control over whether any costs to landlords in the private rented sector are re-charged in some way to their tenants.
- The aims of the legislation relating to HMOs are based around improving housing conditions, which has a positive effect for tenants irrespective of any individual characteristics.

9.4 Information on the legislation relating to HMOs, including HMO licensing and the Council's Policy is already available bilingually on the Council's website. The consultation process will be available in the same way and comments and correspondence will continue to be dealt with bilingually as required, with both the draft and final Policy, when adopted, being available in both English and Welsh. Landlords are able to make a licence application in either language.

## **10. Financial Implications**

- 10.1 There are financial implications in carrying out the review of the existing HMO Licensing Policy and consultation on proposed changes, but as any Additional HMO licensing scheme can only run for a maximum of five years before being reviewed, these costs are already considered as part of the current HMO licensing fees.
- 10.2 Existing resources are not sufficient to deal with any extension of Additional HMO licensing and an increased number of compliance inspections. As detailed in this report, this will require extra staffing resources on a permanent basis, including professionally qualified Environmental Health Officers recruited from outside the local authority. The costs of new staff must be recovered from licence fees.
- 10.3 Only costs incurred in the licensing process can be recovered from HMO licence fees. Other costs including those of kerbside waste and recycling collections cannot be included.

## **11. Legal Implications**

- 11.1 The proposals in this report and any subsequent revisions to the Policy are in line with the Housing Act 2004 and subordinate regulations, Welsh Government guidance on Additional HMO Licensing Schemes. It will also allow the Council to meet its statutory duty in respect of the Housing Health and Safety Rating System.
- 11.2 The legal framework is set out in Parts 2 and 3 of this report.
- 11.3 The proposed designations for Additional Licensing will apply to all private rental HMO properties in the designated areas.
- 11.5 Any statutory consultation requirement requires a draft proposal identifying what is to be designated and its consequences.
- 11.4 The National Assembly for Wales gave general approval on 14<sup>th</sup> March 2007 for designated areas made subject to additional licensing by local authorities in Wales under the Housing Act 2004 (Additional HMO Licensing) (Wales) General Approval 2007.
- 11.5 The proposed designations for Additional Licensing can be challenged by way of a Judicial Review.
- 11.6 The power to recover expenses must be exercised in accordance with the express statutory power.

**Background Papers:** None

**Appendix:** Appendix 1 - Draft HMO Licensing Policy 2020

~~CITY AND COUNTY OF SWANSEA~~ COUNCIL

HOUSES IN MULTIPLE OCCUPATION  
(HMO)

LICENSING POLICY ~~2016~~2020

including

DESIGNATION OF ~~AN-AREAS~~S FOR ADDITIONAL  
LICENSING

Effective date ~~9 March 2016~~XXXXX 2020



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## Appendices

- (a) Amenity Standards
- (b) Means of Escape – Fire Precautions
- (c) Criteria for Fit and Proper Person
- (d) New Licence Conditions
- (e) Map of Castle and Uplands Electoral Divisions
- (f) Map of St Thomas Electoral Division

# 1 Introduction

- 1.1 This policy replaces the HMO Licensing Policy ~~2014-2016~~ and sets out the way Swansea implements the requirements of the Housing Act 2004 in relation to HMO licensing and health and safety hazards. It also outlines how the Council intends to continue to use the discretionary powers in the Act to ensure fair and equitable enforcement.
- 1.2 The total number of HMOs in Swansea is estimated to be ~~between 1,700~~approximately 2,200 and 2,000. All HMOs that are three storeys or more with five or more occupants must be licensed. This is a statutory requirement and is known as 'mandatory' licensing. Council must license all HMOs meeting this criterion. Mandatory licensing applies to HMOs in all areas of the city.
- 1.3 Discretionary powers are available to Council to license smaller HMOs not subject to mandatory licensing. Section 4 contains further details on this. Of the total estimated number of HMOs in Swansea, ~~1,600~~1,850 are estimated to be in the Castle and Uplands electoral divisions. An 'Additional' HMO licensing scheme is in force in these two areas incorporating smaller HMOs with less than ~~two~~three storeys and those with three or more occupants, including certain converted self-contained flats.
- 1.4 This means that all HMOs in the Castle and Uplands electoral divisions are subject to licensing with the exception of some properties that are specifically exempted under the provisions of the Housing Act 2004 e.g. HMOs which are owned and managed by a university.
- 1.5 Additional HMO licensing schemes are time-limited to five years. This policy includes the re-designation of the Castle and Uplands scheme for five years from ~~9<sup>th</sup> March 2016~~a date in 2020 to be confirmed by Council.
- 1.6 The exact number of HMOs in Swansea varies over time as properties come in and out of multiple occupation. The detail below gives an indication of the number and geographical distribution of HMOs across the city with regards to licensed HMOs.

There was a total of ~~1,580~~1,732 HMOs licensed under both the mandatory and additional schemes in Swansea on ~~31<sup>st</sup> August 2015~~30<sup>th</sup> August 2019. These were distributed in the following wards:

Castle	<del>496</del> <u>558</u>
Landore	<del>12</del>
Oystermouth	1
St Thomas	<del>512</del>
Sketty	<del>1517</del>
Uplands	<del>1,062</del> <u>1,174</u>

~~1.7~~ Records of properties exempt Council Tax due to student occupancy suggest that around 65% of HMOs in Swansea are occupied by students. It is important to ensure an appropriate number and quality of accommodation is provided for students to allow for the sustainable growth of Swansea's expanding universities alongside purpose-built student accommodation which is increasingly providing a means of helping to meet the needs of students and potentially may reduce the pressure for additional HMOs, but HMO accommodation in general provides an important source of affordable housing for people across our communities.

~~1.8~~ HMOs are not only occupied by students, but provide a vital choice for many households in the private rented sector. This includes young professionals and, increasingly, people for whom single occupancy properties are no longer an option due to reductions in their finances for housing because of the introduction of Universal Credit.

~~1.9~~ Community cohesion and sustainability issues are linked with high concentrations of HMOs in the Castle and Uplands Wards. Both have high and increasing proportions of single person and multi- adult households. In contrast, traditional family households are on the decline in these areas.

~~1.8~~ There are currently no other areas in Swansea that meet the criteria set down by Welsh Government for an Additional HMO Licensing scheme. The impact of Swansea University's Bay Campus and the University of Wales Trinity St David's growth in SA1, in terms of HMO numbers and how these are managed, will be kept under review in the relevant geographical areas and dealt with in accordance with this policy.

~~1.10~~ Alongside general concerns about the impact HMOs may have on specific communities, particularly around the issues of waste and anti-social behaviour, ward Members and residents have raised concerns over the potential increase in numbers of HMOs in St Thomas. This has primarily been since the development of Swansea University's Bay Campus in September 2015 and the subsequent development by the University of Wales Trinity St David's in SA1. Concerns mainly relate to the possibility of the breakdown of and impact on, the long-term community with higher numbers of transient HMO tenants.

~~1.11~~ This Policy now includes the introduction of Additional HMO licensing in the St Thomas ward.

~~1.9~~~~12~~ HMOs are a frequent source of complaints about housing conditions, refuse and the impact of HMOs on neighbours. Complaints are concentrated in Castle and Uplands, reflecting high numbers of HMOs in the area. The enforcement of licence conditions is a significant factor in bringing about improvements in HMO condition and management.

~~1.4~~~~13~~ The HMO Team is responsible for inspecting HMOs and processing new applications, progress and management visits, reactive service requests, advice and enforcement including prosecutions. Since the introduction of the

2011 HMO Licensing Policy the Council has taken ~~33-46~~ prosecutions and issued ~~26-38~~ Simple Cautions. Licensing Committee has found ~~three-six~~ landlords not fit and proper and has subsequently revoked ~~six-13~~ licences and refused ~~three-10~~ applications. One landlord successfully appealed to the Residential Property Tribunal against Committee's decision and his existing licence was re-instated and two applications were granted.

1. ~~1.1114~~ There are concerns from many quarters that the number and density of HMOs in certain areas is adversely affecting the sustainability of communities. This policy, based around the application of functions under Part 2, Housing Act 2004, deals with licensing, condition and management of HMOs. It cannot address HMO density issues which are a Planning matter. ~~Welsh Government is currently reviewing Planning legislation and Council may give consideration to the application of any future changes in relation to HMOs in local planning policy in due course. and are now dealt with by way of the Local Development Plan (LDP) and new Supplementary Planning Guidance (SPG).~~

1. ~~1.1215~~ This Policy will be reviewed prior to the expiry of the Additional HMO Licensing Scheme ~~for Castle and Uplands Wards.~~

## 2 Aims and Objectives

2.1 The aim of the policy is to improve housing and management standards in the private rented sector specifically Houses in Multiple Occupation.

2.2 The objectives of the policy are to:

- Meet the statutory obligations of the Housing Act 2004 and regulations made pursuant to it.
- Eliminate poor property conditions and management standards through regulation and enforcement.
- Promote high standards across the HMO sector.

## 3 The Legal Framework

### 3.1 Housing Health & Safety Rating System

The Housing Health and Safety Rating System (HHSRS) applies to all housing including HMOs regardless of type or tenure. It involves a risk assessment of the effect of housing conditions on the health of occupiers and an assessment of 29 potential hazards. If Category 1 hazards (i.e. the more serious hazards) are found the Council has a duty to require the owner to take appropriate action. If Category 2 hazards (i.e. less serious hazards) are found the Council may take appropriate action as provided for within its enforcement

policies. Councils are required to assess licensable HMOs to ensure that there are no functions under Part 1 of the Act (HHSRS) that ought to be exercised by them. This has to be done within five years of a licence being issued and in practice requires an inspection to be carried out.

### 3.2 HMO Definition

A house is in multiple occupation where three or more people forming more than one household share amenities, such as a kitchen or bathroom, occupy the house as their only or main residence and where rent is payable for their occupation.

The Act defines a building as an HMO if it meets one of the following tests:

- the Standard Test – any building in which three or more people forming more than one household share basic amenities;
- the Self-contained Flat Test – any flat in which three or more people forming more than one household share basic amenities;
- the Converted Building Test – any converted building with one or more units that are not self-contained and which is occupied by three or more people forming more than one household;
- certain Converted Blocks of Flats – any converted building comprising self-contained flats that do not meet the 1991 Building Regulations Standards and more than one third of the flats are occupied on short tenancies and where there are three or more people in total forming more than one household.

Certain buildings are exempt from HMO legislation:

- buildings managed by a local council, housing association, police, fire or health authority;
- registered care homes;
- halls of residence that are managed by the university;
- buildings occupied by religious communities;
- buildings, predominantly owner-occupied, including resident landlords where the owner-occupier occupies the building (of flat) with no more than two other persons (lodgers);
- buildings occupied by only two persons who do not form a single household.

### 3.3 Mandatory HMO Licensing

Mandatory licensing applies to HMOs where there is an occupation of five (or more) persons in properties of three (or more) storeys. HMOs consisting entirely of fully self-contained flats, which are not occupied as flats in multiple occupation, are exempt, except for where the flat itself is arranged on three storeys (with the exception of certain converted blocks of flats as referred to in

3.2). When assessing the number of storeys account will be taken of all storeys of residential accommodation, whether above or below adjoining ground level, including habitable attics.

All residential parts of the building will be subject to these provisions where the property as a whole is eligible for licensing, except for any parts of the property that are solely occupied by a landlord.

### 3.4 Public Register

It is a requirement for the Council to make a public register of HMO licences available which includes prescribed information. This will include, amongst other things: the name and address of the licence holder, property details and the duration and start of the licence term.

## 4 Additional HMO Licensing

4.1 The Council may adopt an Additional HMO Licensing Scheme which may include the smaller, lower risk HMOs that fall outside mandatory licensing. The Additional scheme may be based on an area, or areas, or may apply to the entire Council area. The scheme will need to meet other criteria set down by Welsh Government and may only be applied where there are management problems with existing HMOs within the area.

~~4.2 Between April 2011 and June 2015, of 771 complaints received about housing conditions in HMOs and the impact of HMOs on neighbours, 697 of those were in Castle and Uplands. There were also 1,475 complaints about refuse within the boundaries of properties in Castle and Uplands, 1,175 of which related to HMOs. The ability to deal with these issues is linked to conditions applied as a result of the area being subject to Additional HMO Licensing.~~

~~4.2 As a result of a Scrutiny Working Group review of HMOs in November 2016 and January 2017, a survey was carried out in March 2017 to identify HMOs in St Thomas. Officers visited approximately 3,100 residential properties. This suggested that 107 of those were HMOs and 11 of those were already licensed under mandatory HMO licensing requirements. No further licensable properties were identified.~~

~~4.3 Further investigations were made using existing records and details from Council Tax and Planning records and 99 properties were inspected using existing Housing Act powers. 71 properties were found to be existing or proposed HMOs. 60 properties were identified as properties, which do not currently require licensing, but would under an Additional HMO licensing scheme.~~

~~4.4 Information about relevant complaints in Castle, Uplands and St Thomas between April 2016 and August 2019 is shown in the tables below. The ability to deal with many of these issues is linked to conditions applied as a result of~~

HMO licensing and particularly Additional HMO licensing in the Castle and Uplands wards.

<u>Number of complaints received by type April 2016 – August 2019</u>	<u>Castle</u>	
	<u>All residential properties</u>	<u>HMOs</u>
<u>Waste within property curtilage</u>	<u>259</u>	<u>108</u>
<u>Noise (all types including DIY, music, barking dogs etc)</u>	<u>709</u>	<u>276</u>
<u>General HMO enquiries</u>	<u>:</u>	<u>705</u>
<u>From HMO occupiers about conditions, licence status etc</u>	<u>:</u>	<u>80</u>
<u>From non-HMO occupiers about HMOs</u>	<u>:</u>	<u>96</u>
<u>Requests for HMO Advisory service</u>	<u>:</u>	<u>38</u>

<u>Number of complaints received by type April 2016 – August 2019</u>	<u>Uplands</u>	
	<u>All residential properties</u>	<u>HMOs</u>
<u>Waste within property curtilage</u>	<u>609</u>	<u>517</u>
<u>Noise (all types including DIY, music, barking dogs etc)</u>	<u>750</u>	<u>516</u>
<u>General HMO enquiries</u>	<u>:</u>	<u>1206</u>
<u>From HMO occupiers about conditions, licence status etc</u>	<u>:</u>	<u>150</u>
<u>From non-HMO occupiers about HMOs</u>	<u>:</u>	<u>188</u>
<u>Requests for HMO Advisory service</u>	<u>:</u>	<u>49</u>

<u>Number of complaints received by type April 2016 – August 2019</u>	<u>St Thomas</u>	
	<u>All residential properties</u>	<u>HMOs</u>
<u>Waste within property curtilage</u>	<u>90</u>	<u>6</u>
<u>Noise (all types including DIY, music, barking dogs etc)</u>	<u>247</u>	<u>15</u>
<u>General HMO enquiries</u>	<u>:</u>	<u>172</u>

<u>From HMO occupiers about conditions, licence status etc</u>	=	<u>4</u>
<u>From non-HMO occupiers about HMOs</u>	=	<u>9</u>
<u>Requests for HMO Advisory service</u>	=	<u>27</u>

4.5 Information about housing enforcement activity, other than HMO licensing, in HMOs in Castle, Uplands and St Thomas between April 2016 and August 2019 is shown in the table below.

<u>Ward</u>	<u>Number of Improvement Notices served</u>	<u>Number of Prohibition Orders served</u>	<u>Number of warning letters sent regarding management or licence conditions</u>
<u>Castle</u>	<u>5</u>	<u>5</u>	<u>17</u>
<u>Uplands</u>	<u>7</u>	<u>4</u>	<u>31</u>
<u>St Thomas</u>	<u>6</u>	=	<u>22</u>

#### 4.36 **General Consent**

The National Assembly for Wales gave general approval on 13<sup>th</sup> March 2007 for designated areas made subject to additional licensing by the Council under the Housing Act 2004 (Additional HMO Licensing) (Wales) General Approval 2007.

#### 4.44.7 **Consultation and Publication**

A designation of an area subject to additional licensing ceases to have effect five years after the date it comes into force. The designation under the terms of the General Consent Order included in this policy replaces the designation made in 2011-2016 in respect of Castle and Uplands Electoral divisionswards. There is a new designation for St Thomas Electoral ward. The prescribed requirements for consultation have been applied and the requirements for publication of a designation of an Additional HMO Licensing scheme will be applied to enable the Castle and Uplands wards to be re-designated an Additional HMO Licensing area and for the St Thomas ward to be designated an Additional HMO Licensing area from 9<sup>th</sup> March 2016 (date in 2020 to be confirmed) subject to the terms of this policy.



This Additional HMO Licensing scheme specifically applies to all these HMOs which do not come within the remit of mandatory licensing within the Castle, ~~and~~ Uplands and St Thomas wards including HMOs defined under Section 257, Housing Act 2004 i.e. 'poorly converted' blocks of self-contained flats. The only exceptions to this will be those HMOs specifically excluded from licensing under relevant parts of the Housing Act 2004.

## 5 HMO Licensing Process

5.1 The HMO licensing process applies to all HMOs requiring a licence whether under the mandatory or additional licensing scheme.

### 5.2 Applications

The licensing process and duration will start from the date of receipt of the application form. Where there are incorrect or incomplete forms the licence may be granted for a reduced period to take account of those delays.

Applications for the renewal of an existing licence by the same applicant will not be accepted earlier than two months prior to the expiry date of the existing licence.

Inspection priority will be in order of the date applications are received.

Properties will be inspected prior to issuing a licence. The inspection will also address any Part 1 issues relating to the Housing Health and Safety Rating System.

### 5.3 Granting of a Licence

In order to grant a licence the Council must be satisfied that:

The property is (or can be made) **reasonable suitable for occupation** for the maximum number of occupants, in that it:

- meets the amenity standards set out in Appendix A
- has satisfactory means of escape in case of fire and other fire precautions. Any remedial works will be risk assessed for each property using the schedule in Appendix B as a basis.

The licence applicant is a **fit and proper person**

- The Council will issue a licence to an owner or manager of an HMO provided they self-certify that they meet the criteria for Fit and Proper Person as set out in Appendix C.

- In cases where applicants do not meet this criteria the Council will exercise its discretion to issue a licence. These cases will be considered by the Licensing Committee.
- The Council may prosecute and may revoke a licence if significant false information is provided on the application form which influences the decision to issue a licence.

There are satisfactory **management arrangements** in place

The Council may issue a licence if satisfied that there are satisfactory management arrangements in place. These must include, but are not limited to:

- Management competency (assessed at the Council's discretion)
- Fit and proper person criteria of any person involved in the management of the house (see Appendix C)
- Suitable management structures (assessed at the Council's discretion)
- Appropriate funding arrangements (assessed at the Council's discretion)

And may include other matters such as:

- The ability to meet the licence conditions (assessed at the Council's discretion)
- Any unsatisfactory history relating to the management of the property (assessed at the Council's discretion).

The details of the manager, if appointed, will be included in a licence issued by the Council. The Council will provide advice to applicants on how to demonstrate satisfactory management arrangements.

#### 5.4 **Approval and Duration of Licence**

The Council will normally grant a licence for a period of five years from the date of application, but may grant a licence for a shorter period in some circumstances as described below.

In the case of a renewal of a licence to the same licence holder the Council will normally grant a new licence for a period of five years from the date of expiry of the previous licence.

As an enforcement sanction the Council may issue a licence for a reduced period. The circumstances for this sanction include, but are not limited to:

- Delays in submitting a complete application form

- The issuing of a Simple Caution to the licence applicant
- Considerations of the Licensing Committee.

## 5.5 Refusal

Refusal will be the decision of the Licensing Committee.

The Committee may refuse an application if:

- the property is not capable of being made suitable for occupation
- the licence holder or manager is not a fit and proper person
- the management arrangements are not satisfactory.

When considering if the licence holder or manager is a fit and proper person the Committee must have regard to:

- whether there have been breaches of the matters set out in Appendix C
- any other matters which include, amongst other things, previous history relating to unsatisfactory management of the property.

## 5.6 Revocation

Licensing Committee may revoke a licence if:

- there has been a breach of licence conditions
- the licence holder or manager is no longer a fit and proper person.

## 5.7 Licence Conditions

The Housing Act 2004 lays down mandatory licence conditions relating to:

- provision of annual gas safety certificates
- safety of electrical appliances and furniture
- provision and maintenance of smoke alarms
- provision of written statement of terms for tenants.

In addition the Council can impose its own discretionary conditions. By imposing more demanding conditions the Council is able to have more effective regulatory control over both the physical standards of HMOs and their standards of management.

The Council will grant a licence subject to conditions set out in Appendix D. These conditions may be varied for specific property requirements by the Director of Place or Officers authorised to act on his behalf.

## 5.8 Fees

The Council will charge a fee for HMO licence applications. Fees will be set to cover costs incurred in administering the licensing schemes.

Fees are not refundable unless in exceptional circumstances and at the discretion of the Director of Place or Officers authorised to act on his behalf.

## 5.9 Temporary Exemption Notices (TEN)

These are used when a landlord of an HMO, which should be licensed, notifies the Council of his intention to take steps to ensure that the HMO is no longer required to be licensed.

The Council may grant a TEN where:

- the owner of a licensable HMO states in writing that he is asking to make it non-licensable and
- the Council is satisfied that it will be non-licensable within three months of the date of receiving the notice.

The Council will not normally grant more than one TEN per property and in doing so will have regard to the proposals for the property, any planning considerations and the arrangements for meeting the needs of the occupiers including those likely to be displaced.

The Council will only grant a second TEN in exceptional circumstances.

## 6 Enforcement

6.1 The Council may generally take any relevant enforcement action against a landlord who operates an HMO without a licence or fails to comply with HMO licence conditions or a landlord or manager who knowingly lets a property to more people than authorised by the licence.

6.2 The Council will take into account wilful non-compliance and avoidance and those circumstances where occupants or immediate neighbours are put at unnecessary risk.

6.3 The Council will exercise its powers in accordance with the Regulatory and Enforcement Policy Statement and Charter adopted by Council in February 2002 and will apply them in a consistent, transparent and proportionate manner.

6.4 The requirements for the registration of landlords and licensing of landlords and agents in the private rented sector in Wales under Part 1, Housing (Wales) Act 2014 ([Rent Smart Wales](#)) will [be taken in to account when consideration is being given to fit and proper person status.](#) ~~not impact on the application of this HMO Licensing Policy.~~

6.5 **Housing Act 2004, Part 1 – Housing Health and Safety Rating System**

The legal framework for HHSRS is described in section 3. In the case of Category 1 hazards encountered in HMOs the Council will exercise its statutory duty to intervene and take the appropriate enforcement option. In the case of Category 2 hazards the Council will exercise its discretionary power and consider the appropriate enforcement option.

The Council may serve a variety of enforcement notices including Improvement, Emergency Remedial, Prohibition and Hazard Awareness, all of which may be suspended or varied.

Additionally, the Council has powers under the Housing Act 1985 relating to demolition and declaration of Clearance Areas.

#### **6.6 Rent Repayment Orders**

A landlord who is convicted of operating an unlicensed HMO can be made subject to a Rent Repayment Order (RRO) by a Residential Property Tribunal (RPT) (First Tier Tribunal).

Upon application by a tenant, an RRO may require the repayment of rent received by the landlord over a period of up to 12 months. Where the rent is paid as Housing Benefit, the Council may apply to the RPT for an RRO.

#### **6.7 Interim and Final Management Orders**

The Act gives Councils powers to serve notices and take action where there is no prospect of an HMO being licensed. In relevant circumstances Councils are under a duty to act. Where extreme circumstances require it, Councils must take over the management of an HMO, becoming responsible for running it, making necessary improvements and collecting rents.

The Council reserves the power to make an HMO Management Order in exceptional circumstances and having regard to the criteria included in the Act.

#### **6.8 Management Regulations**

The Management of Houses in Multiple Occupation (Wales) Regulations 2006 apply to all HMOs with the exception of some converted blocks of flats which are covered by the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007.

The Regulations impose certain duties on managers including the maintenance of fixtures and fittings, fire safety measures, gas and electricity supplies and waste disposal arrangements. The Regulations also impose duties on occupiers. A person who fails to comply with these Regulations commits an offence which carries a fine not exceeding Level 5 on the standard scale ~~(currently £5,000)~~ – see also 6.9 below.

Where there are breaches of these Regulations the Council will normally issue a warning letter to the relevant person specifying remedial measures and the consequences of failing to address them.

Where there are significant breaches of these Regulations the Council may move immediately to a prosecution.

## 6.9 Penalties

The Act lays down a number of licensing-related offences and corresponding penalties including:

- Operating an unlicensed HMO or allowing an HMO to be occupied by more persons than a licence allows: fine ~~of up to £20,000~~
- Breach of a licence condition: fine not exceeding Level 5 on the standard scale ~~(currently £5,000)~~
- Supplying incorrect information in a licence application: fine not exceeding Level 5 on the standard scale ~~(currently £5,000)~~.

The standard scale is a system whereby fines have maximum levels set against a standard scale.

It is a defence to any of the above if the accused person can demonstrate that they have reasonable excuse.

## 7 Delegation

- 7.1 The enforcement options contained within Part 1 (Housing Health and Safety Rating System), Part 2 (HMO Licensing), Part 4 (Management Orders and Overcrowding Notices), Part 6 (Powers of Entry etc.) and the relevant Schedules of the Housing Act 2004 shall be delegated to the Director of Place or Officers authorised to act on his behalf.
- 7.2 Decisions relating to the refusal or revocation of a licence on grounds of fit and proper person and satisfactory management arrangements shall be delegated to the Licensing Committee.
- 7.3 Where, as an enforcement sanction, a licence is granted for a shorter period than five years, there will be a right of appeal to the Licensing Committee.
- 7.4 Changes to the technical specifications in Appendices A (Amenities) and B (Means of Escape and Other Fire Precautions) shall be delegated to the Director of Place or Officers authorised to act on his behalf.

- 7.5 Changes to licence conditions (Appendix D) shall be delegated to the Director of Place or Officers authorised to act on his behalf.

## **8 Non-Licensable HMOs**

- 8.1 HMOs that fall outside the licensing requirements will be subject to the Management of Houses in Multiple Occupation (Wales) Regulations 2006 or the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007.
- 8.2 Where they are inspected under Part 1 of the Act each property will be risk assessed. The remedial work for fire safety will be based on Appendix B.

DRAFT



# HMO

## Amenity Standards

A guide for landlords of bedsits, shared housing and other housing in multiple occupation

City and County of Swansea  
Housing & Public Health Division  
Directorate of Place  
Civic Centre  
Oystermouth Road  
Swansea SA1 3SN





# HMO LICENSING - AMENITY STANDARDS

## Legislation

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The Housing Act 2004 means that it is a legal requirement for certain Houses in Multiple Occupation (HMO) to be licensed in order to operate legally.

Whilst not all HMOs need a licence to operate, they must comply with minimum legal standards for means of escape in case of fire and amenities.

Before issuing a licence or ensuring a property is compliant with legislation the Council has to look at certain factors, one of them being the amenities at the property, to ensure that the house is suitable for occupation by the number of occupiers.

## The Housing Health and Safety Rating System (HHSRS)

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The Housing Act 2004 significantly increases the amenity standards for houses in multiple occupation with the overall aim of improving standards generally in this type of accommodation.

## The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006 (as amended)

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These Regulations prescribe the standard amenities required in HMOs.

If you are responsible for the management of an HMO you must pay particular attention to the requirement of these Regulations.

## Minimum Bedroom Sizes

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The Council has adopted guidance for minimum floor areas for certain types of bedrooms in licensed HMOs.

- Single bedroom (where there is a separate lounge provided) - 6.5m<sup>2</sup>
- Single bedroom (where no separate lounge is provided) - 10m<sup>2</sup>
- Double bedroom (where there is a separate lounge provided) - 10.2m<sup>2</sup>
- Double bedroom (where no separate lounge is provided) - 15m<sup>2</sup>
- Single person bedsit - 13m<sup>2</sup>

Revision date :- January 2016

# WASHING FACILITIES AND SANITARY CONVENIENCES

Unless the individual unit of accommodation i.e. bedroom, bedsit, self-contained flat, etc contains bathing and toilet facilities for the exclusive use of that individual household\*, then washing and toilet facilities must be provided in the following ratios:

**NB** 'Bathroom' - means a room with bath or shower

'Full bathroom' - means a room containing a bath or shower, WC and wash hand basin.

## MINIMUM STANDARDS

1-4 persons	<b>1 full bathroom:</b> containing bath or shower, wash hand basin and WC
5 persons	<b>1 bathroom:</b> containing bath or shower <b>AND</b> <b>1 separate WC:</b> with wash hand basin (or a second bathroom which contains a WC)
6-10 persons	<b>2 bathrooms:</b> each containing bath/shower <b>AND</b> <b>At least 2 WCs:</b> one of which must be separate and contain a wash hand basin, the second may be contained within one of the bathrooms

- ◆ All baths, showers and wash-hand basins **must** have taps providing an adequate supply of cold and constant hot water.
- ◆ All bathrooms **must** be suitably and adequately **heated** and **ventilated**  
e.g. central heating radiator  
ventilation in the form of openable window of adequate size and/or mechanical ventilation, having an overrun device.
- ◆ All bathrooms and toilets must be of adequate size and layout to be safe to use. (HHSRS requirement).
- ◆ All baths, toilets, wash hand basins and showers must be 'fit for the purpose' i.e. in good repair and safe to use and capable of being easily cleaned.
- ◆ All showers, baths and wash hand basins must have suitable splashbacks.
- ◆ All bathrooms and toilets in an HMO must be suitably located within the house.

## NB

- ★ **A Household** - is persons who are members of the same family, i.e. married couples, relatives, co-habiting partners.
- ◆ All facilities listed in the above table must be capable of being shared for bedsits and shared house HMOs.

The table overleaf gives optional layouts for bathrooms and WCs for numbers of occupants of HMOs in order to comply with legal requirements.

Total No. of occupiers		Options Available			
4	1 'full' bathroom				
	1 bath/shower room <b>AND</b> 1 separate WC with wash hand basin	A 'full' bathroom (i.e. with WC & wash hand basin) <b>OR</b>	<b>AND</b> 1 shower/bathroom	2 'full' bathrooms containing bath/shower, WC and wash hand basin <b>OR</b>	2 'full' bathrooms each with bath/shower, wash hand basin and WC <b>AND</b> 1 separate WC with wash hand basin/bathroom
5	1 bathroom containing bath/shower <b>AND</b> 1 full bathroom containing bath/shower, WC and wash hand basin <b>AND</b> 1 separate WC with wash hand basin	2 'full' bathrooms each with bath/shower, wash hand basin and WC <b>OR</b>	2 'full' bathrooms each with bath/shower, wash hand basin and WC <b>AND</b> 1 shower/bathroom	2 'full' bathrooms each with bath/shower, wash hand basin and WC <b>AND</b> 1 separate WC with wash hand basin/bathroom	2 shower/bathrooms <b>AND</b> 2 separate WCs with wash hand basin.
	6 - 10	3 full bathrooms each containing bath/shower, WC and wash hand basin.			

**NB** Full bathroom - bath/shower, WC and wash hand basin  
 Bathroom - room containing bath or shower  
 All separate WCs should have a wash hand basin

## KITCHEN FACILITIES - SHARED ACCOMMODATION

Unless the unit of accommodation, i.e. bedroom, bedsit, self contained flat, etc., contains facilities for cooking food, then kitchen facilities must be provided, as follows:

### KITCHEN SIZE/LAYOUT

- ◆ There must be a kitchen of suitable size and layout and having such facilities so as to enable those sharing it to store, prepare and cook food.

**Generally**, the size of kitchens should be:

kitchen used by 1 - 5 persons	~	minimum <b>7m<sup>2</sup></b>
kitchen used by 6 - 10 persons	~	minimum <b>10.5m<sup>2</sup></b>

### EQUIPMENT

- ◆ The kitchen **must** have the following equipment, which must be fit for the purpose and supplied in sufficient quantity for the number of people sharing the facilities:
  - o **Sink units** (with draining board)

used by 1 – 5 persons	~	1 sink unit
used by 6 – 10 persons	~	2 sink units ( <b>or</b> double bowl sink with drainer)

Each sink unit **must** be provided with an adequate supply of cold and constant hot water and have an impervious splashback.

**NB** For a maximum of 6 persons ~ 1 sink unit **and** a functional full size dishwasher will be accepted.
  - o **Cooker** (i.e. 4 ring hob plus oven)

used by 1 – 5 persons	~	1 full size cooker
used by 6 persons	~	2 full size cookers <b>or</b> 1 cooker with 6 ring hob <b>plus</b> a microwave
used by 7 – 10 persons	~	2 full size cookers

(A work surface of at least 500mm must be sited adjacent to each cooker).
  - o **Fridges**

used by 1 – 4 persons	~	1 standard under-counter fridge
used by 5 – 8 persons	~	2 standard under-counter fridges (or equivalent large fridge)
used by 9 – 12 persons	~	3 standard under-counter fridges
  - o **Freezers**

To be provided in **addition** to fridges in the same ratio and size if no freezer compartment within the fridge.

**NB** ice boxes will **not** be counted as freezer compartment.

- o **Storage Cupboards (for food & utensils)**  
1 x 500mm standard base/wall unit per occupier.  
**NB** Cupboards below sink units will not be counted as food/utensil cupboard.
- o **Work surfaces (for food preparation)**  
Minimum size 1m x 0.6m - to have an impervious splashback of 0.45m height.  
**NB** A work surface of at least 500mm must be sited adjacent to each cooker.
- o **Electrical Sockets**  
It is recommended that a minimum of **3 double power sockets** are provided in each kitchen adjacent to work surfaces, in addition to the cooker socket.
- o **Refuse disposal facilities**  
Provide suitable receptacles in kitchen for kitchen waste.
- o **Extractor fans**  
Should be fitted where appropriate and will always be necessary if kitchen has no natural ventilation.
- o **Fire Blankets & Fire Doors**  
To be fitted in accordance with the LACORS Quick Reference Guide (on Council's website) or as specified in schedules of work attached to Licence or Statutory Notice.

## SELF-CONTAINED ACCOMMODATION

### A) Kitchen Facilities

Where kitchen facilities are for the **exclusive use** of an individual household. **i.e.** in a self contained flat, or individual bedsit, the following **must** be provided as a minimum:

- A **cooker** of adequate size to include 2 to 4 ring hob with oven or a microwave.
- A **sink unit** (with drainer) with adequate supply of cold and constant hot water.
- A **work top** for food preparation, of minimum size 1m x 0.6m  
**NB** A work surface of at least 500mm must be sited adjacent to each cooker.
- A standard under-counter size **fridge** as a minimum.
- A freezer to be provided in addition to the fridge  
**NB** One standard fridge/freezer would meet this requirement.
- A **cupboard** for food and utensil storage, of minimum size 500mm standard base or wall unit.
- Sufficient **electrical sockets**. It is recommended that at least 2 double sockets are provided **in addition** to the cooker socket.

## B) Bathroom Facilities

Where bathroom facilities are for the **exclusive use** of an individual household, i.e. in self contained flats or individual bedsits, the following **must** be provided as a minimum:

- A toilet
- A bath or shower with adequate supply of cold and constant hot water.
- A wash hand basin

These must be provided in an enclosed and adequately laid out and ventilated room, either

- within the living accommodation, **or**
- within reasonable proximity to the living accommodation.

## HEATING

Each unit of living accommodation in an HMO must be equipped with adequate means of space heating, i.e. a system that can be controlled by the occupants, that has been safely and properly installed and maintained and can heat the whole dwelling. The occupiers must be able to regulate the temperature.

**Example:** *A gas fired / oil fired central heating system with individual radiators throughout the property with a thermostat centrally located (or on individual radiators) that the occupiers can adjust themselves, or electric storage heaters with individual thermostatic controls.*

All bathrooms must be suitably and adequately heated and ventilated.

## FURTHER ADVICE

Contact: Housing and Public Health Division  
Directorate of Place  
Civic Centre  
Oystermouth Road  
Swansea SA1 3SN

Tel : 01792 635600  
e-mail : [evh@swansea.gov.uk](mailto:evh@swansea.gov.uk)  
or visit [www.swansea.gov.uk/hmos](http://www.swansea.gov.uk/hmos)

City and County of Swansea  
Housing & Public Health Division  
Directorate of Place  
Civic Centre  
Oystermouth Road  
Swansea SA1 3SN

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





## **APPENDIX B – Means of Escape – Fire Precautions**

### **Housing Fire Safety - Quick Reference Guide (Wales)**

*(Prepared in association with the All Wales Housing Technical Panel)*

This Quick Reference Guide provides a summary of the fire safety measures outlined in “Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing” published by LACORS in August 2008.

The guide provides enforcement officers and landlords with a brief summary of appropriate fire safety measures that may be applied to a number of property types and aims to ensure consistency in the application of fire safety measures. However, officers and landlords should familiarise themselves with the provisions of the National Guidance.

The Housing Act 2004 introduced the Housing Health and Safety Rating System, which is a method by which housing conditions can be assessed. It uses a risk-based approach and its aim is to provide a system to enable risks from hazards to health and safety in dwellings to be removed or minimised. Some houses must also achieve an acceptable standard of fire safety under HMO Licensing provisions. These provisions are enforced by local councils. In some premises, landlords must carry out a fire risk assessment under the provisions of the Regulatory Reform (Fire Safety) Order 2005. These provisions are enforced by fire and rescue authorities.

The National LACORS Guidance recommends that individual risk based solutions to fire safety are applied to each individual property, and this document must not therefore be viewed as a prescriptive standard.



Please note that the works described in this document are a guide only. Alternative fire safety measures may be carried out in order to achieve an equivalent level of fire safety.

However, if the recommendations in this Quick Reference Guide are followed it should be possible to achieve an acceptable level of fire safety in premises of normal risk.

Additional measures may be required in higher risk premises.

## How to use the Quick Reference Guide

### Introduction

- The information given in this guide for provision of safe means of escape in case of fire relates to the 'ideal' level of fire safety measures required for each type of property. The 'ideal' is generally a 30 minute protected escape route for all HMOs.
- It may be possible to 'relax' these ideal standards in certain circumstances e.g. where a property is classed as low risk on completion of a Housing Health and Safety Rating System (HHSRS) risk assessment.
- Please note that the examples D1, D2 etc. in the tables in guide relate to the examples in the main LACORS Guidance Manual.

### To use the guide, you must first know:-

- 1) The number of storeys of the property.
- 2) The manner of occupation.
- 3) The risk level of that property.

The appropriate table in the guide can then be used to provide a list of the type of work required for a specific property type.

#### 1. Number of storeys

- Ground + first floor = 2 storeys
- Ground + first + 2<sup>nd</sup> floor = 3 storeys, etc.

**NB.** A 2 storey house with a habitable basement or attic room is classed as a 3 storey property (4 storeys, if both present).

#### 2. Occupancy

There are 3 main types (See page 3 opposite for full definitions).

- Shared HMO
- Bed-sit 'type' HMO
- Traditional bed-sit HMO

**NB.** Shared HMOs and Bed-sit type HMOs are very similar, with subtle differences relating to type of tenancy, lockable doors, single group or individual/smaller groups.

#### 3. Risk

This will be assessed by the inspecting officer. Generally 3 types:-

- Low risk
- Normal risk
- High risk

**NB.** This guide specifies details for 'normal' risk HMOs. The majority of HMOs will fall into this category. (Low risk properties must possess all the characteristics, as listed at the bottom of the table of Example D4 on page 4).

### Summary

Once the 3 criteria have been established use the correct section of the guide for an idea of work required.

**NB.** It is strongly advised to await an HHSRS inspection from an officer from this Department prior to completing works.

## Housing Fire Safety – A Quick Reference Guide

**Note – for the purposes of this guide the following definitions apply:**

**Single household occupancy** – a house occupied by a single person, a co-habiting couple or a family and where the property is not a house in multiple occupation.

**Shared House HMO** – A House in Multiple Occupation where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. There is a single tenancy agreement. The group shares the characteristics of a single family household but is still technically an HMO because the occupants are not related.

**Bedsit-type HMO (with Shared Cooking Facilities)** – a building which has been divided into separate letting units or bedrooms (usually of one room only) and let to unconnected individuals or several small groups. Kitchens, bathrooms and WCs are usually shared.

**Traditional Bedsit HMO (with Individual Cooking Facilities)** - a building which has been divided into separate letting units or bedrooms (usually of one room only) and let to unconnected individuals. Each unit or bedroom may contain cooking facilities but bathrooms and WCs are shared.

<u>Single Household Occupancy</u>	
2 STOREY	3/4 STOREY
(EXAMPLE D1)	(EXAMPLE D2)
<ul style="list-style-type: none"> <li>• No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms.</li> <li>• Where means of escape is through a risk room, the option of escape windows to habitable rooms may be considered.</li> <li>• Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required.</li> <li>• 30 mins separation to cellar/basement (including door) <b>OR</b> accept sound traditional construction in good repair.</li> <li>• Fire blanket in kitchen.</li> <li>• Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement).</li> </ul>	<ul style="list-style-type: none"> <li>• No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms.</li> <li>• Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required.</li> <li>• 30 mins separation to cellar/basement (including door) <b>OR</b> accept sound traditional construction in good repair.</li> <li>• Fire blanket in kitchen.</li> <li>• Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement).</li> </ul>
<b>Fire Safety Order does not apply to this type of property.</b>	

2 STOREY SHARED HMO	2 STOREY BEDSIT-TYPE HMO (WITH SHARED COOKING FACILITIES)
(EXAMPLE D4)	(EXAMPLE D7)
<p>1. <b>Ideal standard</b> (for normal risk property)</p> <ul style="list-style-type: none"> <li>(a) 30 minute protected route with FD30 Fire Doors (no smoke seals)</li> <li>(b) Walls/ceilings between units of accommodation to be of sound, traditional construction.</li> <li>(c) 30 mins separation to cellar/basement (including door) <b>OR</b> accept sound traditional construction in good repair. <b>2 Storey + habitable basement/attic – treat property as 3 storey shared house.</b></li> <li>(d) <i>Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route recommended.</i></li> <li>(e) Fire blanket in kitchen.</li> <li>(f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, and interlinked heat alarm to kitchen).</li> </ul> <p><b>OR</b></p> <p>2. <b>In low risk shared houses</b> (see below)</p> <ul style="list-style-type: none"> <li>• Solid, close fitting doors, <b>AND/OR</b> escape windows to rooms leading on to escape route. Walls/ceilings on escape route to be of sound, traditional construction.</li> <li>• <b>Additional fire door (FD30) on last door from kitchen to escape route.</b></li> <li>• Plus specifications as (b) to (f) above.</li> </ul> <p><b>NB.</b> ‘Low’ risk properties are those having the following characteristics:</p> <ul style="list-style-type: none"> <li>• low occupancy level - all able-bodied;</li> <li>• little chance of fire occurring and few combustible/flammable materials;</li> <li>• little chance of fire spreading throughout property. Quick detection to allow occupants to escape</li> <li>• more than one <b>acceptable</b> escape route.</li> </ul>	<p><b>‘Bed-sit type’ houses</b> - individual rooms with shared cooking facilities. (e.g. where property is not occupied by a single group, there are individual contracts, locks on doors etc).</p> <ul style="list-style-type: none"> <li>(a) Either - 30 minute protected route with FD30S Fire Doors or - in low risk properties, close fitting, solid doors and escape windows.</li> <li>(b) 30 mins separation to walls/ceilings between units of accommodation.</li> <li>(c) 30 mins separation to cellar/basement (including door)</li> <li>(d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order).</li> <li>(e) Fire blanket in kitchen.</li> <li>(f) Grade D LD2 Alarm – interlinked smoke alarms to escape route plus lounge and cellar/basement and heat alarm in each shared kitchen <b>PLUS</b> Interlinked Grade D smoke alarms in each bedroom.</li> </ul>
	<p><b>Fire Safety Order MAY apply in these property types.</b></p>
	<p><b>2 STOREY TRADITIONAL BEDSIT (COOKING FACILITIES IN BEDROOMS)</b></p>
	<p><b>(EXAMPLE D7)</b></p>
	<p><b><u>Traditional Bedsits</u></b> – those with cooking facilities in each bedroom/unit of accommodation.</p> <ul style="list-style-type: none"> <li>(a) Either - 30 minute protected route with FD30S Fire Doors.</li> <li>(b) 30 mins separation to walls/ceilings between units of accommodation.</li> <li>(c) 30 mins separation to cellar/basement (including door)</li> <li>(d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order).</li> <li>(e) Fire blanket in kitchen.</li> <li>(f) <u>Mixed Alarm System. Grade D, LD2</u> system with interlinked smoke alarms to escape route and basement/cellar with interlinked heat alarms to each bedsit <b>PLUS</b> additional non-interlinked mains wired smoke alarm to each bedsit.</li> </ul>
<p><b>Fire Safety Order does not apply to this type of property.</b></p>	<p><b>Fire Safety Order applies to these property types.</b></p>

3/4 STOREY SHARED HMO	3 STOREY BEDSIT-TYPE HMO (WITH SHARED COOKING FACILITIES)
<b>(EXAMPLE D5)</b>	<b>(EXAMPLE D8)</b>
<p><b>Ideal standard</b> (for normal risk property)</p> <ul style="list-style-type: none"> <li>(a) 30 minute protected route with FD30 Fire Doors (no smoke seals)</li> <li>(b) 30 mins separation to walls/ceilings between units of accommodation.</li> <li>(c) 30 mins separation to cellar/basement (including door).</li> <li>(d) <i>Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route <b>recommended</b>.</i></li> <li>(e) Fire blanket in kitchen.</li> <li>(f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, and heat alarm to kitchen.</li> <li>(g) No requirement for emergency lighting or signage, unless complex escape route.</li> </ul>	<ul style="list-style-type: none"> <li>(a) 30 minute protected route with FD30S Fire Doors</li> <li>(b) 30 mins separation to walls/ceilings between units of accommodation.</li> <li>(c) 30 mins separation to cellar/basement (including door)</li> <li>(d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order).</li> <li>(e) Fire blanket in kitchen.</li> <li>(f) Grade A LD2 Alarm system –interlinked smoke detectors to escape route plus each bedsit, lounge and cellar/basement, and heat detector to shared kitchen. To include control panel, call points and min 75db at bedhead.</li> <li>(g) No requirement for emergency lighting or signage, unless complex escape route.</li> </ul> <p><b>Fire Safety Order MAY apply in these property types.</b></p> <p style="text-align: center;"><b>3 STOREY TRADITIONAL BED-SIT (COOKING FACILITIES IN BEDROOMS)</b></p> <p style="text-align: center;"><b>(EXAMPLE D8)</b></p> <ul style="list-style-type: none"> <li>(a) 30 minute protected route with FD30S Fire Doors</li> <li>(b) 30 mins separation to walls/ceilings between units of accommodation.</li> <li>(c) 30 mins separation to cellar/basement (including door)</li> <li>(d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order).</li> <li>(e) Fire blanket in kitchen.</li> <li>(f) <u>Grade A LD2 Alarm system</u> –interlinked smoke detectors to escape route plus lounge and cellar/basement, <u>and</u> interlinked heat detector to each bedsit with cooking facilities. To include control panel, call points and min 75db at bedhead</li> </ul> <p style="text-align: center;"><u>PLUS</u></p> <ul style="list-style-type: none"> <li>(g) Non interlinked Grade D smoke detectors in EACH bed-sit.</li> </ul>
<b>Fire Safety Order does not apply to this type of property.</b>	<b>Fire Safety Order applies to these property types.</b>

**Houses Converted to Self-Contained Flats**

<b>2 STOREY</b>	<b>3/4 STOREY</b>
<b>(EXAMPLE D10)</b>	<b>(EXAMPLE D11)</b>
<p>(a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors</p> <p>(b) Within individual flats – sound, well constructed and close fitting doors.</p> <p>(c) 30 mins separation to walls/ceilings between each flat.</p> <p>(d) 30 mins separation to cellar/basement (including door)</p> <p>(e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order).</p> <p>(f) Fire blanket in kitchen.</p> <p>(g) <u>Grade D LD2 Alarm system</u> –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat</p> <p><b>PLUS</b></p> <p>(h) Non-interlinked Grade D smoke detectors in hallway of each flat.</p> <p>(i) No requirement for emergency lighting or signage, unless complex escape route.</p>	<p>(a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors</p> <p>(b) Within individual flats – sound, well constructed and close fitting doors.</p> <p>(c) 30 mins separation to walls/ceilings between each flat.</p> <p>(d) 30 mins separation to cellar/basement (including door)</p> <p>(e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order).</p> <p>(f) Fire blanket in kitchen.</p> <p>(g) <u>Grade A LD2 Alarm system</u> –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat. To include control panel, call points and min 75db at bed head</p> <p><b>PLUS</b></p> <p>(h) Non-interlinked Grade D smoke detectors in hallway of each flat.</p> <p>(i) No requirement for emergency lighting or signage, unless complex escape route.</p>

**Fire Safety Order applies to these property types.**

## A Note on Fire Extinguishers and Alarm Systems

In shared houses, a multi-purpose fire extinguisher (type 1.5kg dry powder or 6 litre AFFF Foam) is **recommended** on each floor within the escape route.

In all HMOs where the Fire Safety Order applies, including houses converted to self contained flats and bedsits, multi-purpose extinguishers (type as above) are **required** unless the landlord can demonstrate through risk assessment that an acceptable level of safety can be achieved without the provision of extinguishers.

**LD3** – A system incorporating detectors in circulation spaces that form part of the escape route from the dwelling only.

**LD2** – A system incorporating detectors in circulation spaces that form part of the escape route, and in all rooms that present a high fire risk to occupants.

**Grade D** – A system of one or more mains powered smoke / heat alarms each with battery standby supply. There is no control panel.

**Grade A** – A system of mains powered smoke / heat detectors, which are linked to a control panel to give information on the location of the fire or any fault. In general the system must incorporate manual call points, which should be located on each floor level and at final points of exit.

## Appendix C

### Criteria for Fit and Proper Person

Before the Council can grant a Licence it must determine if the proposed licence holder or manager of the house is a fit and proper person.

For this purpose the following matters are relevant if any such person has:

- (a) Committed an offence involving fraud, dishonesty, violence, drugs or sexual offences listed in Schedule 3 to the Sexual Offences Act 2003;
- (b) Practised unlawful discrimination on grounds of sex, colour, race, ethnic, or national origins or disability in connection with a business, or
- (c) Contravened any provision of the law relating to housing or of landlord and tenant law, or
- (d) Acted in contravention of any Approved Code of Practice made under the Housing Act 2004.





~~CITY AND COUNTY OF SWANSEA~~  
~~DINAS A SIR ABERTAWE~~



## LICENCE CONDITIONS FOR A HOUSE IN MULTIPLE OCCUPATION HOUSING ACT 2004

### PREMISES:

These conditions are mandatory and are imposed by ~~The City & County of Swansea Council~~ to ~~all~~ Houses in Multiple Occupation (HMOs) that are subject to a licensing scheme within the scope of Part 2 of The Housing Act 2004. The Council may apply other licence conditions with discretion in appropriate cases.

These conditions are made under the Council's HMO Licensing Policy ~~201520~~, effective from ~~9<sup>th</sup> March 2016~~~~xxxxxxx~~. A copy of the Policy can be found on the Council's website ~~[www.swansea.gov.uk/hmos](http://www.swansea.gov.uk/hmos)~~~~xxxxxxx~~

Any reference to the Council shall mean ~~The City & County of Swansea Council~~.

### Number of persons permitted to occupy the property

1. The number of persons residing at the property shall not exceed the maximum number stated on the licence.
2. Where the numbers are in excess of the permitted level at the time of the granting of the licence the licence holder must take the appropriate legal steps to reduce the numbers at the earliest opportunity.
3. The use and level of occupancy of each room shall not be changed without the approval of the Council.

### Changes to the ~~licensed property, licence holder or management arrangements or licence holder~~

4. No alteration that may impact on the licence conditions will be made to the property without prior notification to the Council.
5. Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property itself or its management must be notified to the Council within ~~seven~~ 14 days of such a change occurring. This will include any change in contact details or sale of the property.
6. If any proposed changes mean that the property will no longer be suitable for use as an HMO, that the management arrangements are no longer satisfactory or that the licence holder or any manager are no longer considered to be fit and proper persons, the Council may vary or revoke the licence.

### **Letting arrangements**

- 6-7. The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it.
- 7-8. The licence holder will provide each new occupier at the start of their occupancy with:
  - a) Written information on recycling and refuse storage (both inside and outside the property), collection and disposal arrangements including how to get recycling bags (the Council's guide to recycling and refuse disposal shall be displayed within the property);
  - b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free from obstruction and the proper use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms;
  - c) Written details of the arrangements that are in place for dealing with repairs and emergency situations at or in connection with the property. This should include names, telephone numbers and e-mail addresses where available;
  - d) Written information about anti-social behaviour as detailed in condition 25 of this licence.
- 8-9. The licence holder shall ensure that each occupier, following receipt of the information above, signs the Declaration of Understanding ~~included as Appendix A to this licence~~. A copy of the signed Declaration must be provided to the Council on demand.

### **Condition of the property**

- 9-10. The licence holder must carry out the works in the attached schedule within the specified time periods.

~~40-11.~~ The licence holder must maintain the structure and fabric of the house in good condition.

~~41-12.~~ The external appearance of the house shall be maintained in good repair and decorative order. All external painted walls of the house must be painted at least once during the licence period and more often if required to remain compliant.

~~42-13.~~ The licence holder shall ensure that all issues concerning repairs and maintenance of the fabric of the building, appliances, equipment or furniture notified to him by the occupiers, Council, letting or managing agent or visitors to the property are remedied within a timescale appropriate to the urgency of the issue.

~~43-14.~~ The licence holder must ensure that the property complies with the Council's adopted space standards.

15. The licence holder must ensure that the property meets the Council's adopted amenity standards having regard to the maximum number of occupiers stated on the licence. All such amenities, facilities and equipment shall be maintained in good working order.

16. The licence holder must ensure that adequate space heating is provided and maintained in each unit of living accommodation.

17. The licence holder shall ensure that the property attains a minimum E rating energy performance unless the premises is exempt in accordance with criteria specified in The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. A copy of the EPC certificate shall be provided to the Council on demand.

## **Fire precautions**

~~44-18.~~ The licence holder must ensure that there are appropriate means of escape, fire precaution facilities and equipment provided at the property in line with the Council's adopted standard. The licence holder will provide the Council with a declaration, on demand, as to the design, installation and condition of the fire precaution system.

~~45-19.~~ The licence holder shall ensure that the fire alarm and detection system, including suppression system, if fitted and fire extinguishers provided at the property are maintained in good working order; and that the alarm system, including sounders, ~~and~~ smoke detectors and suppression system, if fitted, is tested at appropriate intervals in accordance with the installer's/manufacture's instructions; ~~that a~~ Any defects are to be remedied immediately and ~~that~~ written records ~~are~~ must be kept of testing and maintenance of the alarm and suppression system, if fitted. As a minimum, servicing of the alarm, suppression system, if fitted and extinguishers should

be carried out annually, or on a six monthly basis if an L2 system. This record must be made available for inspection by the Council on demand.

~~16-20.~~ The licence holder shall ensure that arrangements are in place for an appropriate person being to be available to attend the property at any time in the event of a false alarm to ensure that the fire alarm system is properly re-set. Contact details for this person shall be registered with the Council's Pollution Control Team, ~~Housing and Public Protection, Directorate of Place, Civic Centre, Oystermouth Road, Swansea, SA1 3SN; e-mail~~ pollution@swansea.gov.uk

~~17-21.~~ The licence holder shall ensure that the fire alarm system is tested by a suitable and competent contractor following all false alarms and fire occurrences to ensure the system is properly re-set. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of ~~the fire occurrence being notified to~~ the licence holder or their nominated representative becoming aware of the fire.

### **Gas, Electrics, Carbon Monoxide and Furniture**

~~18-22.~~ If gas is supplied to the house, the licence holder shall submit to the Council the gas safety certificate obtained for the property within the last 12 months. This shall be from a contractor registered with Gas Safe Register and shall include each gas installation, appliance and flue provided by the licence holder within the property.

~~19-23.~~ The licence holder shall keep all electrical appliances ~~made available by him~~ they provide in the property in a safe condition. On demand the licence holder must supply the Council with a declaration by him as to the safety of such appliances.

~~20-24.~~ The licence holder shall ~~only supply furniture to the property that complies with the requirements of the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended). All such furniture should be kept in safe condition and good repair. The licence holder will provide the Council with a declaration to this effect upon demand~~ ensure that the electrical installation condition report for the property is renewed every five years as a minimum. All Code 1 and 2 works listed in the Defects and Suggestions sections are to be completed. On demand, the licence holder must supply the report to the Council.

~~21-25.~~ The licence holder shall ~~ensure that the electrical installation condition report for the property is renewed at least every five years. All Code 1 and 2 works listed in the Defects and Suggestions sections to be completed. On demand, the licence holder must supply the report to the Council~~ On each occasion that the electrical circuits and/or installation are altered in any way, the licence holder must produce to the Council a further certificate from a suitably qualified electrician confirming the satisfactory condition of the circuits and/or installation.

~~22-26.~~ On each occasion that the electrical circuits and/or installation are altered in any way, the licence holder must produce to the Council a further certificate from a suitably qualified electrician confirming the satisfactory condition of the circuits and/or installation. Electrical installations providing power to the fire alarms or emergency lighting systems must not be supplied via token meters or via any occupier's metered supply.

~~27.~~ Electrical installations providing power to the fire alarms or emergency lighting systems must not be supplied via token meters or via any occupier's metered supply. A working carbon monoxide (CO) alarm must be fitted to any room that is used wholly or partly as living accommodation and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or LPG (liquid petroleum gas) fuel.

~~23-28.~~ The licence holder shall only supply furniture to the property that complied with the requirements of the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended). All such furniture should be kept in safe condition and good repair. The licence holder shall provide the Council with a declaration to this effect on demand.

### **Anti-social behaviour**

~~24-29.~~ The licence holder shall take all reasonable and practicable steps to prevent or reduce anti-social behaviour by occupiers of or visitors to the property. This shall include:

- a) Setting out in writing to each occupier what is meant by anti-social behaviour;
- b) Explaining the impact of anti-social behaviour on others in the area;
- c) Recording details of all complaints received directly in respect of anti-social behaviour;
- d) Invoking appropriate tenancy sanctions where necessary.

~~30.~~ The licence holder shall ensure that the property is inspected on a regular basis to assess if there is evidence of anti-social behaviour; this should be at least quarterly, but more frequently if anti-social behaviour has been established. Records should be kept of such inspections and any action taken.

~~31.~~ The licence holder will provide the names of the current occupiers to the Council on demand and will co-operate with the Council in order to eradicate problems relating to noise or anti-social behaviour. The licence holder will, on request, demonstrate that they have taken reasonable and practicable steps to manage the problem including evidence of verbal or written warnings that they have issued in connection with the problem.

~~25-32.~~ Where the licence holder has reason to believe that criminal activity is taking place at the property, they must ensure that the appropriate authorities are informed.

### **Waste arrangements**

33. The licence holder shall provide a general waste bin, recycling waste bin and waste food caddy to each kitchen area. An initial four-week supply of all relevant recycling and black bags shall be provided to new occupiers of the property.

26-34. The licence holder shall ensure that suitable and sufficient, lidded external storage facilities are provided for household waste and recycling pending disposal to prevent access to the waste by animals and birds. As a general guide, facilities shall be a minimum of 40 litres per occupier. A larger kerbside food waste caddy shall also be provided in the external storage area for the storage of full food bags from the kitchen caddy. These storage facilities will preferably be to the rear of the property, but siting and size of facilities may be agreed after discussion with the Council to suit each individual HMO.

27-35. The licence holder shall ensure that occupiers are aware of their responsibilities with regards to cleanliness of gardens, yards and forecourts.

28-36. The licence holder shall ensure that any building works, ~~or~~ improvements and general maintenance are carried out with the minimum of disruption to the occupants, neighbours and wider community and that wherever possible, any waste arising from building works or improvements to the property does not accumulate in the curtilage of the property or near to it. Where such accumulations are unavoidable they shall be removed as soon as reasonably practicable, to a licensed waste disposal facility.

29-37. No other waste, such as old furniture or appliances shall be allowed to accumulate in the curtilage of the property. If arrangements have been made for the removal of such items they should only be placed at the front of the property on the date of collection.

30-38. Any waste left by occupiers leaving the property shall be removed by the licence holder as soon as possible and prior to new occupiers occupying the property.

31-39. The gardens, forecourts and boundary walls/fences of the property shall be kept free from overgrowth, litter or other accumulations and maintained in a clean and tidy condition.

## **General**

32-40. A copy of the licence currently in force in respect of the property shall be clearly displayed in a prominent position at the property.

33-41. The licence holder shall ensure that written details of the arrangements that are in place for dealing with emergency situations at or in connection with the property are provided to the occupiers of immediately adjacent properties. This should include names and telephone numbers.

~~34.42.~~ The licence holder shall ensure that anyone involved with the management of the property is, to the best of their knowledge, a 'fit and proper person' for the purposes of the Housing Act 2004.

~~35.43.~~ The licence holder shall ensure that anyone involved in the management of the property is fully aware of these licence conditions and the extent to which their involvement with the property allows the licence holder to comply with these conditions.

~~36.44.~~ The licence holder shall attend any professional development and/or training course relating to matters covered by Approved Codes of Practice that the Council shall provide or recognise during the term of the licence.

~~37.45.~~ The licence holder shall keep any records and certificates referred to in these licence conditions for the entire length of the licence and shall produce them to the Council on demand.

Signed .....  
Martin Nicholls  
Director

### **Limitations of the Licence**

**Licence transfer** - This licence **cannot** be transferred to another person or organisation or property.

**Registered Companies** - If the licence holder is a registered company and it is dissolved whilst the licence is in force, the licence ceases to be in force on the date of dissolution.

**Death of Licence holder** - If the licence holder dies whilst the licence is in force, the licence ceases to be in force on his death.

**Property Condition** - This licence is **not** proof or evidence that the house is safe and free from hazards and defects. The licence does not prevent criminal or civil legal action being taken against the licence holder, or anyone else with an interest in the property, if any hazards or nuisances are found or any other problems discovered in relation to the condition of the property.

**Building Control** - This licence does **not** grant any Building Control approvals, consent or permissions, retrospectively or otherwise. This licence does not offer any protection or excuse against any enforcement action taken by the Building Control Division.

**Planning Permission** - This licence does **not** grant any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise. You should check that the correct planning permissions are in place. This licence does not offer any protection or excuse against any enforcement action taken by Planning Enforcement Officers. If you are unclear on the matters outlined above, you should seek professional planning advice.

**Please note** - It is your responsibility to ensure that you have any other necessary permissions or consents in place to enable the property to be used as a house in multiple occupation. The granting of a licence does not override any other private or public law provisions in this respect.

## APPENDIX A

**CITY & COUNTY OF SWANSEA COUNCIL**  
**HMO LICENCE**  
**DECLARATION OF UNDERSTANDING**  
**PREMISES**

.....

### FIRE PRECAUTIONS

The use and purpose of the fire precaution facilities as set out below have been explained to me and I understand them:

1. The fire alarm
2. The means of escape
3. Protection of the escape route and keeping it free from obstruction
4. The importance of fire doors
5. Fire-fighting equipment

### WASTE MANAGEMENT

The arrangements for waste storage, collection and recycling have been explained to me as set out below and I understand them:

1. Non-recycling waste to be placed for collection in black refuse bags.
2. Waste recycling requirements specified by the Council will be met.
3. Refuse & recycling bags & food waste bin must be placed at the kerbside in front of the property no earlier than 7.00 pm the night before collection.
4. No refuse bags or any other type of waste must accumulate in the garden or yard before collection. They must be stored correctly in the bins or other storage area provided by the landlord.
5. Only normal household waste may be disposed of within a refuse or recycling bag. Sharp objects must always be wrapped. Oil, grease, asbestos, clinical waste, building waste or garden waste must not be disposed of in this manner. The contact telephone number for any queries is 01792 635600.



### **ANTI-SOCIAL BEHAVIOUR**

The requirements relating to anti-social behaviour as set out below have been explained to me and I understand them:

1. What may constitute anti-social behaviour
2. The impact of anti-social behaviour on other people
3. The standard of behaviour expected
4. The consequence of anti-social behaviour
5. The possible consequences in terms of my tenancy agreement.

### **THE MANAGEMENT OF HOUSES IN MULTIPLE OCCUPATION (WALES) REGULATIONS 2006 and THE LICENSING AND MANAGEMENT OF HOUSES IN MULTIPLE OCCUPATION (ADDITIONAL PROVISIONS) (WALES) REGULATIONS 2007**

The duties of occupiers under Regulation 10 of these Regulations (Regulation 11 of the 2007 Regulations for Section 257 HMOs) as set out below have been explained to me and I understand them:

1. Act in a way that will not hinder or frustrate the manager in the performance of the manager's duties
2. Allow the manager, for any purpose connected with the carrying out of any duty imposed on the manager by these Regulations, at all reasonable times to enter any living accommodation or other place occupied by me
3. Provide the manager, at the manager's request, with any such information as the manager may reasonably require for the purpose of carrying out any such duty
4. Take reasonable care to avoid causing damage to anything which the manager is under a duty to supply, maintain or repair under these Regulations
5. Store and dispose of litter in accordance with the arrangements made by the manager
6. Comply with the reasonable instructions of the manager in respect of any means of escape from fire, the prevention of fire and the use of fire equipment.

**I have read and understood the Declaration of Understanding in relation to Fire Precautions, Waste Management, Anti-Social Behaviour and the Management Regulations summary.**

**I understand that if I fail to comply with these, I may be committing an offence for which I may be prosecuted.**

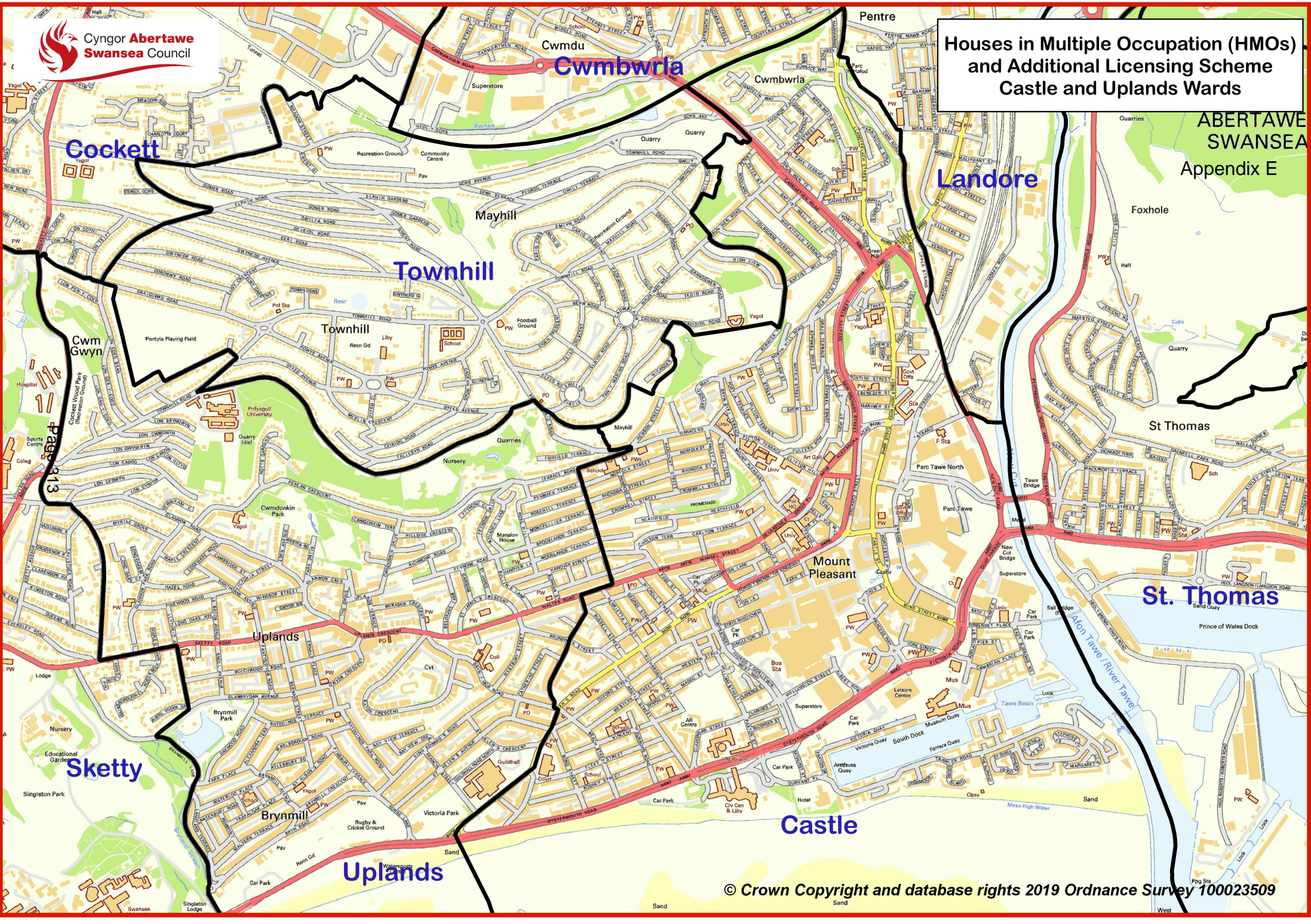
**I understand that the Licence holder of this property may have to provide a copy of this document, including my details below, to ~~the City & County of Swansea~~ Council as required under the conditions of the HMO licence for the property. My details will only be used in connection with the enforcement of legislation and conditions relating to the letting of this property as a licensable house in multiple occupation.**

<b>OCCUPIER</b>			<b>LICENCE HOLDER</b>
<b>Full Name</b>	<b>Signature</b>	<b>Date</b>	<b>Signature &amp; Date</b>

--	--	--	--

**Houses in Multiple Occupation (HMOs)  
and Additional Licensing Scheme  
Castle and Uplands Wards**

ABERTAWE  
SWANSEA  
Appendix E



**Houses in Multiple Occupation (HMOs) and  
Proposed Additional Licensing Scheme  
St. Thomas Ward Appendix F**

**Landore**

**ABERTAWE /  
SWANSEA**

**Bonymaen**

**Neath Port  
Talbot CBC**

**St. Thomas**

Page 314

**Castle**

# Agenda Item 16.



## Report of the Cabinet Member for Homes & Energy

Cabinet – 19 September 2019

### Welsh Government Self Build Programme at Swansea Council

<b>Purpose:</b>	To inform Cabinet of the new scheme to be launched in the Autumn 2019 by Welsh Government and how Swansea Council believes it can contribute to its success.
<b>Policy Framework:</b>	The proposal sits within the scope of the Policy Commitment and Corporate Plan to increase the supply of affordable housing. Involvement will maximise our contribution to achieving not only Swansea's well-being goals but national goals too. It will support the well-being objective, to progress strategic housing and mixed development sites to meet housing need and provide employment.
<b>Consultation:</b>	Access to Services, Finance, Legal, Planning.
<b>Recommendation(s):</b>	It is recommended that:  1) Swansea Council work with the Housing Department in Welsh Government to pilot a self-build project within the county via their Plot Shop Initiative due to be launched in the Autumn of 2019.  2) Swansea Council will consider the use of the Welsh Government loan in terms of resourcing the project.
<b>Report Author:</b>	Geoff Bacon
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

## **1. Introduction**

- 1.1 The UK has a much lower rate of self-building than other European countries. The sector currently accounts for between 7-10% of completions while in Austria it accounts for around 80%. A Building Societies Association (BSA) survey identified 53% of people in the UK would consider building their own home given the opportunity. This significant unmet demand for self-build in the UK is further evidenced by around 100,000 people subscribing to Buildstores, one of the main plot-finding websites.
- 1.2 Apart from the obvious benefits of design etc. one of the key drivers in self-building is the ability to save money. The average self –build house in the UK costs on average 59% of its final value as self-builders cut out the developer’s profit.
- 1.3 Self-Build Wales is an exciting and highly innovative new scheme, supporting the increase in more affordable housing. This Welsh Government initiative tries to eliminate all the barriers to allow entry into the self-build market by providing a maximum 2 year loan from the Development Bank of Wales. There are no repayments on the loan until the house is completed and mortgaged. The new home cannot be rented or sold for a minimum of five years post completion and contractors must be approved by the Development Bank of Wales (DBW).
- 1.4 Swansea Council would like to trial three plots as part of Self-Build Wales.

## **2. The Scheme details**

- 2.1 At the core of the scheme is a ‘plot shop’ which is established through partnership between WG, the DBW and LA’s where land assets would be divided into individual plots and sold to qualifying self-builders. The plots will need to be ‘oven ready’ and have all planning and site requirements completed presale. This would de-risk the development and also enable the self-builder to just decide which home they want to build (From pattern book supplied as part of the purchase).
- 2.2 In summary, applicants will be able to see plots that are ready for application on an interactive map. The map will also contain information about plots being prepared for the scheme.
- 2.3 Each plot will have a ‘plot passport’ which will contain information including:
  - The price of the plot and required deposit.
  - The location, size and where the proposed build can be located on the plot.
  - The approved property designs from the pattern book, which will also provide an estimated build cost to a standard fit and finish.
  - The application process and deadlines for submission.

- 2.4 Successful applicants will only need to provide a deposit of 25% of the cost of the plot. The Development Bank of Wales will provide (subject to qualifying criteria) a self-build development loan to cover the balance of the plot (75%) and the full cost of building the property.
- 2.5 Site plots will be available to everyone, not just first time buyers. Self – Build Wales is designed to suit as many needs as possible, including those that need a bigger house, are looking to downsize but stay in their area or are looking for an adapted home.
- 2.6 Local Authorities would be asked to:
- Identify suitable plots
  - Agree pattern book options or simplified design guides for the plot
  - Streamline the planning process
  - Carry out any remediation work prior to site sale
  - Assess applications.
- 2.7 Swansea Council has been invited to sit on a working group with Cardiff University who are developing the pattern book.
- 2.8 Funding for self-builders is estimated as an average of £150k development loan per site. There is also a £10m fund pot for the LA's to borrow from to cover resources required to deliver the initiative. There is no cap to the loan requested but it must reflect the work being undertaken.
- 2.9 The LA can recover the overhead from developing the plots through to sales in the plot price. Loans will be interest free and fee free and repayable in year 16 of the scheme.
- 2.10 Each plot sold will have a Development Bank fee built into the plot cost (up to £500) to cover the management of the pattern book/design guide, interactive map and LA loans.
- 2.11 This strategy addresses barriers in planning, regulation, land procurement and finance. In addition to developing and supporting a self-build market it is expected the scheme will have a number of other wider community benefits. These include bringing derelict land into use and supporting local SME building companies and the employment opportunities this creates.
- 2.12 In addition, the LA will be able to address social needs as well as housing needs.

### **3. Swansea Plots**

- 3.1 Officers from Property Services and Planning have attended the Self-Build Wales workshops and have had initial discussions with agreement to explore the project by only looking at plots that are easily accessible from the pavement, where there is easy access to mains utilities and would be relatively easy to acquire, and planning consent will be forthcoming.

Currently there would be enough resource internally to manage the project on this scale but if it were to expand then the funding of more dedicated resource would need to be considered, maybe accessing the available loan.

3.2 There are three potential sites that could be added to the 'plot shop' when it goes live in the Autumn.

- Plot at Wychtree Street, Morrision
- Corner plot at Gomer Road and Gors Avenue
- Plot at Baptist Well Place and Baptist Well Street.

3.3 As no firm action has been undertaken to date on the project, there has been no local consultation on the three sites as proposed, any decision would be subject to normal consultation and feedback on responses.

3.4 This report seeks approval to dedicate resource to taking this project to the next stage of making these plots available for release into the 'plot shop' in the Autumn/Winter of 2019.

#### **4. Equality and Engagement Implications**

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

4.2 An EIA Screening Form has been completed (**Appendix A**) with the agreed outcome that a full EIA report is not required as the intention is to trial two or three plots across the county as part of the Self Build Wales Scheme. Once these have been decided upon, the relevant planning consent etc. would be required for each and this would follow an already approved process of consultation.

#### **5. Financial Implications**

5.1 All costs incurred to get the plots ready for sale will be factored into the selling price of each plot. There could be potential opportunity for future income generation from this project if successful.



## **6. Legal Implications**

- 6.1 The Council has a statutory and fiduciary duty pursuant to section 123 of the Local Government Act 1972 to secure the best consideration possible for any property disposal. A lease granted for a term of years in excess of 7 years would be deemed a disposal under this Act.
- 6.2 However, there are exemptions and dispensations. Under the General Disposal Consent (Wales) 2003, where the asset to be disposed of has an 'undervalue' of less than £2million and the transfer helps to secure the promotion or improvement of the economic, social or environmental well-being of an area, the Council is able to transfer its land and buildings at 'less than best consideration', i.e. below market value.
- 6.3 The Council also has powers to support social well-being in its area pursuant to section 2 of the Local Government Act 2000.

**Background Papers:** None

### **Appendices:**

Appendix A: EIA Screening Form

Appendix B: Plans (Plot at Wychtree Street, Morriston; Corner plot at Gomer Road and Gors Avenue; Plot at Baptist Well Place and Baptist Well Street)

# Equality Impact Assessment Screening Form – Appendix A

Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact your directorate support officer or the Access to Services team (see guidance for details).

<b>Section 1</b>
Which service area and directorate are you from?
Service Area: Property Services
Directorate: Place

**Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?**

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**(b) Please name and describe below**

**Welsh Government Self Build Programme at Swansea Council**

To take part in the Welsh Government Self Build Wales scheme due to launch in Autumn 2019 - Self-Build- Wales is an exciting and highly innovative new scheme, supporting the increase in more affordable housing. This Welsh Government initiative tries to eliminate all the barriers to allow entry into the self-build market by providing a maximum 2 year loan from the Development Bank of Wales. There are no repayments on the loan until the house is completed and mortgaged. The new home cannot be rented or sold for a minimum of five years post completion and contractors must be approved by the Development Bank of Wales.

**Q2(a) WHAT DOES Q1a RELATE TO?**

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input type="checkbox"/> (H)	<input checked="" type="checkbox"/> (M)	<input type="checkbox"/> (L)

**(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?**

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input checked="" type="checkbox"/> (M)	<input type="checkbox"/> (L)

**Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...**

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group (18+) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers) →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion →	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Equality Impact Assessment Screening Form – Appendix A

**Q4 HAVE YOU / WILL YOU UNDERTAKE ANY PUBLIC CONSULTATION AND ENGAGEMENT RELATING TO THE INITIATIVE?**

- YES       NO      (If NO, you need to consider whether you should be undertaking consultation and engagement – please see the guidance)

If yes, please provide details below

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input checked="" type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input type="checkbox"/> (L)
--	---	--

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION?**  
(Consider the following impacts – legal, financial, political, media, public perception etc...)

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input checked="" type="checkbox"/> (L)
---	---	---

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

- Yes       No      If yes, please provide details below

Pilot will be supported by Property Services and Planning (both teams already on board)

**Q7 HOW DID YOU SCORE?**  
Please tick the relevant box

MOSTLY H and/or M → HIGH PRIORITY →  EIA to be completed  
Please go to Section 2

MOSTLY L → LOW PRIORITY / NOT RELEVANT →  Do not complete EIA  
Please go to Q8 followed by Section 2

**Q8 If you determine that this initiative is not relevant for a full EIA report, you must provide adequate explanation below. In relation to the Council's commitment to the UNCRC, your explanation must demonstrate that the initiative is designed / planned in the best interests of children (0-18 years). For Welsh language, we must maximise positive and minimise adverse effects on the language and its use. Your explanation must also show this where appropriate.**

It is not considered a full EIA report is required at this time as the intention is to trial two or three plots across the county as part of the Self Build Wales Scheme. Once these have been decided upon, the relevant planning consent etc would be required for each and this would follow an already approved process of consultation.

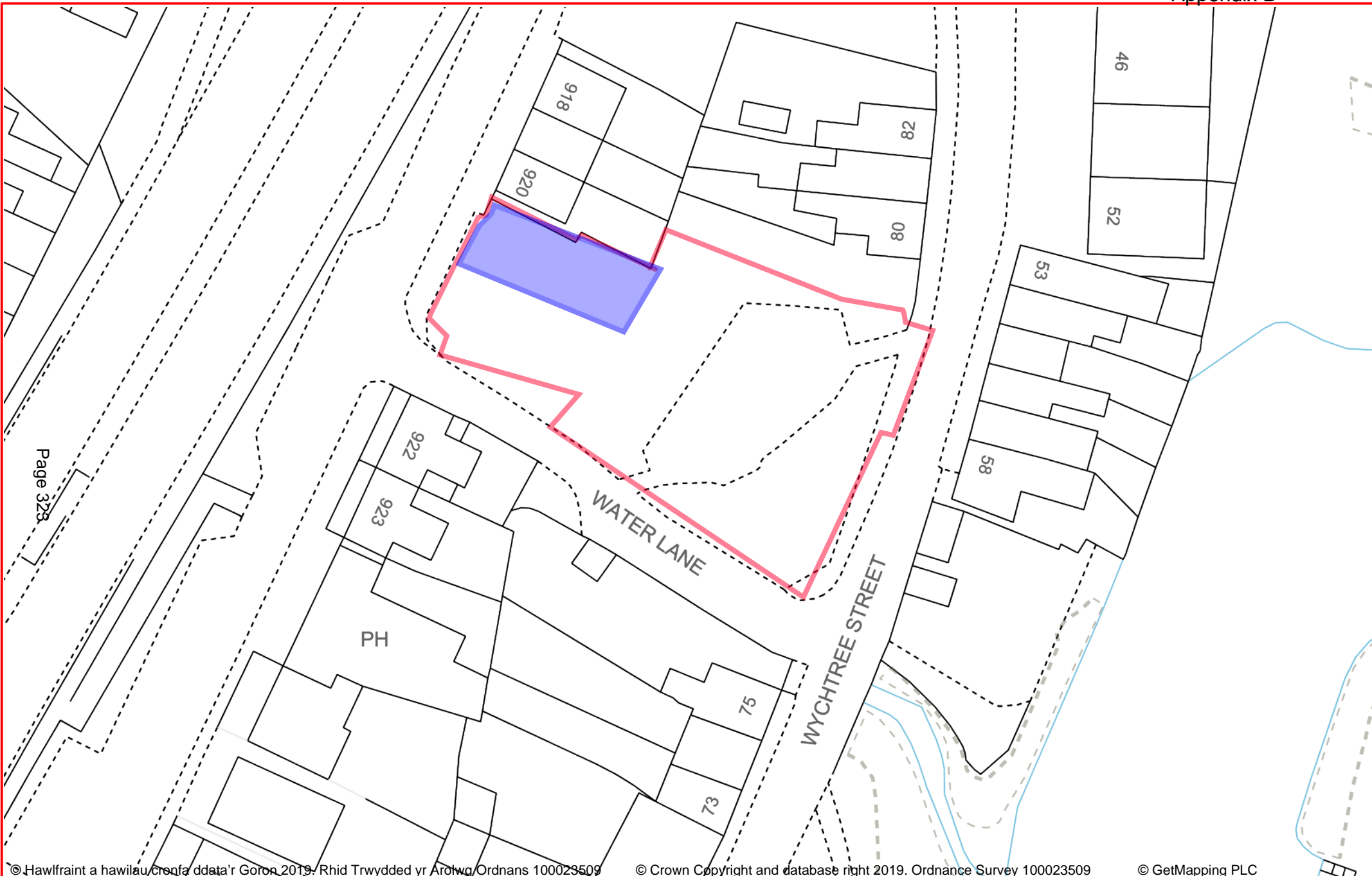
# Equality Impact Assessment Screening Form – Appendix A

## Section 2

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

Screening completed by:
Name: Geoff Bacon
Job title: Head of Property Services
Date: 5 <sup>th</sup> August 2019
Approval by Head of Service:
Name: Geoff Bacon
Job title: Head of Property Services
Date: 5 <sup>th</sup> August 2019

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



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© GetMapping PLC



This plan is for illustrative purposes only and should not be used as a legal document.

Potential Plot at Wychtree Street Morryston

Scale: 1:500  
 Date: 13/03/2019  
 Created by: Sian.Jones2



© Hawfrainf a hawilau cronfa ddata'r Goron 2019. Rhid Trwydded yf Arolwg Ordnans 100023509

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© GetMapping PLC



Cyngor **Abertawe**  
**Swansea** Council

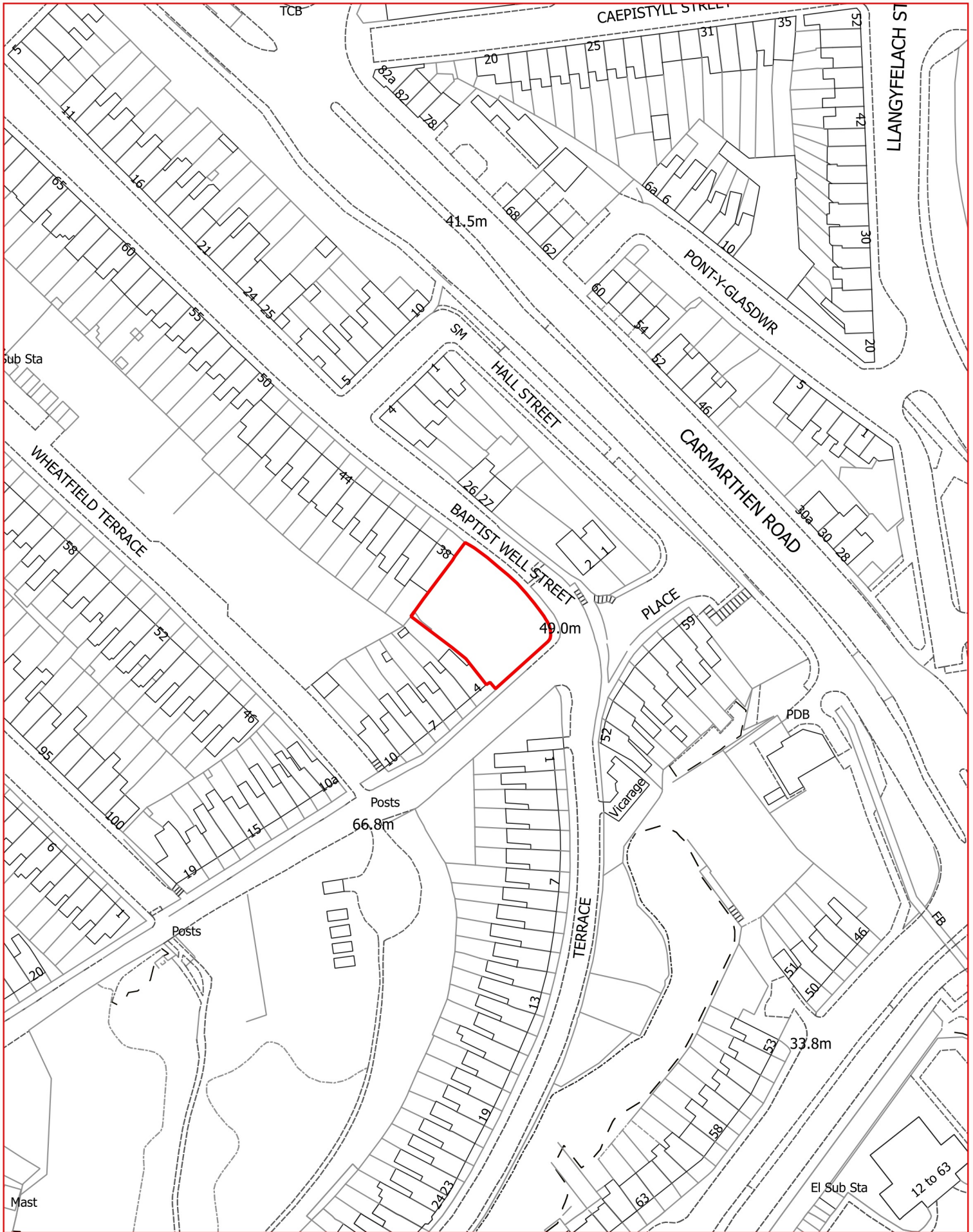
This plan is for illustrative purposes only and should not be used as a legal document.

Potential Plot Corner at Gomer Road / Gors Avenue

Scale: 1:1250

Date: 13/03/2019

Created by: Sian.Jones2



# Agenda Item 17.



## Report of the Leader

Cabinet - 19 September 2019

### Swansea Bay City Region - Amendments to Joint Committee Agreement

<b>Purpose:</b>	To approve the amendments to the Swansea Bay City Region Joint Committee Agreement
<b>Policy Framework:</b>	Swansea Bay City Region Joint Committee Agreement July 2018
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Agrees the amendments to the Swansea Bay City Region Joint Committee Agreement as attached at Appendix B  2) Authorises the Chief Legal Officer/Monitoring Officer to enter into a deed of variation to effect the changes to the Joint Committee Agreement and grant delegated authority to the Chief Executive in consultation with the Leader to make any minor amendments to the Agreement as are required and agreed between the partner Authorities.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Agreement for the Establishment of a Joint Committee for the Swansea Bay City Region together with governance arrangements was endorsed by all four regional Councils in July 2018.



## **2. Swansea Bay City Deal Reviews**

- 2.1 In December 2018 the UK and Welsh Governments announced that an independent review would be carried out into the Swansea Bay City Deal. The Review by Actica Consulting Ltd dated 26 February 2019 made recommendations to improve the deliverability of the outcomes of the Deal and those recommendations were considered by the Joint Committee on 28 March 2019.
- 2.2 On 14 December 2018 the Joint Committee commissioned an internal review into the governance arrangements with Pembrokeshire County Council leading on the review with support from senior auditors. Terms of Reference for the review were agreed and the review report from the Internal Review team was considered by the Joint Committee on 28 March 2019.
- 2.3 Having considered both reviews the Joint Committee at their meeting on 28 March 2019 resolved that all recommendations be accepted and implemented. As a consequence amendments were needed to be made to the Joint Committee Agreement to reflect governance changes.

## **3. Proposed Changes to Governance Arrangements**

- 3.1 With a view to assisting the Council attached at Appendix 1 is a Schedule setting out the recommendations of both reviews and the associated amendments to the Joint Committee Agreement. The amendments were reported to and approved by the Joint Committee on 30 July 2019. An amended and tracked change Joint Committee Agreement is attached at Appendix 2.
- 3.2 The main change is at Clause 6 which amends the Agreement to reflect the proposed appointment of an independent Programme Director and to replace the Regional Office with a Portfolio Management Office. The Programme Director is to report to and be directly accountable to the Joint Committee. The Job Description for the Programme Director is included within Schedule 14 and the role of the Portfolio Management Office will be included upon the appointment of the Programme Director.
- 3.3 Clause 6.2 sets out the redistributed roles and functions which will act as a check and balance for the Swansea Bay City Deal governance arrangements. Council will note that Swansea Council have taken over the Monitoring Officer and Democratic Functions with Scrutiny remaining with Neath Port Talbot Council, Audit with Pembrokeshire Council and Carmarthenshire Council having the Accountable Body and s 151 officer functions.
- 3.4 Additional duties of the Accountable Body have been inserted at Clause 7. Clause 7.1(g) adds to the duties of the Accountable Body by including a duty to report to the Joint Committee on a quarterly basis detailing the amount of grant monies and council contributions received, how allocated

and distributed and details of any internal charges. Clause 7.1(l) provides that the Accountable Body costs must be reported to the Joint Committee before the commencement of each financial year for agreement.

- 3.5 Clause 9.3 is a standard indemnity clause which has been added as the Programme Director is directly accountable to the Joint Committee although will be an employee of Carmarthenshire County Council.
- 3.6 Clause 12 sets out the process for funding projects and includes a change to clause 12(g) which sets out the role of the Economic Strategy Board in the process. In line with the recommendations of the Internal Review reference is made to the new terms of reference of the Economic Strategy Board which is found at Schedule 6. In addition Clause 12.9 provides that the process for funding projects should take no longer than 6 calendar months.
- 3.7 Clause 19.4 has been amended to include reference to top slicing for clarity.
- 3.8 The Terms of Reference of the Joint Committee at Schedule 1 have been amended to include additional functions namely:
- consideration and approval of project business cases
  - agreeing internal recharges
  - consideration of Joint Scrutiny recommendations
  - oversee and manage the Programme Director
  - approving any Programme Director reports

Clause 5 – Voting has also been amended to include casting vote of vice chair in event the Chair is absent.

- 3.9 The quorate for the Joint Committee is 3 of the 4 councils.
- 3.10 Schedule 2 relating to the Programme Board has been amended to include the additional role of ensuring that the Programme Director and Portfolio Management Office undertakes a detailed analysis of the financial viability, deliverability and risk to the programme of the business cases prior to their being submitted to the Joint Committee.
- 3.11 The Internal Review focuses on the role of the Economic Strategy Board. As a result of the Review the purpose of the Economic Strategy Board has been amended at Schedule 6 to include:
- oversight of business case production
  - consideration of regional added value
  - identification of opportunities for investment
  - production of a summary report of issues considered by the Economic Strategy Board to be annexed to the submission of any business cases.
- 3.12 Also in line with the Review, recommendations to limit the membership to the private sector, the membership has been amended to delete the higher

education/further education and life sciences/well-being representatives and Leaders of the Councils. This should enable focus to be on consideration of the commercial case and identification of investment opportunities.

- 3.13 The terms of reference at Schedule 12 of the Joint Scrutiny Committee do not provide for scrutiny of individual Authorities projects'. The Internal Review commented that this detracts from the Regional approach of the Swansea Bay City Deal. Therefore Clause 2.2 has been amended to provide that where there is potential to impact materially on the overall portfolio of the City Deal projects and the constituent scrutiny committee agrees then the matter may be considered by the Joint Scrutiny Committee.

#### **4. Deed of Variation**

- 4.1 It has been agreed by the Monitoring Officers of all 4 Constituent Councils that a Deed of Variation will need to be signed to reflect the agreed changes to the Joint Committee Agreement.

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

- 5.1 The Council is subject to the Public Sector Equality Duty (Wales) and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - Advance equality of opportunity between people who share a protected characteristic and those who do not
  - Foster good relations between people who share a protected characteristic and those who do not
- 5.2 The Equality Impact Assessment process ensures that we have paid due regard to the above. An EIA screening form was completed with an outcome indicating that a full EIA is not required due to the fact that the recommendation relates to amendments to a legal agreement.

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

- 6.1 The budget for the administrative support function is a mix of partnership contributions and top slicing from Government grant.

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

- 7.1 The amendments to the Joint Committee Agreement will be agreed by each of the 4 constituent Councils. Thereafter a Deed of Variation will be entered into reflecting the changes to the governance arrangements and the Joint Committee Agreement as attached.

**Background Papers:**

- Actica Consulting Review dated 26 February 2019
- Internal Review dated March 2019

**Appendices:**

- Appendix 1**      Schedule of Review recommendations and amendments to the Agreement
- Appendix 2**      Track Changed Joint Committee Agreement

**Internal Review Team Recommendations**

	<b>Internal Audit Recommendations</b>	<b>Amendment to Joint Committee Agreement</b>
1	Redistribution of roles and functions to ensure an equitable balance across the SBCD Partnership, each acting as a check and balance for the other	<p>This balance of functions and responsibilities recommendation is incorporated into the new JCA</p> <p><b>Para 6.2</b> – sets out roles/functions of key posts and where they are held. Key to redistributing responsibility the JCA sets out that:  MO + Dem Services – Swansea  Accountable Body + S 151 - Carmarthenshire  Joint Scrutiny – Neath Port Talbot  Audit – Pembrokeshire</p> <p><b>Para 7</b> – bolsters the responsibilities of the AB by the insertion of:</p> <ul style="list-style-type: none"> <li>• <b>Para 7.1 (g)</b> which provides that the AB will report quarterly on amount of grant monies received, how those monies have been allocated to specific projects and details of any internal recharges made; and</li> <li>• <b>Para 7.1(k)</b> which provides that the AB will cooperate with any reasonable request from a council hosting a specific function ie scrutiny.</li> </ul>
2	Appointment of an independent Programme Director, securing the independence of the Lead Officer responsible for the Regional Office with a direct reporting line to the Joint Committee. Reconsideration of the funding arrangement for the RO could enable the associated costs to be contained within existing commitments	<p>The JC has agreed to create an independent role of Programme Director with a direct report to the JC  The Interpretation section of the JCA sets out the role</p> <p><b>Para 6.7</b> provides for the AB employing a Programme Director (following an appointment process by a Joint Appointment Committee)</p> <p><b>Para 9.1</b> reflects the Programme Director reporting to and being directly accountable to the JC and having responsibility for the day to day management of the SBCD</p> <p><b>Para 9.3</b> is an indemnity clause addition to the JCA reflecting the direct report/accountability to the JC whilst being employed by CCC.</p>
3	Contingency plans if Government funding is withdrawn at a later date	This is not reflected in any amendment to the JCA. This is a responsibility of the JC and Programme Director/Portfolio Management Office (PMO) who should consider and document the contingency plans in place.
4	The Local approach to delivery of SBCD needs to take account of the	See <b>para 6.2</b> redistribution of responsibilities across the authorities

	interdependencies across the Programme	
5	Implementation plan revised so that delivery is prioritised and approved by the Joint Committee.	<p><b>Para 12</b> of the JCA sets out the process for funding projects. The audit report reflects that the process is not being followed.</p> <p>The JCA has been amended at Para 12 to allow both the Programme Director and the PMO responsibility for compliance.</p> <p><b>Para 12.3</b> provides that if the Programme Director is not satisfied with the quality of the business case it can be returned to the Project Authority Lead</p> <p><b>Para 12.9</b> sets out that the approval process should take no longer than 6 months.</p>
6	<p>Consideration of:</p> <ul style="list-style-type: none"> <li>• Agreed risk appetite of the Partnership and risk management methodology;</li> <li>• Establishing the ethical values and framework;</li> <li>• Counter fraud, corruption &amp; bribery procedures;</li> <li>• Due diligence and anti-money laundering arrangements;</li> <li>• 4Programme/project management methodology; and</li> <li>• Overarching record of declarations of interest and offers of gifts and hospitality by all Officers and Members. (refer to 3.1, 3.6 and 3.11)</li> </ul>	This is an operational matter for the PMO and is reflected in <b>para 9</b> of the JCA and will be added to <b>Schedule 15</b> and will be included in the Programme Directors responsibilities.
7	Approach to UK & WG to reconsider the process to eliminate disproportionate effort by all parties and to ensure that focus is on the deliverability of outcomes and not only on the standard of written documents.	This sits outside the JCA but will be a focus for the Programme Director and PMO.
8	Programme Board, Economic Strategy Board (ESB) and Joint Committee should receive written assurance (in a format to be agreed) that each business case submitted for approval has	This is not reflected in the JCA but will be a focus for the Programme Director and PMO.

	been subject to the required checks and process as defined within the JCA, including approval by the Lead Local Authority.	
9	Regional Office, in its capacity as the SBCD Delivery Team should undertake detailed checks prior to entering into the iterative process or submitting to Programme Board and ESB, to ensure compliance with standard operating principles/values and provide an overview of the outcome of these checks, in order to provide independent assurance to the Programme Board and Joint Committee.	The RO is now the PMO. See changes to para 12 as set out above. See also changes to <b>Schedule 2</b> Programme Board <b>para 2.1 (e)</b> which supplements the responsibility of Programme Board to ensuring that the Programme Director and PMO have undertaken a detailed analysis of the viability of business cases prior to submission to JC.
10	Programme Board needs to undertake detailed analysis of the financial viability, deliverability and risks to the project. The Programme Board should have detailed knowledge of the business cases and the feedback from UK & Welsh Government to ensure that business cases are of the standard and quality to be submitted for approval to Joint Committee. Current membership includes the Chief Executives of the four Local Authorities: this may be too onerous a commitment for the Chief Executives. Consideration should be given to the most suitable level of Management to commit to Programme Board (possibly Director or appropriate Head of Service ), consideration should be given to including a Section 151 Officer to provide financial scrutiny and challenge and appearance of lead project officers to present the case.	<p><b>Para 10.1</b> already provides for attendance by Chief Executive or their representatives.</p> <p><b>Schedule 2 Para 2.1 (e)</b> places responsibility on the Programme Board to ensure that the Programme Director and PMO have undertaken a detailed analysis of the business cases prior to submission to the JC.</p> <p>There is an addition to the JCA at <b>Schedule 2 Para 5.2</b> which provides that the s 151 officer, the MO and Project Director may attend the Programme Board for the purposes of provision of advice in relation to their role above.</p>

1 1	<p>The ESB membership needs to be streamlined to enable a well functioning commercially minded appraisal function that is focused on identifying further opportunities for the Region and attracting inward investment. Current membership includes the Leaders of the four Local Authorities, which seems impractical given the ESB report to the Joint Committee. Consideration should be given to limiting membership of the ESB to the Private Sector, supported by Life Science &amp; Wellbeing and Further/Higher Education representatives, and the Regional Office Lead. There is an opportunity for the ESB to provide UK &amp; WG with the confidence that is currently lacking around the commercial case; consideration could be given to including a summary report from the ESB with the Full Business Case submission.</p>	<p>The purpose of the ESB has been amended at <b>Schedule 6 para 1.1</b> of the JCA to include oversight of business case production, consideration of regional added value and investment opportunities. The JCA also includes a covering brief of issues considered by the ESB to be attached to the Business case.</p> <p><b>Para 3</b> – membership has been amended to remove the Leaders as the audit review felt that this did not add value.</p> <p><b>Para 3</b> has also removed the higher education/life science/well-being reps to allow the ESB to focus on provision of private sector insight and advice.</p>
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### **Actica Recommendations**

	Actica Recommendations	Commentary
1	<p>Pre-Scrutiny should be encouraged but direct and regular face to face contact between those writing the Business' Cases and those providing comment upon them and advising those who will grant approval is essential</p>	<p>This recommendation does not relate to any Joint scrutiny function. It relates to the lack of good practice around incomplete business case approval and the need for an authoritative tier of assurance and support by a Portfolio Management Office. Save that the Portfolio Management Office is reflected in the JCA and the role and function will form schedule 15 to be drafted by the PD.</p>
2	<p>Regional Office should be designated as a Portfolio Management Office, leavening their skills with experience specialists</p>	<p>The creation of the Portfolio Management Office is reflected in <b>Para 9</b> of the JCA. The composition of the PMO is a matter for the PD and JC.</p>
3	<p>City Team should put in place a best practice Integrated Assurance and Approval Plan for the Portfolio.</p>	<p>This falls outside the remit of the JCA.</p>



4	Each SBCD board should consider the terms of reference and ways of working to ensure they are working as intended.	The JCA reflects amendments to the terms of reference for JC, PB and ESB.
5	Portfolio director should be appointed before May 2019 to ensure continuity of the SBCD	This is being progressed by the creation of a Joint Appointment Committee with a view to all Leaders being involved in the appointment process.
6	SBCD should be managed as a Portfolio not as a set of predetermined and immutable projects	The JCA reflects the creation of the Portfolio Management Office.
7	Yr Egin and Swansea Waterfront – reach a swift conclusion to ensure that funding flow is met	This falls outside of the JCA

**DATED**

**2018**

**(1) CARMARTHENSHIRE COUNTY COUNCIL**

**and**

**(2) NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

**(3) PEMBROKESHIRE COUNTY COUNCIL**

**(4) THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA**

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**AGREEMENT FOR THE ESTABLISHMENT OF A JOINT COMMITTEE FOR THE  
SWANSEA BAY CITY REGION**

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THIS AGREEMENT IS MADE ON

2018

**BETWEEN:**

- (1) **Carmarthenshire County Council of County Hall**, Carmarthen, Carmarthenshire SA31 1JP (“Carmarthenshire”); and
- (2) **Neath Port Talbot County Borough Council** of Port Talbot Civic Centre, Port Talbot SA13 1PJ (“Neath”); and
- (3) **Pembrokeshire County Council** of County Hall, Haverfordwest, Pembrokeshire SA61 1TP
- (4) **The Council of the City and County of Swansea** of Civic Centre, Oystermouth Road, Swansea SA1 3SN

(together referred to as “the Councils”)

**WHEREAS:**

- (A) The Councils have agreed to work together in order to discharge their obligations to one another, the Welsh Government and the United Kingdom Government (“UK Government”) to promote and facilitate projects funded under the Swansea Bay City Deal in order to further the growth of the Swansea Bay City Region which comprises the areas of the Councils.
- (B) The Councils have accordingly agreed to enter into this Agreement to document and regulate their respective rights and obligations to each other and to enable the Councils to work together to establish and to participate in a joint committee.
- (C) The Councils have agreed heads of terms with the UK Government and the Welsh Government which set out the key elements of the Swansea Bay City Deal the investment themes and the governance arrangements which the UK Government and the Welsh Government expect the Councils to apply to the Swansea Bay City Deal.
- (D) The Councils acknowledge that the Government Funding of £241 million shall be provided to the projects in the Swansea Bay City Deal for a 15 year period from the Commencement Date and shall be paid by the Welsh Government to the Accountable Body.
- (E) The Welsh Government has agreed to allow the Swansea Bay City Region to retain 50% of the additional yield in non-domestic rates generated by the projects in the Swansea Bay City Region and has agreed to support the Councils in enabling them to fund revenue costs of the Swansea Bay City Deal projects. This support will be provided by allowing Councils to utilise the flexibility in the funding methods provided by the Guidance on the Flexible Use of Capital Receipts and reserves (documents appended at Schedule 11)
- (F) The Councils acknowledge that the Accountable Body may pay the Government Funding to the Delivery Lead or the Project Authority Lead as appropriate for the relevant project in the Swansea Bay City Deal.

- (G) The Councils acknowledge that the Government Funding is subject to the following conditions: entry into this Agreement by the Councils; satisfying the Government Reviews; further Funding Conditions approved by the Councils; and approval of the Implementation Plan.
- (H) The Councils acknowledge that the Regional Learning and Skills Partnership for South West and Mid Wales shall have a central role to play in leading on the strategic approach to the delivery of employment and skills in the region.

**IT IS AGREED AS FOLLOWS:**

**1. Interpretation**

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

**“Accountable Body”** the Council appointed under clause 6.1 of this Agreement who shall be responsible for receiving and distributing funds for and on behalf of the Councils in relation to the Swansea Bay City Deal and whose duties are set out in clause 7;

**“Accountable Body Costs”** the operational and management costs incurred by the Accountable Body in carrying out its role of Accountable Body;

**“Accounting Period”** those periods set out in 0 as may be amended from time to time in accordance with the terms of this Agreement;

**“this Agreement”** this agreement entered into by Carmarthenshire County Council, Neath Port Talbot County Borough Council, Pembrokeshire County Council and the Council of the City and County of Swansea ;

**“Allocated Sum”** the funding allocated to a project in the Swansea Bay City Deal as recorded in its Project Business Case and in Schedule 7 to this Agreement subject to approval of the Project Business Case

**“Annual Costs Budget”** the approved annual costs budget held by the Portfolio Management Office for and on behalf of the Councils in relation to the payment of any Accountable Body Costs, Economic Strategy Board Costs, Joint Committee Costs (including Joint Scrutiny Committee Costs, Programme Board Costs and Portfolio Management Office Costs) in accordance with this Agreement;

**“Applicable Law”** means all applicable laws, statutes, regulations, regulatory requirements, guidance and codes of practice in any relevant jurisdiction as amended,

	updated or replaced from time to time, including the Data Protection Laws;
<b>“Business Day”</b>	any day other than a Saturday or Sunday or a public or bank holiday in Wales;
<b>“Commencement Date”</b>	the date of this Agreement;
<b>“Conditions Longstop Date”</b>	the date agreed by the Joint Committee by when the Funding Conditions must be agreed by the Councils;
<b>“Confidential Information”</b>	all know-how and other information relating to the business, affairs or methods of all or any Council and any other participant in the Swansea Bay City Deal and any applicant for funding from the Swansea Bay City Deal, which is contained in or discernible in any form whatsoever (including without limitation software, data, drawings, films, documents and computer-readable media) whether or not marked or designated as confidential or proprietary or which is disclosed orally or by demonstration and which is described at the time of disclosure as confidential or is clearly so from its content or the context of disclosure;
<b>“Co-opted Body”</b>	a body from which a representative is co-opted as a non-voting member of the Joint Committee in accordance with Schedule 1;
<b>“Co-opted Member Protocol”</b>	the protocol agreed by the Councils specifying the standard of conduct required of co-opted members of the Joint Committee;
<b>“Council Contribution”</b>	the funding provided by each Council to the Annual Budget Costs as set out in clause 19;
<b>“Councils”</b>	Carmarthenshire County Council, Neath Port Talbot County Borough Council, Pembrokeshire County Council and the Council of the City and County of Swansea and “Council” shall be construed accordingly;
<b>“Councils’ Obligations”</b>	the obligations set out in clause 3;
<b>“DPA”</b>	the Data Protection Act <a href="#">2018</a> ;
<b>“DP Regulator”</b>	any governmental or regulatory body or authority with responsibility for monitoring or enforcing compliance with the Data Protection Laws;
<b>“Data”</b>	any data, document, code, information, Personal Data in connection with this Agreement;
<b>“Data Incident”</b>	the reasonable suspicion of, discovery by, or notice to a party that (a) Data has been or is likely to be accessed or obtained by an unauthorised person; or (b) a party’s systems have been or are likely to be compromised or

vulnerable; or a person has threatened the unauthorised access to or obtaining of any Data;

<b>“Data Protection Laws”</b>	any applicable laws and regulations in any relevant jurisdiction relating to privacy or the use or processing of Personal Data relating to natural persons, including: (a) EU Directives 95/46/EC and 2002/58/EC (as amended by 2009/139/EC) and any legislation implementing or made pursuant to such directives, including the Data Protection Act <a href="#">2018</a> (the <b>“DPA”</b> ) and the Privacy and Electronic Communications (EC Directive) Regulations 2003; and (b) from 25 May 2018 EU Regulation 2016/679 ( <b>“GDPR”</b> ); (c) <a href="#">the DPA</a> (d) the Regulation of Investigatory Powers Act 2000 and the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000;
<b>“Data Subject”</b>	shall have the meanings set out in the DPA;
<b>“Delivery Lead”</b>	the organisation responsible for the preparation and submission of the Project Business Case for and delivery of each project as set out in the Implementation Plan;
<b>“Economic Strategy Board”</b>	the board established in accordance with clause 17 and Schedule 6;
<b>“Economic Strategy Board Costs”</b>	the operational and management costs of the Economic Strategy Board;
<b>“FOI Legislation”</b>	the Freedom of Information Act 2000 and subordinate legislation made under this and the Environmental Information Regulations 2004
<b>“Funding Conditions”</b>	any conditions imposed by the UK Government or the Welsh Government for the release of the Government Funding to be signed by the Accountable Body;
<b>“Government Funding”</b>	funding of £241 million to be made available to the Swansea Bay City Deal from the UK Government and the Welsh Government consisting of £115.6 million from the UK Government and £125.4 million from the Welsh Government;
<b>“Government Review”</b>	an examination carried out by the UK Government and Welsh Government jointly once a year of projects in the Swansea Bay City Deal in order to assess the progress and likelihood of the Councils’ successful delivery of the Swansea Bay City Deal such reviews to take place no more than once in each calendar year during the currency of this Agreement;
<b>“IP Material”</b>	the Intellectual Property in the Material;



<b>“Implementation Plan”</b>	the implementation plan agreed by the Joint Committee setting out the activities that shall support the delivery of the Swansea Bay City Deal;
<b>“Intellectual Property”</b>	patents, rights to inventions, copyright and related rights, trade-marks, trade names and domain names, rights in get-up, rights in goodwill or to sue for passing off, rights in designs, rights in computer software, database rights, rights in confidential information (including know-how and trade secrets), and any other intellectual property rights, in each case whether registered or unregistered and including all applications (or rights to apply) for, and renewals or extensions of, such rights and all similar or equivalent rights or forms of protection which may now or in the future subsist in any part of the world;
<b>“Internal Costs”</b>	the costs associated with each Council providing internal Council resources in relation to the Swansea Bay City Deal which includes but is not limited to: staffing costs and associated overheads; project management; technical and administrative support; communications; costs incurred in respect of managing Requests for Information;
<b><u>“Joint Appointment Committee”</u></b>	<u>a joint appointment committee established by the Councils and comprising the leaders of each Council and non executive members as agreed with the purpose of undertaking a selection process for the Programme Director and any other post as specified by the Joint Committee;</u>
<b>“Joint Committee”</b>	a committee of elected members from the Councils which shall be responsible for ensuring and overseeing the delivery of the functions set out in Schedule 1 (Terms of Reference of the Joint Committee) with a view to securing their more efficient, economical and effective discharge;
<b>“Joint Committee Costs”</b>	the operational and management costs of the Joint Committee;
<b>“Joint Committee Meeting”</b>	a meeting of the Joint Committee;
<b>“Joint Committee Withdrawal Notice”</b>	a notice issued by one of the Councils in accordance with clause 22 to give notice of its withdrawal from the Swansea Bay City Deal and this Agreement;
<b>“Joint Scrutiny Committee Costs”</b>	the operational and management costs of the Joint Scrutiny Committee
<b>“Local Authority”</b>	a principal council as defined in section 270 of the Local Government Act 1972 or any body established as a successor of a principal council;

<b>“Material”</b>	all data, text, graphics, images and other materials or documents created, used or supplied by a Council in connection with this Agreement unless before the first use or supply the Council notifies the other Councils that the data, text supplied is not to be covered by this definition;
<b>“Personal Data”</b>	shall have the meanings set out in the DPA and shall also include “Personal Information” classified as “personal information” or “personally identifiable information” or similar term under the Applicable Law governing a person’s processing of personal information about an individual;
<b>“Powers”</b>	<p>the powers of Welsh local authorities under:</p> <p>(i) 101, 102, 111, 112 and 113 of the Local Government Act 1972 and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts to make arrangements to discharge functions jointly and to employ staff and place them at the disposal of other local authorities;</p> <p>(ii) the powers in section 9 of the Local Government (Wales) Measure 2009 to collaborate;</p> <p>(iii) the well-being power in section 2 of the Local Government Act 2000;</p> <p>(iv) the incidental powers in section 111 of the Local Government Act 1972;</p> <p>(v) the powers in section 1 of the Local Authorities (Goods and Services) Act 1970 and section 25 of the Local Government (Wales) Act 1994 to provide services;</p> <p>(vi) all other powers them so enabling;</p>
<b>“PR Protocol”</b>	a protocol agreed by the Councils for the release of public statements and press releases relating to the Swansea Bay City Region
<b>“Programme Board”</b>	the board established in accordance with clause 16 and Schedule 2 for the purpose of implementing the Swansea Bay City Deal and the Councils’ obligations in relation to the Swansea Bay City Deal;
<b>“Programme Board Costs”</b>	the operational and management costs of the Programme Board;
<b><u>Programme Director</u></b>	<u>the regional post to be appointed in accordance with clause 6 and Schedule 14;</u>

<b>“Project Authority Lead”</b>	the Council responsible for the Government Funding element of funding for each project as set out in clause 12 and the Implementation Plan
<b>“Project Business Case”</b>	a document setting out details of a project proposed for inclusion in the Swansea Bay City Deal and explaining why it should be included in the Swansea Bay City Deal;
<b>“Project Conditions”</b>	the project funding conditions proposed by the Welsh Government or the UK Government for each project as referred to in clause 12;
<b>“<u>Portfolio Management Office</u>”</b>	<a href="#">the portfolio management office</a> established by the Councils to manage the Swansea Bay City Deal <a href="#">the duties of which are set out in Schedule 15</a> ;
<b>“<u>Portfolio Management Office Costs</u>”</b>	the operational and management costs of the <a href="#">Portfolio Management Office</a> ;
<b>“<u>Portfolio Management Office Costs Budget</u>”</b>	the budget for the <a href="#">Portfolio Management Office Costs</a> ;
<b>“Regional Project”</b>	a project located in the area of more than one of the Councils;
<b>“Regional Project Delivery Lead”</b>	the organisation responsible for preparation and submission of the Project Business Case for and delivery of a Regional Project;
<b>“Resolution”</b>	a decision taken by or on behalf of one of the Councils in compliance with that Council’s constitution and scheme of delegation;
<b>“Shadow Board”</b>	a board of representatives of the Councils who took provisional decisions on matters relevant to the Swansea Bay City Deal before the establishment of the Joint Committee;
<b>“Swansea Bay City Deal”</b>	a programme supported by the UK Government and the Welsh Government and administered through the joint committee established in accordance with clause 4 of this Agreement to provide the Swansea Bay City Region and its partners with new ways of working and resources to unlock significant economic growth across the Swansea Bay City Region and with an opportunity to continue tackling the area’s barriers to economic growth through developing higher value sectors and higher value employment opportunities to match, increasing the number of businesses within these sectors to widen the economic base, and improving the region’s GVA level against the UK average;
<b>“Swansea Bay City Region”</b>	the administrative area covered by Carmarthenshire County Council, Neath Port Talbot County Borough

Council, Pembrokeshire County Council and City and County of Swansea Council for Local Authority services;

**“Withdrawing Council”**

a Council that has given notice of its intention to withdraw from the Swansea Bay City Deal and this agreement in accordance with clause 22

- 1.2 The headings are inserted for convenience only and shall not affect the construction of this Agreement.
- 1.3 Words importing one gender include all other genders and words importing the singular include the plural and vice versa.
- 1.4 A reference in this Agreement to any clause, paragraph or schedule is, except where it is expressly stated to the contrary, a reference to a clause or paragraph of or schedule to this Agreement.
- 1.5 Any reference to this Agreement or to any other document unless otherwise specified shall include any variation, amendment or supplements to such document expressly permitted by this Agreement or otherwise agreed in writing between the relevant parties.
- 1.6 Words preceding “include”, “includes”, “including” and “included” shall be construed without limitation by the words which follow those words unless inconsistent with the context, and the rule of interpretation known as “*eiusdem generis*” shall not apply.
- 1.7 Any reference to the title of an officer of any of the Councils shall include any person holding such office from time to time by the same or any title substituted thereafter or such other officer of the relevant Council as that Council may from time to time appoint to carry out the duties of the officer referred to.
- 1.8 The Schedules form part of this Agreement and shall have the same force and effect as if expressly set out in the body of this Agreement and references to this Agreement includes the Schedules.
- 1.9 References to “the parties” shall be to the parties to this Agreement.

**2. Commencement and Duration**

- 2.1 This Agreement shall commence on the Commencement Date and shall continue in force for fifteen years from the Commencement Date or until the earlier of the following dates:
  - (a) The condition subsequent set out in clause 2.2 (Condition Subsequent) is not satisfied or otherwise waived in writing by the Councils prior to the Conditions Longstop Date;
  - (b) All the Councils agree in writing to its termination; or
  - (c) There is only one remaining Council which has not withdrawn from this Agreement in accordance with clause 22 (Withdrawal from this Agreement).

- 2.2 The Condition Subsequent is that the Councils shall have approved the Funding Conditions before the Conditions Longstop Date.

### 3. The Councils' Obligations

- 3.1 The Councils agree to work together to carry into effect the Swansea Bay City Deal pursuant to and in accordance with this Agreement.
- 3.2 To that end the Councils shall develop, agree and promote the Swansea Bay City Deal and (without prejudice to the generality of that obligation) shall comply with their duties as set out at clauses 7 (Duties of the Accountable Body) and 8 (Duties of the other Councils). This is subject to the fiduciary financial and legal duties of each Council.
- 3.3 Without prejudice to the specific terms of this Agreement, the Councils further agree that they shall conduct their relationship:
- (a) In accordance with the strategic aims of the Swansea Bay City Deal as follows:
    - (i) The Internet of Economic Acceleration.
    - (ii) The Internet of Life Science & Well-Being.
    - (iii) The Internet of Energy.
    - (iv) Smart Manufacturing.and
  - (b) In accordance with the following principles:
    - (i) Openness and trust: The Councils shall be open and trusting in their dealings with each other, make information and analysis available to each other, discuss and develop ideas openly and contribute fully to all aspects of making the joint working successful. The Councils shall embrace a commitment to transparency in their dealings and shall recognise the need to comply with statutory access to information requirements including FOI Legislation and supporting codes of practice.
    - (ii) Commitment and drive: The Councils shall be fully committed to working jointly, shall seek to fully motivate employees and shall address the challenges of delivering the Swansea Bay City Deal with enthusiasm and a determination to succeed.
    - (iii) Skills and creativity: The Councils recognise that each brings complementary skills and knowledge which they shall apply creatively to achieving the Councils' objectives, continuity, resolution of difficulties and the development of the joint working relationship and the personnel working within it. It is recognised that this shall involve the appreciation and adoption of common values.
    - (iv) Effective relationships: The roles and responsibilities of each Council shall be clear with relationships developed at the

appropriate levels within each organisation with direct and easy access to each other's representatives.

- (v) Developing and adaptive: The Councils recognise that they are engaged in a potentially long term business relationship which needs to develop and adapt and shall use reasonable endeavours to develop and maintain an effective joint process to ensure that the relationship develops appropriately and in line with these principles and objectives.
- (vi) Reputation and Standing: The Councils shall pay the utmost regard to the standing and reputation of one another, and act with regard to each Council's own employer and member codes of conduct and shall not do or fail to do anything which may bring the standing or reputation of any other Council into disrepute or attract adverse publicity to any other Council.
- (vii) Reasonableness of decision making: The Councils agree that all decisions made in relation to this Agreement and the Swansea Bay City Deal shall be made by them acting reasonably and in good faith.
- (viii) Members and Officers' Commitments: Each Council shall use its reasonable endeavours to procure that their respective members and officers who are involved in the Swansea Bay City Deal shall at all times act in the best interests of the Swansea Bay City Deal, and act compatibly with regard to each Council's own employer and member codes of conduct, devote sufficient resources to deliver the Swansea Bay City Deal and respond in a timely manner to all relevant requests from the other Councils.

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

- 4.1 In exercise of their Powers under sections 101(5) and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers the Councils hereby create a joint committee to be known as the Swansea Bay City Region Joint Committee with effect from the Commencement Date.
- 4.2 The Councils shall use their Powers in sections 101, 102, 111, 112 and 113 of the Local Government Act 1972, sections 2, 19 and 20 of the Local Government Act 2000, section 1 of the Local Authorities (Goods and Services) Act 1970, section 25 of the Local Government (Wales) Act 1994, section 9 of the Local Government (Wales) Measure 2009 and all other enabling powers available from time to time to facilitate their effective participation in the Joint Committee and the effective delivery of the Swansea Bay City Deal.
- 4.3 The terms of reference of the Joint Committee as at the date of signature of this Agreement are set out at Schedule 1 to this Agreement.
- 4.4 The Councils may from time to time vary the terms of reference of the Joint Committee and this shall be a matter reserved to the Councils. In the event that the Councils agree to vary the terms of reference of the Joint Committee they shall notify the Portfolio Management Office and the Portfolio Management Office shall arrange for Schedule 1 to this Agreement to be amended. The reservation to the Councils does not preclude the Joint

Committee from making recommendations to vary the terms of the reference where it considers they shall promote the Councils' Obligations.

- 4.5 The Joint Committee shall operate and conduct its business in accordance with the terms of this Agreement including the Terms of Reference of the Joint Committee as set out at Schedule 1 to this Agreement.
- 4.6 The Joint Committee shall not have power to approve any matter which has been reserved to the Councils as set out in 0 to this Agreement.
- 4.7 The Joint Committee may delegate functions to sub-committees and officers.
- 4.8 This Agreement is without prejudice to each Council's other powers and responsibilities for its area.

## 5. Arrangements for the discharge of functions

- 5.1 The Councils agree to use their powers under section 101(1) of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers to enter into arrangements under which the Joint Committee shall discharge on their behalf the functions set out in the terms of reference of the Joint Committee in Schedule 1 to this Agreement.
- 5.2 Each Council hereby represents and confirms to the other Councils that it has obtained all necessary consents sufficient to ensure the delegation of functions and responsibilities provided for by this Agreement.
- 5.3 Each Council warrants that entering into this Agreement and its participation in the Joint Committee is consistent with its own constitution.

## 6. Appointment of the Accountable Body

- 6.1 The Councils have agreed that with effect from the Commencement Date Carmarthenshire County Council shall act as the Accountable Body responsible for discharging the Councils' Obligations in relation to the Swansea Bay City Deal pursuant to and in accordance with this Agreement Carmarthenshire County Council shall act as the employer of the Portfolio Management | Office staff and Programme Director and shall have accountability for them. The Programme Director shall report to and be directly accountable to the Joint Committee.
- 6.2 The Joint Committee shall determine the appropriate functions under this Agreement in respect of the s151 officer, monitoring officer, democratic services, audit and scrutiny obligations as to whom such responsibilities shall lie with and shall notify the Welsh Government accordingly of this within 7 days of appointment. At the commencement of this Agreement responsibility for these functions are allocated as follows:-

Carmarthenshire County Council – Accountable Body and S.151 officer function

The Council of the City and County of Swansea – Monitoring Officer function and Democratic Services

Neath Port Talbot County Borough Council - Scrutiny function

Pembrokeshire County Council – Audit function

The Joint Committee shall give three months notice to all ~~Councils~~ Councils of any decision to change the responsibility for the functions set out in this clause.

6.16.3 If the Accountable Body defaults on any of the provisions of this Agreement and the Joint Committee decides that a replacement Accountable Body should be appointed or the Accountable Body withdraws pursuant to clause 22, then the Joint Committee shall appoint another Council as the Accountable Body with the consent of that Council such appointment to take effect when the withdrawal or termination takes effect or as soon as possible after that occurs.

6.26.4 If a replacement Accountable Body is appointed pursuant to clause 6.3 any reference to Carmarthenshire County Council in its capacity as the initial Accountable Body shall be read with reference to the replacement Accountable Body.

6.36.5 The Accountable Body shall act as the Accountable Body as set out in this Agreement and shall receive the Government Funding for and on behalf of the Councils and shall hold and manage such Government Funding in accordance with the terms of this Agreement. The Accountable Body shall receive the Councils' Contributions and shall hold and manage the Councils' Contributions in accordance with the terms of this Agreement.

6.6 If the Accountable Body is replaced as Accountable Body in accordance with clause 6.3 the Accountable Body shall comply with its duties in clause 7.2.

6.46.7 The Accountable Body (following an appointment a selection process agreed and undertaken by a joint appointments committee to be established by the Councils ) shall appoint a Programme Director on the employment terms and conditions of the Accountable Body to undertake the role identified in Schedule 14 of this Agreement who shall report at all times to the ~~Chair of the~~ Joint Committee and who shall oversee day to day operations of this Agreement and supervise the work of the Portfolio Management Office.

## **7. Duties of the Accountable Body**

7.1 The Accountable Body shall:

- (a) Act diligently and in good faith in all its dealings with the other Councils.
- (b) Act with reasonable skill and care and in accordance with best practice.
- (c) Act in accordance with the principles and strategic aims of this Agreement and any applicable policies agreed by the Joint Committee.



- (d) Comply with any investigation by any statutory ombudsman or tribunal relating to the Swansea Bay City Deal.
- (e) Act as the primary interface with Welsh Government, UK Government and any other funding bodies necessary to discharge the Councils' Obligations.
- ~~(f)~~ Hold and release any Government Funding in relation to the Swansea Bay City Deal and only to use and release such funds as agreed in accordance with the terms of such funding and this Agreement.
- ~~(f)~~~~(g)~~ Report to the Joint Committee on a quarterly basis detailing the amount of grant monies and Council contributions received to date, how those monies have been allocated to specific posts and projects and distributed to the relevant Councils and details of any internal recharges made to the Councils.
- ~~(g)~~~~(h)~~ Comply with the Funding Conditions.
- ~~(h)~~~~(i)~~ Undertake the accounting and auditing responsibilities set out in this Agreement.
- ~~(i)~~ Employ the Portfolio Management Office staff and Programme Director
- ~~(k)~~ Cooperate with any reasonable requests of the Councils that host the scrutiny, monitoring officer, democratic services and audit functions.
- ~~(l)~~~~(l)~~ Report to the Joint Committee on the proposed budget for the Accountable Body costs, Economic Strategy Board costs, Joint Committee costs, Joint Scrutiny costs, Programme Board costs and Portfolio Management Office costs before the commencement of each financial year for agreement.

7.2 If the Accountable Body is replaced as Accountable Body in accordance with clause 6.3 the Accountable Body shall take any action required by any or all of the other Councils to allow another of the Councils to take on the role of Accountable Body and to allow the other Councils to continue with this Agreement and the Swansea Bay City Deal. Without prejudice to the generality of the foregoing the Accountable Body shall promptly:

- (a) Transfer any information which it holds in its role as Accountable Body to any person or body to whom the Chair of the Joint Committee instructs it to transfer;
- (b) Co-operate with the other Councils to identify whether the Portfolio Management Office staff shall transfer to the replacement Accountable Body and shall promptly facilitate any such transfer unless otherwise agreed by the Councils;
- (c) Transfer any other assets which it holds in its role as Accountable Body to any person or body to whom the Chair of the Joint Committee instructs it to transfer;

## 8. Duties of the Other Councils

8.1 The Councils other than the Accountable Body shall act diligently and in good faith in all their dealings with the Accountable Body and shall assist the Accountable Body to discharge the Councils' obligations in relation to

the Swansea Bay City Deal pursuant to and in accordance with this Agreement and all applicable legislation.

8.2 It is acknowledged and agreed that the obligations and liabilities of each Council shall bind any successor authority in the event of any local government reorganisation.

## 9. **Portfolio Management Office and Programme Director**

9.1 The roles and functions of the Portfolio Management Office and Programme Director are set out in Schedules 14 and 15 of this Agreement. The Accountable Body shall establish a Portfolio Management Office and employ a Programme Director following a selection process agreed and to be agreed undertaken by the Joint Appointment Committee, to be responsible for the day to day management of matters relating to the Joint Committee and the Swansea Bay City Deal. The Programme Director shall report to and be directly accountable to the Joint Committee. The Portfolio Management Office shall have day to day responsibility for managing the identification assessment approval monitoring and evaluation processes for interventions and projects. The Programme Director or Portfolio Management Office shall deliver all administrative functions necessary to the implementation of the Swansea Bay City Deal. The Portfolio Management Office shall maintain a register of interests of co-opted members of the Joint Committee and the Economic Strategy Board. The Portfolio Management Office shall provide monitoring reports to the Joint Committee and to the Economic Strategy Board. Persons employed to work in the Portfolio Management Office shall be employed by the Accountable Body

9.2 The Accountable Body shall be responsible for accommodating the Portfolio Management Office in accordance with arrangements approved by the Joint Committee.

9.29.3 The Councils acknowledge that the Accountable Body has responsibilities as employer of the Programme Director and the Portfolio Management Office staff. The Councils further acknowledge that the Programme Manager reports directly to and receives instructions from the Joint Committee. The Councils agree to share equally the costs and expenses of any liabilities and any and all claims, actions, proceedings, demands, liabilities, arising or accruing in respect of or in connection with any act or omission of the Programme Director or Portfolio Management Office arising as a result of any instruction given by the Joint Committee or otherwise save where those liabilities arise as a result of a negligent act or omission of the Accountable Body. The Accountable Body indemnifies the other Councils from and against any liabilities and any and all claims, actions, proceedings, demands, liabilities, losses, costs and expenses arising or accruing as a result of the Accountable Body's said negligent act or omission.

## 10. **Implementation Plan**

10.1 The Joint Committee shall approve the Implementation Plan at its first meeting which complies with the provisions of clause 10.2 below. The Implementation Plan in order to be adopted must also be approved by the Welsh Government and the UK Government which may be given either before or after it is considered for adoption by the Joint Committee.

- 10.2 The Implementation Plan shall set out the high level activities that shall support the delivery of the Swansea Bay City Deal and shall include details of the nature of each of the projects, their outcomes and benefits, key tasks and the indicative timeline and interdependencies between the projects.
- 10.3 The Joint Committee shall review the Implementation Plan annually. The first review shall take place no later than one year after the approval of the Implementation Plan. Reviews in later years shall take place no later than one year after the previous review.

## 11. Projects Funded by The Swansea Bay City Deal

- 11.1 The Swansea Bay City Deal shall fund local and regional projects in the following themes:
- (a) Internet of Economic Acceleration.
  - (b) Internet of Life Science and Wellbeing.
  - (c) Internet of Energy.
  - (d) Smart Manufacturing.
- 11.2 Details of the allocation of Government Funding, private and public funding and local government contributions for each project are set out at 0.
- 11.3 The proportion of the Government Funding shall be in accordance with the details set out at 0 unless the Councils agree to vary this.

## 12. Processes for Funding Projects

- 12.1 The Delivery Lead for projects in the Swansea Bay City Deal shall be as set out in the Implementation Plan.
- 12.2 The Project Authority Lead for projects in the Swansea Bay City Deal shall be as set out in the Implementation Plan.
- 12.3 In order to receive funding from the Swansea Bay City Deal every project must observe the following procedure:
- (a) The Delivery Lead must submit a Project Business case to the [Portfolio Management](#) Office in accordance with the Implementation Plan. The Project Business case shall include a Resolution of the [relevant](#) Project Authority Lead and all Councils in whose area the project shall take place that they approve the submission of the Project Business case.
  - (b) If one or more of the Councils does not approve the Project Business Case for a Regional Project for submission to the UK Government and the Welsh Government the Regional Project shall be referred directly to the Joint Committee for the Joint Committee to decide whether:
    - (i) Additional time is to be allowed to address concerns of the particular Council; or
    - (ii) A revised Project Business Case is to be prepared omitting the Council which does not approve in which case a revised Project

Business Case shall be resubmitted and approved in accordance with this clause 12; or

- (iii) Whether a project is no longer viable and should no longer be progressed in which case clause 12.6 shall be followed.
- (c) All Project Business Cases for projects to be considered for funding from the Swansea Bay City Deal must meet the requirements of extant guidance from the UK and Welsh Governments which at the Commencement Date of this Agreement is guidance on the preparation of “five case business models” and accordingly every Project Business Case must include full details of:
- (i) The strategic case (strategic fit and clear investment objectives)
  - (ii) The economic case (optimising value for money)
  - (iii) The commercial case (attractiveness to the market and procurement arrangements)
  - (iv) The financial case (affordability – including the contributions to be made by other public and private sector partners and the basis for them); and
  - (v) The management case (deliverability – including confirmation of decisions made and required by the governance arrangements of third party funders of a project - and plans for delivery)
- (d) Upon receipt of a Project Business case the Portfolio Management Office shall assess the quality and financial profile of the Project Business Case and shall pass a copy of the Project Business Case to the UK Government and the Welsh Government to carry out their own assessments of the Project Business Case.
- (e) If the Programme Director is not satisfied with the quality of the Project Business Case (in accordance with the criteria agreed with the Joint Committee) it shall return the Project Business Case to the Delivery Lead and notify the Project Authority Lead. The Project Authority Lead shall request all Councils involved in the project to pass any resolutions necessary to agree to amendments of the Project Business Case. The Project Business Case shall be amended as necessary and resubmitted.
- (f) When the Portfolio Management Office is satisfied with the Project Business Case it shall send the Project Business Case to: the Programme Board with a request for the Programme Board to analyse the financial viability, deliverability and risk of the proposal and make a recommendation on whether or not the business case should proceed.
- (g) When the Portfolio Management Office has received a recommendation from the Programme Board it shall send the Project Business Case to the Economic Strategy Board ~~with a request for the Economic Strategy Board to assess the Project Business Case against the strategic aims and objectives of the Swansea Bay City Deal and make a recommendation on whether or not the Project Business Case should proceed. who will assess in line with their terms of reference set out in Schedule 6 including the production of a summary report to be annexed to the business case prior to submission to the Joint Committee.~~ The Economic Strategy Board

shall ~~make its recommendation to the Portfolio Management Regional Office report~~ within one month of receiving the Project Business case. In the absence of any ~~recommendation report~~ within such timescale the Portfolio Management Office shall be permitted to submit the recommendation ~~for from~~ the Programme Board to the Joint Committee for consideration.

- (h) The Portfolio Management Office shall submit the recommendations from the Programme Board and the Economic Strategy Board to the Joint Committee.
  - (i) The Joint Committee shall consider the Project Business Case and the recommendations of the Programme Board and the Economic Strategy Board and decide whether or not to approve the project for submission to the UK Government and the Welsh Government for approval by the UK Government and the Welsh Government for the release of Government Funding for the project
  - (j) If the Joint Committee approves a project for submission to the UK Government and the Welsh Government it shall request the Project Authority Lead and all Councils in whose areas the project shall take place consider and approve the Project Conditions proposed by the Welsh Government for the project. Upon approval of the Project Conditions the Joint Committee shall direct the Accountable Body to release the Government Funding for that element of the project.
  - (k) If the Joint Committee does not approve a project for submission to the UK Government and the Welsh Government or the Council or Councils in whose area the project shall take place does not approve the submission the Joint Committee shall inform the Portfolio Management Office and the Portfolio Management Office shall inform the Economic Strategy Board, the Programme Board, the Delivery Lead and the Project Authority Lead. The Joint Committee shall decide whether a revised Project Business Case shall be prepared or whether the project should no longer be progressed in which case the process in clause 12.6 shall be followed.
- 12.4 The Project Authority Lead shall be responsible for ensuring compliance with the Project Conditions imposed by the Welsh Government. Government Funding paid to any project must not exceed the amount allocated to the project in accordance with the Implementation Plan or as otherwise agreed by the Joint Committee.
- 12.5 If a Council wishes to withdraw from a project in the Swansea Bay City Deal, it shall do so in accordance with any funding agreement into which it has entered for the project and shall notify the Portfolio Management Office.
- 12.6 The Councils may agree to withdraw a project identified in the Implementation Plan and to replace it with another project or to change the Project Authority Lead for a project in the Implementation Plan in accordance with the following process as set out in Schedule 10 to this Agreement:
- (a) The Project Authority Lead responsible for the project which is to be withdrawn or given a change of Project Authority Lead must inform the Portfolio Management Office of the need for the project to be withdrawn or given a change of Project Authority Lead. If the Project Authority Lead informs the Portfolio Management Office of the need for a project to be

withdrawn the Project Authority Lead may propose a new project to take the place of the project to be withdrawn.

- (b) The Portfolio Management Office shall inform the Programme Board of the need for the project to be withdrawn or given a change of Project Authority Lead. The Portfolio Management Office shall also provide the Programme Board with details of any proposal for a new project from the Project Authority Lead which has informed the Portfolio Management Office of the need to withdraw a project in accordance with clause 12.6(a).
- (c) The Programme Board shall review the financial implications of the proposed withdrawal of a project or change of Project Authority Lead including consideration of abortive costs and any proposal for a new project in accordance with clause 12.6(a) and submit a report to the Economic Strategy Board.
- (d) The Economic Strategy Board shall consider the implications of the proposed withdrawal of a project or change of Project Authority Lead and any proposal for a new project in accordance with clause 12.6(a). The Economic Strategy Board shall provide recommendations to the Joint Committee on whether the new project proposed in accordance with clause 12.6(a) should replace the project to be withdrawn and if not the process for selecting new projects or reallocation of funding.
- (e) The Joint Committee shall consider the recommendations of the Economic Strategy Board and decide whether the new project proposed in accordance with clause 12.6(a) should replace the project to be withdrawn or whether there should be a bidding process for a new project for the Swansea Bay City Deal or reallocation of funding to another project in the Swansea Bay City Deal.
- (f) The Portfolio Management Office shall notify the Welsh Government and the UK Government of the decision of the Joint Committee and seek their approval for the release of Government Funding for the new project.
- (g) On receipt of the Welsh Government and UK Government approval the Portfolio Management Office shall, depending on the decision of the Joint Committee:
  - (i) Direct the Accountable Body to reallocate any funds in accordance with the Joint Committee decision to replace the project or reallocate and notify the relevant Project Authority Lead(s) and Delivery Lead(s); and/or
  - (ii) Commence a bidding process by inviting the Councils to submit strategic outline cases for Government Funding for replacement projects.
- (h) The Programme Board and the Economic Strategy Board shall assess the strategic outline cases and make recommendations to the Joint Committee as to which Councils should be invited to submit outline business cases in respect of which projects.
- (i) The Joint Committee shall consider the recommendations of the Programme Board and the Economic Strategy Board and may invite one or more of the Councils to submit outline business cases for replacement projects in the Swansea Bay City Deal.

- (j) The Joint Committee shall consider the outline business cases and may invite one or more of the Councils to submit full business cases for replacement projects in the Swansea Bay City Deal.
  - (k) If a Council submits a full business case for a replacement project in the Swansea Bay City Deal this shall be considered for funding from the Swansea Bay City Deal in accordance with the process set out in clauses 12.3(a) to 12.3(k).
- 12.7 A diagram representing the process for approving business cases is set out at 0.
- 12.8 Diagrams representing the process for the flow of finances to local projects and Regional Projects in the Swansea Bay City Deal are set out at 0. Funding shall be released from the Accountable Body on a project by project basis. Allocation shall be based on 1/15 of the Allocated Sum per project. No funding shall be released from the Accountable Body until the Project Business Case is approved. If project approval is delayed and funding not released in 2018/19 the release in future years shall be greater than the 1/15 allocated subject to the equivalent level of expenditure being incurred until funding is back in line with the 1/15 allocation. This profile shall be agreed with the Accountable Body when the Project Business Case is agreed with the Welsh Government.
- 12.9 It is intended that the process identified in clause 12.3 and 12.6 shall take no longer than six (6) calendar months.

### **13. Borrowing**

- 13.1 Each Council shall be responsible for borrowing to provide funding or otherwise securing funding for projects located in its own area.
- 13.2 The Councils may agree that borrowing for a Regional Project should be made by all the Councils equally or in proportions agreed by the Councils or that borrowing should be carried out by one Council on behalf of the other Councils if they so agree. The decisions as to whether borrowing for any project shall be carried out by one Council on behalf of the other Councils and the proportions shall be determined by the Councils as a matter reserved to the Councils.

### **14. Funding from other bodies**

- 14.1 If any body other than the Councils, the UK Government or the Welsh Government provides funding for a project funded by the Swansea Bay City Deal the Project Authority Lead may decide to enter into a funding agreement with the body providing funding or with the Delivery Lead.
- 14.2 If a project is located in the areas of more than one Council that project shall be regarded as a Regional Project. The Councils shall agree which Council may enter into a funding agreement with the body providing funding for a Regional Project or with the Regional Project Delivery Lead. This decision shall be a matter reserved to the Councils.
- 14.3 The retention of 50% of the additional net yield of non-domestic rates from projects in the Swansea Bay City Deal shall be applied across the Swansea Bay City Region proportionate to the Swansea Bay City Deal projects

subject to the method of ascertaining the proportions to be determined by the Joint Committee at the relevant time.

## **15. Sub-committees**

15.1 The Joint Committee shall establish the membership and terms of reference for any sub-committees or sub-groups which it establishes and may dissolve such sub-committees or sub-groups. Sub-committees to which the Joint Committee delegates functions are bound by the provisions of this Agreement regulating the taking of decisions by the Joint Committee. The Joint Committee may create additional sub-committees from time to time as it sees fit.

## **16. Programme Board**

16.1 The Joint Committee shall establish a Programme Board (“PB”) which shall report to the Joint Committee. The Programme Board shall have the terms of reference set out at Schedule 2.

## **17. Economic Strategy Board**

17.1 The Joint Committee shall facilitate the establishment of an Economic Strategy Board (“ESB”). The Economic Strategy Board shall have the terms of reference set out at 0. The process for recruitment of the Economic Strategy Board’s membership shall be approved by the UK and Welsh Governments.

## **18. Commitment of the Councils**

18.1 Subject to clause 22 the Councils agree and undertake to commit to the Swansea Bay City Deal in accordance with the terms of this Agreement.

## **19. Costs**

### **19.1 Three Year and Annual Budget**

(a) The Joint Committee shall agree a budget for the Accountable Body costs, Economic Strategy Board Costs, Joint Committee Costs, Joint Scrutiny Committee Costs, Programme Board Costs and [Portfolio Management](#) Office Costs on a rolling 3 year basis. The Joint Committee shall review this budget annually and before the commencement of each financial year and shall agree the Annual Costs Budget each year with year 1 being confirmed and years 2 and 3 being indicative.

### **19.2 Internal Costs**

(a) The Internal Costs incurred by each Council for a project in its own area shall be borne in the first instance by the Council providing that internal resource but may subsequently be included as costs within a Project Business Case.

(b) If the [Portfolio Management](#) Office undertakes work to assist the development of an individual project the costs incurred may be included in the Project Business Case.



- (c) All Internal Costs for a Regional Project shall be agreed by the Regional Lead Body.

The Internal Costs incurred for a Regional Project shall be paid by the Project Authority Lead for the project. The Project Authority Lead for each project shall make provision for reimbursement of its Internal Costs in the business case it submits to the [Portfolio Management](#) Office for the project

### 19.3 Accounts

- (a) The Accountable Body shall prepare accounts for any Accountable Body, Joint Committee, Economic Strategy Board, Programme Board, Joint Scrutiny Committee and [Portfolio Management](#) Office costs incurred for the relevant accounting periods.

### 19.4 Annual Costs Budget

- (a) The Annual Costs Budget for Years 1-5 shall be funded from £50,000 which shall be paid by each Council each year for those five years. The funding of the Annual Costs Budget for future years shall be a matter for the Constituent Authorities to agree.

(b) Costs in the Annual Costs Budget not funded from Council Contributions shall be recovered from the Councils in a manner to be agreed by the Joint Committee to include the option of top slicing from Government Funding, where appropriate.as project costs.

- (c) The Joint Committee shall if necessary consider and recommend to the Councils alternative funding options for the Annual Costs Budget. The Councils shall decide whether or not to agree to alternative funding options proposed by the Joint Committee.

## 20. Audit and Scrutiny

- 20.1 In exercise of their powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers the Councils hereby create a Joint Scrutiny Committee with effect from the Commencement Date. The Joint Scrutiny Committee shall provide a scrutiny function to ensure greater public accountability over decisions made by the Joint Committee and any of its sub-committees and related entities.
- 20.2 The terms of reference of the Joint Scrutiny Committee are set out at Schedule 12 to this Agreement.
- 20.3 The membership of the Joint Scrutiny Committee shall consist of 12 members. Each of the Councils shall nominate three members for appointment to the Joint Scrutiny Committee. The member nominated by each Council shall be an elected member of that Council but shall not be a member of that Council's executive and shall not be a member of the Joint Committee.
- 20.4 The Chair of the Joint Scrutiny Committee shall not be a member of the Council which is providing the Chair of the Joint Committee.

- 20.5 The role of the Joint Scrutiny Committee is to provide advice, challenge and support to the Joint Committee. The Joint Scrutiny Committee shall be required to:
- (a) Review and scrutinise the Joint Committee's financial affairs.
  - (b) Review and assess the Joint Committee's risk management, internal control and corporate governance arrangements.
  - (c) Review and assess the economy, efficiency and effectiveness with which resources have been used.
  - (d) Make reports and recommendations to the Joint Committee in relation to the points in (a) to (c).
- 20.6 The Accountable Body shall ensure audit that the finances and the discharge of functions relating to the Swansea Bay City Deal are audited.
- 20.7 If any Council is provided with funding from the Government Funding to implement a project in the Swansea Bay City Deal it shall audit the finances and the discharge of functions relating to that project.
- 20.8 Any Council which is provided with funding from the Government Funding to implement a project in the Swansea Bay City Deal shall keep records of time worked by any person working on the project and any other cost relating to the project. Any Council which holds such records shall permit the Accountable Body, the Joint Committee and the other Councils and any of their representatives to examine and copy those records in order to undertake any audit pursuant to this Agreement.
- 20.9 The Accountable Body shall keep records of time worked by any person working for the Accountable Body on any matter relating to the Joint Committee or the Swansea Bay City Deal.
- 20.10 Each Council shall permit all records referred to in this Agreement to be examined and copied from time to time by the Accountable Body or any representatives of the Accountable Body or any other representatives who reasonably require access to the same in order to undertake any audit of the funds received and spent pursuant to this Agreement. The Accountable Body shall permit all records held by it which are referred to in this Agreement or relate to this Agreement to be examined and copied from time to time by any representatives of any of the Councils. If a representative of any of the Councils requests from the Accountable Body a copy in electronic form of any record held by the Accountable Body which is referred to in this Agreement or relates to this Agreement the Accountable Body shall provide a copy of the requested record in electronic form if the record exists in electronic form when the Accountable Body receives the request.
- 20.11 The Auditor General for Wales shall have access to any document relating to the Joint Committee for the purpose of the Auditor General's examination of any auditable accounts, for the purpose of undertaking studies under section 145A of the Government of Wales Act 1998 or for the purpose of carrying out in accordance with any enactment other examinations or studies into the economy, efficiency and effectiveness with which a person has used resources in discharging the person's functions and any officer of the Wales Audit Office, the Welsh Government and the European Commission shall have access to any document relating to the Joint

Committee and shall be permitted at reasonable notice to visit the premises of the Accountable Body and the other Councils and to inspect activities funded by the Government Funding and to examine and take copies of books of account and other documents and records relating to activities funded by the Government Funding.

## **21. Mitigation**

- 21.1 Each Council shall at all times take all reasonable steps to minimise and mitigate any loss for which the relevant Council is entitled to bring a claim against any other Council pursuant to this Agreement.

## **22. Withdrawal from this Agreement**

- 22.1 If a Council wishes to withdraw from the Swansea Bay City Deal and this Agreement, it shall provide not less than twelve months' written notice terminating at the end of a financial year of its intention to withdraw to the [Portfolio Management](#) Office ("Joint Committee Withdrawal Notice"). The Councils may require any Council which seeks to withdraw from the Swansea Bay City Deal and this Agreement to meet specified conditions before the Councils agree to accept the Joint Committee Withdrawal Notice. The specified conditions may include but shall not be limited to payment of any amounts due to be paid in accordance with this Agreement by the Council which seeks to withdraw and payment by that Council of any costs which the other Councils identify that they shall incur as a result of the withdrawal of that Council. The [Portfolio Management](#) Office shall notify the Accountable Body no later than ten Business Days after it receives a Joint Committee Withdrawal Notice and the Accountable Body shall notify the Welsh Government and the UK Government no later than 10 Business Days after it receives notification from the [Portfolio Management](#) Office.
- 22.2 In the event that a Joint Committee Withdrawal Notice is issued by the Accountable Body the Accountable Body shall during the period of notice comply with its obligations under clause 7.2.

## **23. Termination of This Agreement**

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

## **24. Liabilities of the Councils**

~~23.2~~24.1 [The Councils' obligations and liabilities in respect of the Programme Director and Portfolio Management Office are set out in clause 9.3](#)

~~23.3~~24.2 [In addition to the circumstances set out in clause 9.3, the Accountable Body shall indemnify and keep indemnified each of the other Councils against any losses, claims, expenses, actions, demands, costs and liability suffered by that Council to the extent arising from any wilful default or breach by the Accountable Body of its obligations under this Agreement or negligent act or omission in relation to such obligations \(and "wilful" in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of the Accountable Body\).](#)

23.424.3 No claim shall be made against the Accountable Body to recover any loss or damage which may be incurred by reason of or arising out of the carrying out by the Accountable Body of its obligations under this Agreement unless and to the extent such loss or damage arises from a wilful default or breach or negligent act or omission by the Accountable Body under clause 24.1.

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

23.624.5 The amount to be paid to the Accountable Body by any of the other Councils under Clause 24.4 shall be borne by each of the Councils to the extent of its responsibility, however in the event that the responsibility is a shared one between the Councils (so that it is not reasonably practicable to ascertain the exact responsibility between the Councils) then the amount to be paid shall be divided between the Councils equally unless the Councils agree otherwise.

23.724.6 A Council which receives a claim for losses, expenses, actions, demands, costs and liabilities which relates to this Agreement shall notify and provide details of such claim as soon as is reasonably practicable to the other Councils.

23.824.7 No Council shall be indemnified in accordance with this clause 24 unless it has given notice in accordance with clause 24.6 to the other Council against whom it shall be enforcing its right to an indemnity under this Agreement.

23.924.8 Each Council shall not be obliged to indemnify the other Councils to the extent that the insurances maintained by the other Councils at the relevant time provide an indemnity against the loss giving rise to a claim and to the extent that another Council recovers under a policy of insurance save that the Council responsible for liabilities suffered by another Council shall be responsible for the deductible under any such policy of insurance and any amount over the maximum amount insured under such policy of insurance.

## **24.25. Dispute Resolution**

24.125.1 The Councils undertake and agree to pursue a positive approach towards dispute resolution which seeks in the context of this joint working arrangement to identify a solution at the lowest operational level that is appropriate to the subject of the dispute and which avoids legal proceedings and maintains a strong working relationship between the parties.

24.225.2 Any dispute arising in relation to any aspect of this Agreement shall be resolved in accordance with this clause 25. This is without prejudice to the right of any Council under section 103 of the Local Government Act 1972 to refer a dispute about the expenses of a joint committee to be determined by a single arbitrator agreed by the appointing authorities or, in the absence of agreement to be determined by the Welsh Ministers.

24.325.3 All disputes, claims or differences between the Councils arising out of or in connection with this Agreement or its subject matter or formation, including any question regarding its existence, validity or termination, (a "Dispute") shall, at the written request of any Council, be referred by each Council to its head of paid service.

24.425.4 If the Councils' heads of paid service do not agree a resolution of the Dispute within twenty Business Days of the date of service of any such request, either party may require the other party by notice in writing to attempt to settle the Dispute by mediation in accordance with the Centre for Dispute Resolution (CEDR) Model Mediation Procedure. Within five Business Days of the date of service of such notice the parties shall each propose a mediator and shall seek to agree as to the selection of a mediator.

24.525.5 If the Councils are unable to agree on a mediator within ten Business Days of date of service of the notice referred to in clause 25.4 or the mediator agreed upon is unable or unwilling to act and the Councils cannot agree upon a substitute, any of the Councils may apply to CEDR to appoint a mediator as soon as practicable.

24.625.6 The Councils shall within five Business Days of the appointment of the mediator (the "Mediator") meet with him in order to agree a programme for the exchange of any relevant information and the structure to be adopted for the negotiations. If considered appropriate, the Councils may at any stage seek assistance from CEDR to provide guidance on a suitable procedure.

24.725.7 All negotiations connected with the Dispute shall be conducted in strict confidence and without prejudice to the rights of the Councils in any future proceedings.

24.825.8 If the Councils reach agreement on the resolution of the Dispute, such agreement shall be reduced to writing and, once it is signed by the Councils or their duly authorised representatives, shall be and remain binding upon the parties.

24.925.9 The costs and expenses of the mediation shall be borne equally by the Councils. Each Council shall bear its own costs and expenses of its participation in the mediation.

24.1025.10 If mediation fails to secure a resolution within ten Business Days of the Mediator being appointed, the Councils shall attempt to settle the Dispute by arbitration

under the Rules of the London Court of International Arbitration (which Rules are deemed to be incorporated by reference into this clause) and otherwise in accordance with clause 25.11.

24.1125.11 In the event that an arbitration is commenced pursuant to clause 25.10, the parties agree that:

- (a) the tribunal shall consist of one arbitrator who is to be a chartered accountant who is a full member of one of the CCAB bodies if the dispute relates to a financial matter or a solicitor of at least ten years standing as a qualified solicitor if the dispute relates to any other matter;
- (b) the place of the arbitration shall be Swansea;
- (c) the decision of the arbitrator shall be final and binding on the parties (save in the case of manifest error).

24.1225.12 In the event that an arbitration is commenced pursuant to clause 25.10 the Portfolio Management Office shall notify the Welsh Government and the UK Government.

OR (reference of dispute to independent expert)

24.1325.13 All disputes, claims or differences between the Councils arising out of or in connection with this Agreement or its subject matter or formation, including any question regarding its existence, validity or termination shall, at the written request of any Council be referred to:

- (a) such chartered accountant who is a full member of one of the CCAB bodies if the dispute relates to a financial matter or a solicitor of at least ten years standing as a qualified solicitor if the dispute relates to any other matter as the Councils may agree in writing; or
- (b) failing agreement on the identity of the chartered accountant for a dispute relating to a financial matter or the solicitor for a dispute relating to any other matter within seven days of the date of service of the request, such chartered accountant as may be appointed for this purpose on the application of any Council by the President for the time being of one of the CCAB bodies if the dispute relates to a financial matter or such solicitor as may be appointed by the President for the time being of the Law Society of England and Wales if the dispute relates to any other matter.

24.1425.14 The chartered accountant or solicitor appointed under clause 25 (the "Expert") shall act on the following basis:

- (a) he shall act as expert and not as arbitrator;
- (b) his terms of reference shall be to determine the matter in dispute, as notified to him in writing by either party within thirty days of his appointment;

- (c) the Councils shall each provide the Expert with all information which he reasonably requires and the Expert shall be entitled (to the extent he considers it appropriate) to base his opinion on such information;
- (d) the Expert's determination shall (in the absence of manifest error) be conclusive; and
- (e) the Experts' costs shall be borne in such proportions as the Expert may direct or, failing any such direction, shall be borne equally between the Councils unless agreed otherwise by the Councils.

## **25-26. Notices**

### **25-126.1 Form of Notice**

Any demand, notice or other communication given in connection with or required by this Agreement shall be made in writing and shall be delivered to or sent by pre-paid first class post or special delivery post to the recipient at the address stated in 0 (or such other address as may be notified in writing from time to time to all of the other Councils) or sent by facsimile to the number stated at 0 (or such other number as may be notified in writing from time to time to all of the other Councils).

### **25-226.2 Service**

Any such demand, notice or communication shall be deemed to have been duly served:

- (a) If delivered by hand, when left at the proper address for service;
- (b) If given or made by pre-paid first class or special delivery post two Business Days after being posted; or
- (c) If sent by facsimile at the time of transmission provided that a confirmatory copy is on the same day that the facsimile is transmitted sent by pre-paid first class post in the manner provided for in clause 26.1 (Form of Notice)

Provided in each case that if the time of such deemed service is either after 4.00pm on a Business Day or on a day other than a Business Day service shall be deemed to occur at 9.00am on the next following Business Day.

## **26-27. Information and Confidentiality**

**26-127.1** Each Council shall keep confidential the Confidential Information and Intellectual Property Rights of any of the Councils and shall use all reasonable endeavours to prevent their employees and agents from making any disclosure to any person of the Confidential Information and Intellectual Property Rights of the Councils other than as permitted under the provisions of this Agreement. Each Council shall not use or disclose other than as permitted under the provisions of this Agreement any Confidential Information about the business of or belonging to any other Council or third party which has come to its attention as a result of or in connection with this Agreement.

~~26.2~~27.2 The obligation in clause 27.1 shall not apply to:

- (a) Any disclosure of information that is reasonably required by persons engaged in the performance of their obligations under this Agreement.
- (b) Any matter which a party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of this clause.
- (c) Any disclosure which is required by any law (including any order or a court of competent jurisdiction) any statutory obligation or the rules of any stock exchange or governmental or regulatory authority having the force of law.
- (d) Any disclosure of information which is already lawfully in the possession of the disclosing Council without restrictions as to its use prior to its disclosure by the disclosing Council.
- (e) Any disclosure which is required or recommended by the rules of any governmental or regulatory authority including any guidance from time to time as to openness and disclosure of information by public bodies.
- (f) Any disclosure which is necessary to be disclosed to provide relevant information to any insurance broker in connection with obtaining any insurance required by this Agreement.
- (g) Any disclosure by a party to a department, office or agency of the Government.
- (h) Any disclosure for the purpose of the examination and certification of a party's accounts.

~~26.3~~27.3 Where disclosure is permitted under clauses 27.2(a), 27.2(f), 27.2(g) or 27.2(h) the recipient of the information shall be placed under the same obligation of confidentiality as that contained in this Agreement by the disclosing Council.

~~26.4~~27.4 No Council shall make any public statement or issue any press release or publish any other public document relating to, connected with or arising out of this Agreement or any other agreement relating to the Swansea Bay City Deal other than in accordance with any PR Protocol agreed by the Councils.

## **27.28. Data Protection**

~~27.1~~28.1 The Councils shall comply with the provisions and obligations imposed on them by the Data Protection Laws at all times when processing Personal Data in connection with this Agreement, which processing shall be in respect of the types of Personal Data, categories of Data Subjects, nature and purposes, and duration, set out in a document to be agreed by the Councils.

~~27.2~~28.2 Each Council shall maintain records of all processing operations under its responsibility that contain at least the minimum information required by the



Data Protection Laws, and shall make such information available to any DP Regulator on request.

27.328.3 To the extent any Council processes any Personal Data on behalf of another Council the processing Council shall:

- (a) Process such Personal Data only in accordance with the other Council's written instructions from time to time and only for the duration of this Agreement.
- (b) Not process such Personal Data for any purpose other than those set out in this Agreement or otherwise expressly authorised by the other Council.
- (c) Take reasonable steps to ensure the reliability of all its personnel who have access to such Personal Data, limit such access to its personnel who require access, and remove, when no longer required, such access to the Personal Data, and ensure that any such personnel are committed to binding obligations of confidentiality when processing such Personal Data.
- (d) Implement and maintain technical and organisational measures and procedures to ensure an appropriate level of security for such Personal Data, including protecting such Personal Data against the risks of accidental, unlawful or unauthorised destruction, loss, alteration, disclosure, dissemination or access.
- (e) Not transfer such Personal Data outside the European Economic Area without the prior written consent of the other party.
- (f) Inform the other Council within twenty four (24) hours if any such Personal Data is (while within the processing Council's possession or control) subject to a personal data breach (as defined in Article 4 of GDPR) or within such other time period as required under other Data Protection Laws, or is lost or destroyed or becomes damaged, corrupted or unusable.
- (g) Only appoint a third party to process such Personal Data with the prior written consent of the other Council.
- (h) Not use or disclose any Personal Data to any Data Subject or to a third party other than at the written request of the other Council or as expressly provided for in this Agreement.
- (i) Return or irretrievably delete all Personal Data on termination or expiry of this Agreement and not make any further use of such Personal Data.
- (j) Provide to the other Council and any DP Regulator all information and assistance necessary or desirable to demonstrate or ensure compliance with the obligations in this clause and the Data Protection Laws.
- (k) Permit the other Council or its representatives to access any relevant premises, personnel or records of the processing Council on reasonable notice to audit and otherwise verify compliance with this clause.
- (l) Take such steps as are reasonably required to assist the other Council in ensuring compliance with its obligations under Articles 30 to 36 (inclusive) of GDPR and other applicable Data Protection Laws.

- (m) Notify the other Council within two (2) Business Days if it receives a request from a Data Subject to exercise its rights under the Data Protection Laws in relation to that person's Personal Data; and
- (n) Provide the other Council with its full co-operation and assistance in relation to any request made by a Data Subject to exercise its rights under the Data Protection Laws in relation to that person's Personal Data.

27.4~~28.4~~ If any Council receives any complaint, notice or communication which relates directly or indirectly to the processing of Personal Data by another Council or to another Council's compliance with the Data Protection Laws, it shall as soon as reasonably practicable notify the other Council and it shall provide the other Council with reasonable co-operation and assistance in relation to any such complaint, notice or communication.

27.5~~28.5~~ If a Council requires another Council to make any disclosures or provide any information in respect of this Agreement in order to enable that party to meet its obligations under the Data Protection Laws the other Council shall do so.

27.6~~28.6~~ The provisions of this clause shall apply during the continuance of this Agreement and indefinitely after its expiry or termination.

## **28-29. Intellectual Property**

28.1~~29.1~~ Each Council shall retain all Intellectual Property in its Material.

28.2~~29.2~~ Each Council shall grant all of the other Councils and any other person specified by the Joint Committee a non-exclusive, perpetual, non-transferable and royalty free licence to use, modify, amend and develop its IP Material for the discharge of the Councils' obligations in relation to the Swansea Bay City Deal and any other purpose resulting from the Swansea Bay City Deal whether or not the Council party granting the licence remains a party to this Agreement.

28.3~~29.3~~ Any Intellectual Property in Material which is produced by the Joint Committee or the Portfolio Management Office shall be held by the Accountable Body on behalf of the Councils jointly.

28.4~~29.4~~ Without prejudice to clause 29.1, if more than one Council owns or has a legal or beneficial right or interest in any aspect of the IP Material for any reason (including without limitation that no one Council can demonstrate that it independently supplied or created the relevant IP Material without the help of one or more of the other Councils), each of the Councils who contributed to the relevant IP Material shall grant to all other Councils to this Agreement a non-exclusive, perpetual, non-transferable and royalty free licence to use and exploit such IP Material as if all the other Councils were the sole owner under the Copyright Design and Patents Act 1988 or any other relevant statute or rule of law.

~~28.5~~29.5 Any entity or person who is at the date of this Agreement a party to this Agreement and who has licensed any Intellectual Property under this Agreement shall have a non-exclusive, perpetual right to continue to use the licensed Intellectual Property.

~~28.6~~29.6 Each Council warrants that it has or shall have the necessary rights to grant the licences set out in clause 29.2 and 29.4 in respect of the IP Material to be licensed.

~~28.7~~29.7 Each Council agrees to execute such further documents and take such actions or do such things as may be reasonably requested by any other Councils (and at the expense of the Council or Councils making the request) to give full effect to the terms of this Agreement.

## **29.30. Freedom of Information**

~~29.1~~30.1 Each Council acknowledges that it and the other Councils are subject to the requirements of FOI Legislation and therefore recognise that information relating to this Agreement may be the subject of an Information Request. The Councils shall comply with their own policy on FOI Legislation in respect of information disclosure obligations to the extent that they relate to the Swansea Bay City Deal.

~~29.2~~30.2 Where a Council receives a request for information under either the FOI Legislation in relation to information which it is holding on behalf of any of the other Councils in relation to the Swansea Bay City Deal, it shall inform the Accountable Body and the other Councils of the request and its response.

~~29.3~~30.3 The Accountable Body shall be required to assist any of the Councils in responding to a request for information to the extent that it relates to the Swansea Bay City Deal. This shall include co-ordinating the response when requested to do so by any of the Councils. All costs incurred by the Accountable Body in assisting a Council with a response to a request for information relating to the Swansea Bay City Deal shall be accounted for as Joint Committee Costs. Any Council which requests the Accountable Body to assist with or co-ordinate a response to a request for information relating to the Swansea Bay City Deal shall:

- (a) Provide the Accountable Body with a copy of the request for information as soon as practicable after receipt and in any event within two Business Days of receiving an Information Request.
- (b) Provide the Accountable Body with a copy of all information in its possession or power in the form the Accountable Body reasonably requires within ten Business Days (or such longer period as the Accountable Body may specify) of the Accountable Body requesting that information.
- (c) Provide all necessary assistance as reasonably requested by the Accountable Body to enable the Accountable Body to provide any required

assistance or co-ordination of a response to a request for information within the time for compliance set out in FOI Legislation.

29.430.4 Any Council which receives a request for information under FOI Legislation shall be responsible for determining in their absolute discretion whether any information requested under FOI Legislation:

- (a) Is exempt from disclosure under FOI Legislation.
- (b) Is to be disclosed in response to an Information Request.

29.530.5 Each Council acknowledges that the Accountable Body and any of the Councils may be obliged under FOI Legislation to disclose information:

- (a) Without consulting the other Councils where it has not been practicable to achieve such consultation; or
- (b) Following consultation with the other Councils and having taken their views into account.

### **30.31. Language**

30.131.1 The Joint Committee and Joint Scrutiny Committee shall undertake their functions in such a way as to comply with each of the Councils compliance notices issued under the Welsh Language Standards (No 1) Regulations 2015.

### **31.32. Severability**

31.132.1 If at any time any clause or part of a clause or schedule or appendix or part of a schedule or appendix to this Agreement is found by any court, tribunal or administrative body of competent jurisdiction to be wholly or partly illegal, invalid or unenforceable in any respect:

- (a) That shall not affect or impair the legality, validity or enforceability of any other provision of this Agreement.
- (b) The parties shall in good faith amend this Agreement to reflect as nearly as possible the spirit and intention behind that illegal, invalid or unenforceable provision to the extent that such spirit and intention is consistent with the laws of that jurisdiction and so that the amended Agreement complies with the laws of that jurisdiction.

### **32.33. Relationship of Councils**

32.133.1 Each of the Councils is an independent Local Authority and nothing contained in this Agreement shall be construed to imply that there is any relationship between the parties of partnership or principal/agent or of employer/employee. No party shall have any right or authority to act on behalf of another party nor to bind another party by contract or otherwise except to the extent expressly permitted by the terms of this Agreement.

### **33-34. Third Party Rights**

33-134.1 \_\_\_\_\_ The Councils as parties to this Agreement do not intend that any of its terms shall be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it.

### **34-35. Entire Agreement**

34-135.1 \_\_\_\_\_ This Agreement and all documents referred to in this Agreement set forth the entire agreement between the parties with respect to the subject matter covered by them and supersede and replace all prior communications, representations (other than fraudulent representations), warranties, stipulations, undertakings and agreements whether oral or written between the parties. Each party acknowledges that it does not enter into this Agreement in reliance on any warranty, representation or undertaking other than those contained in this Agreement and that its only remedies are for breach of this Agreement, provided that this shall not exclude any liability which either party would otherwise have to the other in respect of any statements made fraudulently by or on behalf of it prior to the date of this Agreement.

### **35-36. Law of Agreement or Jurisdiction**

35-136.1 \_\_\_\_\_ This Agreement shall be governed by the laws of England and Wales as they apply in Wales and the parties submit to the exclusive jurisdiction of the courts of England and Wales.

### **36-37. Assignment**

36-137.1 \_\_\_\_\_ The rights and obligations of the Councils under this Agreement shall not be assigned, novated or otherwise transferred to any person other than to any public body acquiring the whole of the Agreement and having the legal capacity, power and authority to become a party to and to perform the obligations of the relevant Council under this Agreement being:

- (a) The Welsh Ministers,
- (b) A devolved Welsh authority as defined in the Wales Act 2017.
- (c) A Minister of the Crown pursuant to an Order under the Ministers of the Crown Act 1975,
- (d) A UK public body exercising functions in Wales or in England and Wales.

### **37-38. Waiver**

37-138.1 \_\_\_\_\_ No failure or delay by any Council to exercise any right, power or remedy shall operate as a waiver of it nor shall any partial exercise preclude any further exercise of the same or some other right, power or remedy unless a waiver is given in writing by that Council.

~~37.2~~38.2 Each Council shall pay its own costs incurred in connection with the preparation, execution, completion and implementation of this Agreement.

### **~~38.39.~~ Counterparts**

~~38.1~~39.1 This Agreement may be executed in any number of counterparts each of which so executed shall be an original but together shall constitute one and the same instrument.

### **~~39.40.~~ Discretion of the Councils**

~~39.1~~40.1 The discretion of any Council shall not be fettered or otherwise affected by the terms of this Agreement.

### **~~40.41.~~ Withdrawal of the United Kingdom from the European Union**

~~40.1~~41.1 The parties shall keep this Agreement under review in the context of the withdrawal of the United Kingdom from the European Union and any changes in any law which applies to the parties.

~~40.2~~41.2 Any adjustments which are required to this Agreement as a result of a change in any law resulting from the withdrawal of the United Kingdom from the European Union shall be referred to the Joint Committee to implement under the Joint Committee's terms of reference.

THE COMMON SEAL OF  
the Carmarthenshire County Council  
was hereunto affixed in the presence of

THE COMMON SEAL OF  
The Neath Port Talbot County Borough Council  
was hereunto affixed in the presence of

THE COMMON SEAL OF  
the Pembrokeshire County Council  
was hereunto affixed in the presence of

THE COMMON SEAL OF

the Council of the City and County of Swansea  
was hereunto affixed in the presence of



## Schedule 1 Terms of Reference of the Joint Committee

### 1 Governance

1.1 Leaders of the four local authorities

### 2 Purpose

2.1 The Joint Committee has ultimate responsibility and accountability for decisions taken in relation to the Swansea Bay City Deal, in line with the visions and interests of all participating parties and the Swansea Bay City Deal document signed on 20 March 2017.

2.2 The Joint Committee's functions shall include:

(a) Identifying and implementing appropriate governance structures for the implementation of any projects within the Swansea Bay City Deal programme. This shall include the formation of bodies corporate and any other structures which the Councils can lawfully establish or participate in.

(b) Agreeing and planning the overall strategy for and delivery of the programme for the Swansea Bay City Deal.

(c) Performance management of the Swansea Bay City Deal programme.

(d) Strategic communications.

(e) Monitoring of the impact of the Swansea Bay City Deal programme and reporting on this to the Councils.

(f) Authorising the Accountable Body to:

(i) Commission external support and

(ii) Oversee the delivery and management of project expenditure.

(g) Progressing a regional approach for the Swansea Bay City Region for the discharge of strategic functions. These functions may include land use planning, transport planning and economic development.

(h) Approval and adoption of the Implementation Plan.

~~(h)~~(i) Consideration and approval of project business cases.

~~(i)~~(j) Approval of any extension agreed by the Councils to the deadline for approval of the Implementation Plan.

~~(j)~~(k) Agreeing the terms and conditions of Government Funding.

~~(k)~~(l) Overseeing the proportion of each Council's responsibility for borrowing to provide funding for regional projects.

~~(l)~~(m) Reviewing performance of the Chair of the Economic Strategy Board on an annual basis.

(n) Agreeing the Annual Costs Budget.

(o) Agreeing any internal recharges to each Council that they are entitled to under this Agreement.

(p) Consider any recommendations of the Joint Scrutiny Committee.

(q) To oversee and manage the Programme Director appointed (though acknowledging that the Programme Director shall be an employee of the Accountable Body)

(m)(r) To receive, consider and approve any reports of the Programme Director

### **3 Membership**

3.1 Each of the Councils shall appoint its leader or equivalent as its representative as a member of the Joint Committee and all such members shall have full voting rights.

3.2 Each Council may appoint a deputy for its member on the Joint Committee who may attend meetings of the Joint Committee as a substitute for the Council's appointed member on the Joint Committee but such deputy shall only be entitled to attend meetings of the Joint Committee in the absence of the Council's appointed member.

3.3 The Joint Committee shall be entitled to co-opt on terms acceptable to the Joint Committee one representative of each of the following organisations to the Joint Committee as non-voting members<sup>1</sup> of the Joint Committee for a period of five years from the Commencement Date.

(a) Swansea University.

(b) University of Wales Trinity St David.

(c) Hywel Dda University Health Board.

(d) ~~Abertawe Bro Morgannwg~~ Swansea Bay University Health Board.

3.4 The Joint Committee may co-opt one representative of Milford Haven Port Authority to the Joint Committee as a non-voting member of the Joint Committee for a period of five years from the Commencement Date.

3.5 The Joint Committee may appoint additional persons to the Joint Committee as non-voting members of the Joint Committee for a period of five years from the Commencement Date. The Joint Committee shall not co-opt an additional person to the Joint Committee unless the Joint Committee has decided that the person has expertise relevant to one or more themes in the Swansea Bay City Deal.

3.6 The co-option of any person as a non-voting member shall be subject to that person confirming in writing to the [Portfolio Management Office](#) that he or she agrees to comply with the Co-opted Member Protocol. No co-option shall take effect until such confirmation has been given.

3.7 The [Programme Director](#), head of paid service, monitoring officer and section 151 officer of each of the Councils shall be entitled to attend meetings of the Joint Committee as an adviser and shall not have a vote.

## 4 Chair

4.1 The Chair of the Joint Committee shall be an elected member representative of a Council appointed to the Joint Committee.

4.2 The Chair of the Joint Committee shall be elected for a two year term in the first instance, reviewed annually thereafter.

The three Leaders of the remaining local authorities shall be appointed as Deputy Chairs.

## 5 Voting

5.1 Each member of the Joint Committee shall have one vote. Decisions of the Joint Committee shall be made by simple majority vote. In the event of an equality of votes, the Chair of the Joint Committee shall have a casting vote. In the absence of the Chair or in the event of the Chair withdrawing from the meeting for a particular agenda item, then the Joint Committee shall determine which of the Deputy Chairs shall sit as chair pro tem and that Deputy Chair shall have the casting vote for such period as the Chair is absent from the meeting.

5.2 The Joint Committee is not permitted to vote on the approval of a business case or any other matter relating to a project if the member representative of a Council involved in that project is not present at the meeting.

## 6 Conflict of Interest

6.1 To allow the Joint Committee to undertake all its functions a clear distinction shall be drawn between those involved in specific scheme development and those preparing recommendations on those schemes. A robust system of declaration of conflict of interest shall be put in place.

6.2 Occasions shall arise where conflicts of interest preclude specific named members and/or local authorities from taking part in discussions which shall form views and recommendations on specific matters. Members have an obligation to declare any such interests which shall then be recorded.

6.26.3 For the avoidance of doubt, members shall at all times act in accordance with the Member Code of Conduct of their respective authorities

## 7 Proceedings of Meetings

7.1 The rules of procedure in the constitution of the Council undertaking the monitoring officer function shall apply to meetings of the Joint Committee.

7.2 The leaders of the Councils shall be subject to the codes of conduct of their Councils.

7.3 Co-opted members of the Joint Committee who are not members of the Councils shall be subject to the rules of conduct in Schedule 13 and shall sign an undertaking in the form set out at Schedule 13 to confirm that they shall abide by those rules of conduct.

## 8 Quorum

8.1 The quorum for a meeting of the Joint Committee shall be one representative from threeeach of the four Councils.

## **9 Frequency**

- 9.1 The Joint Committee shall meet monthly initially until at such point it agrees otherwise. Additional meetings may be called by the Chair on at least seven clear days' notice issued through the [Portfolio Management](#) Office.

## **10 Allowances**

- 10.1 No allowances shall be paid.

## **11 Servicing**

- 11.1 The [Council undertaking the monitoring officer function](#) shall organise appropriate servicing for the meetings.

## **12 Sub groups**

- 12.1 The Joint Committee by agreement can introduce sub-groups or Task & Finish groups for any matters which they feel would be better dealt with in this way. These sub-groups shall report to the Joint Committee with any recommendations or draft papers or reports.

## **13 Letters of Support**

- 13.1 The Joint Committee may authorise the Chair of the Joint Committee to send letters of support on behalf of the Councils to businesses for projects which the Joint Committee decides are complementary to the Swansea Bay City Deal. The Joint Committee shall not give such authorisation to the Chair of the Joint Committee unless the Joint Committee is satisfied that the project for which a letter of support will be provided meets criteria agreed by the Joint Committee.

## **14 Review**

- [14.1](#) To be reviewed annually.

[1 Pursuant to paragraph 13\(1\)\(b\) Local Government & Housing Act 1989 which provides that co-opted members on a joint committee must be treated as nonvoting members.](#)

## Schedule 2 Programme Board

### 1 Governance

#### 1.1 Officer Governance

### 2 Purpose

#### 2.1 The Programme Board shall have five distinct roles:

- (a) Preparing recommendations on the Swansea Bay City Deal programme:
  - (i) Ensuring that all schemes are developed in accordance with the agreed package.
  - (ii) Overseeing production of business cases.
  - (iii) Preparing recommendations to the Joint Committee and Economic Strategy Board on all schemes whilst ensuring that due regard is given to all advisory/consultation bodies.
- (b) Advising on the strategic direction of the Economic Strategy Board.
- (c) Overseeing performance and delivery of the delivery of projects in accordance with diagram B in 0.
- (d) Working on a regional basis to improve public services especially in the areas of: economic development; transport, planning and strategic land use; housing and regeneration.
- (d)(e) Ensure that the Programme Director and Portfolio Management Office have undertaken a detailed analysis of the financial viability, deliverability and risk to the Swansea Bay City Deal programme and the business cases developed therein prior to being submitted to the Joint Committee

### 3 Accountable to

#### 3.1 Joint Committee

### 4 Reporting

#### 4.1 All reports prepared by the Board pertaining to Swansea Bay City Deal and regional or sub-regional matters, once approved by the Board, shall be submitted as draft to the Joint Committee for approval via the Portfolio Management Office.

### 5 Membership

#### 5.1 The Swansea Bay City Region Programme Board shall consist of the head of paid service of each of the Councils or another officer nominated by the head of paid service.

#### 5.15.2 The Project Director, monitoring officer and section 151 officer of each of the Councils shall be entitled to attend meetings of the Programme Board and shall

[be called to provide advice and assistance as may be required for the members of the Programme Board to fulfil their obligations as set out in clause 2 of this Schedule 2](#)

**5.25.3** The Programme Board may co-opt additional representatives to the Board. Co-opted members may include representatives of the following organisations:

- (a) Swansea University.
- (b) University of Wales Trinity St David.
- (c) Hywel Dda University Health Board.
- (d) ~~Abertawe Bro Morgannwg~~ [Swansea Bay University](#) Health Board.

## **6 Chair**

6.1 The Chair shall be agreed by the Joint Committee.

6.2 The Chair shall be reviewed annually.

## **7 Voting/Agreement**

7.1 The Programme Board shall not have any decision making Powers.

7.2 Agreement shall be reached by consensus of all the heads of paid service referred to in 5.1 or their representatives.

7.3 Where alternative views and opinions are expressed these shall be recorded and included in any reporting process.

## **8 Conflicts of Interest**

8.1 To allow the Programme Board to undertake all its functions a clear distinction shall be drawn between those involved in specific scheme development and those preparing recommendations on those schemes to the Joint Committee. A robust system of declaration of conflicts of interest shall be put in place.

8.2 Occasions shall arise where conflicts of interest preclude specific named officers and/or local authorities from taking part in discussions which shall form views and recommendations on specific matters. Members have an obligation to declare any such interests which shall then be recorded.

## **9 Proceedings of meetings**

9.1 The chair of the Board shall arrange for minutes of the proceedings of each meeting to be taken, approved and recorded. This role shall be undertaken by the [Portfolio Management](#) Office.

## **10 Quorum**

10.1 For the Board to agree and submit recommendations, the Councils must be represented by all the heads of paid service referred to in 5.1 or their representatives .

## **11 Frequency**

11.1 The Programme Board shall meet monthly before the Joint Committee meeting and before all quarterly meetings of the Economic Strategy Board.

## **12 Allowances**

12.1 No allowances shall be paid.

## **13 Servicing**

13.1 The Portfolio Management Office shall organise appropriate servicing for the meetings.

## 14 Review

14.1 To be reviewed annually.

### **Schedule 3 Notices**

Chief Legal Officer  
Carmarthenshire County Council  
County Hall  
Carmarthen  
Carmarthenshire  
SA31 1JP

Chief Legal Officer  
Neath Port Talbot County Borough Council  
Port Talbot Civic Centre  
Port Talbot  
SA13 1PJ

Chief Legal Officer  
Pembrokeshire County Council  
County Hall  
Haverfordwest  
Pembrokeshire  
SA61 1TP

Chief Legal Officer  
City and County of Swansea Council  
Civic Centre  
Oystermouth Road  
Swansea  
SA1 3SN



### Schedule 4 Accounting Periods

The initial Accounting Period shall be the date of this Agreement until 31 March and thereafter shall be:

Start of Accounting Period	End of Accounting Period
1 April	30 June
1 July	30 September
1 October	31 December
1 January	31 March

## **Schedule 5 Matters Reserved to The Councils**

- 1 Approving the Funding Conditions.
- 2 Making decisions on borrowing and on finding other sources of funding other than Government Funding for projects. Each Council shall be responsible for borrowing or providing other funding for projects located in its area. If a project is located in the areas of more than one Council each of the Councils in whose area the project is located may agree that borrowing or providing other funding should be shared between all of the Councils in whose areas the project is located equally or in proportions agreed by all of the Councils in whose areas the project is located.
- 3 Deciding which Council should enter into a funding agreement for a project located in the areas of more than one of the Councils.
- 4 Agreeing to replace a project identified in the Implementation Plan with a project which has completed the process set out in clause 12.6.
- 5 Varying the terms of reference of the Joint Committee.
- 6 Deciding whether to accept a Joint Committee Withdrawal Notice from one of the Councils and to allow a Council to withdraw from the Swansea Bay City Deal and this Agreement.
- 7 Deciding on conditions to impose on a Council which issues a Joint Committee Withdrawal Notice.
- 8 Deciding whether to continue or discontinue with any procurement or project forming part of the Swansea Bay City Deal in the administrative area of a Council which withdraws from the Joint Committee.
- 9 Agreeing the terms for termination of this Agreement by agreement of all the Councils.
- 10 Deciding on actions to implement the provisions of the dispute resolution procedure in clause 25.
- 11 Agreeing alternative funding options for the Annual Costs Budget.
- 12 Approving Project Conditions for projects in their areas in accordance with clause 12.

## Schedule 6 Economic Strategy Board

### 1 Purpose

1.1 To provide strategic direction for the Swansea Bay City Deal and provide strategic advice to the Joint Committee on matters relating to the Swansea Bay City Region. Specifically the role shall:

- (a) Submit strategic objectives for the Swansea Bay City Region.
- (b) Monitor progress with regard to the delivery of the Swansea Bay City Deal in accordance with diagram B in Schedule 8.

~~(c)~~ Oversight of business case production.

~~(e)~~(d) Consideration of regional added value and identifying opportunities for investment.

~~(e)~~ Make recommendations to the Joint Committee.

~~(d)~~(f) Produce a summary report of issues considered by the Economic Strategy Board to be annexed to the submission of any business cases

### 2 Reporting

2.1 Joint Committee

### 3 Membership

3.1 Members shall be appointed through an open recruitment and nomination process. Members including co-opted members of the Joint Committee shall submit proposals to the Joint Committee for the recruitment and nomination process. Those proposals shall be subject to unanimous agreement by members of the Joint Committee the Welsh Government and the UK Government. Members shall include:

- (a) 1 private sector chair or other suitable representative.
- (b) 5 private sector representatives.

3.2 For the avoidance of doubt the Joint Committee may appoint additional co-opted members should the Joint Committee determine appropriate

3.23.3 The Programme Director, head of paid service, monitoring officer and s151 officer of each of the Councils or their nominated representative shall be entitled to attend meetings of the Economic Strategy Board as an adviser or an observer but shall not have a vote.

### 4 Chair

4.1 The Chair shall be appointed following nominations by the unanimous agreement of: the Welsh Government, the UK Government and the Joint Committee.

4.2 The Chair shall be a private sector representative or other suitable representative.

4.3 The Chair shall be accountable to the Joint Committee.

4.4 The Chair shall be reviewed annually.

## **5 Voting/Agreement**

5.1 The Economic Strategy Board shall not have any formal decision-making powers.

5.2 The Economic Strategy Board shall reach agreement by consensus.

5.3 Where alternative views and opinions are expressed these shall be recorded and included in any reporting process.

## **6 Conflicts of Interest**

6.1 To allow the Economic Strategy Board to undertake all its functions a clear distinction shall be drawn between those involved in specific scheme development and those preparing recommendations on those schemes to the Joint Committee. A robust system of declaration of conflict of interest shall be put in place.

6.2 Occasions shall arise where conflicts of interest preclude specific named officers, individuals, committee members from taking part in discussions which shall form views and recommendations on specific matters. Members have an obligation to declare any such interests which shall then be recorded.

6.3 Co-opted members of the Economic Strategy Board shall be subject to the rules of conduct set out at Schedule 13 and shall sign an undertaking in the form set out at Schedule 13 to confirm that they will abide by those rules of conduct.

## **7 Proceedings of meetings**

7.1 The Portfolio Management Office shall arrange for minutes of the proceedings of each meeting to be taken, approved and recorded.

## **8 Quorum**

9 For the Economic Strategy Board to agree and submit recommendations, membership must be represented up to a quorate equivalent to 50% of the membership of the Economic Strategy Board. **Frequency**

9.1 The Economic Strategy Board shall meet with the following frequency or as and when required:

- (a) Quarterly in advance of any Joint Committee meeting; and
- (b) When necessary to deal with business as agreed by the Chair of the Economic Strategy Board.

## **10 Allowances**

10.1 There shall be no allowances paid.

## **11 Servicing**

11.1 The Portfolio Management Office shall organise appropriate servicing for the meetings.

## **12 Sub groups**

12.1 Thematic sub committees may be established as and when required and shall report to the Economic Strategy Board.

### **13 Review**

13.1 To be reviewed annually.

## Schedule 7 Projects Funded By the Swansea Bay City Deal

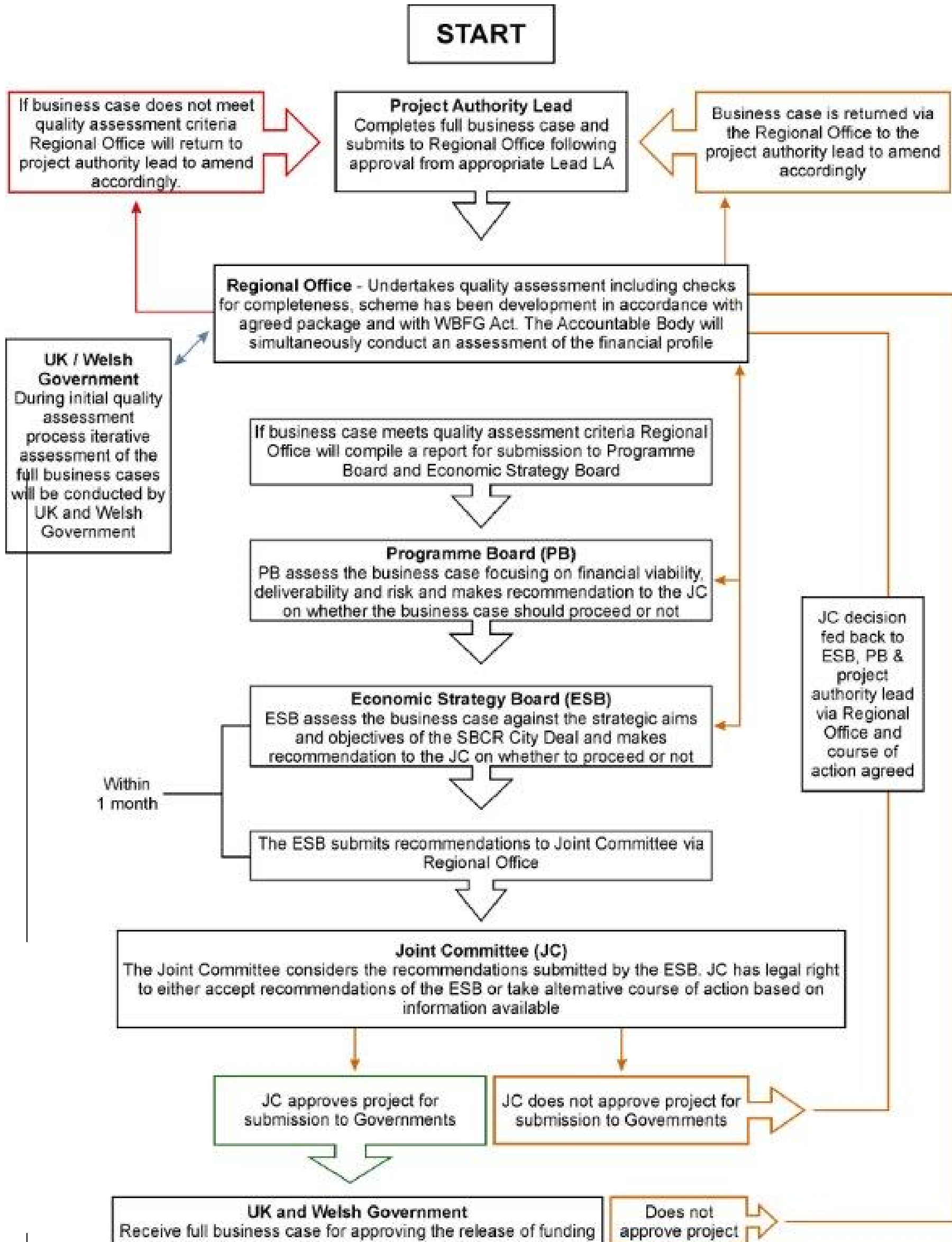
PROJECT NAME	Private (£ m)	Public (£ m)	City Deal (£ m)	Total Project Costs (£ m)
<b>Internet of Economic Acceleration</b>				
Digital Infrastructure	30.0	0.0	25.0	55.0
Swansea City & Waterfront Digital District	23.9	94.3	50.0	168.2
Creative Digital Cluster - Yr Egin	3.0	16.3	5.0	24.3
Centre of Excellence in Next Generation Digital Services (CENGS)	27.0	5.5	23.0	55.5
Skills & Talent Initiative	4.0	16.0	10.0	30.0
<b>Internet of Life Science &amp; Wellbeing</b>				
Life Science & Well-being Campuses	10.0	20.0	15.0	45.0
Life Science & Well-being Village	127.5	32.0	40.0	199.5
<b>Internet of Energy</b>				
Homes as Power Stations	382.9	119.2	15.0	517.1
Pembroke Dock Marine	25.9	22.4	28.0	76.3
<b>Smart Manufacturing</b>				
Factory of the Future	3.2	10.3	10.0	23.5
Steel Science Centre	0.0	60.0	20.0	80.0
<b>TOTALS</b>	<b>637.4</b>	<b>395.9</b>	<b>241.0</b>	<b>1,274.3</b>

Funding allocations are subject to approval of Project Business Cases and these projects are subject to change in accordance with Schedule 10

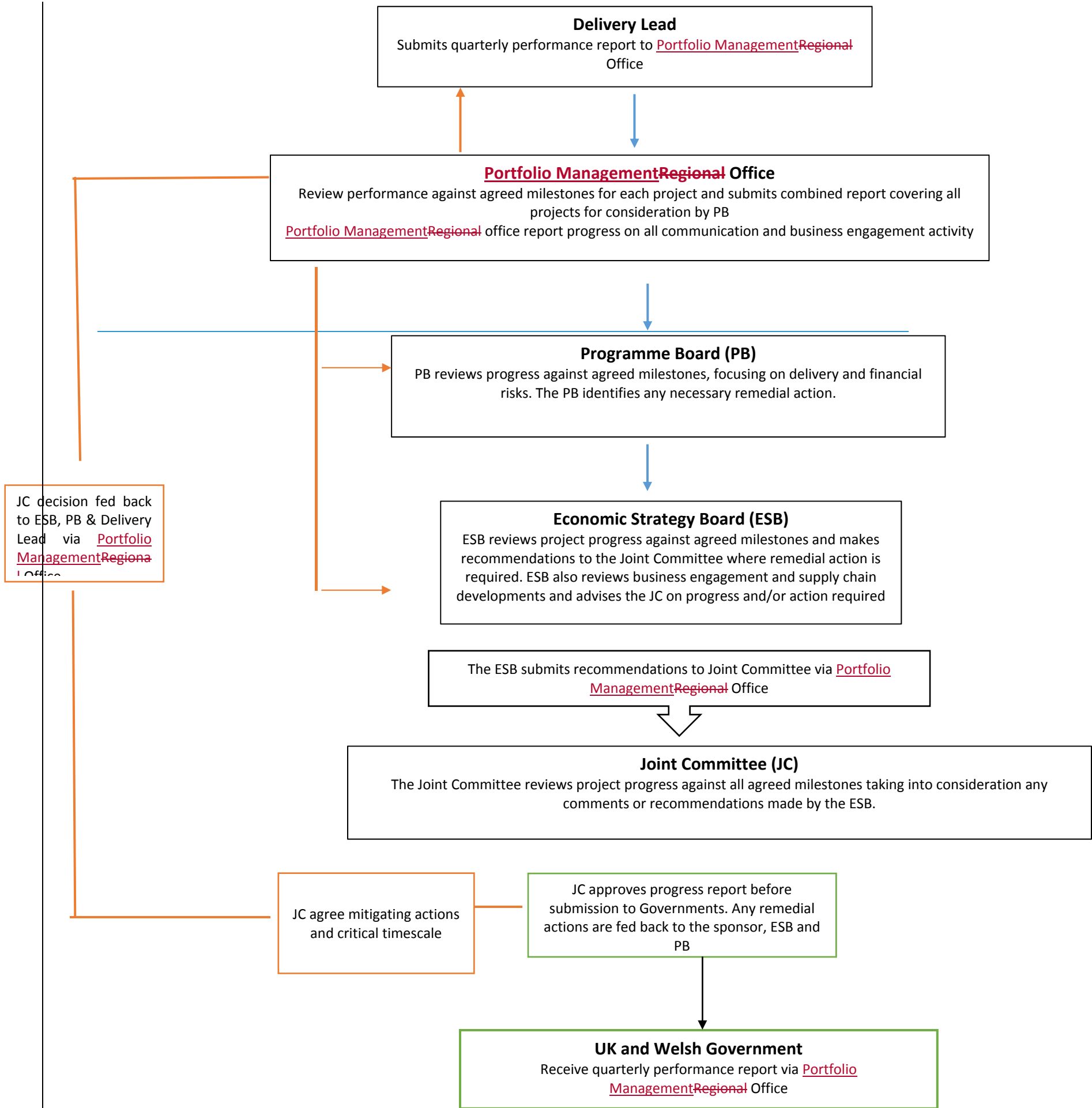
**Schedule 8 Project Approval Process**

DIAGRAM A - Full Business Case Approval Process for agreed Swansea Bay City Deal Projects.

Completed Full Business Cases for each of the 11 projects will undergo initial quality assessment by the Portfolio Management office and Accountable Body before being considered by the respective Swansea Bay City Deal governance structures as highlighted below.

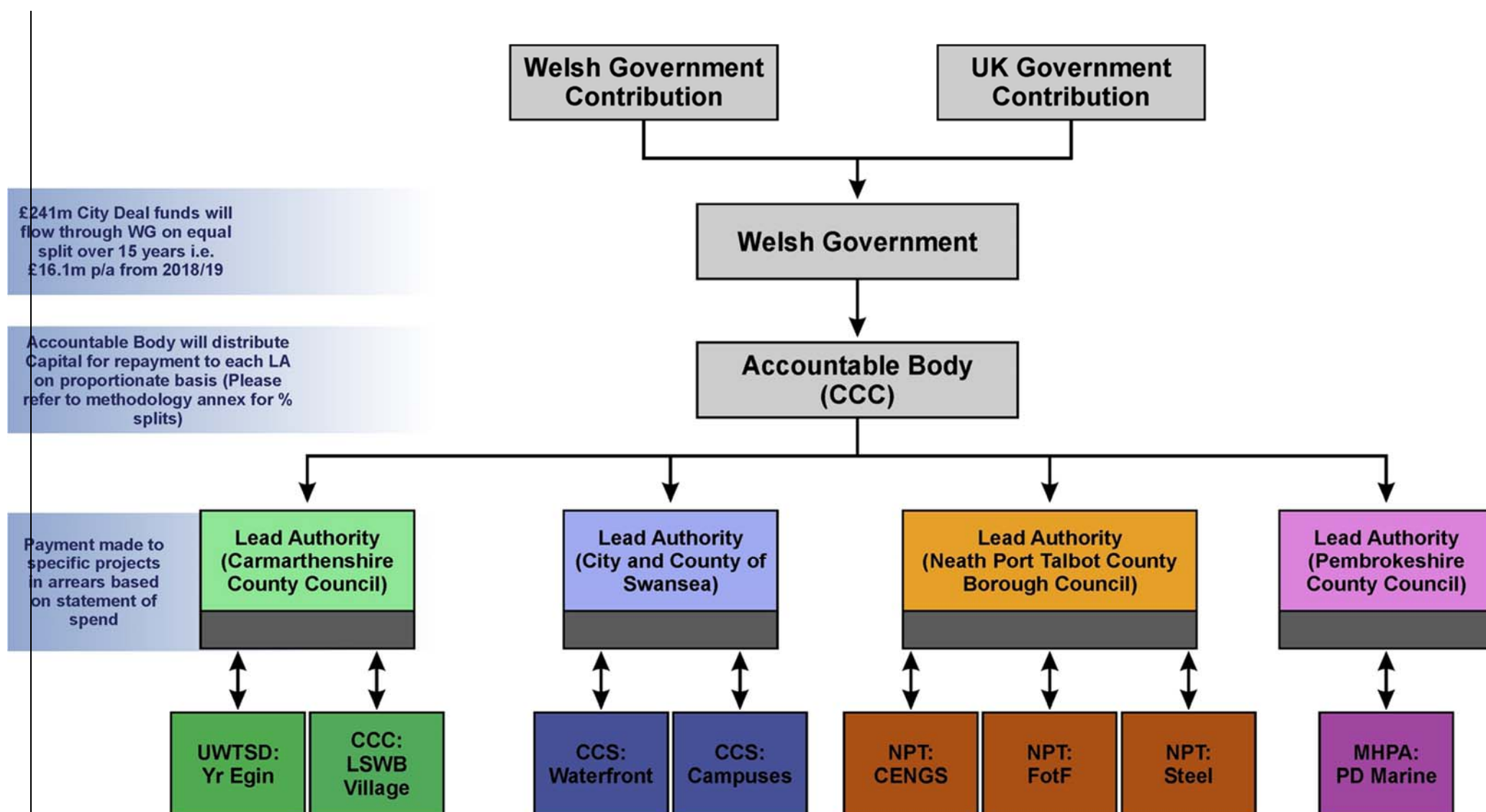


**Diagram B - Project Monitoring**

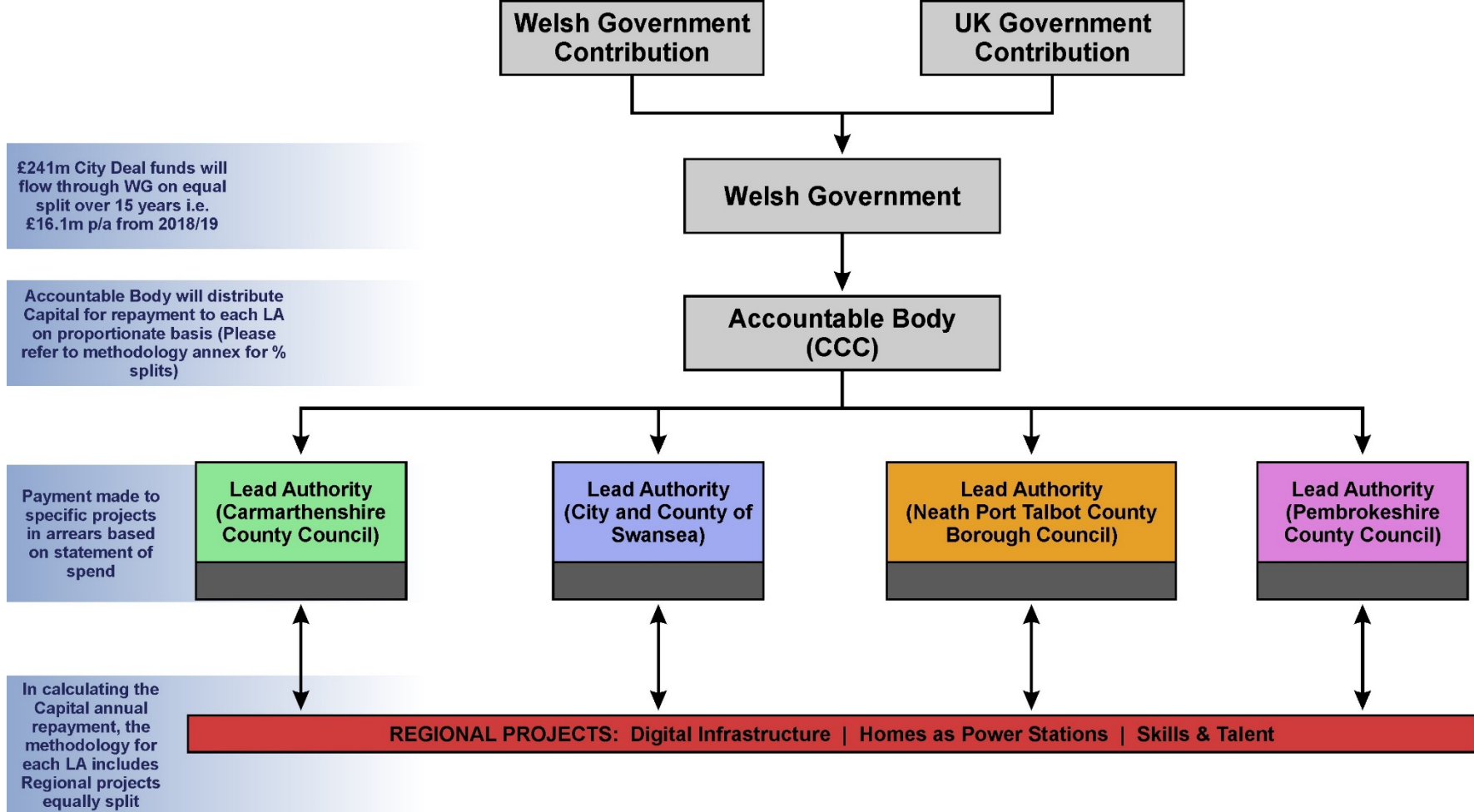




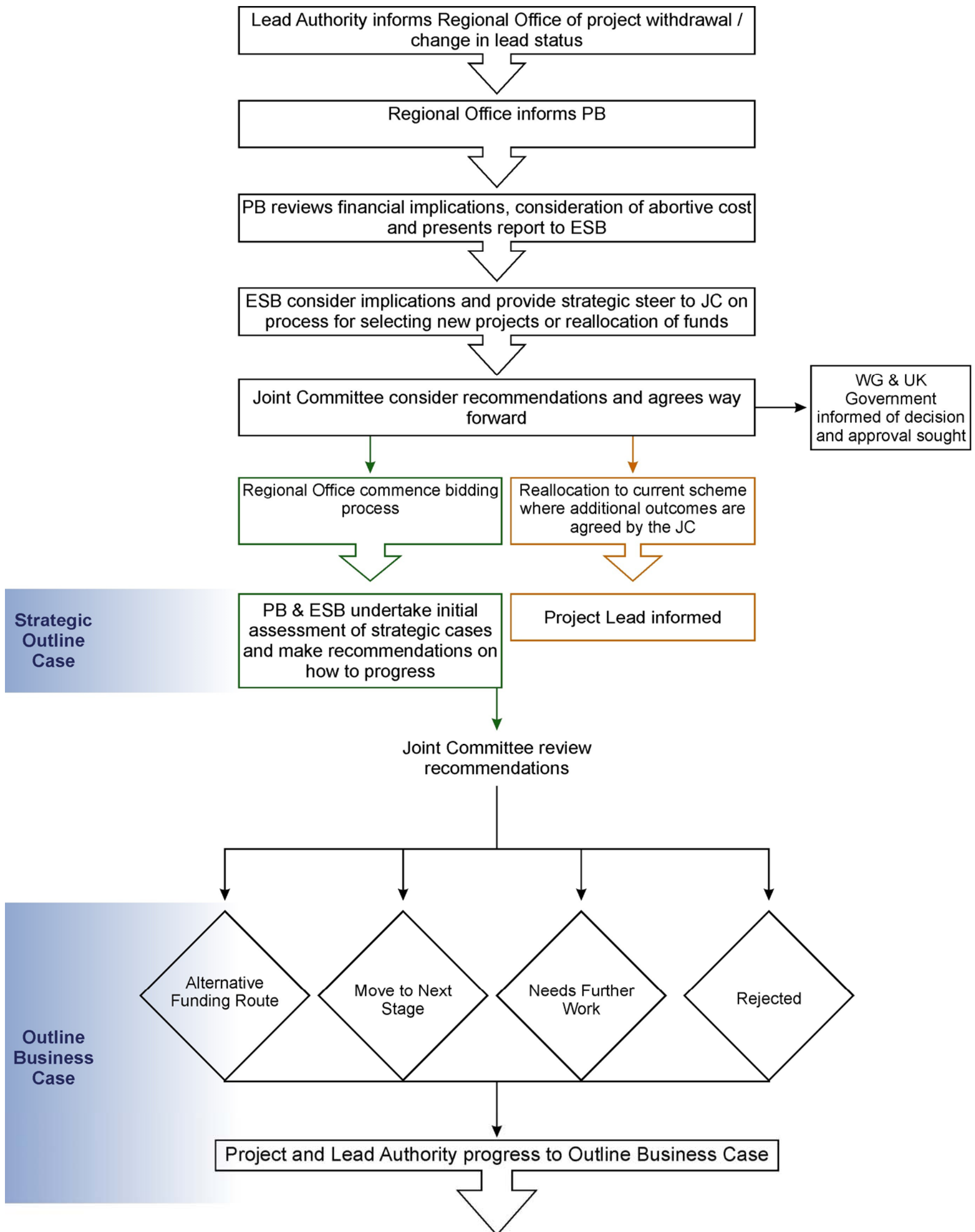
# SWANSEA BAY CITY DEAL FLOW OF FINANCES (LOCAL)



# SWANSEA BAY CITY DEAL FLOW OF FINANCES (REGIONAL)



## CHANGE IN PROJECT STATUS



Education and Public Services Group  
Y Grŵp Addysg a Gwasanaethau Cyhoeddus



Llywodraeth Cymru  
Welsh Government

To:  
Chief Finance Officers  
Local Authorities listed in Annex A

cc:  
Chief Finance Officers of Police Forces in Wales

03 May 2018

Dear Chief Finance Officers

**LOCAL GOVERNMENT ACT 2003 SECTIONS 16(2) (b) AND 20: TREATMENT OF CERTAIN COSTS AS CAPITAL EXPENDITURE**

1. This direction supersedes the previous direction issued on 15 March 2016.
2. In December 2017, the Secretary of State announced, the continuation of the capital receipts flexibility programme for a further three years, to give local authorities in England the continued freedom to use capital receipts from the sale of their own assets (excluding Right to Buy receipts) to help fund the revenue costs of transformation projects and release savings.
3. Accordingly, the Cabinet Secretary for Local Government and Public Services directs, in exercise of his powers under sections 16(2)(b) and 20 of the Local Government Act 2003 ("the Act"), that the local authorities listed in Annex A ("the Authorities") treat as capital expenditure, expenditure which:
  - a. is incurred by the Authorities that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners; and
  - b. is properly incurred by the Authorities for the financial years that begin on 1 April 2016, 1 April 2017, 1 April 2018, 1 April 2019, 1 April 2020 and 1 April 2021.

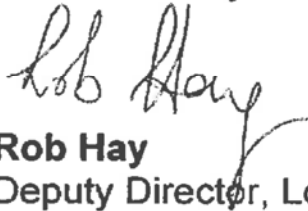


Parc Cathays • Cathays Park  
Caerdydd • Cardiff  
CF10 3NQ

Llinell Ymholiadau Cymraeg 0845 010 4400  
English Enquiry Line 0845 010 3300  
Epost • Email: LGFPMail@wales.gsi.gov.uk

4. In further exercise of Welsh Ministers' powers under section 20 of the Act, it is a condition of this direction that expenditure treated as capital expenditure in accordance with it, may only be met from capital receipts – within the meaning of section 9 of the Act and regulations made under that section (see Part 3 of SI 2003/3239(W319) as amended), which have been received in the years to which this direction applies.
5. This direction is given for the purposes of Chapter 1 of Part 1 of the Act only. It does not convey any other consent that may be required or any view as to the propriety of the expenditure. It is for each Authority to be satisfied that any amount to which this direction is applied is properly incurred in the financial year concerned.
6. When applying the direction, authorities are required to have regard to the *Guidance on Flexible Use of Capital Receipts* issued by Welsh Ministers under section 15(1)(a) of the Act.
7. If you have any queries in connection with the above, please do not hesitate to contact Local Government Finance Policy Division at:  
[LGFPMail@wales.gsi.gov.uk](mailto:LGFPMail@wales.gsi.gov.uk)

Yours faithfully



**Rob Hay**  
Deputy Director, Local Government Finance Policy Division

Authorised to sign this direction by the Cabinet Secretary for Local Government and Public Services

## Annex A: List of Authorities to which this direction applies

<b>Welsh Local Authorities</b>
Isle of Anglesey County Council
Gwynedd County Council
Conwy County Borough Council
Denbighshire County Council
Flintshire County Council
Wrexham County Borough Council
Powys County Council
Ceredigion County Council
Pembrokeshire County Council
Carmarthenshire County Council
Swansea City and County Council
Neath Port Talbot County Borough Council
Bridgend County Borough Council
Vale of Glamorgan County Borough Council
Rhondda Cynon Taff County Borough Council
Merthyr Tydfil County Borough Council
Caerphilly County Borough Council
Blaenau Gwent County Borough Council
Torfaen County Borough Council
Monmouthshire County Council
Newport City Council
Cardiff City and County Council

<b>Welsh Fire &amp; Rescue Authorities</b>
North Wales Fire and Rescue Authority
South Wales Fire and Rescue Authority
Mid and West Wales Fire and Rescue Authority

<b>Welsh Police and Crime Commissioner</b>
Police and Crime Commissioner for Dyfed-Powys
Police and Crime Commissioner for Gwent
Police and Crime Commissioner for North Wales
Police and Crime Commissioner for South Wales

## Welsh Government

### GUIDANCE ON FLEXIBLE USE OF CAPITAL RECEIPTS

April 2018

*PART 1 of this document provides an informal commentary on Part 2.*

*PART 2 contains the statutory guidance to which local authorities must have regard.*

#### [PART 1]

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#### INFORMAL COMMENTARY ON THE GUIDANCE ON FLEXIBLE USE OF CAPITAL RECEIPTS

*[References to the paragraphs in the formal guidance are in square brackets]*

##### POWER UNDER WHICH THE GUIDANCE IS ISSUED [1.1]

1. The **Local Government Act 2003** ("the Act"), section 15(1) requires a local authority "...to have regard (a) to such guidance as the Secretary of State may issue, and (b) to such other guidance as the Secretary of State may by regulations specify...". and section 24 of the Act states "In its application to Wales, ...for any reference to the Secretary of State there were substituted a reference to the Welsh Ministers."
2. The guidance on the flexible use of capital receipts in Part 2 of this document is issued under section 15(1) of the Act and authorities are therefore required to have regard to it.
3. Two codes of practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) contain guidance on capital receipts and local authority accounting that complements the Welsh Government guidance. These publications are:
  - *The Prudential Code for Capital Finance in Local Authorities*
  - *The Code of Practice on Local Authority Accounting.*

4. Local authorities are required to have regard to the current edition of *Treasury Management in Public Services: Code of Practice and Sectoral Guidance Notes* by Regulation 19 of the *Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 (SI 2003/3239 (W319))* and to the *Local Authority Accounting Code* as proper practices for preparing accounts under section 21(2) of the Act.

#### **APPLICATION [3.1- 3.2]**

5. This guidance should be read alongside the relevant direction issued by Welsh Ministers.
6. This guidance applies with effect from 1 April 2016 to 31 March 2022 – i.e. for the financial year 2016-17 and for each subsequent financial year to which the flexible use of capital receipts direction applies.
7. The direction makes it clear that local authorities cannot borrow to finance the revenue costs of service reform. Local authorities can only use capital receipts from the disposal of property plant and equipment assets received in the years in which this flexibility is offered. Local Authorities may not use their existing stock of capital receipts to finance the revenue costs of qualifying projects..

#### **QUALIFYING EXPENDITURE [4.1 - 4.3]**

8. Welsh Ministers believe that individual authorities and groups of authorities are best placed to decide which projects will be most effective for their areas. The key criterion to use when deciding whether expenditure can be funded by the capital receipts flexibility is that it is forecast to generate ongoing savings or reduce revenue costs or pressures over the longer term to an authority, or several authorities, and/or to another public body.
9. A list of types of project that would qualify for the flexible use of capital receipts is included in the guidance. This list is not meant to be prescriptive or exhaustive and individual authorities with projects that will generate ongoing savings or reduce revenue costs or pressures over the longer term which are not included in the list can apply the flexibility to fund those projects.

#### **ACCOUNTABILITY AND TRANSPARENCY [5.1 - 5.6]**

10. Welsh Ministers believe it is important that individual authorities demonstrate the highest standards of accountability and transparency. The guidance recommends that each authority should prepare a separate disclosure note of the individual projects that have been funded or part funded through capital receipts flexibility. The disclosure note should be approved by the Responsible Financial



Officer at the same time the statutory accounts are certified and can be included as part of the year-end accounts documentation. The disclosure note should be considered and approved by the person presiding at the committee or meeting at which approval of the statement of accounts was given.

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[PART 2]

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**Welsh Government  
GUIDANCE ON FLEXIBLE USE OF CAPITAL RECEIPTS**

Issued under section 15(1)(a) of the *Local Government Act 2003*  
and effective from 1 April 2016

**(1) POWER UNDER WHICH THE GUIDANCE IS ISSUED**

1.1 The following guidance is issued by Welsh Ministers under section 15(1)(a) of the *Local Government Act 2003*.

**(2) DEFINITION OF TERMS**

2.1 In this guidance, **the Act** means the *Local Government Act 2003*.

2.2 **Local authority** has the meaning given in section 23 of the Act (and in regulations made under that section).

2.3 **Capital receipt** has the meaning given in section 9 of the Act (and in regulations made under that section).

2.4 **Qualifying expenditure** means expenditure on a project where incurring up-front costs will generate ongoing savings; reduce revenue costs or pressures over the longer term. The main part of this guidance details the types of project that will generate qualifying expenditure.

2.5 The **direction** means a direction made under section 16(2)(b) of the Act, to allow named local authorities to treat qualifying expenditure as being capital expenditure.

2.6 **Prudential indicators** has the meaning given in the CIPFA code of practice, *The Prudential Code for Capital Finance in Local Authorities*.

### **(3) APPLICATION**

#### **Effective date**

3.1 This guidance applies with effect from 1 April 2016, for the period for which flexible use of capital receipts will apply. This will be set out in the direction.

#### **Local authorities**

3.2 This guidance applies to all local authorities in Wales named in the directions issued by Welsh Ministers.

### **(4) QUALIFYING EXPENDITURE**

#### **Types of qualifying expenditure**

4.1 Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery in a way that reduces costs or demand for services in future years for the Authority or any of the delivery partners. This includes investment which supports economic growth projects which are also designed to reduce revenue costs or pressures over the longer term. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.

4.2 The set up and implementation costs of any new processes or arrangements can be classified as qualifying expenditure. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure.

#### **Examples of qualifying expenditure**

4.3 There are a wide range of projects that could generate qualifying expenditure and the list below is not prescriptive. Examples of projects include:

- Preparatory work necessary to support local authority mergers as part of the programme to reform local government in Wales;
- Sharing back-office and administrative services with one or more other council or public sector body;
- Investment in service reform feasibility work, eg. setting up pilot schemes;
- Collaboration between local authorities and central government to free up land for economic use;

- Funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;
- Sharing Chief Executives, management teams or staffing structures;
- Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
- Aggregating procurement on common goods and services where possible, either as part of local arrangements or using the National Procurement Service, Crown Commercial Services or other central purchasing bodies which operate in accordance with the Wales Procurement Policy Statement;
- Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training;
- Setting up alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others); and
- Integrating public facing services across two or more public sector bodies (for example children's social care, trading standards) to generate savings or to transform service delivery.
- Investment which supports economic growth projects which are also designed to reduce revenue costs or pressures over the longer term, across one or more local authorities and/or other public sector bodies.

## **(5) ACCOUNTABILITY AND TRANSPARENCY**

### **Preparation**

5.1 Following the end of each financial year, as part of the preparation of its annual accounts, a local authority should ensure it prepares a disclosure note in accordance with the timetable in paragraph 5.5

### **Content**

5.2 As a minimum, the disclosure note should list each project that made use of the capital receipts flexibility, ensuring that it details the split of up-front funding for each project between capital receipts and other sources, and that on a project-by-project basis, setting out the expected savings and/or benefits of investment.

5.3 The disclosure note may also include any other matters considered to be relevant.

### **Approval**

5.4 The disclosure note should be considered and approved by resolution of the committee or of the members meeting as a whole.

**Timing**

5.5 For any financial year, a disclosure note should be prepared and approved no later than approval of the statement of accounts.

**Publication**

5.6 Welsh Ministers expect the disclosure note once approved, to be made available to the public free of charge, in print or online.



Llywodraeth Cymru  
Welsh Government

Mr C Moore  
S. 151 Officer – Swansea Bay City Region  
Director of Corporate Services  
Carmarthenshire County Council  
County Hall  
CARMARTHEN  
SA31 1JP

16 May 2018

Dear *Chris*

**Swansea Bay City Region City Deal: Financial Arrangements**

I refer to the ongoing discussions you and others have been having with my predecessor and other colleagues in Welsh Government regarding the Swansea Bay City Region financing arrangements. In particular these have covered how the authorities within the city region are seeking flexibility to manage the financing of the City Deal projects, in the same way that authorities have flexibility to effectively and efficiently manage the funding of their own Capital Programmes.

As set out in the Heads of Terms, the Welsh Government and UK Government have committed to invest a combined total of up to £241 million on specific interventions, subject to the submission and approval of the full business cases in relation to the 11 identified projects and the agreement of governance arrangements. This funding is to be provided as capital funding. However, the Region has indicated that the nature of some projects means they require revenue rather than capital support.

Subject to confirmation by HM Treasury, the government capital grant funding is to be provided on a flat profile with payments of the grant being made over a 15-year period. The local authorities within the City Deal region are expected to manage the funding in respect of the individual projects in the most cost effective and efficient way. There are no plans for Welsh Government to set additional terms and conditions on the use of the capital grant funding or restrict any otherwise permitted funding mechanism beyond those already set out in the Heads of Terms and the standard requirements of grant offers to ensure the maintenance of the highest standards of regularity and propriety for the use public monies. Within this, we expect each local authority to optimise its own funding position.

As indicated previously, the Welsh Government will expect the equivalent value of the allocated grant funds to be clearly expended on the projects as per the business cases submitted.



BUDDSODDWR MEWN POBL  
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In light of the Swansea Bay City Region's need for revenue funds to support some of its projects, the Welsh Government recognises the four authorities will need to manage their capital funding so as to enable revenue expenditure to be supported. If this is to be achieved (at least in part) through the use of the local authorities' available Capital Receipts, local authorities will need to have reference to the latest Direction from Welsh Ministers on the use of capital receipts, issued under section 15(1) (a) of the Local Government Act 2003 and the accompanying statutory *Guidance on Flexible Use of Capital Receipts*.

This may involve each local authority allocating borrowing against other capital projects within its capital programme, to maximise flexibility and make most effective use of resources (including the use of Reserves). This will be a matter for the local authorities concerned, provided they clearly identify that the total value of the City Deal funding provided has been incurred as expenditure on City Deal projects.

As was set out in the Heads of Terms, the Swansea Bay City Region will need to work with the UK Government and the Welsh Government to develop an agreed implementation, monitoring and evaluation plan for whole Deal which sets out the proposed approach to evaluating the impact of delivery.

Linked to this, as part of the grant procedures, the authorities will need to demonstrate clearly that all expenditure has been incurred on each project in line with the relevant business case. This is in line with the City Deal ethos of local accountability, where we have already set out in our letter of 7 July 2017 to the City Deal Accountable Officer (Mark James) that we do not intend to impose additional terms and conditions on the grant offers beyond those required as a matter of course to ensure financial propriety and good governance.

I hope this letter gives you and your colleagues within the City Region sufficient reassurance and confidence in relation to the available funding flexibilities to ensure all the projects can be delivered.

Yours sincerely



Judith Cole  
Deputy Director  
Local Government Finance Policy, Workforce and Social Partnerships

Mark Drakeford AC/AM  
Ysgrifennydd y Cabinet dros Gyllid  
Cabinet Secretary for Finance



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA-P-MD-1201-18

Rob Stewart

Leader, City and County of Swansea

[rob.stewart@swansea.gov.uk](mailto:rob.stewart@swansea.gov.uk)

11 April 2018

Dear Rob

I write further to recent correspondence and discussions with Leaders and yourself regarding the retention of non-domestic rates in relation to the Swansea Bay City Region City Deal.

This letter sets out an offer of an in-principle agreement to the original proposal which you put forward at the meeting with Leaders and the Secretary of State for Wales. I intend to initiate arrangements to allow the region to retain 50% of the additional net yield in non-domestic rates generated by the 11 projects which are to be delivered by the Deal.

Such an arrangement, of course, will rely upon a commitment from all four authorities to provide the information needed to enable my officials to assess the impact of the changes and to implement them.

Taking this forward will also involve each authority engaging in subsequent discussions with my officials in line with the principles set out in my letter of 10 August. Any change to the current arrangements for non-domestic rates will have significant wider implications for both local authorities and for the budgetary processes of the Welsh Government. These implications need to be fully understood and managed.

I need to be clear that my offer is predicated on the original proposal put to me by the four local authorities. That means that all four authorities will need to meet the forecast borrowing costs and manage any risk of the retained share of the rates yield being lower than estimated. Project business cases will still need to demonstrate that viable financial plans are in place for each project.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Correspondence.Mark.Drakeford@gov.wales](mailto:Correspondence.Mark.Drakeford@gov.wales)



It is also the case that the changes needed to enable any share of the rates yield to be retained must be carried out within the relevant legal and financial governance requirements. The advice provided to me suggests that this is not a simple matter. The non-domestic rates system is complex and governed by a detailed statutory framework, consultative arrangements and public finance requirements. Whilst we will, as always, make every effort to ensure the administrative procedures are as simple and effective as possible, we will all have to operate within the required standards. I therefore ask that the four authorities work with my officials to ensure that the necessary changes are effected in line with these long-standing requirements.

I am very pleased that our work together has led to the proposals set out in this letter. I would be grateful for your confirmation that the four authorities wish to accept this offer and make the commitments outlined above so that we may move forward and focus our efforts on the delivery of the Deal.

I am copying this letter to the four Leaders and the Secretary of State for Wales.



**Mark Drakeford AM/AC**  
Ysgrifennydd y Cabinet dros Gyllid  
Cabinet Secretary for Finance

*Copies to:*

Secretary of State for Wales  
Cllr Emlyn Dole, Leader, Carmarthenshire County Council  
Cllr Rob Jones, Leader, Neath Port Talbot County Borough Council  
Cllr David Simpson, Leader, Pembrokeshire County Council  
Cllr Mark James, Chief Executive, Carmarthenshire County Council

## Schedule 12 - Terms of Reference of Joint Scrutiny Committee

### 1. **Membership.**

- 1.1 The Joint Scrutiny Committee shall comprise of 12 members in total, 3 each from the 4 Constituent Authorities.
- 1.2 The membership may not include Executive Members

### 2. **Purpose**

2.1 The purpose of the Joint Scrutiny Committee shall be:

- 2.1.1 Performing the overview and scrutiny function for the Swansea Bay City Region City Deal (as specified in the Swansea Bay City Deal Joint Committee Agreement) on behalf of the 4 Constituent Authorities;
- 2.1.2 To develop a Forward Work Programme reflecting the functions under cl. 2.1.1 above
- 2.1.3 To seek reassurance and consider if the City Deal is operating according to the Joint Committee Agreement, its Business Plan, timetable and / or is being managed effectively;
- 2.1.4 To monitor any City Deal Regional projects against its Programme Plan
- 2.1.5 To make any reports and recommendations to the Constituent Authorities, whether to their executive Boards or Full Council as appropriate, in respect of any function which has been delegated to the Joint Committee pursuant to the Joint Committee Agreement

~~2.2 For the avoidance of doubt scrutiny of individual Authorities projects' shall be a matter for the relevant Constituent Authorities' Scrutiny Committee save where they have the potential to impact materially on the overall portfolio of the City Deal Projects.~~

2.2 Scrutiny of individual Authorities projects' shall be a matter for the relevant Constituent Authorities' Scrutiny Committee. Where individual projects have the potential to impact materially on the overall portfolio of the City Deal Projects the Joint Scrutiny Committee may consider provided that the relevant constituent Authority Scrutiny Committee is in agreement and does not wish to undertake scrutiny themselves.

### 3. **Chair**

- 3.1 The chair and Vice-Chair of the Joint Scrutiny Committee shall be elected by the Joint Scrutiny Committee
- 3.2 The chair and Vice-Chair of the Joint Scrutiny Committee shall not be from the same Authority as the Chair of the Joint Committee

### 4. **Voting**

- 4.1 Each member of the Joint Scrutiny Committee shall have one vote. Decisions of the Joint Scrutiny Committee shall be made by simple majority vote.
- 4.2 In the event of equality of votes the Chair of the Joint Scrutiny Committee shall have a casting vote.

### 5. **Conflicts of Interest**

- 5.1 Members of the Joint Scrutiny Committee must declare any interest either before or during the meetings of the Joint Scrutiny Committee (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

### 6. **Proceedings of Meetings**

- 6.1 The rules of procedure and access to information rules of the Host Authority for the scrutiny function shall apply to meetings of the Joint Scrutiny Committee
- 6.2 Members of the Joint Scrutiny Committee shall be subject to the Codes of Conduct for Members of their Councils.
- ~~6.2.3~~ Members shall be entitled to Joint Committee papers in accordance with the procedure rules of the Council that undertakes the monitoring officer and democratic services function.

### 7. **Quorum**

- 7.1 The quorum for meetings shall be no less than 8 members, which must include at least 1 member from each of the 4 Authorities

### 8. **Frequency**

- 8.1 The Joint Scrutiny Committee shall meet bi-monthly or on a frequency determined by the Joint Scrutiny Committee. Additional meetings may be convened by the Chair on at least 7 clear days notice.

### 9. **Allowances**

- 9.1 No allowances shall be paid

### 10. **Servicing**

- 10.1 The Host Authority for the joint scrutiny functions shall be Neath Port Talbot County Borough Council

### 11. **Sub-Groups**

- 11.1 The Joint Scrutiny Committee by agreement may create Task and Finish Groups.

### 12. **Review**

- 12.1 The Terms of reference of the Joint Scrutiny Committee shall be reviewed annually

### Schedule 13 - Rules of Conduct of Co-opted Members of the Joint Committee and the Economic Strategy Board

- 1 These rules apply to you in your capacity as:
  - 1.1 a co-opted member of the Joint Committee or
  - 1.2 the Economic Strategy Board of the Swansea Bay City Region.
- You must observe these rules whenever you attend a meeting of the Joint Committee or the Economic Strategy Board.
- 2 You shall conduct yourself appropriately and shall treat others with respect at meetings of the Joint Committee and the Economic Strategy Board.
- 3 You shall not conduct yourself in a manner which could reasonably be regarded as bringing the Joint Committee or the Economic Strategy Board or the Swansea Bay City Region into disrepute.
- 4 You shall abide by any policies and procedures adopted by the Joint Committee.
- 5 You shall prepare fully for meetings of the Joint Committee and the Economic Strategy Board including reading papers and seeking advice from the [Portfolio Management](#) Office when necessary.
- 6 You shall comply with any request for information from the [Portfolio Management Office](#) or the [monitoring officer undertaking the monitoring officer functions pursuant to this Agreement](#), properly and reasonably required in connection with your role as a member of the Joint Committee or the Economic Strategy Board.
- 7 As part of your role you may be requested by the Joint Scrutiny Committee to provide information or to attend a meeting and answer questions in connection with your activities as a member Joint Committee the Economic Strategy Board or the Swansea Bay City Deal, as the case may be and you are expected to comply with any such request.
- 8 You shall not disclose confidential information nor any information relating to business of the Joint Committee or the Economic Strategy Board which is exempt from public access
- 9 You shall avoid situations where your interests will conflict with the interests of the Swansea Bay City Region.
- 10 You shall regard yourself as having a personal interest in any business of the Joint Committee or Economic Strategy Board if it relates to or is likely to affect:
  - 10.1 Any employment or business carried on by you or any person who employs or has appointed you.
  - 10.2 Any firm in which you are a partner or any company for which you are a remunerated director.
  - 10.3 Any corporate body which has a place of business or land in the Swansea Bay City Region and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body.
  - 10.4 Any land in which you have a beneficial interest which is in the Swansea Bay City Region.
  - 10.5 Any land in the Swansea Bay City Region in which you have a licence to occupy for 28 days or longer.
- 11 You shall regard yourself as having a prejudicial interest in any business of the Joint Committee or Economic Strategy Board if you have a personal interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest.
- 12 You shall inform the [Portfolio Management](#) Office of your personal interests so that the [Portfolio Management](#) Office may register your interests on a register of interests of co-opted members of the Joint Committee and the Economic Strategy Board. You shall inform the [Portfolio Management](#) Office of your personal interests:
  - 12.1 No later than 28 days after your acceptance of co-option to the Joint Committee or the Economic Strategy Board; and
  - 12.2 No later than 28 days after you become aware of any new personal interests.
- 13 If you have a personal interest in any business which is considered at a meeting that you attend of the Joint Committee or the Economic Strategy Board you must disclose to that meeting the existence and nature of your interest before or at the commencement of the consideration of the business or when the interest becomes apparent.
- 14 If any of the following circumstances apply in respect of an item of business of the Joint Committee or the Economic Strategy Board you shall subject to paragraph 15 withdraw from the meeting and you shall not participate in the consideration of the business if:

- 14.1 The business relates to project for which the body which nominated or appointed you to the Joint Committee or the Economic Strategy Board is the Delivery Lead.
- 14.2 You have a prejudicial interest in the business.
- 15 Where you have a prejudicial interest in any business considered by the Joint Committee or the Economic Strategy Board you may attend a meeting of the Joint Committee or the Economic Strategy Board at which the business is considered for the purpose of making representations answering questions or giving evidence to the same extent that members of the public are allowed to attend the meeting for the purpose of making representations answering questions or giving evidence.

Undertaking to abide by the rules of conduct

I (name of co-opted member) undertake to abide by the rules of conduct of co-opted members of the Joint Committee and the Economic Strategy Board of the Swansea Bay City Region

Signed -----

Date -----



# Proffil Swydd/Job Profile

**Teitl y Swydd –** Cyfarwyddwr Rhaglen Bargaen Ddinesig Bae Abertawe

**Post Title –** Swansea Bay City Deal Programme Director

Adran	Swyddfa Reoli Rhaglen Bargaen Ddinesig Bae Abertawe
Department	Swansea Bay City Deal Programme Management Office
Gradd/Grade	Pennaeth Gwasanaeth / Head of Service £88,478 - £94,373
Rhif y Swydd/Post Number	028798
Paratowyd Gan/Prepared By	Swyddfa Rhaglan Bargaen Ddinesig Bae Abertawe Swansea Bay City Deal Programme Office
Dyddiad Paratoi / Date Prepared	Mehefin 2019 June 2019

## Prif Ddiben y Swydd

Bod yn atebol i Gyd-bwyllgor Bargen Ddinesig Bae Abertawe o ran cyflawni'r weledigaeth a'r dyheadau ar gyfer y rhanbarth.

Sicrhau bod rhaglen gytunedig Bargen Ddinesig Bae Abertawe yn cael ei chyflwyno'n llwyddiannus, gan gyflawni ei phrosiectau'n effeithiol, cyflawni twf cynaliadwy a datgloi rhagor o fuddsoddi gan y llywodraeth a chyllid buddsoddi.

Datblygu a chynnal perthnasoedd effeithiol â'r holl bartneriaid cyhoeddus a phreifat ar draws y rhanbarth a sicrhau ymrwymiad i weledigaeth y Fargen Ddinesig.

Helpu i ddatblygu proffil Bargen Ddinesig Bae Abertawe fel lle i fyw, gweithio a buddsoddi ynddo.

## Prif dasgau/cyfrifoldebau

1. Gweithio gyda'r Cyd-bwyllgor i gyflawni blaenoriaethau a phrosiectau'r fargen ddinesig o fewn y terfynau amser perthnasol a sicrhau bod portffolio o brosiectau ar draws ystod o asiantaethau partner yn cael eu cydgysylltu'n llwyddiannus, gan sicrhau bod y rhaglen yn gydlynol.
2. Bod yn gyfrifol am gydlynu rheolaeth y rhaglen gan ategu'r Fargen Ddinesig a sicrhau bod hynny'n datblygu'n fframwaith cefnogi cadarn sy'n helpu i gyflawni canlyniadau'n llwyddiannus.
3. Sefydlu a rheoli'n effeithiol Swyddfa Reoli Rhaglen Bargen Ddinesig Bae Abertawe gan sicrhau ei bod yn dod yn adnodd gwerth ychwanegol ar gyfer y rhanbarth yn seiliedig ar egwyddorion rheoli prosiect P3M3.
4. Rhoi yn eu lle strwythurau allweddol er mwyn nodi a chytuno ar y dangosyddion lleol a chenedlaethol a fydd yn mesur llwyddiant y Fargen Ddinesig.
5. Helpu a chefnogi'r holl bartneriaid i ddilyn trefniadau llywodraethu'r Fargen Ddinesig ac i reoli'n llwyddiannus gymeradwyo achosion busnes prosiectau.
6. Rhyngwynebu â Llywodraeth ehangach Cymru a'r DU i fynd ar hynt hyn ac unrhyw ffynonellau buddsoddi posibl arall.
7. Meithrin partneriaeth gref a chynhyrchiol â'r sector preifat ledled rhanbarth Bae Abertawe a cheisio cyfleoedd pellach i gael buddsoddiad preifat yn y Fargen Ddinesig.
8. Llunio ffordd newydd o feddwl yn strategol sydd wedi'i hanelu at ddatblygu atebion arloesol a chreadigol sy'n mynd i'r afael â'r heriau a'r rhwystrau sy'n wynebu twf economaidd ar draws y rhanbarth, a sicrhau eich bod yn gwybod am hynny.
9. Ar y cyd â'r Bwrdd Strategaeth Economaidd, datblygu ymagwedd newydd tuag at yr economi sylfaenol ledled y rhanbarth a chysylltu â strategaethau'r llywodraeth ynghylch hyn, yn enwedig o ran caffael lleol.
10. Cyfathrebu'n effeithiol weledigaeth y Fargen Ddinesig yn y rhanbarth, ar draws y DU ac yn rhyngwladol.
11. Sicrhau bod riportio a rheolaeth ariannol effeithiol yn digwydd er mwyn mwyhau'r defnydd o adnoddau ac er mwyn sicrhau bod blaenoriaethau y cytunwyd arnynt yn cael eu hariannu'n effeithiol.
12. Rhoi gwybod am gynnydd ac anawsterau o ran gweithredu a rheoli prosiectau i'r Cyd-bwyllgor, Bwrdd y Rhaglen a'r Bwrdd Strategaeth Economaidd a chwilio am atebion i unrhyw broblemau a allai godi.

- |  |
|--|
| 13. Darparu data monitro perfformiad cynhwysfawr i'r Cyd-bwyllgor ac unrhyw randdeiliaid eraill a nodwyd.                              |
| 14. Sicrhau bod ymgysylltu cynhwysfawr a rhagweithiol yn digwydd ag asiantaethau partner, cynghorau lleol, busnesau a sectorau eraill. |

### **Yn gyfrifol am staff/offer**

Yn gyfrifol am recriwtio a rheoli ar gyfer Swyddfa Reoli'r Rhaglen.

### **Yn atebol i**

Cyd-bwyllgor Bargen Ddinesig Bae Abertawe



Meini Prawf	Hanfodol
<p><b>Cymwysterau /</b></p> <p><b>Hyfforddiant galwedigaethol /</b></p> <p><b>Aelodaeth Broffesiynol</b></p>	<p>Yn meddu ar radd mewn pwnc perthnasol neu brofiad cyfatebol</p> <p>Cymhwyster rheoli rhaglen / prosiect (e.e. PRINCE2, AGILE)</p> <p>Datblygiad Proffesiynol Parhaus amlwg</p>
<p><b>Y sgiliau sy'n ymwneud â'r swydd /</b></p> <p><b>Galluoedd</b></p>	<p><b>Penderfynu ynghylch Camau a'u Rhoi ar Waith</b></p> <p>Gwneud penderfyniadau cyflym a chlir a allai olygu gwneud dewisiadau anodd neu gymryd risgiau ystyriol;</p> <p>Cymryd cyfrifoldeb dros gamau gweithredu, prosiectau a phobl;</p> <p>Bod yn flaengar ac yn hyderus a gweithio heb gyfarwyddyd;</p> <p>Ysgogi a chreu gweithgaredd</p> <p><b>Arwain a Goruchwyllo</b></p> <p>Rhoi arweiniad clir i eraill; Pennu safonau ymddygiad priodol;</p> <p>Dirprwyo gwaith yn briodol ac yn deg; Ysgogi a grymuso eraill; Rhoi cyfleoedd i staff ddatblygu a chael hyfforddiant personol;</p> <p>Recriwtio staff o'r radd flaenaf</p> <p><b>Glynu wrth Egwyddorion a Gwerthoedd</b></p> <p>Cynnal safonau moesol a gwerthoedd; Arddangos gonestrwydd;</p> <p>Hyrwyddo ac amddiffyn cyfleoedd cyfartal, adeiladu tîmoedd amrywiol;</p> <p>Annog cyfrifoldeb trefniadol ac unigol tuag at y gymuned a'r amgylchedd</p> <p><b>Darbwylllo a Dylanwadu</b></p> <p>Gwneud argraff bersonol gref ar eraill; Ennill dealltwriaeth glir ac ymrwymiad gan eraill drwy ddarbwylllo, argyhoeddi a chyd-drafod;</p> <p>Hybu syniadau ar eich rhan eich hun neu ar ran eraill;</p> <p>Defnyddio prosesau gwleidyddol yn effeithiol i ddylanwadu ar eraill ac i'w darbwylllo</p>

## **Cyflwyno a Chyfathrebu**

Siarad yn glir ac yn rhugl; Mynegi barn, gwybodaeth a phwyntiau allweddol dadl yn glir; gwneud cyflwyniadau ac ymgymryd â siarad cyhoeddus gyda medruswydd a hyder;

Ymateb yn gyflym i anghenion cynulleidfa ac i'w hymatebion a'u hadborth;

Hygrededd prosiectau

## **Llunio Strategaethau a Chysyniadau**

Gweithio'n strategol i wireddu amcanion y sefydliad; Pennu a datblygu strategaethau;

Clustnodi a threfnu'r adnoddau sydd eu hangen i gyflawni tasgau:

Monitro perfformiad yn unol â dyddiadau cau a cherrig milltir

## **Addasu ac Ymateb i Newid**

Addasu i amgylchiadau newidiol; derbyn syniadau newydd a mentrau ar gyfer newid;

Addasu arddull ryngpersonol yn ôl yr hyn sy'n addas i wahanol bobl neu sefyllfaoedd;

dangos parch a sensitifrwydd tuag at wahaniaethau diwylliannol a chrefyddol

Ymdrin ag amwysedd gan wneud defnydd cadarnhaol o'r cyfleoedd y mae hynny'n ei gyflwyno

## **Dadansoddi**

Dadansoddi data rhifyddol, data geiriol a phob ffynhonnell wybodaeth arall;

rhanu gwybodaeth yn gydrannau, patrymau a chydberthnasau; ymchwilio i gael rhagor o wybodaeth neu well dealltwriaeth o broblem; gwneud penderfyniadau rhesymegol ar sail y wybodaeth a'r dadansoddiad sydd ar gael;

cynnig atebion ymarferol i amrywiaeth o broblemau; deall bod un mater yn gallu bod yn rhan o system lawer mwy

Sensitifrwydd gwleidyddol – Sensitifrwydd a barn wleidyddol ragorol, a'r gallu i weithio gyda llywodraethau a chynghorau; Yn hyderus wrth reoli materion sensitif a gwleidyddol; Defnydd effeithiol o ddiplomyyddiaeth

<p><b>Gwybodaeth</b></p>	<p>Gwybodaeth am lywodraeth leol, ranbarthol a chenedlaethol ac asiantaethau, y gymuned fusnes a sefydliadau allanol perthnasol eraill</p> <p>Dealltwriaeth dda o brosesau gwneud penderfyniadau Llywodraeth Genedlaethol ac awdurdodau lleol a chyllid llywodraeth leol</p> <p>Dealltwriaeth glir o agenda'r Llywodraeth Genedlaethol ar gyfer Awdurdodau Lleol ar lefel y DU a Chymru</p> <p>Dealltwriaeth drylwyr o egwyddorion llywodraethu allweddol</p>
<p><b>Profiad</b></p>	<p>Profiad o arwain rhaglenni mawr a chymhleth i gyflawni canlyniadau llwyddiannus mewn strategaethau cydymffurfio cysylltiedig</p> <p>Profiad o gynllunio a mewnblannu rhaglenni mawr, cymhleth yn unol â therfynau amser caeth drwy drefnu adnoddau ar draws ffiniau sefydliadol</p> <p>Profiad helaeth o reoli portffolios/prosiectau</p> <p>Profiad o waith partneriaeth sylweddol gydag ystod o sefydliadau mewnol ac allanol i gyflawni amcanion cyffredin</p> <p>Profiad sylweddol a diweddar o reoli'n llwyddiannus ar lefel uwch gan ymdrin ag ystod amrywiol ac allweddol o sefydliadau uchel eu proffil yn y Sector Cyhoeddus a Phreifat</p> <p>Llwyddiant blaenorol o weithredu ar lefel uwch ac o reoli perthnasoedd cymhleth ac amrywiol â rhanddeiliaid yn effeithiol</p> <p>Y gallu i arwain timau amlddisgyblaethol, traws-sefydliadol</p> <p>Y gallu i ddod o hyd i atebion creadigol ac arloesol i broblemau cymhleth ac i weithio gydag ystod o bartneriaid er mwyn eu gweithredu.</p>
<p><b>Rhinweddau personol</b></p>	<p>Dull strategol a gweledigaeth i gyflwyno rhaglenni cymhleth mawr</p> <p>Cymryd ymagwedd gydweithredol at weithio mewn partneriaeth</p> <p>Yn gwneud penderfyniadau gwybodus ar sail gwybodaeth a phrofiad cadarn</p> <p>Hunangymhelliant ac ymagwedd hyblyg ac addasadwy at waith</p> <p>I gallu weithio mewn amgylchedd heriol ac i amserlenni llym.</p> <p>Meddu ar y gallu i greu amgylchedd o ymddiriedaeth, didwyllledd a chydaddoldeb drwy ryngweithio â phobl o wahanol gefndiroedd cymdeithasol, diwylliannol, economaidd ac addysgol.</p> <p>Sgiliau rhyngpersonol ardderchog a'r gallu i feithrin perthnasoedd llwyddiannus ac ymddiriedaeth gydag ystod eang o bartneriaid</p>

	Y gallu i ddadansoddi gwybodaeth ariannol a defnyddio'r wybodaeth yn effeithiol er mwyn sicrhau rheoli cyllidebau'n effeithiol ac atebolrwydd
	<b>Dymunol</b>
	Profiad o arwain mentrau arbennig i gefnogi amcanion economaidd a chymdeithasol  Profiadau o adrodd i Gyd-bwyllgorau/Byrddau

Sgiliau Iaith / Cyfathrebu	Sgiliau Llafar	Sgiliau Ysgrifennu
Cymraeg	Lefel 2	Lefel 2
Saesneg	Lefel 5	Lefel 5

DIM ANGEN GWIRIAD DBS	<input checked="" type="checkbox"/>
<b><u>Adran A – y math o ddatgeliad</u></b>	
DATGELIAD SAFONOL	<input type="checkbox"/>
DATGELIAD MANWL	<input type="checkbox"/>
DATGELIAD MANWL GAN WIRIO'R RHESTR WAHARDD	<input type="checkbox"/>
<b><u>Adran B – y math o weithlu</u></b>	
Y GWEITHLU PLANT	<input type="checkbox"/>
Y GWEITHLU OEDOLION	<input type="checkbox"/>
Y GWEITHLU PLANT AC OEDOLION	<input type="checkbox"/>
GWEITHLU ARALL	<input type="checkbox"/>

## Y RHESWM

Cyfeiriwch at ganllawiau a/neu cysylltwch â'ch Ymgynghorydd Adnoddau Dynol cyn penderfynu a yw Gwiriad DBS yn ofynnol ar gyfer y swydd hon. Cofnodwch eich rhesymau yma.

## UNRHYW WYBODAETH ARALL

Mae hon yn swydd hollbwysig ac uchel ei phroffil sef sefydlu a rhedeg swyddfa reoli'r rhaglen ar gyfer Bargen Ddinesig Bae Abertawe yn ogystal â chydlynu ei phortffolio o brosiectau rhanbarthol.

Caiff y Fargen Ddinesig gyllid gan Lywodraeth y Deyrnas Unedig a Llywodraeth Cymru, y sector cyhoeddus a'r sector preifat. Mae hwn yn gyfle enfawr i uwch-reolwr/arweinydd uchelgeisiol a phrofiadol weithio yn Ne-orllewin Cymru. Rydym yn chwilio'n benodol am

ymgeisydd sydd â sgiliau amlwg o ran rheoli'r rhaglen a phrosiectau, ac sydd â'r gallu i weithio ar draws ffiniau sefydliadol yn y sectorau cyhoeddus a phreifat.

Swydd dan Gyfyngiadau Gwleidyddol: sy'n ei gwneud yn ofynnol i ddeiliad y swydd fod yn wleidyddol ddi-dduedd

Rydym wedi ymrwymo i helpu pobl i fyw, gweithio a manteisio ar wasanaethau yn eu dewis iaith, felly mae'r gallu i gyfathrebu yn Gymraeg yn fanteisiol. Mae gennym ystod o opsiynau hyblyg i'ch helpu i gyrraedd y safon ofynnol ar gyfer y swydd.

## Main Purpose of Job

To be accountable to the Swansea Bay City Deal Joint Committee in delivering its vision and aspirations for the region

To ensure successful delivery of the agreed Swansea City Deal programme, effectively delivering its projects, achieving sustainable growth and unlocking further government and investment funding

To develop and maintain effective relationships with all public and private partners across the region and ensure commitment to the City Deal vision

To assist in developing the profile of the Swansea Bay City Deal Region as a place to live, work and invest

## Key tasks/responsibilities

1. To work with the Joint Committee to deliver the city deal priorities and projects within the relevant timescales and to ensure the successful co-ordination of a portfolio of projects across a range of partner agencies, ensuring that the programme is joined-up and coherent
2. To be responsible for coordinating the programme management underpinning the City Deal and ensure that develops into a robust supporting framework which assists in the successful delivery of outcomes
3. To effectively establish and manage the Swansea Bay City Deal Programme Management Office ensuring that it becomes a value-added resource for the region based on P3M3 project management principles
4. To put in place the key structures in order to identify and agree the local and national indicators that will measure the success of the City Deal
5. To assist and support all partners to follow the City Deal governance arrangements and to successfully manage the approval of project business cases
6. To interface with the wider Welsh and UK Government in pursuit of this and any other potential sources of investment
7. To build strong and productive partnership with the private sector throughout the Swansea Bay region and seek further opportunities for private investment in the City Deal
8. To keep abreast and devise new strategic thinking aimed at developing innovative and creative solutions that address the challenges and impediments to economic growth across the region

9. In liaison with the Economic Strategy Board, develop a new approach to the foundational economy throughout the region and link into government strategies on this, especially in terms of local procurement
10. To effectively communicate the vision of the City Deal both within the region and across the wider UK and internationally
11. To ensure there is effective financial management and reporting to maximise the use of resources available and to ensure that there is effective resourcing of agreed priorities
12. To report progress and issue in terms of project implementation and management and management to the Joint Committee, Programme Board and the Economic Strategy Board and to seek solutions to any problems that may arise
13. Provide comprehensive performance monitoring data to the Joint Committee any other identified stakeholders
14. Ensure there is comprehensive and pro-active stakeholder engagement across partner agencies, local councils, businesses and other sectors

### **Responsible for staff/equipment**

Responsible for recruitment and management of Programme Management Office

### **Reporting to**

Swansea Bay City Deal Joint Committee

Criteria	Essential
<b>Qualifications/ Vocational training/ Professional Memberships</b>	<p>Educated to degree level in relevant subject or equivalent experience</p> <p>Programme / project management qualification (e.g. PRINCE2, AGILE)</p> <p>Demonstrable continuing professional development</p>
<b>Job Related Skills/ Competencies</b>	<p><b>Deciding &amp; Initiating Action</b></p> <p>Makes prompt, clear decisions which may involve tough choices or considered risks; Takes responsibility for action, projects and people;</p> <p>Takes initiative, acts with confidence and works under own direction;</p> <p>Initiates and generates activity</p> <p><b>Leading &amp; Supervising</b></p> <p>Provides others with a clear direction; Sets appropriate standards of behaviour; Delegates work appropriately and fairly; Motivates and empowers others;</p> <p>Provides staff with development opportunities and coaching; Recruits staff of a high calibre</p> <p><b>Adhering to Principles &amp; Values</b></p> <p>Upholds ethics and values; Demonstrates integrity; Promotes and defends equal opportunities, builds diverse teams;</p> <p>Encourages organisational and individual responsibility towards the community and the environment</p> <p><b>Persuading &amp; Influencing</b></p> <p>Makes a strong personal impression on others;</p> <p>Gains clear agreement and commitment from others by persuading, convincing and negotiating;</p> <p>Promotes ideas on behalf of self or others;</p> <p>Makes effective use of political processes to influence and persuade others</p> <p><b>Presenting &amp; Communicating</b></p> <p>Speaks clearly and fluently; Expresses opinions, Information and key points of an argument clearly;</p> <p>Make presentations and undertakes public speaking with skill and confidence;</p>



	<p>Responds quickly to the needs of an audience and to their reactions and feedback;</p> <p>Projects credibility</p> <p><b>Formulating Strategies &amp; Concepts</b></p> <p>Works strategically to realise organisational goals; Sets and develops strategies;</p> <p>Identifies and organises resources needed to accomplish tasks:</p> <p>Monitors performance against deadlines and milestones</p> <p><b>Adapting &amp; Responding to Change</b></p> <p>Adapts to changing circumstances; accepts new ideas and change initiatives;</p> <p>Adapts interpersonal style to suit different people or situations;</p> <p>Shows respect and sensitivity towards cultural and religious</p>
<b>Knowledge</b>	<p>Wide knowledge of local, regional and National Government and agencies, the business community and other relevant external organisations</p> <p>Good understanding of National Government and local authority decision-making processes and local government finance</p> <p>A clear understanding of National Government's agenda for Local Government at both UK and Wales levels</p> <p>A thorough understanding of key governance principles</p>
<b>Experience</b>	<p>Experience of leading large and complex programmes to deliver successful outcomes within associated compliance strategies</p> <p>Experience of planning and implanting large, complex programmes to strict deadlines by marshalling resources across organisational boundaries</p> <p>Extensive experience of portfolio / project management</p> <p>Substantial partnership working with a range of internal and external organisations to deliver common objectives</p> <p>Significant and recent experience of successful management at a senior level covering a diverse range of key, high profile Public and Private Sector organisations</p> <p>Track record of operating at a senior level, managing complex and varied stakeholder relationships effectively</p> <p>Proven ability to lead multidisciplinary, cross organisational teams</p>

	Proven ability to find creative and innovative solutions to complex problems and to work with a range of partners to implement them.
<b>Personal qualities</b>	<p>Strategic approach and vision to deliver large complex programmes</p> <p>Takes a collaborative approach to partnership working</p> <p>Makes informed decisions based on sound information and experience</p> <p>Self-motivated with a flexible and adaptable approach to work</p> <p>Ability to work in a demanding environment and to tight time scales</p> <p>Have the ability to create an environment of trust, openness and equality by interacting with people of various social, cultural, economic and educational backgrounds</p> <p>Excellent interpersonal skills and the ability to build successful relationships and trust with a wide range of partners</p> <p>Ability to analyse financial information and effectively use the information to ensure efficient budget management and accountability</p>
	<b>Desirable</b>
	<p>Experience of leading special initiatives in support of economic and social objectives</p> <p>Experiences of reporting to Joint Committees / Boards</p>

Language/ Communication Skills	Spoken Level	Written level
Welsh	Level 2	Level 2
English	Level 5	Level 5

NO DBS CHECK REQUIRED	<input checked="" type="checkbox"/>
<b><u>Section A – type of disclosure</u></b>	
STANDARD DISCLOSURE	<input type="checkbox"/>
ENHANCED DISCLOSURE	<input type="checkbox"/>
ENHANCED DISCLOSURE WITH BARRED LIST CHECK	<input type="checkbox"/>
<b><u>Section B – workforce type</u></b>	
CHILD WORKFORCE	<input type="checkbox"/>
ADULT WORKFORCE	<input type="checkbox"/>
CHILD AND ADULT WORKFORCE	<input type="checkbox"/>
OTHER WORKFORCE	<input type="checkbox"/>

## JUSTIFICATION

## ANY OTHER INFORMATION

This is a high profile and critical role tasked with establishing and running the programme management office for the Swansea Bay City Deal plus co-ordinating its portfolio of regional projects.

The City Deal includes funding from the UK and Welsh Governments, the public sector and the private sector. This presents a huge opportunity for an ambitious and experienced senior manager/leader to work in South West Wales. We are particularly looking for candidate with demonstrable skills in terms of project and programme management and an ability to work across organisational boundaries in both public and private sectors.

Politically Restricted Post: which requires the post holder to be politically neutral

We are committed to helping people live, work and access services in their language of choice, therefore the ability to communicate in Welsh is advantageous. We have a range of flexible options to help you reach the required standard for this post



# Agenda Item 18.



## Cabinet Member for Investment, Regeneration & Tourism

Cabinet - 19 September 2019

### Property Acquisition and Redevelopment FPR7 – The Palace Theatre

<b>Purpose:</b>	To comply with Financial Procedure Rule No.7 (Capital Programming and Appraisals) - to commit and authorise the addition of new schemes to the Capital Programme.
<b>Policy Framework:</b>	Swansea Bay City Region Economic Regeneration Strategy.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet approve the proposed acquisition and redevelopment of the Palace Theatre as part of the WG Building for the Future Programme, the associated Financial Implications and add the scheme to the capital programme.  2) Subject to the approval of an offer of grant funding from Welsh Government, Cabinet authorise the acquisition of the Palace Theatre on the terms set out in this report. The Director of Place, in consultation with the Chief Finance Officer and the Chief Legal Officer, is authorised to negotiate and settle all final terms necessary to progress the transaction and the Chief Legal Officer is authorised to enter into any documentation necessary to deliver this project and protect the Council's interests.  3) Cabinet authorises the Director of place to carry out the appropriate due diligence as part of the proposed purchase so as to satisfy that the condition and purchase price being paid represents best value.
<b>Report Authors:</b>	Geoff Bacon, Elliott Williams
<b>Finance Officer:</b>	Ben Smith, Jayne James
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## **1.0 Introduction**

- 1.1 This report provides background information regarding a private sector led scheme to redevelop the Palace Theatre, High Street, over the past four years and outlines a new proposal for Swansea Council to acquire and redevelop the property as part of Welsh Government's Building for the Future Programme.

## **2.0 Background**

- 2.1 The Palace Theatre is a Grade II listed building designed by Bucknall and Jennings that originally opened as Swansea Pavilion in 1888. It was later converted to a cinema in 1908 (People's Bioscope Palace), and has served as many uses over its lifetime, including as bingo hall, private club and nightclub. During this time some notable stars of screen and stage have performed at the venue, namely Charlie Chaplin, Sir Anthony Hopkins, Morecambe and Wise and Ken Dodd. However, since 2007 it has been unused and in a derelict state, following its later use as a nightclub.
- 2.2 From 2007 onwards the building has descended into an advanced state of dereliction with protective fencing added to secure the building and prevent pedestrians from walking on the pavements around it.
- 2.3 The current owners purchased the building in September 2011 and incorporated The Palace Theatre Trust Ltd with a view to securing grant support and redeveloping the building as a private sector entity.
- 2.4 In April 2014 Swansea Council made a £75,000 grant available against works totalling £110,000 to carry out emergency works, including making the building watertight, removing vegetation and loose brickwork that could be deemed unsafe. Since that time officers Planning and the Economic Development & External Funding team have regularly liaised with the owners to assist with access to grant support to redevelop the building. The current owners also appointed architect Austin-Smith: Lord and cost consultants Faithfull+Gould to undertake surveys, RIBA 1 and 2 designs and cost plans.
- 2.5 In 2016 Welsh Government launched the Building for the Future Programme (BFTF) which would target EU funding (ERDF) at City Centre properties that faced a significant viability gap in being brought back into meaningful economic use. With prominent buildings such as the Palace Theatre meeting the criteria and in a significant state of dereliction they were proposed for BFTF funding support, with the intention of supporting private sector owners/developers to devise and deliver viable schemes. However, whilst the owners of the palace had developed a scheme to RIBA 2, in early 2019 their funding bid to Welsh Government failed.
- 2.6 At a meeting between the current owners, WG and Council officers in May 2019, to review possible next steps, it was determined that given the bid outcome, feedback from Welsh Government and grant funding deadline the only option to progress was for Swansea Council to seek to acquire the

building and progress its own scheme. This would allow the Council to bid for and secure WG grant support and to undertake the redevelopment.

### **3.0 Proposal**

- 3.1 Given the failure to progress a private sector led scheme and the immediate opportunity to secure funding, it is proposed that Swansea Council seeks to acquire the building and submits a business plan to WG to secure the grant funding with a view to redeveloping it into office accommodation. The building would subsequently be managed and operated as a Council asset by the Corporate Property service with the intention of ensuring that the net revenue generated meets the borrowing costs of the Council's capital contribution.
- 3.2 The Council scheme would look to redevelop the building with solely office accommodation and no additional floors, thereby preserving the existing structure and aesthetic. There may be scope to incorporate a partial fourth floor within the existing envelope which could accommodate a conference/theatre space across the third and partial fourth floor. This option will need to be considered as part of the design stage. Consideration will be given to the potential for a community space within the building.
- 3.3 The project will be managed by the Economic Development and External Funding Team (ED&EFT), who will aim to secure the grant funding as part of WG's Building for the Future Programme in September 2019 and will procure the services of a Multi-disciplinary Design Team (MDT) specialising in heritage buildings. This MDT will undertake surveys, detailed designs, planning advice, main contractor tender support and also assist in the project management function following the appointment of the main works contractor. Project governance structures similar to those employed on other ED&EFT capital schemes will be implemented to ensure robust project and grant management is in place. Any design and technical requirements from the end operator, Corporate Property, will also be taken into consideration as part of the design stage.
- 3.4 Assuming the grant bid is successful in September 2019 the design and build programme would commence in October 2019, with the appointment of the MDT. Whilst the design and build programme is estimated to take a maximum of 33-months to complete, the ambition, is to achieve completion as soon as practically possible. This timescale currently allows for a healthy contingency for unforeseen issues. On completion of the build the Corporate Property service will assume the management and day-to-day running of the building as part of its property investment portfolio.
- 3.5 There is a growing demand for high quality office accommodation for tech businesses, creative industries and SMEs in Swansea City Centre. As outlined in the Swansea Central Area Regeneration Framework, Swansea City Centre has poor quality, dated office accommodation which doesn't meet the needs of modern day occupiers. This is further evidence in the South Wales Report 2016 by Jones Lang LaSalle which highlighted that there is only 10,000 sq. ft. of good quality office space currently available within the vicinity of Swansea City Centre (at Langdon House in SA1 Swansea Waterfront).

3.6 Given the demand for quality office space and the opportunity to redevelop a landmark heritage building with grant support it is proposed that this scheme is supported and added to the capital programme. Financial and legal implications are noted in sections 5 and 6 below.

#### **4.0 Equality and Engagement Implications**

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

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

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

4.2 An Equality Impact Assessment screening form has been completed in relation to the scheme which is attached at appendix 2. The screening form has determined that a full EIA report will be required. At this point in time it is not possible to undertake a full assessment as the scheme has not yet commenced the design process. Should this report be approved in respect of the committing the required match funding and the overall scheme to the capital programme, and the grant funding bid be successful then a full assessment will be undertaken as part of the design brief.

4.3 A full Equality Impact Assessment will be undertaken by the appointed design team, who will look to scope out equality act and disabled access requirements that will be incorporated as part of the build programme. Community and stakeholder engagement will also form part of the brief. A full EIA report will be presented to cabinet as part of a further FPR7 once the scheme has reached RIBA stage 3, prior to the appointment of a main contractor.

4.4 In line with the Equality Act 2010 and Public Sector Equality Duty for Wales, the City and County of Swansea will ensure that the project adheres to the City and County of Swansea Strategic Equality Plan 2016-2020 meeting the requirements of the authority's procedures.

#### **5.0 Financial Implications**

5.1 As referred to above in order to proceed with the proposed scheme Swansea Council would need to acquire the Palace Theatre from its current owners. Discussions are at an advanced stage and are subject to both Cabinet approval and grant award.



## **6.0 Legal Implications**

- 6.1 The Council will need to comply with the terms and conditions attached to any grant funding utilised in conjunction with the regeneration match funding budget identified in this report.
- 6.2 All contracts for works, goods and services necessary to deliver the projects must be procured in accordance with the Council's Contract Procedure Rules and the relevant EU Regulations as appropriate. The contractual liabilities/obligations of the Council and any appointed contractors will be covered by the individual contracts entered into.
- 6.3 All statutory consents required in proposals to utilise the Place Directorate match funding budget will be the responsibility of the Planning and City Regeneration Division.
- 6.4 WG may request that a legal charge is placed on property (Palace Theatre) to ensure that the authority adheres to grant offer terms and conditions for the necessary period to ensure financial risk to the authority is mitigated. A key condition of the grant award is that the property remains as office accommodation (per grant bid) for a period of 10 years post-closure of the Building for the Future Programme.
- 6.5 Where the Council wishes to acquire land, the relevant Responsible Officer must instruct the Director of Place or his nominee to negotiate, settle or confirm the terms of such acquisition after taking into account any relevant statutory provisions or guidance and any advice from the Chief Legal Officer. Any acquisition must comply with the Council's Land Transaction Procedure Rules and generally the terms of any acquisition must be in accordance with the market value of the interest to be acquired and be approved in writing by the Director of Place or his nominee. This report confirms the detail of the valuation of the asset including the benefit to the Council in acquiring design and other related information.
- 6.6 Section 120(1) of the Local Government Act 1972 authorises local authorities to acquire any land for their functions, and for the 'benefit, improvement or development of their area'.
- 6.7 This project is fully compliant with the Well-being of Future Generations (Wales) Act 2015 and will ultimately preserve a heritage asset for future use by the citizens of Swansea. The project objectives align with the Council's obligation to act in a sustainable way demonstrating compliance with the 5 Ways of Working promoted by the Act and will make a significant contribution to the 7 well-being goals.

**Background Papers:** None

### **Appendices:**

Appendix 1 – EIA Screening Form - The Palace Theatre 190820

# Equality Impact Assessment Screening Form – Appendix 1

**Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).**

## Section 1

Which service area and directorate are you from?

Service Area: Planning and City Regeneration

Directorate: Place

### Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

Service/ Function <input type="checkbox"/>	Policy/ Procedure <input type="checkbox"/>	Project <input checked="" type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>	Proposal <input type="checkbox"/>
--	--	--	--------------------------------------	----------------------------------	--------------------------------------

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

#### The Palace Theatre Redevelopment

The project will bring the Grade II listed Palace Theatre back into use as a regeneration catalyst for the upper High Street. It will become a focal point for creative businesses whilst retaining scope for smaller scale performances and events. It will cater to a broad demographic expanding the Urban Village concept that has been successful on the Lower High Street by Coastal Housing Association, and increasing footfall in the locality from new student and other residential accommodation created and occupied in the vicinity.

The project will undertake full restoration of the high quality external fabric of the building, and restore some limited internal features that remain intact. The key part of the refurbishment will be opening up long closed windows that will create a high quality modern commercial floorspace that is desperately needed in Swansea City Centre. The symbolic impact of regeneration of the Palace cannot be underestimated, as it will make a bold statement that the regeneration of the City is truly impacting all districts and involving the whole population of Swansea.

### Q2(a) WHAT DOES Q1a RELATE TO?

Direct front line  
service delivery

(H)

Indirect front line  
service delivery

(M)

Indirect back room  
service delivery

(L)

### (b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?

Because they  
need to

(H)

Because they  
want to

(M)

Because it is  
automatically provided to  
everyone in Swansea

(M)

On an internal  
basis  
i.e. Staff

(L)

### Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18) →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+) →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees) →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex →	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# Equality Impact Assessment Screening Form – Appendix 1

Sexual Orientation	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	→	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?**

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

As part of the process, the project team will also be informally liaising/keeping informed the following groups/stakeholders:

- The Friends of The Palace Theatre
- Local Councillors
- Local Creative Industries
- Swansea university
- Cadw

**Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?**

High visibility <input checked="" type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input type="checkbox"/> (L)
--	---	--

**(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL’S REPUTATION?  
(Consider the following impacts – legal, financial, political, media, public perception etc...)**

High risk <input checked="" type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input type="checkbox"/> (L)
--	---	--

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

Yes       No      **If yes, please provide details below**  
 This initiative will positively impact, as it can be seen as a catalyst of development for High Street.

**Q7 HOW DID YOU SCORE?  
Please tick the relevant box**

**MOSTLY H and/or M → HIGH PRIORITY →  EIA to be completed  
Please go to Section 2**

**MOSTLY L → LOW PRIORITY / NOT RELEVANT →  Do not complete EIA  
Please go to Q8 followed by Section 2**

**Q8** If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.

Full EIA required, however at this point in time it is not possible to undertake a full assessment as the scheme has not yet commenced the design process. Should this report be approved in respect of the committing the required match funding and the overall scheme to the capital programme, and the grant funding bid be successful then a full assessment will be undertaken as part of the design brief.

A full Equality Impact Assessment will be undertaken by the appointed design team, who will look to scope out equality act and disabled access requirements that will be incorporated as part of the build programme. Community and stakeholder engagement will also form part of the brief. A full EIA report will be presented to cabinet as part of a further FPR7 once the scheme has reached RIBA stage 3, prior to the appointment of a main contractor.

**Section 2**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

<b>Screening completed by:</b>
Name: Elliott Williams
Job title: External Funding Manager
Date: 20/08/19
<b>Approval by Head of Service:</b>
Name: Phil Holmes
Position: HOS Planning and City Regeneration
Date:

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

# Agenda Item 19.



## Report of the Chief Legal Officer

Cabinet – 19 September 2019

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No's</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	20, 21, 22 & 23	14
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer(Monitoring Officer)	

#### 1. Introduction

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

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

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the

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

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

### **3. Financial Implications**

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

### **4. Legal Implications**

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

**Background Papers:** None.

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

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> <li>a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</li> <li>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</li> </ul> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

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



# Agenda Item 20.

By virtue of paragraph(s) 14 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

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# Agenda Item 22.

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