



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Scrutiny Performance Panel – Service Improvement & Finance

**At:** Committee Room 5, Guildhall, Swansea

**On:** Monday, 16 September 2019

**Time:** 10.00 am

**Convenor:** Councillor Chris Holley OBE

**Membership:**

Councillors: P Downing, P R Hood-Williams, L James, M H Jones, P K Jones, J W Jones, C E Lloyd, I E Mann, B J Rowlands and D W W Thomas

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### Agenda

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- 1 Apologies for Absence.**
- 2 Disclosures of Personal and Prejudicial Interests.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
- 3 Prohibition of Whipped Votes and Declaration of Party Whips**
- 4 Minutes** **1 - 14**  
To approve & sign the minutes of the previous meeting(s) as a correct record.
- 5 Public Questions**  
Questions must relate to matters on the open part of the Agenda of the meeting, and will be dealt with within a 10 minute period
- 6 Archives** **15 - 23**  
**An opportunity for the Panel to discuss the Archive Service**
  - Tracey McNulty – Head of Cultural Services
  - Kim Collis - County Archivist, West Glamorgan Archive Service
  - Cllr Robert Francis-Davies – Cabinet Member for Investment, Regeneration and Tourism

<b>7</b>	<b>Charges</b> An update on Council charges	<b>24 - 71</b>
	<ul style="list-style-type: none"><li>• Chris Williams – Head of Commercial Services</li><li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li></ul>	
<b>8</b>	<b>Exclusion of the Public</b>	<b>72 - 75</b>
<b>9</b>	<b>Charges</b> An update on Council charges	<b>76 - 79</b>
	<ul style="list-style-type: none"><li>• Chris Williams – Head of Commercial Services</li><li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li></ul>	
<b>10</b>	<b>Work Plan 2019/20</b>	<b>80 - 83</b>

**Next Meeting:** Monday, 21 October 2019 at 10.00 am



**Huw Evans**  
**Head of Democratic Services**  
**Monday, 9 September 2019**  

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**Contact: Scrutiny 637732**

# Agenda Item 4



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

**BY EMAIL**

*Please ask for:  
Gofynnwch am:*

*Direct Line:  
Llinell Uniongyrochol:*

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*Date  
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Overview & Scrutiny

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scrutiny@swansea.gov.uk

25<sup>th</sup> July 2019

**Summary:** This is a letter from the Service Improvement and Finance Performance Panel from the meeting on 13<sup>th</sup> May 2019 to the Cabinet Member for Business Transformation and Performance. The letter concerns the Commissioning Reviews Progress Update and the Quarter 3 Performance Monitoring Report 2018/19.

Dear Councillor Lloyd,

On the 13<sup>th</sup> May, the Panel met to discuss the Commissioning Reviews Progress Update and the Quarter 3 Performance Monitoring Report 2018/19.

The Panel are grateful to all officers who attended to provide information and answer questions.

The Panel do have some thoughts and observations to share with you.

## Commissioning Reviews Progress Update

We heard how this was a follow on from the information which was provided at the Scrutiny Programme Committee a few months ago.

We were told that the Regeneration and Planning savings which were listed as 'not achieved' are down to delays and will be achievable. We heard how Council costs in relation to Corporate Building Services and Corporate Property Services are starting to come into line with the costs of external contractors and so more work is being done 'in-house'. We were happy to see that the Route Planning Update is in hand and look forward to hearing more about this as it develops

It is encouraging to hear that you are confident the Business Support Programme savings when mapped over 5 years, will generate some significant savings, we will continue to monitor these and their progress against target.

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**SWANSEA COUNCIL / CYNGOR ABERTAWE**

**GUILDHALL, SWANSEA, SA1 4PE / NEUADD Y DDINAS, ABERTAWE, SA1 4PE**

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I dderbyn yr wybodaeth hon mewn fformat arall neu yn Gymraeg, cysylltwch â'r person uchod  
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We heard how the ongoing issue of staff sickness is still a problem. We feel that there is a link between the savings and inevitable cuts caused by austerity and these sickness figures. People who are left after teams have been cut inevitably have an increased workload. You told us that although some departments and projects are impacted by sickness, services are still being delivered, albeit not to the highest standard which they were before.

Following on from this, we heard how some roles are being reviewed to ensure they are multi-skilled to accommodate staff cover in the event of sickness. We do feel that this may have some impact for staff as they could be taking on extra work which they are not familiar with. Again we will monitor this as part of the performance reports.

Overall, we are content with progress but will continue to look at performance against targets, and the commissioning process itself.

### Quarter 3 Performance Monitoring Report 2018/19

We were told that the format of the performance monitoring report has changed due to the new way in which the report is produced with new software. It was encouraging that the Local Development Plan has now been accepted and that there is good progress with work within the City Centre regeneration.

We heard how meeting challenges around safeguarding within Social Services continues to be difficult due to the demand led nature of the work, but this is being closely monitored by the department and the relevant scrutiny performance panel.

Regarding the Quarter 3 Performance Report itself, we make the following comments:

#### Social Services

Regarding Deprivation of Liberty Safeguarding assessments, we heard that although there was a drop in performance in quarter 3 after improvement in quarter 2, the backlog is reducing which is very positive. However the Panel does feel that the information which is being gathered from the person being assessed is accurate to ensure they get the best service possible for their needs. Again the issue of delayed transfer of care for people is still problematic. Whilst there is a specific scrutiny panel looking closely at this, we will also add that this ongoing delay needs to be rectified. We hope to see substantial progress on this going forward.

We were pleased to see that the number of Councillors undertaking safeguarding training has risen but the staff figure is below where it should be and we hope to see an improvement on this in the coming year.

## Education

We are glad to see that school attendance still remains stable. We see there are some signs of weakness within Quarters 2 and 3 but we are pleased to see this is being monitored. We do have a query around national reports stating that pupils are being removed from the school roll for the school benefit rather than the child's benefit. We are not implying this happens in Swansea, but can you explain how we manage this situation to ensure this does not happen in our schools?

We are disappointed that the number of apprenticeships and traineeships will be reduced going forward as a result of austerity. We hope that there will be an uplift in these targets in the future. We will come back to this issue of apprenticeships and trainees in a future scrutiny meeting.

## Tackling Poverty

We heard that the time taken to process Housing Benefit applications shows improving trends but the time taken to process changes in circumstance is still relatively high. We understand that this may be due to the roll out of Universal Credit but still have concerns that people are waiting a long time for money which is due to them, causing financial hardship.

We were interested to see there are new performance indicators around gaining employment and gaining qualifications and have asked the department to share their ethos behind these performance indicators.

## Transformation and Future Council

You explained that some services have changed as a result of staff loss but they are not necessarily worse. We heard how some services are taking a more advice based role rather than direct support which was previously in place.

Again the ongoing issue around staff sickness continues to show a declining trend in performance. We will be asking the relevant service to provide some further information around sickness for our information. However, we look forward to seeing what approach is taken to tackle this issue.

We know that that the delivery of financial savings is challenging as it is linked with complex transformation but will continue to monitor this going forward.

We welcome any thoughts you may have in relation to the points raised but would like a response to the following;

We do have a query around national reports stating that pupils are being removed from the school roll for the school benefit rather than the child's benefit. We are not implying this happens in Swansea, but can you explain how we manage this situation to ensure this does not happen in our schools?

We would be grateful if you would respond to this letter by 15<sup>th</sup> August 2019.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'CHolley', with a stylized flourish at the end.

**Councillor Chris Holley**  
**Convener, Service Improvement and Finance Scrutiny Performance Panel**  
✉ [cllr.chris.holley@swansea.gov.uk](mailto:cllr.chris.holley@swansea.gov.uk)



Councillor Chris Holley  
Convener  
Service Improvement and Finance Scrutiny  
Performance Panel

*Please ask for:* Councillor Clive Lloyd  
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*Our Ref:* CL/CM  
*Your Ref:*  
*Date:* 14 August 2019

Dear Councillor Holley

Thank you for your letter dated 25<sup>th</sup> July 2019 and your comments have been noted.

In response your question;

*“We do have a query around national reports stating that pupils are being removed from the school roll for the school benefit rather than the child’s benefit. We are not implying this happens in Swansea but can you explain how we manage this situation to ensure that this does not happen in our schools?”*

In Swansea the Education Welfare Service (EWS) works closely with schools and regular register checks are undertaken. This will highlight any areas of concern. Schools discuss any concerns with their Education Welfare Officer (EWO) and advice and guidance is provided.

The Education (Pupil) (Registration) (Wales) Regulations 1995 states that a pupil can only be removed from a school roll if:

- Registered at another school
- The pupil is Electively Home Educated
- No longer resides within a reasonable distance from the school
- Granted leave of absence for a holiday and fails to attend for 10 days from return date where the school is satisfied there is no unavoidable cause.
- Too ill to attend and this is certified by a medical professional
- The pupil is not compulsory school age
- Permanently excluded.
- Is detained in custody in a secure unit.
- Deceased.



Should a pupil not return to school following a leave of absence and/or has not attended for 20 school days, then school and the EWO would make all attempts to try and locate the pupil. If the pupil cannot be traced then the school will remove them from roll and they will then be subject to the children missing education protocol (CME). This protocol ensures nationwide data sharing to try and locate children missing education.

In Swansea any pupils who are removed from school roll, unless they fit the criteria of CME, will have a destination school and are not taken off roll until they are attending at the destination school. This may require support from officers within the Education Directorate to ensure an admission is actioned with appropriate support to ensure it is a positive move. In Swansea we have a dedicated Inclusion Officer and Inclusion Assistant to support with these cases. If pupils move to a different local authority then they are tracked by the EWO.

The practice that the report you refer to details, is known as "off rolling". It has been identified by the schools inspectorate, Estyn, that rates of "off rolling" in Swansea are very low compared to national data and they have been interested to understand the strategies implemented in Swansea to keep these rates low. We have met with inspectors to share our good practice and this is likely to appear in an Estyn soon to be published report on this matter.

Yours sincerely



**COUNCILLOR CLIVE LLOYD  
DEPUTY LEADER & CABINET MEMBER FOR BUSINESS TRANSFORMATION  
& PERFORMANCE**



City and County of Swansea

## Minutes of the **Scrutiny Performance Panel – Service Improvement & Finance**

Committee Room 5 - Guildhall, Swansea

Monday, 24 June 2019 at 10.00 am

**Present:** Councillor C A Holley (Chair) Presided

**Councillor(s)**

P Downing  
C E Lloyd  
D W W Thomas

**Councillor(s)**

L James  
I E Mann

**Councillor(s)**

P K Jones  
B J Rowlands

### Other Attendees

Councillor Clive Lloyd      Cabinet Member for Business Performance and Transformation

**Officer(s)**

Sarah Caulkin      Chief Transformation Officer  
Bethan Hopkins      Scrutiny Officer

### Apologies for Absence

Councillor(s): P R Hood-Williams, M H Jones and J W Jones

Co-opted Member(s):

Other Attendees:

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**1 Disclosure of Personal and Prejudicial Interests.**

- None

**2 Election of Panel Convener**

- Cllr Chris Holley was elected as the Panel Convener for the coming year 2019/20

**3 Prohibition of Whipped Votes and Declaration of Party Whips**

**4 Minutes**

- Approved

**5 Public Questions**

- None

## **6 Terms of Reference**

- Approved

## **7 Wales Audit Office Report, Local Government Use of Data - Response and Action Plan**

- Ensuring compliance with GDPR can be difficult but the team are doing a great job
- Sharing data between departments has been a challenge
- Legal opinions can differ on guidance even between councils but there is still work to do
- Data is not shared between departments unless people give express permission – this is being worked on by departments
- 'Data' is used to mean both numbers and information
- Corporate approach – looking at people having an account they can update
- Customers can contact Council to find out what their information is used for
- Reports are picking up social media comments to ensure the Council are focusing on issues which people are concerned about
- Technology is advancing and anonymised data can be used to develop apps to help planning and budget use
- Council has a good relationship with the Information Commissioners Office when seeking advice and guidance. Significant amount training has been delivered
- Training and development is ongoing, lessons are always being learned
- Evidence based decisions are part of the long term plans and could provide cross cutting reports in the future
- The Action Plan in response to the WAO report will come to the Panel in the next quarter
- Using information effectively should help to breakdown silos between departments
- Queries around housing and highways sharing information effectively
- Query about definitions and how Social Services manage their information
- Query about public use the Council website and how consultation is done via the website
- Query about how social media stats are monitored
- WAO may have expected to see a specific separate data strategy online however for Swansea it is within other strategies
- Looking at creating one overarching corporate strategy. The Council already has a documented Information Governance Framework.

## **8 End of Year Review**

- Panel happy with the mix of work this year
- Want to repeat many of the same items next year (Annual Reports)
- Standing items such as Performance and Budget to stay

- Want an item looking at Planning processes (not including the Committee or applications themselves)
- Will also be receiving a range of WAO reports which are working well

**9 Work Plan 2019-20**

- The Panel would like an item looking at the planning function in general – not to include applications or the committee

**Letter to Cabinet Member**

The meeting ended at 10.50 am

**Chair**

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

**BY EMAIL**

*Please ask for:  
Gofynnwch am:*

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*Date  
Dyddiad:*

Overview & Scrutiny

01792 636292

scrutiny@swansea.gov.uk

4<sup>th</sup> July 2019

**Summary:** This is a letter from the Service Improvement and Finance Performance Panel to the Cabinet Member for Business Transformation and Performance. The letter concerns the Wales Audit Office Report for Local Government Use of Data.

Dear Councillor Lloyd,

On the 24<sup>th</sup> June 2019 the Panel met to discuss the Wales Audit Office report on the Local Government Use of Data. We were told that the Action Plan which will accompany this report will be coming to the Panel in the next quarter.

The Panel are grateful to all who attended to provide information and answer questions.

The Panel do have some thoughts and observations to share with you.

We were told that the Wales Audit Office undertook a suite of data tools (questionnaires) against a range of issues relating to data. They also did some desktop research before arriving at the conclusions within the report. You explained that the Wales Audit Office may have expected to see a specific separate data strategy, however this is included within other strategies.

We heard from you how ensuring compliance with General Data Protection Regulation (GDPR) can be difficult but the teams who work on this are doing a very good job. The word 'Data' is used to mean both numerical data and information such as addresses.

We heard that sharing data between departments has been a challenge and that legal opinions can differ on guidance around GDPR even between Councils. Using information effectively should help to breakdown silos between departments and lead to a more cohesive delivery of services. We discussed that there have been instances where departments within the Council have not communicated effectively and shared information as well as they could have; so we welcome data sharing for

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these purposes. There is still much work to do to develop an overall definition that can be used to develop effective practice around data use.

We were told how personal data is not shared between departments unless people give express permission and this process is being worked on by departments. However, individuals can contact the Council to find out what their information is being used for.

You explained that there is an intention to develop a 'Corporate Approach' to peoples data so that there is an online account that can be updated by the individual it relates to. We look forward to hearing how this develops.

It was interesting to hear that technology is advancing so that anonymised data can be used to develop Applications (Apps) which could potentially be used to help plan projects and budget decisions. We were also told that evidence based decisions using anonymised data are part of long-term plans and could provide cross-cutting and cross-departmental reports in the future to assist in work planning. Again, we will look forward to seeing how this technology develops and what part it plays in Council decision making and policies.

It was pleasing to hear that the Council have a good working relationship with the Information Commissioners Office and significant training has been delivered to ensure staff are up to date. Ongoing training and development are essential to ensure lessons are always being learned and we are at the forefront of the issue.

One issue that was discussed was the use of social media and the information which can be accessed from it. We were told that relevant topical issues or public concerns are picked up by the Council so they can be addressed and monitored where possible. We wonder whether all relevant Facebook and Twitter accounts (including those of elected members) are regularly monitored for information? If so, do we let people know this is happening?

We also had a query around how data is managed by Social Services and the database that is used to do this, considering this is some of the most sensitive data the Council hold.

We would be grateful if you could respond to this letter by 25<sup>th</sup> July 2019 and welcome any thoughts you may have. Could you please address the following questions in your response?

1. We were told that relevant topical issues or public concerns are picked up by the Council so they can be addressed and monitored where possible but we wonder whether all relevant Facebook and Twitter accounts (including those of elected members) are regularly monitored for information? If so, do we let people know this is happening?
2. We also had a query around how data is managed by Social Services and the database which is used to do this, considering this is some of the most sensitive data the Council hold. Can you provide some clarification around this?

Yours sincerely,



**Councillor Chris Holley**  
**Convener, Service Improvement and Finance Scrutiny Performance Panel**  
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Councillor Chris Holley  
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Our Ref: CL/KH  
Your Ref:  
Date: 22 July 2019

Dear Councillor Holley

Thank you for your letter dated 4<sup>th</sup> July 2019 and your comments have been noted.

In response to the first question:

*“We were told that relevant topical issues or public concerns are picked up by the Council so they can be addressed and monitored where possible but we wonder whether all relevant Facebook and Twitter accounts (including those of elected members) are regularly monitored for information? If so, do we let people know this is happening?”*

Only Council owned accounts are monitored. Councillor accounts are not monitored. From time to time Councillors raise issues or respond to issues highlighted by residents on group pages such as ‘Cwmbwrla Community Page’ or ‘It Only happens in Swansea’. These pages are regularly viewed by local media and may use them as a source for stories. The Council may then be asked to respond to specific issues raised.

In response to the second question:

*“We also had a query around how data is managed by Social Services and the database which is used to do this, considering this is some of the most sensitive data the Council hold. Can you provide some clarification around this?”*

Social Services have their own database and recently started using a secure portal to share documents with clients. The Data Protection Officer is working closely with Social Services given this is the most sensitive area of data for the Council. This includes providing additional data protection training.



In addition the Council is introducing a new corporate measure, introducing a classification scheme through O365 where all data will be labelled with a classification prior to being shared.

Yours sincerely



**COUNCILLOR CLIVE LLOYD  
DEPUTY LEADER & CABINET MEMBER FOR BUSINESS TRANSFORMATION  
& PERFORMANCE**

# Agenda Item 6



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

To the 16 September 2019 Scrutiny Performance Panel –

### West Glamorgan Archive Service

<b>Purpose:</b>	To brief/update the SIF Performance Panel on the work of the West Glamorgan Archive Service and its current position with regard to its premises.
<b>Content:</b>	A general overview of the joint Archive Service, explaining its governance, its statutory responsibilities, its outreach work and the nature and extent of the archive collections. There follow responses to two questions set by the panel relating to the current archives accommodation in Swansea Civic Centre.
<b>Councillors are being asked to:</b>	Consider the information provided and to forward views to the Cabinet Member via a letter from the Panel Convener
<b>Lead Councillor:</b>	Councillor Robert Francis-Davies, Cabinet Member for Investment, Regeneration and Tourism
<b>Lead Officer &amp; Report Author:</b>	Tracey McNulty, Head of Cultural Services / Kim Collis, County Archivist Tel: 01792 636760 E-mail: kim.collis@swansea.gov.uk

#### 1. Background

- 1.1 West Glamorgan Archive Service is a joint service for Swansea and Neath Port Talbot Councils and operates under the general oversight of a joint Archives Committee. While not in itself statutory, the service carries out certain statutory functions on behalf of both local authorities in relation to the preservation of their records. As a result of these responsibilities, the service is regulated and periodically inspected by Welsh Government and The National Archives Kew. The 2.5 miles of archives are held in a secure environmentally-controlled storage area and are made available for inspection and for research under the supervision of archive staff. The main body of the report rehearses in more detail the above broad statements about the service.

## **2. An overview of West Glamorgan Archive Service**

### **2a. Governance of the service**

- 2.1 West Glamorgan Archive Service (WGAS) came into existence as a separate entity in April 1992 following the withdrawal of West Glamorgan County Council from a joint service in which it was a partner with its fellow counties of Mid and South Glamorgan. In April 1996, following the reorganisation of local government in Wales, WGAS itself became a joint service between Swansea and Neath Port Talbot Councils and at the same time incorporated the independent archive service run from 1974 onwards by Swansea City Council.
- 2.2 The formal governance of WGAS is through a joint archives committee consisting of equal numbers of elected representatives from each of its two parent authorities. A number of non-voting representatives of various bodies with an interest in archives and local history also attend the quarterly committee. The role of the Archives Committee is advisory and, to take effect, any of its recommendations have to be taken back to the respective parent authorities for approval by each full Council.
- 2.3 For all financial, practical and operational matters, the Archive Service performs as part of the Cultural Services department within Swansea Council, involving when appropriate (for example where there are implications for the service in Neath) the Head of Finance and Corporate Services of Neath Port Talbot Council. Since April 2018, the scope of the service has been the archives (i.e. historic records) alone, all responsibility for records and information management by the parent authorities now being part of their respective Legal Services functions.
- 2.4 The legislative framework for the Archive Service is one based on several Acts of Parliament (listed below), and the question of whether the service is statutory or non-statutory is a complicated one. In short, the shape of the archive service is not fixed by law, but the service carries out several statutory functions on behalf of each authority with regard to the preservation of their records. Furthermore, 1994 legislation set in place a system of consultation between Welsh Government (originally the Welsh Office) and the local authorities over any significant modification to their archive services, meaning there is a degree of statutory oversight which limits the service's ability to act as a free agent.
- 2.5 The archive collections which are part of the Council's own records are required to be preserved under the provisions of the Local Government Act 1972; those from outside bodies which have been collected by the service are held under the permissive powers of the Local Government (Records) Act 1962; while there is a separate category of *public records* (records of UK Government) which are held under the Public Records Act 1958.
- 2.6 The Local Government (Wales) Act 1994, Section 60, requires each Welsh council to make and maintain a scheme for the preservation of the archives in their care, both those which they own and those which they have collected from third parties. The schemes, originally drawn up in 1996, have been periodically

updated to reflect the changes to the ways the authorities deliver the service. Each scheme can only be modified by agreement with Welsh Government, who may intervene in the case of a major change (for example, a decision by either local authority to end the joint agreement). The boundary between the Section 60 schemes and the Accreditation process, described below, has become blurred in recent years, since the latter process is also administered in Wales by Welsh Government.

- 2.7 In 2016, the Archive Service was awarded the Archives Accreditation Standard. Overseen by The National Archives in England, by Welsh and Scottish Government in the devolved nations and modelled closely on the similar accreditation process for museums, the standard is based on good governance, proper care of the collections and viable models for customer and public engagement. The award lasts for six years with an intermediate review after three years. At the time of writing, the service is waiting for the results of its first intermediate review.

## **2b. The archive collections and how they are stored**

- 2.8 The Archive Service collects documents and related material (photographs, sound recordings etc) relating to the history of the former county of West Glamorgan. About one quarter of the material we hold is derived from our two parent local authorities and their predecessors. A second quarter of the whole consists of public records as mentioned above in para 2.5. Most of the public records we hold on licence from The National Archives are the records of the local magistrates courts in Swansea and Neath Port Talbot. In order to license the local deposit of public records, the storage areas are designated by The National Archives Kew as a Place of Deposit (PoD) and are periodically inspected by that body.
- 2.9 Approximately one half of the collections held by the service are donated or deposited by outside bodies such as landed estates, solicitors, churches and chapels, individuals and local businesses. These are records we have collected under the permissive legislation of the Local Government (Records) Act 1962. The majority of these are considered to be held on deposit, although nowadays the service encourages individuals to gift items to the archives rather than loan them. This clears up questions about the status of the items when the depositor dies if we have no knowledge of, or contact with, the next of kin.
- 2.10 When last measured in 2015, the archive collections occupied a total of 2.5 miles of shelving (3,766 linear metres) or 603m<sup>3</sup> expressed as a volume. This volume is in line with other local authority archive holdings, indicating that the service has neither been too eager to take in material of dubious archival value nor has failed to collect material that it should have done. We are not alone in England and Wales in having a university within our local authority area that also collects archives relating to the local area. This has the benefit of providing an alternative repository for material we are unable to take in, but the disadvantage of occasional disputes over our respective collecting policies.
- 2.11 The archive collections contain a number of 'high value' items, some of which are exceptional for a local authority archive. Worthy of note is the Neath Abbey

Ironworks collection, which was purchased from the owner in 2013 after a number of years deposited on loan here. The uniqueness of the 8,000 engineering drawings in this collection, as evidence of south Wales' major part in the British Industrial Revolution, was recognised by their enrolment in 2014 on the UK register of the UNESCO Memory of the World programme. This is an honour bestowed on only five archive collections in Wales, all of which apart from this one being held by the National Library of Wales.

- 2.12 One of the questions posed by the Scrutiny Panel is whether the existing archive accommodation is sustainable if the Council decides to retain the Civic Centre. The archive storage areas are currently almost at full capacity and while an extra storage room (not equipped to archival standards) has been allocated to help deal with this problem by storing Council minutes, this shortage of space does have a consequence on the service's ability to take in major accessions. Two examples of this are:
- The service has for some time been in negotiation with the magistrates' court service over a further significant deposit of court records. We are obliged by our status as a PoD to take in these records but are having to conduct work of consolidating the existing space in order to be in a position to fit them in our storage area. As a result these negotiations have stretched over several years.
  - Several years ago, the service was approached by Inco to take in the historic records of the Mond Nickel Works in Clydach. We were unable to accept them, not because of their lack of historical value but because of their bulk. Hence we diverted the donor to approach Swansea University Archives (known as the Richard Burton Archives) who were grateful to receive them in our stead.
- 2.13 The archives are held in a temperature and humidity controlled environment, the storage area is on 24-hour security and with four hours' fire resistance. Such storage conditions are regulated by British and international standards. Being quite old in design (1982), the archive strongrooms were built to a specification in line with the then standard BS5454. Such requirements, if applied to a modern storage area, would require adherence to the European Standard EN 16893 as adopted by and incorporated into British Standard BS4971:2017. To try to encapsulate the standard in one sentence, 'An unsuitable storage environment is one of the commonest causes of damage to archives'.
- 2.14 Following a successful bid to the Heritage Lottery Fund submitted in 2000, sponsored jointly by the Archive Service and the Neath Antiquarian Society with match funding supplied by Neath Port Talbot Council, the Neath Mechanics Institute in Church Place Neath was converted to house the archive collections of the Neath Antiquarian Society (NAS), which are now managed and made publicly available for the first time by the Archive Service with help from a rota of NAS volunteers (the collections themselves remain the property of the NAS). It is a sobering thought that several years later their former home, the Gwyn Hall in Neath, was engulfed by fire and reduced to a shell.

## 2c. Usage and outreach work of the service

- 2.15 The nature of archives and how they are used for research means that any archive facility does not have as large a footfall as comparable venues which are more set up for casual drop-in visitors, such as a library, art gallery or a museum. In contrast the 'dwell time' of visitors to an archive is usually considerably longer than that of visitors to these other venues, visits lasting a full day from opening to closing times being a common occurrence. There are alternative methods of evaluating physical visits, for example by comparing use of our service with that of archives in the rest of the UK; by monitoring trends in usage over longer time periods than one year; and by analysing the qualitative results of customer surveys. Each of these methods is treated in turn in the following paragraphs.
- 2.16 Every year, archive services across the UK submit data to CIPFA (the Chartered Institute of Public Finance and Accountancy) which is analysed for the purposes of a national report. Access to this report is restricted to local authorities who subscribe to CIPFA and, since the Council has recently ended its subscription, we are no longer able to access these figures. However, up till recent years the service typically came in at around 15<sup>th</sup> across the UK for the number of individual physical visits to the archives unconnected with any group visit. By this measure we ranked alongside Leicestershire and Derbyshire and way ahead of any other Welsh local authority archive by a margin of around 50% (Gwynedd being second placed in Wales). This popularity can be ascribed in turn to the quality, helpfulness and informality of the service we provide, the existence of a branch office in Neath which boosts our figures, and our convenient city centre location in Swansea with its regular bus services.
- 2.17 When in 2007/8 the previously rather forbidding County Hall became the public space of the Civic Centre, our user figures increased dramatically almost overnight. Taken over the timespan of a decade, it is clear that our user visits peaked in 2010/11 and then entered a period of steep decline, one which has now levelled off and to some extent recovered a little. The decline from the peak in usage can be ascribed to two synchronous developments in 2010: the end of Saturday opening, and the publication online of one of our most used family history resource, the parish registers. The latter development continued in 2015 when the service signed a major contract with the family history website Ancestry placing all our name-rich records online. The *quid pro quo* is that we now have a modest income stream through royalties.
- 2.18 The service participates in regular qualitative surveys of its customers through a national scheme which allows the service to benchmark its data against similar sized repositories and across time periods. This is now entitled the Archives and Records Association's Survey of Visitors to UK Archives. The table below represents the results of the last such survey undertaken, in 2018. As will be seen, our local users value the service they receive (as do users nationally), giving consistently high scores which at a local level are higher than the already-high national average. The only low score is an issue around the opening hours at the Neath branch which were reduced in 2017 to two days a week and which still cause some disquiet amongst users.

Percentage of correspondents who rated the service as 'very good' or 'fairly good', 'very satisfactory' or 'satisfactory' (the top two of five possible responses)	Swansea score	Neath score*	UK average
Quality of the reception area and welcome on arrival	100%	100%	96%
Attitude of staff	100%	100%	98%
Availability of staff	98%	100%	96%
Quality and appropriateness of the advice received from staff	99%	100%	97%
Opening hours	100%	58%	89%
Ease of access to use the service	100%	88%	96%
Appearance and upkeep of the building	94%	100%	95%
Physical access to the building	96%	88%	96%
Onsite computer facilities	100%	100%	96%
Online catalogue	100%	83%	84%
Document ordering	100%	100%	95%
Seating	100%	100%	98%
Copy services	95%	100%	89%
Overall mark out of 10 for your experience today	9.7	9.5	9.3

2.19 To recompense for the decline in individual visitors, the service has introduced (and in some cases continued) a number of outreach initiatives to engage new audiences, as follows:

- In 2010, the service introduced a service to schools, initially for primary schools at KS2 level but soon extending to secondary schools at KS3.
- The service has used social media to encourage family historians to break away from online research and meet up on our premises as a social group, in particular through our support for and contact with the Tr4ce genealogy group.
- The service actively participates in special events throughout the year, including family history and book fairs and other local history events. While most of the visitors to these events have only a casual interest and are unlikely to follow up their contact with a visit, these events raise the profile of the service and it is important for the service to be seen at local and regional events promoting history and family history.
- Since 2012, we have developed a series of portable exhibitions that can be used in schools and community centres. The themes we have chosen are ones which reflect our social responsibility as a public authority: they tackle issues such as race and gender equality in the context of our local history (such as the suffragist movement in south Wales). This contributes to corporate objectives and compliance with the Well-being of Future Generations Act 2015: it has also led to the service becoming a major beneficiary of funding from Welsh Government agency MALD under its 'Changing Cultures' funding scheme.
- We have published books, our latest publication being a study of the post-war rebuilding of Swansea's blitzed town centre.

- 2.20 This concludes the overview of the service. Further information about the service's activities is contained in an annual report which is published online at [www.swansea.gov.uk/article/8510/Annual-Report-of-the-County-Archivist](http://www.swansea.gov.uk/article/8510/Annual-Report-of-the-County-Archivist)

I now turn to the two specific questions asked by the Panel in advance of the meeting.

#### **2d. What are the plans for the future accommodation for archives?**

- 2.21 The Council has been considering the disposal of the Civic Centre as part of its city centre regeneration scheme for some time, information which has been in the public domain since late 2014 and is well-known by our user community. A date of late 2023/early 2024 is now the informal working target for the vacation of the Civic Centre, a move which for reasons of the required storage space makes the archives out of scope for the proposed Public Services Hub which it is envisaged will replace the civic offices.
- 2.22 A task for the Council is to find suitable alternative accommodation for the archive collections storage area to the standards described above in para 2.13, and this is one which has been assigned to Corporate Property Services. While the public archives area needs no further specification than other Council public facilities, the storage standards for the archives are quite exacting and do not exist in the current Council property portfolio. It is a given that there are major limitations on the Council both with regard to capital and revenue expenditure.
- 2.23 Previous investigation of the potential for regional and partnership working (beyond the joint arrangement with NPT) has shown there is little appetite for a regional solution, discussions on this having failed to achieve a clear vision of where we were trying to get to. With regard to cross-sectoral working and co-location of services within the Council, there are synergies between the work of the Archives and other facilities which will also need to be relocated away from the Public Services Hub. No decisions have yet been made by the Council on any of the possibilities for relocation and co-location, which is currently at the stage of an options appraisal.
- 2.24 On a practical level, since 2014, the service has been boxing all volumes and loose material and applying barcode stickers to all boxes. This method of stock control was used by Gwent Archives in its move from Cwmbran to Ebbw Vale a decade ago to ensure that all material was accounted for during the process. Such stock control will be particularly important if no solution has been found for the archives by the time the Council wishes to vacate the Civic Centre, since a temporary solution may need to be found if no permanent solution has been found, or suitable building modifications made in time.
- 2.25 In such an event, there may need to be a 'double move' in which the most viable temporary solution would be to transfer the archives to the Glamorgan Archives in Cardiff. This was the solution used recently by Carmarthenshire County Council for its archives, and by this Council during the refurbishment and extension of the Glynn Vivian Art Gallery. An informal approach to Glamorgan Archives has established that there is sufficient short-term

temporary space for all of the West Glamorgan Archive Service collections there. The rental costs are estimated at between £40-55K per annum including a £2 fee for every document retrieval (in this scenario, it would be possible to continue to provide public access to the archive collections).

- 2.26 A second temporary solution for the collections should they not have found a home by 2024 would involve putting them into commercial archive storage (for example [Deep Store](#) which is based in a disused salt mine in Cheshire). Such a solution would not provide public access to the collections which would be stored below ground in large packing crates. Costs are not currently known as no approach has been made to the company.

## **2e. Is the existing accommodation sustainable if we retain the Civic Centre?**

- 2.27 This was the second question posed by the Panel. This is not seen to be a likely scenario for the Council as it currently stands, but (as outlined above in para 2.12) this would not provide a solution to the long-term needs of the service beyond, say, the next 5 or 10 years (unless a portion of the collection was housed elsewhere).

## **3. Conclusions/Key Points Summary**

- 3.1 West Glamorgan Archive Service is a joint service provided for Swansea and Neath Port Talbot Councils operating through facilities in Swansea and in Neath. It is one of the busiest services in Wales with a high customer satisfaction rating and has gained awards both for its good governance (Accreditation) and for holding a collection of national importance (UNESCO Memory of the World programme).
- 3.2 The archive storage areas currently in Swansea Civic Centre holding 2.5 miles of shelving are approaching full capacity, at the same time the Council is proceeding with plans to move out and dispose of the building. The requirement for change may be seen on balance as an opportunity rather than a challenge, but one which depends on good planning within a restricted timeframe.

## **4. Legal implications**

- 4.1 There are no legal implications for this report, which constitutes an overview of the existing situation with regard to the Archive Service and makes no recommendations.

## **5. Financial implications**

- 5.1 There are no current financial implications for this report, which constitutes an overview of the existing situation with regard to the Archive Service and makes no recommendations.

***Glossary of terms: Please add glossary of terms if you are using acronyms***

MALD	Museums Archives and Libraries Division, Welsh Government
NAS	Neath Antiquarian Society
PoD	Place of Deposit
WGAS	West Glamorgan Archive Service

**Background papers**

None

**Appendices:**

None

# Agenda Item 7



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

To the Service Improvement & Finance Scrutiny Performance Panel –  
16<sup>th</sup> September 2019

### Fees and Charges – An Overview

<b>Purpose:</b>	To update the Service Improvement & Finance Scrutiny Performance Panel on the Fees and Charges of the Council.
<b>Content:</b>	<p>A briefing on the Fees and Charges of the Council with a particular focus on:</p> <ul style="list-style-type: none"><li>• New charges we have implemented in the last year</li><li>• Charges set by the Council for third parties</li></ul> <p>In addition to this report, a number of associated attachments are included as Appendices.</p>
<b>Councillors are being asked to:</b>	Consider the information provided and to forward views to the Cabinet Member via a letter from the Panel Convener
<b>Lead Councillor:</b>	Councillor Clive Lloyd, Cabinet Member for Business Transformation and Performance and Deputy Leader.
<b>Lead Officer &amp; Report Author:</b>	<p>Chris Williams (Head of Commercial Services) with data gathered from the relevant Service Areas.</p> <p>Tel: 07471 145444 E-mail: <a href="mailto:chris.williams4@swansea.gov.uk">chris.williams4@swansea.gov.uk</a></p>

## 1. Background

- 1.1 Fees and charges are applied to many of the wide range of services offered by the Council and are set by the relevant Service Area, for example, library hire fees are set by the Cultural Services area and meeting room hire fees in the Civic Centre and Guildhall are set by Corporate Property Services. The Council adopted an Income Generation and Charging Policy, approved by Cabinet on 11th March 2014.

This Policy applies to any service that the Council has a power and discretion to provide to the community, or has a statutory duty to provide, and has a

discretion to set a charge. It also applies to internal charging. All services must comply with this Policy when setting and reviewing fees, charges and concessions.

- 1.2 This report has been compiled by Commercial Services on behalf of all Service Areas and is based upon the data provided by each Service.

The format used to compile the data contained within this submission was as follows:

- Service Areas were requested to list all fees and charges (adding any missing lines) on the spreadsheet provided and note the methodology used to set each charge.
- Service Areas were asked to indicate if benchmarking had been undertaken with other Local Authorities and the Private Sector.
- Service Areas were asked to identify any information that they considered commercially sensitive and such data was included on separate spreadsheets in the Appendices.
- Service Areas were asked to confirm any new charges implemented for the 2019/20 financial year

Two spreadsheets were created to show the charges set by the Council over which we have control, one of which is Commercially Sensitive, Appendix F, whilst the other is Non Commercially Sensitive, Appendix A. A spreadsheet was created to show the new charges introduced for the 2019/20 financial year, Appendix B.

The full range of services charged for by the Council has been created and can be provided on request. This consists of fees and charges spanning five financial years: 2015/16, 2016/17, 2017/18, 2018/19 and 2019/20.

- 1.3 Income generated by the Authority from fees and charges is governed by legislation, primarily the Local Government Act 2003 that provides the general power for Service Areas where there is no other legislative framework.
- 1.4 The Council has a separate charging regime for Social Services, Appendix C, because that area is governed by the Social Services and Well-Being (Wales) Act 2014.
- 1.5 It is important to note that the principles behind the Council's fees and charges, the list presented below in 1.6, is not an exhaustive one but helps to provide context for this report.
- 1.6 From the Local Government Act 2003:
- The income from charging for a service should not exceed the cost of providing that service.
  - The recipient of the service must have agreed to its provision and agreed to pay for it.
  - Charges may be set differentially, so that different people are charged different amounts.

## **2. Briefing**

2.1 This report aims to provide a briefing on the Fees and Charges of the Council with a particular focus on:

- New charges implemented in the last year (2019/20)
- Charges set by the Council for third parties
- Fees set for the Council by third parties (restricted by Legislation etc).

2.2 The 2019/20 Fees and Charges register notes a number of new charges including, but not limited to:

- Business Regulatory Service for Trading Standards and Food and Safety offering advice to local businesses.
- Commercial self-catering and full board placements at Rhossili and Borfa House (Gower Activity Centres).

A full list of the new charges implemented can be found in Appendix B.

2.3 The charges set by the Council include, but are not limited to, the following:

- Pre-planning advice charges (Planning)
- Marina berthing charges (Highways and Transportation)
- Ceremony charges (Registrars, Housing and Public Health)
- Knotweed treatment charges (Waste Management, Parks & Cleansing).

A full list of these charges can be found in Appendices A and F.

2.4 The fees set for the Council by third parties include, but are not limited to, the following:

- Planning applications (Planning)
- Gambling and Licence Act applications (Licencing)
- Council Tax Recharged Court Costs and NNDR Recharged Court Costs (Revenues & Benefits)
- Court of Protection Deputyship (Social Services).

A full list of these fees can be found in Appendix D. The fees are set for the Council by third parties meaning that there is no opportunity to review or increase the fees annually; they are governed by specific regulations.

## **3. Legal implications**

3.1 The Council's Income Generation and Charging Policy, Appendix E, provides clear guidance for service departments on deciding when and how to levy charges for services and the basis for calculation and review.

The power to levy charges derives from Section 93 Local Government Act 2003. Where possible service departments should set charges reflecting the full

cost of the service (“Full Cost Recovery”), unless concessions have been agreed, The full cost of a service should include all expenditure required to deliver the service, including staffing, cost of materials, and overheads also relating to central council support functions directly applicable to that service.

Services with the ability to achieve or exceed full cost recovery on a consistent basis and to make a profit should be encouraged to operate more commercially in order to reduce dependence on revenue support. Section 95 of the 2003 Act allows a Local Authority to trade in discretionary services with the public and to make a profit. This has to be through the medium of a company.

In addition, the Local Authorities (Goods and Services) Act 1970 allows Local Authorities to provide services for other Local Authorities and to make a profit. This power should be used wherever possible.

#### **4. Finance (if required)**

- 4.1 There are no specific financial implications arising directly from this report. Any specific future proposals for increases or changes to fees/charges will be reported via the relevant channels.

**Background papers:** None.

#### **Appendices:**

- Appendix A – Council set charges – Non Commercially Sensitive
- Appendix B – New Charges 2019/20 – Non-Commercially Sensitive.
- Appendix C – Social Services Charging Policy 2019;
- Appendix D – 3<sup>rd</sup> Party Set Fees 2019/20 – Non-Commercially Sensitive.
- Appendix E – Income Generation and Charging Policy.
- Appendix F – Council set charges –Commercially Sensitive

Service Unit	Generic Opportunity Descriptor	Specific Opportunity Descriptor	Description	Mandatory Service	Non-Statutory Service	Fee 15/16	Fee 16/17	Fee 17/18	Fee 18/19	Fee 19/20	Methodology used to calculate fee	Benchmarking undertaken with other LAs (Yes/No)	Benchmarking undertaken with Private Sector (Yes/No)
<b>Education Planning &amp; Resources</b>													
Childrens Education	Music Lessons	Fees	Musical Instrument Hire - SLA Schools	No	Yes	£20.00	£20.00	£20.00	£20.00	£20.00	Comparative to other local authorities (Academic Year)	Yes	N/A
Childrens Education	Music Lessons	Fees	Music Centre fees - First Child - SLA Schools	No	Yes	£40.00	£60.00	£60.00	£60.00	£60.00	Comparative to other local authorities/WG Grant to encourage membership (Academic Year)	Yes	N/A
Childrens Education	Music Lessons	Fees	Music Centre fees - First Child - Non SLA Schools	No	Yes	£40.00	£60.00	£90.00	£60.00	£60.00	Comparative to other local authorities/WG Grant to encourage membership (Academic Year)	Yes	N/A
Childrens Education	Music Lessons	Fees	Music Centre fees - additional child/centre - SLA Schools	No	Yes	£20.00	£30.00	£30.00	£30.00	£30.00	Comparative to other local authorities/WG Grant to encourage membership (Academic Year)	Yes	N/A
Childrens Education	Music Lessons	Fees	Music Centre fees - additional child/centre - Non SLA Schools	No	Yes	£20.00	£30.00	£45.00	£30.00	£30.00	Comparative to other local authorities/WG Grant to encourage membership (Academic Year)	Yes	N/A
Childrens Education	School Meals	Fees	School Meals Child aged 6	Yes	No	£2.20	£2.20	£2.25	£2.30	£2.40	Prices from September each year, reflecting cost increases balanced against need to maintain paid meal take up	Yes	N/A
Childrens Education	Transport	Fees	School bus pass per term	No	Yes	£410.00	£410.00	£410.00	£425.00	£445.00	Base cost is historic with percentage increases applied periodically, in line with inflation (4.56% indexation for 2019/20)	Yes	Yes
<b>Corporate Building Services</b>													
Housing/Public Buildings	Fees	Fees	Surveyor and Design Fees - Public Buildings (% applied to fee rate jobs)	No	Yes	£44.43	£44.43	£45.32	£46.22	£48.06	Rates have been benchmarked during Commissioning Review	Yes	Yes
Housing/Public Buildings	Fees	Fees	Leionella Fees	Yes	No	£39.25	£39.25	£40.04	£40.84	£42.47		Yes	Yes
Housing/Public Buildings	Fees	Fees	Surveyor and Design Fees - Housing HRA and Capital (% applied to fee rate jobs)	No	Yes	£42.40	£42.40	£43.25	£44.11	£45.87		Yes	Yes
Housing/Public Buildings	Fees	Fees	CDMC Fees - Housing HRA, Revenue and Capital (% applied to fee rate jobs)	Yes	No	£42.00	£42.00	£42.84	£43.70	£45.45		Yes	Yes
Housing/Public Buildings	Fees	Fees	Surveyor and Design Fees - Property Capital Group (% applied to fee rate jobs)	No	Yes	£46.36	£46.36	£47.29	£48.23	£50.15		Yes	Yes
Housing/Public Buildings	Fees	Fees	Asbestos Surveyor Fees for Housing and Public Buildings	Yes	No	£42.00	£42.00	£42.84	£43.70	£45.45		Yes	Yes
<b>Cultural Services</b>													
Archives	Archive Services	Archive Service	Printout from PC	No	Yes	£0.15	£0.20	£0.20	£0.20	£0.20	Pegged to Swansea Libraries charges and compared with other LAs	Yes	No
Archives	Archive Services	Archive Service	A3 and A4 photocopies from documents/printout from microform	No	Yes	£0.60	£0.60	£0.60	£0.60	£0.60	Market rate	Yes	No
Archives	Archive Services	Archive Service	A3 or A4 scan (printout, sent by email or placed on supplied memory stick)	No	Yes	£2.00	£2.50	£2.50	£2.50	£2.50	In line with most LA rates	Yes	No
Archives	Archive Services	Archive Service	Microfilm printouts and document copying (A3 and A4) (orders sent by post)	No	Yes	£5.00	£6.00	£6.00	£6.00	£6.00	Maintain existing charge	No	No
Archives	Archive Services	Archive Service	Printouts by post, minimum charge	No	Yes	£5.00	£6.00	£6.00	£6.00	£6.00	Maintain existing charge	No	No
Archives	Archive Services	Archive Service	Certified copies	Yes	No	£6.00	£10.00	£10.00	£10.00	£10.50	% increase	No	No
Archives	Archive Services	Archive Service	Family History training session	No	Yes	£10.00	£10.00	£10.00	£10.00	£10.00	Market rate	No	No
Archives	Archive Services	Archive Service	Commissioned research- individuals	No	Yes	£30.00	£30.00	£30.00	£30.00	£30.00	Pegged to Swansea Libraries charges	No	No
Archives	Archive Services	Archive Service	Commissioned research- companies	No	Yes	£40.00	£50.00	£50.00	£50.00	£52.50	% increase	No	No
Archives	Archive Services	Archive Service	Books and periodicals - b/w- English language rights	No	Yes	£22.00	£30.00	£30.00	£30.00	£31.50	% increase	No	No
Archives	Archive Services	Archive Service	Books and periodicals - b/w- world rights	No	Yes	£40.00	£50.00	£50.00	£50.00	£52.50	% increase	No	No
Archives	Archive Services	Archive Service	Books and periodicals - colour- English language rights	No	Yes	£40.00	£50.00	£50.00	£50.00	£52.50	% increase	No	No
Archives	Archive Services	Archive Service	Books and periodicals - colour- world rights	No	Yes	£80.00	£100.00	£100.00	£100.00	£105.00	% increase	No	No
Archives	Archive Services	Archive Service	Rostrum filming in the searchroom	No	Yes	£70.00	£100.00	£100.00	£100.00	£105.00	% increase	No	No
Archives	Archive Services	Archive Service	Broadcast of archive film footage or archive stills - UK TV (Licensed for re-use over 5 years)	No	Yes	£7.00	£10.00	£10.00	£9.50	£10.00	% increase	No	No
Archives	Archive Services	Archive Service	Education session delivered offsite	No	Yes	free	free	£30.00	£50.00	£50.00	Agreed as part of 4-site team	No	No
Archives	Archive Services	Archive Service	Hereditary Freedom Certificates	Yes	No	£35.00	£50.00	£50.00	£50.00	£50.00	Price has increased substantially over 10-year period from zero to £50. Cost price is now around half of the retail price	No	No
Boat Parking	Car Parking	Boat Parking	Club Member - Annual	No	Yes	£150.00	£150.00	£150.00	£150.00	£158.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Public - Annual	No	Yes	£200.00	£200.00	£200.00	£200.00	£210.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Monthly	No	Yes	£40.00	£40.00	£40.00	£40.00	£42.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Weekly	No	Yes	£20.00	£20.00	£20.00	£20.00	£21.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Summer Season	No	Yes	£300.00	£300.00	£300.00	£300.00	£315.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Winter Season - Public	No	Yes	£250.00	£250.00	£250.00	£250.00	£262.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Winter Season - Club	No	Yes	£180.00	£180.00	£180.00	£180.00	£190.00	% increase	Yes	No
Boat Parking	Car Parking	Boat Parking	Car Park - Club	No	Yes	£100.00	£100.00	£100.00	£100.00	£105.00	% increase	Yes	No
Brangwyn	Equipment	Equipment Hire	Flipchart	No	Yes	£15.00	£15.00	£15.00	£15.00	£16.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	OHIP	No	Yes	£25.00	£25.00	£25.00	£25.00	£0.00	Equipment no longer requested - taken off inventory	Limited	Limited
Brangwyn	Equipment	Equipment Hire	Large projection screen	No	Yes	£75.00	£75.00	£75.00	£75.00	£80.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	P.A system (rooms)	No	Yes	£75.00	£75.00	£75.00	£75.00	£80.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Projector	No	Yes	£75.00	£75.00	£75.00	£75.00	£80.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Laptop	No	Yes	£75.00	£75.00	£75.00	£75.00	£80.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Plasma TV	No	Yes	£100.00	£100.00	£100.00	£100.00	£105.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Organ	No	Yes	£200.00	£200.00	£200.00	£200.00	£200.00	Maintain existing charge	No	Limited
Brangwyn	Equipment	Equipment Hire	Stage Extension	No	Yes	£0.00	£500.00	£500.00	£500.00	£525.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Yamaha C3 Grand	No	Yes	£200.00	£200.00	£200.00	£200.00	£200.00	Maintain existing charge	No	Limited
Brangwyn	Equipment	Equipment Hire	Staging	No	Yes	£200.00	£200.00	£200.00	£200.00	£210.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	P.A system	No	Yes	£250.00	£250.00	£250.00	£250.00	£275.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Stage set (back projection)	No	Yes	£300.00	£300.00	£300.00	£300.00	£315.00	% increase	No	Limited
Brangwyn	Equipment	Equipment Hire	Steinway Concert Grand & Tuning	No	Yes	£450.00	£450.00	£450.00	£450.00	£450.00	Maintain existing charge	No	Limited
Brangwyn	Equipment	Equipment Hire	Tuning	No	Yes	£70.00	£75.00	£75.00	£75.00	£90.00	Increase due to external contractor price increase	No	Limited
Brangwyn	Catering	Venue Hire	Brangwyn Hall Dinners Mon - Thurs	No	Yes	£520.00	£520.00	£520.00	£0.00	£0.00	Maintain existing charge	No	Limited
Brangwyn	Catering	Venue Hire	Brangwyn Hall Dinners Fri - Sun	No	Yes	£620.00	£620.00	£620.00	£0.00	£0.00	Maintain existing charge	No	Limited
Brangwyn	Catering	Venue Hire	Brangwyn Hall Dinners Bank Hol	No	Yes	£620.00	£620.00	£620.00	£620.00	£650.00	% increase	No	Limited
Brangwyn	Catering	Venue Hire	Catering Kitchen Hire Mon - Thur	No	Yes	£770.00	£1,080.00	£1,080.00	£1,080.00	£1,080.00	Market rate	No	Limited
Brangwyn	Catering	Venue Hire	Catering Kitchen Hire Fri - Sun	No	Yes	£770.00	£1,495.00	£1,495.00	£1,495.00	£1,495.00	Market rate	No	Limited
Brangwyn	Catering	Venue Hire	Catering Room Hire Mon - Thur (outside catering)	No	Yes	£970.00	£970.00	£970.00	£970.00	£970.00	Market rate	No	Limited
Brangwyn	Catering	Venue Hire	Catering Room Hire Fri - Sun (outside catering)	No	Yes	£1,130.00	£1,130.00	£1,130.00	£1,130.00	£1,130.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Venue deposit (Brangwyn - Mon to Thurs)	No	Yes	£250.00	£250.00	£250.00	£500.00	£525.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Venue deposit (Brangwyn - Fri to Sun)	No	Yes	£250.00	£500.00	£500.00	£500.00	£525.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	George Hall Mon - Thurs	No	Yes	£415.00	£415.00	£415.00	£415.00	£415.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Green Room (per 4 hrs)	No	Yes	£75.00	£75.00	£75.00	£75.00	£75.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Green Room (per 4 hrs) INTERNAL	No	Yes	£30.00	£30.00	£30.00	£30.00	£30.00	Maintain existing charge	No	Limited
Brangwyn	Venue Hire	Venue Hire	Brangwyn Bar (per 4 hrs)	No	Yes	£120.00	£120.00	£120.00	£120.00	£120.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Weddings - Breakfast (George Hall)	No	Yes	£600.00	£600.00	£600.00	£0.00	£0.00	Maintain existing charge	No	Limited
Brangwyn	Venue Hire	Venue Hire	Kent Room (per 4 hrs)	No	Yes	£120.00	£120.00	£120.00	£130.00	£130.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Kent Room (per 4 hrs) INTERNAL	No	Yes	£55.00	£55.00	£55.00	£55.00	£55.00	Maintain existing charge	No	Limited
Brangwyn	Venue Hire	Venue Hire	Reception Room (per 4hrs)	No	Yes	£120.00	£120.00	£120.00	£130.00	£130.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	Reception Room (per 4hrs) INTERNAL	No	Yes	£55.00	£55.00	£55.00	£55.00	£55.00	Maintain existing charge	No	Limited
Brangwyn	Venue Hire	Venue Hire	Weddings - Lord Mayors Reception Room	No	Yes	£230.00	£230.00	£230.00	£240.00	£260.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Wedding Ceremony - George Hall	No	Yes	£300.00	£300.00	£300.00	£300.00	£315.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	George Hall Fri - Sun	No	Yes	£465.00	£465.00	£465.00	£465.00	£465.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	George Hall Bank Hol	No	Yes	£465.00	£465.00	£465.00	£465.00	£465.00	Market rate	No	Limited
Brangwyn	Venue Hire	Venue Hire	George Hall INTERNAL	No	Yes	£150.00	£150.00	£150.00	£150.00	£150.00	Maintain existing charge	No	Limited
Brangwyn	Venue Hire	Venue Hire	Concerts Mon - Thurs	No	Yes	£970.00	£970.00	£970.00	£970.00	£985.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Concerts Fri - Sun	No	Yes	£1,130.00	£1,130.00	£1,130.00	£1,130.00	£1,145.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Concerts Bank Hol	No	Yes	£1,130.00	£1,130.00	£1,130.00	£1,130.00	£1,145.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Recordings/Exhibitions/Conferences Mon - Thurs	No	Yes	£1,285.00	£1,285.00	£1,285.00	£1,285.00	£1,300.00	% increase	No	Limited
Brangwyn	Venue Hire	Venue Hire	Recordings/Exhibitions/Conferences Fri - Sun	No	Yes	£1,475.00	£1,475.00	£1,475.00	£1,475.00	£1,495.00	% increase	No	Limited

Service Unit	Generic Opportunity Descriptor	Specific Opportunity Descriptor	Description	Mandatory Service	Non-Statutory Service	Fee 15/16	Fee 16/17	Fee 17/18	Fee 18/19	Fee 19/20	Methodology used to calculate fee	Benchmarking undertaken with other LAs (Yes/No)	Benchmarking undertaken with Private Sector (Yes/No)
<b>Housing &amp; Public Health</b>													
Food and Safety	Business Regulatory Service	Business Advice	Business advice, per hour, minimum of 2 hours.	No	Yes	N/A	N/A	N/A	N/A	£60.00	Benchmarked with NPTC and introduced following discussions with Cornwall Council and their successful BRService	Yes	N/A
Trading Standards	Business Regulatory Service	Business Advice	Business advice, per hour, minimum of 2 hours.	No	Yes	N/A	N/A	N/A	N/A	£60.00	Benchmarked with NPTC and introduced following discussions with Cornwall Council and their successful BRService	Yes	N/A
<b>Highways &amp; Transportation</b>													
Marina	Berthing Fees	Visitor	28 Day Visitor Bundle	No	Yes	N/A	N/A	N/A	N/A	£41.98	Figures based on demand for moorings, current occupancy rates and competitor prices. During 19/20 Barrage fees increased by 5%, elec by 15%. 28 Day Visitor bundles introduced in a bid to attract local visitors the option to visit Swansea on a regular basis by committing to 28 days over a 2 Summer seasons (must pay upfront), sameas monthly berthing fee. Airberth/Tender Afloat Small Boat fee is half the price of a Airberth/Tender Afloat.	No	Yes
Marina	Berthing Fees	Annual	Airberth/Tender Afloat Small Boat	No	Yes	N/A	N/A	N/A	N/A	£216.66		No	Yes
Transport	Network Management	Network Management	Advance Payment Code (APC) Release Fee when S.38 signed	No	Yes	N/A	N/A	N/A	N/A	3% of works value min fee £2,000	3% of value of the works plus legal min fee £2,000. The value of the APC bond is equivalent to the value of the highway asset being constructed and will vary from site to site. Therefore, there would be no value in benchmarking.	N/A	N/A
<b>Poverty &amp; Prevention</b>													
Outdoor Centres	Placement	Commercial	Commercial Self-Catering - Rhossili (per night) - Spring	No	Yes	N/A	N/A	N/A	N/A	£288.00	Costs are increased by 5%. Where there is low take up of service the cost remains. After price comparison prices are kept the same if we are at the top end of the comparison table eg activities. Introduced price split into Autumn, Spring and Summer for Self-Catering visitors. Teachers contribution remains the same.	No	Yes
Outdoor Centres	Placement	Commercial	Commercial Self-Catering - Rhossili (per night) - Summer	No	Yes	N/A	N/A	N/A	N/A	£320.00		No	Yes
Outdoor Centres	Placement	Commercial	Commercial Self-Catering - Borfa House (per night) - Summer	No	Yes	N/A	N/A	N/A	N/A	£640.00		No	Yes
Outdoor Centres	Placement	Commercial	Commercial - Full board supplement (for every 5 guests)	No	Yes	£115.00	£115.00	£115.00	£115.00	£115.00		No	Yes



**Swansea Council**

**Social Services**

**Charging Policy (Social Services)**

**- Paying for Social Services  
under the Social Services &  
Wellbeing (Wales) Act 2014  
(first implemented April  
2016)**

**Issued on behalf of the  
Director of Social Services**

**Version 3  
(Updated March 2019)**

**Revised policy, to commence 1st April 2019.**

## Change Log

<b>Charging Policy (Social Services) Version 3</b>
<b>Effective Date of Revised Policy (v3):</b> April 2019
<b>Next Review Date:</b> by end March 2020
<b>Policy Owner:</b> Director of Social Services
<b>Governance:</b> revised policy approved by Social Services Finance & Charging group (SSF&C) in March 2019
<b>Main Changes to v2.4 (as requested by SSSF&amp;C):</b> <ul style="list-style-type: none"><li>- Cover- remove People Directorate/ Update to Director of Social Services</li><li>- Addition of Change Log, replacing control sheet</li><li>- Contents / page numbering</li><li>- Revised Appendix List of Charges 2019/20</li><li>- Added in Appendix 2: Background/ Links to Welsh Government Regulations/ Codes of Practice relating to social services charging (taken out from main policy)</li><li>- Updated link to policy on public website</li><li>- Changes to section 7 Tables to reflect position in 2019/20</li><li>- Direct Payments moved to Table 3 (section 7) to reflect client contribution/ means tested.</li></ul>

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## 1. Introduction

1.1 The Social Services and Wellbeing (Wales) Act came into force on 6th April 2016. This changed the way social services are delivered in Wales, to meet the needs of the individual and to make services sustainable for the future.

The Act gives people a stronger voice and real control over the support they need to remove barriers to their wellbeing. It focusses on earlier intervention to prevent needs becoming critical, and promotes investment of resources in the short term, to give best value to the public purse overall.

The Act also promotes integration between the health and social care sectors to the greatest extent possible in order to achieve improved wellbeing outcomes.

Under the Social Services and Well-being (Wales) Act 2014 (SSWB Act), a local authority can only charge:

- up to the cost of providing the service
- what the person can afford.

1.2 This policy has been produced in accordance with the legal requirements set out in The Social Services and Well-being (Wales) Act 2014 (“**the Act**”) and sets out Swansea Council’s position on charging for social services.

**It became effective from 6<sup>th</sup> April 2016** for all social services clients, with this Version 3 of the Policy coming into effect from 1<sup>st</sup> April 2019.

1.3 The new legal framework is intended to cover both Adults and Child social services and requires that the Local Authority replaces the Fair Charging and CRAG regulations under one, single Charging Policy.

Swansea Council’s Charging Policy (Social Services) provides detail on:

- i. Welsh Government’s national charging framework
- ii. Our approach and the key principles behind the charges
- iii. How different types of services and support are charged/ not charged for
- iv. How changes will impact on community based service, residential care, direct payments, child and family services, respite care and other services
- v. How any discretion given to Local Authorities is applied in practice, including deferred payment agreements
- vi. Financial assessment processes, including reviews and appeals
- vii. List of charges that apply from 6<sup>th</sup> April 2016 (Appendix 1)

## **2. Legal Framework**

2.1 The Social Services and Well-being (Wales) Act 2014, the regulations made under the Act and a code of practice issued by the Welsh Government together set out the requirements that local authorities must follow when determining whether to charge for care and support services and also when assessing the client's contribution towards those costs. For example:

- i. People with care and support needs may have a financial assessment to work out how much they must pay, whatever kind of help they receive
- ii. There is a maximum charge per week for non-residential care and support (including respite stays) and no-one will pay more than this for non-residential care and support
- iii. A person with assets exceeding the set capital threshold, will be liable to pay the full cost if they decide to live in a residential care home
- iv. Applying Section 5.12 (Part 5 of the Social Services & Well-being (Wales) Act 2014), people may qualify for get 6 weeks of home care free of charge, where care and support is provided as 'reablement' under Part 2 of the Act.
- v. Exemptions from charging where the services and support are provided under section 117 of the Mental Health Act 1983, and for people with Creutzfeldt-Jacob Disease who receive care and support.
- vi. No-one should be charged for information or advice
- vii. There may be a charge for helping people or carers to find and use certain services
- viii. Local councils must make sure everyone knows what they are being charged, and why (statement of charge)

### **2.2 Summary of the national charging and financial assessment legislative framework.**

- i. A single financial assessment framework covering both residential and non-residential care and support
- ii. Set information to be provided to a person before they are assessed, with 15 working days for person to provide information and documentation an authority requires.
- iii. Where a person is a short-term resident (i.e. a stay not exceeding eight weeks commonly known as respite care) in a care home, and a local authority uses its discretion to charge for this, it must undertake a financial assessment of a person's means to do this as if the person were receiving non-residential care and support, or receiving direct payments for non-residential care and support.
- iv. Income from a War Disablement Pension is disregarded.

- v. A requirement to provide a client with a significant amount of information **before** a financial assessment can be made.
- vi. Statement of charge, contribution or reimbursement must be provided before the charge can be collected. A charge will apply from when the person first receives their care and support.
- vii. The ability to suspend a deferred payment agreement if the person's income exceeds their appropriate minimum guarantee.
- viii. The ability to charge interest and administration fees on the amount deferred to make agreements affordable for local authorities.
- ix. The process for reviewing charges and charging decisions for non-residential care is to be extended to residential care.

### **3. Charging and Financial Assessment Explained**

3.1 The intent behind the Social Services and Well-being (Wales) Act, Parts 4 and 5, is to introduce **one set** of financial assessment and charging arrangements, and to ensure greater transparency within these arrangements.

This policy follows Welsh Government guidance by ensuring that Swansea Council implements a single 'charging policy', which complies with the requirements of the Social Services and Wellbeing (Wales) Act 2014.

#### **3.2 A Council's Discretion to Charge for social services**

Under the Act, each local authority has the discretion to impose a charge, or set a contribution towards the costs of social care, or a reimbursement for direct payments. When doing so, the Authority must follow the requirements set out in the Act, Regulations and Code of Practice.

In imposing these charges a local authority cannot charge certain persons (exemptions) or for certain forms of care and support, and must apply certain financial 'limiters' to ensure the person is reasonably able to meet a charge, whilst retaining a certain amount of their income to meet daily living costs.

These 'limiters' or rules vary depending on whether the person is receiving residential or non-residential care and support, for example:

- i. A person is required to pay no more than a set weekly maximum amount for non-residential care and support.
- ii. A person is able to retain a certain amount of their capital assets which cannot be used towards care and support costs.
- iii. A local authority is now required to provide a statement of a charge, reimbursement or contribution agreed and for this to be revised as necessary.

- iv. A local authority can, in some circumstances, apply a flat rate charge for preventative services and 'assistance'.

### 3.3. For which care and support services can a local authority exercise its discretion to charge?

- a) Care and Support may include one or more of a range of services, including:
  - i. Assistance (Part 2, of The Act: Information, Advice and Assistance)
  - ii. Re-ablement - improving daily living skills following a stay in hospital or period of illness
  - iii. Non-residential Care (Home Care/ Domiciliary Care)
  - iv. Residential Respite Care or Short Breaks
  - v. Residential Care
  - vi. Day Care, whether the person attends a day centre or other day-time activities
  - vii. Flexible Support/ Family Support
  - viii. Community equipment and minor adaptations
  - ix. Life Lines and other Telecare equipment and services
  - x. Supported living arrangements
  - xi. Transport
  - xii. Community based Respite
  - xiii. Jointly funded services
  
- b) Also care and support may be meeting needs within:
  - i. Child and Family Services (Section 14 of this policy)
  - ii. Direct Payments (Section 15 of this policy)
  - iii. Support to carers (Section 16 of this policy)
  - iv. Preventative Services (Section 16 of this policy)
  - v. Secure Estates (Section 16 of this policy)
  - vi. Appointeeship (Section 16 of this policy)

General public information on charging will be made available to citizens, their carers or advocates during the assessment process to ensure they are aware that we charge for social care services and what that means for them.

## 4. What is a Financial Assessment?

- 4.1 The Regulations (See point 2.2) set out a series of requirements that a local authority must take into account when undertaking a financial assessment of a person's ability to pay a charge, or when setting a contribution towards their social care costs or reimbursement for a person receiving direct payments.
  
- 4.2 The Regulations specify the information that the Authority must provide to a person before undertaking a financial assessment, the timescale for a local authority to request and obtain information from a person, and the processes to follow.
  
- 4.3 The Regulations also set out the circumstances where there is no duty to carry out a financial assessment (Exemptions). These Regulations also contain instructions on the treatment and calculation of income and capital. Separate schedules identify

specific forms of capital assets, forms of income and stipulate how each should be treated in a person's financial assessment.

4.4 Once a financial assessment has been carried out, a statement of the assessed charge will be sent to the client (or their financial representative).

4.5 Discretion to apply locally-determined criteria for financial assessments. Local Authorities must decide what allowances, disregards or other aspects they wish to incorporate within the financial assessments they undertake beyond those required by legislation.

Any discretionary allowances say for reasons of hardship can only take place *with the written agreement of the Head of Adult Services, or Director of Social Services*, and this agreement is then clearly stated within the financial assessment and care and support plan.

If a decision to award allowance is granted by the Head of Adult Services, then this award decision should continue until the care and support plan is reviewed or a new financial assessment takes place.

Under this Charging Policy, the discretionary powers exercised by the Local Authority in respect of what services are charged for, exemptions, contributions or reimbursements are reviewed annually, alongside the list of charges (**Appendix 1 to this policy**).

## **5. Financial Assessments and Care Needs Assessments.**

5.1 Whilst some types of social care and support are provided free, many types will be subject to a charge. After the authority has completed a care needs assessment to work out what support a person needs and how much it will cost to provide, where appropriate the Council will offer to undertake a financial assessment to work out how much of that cost the Council will cover and how much the person can afford to pay themselves. During the financial assessment process, the service user will be asked to declare and provide evidence of their income, savings and capital. They will be given a specified period in which to do this. If the necessary information or evidence is not provided in good time, the service user will be required to fund the cost of their care themselves (subject to any limits specified in the relevant legislation).

5.2 Normally, any reduction in the full contribution that is calculated by the financial assessment will take effect from the same date as the care identified in the service user's care needs assessment commences. For any period not covered by a care needs assessment, the service user will need to fund the full cost of their care themselves. The amount a person is required to pay will be reviewed at least once every year. If a service user's personal or financial circumstances change, they (or their representative) have a responsibility to inform the Council of any changes.

## 6. Swansea Council's approach to charging

6.1 Swansea Council's approach to charging is that it should support corporate strategic priorities, to be sustainable in the longer-term, and that charging arrangements are applied equally e.g. all clients, with broadly the same assessed need for care and support, are treated equally, and therefore the same charges should apply subject to a financial assessment.

6.2 The Act allows for local authorities to act commercially and to raise income from charging. This is an important part of the range of options that help us manage our resources effectively. Charging can assist the Council in meeting rising local population needs with reducing resources.

As new models of service delivery are commissioned or provided that empower adults to have more control, supporting people to have greater independence, there may need to be a greater consideration of the full range of charges as set out in this policy.

### 6.3 Summary of the Charging Regulations under the Act

- i. **Section 59** provides a local authority with the discretion to impose a charge for the care and support, or the support to a carer, it provides or arranges under **sections 35 to 45** of the Act to meet a person's needs.
- ii. **Sections 60 to 62, 66 and 67** set out, or allow to be set out in regulations, how this discretion can be applied including that a determination to impose a charge should be on the basis of a financial assessment undertaken of a person's ability to pay a charge.
- iii. **Sections 63 to 65** allow regulations to be made governing financial assessments.
- iv. **Sections 50, 52 and 53(3)** permit regulations to be made which mirror these charging provisions in relation to contributions or reimbursements for direct payments.
- v. **Section 69** allows regulations to be made about charges for prevention services and assistance provided under **sections 15 and 17** of the Act respectively.

6.4 Swansea's charging policy ensures that the Authority's **discretionary powers** (highlighted in Tables 3 & 4 on pages 11 to 13) under the Act are applied fairly, and that all charges practices, such as undertaking a *financial assessment* or agreeing a *statement of charges*, are always aimed at reducing any discrepancies or anomalies for each individual's care and support.

6.5 Swansea Council has determined to use its discretion whether to charge for care and support services it provides. The care and support services for which a charge will be made, and the level of those charges, are contained in Appendix 1 of this policy.

**Table 1 - Swansea's Key Principles**

<b>Key Principle</b>	<b>What each citizen expects</b>	<b>What Swansea Council expects</b>
<b>Continuity</b>	I need time to plan for my future, and to find the resources that can meet my own care and support needs	We have a corporate charging policy which seeks to recover the full cost of services where this is legally permitted and appropriate. We will charge for social care services in accordance with the national charging framework (see Appendix 1) and maintain current charges where possible. Interest charges and administrative charges on Deferred Payment agreements in line with the regulations <i>are under consideration (see table 3)</i>
<b>Fairness</b>	I am paying a fair contribution to the cost of my care	We give individuals the right information about charging at the right time. We provide clear explanations of how we charge and what we charge for. We ensure individuals are given clear information about how their contributions have been calculated. We do not charge individuals more than they can afford to pay. We apply the charging rules fairly and transparently.
<b>Equal</b>	I understand that Swansea has a policy of fair charging	We will treat all people with dignity and respect recognising the value of each individual. Swansea is committed to eliminating all forms of
	that complies with national regulations and code of practice	discrimination on grounds of age, gender, disability, marriage or civil partnership, race, religion, beliefs, or sexual orientation. We are working towards Welsh Language standards, and the active offer to carry out services in Welsh. Public information can be requested in other formats which can be arranged on request.
<b>Transparency</b>	I understand my statement of charges and how they have been calculated	We give clear and simple information about charging. We give clear information about financial assessment before and during the process. We give clear explanations about how an individual contribution has been calculated. We give clear information before and during a review.
<b>Sustainable</b>	I expect the Council to look towards the future, as I am considering my own care and support needs and financial situation	We ensure we make full use of the range of universal services, as well as preventative and early intervention services to meet a person's own well-being outcomes. We agree to a care and support plan that is appropriate and proportionate to meet the eligible assessed need for care and support within the resources we have available. We ensure that care and support plans are reviewed regularly, and within each year, to ensure appropriateness and effectiveness is achieved as well value for money.
<b>Voice and Control</b>	I expect to have voice and control over decisions on my care and support plan	Where someone lacks capacity to make a decision, we will work with an agreed representative, or offer an advocate where appropriate and will act in his or her best interests in line with Part 10 of the Act

## **7. Charges for care and support services**

The Act and Regulations specify circumstances when the authority can and cannot charge for care and support services.

Swansea Council will not charge for services where it is either:

- i. Not permitted to do so by the new regulations or advised not to do so by the Welsh Government code of practice.

OR

- ii. Where it has chosen to exercise its discretionary powers not to do so after taking into account corporate strategic priorities and population wellbeing outcomes.

All directly provided or commissioned social services, whether community based or residential, will be subject to charging, unless specifically excluded by the Act and Regulations or by the authority using its discretionary powers not to charge.

7.1 The following table (Table 2) details charges that cannot be made, under the national charging framework

**Table 2 - Charges that are not generally being applied by Councils in Wales.**

<b>Name of Service</b>	<b>Charged prior to April 2016</b>	<b>Chargeable under the Act/ Regulations</b>	<b>Charge to apply in 2019/20</b>
Children's services	No	No	No
Care and support provided to a child.	No	No	No
Care and support provided to a child who is a carer	No	No	No
Intermediate Care / Reablement – up to first 6 weeks after leaving hospital	No	No	No
Social Work practice	No	No	No
Assessment of care and support needs, care and support planning or conducting a review of this plan, provision of care and support plans, provision of statements of a charge, undertaking a review of a determination of a charge or a charge itself	No	No	No
Carry out a financial assessment	No	No	No
Nursing forms of care	No	No	No
Independent Advocacy (provided under Part 10 of the Act)	No	No	No
Care and support provided to those with Creutzfeldt-Jacob Disease	No	No	No
After-care services/support provided under section 117 of the Mental Health Act 1983	No	No	No
Transport to a day centre where the transport is provided by the local authority as part of meeting a person's care and support needs	No	No	No

7.2 The following tables (Table 3 and Table 4 ) detail when the authority has made discretionary decisions to impose a charge / not to charge. For social care services

**Table 3 - Swansea Council made a decision to impose a charge from April 2016.**

<b>Name of Service</b>	<b>Charged prior to April 2016</b>	<b>Chargeable under SSWB Act Yes/ No / Discretionary</b>	<b>Flat Rate/ Means Tested <u>if</u> applied</b>	<b>Charge to apply in 2019/20 Yes/ No</b>
Residential care	Yes	Discretionary	Means tested	Yes
Home Care/ Domiciliary	Yes	Discretionary	Means tested Up to maximum charge	Yes
Respite (short term resident) and respite at home	Yes	Discretionary Up to 8 weeks / episode	Means tested Up to maximum charge	Yes
Day Services	No	Discretionary	Means Tested Up to maximum weekly charge	Yes
Flexible Support	No	Discretionary	Means Tested Up to maximum weekly charge	Yes
Temporary resident	Yes	Discretionary Up to 52 weeks	Means tested	Yes
Reablement – 7 <sup>th</sup> week onwards	Yes	Discretionary	Means tested (temporary residential care financial assessment or Non-residential financial assessment where appropriate)	Yes
Telecare	Yes	Discretionary	Flat rate	Yes
Lifelines	Yes	Discretionary	Flat rate	Yes

Direct Payments	No	Discretionary	Means tested up to maximum weekly charge	Yes
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**Table 4 –Swansea Council has decided not to impose a charge for the following services**

Name of Service	Charged prior to April 2016	Chargeable under Act / Regulations Yes/ No / Discretionary	Flat Rate/ Means Tested if applied	Charge to apply in 2019/20 Yes/ No
Provision of Information and Advice	No	No	N/A	No
Assistance	No	Discretionary	Flat rate	No
Preventative Services	No	Discretionary	Flat rate	No
Night Time Care	No	Discretionary	Means tested	No
Carers	No	Discretionary	Means tested	No
Appointeeship	No	Discretionary	Flat rate with exemptions	Yes
Transport <i>E.g. Transport costs for transport needs not included in a client's care plan</i>	No	Discretionary	Flat rate with exemptions	No
Administrative Costs relating to Deferred Payments	No	Discretionary	Flat rate	No

Decisions to charge or not to charge under the authority's discretionary powers will be reviewed annually when setting the budget for the next financial year, or more regularly if required, and within corporate governance arrangements. These revised charges will, in normal circumstances, be applied at the start of the next financial year.

There may be circumstances, such as during 2016/17 as a transitional year under the Act, in which a new charge or change to the existing charge are required to take place during a financial year.

Any changes to charges will be subject to the normal processes of business case review, public consultation, and equalities impact assessment as require

## **8. Working out how much a person will pay towards their care**

8.1 The overarching principle is that people who are asked to pay a charge must only be required to pay what they can afford. The Authority must take into account, when deciding whether to charge and in setting the level of any charge, contribution or reimbursement they require to be paid or made, the principles upon which this policy is based.

People who require care and support will be entitled to financial support from the Council in certain circumstances based on their financial means and some will be entitled to care and support at no charge.

A list of Swansea Council social services charges is reviewed, and published annually: <https://www.swansea.gov.uk/payingforsocialservices>

There are three charging categories for social services:

- i. Means tested charging following financial assessment
- ii. Flat-rate charges payable without a financial assessment;
- iii. Care and support provided free of charge (exempt from charging or where discretionary powers are exercised).

A financial assessment will be carried out for all care and support that is subject to means-tested charging, provided or arranged by the Authority.

To make a financial assessment, the authority will inevitably have to ask the person subject to the financial assessment to provide detailed information about their personal and financial circumstances and will allow 15 working days for them to do so.

The Council will consider and decide cases where a service user makes a reasonable request for an extension of time i.e. longer than 15 days, giving reasons why the extension of time is required and, if refused, will give the reasons for the refusal.

## 8.2 No requirement for a financial assessment

There are some circumstances where a Local Authority is not required to undertake a financial assessment. They include situations where:

- i) We charge a flat rate charge for particular care and support (including for preventative services and assistance (not currently charged for)) and as such, carrying out a financial assessment would be disproportionate to the charge levied.
- ii) The person fails or declines to provide information and/or documentation reasonably required to undertake the assessment. In such circumstances we can charge the service user up to the weekly maximum charge where it applies.

*NB: where only partial information is received, we can charge on the basis of available information / documentation if we consider that we have sufficient information to do so.*

- iii) The person is receiving care and support for which no charge can be made

## **9. How a financial assessment is carried out**

9.1 A financial assessment will calculate how much, if anything, a person can afford to pay towards the cost of their care (or contribute towards their personal budget) on a weekly basis.

The financial assessment should only take into account the income and capital of the person being assessed. If any type of capital is jointly held (other than land), the capital will be treated as if an equal share is held i.e. 50%, unless the authority is satisfied a greater or lesser percentage of capital is held by the person being assessed.

### **i) Treatment of Capital**

A person's capital is taken into account in the financial assessment unless it is subject to one of the disregards. Detailed information on the treatment and calculation of capital when making financial assessments is provided in:

- **Part 4 - Care and Support (Financial Assessment) (Wales) Regulations 2015**
- **Annex A - Parts 4 and 5 Code of Practice (Charging and Financial Assessment)**

### **ii) Treatment of Income**

In assessing how much a person can afford to pay, the authority will take into account their income. In the main, income is treated the same, whether a person is in a care home or in receipt of care and support in the community.

However there are some differences between the two as to how income is treated.

Detailed information on the treatment and calculation of income when making financial assessments is provided in:

- **Part 3 - Care and Support (Financial Assessment) (Wales) Regulations 2015**
- **Annex B - Parts 4 and 5 Code of Practice (Charging and Financial Assessment)**

Some items to note:

- i. Income must be considered as net of any tax or national insurance.
- ii. The earnings of service users and their partners will be disregarded in the assessment of financial means.
- iii. Similarly the earnings of other household members whose income forms part of the assessment of financial means will also be disregarded.

- iv. Tax credits will be treated as income and will be disregarded in the assessment of financial means.
- v. Income from pensions will be taken into account in assessing service user's financial means.
- vi. Any benefits not specifically disregarded will be taken into account in determining a service user's financial means.
- vii. Partial disregards now apply to War Widows / War Widowers pensions and War Disablement pensions.

Where a service user or their representative advises the Authority of any expenses that can be disregarded as income, they will be required to provide reasonable documentary evidence of those expenses before they can be disregarded as income.

If no such evidence is provided, or the evidence provided is held to be not of a satisfactory standard by this Authority, the financial assessment will be made without disregarding the expense in question.

### **iii) Protected Minimum Income Amount (MIA) Threshold**

Service users' contributions will be subject to a protected minimum income threshold, which is set at a level intended to safeguard their independence and social inclusion.

The calculation of the protected minimum income threshold is set out in the Regulations.

The value of the threshold is set out in List of Charges (Appendix 1 of this Policy).

## **9.2 Changes in Financial Circumstances**

Where there is a change in a service user's financial circumstances, the service user or their representative is required to notify the Authority, so that their entitlement to financial assistance can be reassessed. Where a re-assessment changes the service user's contribution, the service user will be advised of the amended contribution to be payable from the new effective date in a revised Statement of Charges.

The effective date of the new charge will normally be the date on which the change in their circumstances occurred.

## **9.3 Changes in the Level of Service Provided**

Where there is a change in the level of service provided, the charge for the services received may need to be reassessed.

Where a re-assessment changes the service user's contribution, the service user will be advised of the amended contribution to be payable from the new effective date in a revised Statement of Charges.

The effective date of the new charge will normally be the date on which the change in the service provision occurred.

## 10. Rights of citizens

This policy seeks to promote the independence and social inclusion of care and support recipients, citizens and carers.

As such due regard has been given to:

- United Nations Principles for Older Persons
- United Nations Convention on the Rights of the Child
- UN Convention on the Rights of Persons with Disabilities, as included within the Social Services and Well-being (Wales) Act 2014.

### 10.1 Accountability

In implementing this policy, the Swansea Council has put forward the legal context for this approach, our key principles for managing the changes and what is expected in terms of practice.

These charging arrangements are backed by clear lines of accountability and responsibility through the Council's corporate governance arrangements and within the social services and financial functions.

### 10.2 Empowerment

Each person can expect fairness, equal treatment and transparency in their journey through these charging arrangements, and where this is a human rights or mental capacity issue, they can expect to be offered access to advocacy services to help negotiate their way through to a satisfactory conclusion.

### 10.3 Welfare Benefits **Advice**

Swansea Council can provide access to appropriate welfare benefits advice, particularly to those who receive care and support to aid them in their understanding as to the benefits to which they may be entitled.. Access to specialist advice should be made available to carers of those who receive care when requested.

Information gathered as part of the Financial Assessment, can be shared with the Benefits Advice Team in order to provide welfare advice that would be beneficial to the service user.

## 11. Statement of Charges

11.1 The way people pay for care if they have the financial means to do so will now be uniform across Wales - there will be one set of assessment and charging arrangements for all adults who are required to pay for their care. This national charging framework will

apply to both residential and non-residential care. There are a few discretionary areas available to local authorities and these are outlined in this local policy.

11.2 The Care and Support (Charging) (Wales) Regulations 2015 require a local authority that makes a determination about the amount which it is reasonably practicable for a person to pay for care and support and to provide a statement or letter setting out the calculation of the payment that must be made.

The regulations do not specify the exact content / format of the statement to be issued.

## 12. Uplifts to Charges

12.1 The Council has the flexibility to consider potential uplifts to charges on a regular basis, to take account of inflationary costs to expenditure services and where possible to operate on a full cost recovery basis.

12.2 The calculation of uplifts will as a consequence take account of amongst other things:

- Staffing costs
- Administrative costs
- Increases to rates
- Costs imposed on the Authority by external service providers.

12.3 Where appropriate a clear methodology will be used to determine uplifts, and where necessary an Equality Impact Assessment will be undertaken and public consultation as required.

## 13. Non-residential care

The term “**Non Residential Care**” applies to the following services:

- a) Community Based Services ie. Domiciliary / Home Care Services and Domiciliary Respite Care Services
- b) Day Care
- c) Telecare and Lifelines

Service Users who are in receipt of the services listed in points b) and/or c) in addition to the services mentioned in point a) will require a single financial assessment based on the total cost of all the services provided to determine if the person is entitled to assistance with the cost of the service.

If the services user is only receiving any of the services mentioned in b) and / or c), no financial assessment is required as flat rate charges apply.

Service Users who do not wish to take part in a financial assessment will be required to pay the full cost of the services provided, subject to a weekly maximum where applicable.

In 2011, Welsh Government announced a cap or **maximum weekly charge** on the amount councils can charge for non-residential care and support. Under section 59 of the Act, or under sections 50-53 of the Act in connection with direct payments, local authorities must not charge more than a weekly maximum charge to a person in receipt of non-residential care and support (the maximum amount is specified in Appendix 1).

The charge for care provided will be calculated as follows:

### **13a) Community Based Services**

The weekly assessed charge for Domiciliary Care is calculated by multiplying the actual hours of care by the agreed notional hourly rate. There will be no enhancement to the number of hours to reflect double manning, weekend work or out of hours visits. Likewise time spent travelling to and from a service user's home will be disregarded in arriving at the number of hours of care received. The notional hourly rate that will apply in any one year will be set by the Council.

The Hourly Rates are set out in Appendix 1 of this policy. Exceptionally, there may be a need to revise the rate during the year. The hourly rate will be no more than the full cost of the service, and will not necessarily reflect the actual cost to the Council of providing or commissioning domiciliary care services. This service is the subject of a commissioning review within the Sustainable Swansea –fit for the future programme. Any changes to charges would be considered as part of an annual review of charges.

### **13b) Day Services**

Day services usually take place in a location other than a person's home, and as such are included as community based services. A timetable of attendance at a local authority day service for a part or whole day or number of days may be set out in the care and support plan agreed with the service user.

From 2018/19, Following the annual review of charges in 2017, charges are applied to people receiving day services for older people, and to day services for adults/ special needs, subject to financial assessment.

### **13c) Telecare and Lifelines**

Telecare is a term used to describe a range of electronic, electrical and other devices which help to maintain an individual's independence, safety and health and wellbeing, usually, but not exclusively, within their own homes.

The most familiar example of this is the Lifeline Telephone used by many thousands of Swansea citizens to provide an immediate link to a continuously staffed call centre in an emergency.

This range of provision sometimes operates below the thresholds of current social care eligibility with a more preventative focus with a flat rate charge for lifelines to cover the costs of equipment, installation and call response.

Telecare for eligible people will continue to be subject to charging arrangements already in place. Flat rate charges for Telecare and lifelines are not currently covered by the financial assessment process.

## 14. Residential Care

For more detail refer to:

□ **The Care and Support (Charging) (Wales) Regulations 2015** □ **Care and Support (Financial Assessment) (Wales) Regulations 2015**

□ **Parts 4 and 5 Code of Practice (Charging and Financial Assessment)**

□ Chapter 9 Charging for care and support in a care home □ Annex D: Deferred Payment Agreements.

### 14a) Long Term Residential Care

When a decision is taken to charge for residential care, as with all charging, a financial assessment is then undertaken. The Authority aims to support the person to identify options of how best to pay any charge. Where a decision is taken that a person has **long term** care and support needs which are best met within residential care, then property is taken into account within the financial assessment.

The main examples of capital considered are the value of property and savings a person holds.

A person's financial circumstances may lead to the offer of a deferred payment agreement (DPA) against the value of a property taken into account within the financial assessment. Deferred Payments are described in more detail in Annexe D of the code of practice.

The Act states that a local authority **must** ensure that the person has a genuine choice and must ensure that more than one option is available within its usual commissioning rate (standard rate) for a care home of the type a person has been assessed as requiring. However, a person **must** also be able to choose alternative options, including a more expensive home.

Where a home costs a local authority more than it would usually pay, a person **must** be able to be placed there if certain conditions are met and where a third party (or in certain circumstances the resident) is willing and able to pay the additional cost.

However, an additional cost payment **must** always be optional and never as a result of a shortfall in the funding a local authority is providing to a care home to meet a person's assessed care needs. Local authorities must follow the Care and Support (Choice of Accommodation) (Wales) Regulations 2015.

This service is the subject of a commissioning review within the Sustainable Swansea –fit for the future programme. Any changes to charges would be considered as part of an

annual review of charges. **Commissioning (standard) rate is also subject to annual review, as with all charges.**

#### **14b) Short Term Residential Placements (commonly known as respite care) and Temporary Residential Placements**

In each case the charge will be no more than the full cost of the service, and will not necessarily reflect the actual cost to the Council of providing or commissioning domiciliary respite services.

**14bi) Short-term residential placements** (Respite Care) are those which are generally up to 8 weeks only, and in practice is likely to be 1, 2 or in exceptions 3 or 4 weeks. Persons are now to be subject to the maximum weekly charge, for short-term placements, with a financial assessment. The guidance has taken into consideration that for a non-permanent resident, such an individual would still have outside daily living costs to meet (such as a mortgage) and a desire to support carers.

Where a person is a short-term resident in a care home (Respite Care) the local authority must undertake any financial assessment of a person's means as if the person were receiving non-residential care and support, or receiving direct payments for non-residential care and support.

#### **14bii) Community Based Respite Services (Domiciliary Care and Domiciliary Respite Services)**

The weekly assessed charge for Domiciliary Care and Domiciliary Respite Services will be calculated by multiplying the *actual hours* of care by the agreed notional hourly rate. Persons are subject to the maximum weekly charge, with a financial assessment. The notional hourly rate that will apply in any one year will be agreed by the Council. The hourly rates are set out in Appendix 1 of this Policy.

**14biii) Temporary residential placements** are those where the stay is for up to 52 weeks (or in exceptional circumstances is unlikely to substantially exceed 52 weeks) and therefore fees should be charged at the residential rate with a financial assessment. If it is known from the outset that a stay will exceed 8 weeks, this should be considered a temporary placement from the outset and not a short term (respite) period.

### **15. Self-Funders**

Under Part 5 of the Social Services and Well-being (Wales) Act 2014, a local authority may impose a charge for providing or arranging the provision of care and support or support of citizens with the means to pay.

Swansea Council may incur administrative costs in recovering fees and charges for arranging for the provision of care and support for an adult whose financial resources are above the financial limit (often referred to as a "self-funder"), but who nonetheless asks the authority to meet his or her needs.

In such circumstances, the Council's approach will be to charge according to our financial policy of full cost recovery. The Council will also seek to recover any additional charges (these may referred to as a "brokerage charge" or "commissioning charge") to maintain and support a placement. Such charges will be backdated to the date on which the placement commences, or to the date when contact was made by the self-funder requesting the Council's assistance.

## **16. Child and Family Services**

The Act prevents local authorities from charging a child for the care and support they receive, or for support provided to a child who is a carer.

While the Act contains a provision to allow a parent or guardian to be charged, the Regulations and code currently preclude this on the grounds that this provision was included in the Act to "future proof" it and not by a desire to introduce such charging at this time.

The Authority must not therefore charge for care and support to a child, or for support to a child who is a carer, provided under Part 4 of the Act (Meeting needs), nor must authorities seek payment of a contribution or a reimbursement towards such costs when direct payments are being made to secure such care and support.

## **17. Direct Payments**

### **See Care and Support (Direct Payments) (Wales) Regulations 2015**

17.1 Under the Act it is expected that more people will be able to receive Direct Payments if preferred. This means citizens will be given the money to organise the care and support needed to meet their own agreed, well-being outcomes.

17.2 The most significant new provision of the Act is that it enables direct payments to be used to purchase care and support from the authority which made the payment as well as other providers. Also the Regulations allow direct payments to be used to cover residential care costs, for example short periods of reablement, or longer term periods.

17.3 Where direct payments are not made to the service user direct, additional conditions must be satisfied. For example, whether the payment can be used to pay relatives, where vetting is required or conditions on how the payment can be used.

17.4 In respect of direct payments, the Authority can decide whether to make net payments or gross payments. Since Prior October 2018, the authority has made Direct Payments as gross payments.

17.5 The weekly assessed charge for care and support facilitated by a Direct Payment will be calculated by multiplying the assessed hours of care set out in the care package by the agreed notional hourly rate for personal assistance. The notional hourly rate that will apply in any one year will be agreed by the Council.

17.6 Any determination of contribution towards a direct payment will be set out within the person's statement of charge.

17.7 Swansea Council will seek to protect public funds from fraud, misuse, or wilful mismanagement of money or assets, and will take action to recover any monies lost as a result of such activity.

## **18. Other Services**

Local authorities have a duty to arrange care and support for those with eligible needs, and a power to meet non-eligible needs should it wish to do so. They also now have more discretionary powers, for example:

To impose charges in relation to care and support it provides or arranges (under section 59 of the Act) See section 6 of this policy.

### **18a) Assistance or Preventative Services**

Under the Act (section 69) a local authority has discretion to choose whether or not to charge for preventative services and assistance. At present Swansea Council does not charge for this range of services as they are an important driver in managing future demand and building up citizens, families and communities capacity to manage their own care and support.

See Section 6 of this policy

### **18b) Services to Carers**

Swansea Council commissions a ranges to services to support carers and young carers. Carers are vital in maintaining care and support at home, promoting independence and well-being. At present Swansea does not charge for the provision of support to carers.

See Section 6 of this policy

### **18c) Secure Estates**

The charging framework also applies to people who are detained in the secure estate. Whilst detainees have restricted access to paid employment and welfare benefits (and earnings are disregarded for the purposes of financial assessments), any capital assets, savings, income and pensions will need to be considered when undertaking a financial assessment as with any other person in receipt of care and support.

### **18d) Appointeeship**

A weekly administration charge can be made in future against the income and capital assets for some service users who receive support from Social Services to manage their

financial affairs where they have been assessed as lacking the mental capacity to do so (See Table 3).

## **19. Mental Capacity**

The charging policy takes into consideration the capacity of the person as well as any medical condition or impairment they might have.

Where a person is assessed as lacking capacity to manage their own financial affairs they may still be assessed as being able to contribute towards the cost of their care and support.

Under the Act, the Authority is putting into place additional support to improve access to representation and advocacy, to enhance how they communicate, and participate in decisions, how they are involved in activities such as financial assessments and how they agree to any charges.

Swansea Council will work with the individual who has the legal authority to make financial decisions on behalf of the person who lacks capacity.

For example:

- a. Enduring or Lasting Power of Attorney (EPA or LPA);
- b. Department of Works and Pensions appointee;
- c. Court of Protection Deputy for property and affairs

If a person is found to lack the mental capacity to manage their financial affairs and there is no-one who has the legal authority to make financial decisions on their behalf, then an application as appointee or Court of Protection Deputy may be made by the Local Authority, if there is found to be no other suitable third party willing or able to act.

Where a person has mental capacity, they may still give their consent for another person to act as their financial representative. Where consent has been given, the Authority will work with the financial representative on matters concerning the person's (client's) financial affairs

## **20. Deferred Payment Agreements (DPA)**

**See Care and Support (Deferred Payment) (Wales) Regulations 2015 Also refer to Parts 4 & 5 Code of Practice Annex D.**

The new regulations set out the conditions a person and their property must meet in order to be eligible for a deferred payment agreement, the level of a deferred payment a local authority can enter into and the arrangements regarding administration costs and interest which may be charged for setting up and operating a deferred payment agreement.

The Authority can under the regulations agree to enter into a deferred payment agreement where the person and their property meet certain conditions prescribed. Principally these are where a person has an eligible property but whose other forms of capital are under the

level of the capital limit and they do not have sufficient income to meet their care costs in full.

A deferred payment agreement enables a local authority to meet the cost of a person's residential care in whole or part while placing a charge on their property as security against the deferment. As a property is not taken into account when undertaking a financial assessment for a charge for non-residential care and support, deferred payments are only applicable in relation to residential care. A property would be included as an asset within the financial assessment based upon a professional valuation of the current sale value (this value may be subject to future revaluation).

The overall purpose of a deferred payment is to enable a person who enters a care home, and who has a property which has been taken into account in their financial assessment to set a charge for this, to exercise choice as to when or whether they sell their property to meet this charge. The aim of a deferred payment is to afford a person time to get their financial affairs in order, or time to arrange for the sale of their property where this is to occur, and to provide them flexibility as to when they sell the property.

Agreements can be for the duration of a person's stay in a care home, much shorter period as they wish, or until they decide to sell their property to pay for their residential care. The agreement may state the actual date of sale or disposal of the property, set a period such as **90 days** after the date of death of the person with whom the Authority has made the agreement, or such longer time as appropriate.

Before entering into a DPA, the Authority will provide a person with a statement of charges, which will include an estimate of the administrative charges required for setting up the agreement and for the whole period when the agreement remains in force. Please note that third party top up payments are not included in any current agreement with the Council

**Termination of a Deferred Payment Arrangement-** The person may terminate the agreement at any time prior to the specified time, by giving the Authority reasonable notice, in writing and paying any outstanding amounts.

## **21. Reviews**

### **Parts 4 & 5 Code of Practice Annex E – Review of Charging Decisions and Determinations.**

21.1 Section 73 of the Act requires the Authority to make provision for reviews of charging decisions and determinations made. The principles and requirements in place prior to April 2016 for reviews in relation to non-residential care determinations and charging decisions now apply to both residential and non-residential care determinations and charging decisions.

21.2 A person receiving care and support, either in the community or in a care home, has the right to request a review of a decision to impose a charge. Where a person feels an inappropriate decision has been made, either in the level of the charge, reimbursement or contribution or in relation to the basis upon which the decision to impose this was made, the person will be able to request the local authority to review

the decision. This initial review should involve the authority itself reassessing the decision made and deciding whether its original decision was correct, particularly where further information was now available.

21.3 The review process is also extended for reviews of situations where a person has been deemed to be a liable transferee, having received an asset with the intention of avoiding or reducing charges for a person deemed to be liable for a charge. This process will provide a consistent review process for such decisions so that where a person wishes a determination in relation to charging, or the level of a charge, reviewed, they will be able to ask an authority to do this in a relatively straight forward way and in doing so, potentially obviate the need for a person to make a formal complaint to the authority.

21.4 We will operate a review process as set out in the Regulations and code of practice to enable reviews to be sought of a determination of a charge, contribution or reimbursement, or the level of these, or where a person has been deemed to be a liable transferee.

21.5 It is hoped the vast majority of these requests would be satisfactorily resolved through the review process. However, if a service user or their representative remains unhappy with the decision after it has been reviewed then they have the opportunity to follow the complaints procedure as detailed in The Social Services Complaints Procedure (Wales) Regulations 2014.

21.6 Welsh Government Guidance on these regulations (A guide to handling complaints and representations by local authority social services) advises that a complaint or representation may be made up to 12 months after the date on which the matter which is the subject of a complaint or representation occurred. Alternatively, if later, the date on which the matter which is the subject of the complaint or representation came to the notice of the complainant or the person making the representation. However, this time limit will not apply if the local authority is satisfied that there are good reasons for a complaint or representation not being made within the time limit and, despite the delay, it is still possible to investigate the complaint effectively and fairly.

## **Appendix 1. Swansea Council List of Charges (to apply in 2019/20)**

**These are the amount clients will be charged for social care services, subject to any limits on the maximum charge specified by Welsh Government.**

### **a) Residential care and support services**

Charges for residential care are means tested. Residents may only be required to pay a contribution towards the total weekly cost. In certain circumstances, residents may be required to pay the full cost of residential care.

The costs shown below for privately owned care homes are indicative of the weekly costs at homes which accept the Council's usual rates. Some homes may charge more.

<b>Long Term Residential Care</b>			
<b>Charges for Services per category</b>	<b>Weekly charges in 2018/19</b>	<b>Weekly charges in 2019/2020</b>	<b>% Increase/ Comment</b>
<b>Council owned residential care homes</b>			
Elderly care	£557.05	£584.90	5%
Dementia Care	£557.05	£584.90	5%
Learning Disabilities	£1,459.69	£1,532.67	5%
Mental Health	£1,459.69	£1,532.67	5%
Younger Adults	£1,459.69	£1,532.67	5%
<b>Privately owned care homes</b>			
<b>Residential Care</b>			
Older persons	£530	£551	3.96%
Mental Health	£530	£551	3.96%
Learning Disabilities	£530	£551	3.96%
Younger Adults	£572	£572	0%
<b>Nursing care</b>			
Older persons	£605.92	£631	4.14%

Nursing care- Other			
Mental Health	£605.92	£631	4.14%
Learning Disabilities	£605.92	£631	4.14%
Dementia Nursing Care	£621.92	£649	4.35%
Younger Adults	£619.92	£631	1.78%

Short Term Residential Care (Local Authority and Private Sector)			
Charges for Services	Weekly charges in 2018/19	Weekly charges in 2019/2020	Comment
<b>All adults Short term residential care</b> up to 8 weeks (known as Respite care, re-ablement (from week 6 and up to week 8) or temporary short-term emergency or planned placement)	£80	£90	Maximum weekly charge to be confirmed by Welsh Government
<b>Temporary residential care (up to 52 weeks).</b> Where the placement is known to last more than 8 weeks from the outset or from week 9 when a short term residential care placement has been extended, the charging rates will be the same as the <b>long term residential rates</b> shown in the previous table			

## b) Non-residential, community-based care and support Services

- Domiciliary Care – is care in the client’s home provided by a private sector provider
- Home Care – is care in the client’s home provided by the Local Authority

Charges for Services	Charges in 2018/19	Charges in 2019/2020	% Increase/ Comment
<b>Means tested up to the maximum standard charge as outlined in the categories below</b>			
<b>Home Care</b>			
Domiciliary Care or Home Care, including respite at home, supported living	£15.00 per hour	£17.00 per hour	13.33% Agreed by Council last year
<b>Day Services Older People</b>			
Older Persons Day Services	£40 per day, up to a maximum charge of £80 per week	£42 per day, up to a maximum weekly charge of £90 per week	5%

**Day Services Younger Adults**

Younger Adults/ Special Needs Day Services	£50 /day	£52.50/day up to a maximum weekly charge of £90 per week	5%
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c) Flat rate charges for other services provided by Swansea Council

These charges are not subject to a means test or a maximum weekly charge.

Charges for Services	Charges in 2018/19	Charges in 2019/20	% Increase/ Comment
Telecare / Lifeline	£2.63	£2.76/week	5%
Meals (within community-based, day services)	£3.50 /day	£3.68	5%
Court of Protection Deputyship	<p>£745 application fee; £775 for first year management £650 per year thereafter - if over £16,000 in net assets, or 3.5% if these are under £16,000;</p> <p>Other additional charges may apply: - £300 property management fee - £216 preparation and lodgement of an annual report.</p>	No change	These are fixed rate charges for Local Authorities set by the Court of Protection (Part 19 of the Court of Protection Rules 2007) and revised rates apply from 1 April 2017
Pre Deputy support charge	£5 per week	No change	Approved by Cabinet and commenced on 1 April 2017. Fees taken retrospectively from date of case management to date of Court order when replaced by Court fees above.

## **Appendix 2: Important links**

The national framework for social services charging came into effect on 6 April 2016.

### **Link to Welsh Government Regulations:**

<https://socialcare.wales/hub/sswbact-regulations>

*The following code of practice was issued under parts 4 and 5 of the Act on 18 December 2015, and last updated in April 2018 (version 3)*

### **Code of Practice relating to social services charging:**

<https://gweddill.gov.wales/docs/dhss/publications/180409pt45en.pdf>



Service Unit	Generic Opportunity Descriptor	Specific Opportunity Descriptor	Description	Mandatory Service	Non-Statutory Service	Fee 15/16	Fee 16/17	Fee 17/18	Fee 18/19	Fee 19/20	Methodology used to calculate fee	Benchmarking undertaken with other LAs (Yes/No)	Benchmarking undertaken with Private Sector (Yes/No)
Licensing	Miscellaneous	Club Fast Track for Gaming Permit	Application Fee	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous	Club Fast Track for Gaming Permit	Annual Fee	Yes	No	£50.00	£50.00	£50.00	£50.00	£50.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Application Fee	Yes	No	£200.00	£200.00	£200.00	£200.00	£200.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Annual Fee	Yes	No	£50.00	£50.00	£50.00	£50.00	£50.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Renewal Fee	Yes	No	£200.00	£200.00	£200.00	£200.00	£200.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Application Fee	Yes	No	£200.00	£200.00	£200.00	£200.00	£200.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Annual Fee	Yes	No	£50.00	£50.00	£50.00	£50.00	£50.00		No	No
Licensing	Miscellaneous	Club Gaming Machine Permit	Renewal Fee	Yes	No	£200.00	£200.00	£200.00	£200.00	£200.00		No	No
Licensing	Miscellaneous	FEC Gaming Machine	Application Fee	Yes	No	£300.00	£300.00	£300.00	£300.00	£300.00		No	No
Licensing	Miscellaneous	FEC Gaming Machine	Renewal Fee	Yes	No	£300.00	£300.00	£300.00	£300.00	£300.00		No	No
Licensing	Miscellaneous	FEC Gaming Machine	Transitional Application Fee	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous	Prize Gaming	Application Fee	Yes	No	£300.00	£300.00	£300.00	£300.00	£300.00		No	No
Licensing	Miscellaneous	Prize Gaming	Renewal Fee	Yes	No	£300.00	£300.00	£300.00	£300.00	£300.00		No	No
Licensing	Miscellaneous	Prize Gaming	Transitional Application Fee	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous	Small Society Lottery Registration	Application Fee	Yes	No	£40.00	£40.00	£40.00	£40.00	£40.00		No	No
Licensing	Miscellaneous	Small Society Lottery Registration	Annual Fee	Yes	No	£20.00	£20.00	£20.00	£20.00	£20.00		No	No
Licensing	Miscellaneous - Permits	Alcohol Licence Permits > 2 machines (schedule 13)	Change of Name	Yes	No	£25.00	£25.00	£25.00	£25.00	£25.00		No	No
Licensing	Miscellaneous - Permits	Alcohol Licence Permits > 2 machines (schedule 13)	Copy of Permit	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		No	No
Licensing	Miscellaneous - Permits	Alcohol Licence Permits > 2 machines (schedule 13)	Variation	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous - Permits	Alcohol Licence Permits > 2 machines (schedule 13)	Transfer	Yes	No	£25.00	£25.00	£25.00	£25.00	£25.00		No	No
Licensing	Miscellaneous - Permits	Club Gaming Machine Permit (schedule 12)	Copy of Permit	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		No	No
Licensing	Miscellaneous - Permits	Club Gaming Machine Permit (schedule 12)	Variation	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous - Permits	Club Gaming Machine Permit (schedule 12)	Copy of Permit	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		No	No
Licensing	Miscellaneous - Permits	Club Gaming Machine Permit (schedule 12)	Variation	Yes	No	£100.00	£100.00	£100.00	£100.00	£100.00		No	No
Licensing	Miscellaneous - Permits	FEC Permits	Change of Name	Yes	No	£25.00	£25.00	£25.00	£25.00	£25.00		No	No
Licensing	Miscellaneous - Permits	FEC Permits	Copy of Permit	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		No	No
Licensing	Miscellaneous - Permits	Prize Gaming Permits	Change of Name	Yes	No	£25.00	£25.00	£25.00	£25.00	£25.00		No	No
Licensing	Miscellaneous - Permits	Prize Gaming Permits	Copy of Permit	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		No	No
Licensing	Other	Other	Licensing - Sex Establishments - Grant of a licence	Yes	No	£3,960.00	£1,513.00	£1,513.00	£1,513.00	£1,513.00		No	No
Licensing	Other	Other	Licensing - Sex Establishments - Renewal of a licence	Yes	No	£3,960.00	£1,088.00	£1,088.00	£1,088.00	£1,088.00		No	No
Licensing	Other	Other	Licensing - Sexual Entertainment Venue - Grant of a licence	Yes	No	£1,606.00	£1,606.00	£1,606.00	£1,606.00	£1,606.00		No	No
Licensing	Petroleum Storage	Petroleum Storage	Petroleum storage certificates - Up to 2,500 litres	Yes	No	£42.00	£42.00	£44.00	£44.00	£44.00		No	No
Licensing	Petroleum Storage	Petroleum Storage	Petroleum storage certificates - 2500-50,000 litres	Yes	No	£58.00	£58.00	£60.00	£60.00	£60.00		No	No
Licensing	Petroleum Storage	Petroleum Storage	Petroleum storage certificates - Over 50,000 litres	Yes	No	£120.00	£120.00	£125.00	£125.00	£125.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 1 year	Yes	No	£178.00	£185.00	£185.00	£185.00	£185.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 2 years	Yes	No	£234.00	£243.00	£243.00	£243.00	£243.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 3 years	Yes	No	£292.00	£304.00	£304.00	£304.00	£304.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 4 years	Yes	No	£360.00	£374.00	£374.00	£374.00	£374.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 5 years	Yes	No	£407.00	£423.00	£423.00	£423.00	£423.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 1 year	Yes	No	£83.00	£86.00	£86.00	£86.00	£86.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 2 years	Yes	No	£141.00	£147.00	£147.00	£147.00	£147.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 3 years	Yes	No	£198.00	£206.00	£206.00	£206.00	£206.00	Set by legislation	No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 4 years	Yes	No	£256.00	£266.00	£266.00	£266.00	£266.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where a minimum separation distance of greater than 0 metres is prescribed. Over 250kg and not exceeding 2000kg - 5 years	Yes	No	£313.00	£326.00	£326.00	£326.00	£326.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where no minimum separation or a 0 metres minimum separation distance	Yes	No	£105.00	£109.00	£109.00	£109.00	£109.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where no minimum separation or a 0 metres minimum separation distance	Yes	No	£136.00	£141.00	£141.00	£141.00	£141.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where no minimum separation or a 0 metres minimum separation distance	Yes	No	£166.00	£173.00	£173.00	£173.00	£173.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where no minimum separation or a 0 metres minimum separation distance	Yes	No	£198.00	£206.00	£206.00	£206.00	£206.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Licence to store explosives where no minimum separation or a 0 metres minimum separation distance	Yes	No	£229.00	£238.00	£238.00	£238.00	£238.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where no minimum separation or a 0 metres minimum separation distance is prescribed. Under 250kg - 1 year	Yes	No	£52.00	£54.00	£54.00	£54.00	£54.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where no minimum separation or a 0 metres minimum separation distance is prescribed. Under 250kg - 2 years	Yes	No	£83.00	£86.00	£86.00	£86.00	£86.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where no minimum separation or a 0 metres minimum separation distance is prescribed. Under 250kg - 3 years	Yes	No	£115.00	£120.00	£120.00	£120.00	£120.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where no minimum separation or a 0 metres minimum separation distance is prescribed. Under 250kg - 4 years	Yes	No	£146.00	£152.00	£152.00	£152.00	£152.00		No	No
Licensing	Fireworks & Explosives	Storing of Explosives	Renewal of Licence to store explosives where no minimum separation or a 0 metres minimum separation distance is prescribed. Under 250kg - 5 years	Yes	No	£178.00	£185.00	£185.00	£185.00	£185.00		No	No
Licensing	Taxi Licensing Fees	Miscellaneous	Disclosure Barring Scheme check	Yes	No	£44.00	£44.00	£44.00	£44.00	£44.00	External body set charge @ £44	No	No
<b>Highways &amp; Transportation</b>													
Highways	Highways Maintenance	Streetworks	S 50 Inspection, repair or replacement of existing apparatus, where a licence already exists	Yes	No	£200.00	£200.00	£200.00	£200.00	£200.00	Statutory Fee	Yes	N/A
Highways	Highways Maintenance	Streetworks	Other coring (Statutory Undertakers)	Yes	No	£100.00	£100.00	Outsourced	Outsourced	Outsourced	Fine level set under NRSW Act	Yes	N/A
Highways	Network Management	Development Section	Overhang canopy	Yes	No	£55.00	£55.00	£900.00	£900.00	£900.00	Mandatory	Yes	N/A
Transport	Network Management	Network Management	Technical Specification for residential infrastructure	Yes	No	£0.00	£0.00	£0.00	£0.00	£0.00	Not an option	N/A	N/A
Transport	School Transport	Other	Sale of spare seats on school transport buses	No	Yes	£410.00	from £410	from £410	from £425	from £445	Increases in line with indexation applies to school transport contracts.	N/A	N/A
Transport	Passenger Transport	Other	Replacement concessionary bus passes	No	Yes	£5.00	£5.00	£5.00	£5.00	£5.00	The concessionary travel scheme is Welsh Government funded and is administered by Councils on their behalf at a regional level. The E5 replacement pass fee has been agreed with regional partners in Carmarthenshire, Neath Port Talbot and Pembrokeshire and represents the cost of consumables and staff time in producing a new pass to replace a lost or stolen one. The Scheme is currently under review by the Welsh Government.	Yes	N/A
Transport	Bus Station	Departure Charges	Central Bus Station - Bus	No	Yes	£1.11	£1.12	£1.16	£1.20	£1.23	Increases in line with RPI, 2019 charges yet to be determined.	No	No
Transport	Bus Station	Departure Charges	Central Bus Station - Coach	No	Yes	£3.88	£3.94	£4.07	£4.22	£4.33		No	No
<b>Economic Regen &amp; Planning</b>													
Planning	Business Support	Fixed Fees	TPO Notices	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		N/A	N/A
Planning	Business Support	Fixed Fees	Enforcement Notices	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		N/A	N/A
Planning	Business Support	Fixed Fees	Decision Notice (per copy)	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		N/A	N/A
Planning	Business Support	Fixed Fees	Copy of planning applications (Application form, A4 and A3 plans)	Yes	No	£25.00	£25.00	£25.00	£25.00	£25.00		N/A	N/A
Planning	Business Support	Fixed Fees	Additional cost of any A2 Plan(s)	Yes	No	£10.00	£10.00	£10.00	£10.00	£10.00		N/A	N/A
Planning	Business Support	Fixed Fees	Additional cost of A1 Plan(s)	Yes	No	£15.00	£15.00	£15.00	£15.00	£15.00		N/A	N/A
Planning	Business Support	Fixed Fees	Additional cost of A0 Plan(s)	Yes	No	£20.00	£20.00	£20.00	£20.00	£20.00		N/A	N/A
Planning	Business Support	Fixed Fees	Photocopying per sheet	Yes	No	£0.50	£0.50	£0.50	£0.50	£0.50		N/A	N/A
Planning	Planning Fees	Fixed Fees	Change of use - other	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Change of use - subdivision of dwellings	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - residential	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - agricultural 540m2	Yes	No	£660.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - agricultural between 465 & 540m2	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - agricultural less than 465m2	Yes	No	£70.00	£70.00	£70.00	£70.00	£70.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - householder	Yes	No	£166.00	£190.00	£190.00	£190.00	£190.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - non-residential 75m2 or more or part of	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - non-residential between 40-75m2 space	Yes	No	£330.00	£380.00	£380.00	£380.00	£380.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - non-residential less than 40m2 space	Yes	No	£166.00	£190.00	£190.00	£190.00	£190.00		N/A	N/A
Planning	Planning Fees	Fixed Fees	Full application - residential (over 50)	Yes	No	£16,464.00	£19,000.00	£19,000					

Service Unit	Generic Opportunity Descriptor	Specific Opportunity Descriptor	Description	Mandatory Service	Non-Statutory Service	Fee 15/16	Fee 16/17	Fee 17/18	Fee 18/19	Fee 19/20	Methodology used to calculate fee	Benchmarking undertaken with other LAs (Yes/No)	Benchmarking undertaken with Private Sector (Yes/No)	
				Yes	No			£40.00/£30.00	£40.00/£30.00	£40.00/£30.00	NB: this is split £40 for a summons and £30 for a liability order. This means that if a debtor is summonsed and pays the debt so there is no need to progress to the next stage of recovery action, the £30 for a liability order will not be achieved.	N/A	N/A	
Revenues & Benefits	NDR	NDR	NDR Recharged Court Costs	Yes	No	Max £70.00	Max £70.00	Max £70.00 made up of 2 separate charges of:	Max £70.00 made up of 2 separate charges of:	Max £70.00 made up of 2 separate charges of:	Set by Welsh Government in regulations - not aware of any planned changes in 2019/20.	N/A	N/A	
				Yes	No			£40.00/£30.00	£40.00/£30.00	£40.00/£30.00	NB: this is split £40 for a summons and £30 for a liability order. This means that if a debtor is summonsed and pays the debt so there is no need to progress to the next stage of recovery action, the £30 for a liability order will not be achieved.	N/A	N/A	
<b>Legal &amp; Democratic Services</b>														
Legal Services	Complaints/IGU	Admin Services	Subject Access Request	Yes	No	£10.00	£10.00	£10.00	£10.00	£10.00	Statutory fee, unable to increase.	N/A	N/A	
<b>Social Services</b>														
Social Services	Long Term Residential Care	Council Owned Care Homes	Elderly care (per week)	Yes	No	£520.13	£520.13	£530.53	£557.05	£584.90	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	
Social Services	Long Term Residential Care	Council Owned Care Homes	Dementia Care (per week)	Yes	No	£520.13	£520.13	£530.53	£557.05	£584.90	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	
Social Services	Long Term Residential Care	Council Owned Care Homes	Learning Disability - long term (per week)	Yes	No	£1,431.07	£1,431.07	£1,459.69	£1,459.69	£1,532.67	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	
Social Services	Long Term Residential Care	Council Owned Care Homes	Mental Health (per week)	Yes	No	£784.49	£784.49	£1,459.69	£1,459.69	£1,532.67	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	
Page 64	Social Services	Long Term Residential Care	Council Owned Care Homes	Younger adults (per week)	Yes	No	£1,277.02	£1,277.02	£1,459.69	£1,459.69	£1,532.67	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Residential Care - Mental Health (per week)	Yes	No	£489.00	£505.00	£505.00	£530.00	£551.00	3.96% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	
Social Services	Long Term Residential Care	Privately Owned Care Home	Residential Care - Learning Disabilities (per week)	Yes	No	£495.00	£511.00	£511.00	£530.00	£551.00	3.96% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes	

Service Unit	Generic Opportunity Descriptor	Specific Opportunity Descriptor	Description	Mandatory Service	Non-Statutory Service	Fee 15/16	Fee 16/17	Fee 17/18	Fee 18/19	Fee 19/20	Methodology used to calculate fee	Benchmarking undertaken with other LAs (Yes/No)	Benchmarking undertaken with Private Sector (Yes/No)
Social Services	Long Term Residential Care	Privately Owned Care Home	Residential Care - Younger Adults (per week)	Yes	No	£554.00	£572.00	£572.00	£572.00	£572.00	0% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Nursing Care - Older Persons (per week)	Yes	No	£510.00	£527.00	£570.00	£605.92	£631.00	4.14% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Nursing Care - Mental Health (per week)	Yes	No	£510.00	£527.00	£570.00	£605.92	£631.00	4.14% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Nursing Care - Learning Disability (per week)	Yes	No	£510.00	£527.00	£570.00	£605.92	£631.00	4.14% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Nursing Care - Dementia (per week)	Yes	No	£525.00	£542.00	£586.00	£621.92	£649.00	4.35% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Long Term Residential Care	Privately Owned Care Home	Nursing Care - Younger Adults (per week)	Yes	No	£549.00	£567.00	£613.00	£619.92	£631.00	1.78% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Short Term Residential Care	LA & Private Sector	All Adults - Up to 8 weeks (known as respite care) - per week	Yes	No	Means tested	Max £60 per week per stay	Max £70 per week per stay	Max £80 per week per stay	Max £90 per week per stay	Restricted by legislation. Where the placement is known to last more than 8 weeks from the outset or from week 9 when a short term residential care placement has been extended, the charging rates will be the same as the long term residential rates.	N/A	N/A
Social Services	Short Term Residential Care	LA & Private Sector	All Adults - Temporary Residential care - up to 52 weeks, including reablement beds from week 7 - per week	Yes	No	£520.13	£520.13	Max £70 per week per stay	Max £80 per week per stay	Max £90 per week per stay	Restricted by legislation. Where the placement is known to last more than 8 weeks from the outset or from week 9 when a short term residential care placement has been extended, the charging rates will be the same as the long term residential rates.	N/A	N/A
Social Services	Non-residential (community based) service	Community Alarms	Telecare / Lifeline (per week)	Yes	No	£2.50	£3.58	£2.50	£2.63	£2.76	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Non-residential (community based) service	Day Services	Older Persons Day Services (per day)	Yes	No	No Charge	No Charge	No Charge	£40 per day, up to a maximum charge of £80 per week	£42 per day, up to a maximum weekly charge of £90 per week	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Non-residential (community based) service	Day Services	Younger Adults/ Special Needs Day Services (per day)	Yes	No	No Charge	No Charge	No Charge	£50.00	£52.50/day up to a maximum weekly charge of £90 per week	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Non-residential (community based) service	Day Services	Meals (within community-based, day services) (per day)	Yes	No	Unknown	Unknown	£3.50	£3.50	£3.68	5% increase. All care and support placements are individually assessed and will be charged to the maximum weekly charge.	Yes	Yes
Social Services	Court of Protection Deputyship	Court of Protection Deputyship	Court of Protection Deputyship	Yes	No	£670 application fee £700 first year management fee then £565 second and subsequent years management fee, or 3% of the person's net assets of under £16,000 £270 annual property management fee £195 lodgement of an annual report.	£670 application fee £700 first year management fee then £565 second and subsequent years management fee, or 3% of the person's net assets of under £16,000 £270 annual property management fee £195 lodgement of an annual report.	£745 application fee; £775 for first year management and £650 per year thereafter, or 3.5% of the person's net assets- charge against assets if these are under £16,000; Other additional charges may apply. - £300 property management fee - £216 preparation and lodgement of an annual report	£745 application fee; £775 for first year management and £650 per year thereafter, or 3.5% of the person's net assets- charge against assets if these are under £16,000; Other additional charges may apply. - £300 property management fee - £216 preparation and lodgement of an annual report	£745 application fee; £775 for first year management and £650 per year thereafter, or 3.5% of the person's net assets- charge against assets if these are under £16,000; Other additional charges may apply. - £300 property management fee - £216 preparation and lodgement of an annual report.	These are fixed rate charges for Local Authorities set by the Court of Protection (Part 19 of the Court of Protection Rules 2007) and revised rates apply from 1 April 2017.	N/A	N/A

Note: Lines 285 to 297 and lines 300 to 303 are capped at the agreed maximum weekly charge.

# City and County Of Swansea Council Income Generation and Charging Policy

## Policy Framework

This Policy establishes corporate guiding principles for income generation and charging for services provided by the Council.

It aims to support the Council's Sustainable Swansea - *Fit for the Future* Strategy and the Budget Principles contained within this, by increasing income from charging and trading based on full cost recovery and to reduce public subsidy, unless there is an agreed policy exception.

It also supports the Efficiency savings objectives relating to income which are to:

- Increase/Introduce charges
- Full cost recovery (including services to schools)
- Reduce the public subsidy
- Create and utilise surplus capacity

## Purpose

The Policy has been developed to ensure that all fees, charges and concessions for services are understood, transparent and are designed for purpose.

This Policy applies to any service that the Council has a power and discretion to provide to the community, or has a statutory duty to provide, and has a discretion to set a charge. It also applies to internal charging.

All services must comply with this Policy when setting and reviewing fees, charges and concessions. The Council is reliant upon income to undertake any of its services and it is therefore crucial that fees, charges and concessions are set and applied correctly.

## Statutory Background

For some services charges are mandatory and the fee is set nationally, while for other services the Council is expressly prohibited from charging. However, the Local Government Act 2003 ("the Act") gave local authorities the general power under section 93 to charge for discretionary services which are not covered by any other legislation with the following restrictions:

- The income from charges for a service should not exceed the cost of providing that service (over a "reasonable" but unspecified period e.g. 3 years);
- The recipient of the service must have agreed to its provision and agrees to pay for it.

- Charges may be set differentially, so that different people are charged different amounts.

Section 95 of the Act allows a Local Authority to trade for discretionary services with the public and to make a profit. This has to be through the medium of a company.

The Local Authorities (Goods and Services) Act 1970 allows Local Authorities to provide services for other Local Authorities and to make a profit. This should be used wherever possible.

### **Key Charging Principles**

- Charging must be linked to strategic objectives and must be clear and understood.
- The costs of providing a service should be fully understood before charges are set, and the level of charge regularly reviewed and benchmarked with other comparable Councils.
- The Council will aim to charge for all services where it is legal, appropriate and cost effective to do so.
- Where possible the cost of providing a discretionary service should be fully recovered through charges except where the Council makes a positive decision to the contrary.
- If a service is being subsidised by tax payers, this should be a conscious decision and subject to review.
- The Council will have responsibility in deciding which group of service users should be exempt from fees and charges and the level of concession to be awarded to each, which should support the achievement of strategic objectives.
- When introducing new charges or making changes to existing charges the Council will have regard to the views of users and other stakeholders and to any impact on groups identified through the Equality Impact Assessment process.
- Where a service is 'demand led'/competes with others based on quality and cost the charge should be determined by the maximum users are prepared to pay taking into account of competitor pricing.
- Charges and methods of payment should be clearly communicated to users.
- Non-payment of charges should be actively pursued.

## **When to Charge**

The Council will charge for services, except where a clear decision is taken not to do so for one of the reasons outlined below. Charges should be levied to support the strategic objectives of the Council. Reasons for not charging are:

- a. There is a legal or statutory reason preventing the setting of charges.
- b. The Council has entered into other contractual arrangements which prevent charging.
- c. The costs of collecting a charge would be greater than the income generated.
- d. The potential risks to the Council incurred as a result of charging outweigh the benefits.
- e. A specific exemption has been agreed by Cabinet not to charge or not to fully recover cost.
- f. Introducing a charge would result in a high risk that:
  - There would be a significant fall in demand and as a result the Council would not achieve one or more of its strategic objectives.
  - The reputation of the Council would be damaged.
  - Charging would change the behaviour of customers resulting in a high likelihood that cost would be incurred elsewhere which would be greater than the income provided.

## **How much to charge and the process going forward**

Where a decision has been made to charge for a service, the Council will aim to:

- a. set charges reflecting the full cost of the service ("Full Cost Recovery"), unless concessions have been agreed, as outlined below. The full cost of a service should include all expenditure required to deliver the service, including staffing, cost of materials, and overheads also relating to central council support functions directly applicable to that service. There should be a single method for calculating total cost across the Council which is consistent with the latest CIPFA guidance; The CIPFA Service Reporting Code of Practice defines total cost to include all direct costs, shares of support services and overheads, depreciation AND for the purposes of setting fees and charges, recharges and trading, notional interest costs;
- b. regularly review fees, charges and concessions and benchmark these against comparator authorities, to be able to capture this data in a database;

- c. generate enough income so that the service meets its costs. If a service does not meet its costs this should be as a result of a conscious decision, consistent with the Council's strategic objectives. Otherwise the service is effectively being subsidised by Council tax payers;
- d. take account of market demand and competition from other service providers when setting charges;
- e. have regard to the views of users and other stakeholders when setting charges;
- f. ensure that income generated from charges should be used to increase capacity, improve efficiency and support continuous improvement;
- g. include all Council charges and concessions offered in one document so as to be easily accessed by all Council clients. Changes to charges should be clearly communicated to users as soon as practicable;
- h. develop a fees and charges register with a named individual for each charge made by the Council in a service area;
- i. challenge by way of a Commercial Panel as outlined below where charges are not made for a service, or set below the full cost recovery levels to ensure the reasons remain valid and that significant income is not being lost; and
- j. use simple, practical and efficient methods of payment and collecting charges.

## **Concessions**

There are two types of concessions, those which are mandatory and determined by Statute, and discretionary which are wholly within the power of the Council.

The principle of full cost recovery also applies to Council concessions. These concessions will not be provided unless:

- a. there is a legal or statutory reason expressly stating the need to provide a concession, in line with national Guidance; or
- b. target groups (e.g. those in receipt of means tested benefits) would be disadvantaged or would not be able to access the service without a concession; or
- c. the concession is applied to subsidise a group of users to support a particular strategic objective; or
- d. a business case is made to support a short term reduction in charges aimed at increasing take up and the overall income

yield for the service in the long terms. Such concessions would be time limited.

### **Procedure for introducing or changing fees, charges and concessions**

Reviews of all fees and charges should be undertaken as an integral part of the budget process each year. Cabinet in approving the budget for the forthcoming year will give effect to all recommended changes to fees and charges. Changes in line with a general allowance for inflation (which will be determined by the S151 officer having due regard to current and likely forthcoming inflation in the year) will be incorporated automatically within service budget estimates without otherwise specific reference.

Approval from Cabinet will be required when the financial impact is greater than allowance for inflation, following the introduction, variation or removal of new charges or concessions. Wherever practicable this approval should be sought at the same time as the annual budget is set but separate proposals for material in year increases can be considered by Cabinet.

### **Trading**

Services with the ability to achieve or exceed full cost recovery on a consistent basis and to make a profit should be encouraged to operate more commercially in order to reduce dependence on revenue support. This will be done by the preparation of a robust business case following Welsh Government statutory guidance, and approval in the first instance by the Section 151 Officer (in conjunction with the Head of Legal, Democratic Services and Procurement), prior to being put forward for approval by Cabinet.

### **Internal Charging**

All internal charges by one department to another department of the Council for services provided should be made by recovering the direct costs of the service and an appropriate level of overhead. Where appropriate the value of the service should be demonstrated through benchmarking with external providers of that service.

### **Income Collection and Debt Management**

Cost effective and efficient income collection channels should be in place. These should be automated where possible (to reduce transaction costs), with payment in advance or at point of sale wherever possible.

Where customers fail to pay fees and charges, or fail to carry out a statutory requirement, they shall be made liable for the full cost of enforcement by the Council.

Non payment of any charge should be actively pursued.

## **Monitoring of Fees, Charges and Concessions**

A Commercial Panel with terms of reference and a set procedure will be established to monitor Council fees, charges and concessions.

Heads of Service will be responsible for setting and reviewing charges in their respective service area and ensuring that the rates at which charges are set achieve full cost recovery.

Heads of Service will be required to report to the Panel to explain:

1. All service charges and whether full cost recovery is being obtained and If not what obstacles are there to doing this?
2. What concessions are being offered and whether they contribute to the Council's Strategic objectives?
3. How their service compares with other Councils in terms of charging in their areas
4. Further areas for discretionary charging where a service is currently not being offered
5. Forthcoming threats to income generation
6. Payment mechanisms.
7. Opportunities to expand by way of trading or otherwise.

## **Impact on Equality**

The Council is committed to ensuring equality of access to all its services. The authority's Equality Impact Assessment process (including any appropriate consultation) must be applied for any income generation opportunities and when concessions are reviewed under the Policy so that the equality impact is clearly understood before a decision is made.

## **Approval and Review of this Policy**

This Policy is subject to approval by Cabinet

The Policy will be reviewed periodically by the Section 151 Officer in conjunction with the Head of Legal, Democratic Services and Procurement.

# Agenda Item 8



**Report of the Chief Legal Officer  
Service Improvement and Finance Performance Panel – 16<sup>th</sup> September 2019  
Exclusion of the Public**

<b>Purpose:</b>	To consider whether the Public should be excluded from the following item 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 of business on the grounds that it involves the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	9	14
<b>Report Author:</b>	Scrutiny	
<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 dependent 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, the Panel will be requested to exclude the public from the meeting during consideration of the

item of business identified in the recommendation to the report on the grounds that it involves the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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

### **3. Financial Implications**

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

### **4. Legal Implications**

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

**Background Papers:** None.

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

## Public Interest Test

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

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

# Agenda Item 9

By virtue of paragraph(s) 14 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

# Agenda Item 10

## Service Improvement and Finance Work Plan 2019-20

<p><b>Meeting 1</b></p> <p>24<sup>th</sup> June 2019</p>	<ol style="list-style-type: none"> <li><b>1. Re-election of Convener</b> <ul style="list-style-type: none"> <li>• Bethan Hopkins – Scrutiny Officer</li> </ul> </li> <li><b>2. Terms of Reference</b> <ul style="list-style-type: none"> <li>• Panel Convener</li> </ul> </li> <li><b>3. WAO Report – Local Government Data Use</b> <ul style="list-style-type: none"> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation &amp; Performance</li> <li>• Sarah Caulkin – Chief Transformation Officer</li> </ul> </li> <li><b>4. End of Year Review</b> <ul style="list-style-type: none"> <li>• Panel Convener</li> </ul> </li> <li><b>5. Work Plan 2019/20</b></li> </ol>
<p><b>Meeting 2</b></p> <p>22<sup>nd</sup> July 2019</p>	<p>Cancelled</p>
<p><b>Meeting 3</b></p> <p>19<sup>th</sup> August 2019</p>	<ol style="list-style-type: none"> <li><b>1. End of Year 2018/19 Performance Monitoring Report</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul> </li> <li><b>2. Q1 Revenue and Capital Budget Monitoring 2019/20</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> </li> <li><b>3. Revenue Outturn and Savings Tracker 2018/19</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> </li> <li><b>4. Revenue Outturn 2018/19 (HRA)</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> </li> <li><b>5. Capital Outturn and Financing 2018/19</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> </li> </ol>
<p><b>Meeting 4</b></p>	

<p>16<sup>th</sup> September 2019</p>	<p><b>1. Archives</b></p> <ul style="list-style-type: none"> <li>• Tracey McNulty – Head of Cultural Services</li> <li>• Cllr Robert Francis-Davies – Cabinet Member for Investment, Regeneration and Tourism</li> </ul> <p><b>2. Charges Item</b></p> <ul style="list-style-type: none"> <li>• Chris Williams – Head of Commercial Services</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul>
<p><b>Meeting 5</b></p> <p>21<sup>st</sup> October 2019</p>	<p><b>1. Recycling and Landfill - Annual Performance Monitoring 2018/19</b></p> <ul style="list-style-type: none"> <li>• Chris Howell – Head of Waste Management and Parks</li> <li>• Cllr Mark Thomas – Cabinet Member for Environment and Infrastructure Management</li> </ul> <p><b>2. Q1 Performance Monitoring Report 2019/20</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul> <p><b>3. Equality Review Report 2018/19</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul>
<p><b>Meeting 6</b></p> <p>11<sup>th</sup> November 2019</p>	<p><b>1. Reserve Update</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <p><b>2. Mid-Year Budget Statement 2019/20</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <p><b>3. Annual Performance Monitoring Report 2018/19</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> </ul>

	<ul style="list-style-type: none"> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul> <p><b>4. Welsh Language Standards Annual Report 2018/19</b></p> <ul style="list-style-type: none"> <li>• Julie Nicholas Humphreys - Customer Services Manager</li> <li>• Cllr David Hopkins – Cabinet Member for Delivery</li> </ul>
<p><b>Meeting 7</b></p> <p>9<sup>th</sup> December 2019</p>	<p><b>1. Budget Update (Ahead of Proposals)</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <p><b>2. Q2 Budget Monitoring 2019/20</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <p><b>3. Planning Annual Performance Report 2018/19</b></p> <ul style="list-style-type: none"> <li>• Ryan Thomas - Development Conservation and Design Manager</li> <li>• Cllr David Hopkins – Cabinet Member for Delivery</li> </ul>
<p><b>Meeting 8</b></p> <p>20<sup>th</sup> January 2020</p>	<p><b>1. Q2 Performance Monitoring Report 2019/20</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul> <p><b>2. Budget Proposals</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<p><b>Meeting 9</b></p> <p>10<sup>th</sup> February 2020</p>	<p><b>1. Q3 Budget Monitoring 2019/20</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<p><b>Budget Meeting</b></p>	<p><b>1. Annual Budget 2020/21</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> <li>• Cllr Rob Stewart – Cabinet Member for Economy and Strategy</li> </ul>
<p><b>Meeting 10</b></p> <p>2<sup>nd</sup> March 2020</p>	<p><b>1. Corporate Complaints Annual Report 2018/19</b></p>

	<ul style="list-style-type: none"> <li>• Julie Nicholas Humphreys - Customer Services Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul>
<b>Meeting 11</b>  30 <sup>th</sup> March 2020	<b>1. Welsh Public Library Standards Annual Report 2018/19</b> <ul style="list-style-type: none"> <li>• Karen Gibbins - Principal Librarian for Information &amp; Learning</li> <li>• Cllr Andrew Stevens – Cabinet Member for Better Communities (Place)</li> </ul> <b>2. Q3 Performance Monitoring Report 2019/20</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul>
<b>Meeting 12</b>  11 <sup>th</sup> May 2020	<b>1. Annual Review of Well-being Objectives and Corporate Plan 2018/22</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Rob Stewart – Cabinet Member for Economy and Strategy</li> </ul>

- WAO Reports
- Co-production Item (Briefing from Access To Services re: Consultation)
- Pre-Decision Items
- Data Unit Wales – Local Government Performance Bulletin