

## Cyngor

Rydych dan wŷs trwy hyn i ddod i gyfarfod **Cyngor Dinas a Sir** i'w gynnal yn O bell drwy Microsoft Teams ar Dydd Iau, 17 Mawrth 2022 am 5.00 pm.

Gwyllo ar-lein: <https://bit.ly/3vNWJdV>

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.**  
[www.abertawe.gov.uk/DatgeluCysylltiadau](http://www.abertawe.gov.uk/DatgeluCysylltiadau)
3. **Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng Nghyfarfod Cyffredinol Diwethaf y Cyngor.** 1 - 2
4. **Cyhoeddiadau'r Aelod Llywyddol.**
5. **Cyhoeddiadau Arweinydd y Cyngor.**
6. **Cwestiynau gan y Cyhoedd.**  
Mae'n rhaid i gwestiynau gael eu cyflwyno'n ysgrifenedig i'r Gwasanaethau Democrataidd [democratiaeth@abertawe.gov.uk](mailto:democratiaeth@abertawe.gov.uk) erbyn ganol dydd fan bellaf ar y diwrnod gwaith cyn y cyfarfod. Rhaid bod y cwestiynau'n ymwneud ag eitemau ar yr agenda. Ymdrinnir â chwestiynau o fewn cyfnod o 10 munud.
7. **Trefniadau Derbyn 2023-2024.** 3 - 33
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9. **Ymestyn Cyfnod Swydd Aelod Lleyg (Cyfetholedig) Annibynnol o'r Pwyllgor Llywodraethu ac Archwilio.** 37 - 39
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13. **Cwestiynau gan y Cynghorwyr - Dim.**

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

**Mae croeso i chi siarad Cymraeg yn y cyfarfod.**

Dywedwch wrthym erbyn canol dydd, ddeuddydd cyn y cyfarfod.



**Huw Evans**

**Pennaeth Gwasanaethau Democrataidd  
Neuadd y Ddinas,  
Abertawe.**

**Dydd Mawrth, 8 Mawrth 2022**

**I: Bob Aelod o'r Cyngor**

# Agenda Item 3.



## Report of the Chief Legal Officer

Council – 17 March 2022

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

The report provides an update on the responses to Questions asked during the Meeting of Council held on 3 March 2022.

#### For Information

#### 1. Introduction

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

#### 2. Responses

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

**Background Papers:** None

**Appendices:** Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council  
3 March 2022**

<b>1</b>	<p><b>Councillor T J Hennegan</b></p> <p><b>Minute 121 - Housing Revenue Account (HRA) – Revenue Budget 2022/23</b></p> <p>How much is the underspend on the HRA Budget 2021/22.</p> <p><b>Response of the Section 151 Officer</b></p> <p>The HRA underspent by £0.903m in 2020-21 at outturn and this was added to HRA reserves. The current forecast for 2021-22 is an overspend of £0.699m which if confirmed at outturn would be drawn from HRA reserves. The budgeted change for 2022-23 is a modest add of £0.002m to HRA reserves and thus HRA budgets and reserves are considered by the S151 officer to continue to be robust over the years referred to.</p>
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# Agenda Item 7.



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

Council – 17 March 2022

### Admission Arrangements 2023-2024

<b>Purpose:</b>	To determine the admission arrangements for maintained schools for the academic year 2023-2024
<b>Policy Framework:</b>	The Admission Arrangements to Schools Policy.
<b>Consultation:</b>	Education; Legal; Finance; all headteachers and governing bodies including voluntary aided schools; neighbouring admission authorities; the Admissions Forum.
<b>Recommendation(s):</b>	It is recommended that: <ol style="list-style-type: none"><li>1. The proposed admission arrangements for 2023-2024 for Nursery as set out in Appendix A are approved.</li><li>2. The proposed admission arrangements for 2023-2024 for Reception as set out in Appendix B are approved.</li><li>3. The proposed admission arrangements for 2023-2024 for Year 7 as set out in Appendix C are approved.</li><li>4. The proposed admission arrangements for 2023-2024 for in-year transfers as set out in Appendix D are approved.</li><li>5. The proposed admission arrangements/criteria for entry for 2023-2024 for sixth forms set in Appendix E are approved.</li><li>6. The Schedule of Events for primary and secondary at Appendix F is approved.</li><li>7. The admission numbers for primary and secondary schools are noted, as set out in Appendix G.</li></ol>
<b>Report Author:</b>	Melissa Taylor
<b>Finance Officer:</b>	Michelle Thomas
<b>Legal Officer:</b>	Stephanie Williams
<b>Access to Services Officer:</b>	Rhian Millar

## **1. Introduction**

- 1.1 By virtue of Section 89 of the School Standards and Framework Act (1998) the local authority is responsible for determining the admission arrangements for County maintained schools. In accordance with the Education (Determinations of Admission Arrangements) (Wales) Regulations 2006 the Council has a duty to review the Admissions to Schools Policy and to consult governing bodies of voluntary aided schools on their admission arrangements.
- 1.2 The Welsh Government in July 2013 issued the School Admissions Code and the School Admission Appeals Code in December 2013. The School Admissions Code applies to arrangements made for the 2023-2024 academic year and covers admissions to primary and secondary schools.
- 1.3 Copies of the proposed admission arrangements for nursery classes are attached at Appendix A.
- 1.4 Copies of the proposed admission arrangements for primary schools are attached at Appendix B.
- 1.5 Copies of the proposed admission arrangements for secondary schools are attached at Appendix C
- 1.6 Copies of the proposed admission arrangements for in year transfers are attached at Appendix D.
- 1.7 Copies of the proposed admission arrangements and criteria for entry for sixth forms are attached at Appendix E.
- 1.8 The proposed 'Schedule of Events' for Reception (primary school) and Year 7 (secondary school) year of entry admission process is shown at Appendix F.
- 1.9 The admission numbers (ANs) for primary and secondary schools are shown at Appendix G.

## **2. Admission limits**

The local authority (LA) is the admitting authority for all community schools (schools funded and maintained entirely by LAs). Requests for admission to Voluntary Aided schools - Church schools (e.g. Roman Catholic, Church in Wales schools) are administered and determined by the admission criteria set by the Governing Body of that school. Voluntary Aided schools are responsible for determining their own admission arrangements.

### **2.1 Primary**

The capacity of each primary school, including its nursery classes, has been calculated using the Welsh Government formula and from this an admission

number (AN) has been set. The admission numbers for primary schools are shown in Appendix G. All schools must admit up to their AN in the year of entry (i.e. Reception) in primary schools. In the year of entry, and in all other year groups, a child will be refused a place by the local authority (LA) once the AN is reached.

2.2 The School Standards and Framework Act 1998, The School Admissions (Infant Class Sizes) (Wales) Regulations 2013, restricts infant class sizes to a maximum of 30 (i.e. Reception, Year 1 and Year 2). Welsh Government has also introduced a recommended limit of 30 for key stage 2 class sizes.

### 2.3 Secondary

The admission numbers (ANs) shown at Appendix G are the limits for each year group. Schools should not exceed their AN in the year of entry (i.e. Year 7 for secondary admissions) or in any other year group.

### 2.4 Primary and secondary

There is no guarantee of a catchment place at a school if the admission number (AN) has been reached, even if parents living within the catchment area of a school apply for a place before the published deadline (for Year 7 and Reception admissions). There is also no guarantee of a catchment place for applicants applying outside of the normal admission round (i.e. late applications for Reception and Year 7 admissions or in-year transfer requests), even if the pupil resides or moves into the catchment area.

### 2.5 In-year transfers

Availability of places is determined by reference to the school's admission number (AN). A child will be refused a place once the admission number has been reached. ANs shown at Appendix G are the limits for each year group. Schools should not exceed their AN in the year of entry (i.e. Reception for primary admissions and Year 7 for secondary admissions), or in any other year group. Also, for primary school admissions, the School Standards and Framework Act 1998, The School Admissions (Infant Class Sizes) (Wales) Regulations 2013, restricts infant class sizes to a maximum of 30 (i.e. Reception, Year 1 and Year 2), and Welsh Government introduced a recommended limit of 30 for key stage 2 class sizes.

### 2.6 Sixth forms

Criteria for entry and admission arrangements for sixth forms, including admission limits, are outlined in Appendix E. For schools with a sixth form, admission numbers will be the same for Years 12 and 13 as they are for Years 7 to 11.

### **3. Admissions criteria**

3.1 The Education (Admission of Looked After Children) (Wales) Regulations 2009 places a duty on admission authorities in Wales to admit children looked after by a local authority in Wales where an application for admission is made, even if the AN has been reached. Should an admission authority wish to refuse an admission application for a looked after child then they must refer the matter to the Welsh Ministers within seven days of receiving the application for decision. The decision of the Welsh Ministers is binding. Previously looked after children (looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after), are also included in this criteria under the Welsh Government's School Admissions Code.

3.2 Pupils for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or Statement of Special Educational Needs will be included and accounted for when places are allocated and schools are informed of this (with the exception of pupils allocated a place at within a Special Teaching Facility).

#### **3.3 Oversubscription**

Where more applications are received for a particular school than there are places available, places will be awarded using the oversubscription criteria set out in the admission arrangements (see Appendices A, B, C and D).

### **4. Results of the Consultation**

4.1 No comments were received by the LA.

### **5. Admission Forum**

5.1 The admission forum has a role in ensuring a fair admissions system that does not disadvantage one child compared with another, and is straightforward and easy for parents to understand. Admission forums are responsible for monitoring compliance with the School Admissions Code. Membership of the forum includes:-

Local Authority representatives (Members and officers)

Headteacher representatives for secondary schools (English and Welsh Medium)

Headteacher representatives for primary schools (English and Welsh Medium)

Governor representatives

Diocesan representative

Voluntary Aided schools representatives (primary and secondary)

5.2 The Admission Arrangements 2023-2024 were considered by the Admission Forum at a meeting held on 16<sup>th</sup> November 2021 and their feedback noted. It was reported to the Forum at a meeting held on 7<sup>th</sup> February 2022 that no



comments were received as part of the wider consultation process. At this meeting the Forum agreed and recommended that the Admission Arrangements 2023-2024 be approved in their current format.

## **6. Integrated Assessment Implications**

- 6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 6.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 6.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 6.4 Our Integrated Impact Assessment (IIA) process ensures that we have paid due regard to the above.
- 6.5 An IIA screening has been undertaken and it has been determined that the initiative is not relevant for a full IIA report.
- 6.6 Once set, the admission arrangements apply to all and take account of all protected characteristics to ensure that all applications for a school place are treated equally.
- 6.7 A full consultation process was completed as is required by Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006. The findings of the consultation are reported in this report.

## **7. Financial implications**

- 7.1 Whilst there are no immediate financial implications arising from this report, acceptance of this policy could result in additional expenditure at a future time. Acceptance of the policy does not mean that additional resources will be made available and it should be assumed that future spending needs will need to be contained within existing budget provision and have full and due regard to the LAs budget principles and the likely levels of future budgets having due regard to the budget and medium term financial plan.

## **8. Legal implications**

- 8.1 Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 require Admission Authorities to consult and determine school admission arrangements annually. The Regulations set requirements for consultation and determinations of admission arrangements. The Welsh Government has issued guidance circular 'Measuring the Capacity of Schools in Wales', which sets out methodology for local authorities to follow when determining their admission arrangements. There is also a requirement to consider the guidelines contained in the Welsh Government School Admissions Code.
- 8.2 The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2017 and became an Act on 24 January 2018 after receiving Royal Assent. The Act replaces the terms 'special educational needs' (SEN) and 'learning difficulties and/or disabilities' (LDD) with the new term ALN. Once the Act is fully implemented the terms relating to special educational needs in the admissions arrangements will be updated.

### **Background papers:**

Education (Determination of Admission Arrangements) (Wales) Regulations 2006 - [www.legislation.gov.uk/wsi/2006/174/made](http://www.legislation.gov.uk/wsi/2006/174/made)  
Welsh Government (WG) guidance 'Measuring the Capacity of Schools in Wales' - [Measuring the capacity of schools: guidance | GOV.WALES](#)  
School Admissions Code – [School admissions code | GOV.WALES](#)  
School Admission Appeals Code WG July 2013 and December 2013 – [School admission appeals code | GOV.WALES](#)

### **Appendices:**

Appendix A - Admission Arrangements 2023-2024 Nursery  
Appendix B - Admission Arrangements 2023-2024 Reception  
Appendix C - Admission Arrangements 2023-2024 Year 7  
Appendix D - Admission Arrangements for 2023-2024 In Year Transfers  
Appendix E - Admission Arrangements/Criteria for Entry 2023-2024 Sixth Forms  
Appendix F - Schedule of Events (Reception and Year 7)  
Appendix G - Admission Numbers for Primary and Secondary Schools  
Appendix H - IIA Screening Form

## **ADMISSION ARRANGEMENTS 2023-2024 (Nursery classes based at local authority schools)**

The local authority, the LA, is the admitting authority for all community schools (schools funded and maintained entirely by LAs) in the area. The LA has agreed that schools will undertake the administration of nursery applications on behalf of the LA.

### **Admission to nursery classes**

Parents/carers who require a place in a nursery class will be required to submit an admission application.

Parents/carers can either apply for a place at the catchment school or express a preference for a placement at an alternative school. Support can be provided for parents who need assistance if necessary. Requests for places will be granted unless to do so would prejudice the provision of efficient education or the efficient use of resources.

There is **no right of appeal** following the refusal of an application for a place in a nursery class.

The number of nursery places available may differ to the admission number for the rest of the year groups within a school (Reception to Year 6)

### **(a) Oversubscription Criteria – nursery classes in Community Schools**

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a local authority i.e. looked after children (LAC), or previously looked after\*.
2. Children who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission\*\*\*. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
4. Other children for whom a place has been requested for whom criteria 1 to 3 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.

\* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

\*\* The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The local authority GIS computer programme is used when undertaking the measurement.

\*\*\* A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children. Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11).

### **Children who have Additional Learning Needs**

The oversubscription criteria does not apply to pupils for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carers and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Please note that the information contained in this publication is correct at the time of going to print, but subject to change based on new guidance / legislation being issued which was not available when published.

### **Voluntary Aided Schools**

In Swansea we have Voluntary Aided church schools (these are Roman Catholic, Church in Wales). Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the governing body. The governing bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements.

## **(b) Admission Procedures – nursery places in Community Schools**

Parents/carers can apply for a place for their child at the catchment school or state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, places will be allocated in accordance with the LAs oversubscription criteria.

The main residential address should be used when applying. Addresses which have restrictions on occupancy (such as chalets or caravans on holiday parks with seasonal restrictions on occupancy) cannot be used as a permanent address.

Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carers will need to apply for a reception place along with other applicants at the appropriate time. There is no guarantee of a catchment place.

Attending the nursery at any school does not guarantee a place in the reception class.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carers for the purpose of assessing ability or aptitude.

Parents/Carers who reside outside of the City and County of Swansea Local Authority should also make an application with their own Local Authority (the Local Authority to whom they pay Council Tax) as, in the event the school(s) applied for in Swansea are oversubscribed the LA will be under no duty to offer a place at an alternative Swansea school.

### **Withdrawal of a place**

A place can be withdrawn by the LA if information is received that suggests the application no longer meets the oversubscription criteria it was originally assessed on. Any place approved on the basis of residence will be withdrawn if the pupil is no longer permanently resident at the address at the beginning of the school term to which the application relates.

### **Waiting Lists**

The LA, as the admitting authority, maintains waiting lists for oversubscribed schools. For all admissions, where parents/carers are refused a place for their child/ren they are automatically placed on the waiting list. Pupils names will remain on the waiting list for the whole academic year and will only be removed if a parent/carer confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

## ADMISSION ARRANGEMENTS 2023-2024 (Reception)

The local authority, the LA, is the admitting authority for all community schools (schools funded and maintained entirely by LAs) in the area.

Each child about to commence full time education will be invited to apply for a place at a school maintained by the LA.

Parents/carers can either apply on-line for a place at the catchment school or express a preference for a placement at an alternative school. Support can be provided for parents who need assistance if necessary. Requests for a place will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the governing body and the LA.

Those parents who apply on time for a place at any school will be given priority over those who have not.

### (a) Admission Limits – Community Schools

All schools must admit up to their admission number in the year of entry (i.e. Reception classes in primary schools). In the year of entry a child will be refused a place once the admission number has been reached. Parents/carers who are refused a place at the school must be given right of appeal.

The admission number applies to all year groups (except nursery).

### (b) Oversubscription Criteria – Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a local authority i.e. looked after children (LAC), or are previously looked after\*.
2. Children who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission.\*\*\* If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
4. Other children for whom a place has been requested for whom criteria 1 to 3 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*

\* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as

defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

\*\*The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The local authority GIS computer programme is used when undertaking the measurement.

\*\*\*A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children. Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11).

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area school is full in the year group, transport will be provided to the nearest school with room if that school is more than 2 miles from the home address. The LAs School Transport Policy and school transport information is available on the Council website [www.swansea.gov.uk/schooltransport](http://www.swansea.gov.uk/schooltransport)

### **Children who have Additional Learning Needs**

The oversubscription criteria does not apply to pupils for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carers and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Please note that the information contained in this publication is correct at the time of going to print, but subject to change based on new guidance / legislation being issued which was not available when published.

### **Voluntary Aided Schools**

In Swansea we have Voluntary Aided church schools (these are Roman Catholic, Church in Wales). Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the governing body. The governing bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements.

### (c) Admission Procedures – Community Schools

Parents/carers will be asked to apply on-line for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LAs oversubscription criteria.

The main residential address should be used when applying. Addresses which have restrictions on occupancy (such as chalets or caravans on holiday parks with seasonal restrictions on occupancy) cannot be used as a permanent address.

Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carers will need to apply for a reception place along with other applicants. There is no guarantee of a catchment place.

Attending the nursery at any school does not guarantee a place in the reception class.

Although the LA permits pupils to start reception full time at the start of the academic year in which they become five, the law does not require a child to start school until the start of term following the child's fifth birthday. Therefore, if the parent of a reception age child wishes to defer entry until later in the school year a place must be allocated to this child and this place is not available to be offered to another child. Entry cannot however be deferred beyond the beginning of the term after the child's fifth birthday nor beyond the academic year for which the original application was accepted.

Requests for admission to reception submitted on or before the administrative closing date, **25 November 2022**, will be processed collectively and places allocated according to the above oversubscription criteria. In this respect, no advantage shall be gained from the early submission of an admission request. Requests submitted after the closing date will be treated as late applications.

For requests to change a school preference after the published closing date for applications or after an offer of a place has been made on the statutory offer day, a new application will need to be submitted. A new application made will be a late application and will supersede any earlier applications received and any offers that were previously made would no longer be available.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carers for the purpose of assessing ability or aptitude.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements. Parents/carers who have applied by the **25 November 2022** will be advised whether they have been allocated a place by the **17 April 2023**.



Parents/Carers who reside outside of the City and County of Swansea Local Authority should also make an application with their own Local Authority (the Local Authority to whom they pay Council Tax) as, in the event the school(s) applied for in Swansea are oversubscribed the LA will be under no duty to offer a place at an alternative Swansea school.

### **Late Applications**

Requests submitted after the published closing date will not be considered until after all on time applications received have been allocated and offered their places on the statutory offer day. Late applications are dealt with in date order of receipt. Where there are more late applications for a school than there are places available the applications will be considered in line with the oversubscription criteria. Appeals for late applications may be held after the appeals for on time applications have been held.

### **Right of Appeal**

Parents/carers will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents/carers will be informed in writing that they have right of appeal to an independent appeal panel. If they exercise that right, the appeal must be forwarded to the School Support Unit at the Civic Centre by **12 May 2023** (for applications that were received on time). The appeal will be considered by an independent appeal panel of 3 or 5 people comprising lay members, and persons with experience in education.

**Please note:** Because of the statutory class size maximum of 30, there are very restricted circumstances in which an appeal for a place in an infant class (Reception, Year 1 and Year 2) can be successful. The restricted circumstances are outlined in Annex C – point C.4 of the Welsh Governments School Admission Appeals Code – document no: 007/2013.

### **Withdrawal of a place**

A place can be withdrawn by the LA if information is received that suggests the application no longer meets the oversubscription criteria it was originally assessed on. Any place approved on the basis of residence will be withdrawn if the pupil is no longer permanently resident at the address at the beginning of the school term to which the application relates.

### **Waiting Lists**

The LA, as the admitting authority, maintains waiting lists for oversubscribed schools. For all admissions, where parents/carers are refused a place for their child/ren they are automatically placed on the waiting list and an opportunity to meet with an independent appeal panel is offered. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

## **ADMISSION ARRANGEMENTS 2023-2024 (Year 7)**

The local authority, the LA, is the admitting authority for all community schools (schools funded and maintained entirely by LAs) in the area.

Each child about to transfer from primary to secondary education will be invited to apply for a place at a school maintained by the LA.

Parents/carers can either apply on-line for a place at the catchment school or express a preference for a placement at an alternative school. Support can be provided for parents who need assistance if necessary. Requests for a place will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the governing Body and the LA.

Those parents who apply on time for a place at any school will be given priority over those who have not.

### **(a) Admission Limits – Community Schools**

Availability of places is determined by reference to the school's admission number. Schools must admit up to the admission number in the year of entry (i.e. Year 7 in secondary school) and must not exceed this number. Parents/carers who are refused a place at the school must be given right of appeal.

The admission number applies to all year groups.

### **(b) Oversubscription Criteria – Community Schools**

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a local authority i.e. looked after children (LAC) or previously looked after\*.
2. Children who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission\*\*\*. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
4. Children attending a designated partner primary school but who live outside the catchment area of that school. Attending a partner primary school does not guarantee a place in the associated secondary school. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
5. Other children for whom criteria 1 to 4 above do not apply. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.

\* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

\*\*The measurement will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The local authority GIS computer programme is used when undertaking the measurement.

\*\*\*A brother or a sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children for that place are twins/triplets, the LA will admit both/all children. Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11).

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area is full in the year group, transport will be provided to the nearest school with room if that school is more than 3 miles walking distance from the home address. The LAs School Transport Policy and school transport information is available on the Council website [www.swansea.gov.uk/schooltransport](http://www.swansea.gov.uk/schooltransport)

### **Children who have Additional Learning Needs**

The oversubscription criteria does not apply to pupils for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carers and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Please note that the information contained in this publication is correct at the time of going to print, but subject to change based on new guidance / legislation being issued which was not available when published.

### **Voluntary Aided Schools**

In Swansea we have Voluntary Aided church schools (these are Roman Catholic, Church in Wales). Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the governing body. The

governing bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements.

### **(c) Admission Procedures – Community Schools**

Parents/carers will be asked to apply on-line for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available as determined by the published admission number. Where admission requests exceed the number of places available, places will be allocated by applying the LAs oversubscription criteria.

The main residential address should be used when applying. Addresses which have restrictions on occupancy (such as chalets or caravans on holiday parks with seasonal restrictions on occupancy) cannot be used as a permanent address.

Attending a partner primary school does not guarantee a place in the associated secondary school.

Applications for admission to the relevant age group (i.e. the age group at which children are normally admitted to the school) submitted on or before the administrative closing date, **25 November 2022**, will be processed collectively. In this respect, no advantage shall be gained from the early submission of an admission request. Requests submitted after the closing date will be treated as late applications.

For requests to change a school preference after the published closing date for applications or after an offer of a place has been made on the statutory offer day, a new application will need to be submitted. A new application made will be a late application and will supersede any earlier applications received and any offers that were previously made would no longer be available.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carers for the purpose of assessing ability or aptitude.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements. Parents/carers who have applied by the **25 November 2022** will be advised whether they have been allocated a place on the **1 March 2023**.

Parents/Carers who reside outside of the City and County of Swansea Local Authority should also make an application with their own Local Authority (the Local Authority to whom they pay Council Tax) as, in the event the school(s) applied for in Swansea are oversubscribed the LA will be under no duty to offer a place at an alternative Swansea school.

#### **Late Applications**

Requests submitted after the published closing date will not be considered until after all on time applications received have been allocated and offered their places on the statutory offer day. Late applications are dealt with in date order of receipt. Where there are more late applications for a school than there are places available the

applications will be considered in line with the oversubscription criteria. Appeals for late applications may be held after the appeals for on time applications have been held.

### **Withdrawal of a place**

A place can be withdrawn by the LA if information is received that suggests the application no longer meets the oversubscription criteria it was originally assessed on. Any place approved on the basis of residence will be withdrawn if the pupil is no longer permanently resident at the address at the beginning of the school term to which the application relates.

### **Right of Appeal**

Parents/carers will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents will be informed in writing that they have right of appeal to an independent appeal panel. If they exercise that right, the appeal must be forwarded to the School Support Unit at Civic Centre by **24 March 2023** (for applications that were received on time). The appeal will be considered by an independent appeal panel of 3 or 5 people comprising lay members, and persons with experience in education.

### **Waiting Lists**

The LA, as the admitting authority, maintains waiting lists for oversubscribed schools. For all admissions, where parents/carers are refused a place for their child/ren they are automatically placed on the waiting list and an opportunity to meet with an Independent Appeal Panel is offered. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

## ADMISSION ARRANGEMENTS 2023-2024 (In Year Transfer)

The local authority, the LA, is the admitting authority for all community schools (schools funded and maintained entirely by LAs) in the area.

### Admission to Community Schools – (Primary and Secondary)

Parents/carers who require a school place will be required to submit an admission application. Parents/carers can either apply for a place at the catchment school or express a preference for a placement at an alternative school. Support can be provided for parents who need assistance if necessary. Requests will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the governing body and the LA.

#### (a) Admission Limits – Community Schools

Availability of places is determined by reference to the school's admission number. A child will be refused a place once the admission number has been reached. Parents/carers who are refused a place at the school must be given right of appeal **(there is no right of appeal for nursery)**.

The admission number applies to all year groups. These arrangements apply to pupils transferring in years reception to year 11.

#### (b) Oversubscription Criteria – Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a local authority i.e. looked after children (LAC), or are previously looked after\*.
2. Children who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission.\*\*\* If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
4. Children attending a designated partner primary school but who live outside the catchment area of that school. Attending a partner primary school does not guarantee a place in the associated secondary school. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*.
5. Other children for whom a place has been requested for whom criteria 1 to 4 above do not apply. If there are more applications than places, the places will be

allocated in distance order with those living nearest (shortest available walking route) receiving priority\*\*

\* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

\*\*The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The local authority GIS computer programme is used when undertaking the measurement.

\*\*\*A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children. Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11).

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area school is full in the year group, transport will be provided to the nearest school with room if that school is more than 2 miles for primary or 3 miles for secondary from the home address. The LAs School Transport Policy and school transport information is available on the Council website [www.swansea.gov.uk/schooltransport](http://www.swansea.gov.uk/schooltransport)

### **Children who have Additional Learning Needs**

The oversubscription criteria does not apply to pupils for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carers and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP or a Statement of Special Educational Needs, who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Please note that the information contained in this publication is correct at the time of going to print, but subject to change based on new guidance / legislation being issued which was not available when published.

### **Voluntary Aided Schools**

In Swansea we have Voluntary Aided church schools (these are Roman Catholic, Church in Wales). Requests for admission to voluntary aided schools will be

determined by reference to admission criteria set by the governing body. The governing bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements.

### **(c) Admission Procedures – Community Schools**

Parents/carers will be asked to apply for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LAs oversubscription criteria.

The main residential address should be used when applying. Addresses which have restrictions on occupancy (such as chalets or caravans on holiday parks with seasonal restrictions on occupancy) cannot be used as a permanent address.

Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carers will need to apply for a Reception place along with other applicants at the appropriate time.

Attending the nursery at any school does not guarantee a place in the reception class.

Attending a partner primary school does not guarantee a place in the associated secondary school.

There is no guarantee of a place at a school even if you move into the catchment area for a school.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without Parents/carers for the purpose of assessing ability or aptitude.

Parents/Carers who reside outside of the City and County of Swansea Local Authority should also make an application with their own Local Authority (the Local Authority to whom they pay Council Tax) as, in the event the school(s) applied for in Swansea are oversubscribed the LA will be under no duty to offer a place at an alternative Swansea school.

#### **Right of Appeal**

Parents/carers will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents/carers will be informed in writing that they have right of appeal to an independent appeal panel (**there is no right of appeal for nursery**). If they exercise that right, the appeal must be forwarded to the School Support Unit at the Civic Centre. The appeal will be considered by an independent appeal panel of 3 or 5 people comprising lay members, and persons with experience in education.

**Please note:** Because of the statutory class size maximum of 30, there are very restricted circumstances in which an appeal for a place in an infant class (Reception, Year 1 and Year 2) can be successful. The restricted circumstances are outlined in



### **Waiting Lists**

The LA, as the admitting authority, maintains waiting lists for oversubscribed schools. For all admissions, where parents/carers are refused a place for their child/ren they are automatically placed on the waiting list and an opportunity to meet with an independent appeal panel is offered **(there is no right of appeal for nursery)**. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

## Admissions to Sixth Form - Criteria for Entry

### Application Closing Date

Pupils can apply for a place at a sixth form at a Swansea school in the spring term prior to them seeking a place for the following September. Closing dates for applications will be determined by individual schools.

### Provisional Offer

Pupils will be offered a provisional place. This provisional place will be subject to achieving certain specified entry qualifications as published by each individual school. For further information on specific entry qualifications contact the school directly.

### GCSE/Equivalent Results

When GCSE grades are published i.e. the third Thursday in August ordinarily, it will be necessary for individual pupils to contact the school of choice to confirm grades at GCSE or equivalent examination results.

### Choice of Subjects

Pupils who have achieved satisfactory grades at GCSE or equivalent will be given a firm offer of a place in the sixth form at the school of choice where places are available. It must be noted, however, that it may not be possible to study all the chosen subjects at the school of choice. It may be necessary for students to link with a sixth form at another school to pursue some subject choices.

Students who have achieved satisfactory grades at GCSE or equivalent but are unable to study all subject choices at the school of choice can be offered an alternative choice of subjects being taught at the particular premises. Alternatively, these students can seek a place at an alternative venue i.e. another Swansea school sixth form or Gower College.

**Pupils will not be required to sit an entrance interview.**

### Admission Limits – Sixth Forms

All school sixth forms can admit up to their admission number subject to students achieving the entry requirement specified by the school (details are available from individual schools). Parents and pupils who are refused a place at the school sixth form must be given the right of appeal.

### Admission Arrangements

The arrangements for admission into Year 12 and 13 for maintained community schools are delegated to the establishments directly. Details on admission arrangements for Voluntary Aided Schools may be obtained directly from the establishments concerned and will form part of their admissions policies.

### Waiting List

If a school sixth form is over-subscribed and the school cannot meet the demand for courses a waiting list will be maintained. Applicants who have met the entry criteria (see above) but who have been refused a place due to the limit on places available will be offered an opportunity to put their name on a waiting list. In the event that a place/s become/s available, pupil/s whose name/s are on the waiting list will be offered a place in accordance with the oversubscription criteria (see below).

## Oversubscription Criteria

For pupils who achieve the specified entry qualifications, where more applications have been received for any school sixth form than there are places available, the following order of priority will apply:

1. Pupils who are looked after by a local authority (LAC) or are previously looked after\*.
2. Pupils who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.\*\*
3. Pupils who have a brother or sister of statutory school age attending the school at the date of their admission \*\*\*. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority \*\*
4. Pupils who attended the school in year 11 but who live outside the catchment area of that school. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.\*\*
5. Other pupils for whom a place has been requested for whom criteria 1 to 4 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.\*\*

\* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

\*\*All distances are measured electronically taking the distance from home to school by the shortest available walking route. The measurements will be taken from outside the entrance of the property (house or flat) to the nearest official school entrance.

\*\*\*A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible pupils are twins/triplets then the LA will admit both/all pupils. Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11).

**NOTE:** Pupils with Individual Development Plans (IDP) where the LA has named a school in section 2D.1 of the IDP or Statements of Special Educational Needs may transfer to sixth forms in Swansea schools. The decision to transfer is made by the local authority in consultation with the relevant school. Please note that the information contained in this publication is correct at the time of going to print, but subject to change based on new guidance / legislation being issued which was not available when published.



## Education Department / Adran Addysg

**SCHEDULE OF EVENTS FOR ADMISSION ARRANGEMENTS 2023-2024  
PRIMARY SCHOOLS (Reception)**

6 December 2021	Issue of admission arrangements to schools for consultation.
28 January 2022	Return of consultation responses to local authority (LA)
31 January – 11 February 2022	Period for LA to resolve queries
3 March 2022	Report of consultation to Corporate Briefing.
17 March 2022	Determination of admission arrangements by Council
September 2022	Information for parents made available to schools and parents/carers on City and County of Swansea website or by hard copy (available on request)
3 October 2022	Parents/carers are invited to apply for a school place
3 October – 25 November 2022	A period of eight weeks for parents to make their admission applications
<b>25 November 2022</b>	<b>Deadline for parents/carers to submit admission application to the School Support Unit, Civic Centre</b>
17 April 2023	Local authority notifies parents/carers of primary school place offered. (All Wales offer date).
<b>EASTER HOLIDAY 03 April – 15 April 2023</b>	
12 May 2023	Date by which parents/carers lodge appeal



## Education Department / Adran Addysg

**SCHEDULE OF EVENTS FOR ADMISSION ARRANGEMENTS 2023-2024  
SECONDARY SCHOOLS (Year 7)**

6 December 2021	Issue of admission arrangements to schools for consultation.
28 January 2022	Return of consultation responses to local authority (LA)
31 January – 11 February 2022	Period for LA to resolve queries
3 March 2022	Report of consultation to Corporate Briefing.
17 March 2022	Determination of admission arrangements by Council.
September 2022	Information for parents made available to schools and parents/carers on City and County of Swansea website or by hard copy (available on request)
3 October 2022	Parents/carers are invited to apply for a school place.
3 October – 25 November 2022	A period of eight weeks for parents to make their admission applications.
<b>25 November 2022</b>	<b>Deadline for parents/carers to submit admission application to the School Support Unit, Civic Centre</b>
1 March 2023	Local authority notifies parents/carers of secondary school place offered. (All Wales offer date)
<b>HALF TERM HOLIDAY 20 February – 24 February 2023</b>	
24 March 2023	Date by which parents/carers lodge an appeal.

## CITY AND COUNTY OF SWANSEA / DINAS A SIR ABERTAWE

## PRIMARY SCHOOLS / YSGOLION GYNRADD

## ADMISSION NUMBERS / NIFER DERBYN

2023-2024

	2023-2024
Birchgrove Primary	60
Bishopston Primary	38
Blaenymaes Primary	37
Brynhyfryd Primary	60
Brynmill Primary	45
Burlais Primary	75
Cadle Primary	51
Casllwchwr Primary	30
Christchurch Ch. in Wales	16
Cila Primary	16
Clase Primary	45
Clwyd Primary	45
Clydach Primary	37
Craigfelen Primary	25
Crwys Primary	24
Cwm Glas Primary	40
Cwmrhydyceirw Primary	65
Danygraig Primary	40
Dunvant Primary	46
Gendros Primary	43
Glais Primary	15
Glyncollen Primary	30
Gors Community	47
Gorseinon Primary	45
Gowerton Primary	49
Grange Primary	30
Gwyyrosydd Primary	58
Hafod Primary	30
Hendrefoilan Primary	30
Knelston Primary	19
Llangyfelach Primary	30
Llanrhidian Primary	20
Mayals Primary	30
Morrison Primary	26
Newton Primary	30
Oystermouth Primary	30
Parkland Primary	75
Pen y Fro Primary	30
Penclawdd Primary	30

Pengelli Primary	15
Penllergaer Primary	43
Pennard Primary	30
Pentrechwyth Primary	24
Pentre'r Graig Primary	45
Penyrheol Primary	43
Plasmarl Primary	28
Pontarddulais Primary	55
Pontlliw Primary	26
Pontybrenin Primary	45
Portmead Primary	37
Sea View Community Primary	30
Sketty Primary	63
St. David's Primary	30
St. Helen's Primary	30
St. Illtyd's Primary	30
St. Joseph's Cathedral Primary	60
St. Joseph's Primary (Clydach)	30
St. Thomas' Primary	55
Talycopa Primary	30
Terrace Road Primary	45
Townhill Primary	60
Trallwn Primary	41
Tre Uchaf Primary	29
Waun Wen Primary	29
Waunarlwydd Primary	41
Whitestone Primary	27
Ynystawe Primary	24
YGG Bryniago	31
YGG Bryn-y-Mor	37
YG y Cwm	30
YGG Gellionnen	43
YGG Llwynderw	45
YGG Lon Las	75
YGG Pontybrenin	71
YGG Tan-y-lan	60
YGG Tirdeunaw	77
YGG Y Login Fach	30

## CITY AND COUNTY OF SWANSEA / DINAS A SIR ABERTAWE

## SECONDARY SCHOOLS / YSGOLION GYNRADD

## ADMISSION NUMBERS / NIFER DERBYN

2023-2024

	2023-2024
Birchgrove Comprehensive	150
Bishop Gore Comprehensive	240
Bishop Vaughan Comprehensive	215
Bishopston Comprehensive	222
Cefn Hengoed Comprehensive	181
Dylan Thomas Community	131
Gowerton Comprehensive	211
Morrison Comprehensive	220
Olchfa Comprehensive	289
Pentrehafod Comprehensive	227
Penyrheol Comprehensive	195
Pontarddulais Comprehensive	168
Ysgol Gyfun Bryn Tawe	208
Ysgol Gyfun Gwyr	205



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

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

Service Area: Achievement and Partnership

Directorate: Education

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

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

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

**Admission Arrangements 2023-2024**

Every Local Authority (LA) has a statutory duty to manage admissions to its schools. The Admission Arrangements are set out in accordance with the Welsh Government (WG) School Admission Code (July 2013) and ensures that the admissions to schools are managed in a fair and equitable manner for all pupils.

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

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

Community cohesion	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>

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

Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 require Admission Authorities to consult and determine school admission arrangements annually. The Regulations set requirements for consultation and determinations of admission arrangements.

The consultation has been completed and is being reported back to the council’s Cabinet to consider when determining the admission arrangements.

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

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

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

High risk <input type="checkbox"/>	Medium risk <input type="checkbox"/>	Low risk <input checked="" type="checkbox"/>
---------------------------------------	---	---

**Q6 Will this initiative have an impact (however minor) on any other Council service?**  
 Yes  No If yes, please provide details below

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

The admissions policy ensures that everyone is treated equally when applying for a school place.

### Outcome of Screening

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

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

Once set the admission arrangements apply to all and take account of all protected characteristics to ensure that all applications for a school place are treated equally.

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

Full IIA to be completed

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

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

<b>Screening completed by:</b>
<b>Name: Rhodri Jones</b>
<b>Job title: Head of Education Performance Team</b>
<b>Date: 11/02/2022</b>
<b>Approval by Head of Service:</b>
<b>Name: Brian Roles</b>
<b>Position: Head of Education Planning and Resources Service</b>
<b>Date: 11/02/2022</b>

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

# Agenda Item 8.



## Report of the Deputy Chief Executive

Council – 17 March 2022

### Appointment of Lay Members of the Governance & Audit Committee

<b>Purpose:</b>	To approve the recommendation of the Appointments Committee held on 1 March 2022 and appoint 2 further Lay Members to the Governance & Audit Committee.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Gordon Anderson be appointed as Lay Member of the Governance & Audit Committee.  2) Phil Sharman be appointed as Lay Member of the Governance & Audit Committee.  3) The Term of Office for both being 24 May 2022 until the Local Government Elections in 2027.
<b>Report Author:</b>	Adam Hill
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Local Government (Wales) Measure 2011 requires that each council shall appoint an Audit Committee in line with the recommendation made by CIPFA in 2005.
- 1.2 The Welsh Government has provided statutory guidance covering the functions and membership of the Governance & Audit Committee.
- 1.3 The City and County of Swansea has had a Governance and Audit Committee for a number of years but the Local Government & Elections (Wales) Act 2021 requires

additional lay members to be appointed to the Governance and Audit Committee. Up to a third of the Committee's membership can be Lay Members.

- 1.4 The Governance and Audit Committee currently has 2 Lay Members with one being the Chair of the Committee. Council approved the proposal to appoint three additional lay members to the Governance and Audit Committee on 7 October 2021. Following this, an advert was placed in the South Wales Evening Post and the Western Mail on 11 January 2022 inviting anyone interested to contact the Deputy Chief Executive for an informal discussion and an application form, the advert was also circulated to stakeholders and partners such as the PSB.

## **2. Appointments Committee**

- 2.1 As a result of the advert, 5 application forms were returned by the closing date.
- 2.2 The Appointments Committee met on the 9 February 2022 to consider the applications and agreed that four applicants should be invited for interview.
- 2.3 The Appointments Committee of 1 March 2022 interviewed all four applicants. The Committee recommend on the basis of the scoring and following consideration of the advice of the Deputy Chief Executive and Legal Officer that Gordon Anderson and Phil Sharman be appointed by Council as Lay Member of the Audit Committee.
- 2.4 The additional 2 candidates interviewed did not meet the threshold set by the Committee, so are not being recommended for appointment.
- 2.5 The Appointments Committee also asked that a further recruitment process is undertaken to recruit an additional Lay member to meet the requirements of the duty and achieve a third of the committee as Lay Members.

## **3. Integrated Assessment Implications**

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage.
  - Consider opportunities for people to use the Welsh language.
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being

of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.4 An IIA screening has been undertaken and no adverse implications have been noted.

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

- 4.1 There are no financial implications associated with this report beyond those set out in the original report on agreeing to create the additional lay members post.

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

- 5.1 The relevant legislative provisions are set out in the report.

**Background Papers:** None.

**Appendices:** None.

# Agenda Item 9.



## Report of the Head of Democratic Services

Council – 17 March 2022

### Extension of Term of Office for Independent (Co-opted) Lay Member of the Governance & Audit Committee

<b>Purpose:</b>	To re-appoint Paula O'Connor as Independent (Co-opted) Lay Member of the Governance & Audit Committee for a further 5-year term.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Paula O'Connor be re-appointed as an Independent (Co-opted) Lay Member of the Governance & Audit Committee for one further consecutive Term of Office.  2) Her Term of Office ends at the Local Government Elections in 2027.
<b>Report Authors:</b>	Huw Evans
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Local Government (Wales) Measure 2011 and the Local Government & Elections (Wales) Act 2021 set out the legislation relating to Statutory (Co-opted) Lay Members of a Governance & Audit Committee.
- 1.2 The Statutory Guidance linked to the Local Government (Wales) Measure 2011 recommends that a Statutory (Co-opted) Lay Member of a Governance & Audit Committee not serve more than two full Local Council Terms.

## **2. Reappointment**

- 2.1 Paula O'Connor is an Independent (Co-opted) Lay Member of the Governance & Audit Committee. She also serves as Chair of the Committee.
- 2.2 Paula O'Connor has been an asset to the Committee and has brought a depth and breadth of knowledge and experience.
- 2.3 She was appointed as an Independent (Co-opted) Lay Member of the Governance & Audit Committee commencing on 6 March 2018. Her Term of Office ends at the Local Government Elections on 5 May 2022.
- 2.4 It is proposed that Paula O'Connor has her Term of Office until the Local Government Elections in May 2027. Her Term of Office may not be extended further.

## **3. Integrated Assessment Implications**

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage.
  - Consider opportunities for people to use the Welsh language.
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.4 An IIA screening has been undertaken and no adverse implications have been noted.



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

- 4.1 The payment of Statutory (Co-opted) Lay Members of the Governance & Audit Committee is set by the Independent Remuneration Panel for Wales and is within existing budget.

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

- 5.1 There are no legal implications other than those already mentioned

**Background Papers:** None.

**Appendices:** None.

# Agenda Item 10.



## Report of the Section 151 Officer

Council - 17 March 2022

### Pension Fund Committee Chair Remuneration

<b>Purpose:</b>	To recognise the increased breadth and scope of the role of chair of the Pension Fund Committee and make commensurate recommendations for appropriate remuneration in line with that responsibility and to be consistent with its partner funds in The Wales Pension Partnership (WPP) and other Committee Chair roles within The Council .
<b>Consultation:</b>	Legal and Finance
<b>Recommendation:</b>	It is recommended that Council :
1)	recognises the increased scope and breadth of responsibility of the role of The Pension Fund Committee Chair.
2)	approves the recommendation to pay, at its discretion, the equivalent of an Independent Remuneration Panel for Wales (IRPW) senior salary for a Committee Chair to the Pension Fund Committee Chair with the additional sums (over and above basic salary) to be met by the Pension Fund as outlined in 6.1 of this report.
<b>Report Author:</b>	Jeff Dong
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Carolyn Isaac
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. The Local Government Pension Scheme (LGPS)

- 1.1 The Local Government Pension Scheme (LGPS) is a defined benefit pension scheme for local government (and affiliated employers who provide appropriate services as defined by statute) workers in England and Wales. Benefits are guaranteed by Statute and determined by the member's career average salary for service since April 2014 or their final salary (for service before April 2014).

- 1.2 Employees make contributions on a sliding scale in accordance with their salary, and employers make pension contributions dictated by triennial actuarial valuation. It has over 5.9m members through 15,700 employers and collective assets of approximately £300bn nationally. It is administered via 89 separate schemes managed by the 87 Administering Authorities which are recognised within the Statutory Instrument.
- 1.3 There is a lot of misconception about the LGPS and its place amongst other public sector schemes. It is the only major public sector scheme which is a **funded** scheme, as opposed to the other public sector schemes like the Civil Service, NHS, Police etc. which are all **unfunded**, and pay as you go schemes. This makes it the most cost effective public sector pension provision. The LGPS provides pensions for workers like school break time assistants, social care workers, refuse collectors, social workers, non-teaching staff in schools, road maintenance workers as well as managers, chief officers and elected members (only in Wales) in local government .
- 1.4 Over two thirds of the LGPS membership are women members, many of whom only work(ed) part-time. In Swansea, the average pension in payment is approx. £5k a year which is subject to taxation in the normal way.

## 2. The City & County of Swansea Pension Fund

- 2.1 Swansea Council is the appointed Administering Authority (by statute) for the City & County of Swansea Pension Scheme. The primary objective of the Administering Authority is to pay members' pensions as they fall due and collect contributions from members and employers.

The City & County of Swansea Pension Fund (@31/3/21) has approx :

- 47,000 members
  - 21, 000 active members ( still working and contributing to their pension)
  - 15,000 pensioners ( members (or their dependants) drawing their pension)
  - 11,000 deferred ( members who have left employment of a Swansea LGPS employer but yet to draw pension)
- 25 employers including some of the following larger employers:
  - Swansea Council
  - Neath Port Talbot Council
  - Gower College
  - University of Wales Trinity St. David
  - Neath Port Talbot College Group
  - Tai Tarian Housing
  - Pobl Group
  - Community Councils
- £2.9bn of assets (Feb 2022)

### **3. Governance**

#### **3.1 The Pension Fund Committee**

The Council has delegated governance of the Pension Fund to the Pension Fund Committee, which is constituted under section 101 of the Local Government Act 1972 with associated decision making powers.

#### **3.2 The Pension Fund Committee currently is comprised of :**

- Cllr Clive Lloyd, Chairman
- Cllr Phil Downing, Deputy Chairman
- Cllr Jan Curtice
- Cllr Mike Lewis
- Cllr Will Thomas
- Cllr Gareth Sullivan
- Cllr Peter Rees large employer co-opted member ( Neath Port Talbot County Borough Council)
- Cllr Alan Lockyer ( Neath Port Talbot Borough Council) , observer member acting in his role as the Chairman of The Local Pension Board representing members

#### **3.3 Membership of the Pension Fund Committee is subject to a comprehensive programme of trustee training to achieve the statutory minimum level of skills and knowledge with which members can discharge their responsibilities. Continuous and ongoing training, skills and knowledge attainment are a statutory requirement of the role.**

### **4. The Increasing Demands and Complexity of The Role Of Chair of The Pension Fund Committee**

#### **4.1 During the last 20 years, the role of Chair of The Pension Fund Committee has increased in its demand and complexity as illustrated below:**

- Asset values have grown from £500m to £2.9bn
- Achieved >100% funding for the first time in 2019.
- Asset classes invested in have grown from **3** ( equities, bonds, cash ) to **11** ( equities, bonds, cash, property, private equity, infrastructure, private debt, hedge funds, affordable housing, renewables, timberland)
- **3** Investment Managers are now **23** Investment Managers
- The Wales Pension Partnership (WPP)- a collaborative arrangement with the other 7 LGPS in Wales to pool and collectively invest its assets as directed by HM Government.
- the chair is also required to be a member of the Joint Governance Committee (JGC) of the WPP and required to attend quarterly meetings, training, and ad hoc meetings as required.
- Introduction by HM Government of 2 new additional variations of the LGPS scheme in 2008 and 2014 to administer and monitor and ensure compliance with
- Approving Administering Authority Discretions
- 6 new employers admitted
- New Pensions Regulator reporting/compliance

- Competition and Markets Authority Reporting/compliance
- The National LGPS Scheme Advisory Board ( Cllr Lloyd is currently the Welsh LGA Representative) – this is the interface between the scheme stakeholders and HM Government Ministers responsible for Pensions and Government Civil Servants, helping to shape current and future pensions policy whilst looking after the interests of the LGPS
- Approving/considering Responsible Investment Policies
- Approving/considering Environmental, Social Governance Policies
- Approving/considering Net Zero Carbon Targets
- Approving/considering response to Judicial Reviews/Legal Recourse in respect of scheme administration: Mc Cloud, GMP Reconciliation.
- Increased scrutiny of how the assets are invested and meeting lobbyists/campaign groups
- Membership of professional bodies:
  - Pensions, Lifetime Savings Association (PLSA)
  - Local Authority Pension Fund Forum (LAPFF)

## 5. Independent Remuneration Panel For Wales (IRPW)

- 5.1 The Independent Remuneration Panel for Wales outlines that a Group A Principal Authority like Swansea Council can **ONLY** pay 19 senior salaries from its general fund. These paid senior roles can include:
- Leader
  - Deputy Leader
  - Executive Board Member
  - Committee Chair
  - Presiding Member
  - Leader of the Largest Opposition Group
  - Leader of other Opposition Group
- 5.2 Swansea Council is one of a small number of Councils in Wales that still retains both Housing (11 Councils) and Pension Fund (8 Councils) responsibilities
- 5.3 Currently the Pension Fund Committee Chair of The City & County of Swansea Pension Fund does **NOT** receive a senior salary
- 5.4 An analysis of the other 7 Pension Fund Administering Authorities in Wales, namely the other 7 constituent authorities of The Wales Pension Partnership shows the following remuneration for their Pension Fund Chair role:
- 1) 3 authorities (Cardiff, Carmarthenshire, RCT) pay the Pension Fund Committee Chair a senior salary from the general fund as per Independent Remuneration Panel for Wales guidelines in respect of their roles on the Executive Board of their respective Councils.
  - 2) 4 authorities (Powys, Flintshire, Gwynedd, Torfaen) at the discretion of each Council/Pension Fund Committee pay the equivalent of a senior salary with the additional element being directly funded by the Pension Fund in each case and outside of the IRPW limits.

## **6. Conclusion**

- 6.1 In recognition of the marked increased breadth and scope of the responsibilities of the role of Chairman of the Pension Fund Committee as outlined in 4.1 and to be consistent with the other 7 Administering Authorities in Wales, it is recommended that Council approves at its discretion, the payment of the equivalent of an IRPW senior salary for a Committee Chair to the Pension Fund Committee Chair with the additional sums (over and above basic salary) to be met by the Pension Fund as outlined in 8.1 commencing financial year 2021/22. This discretionary payment shall NOT be payable should the postholder already be in receipt of a senior salary as defined by IRPW.
- 6.2 As confirmed in an e-mail from the IRPW on 2/3/22, the payment identified in 6.1 does not form part of the IRPW allocation of 19 senior salary posts for Swansea Council as it shall be paid by the Pension Fund, however for quantum and periodic increases, the payment shall mirror that scheme.
- 6.3 The Pension Fund Committee considered the recommendation in 6.1 at its meeting of the 15<sup>th</sup> March 2022.

## **7. Legal Implications**

- 7.1 The current legislative framework for the pension fund investments carried out by Administering Authorities is set by the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009. The law governing pensions is a complex and specialist area. National Government guidance indicates that the pooling of LGPS assets is permissible under current law.
- 7.2 The Inter-Authority Agreement has been approved and signed by all 8 Local Authorities.
- 7.3 The Pension Fund Committee Terms of Reference and Scheme of Delegation sets out the Committee's responsibility for the strategic governance of the Pension Fund.
- 7.4 The Council may approve at its discretion the award as outlined in 6.1. The IRPW has confirmed in an e-mail of the 2/3/22 that this payment (by the Pension Fund) at the discretion of Council does NOT fall within the remit of IRPW, and is a matter for the Council/Pension Fund to determine.

## **8. Financial Implications**

- 8.1 The costs of awarding the equivalent of a committee chair senior salary to the Pension Fund Committee Chair is £8,793 plus 30% on-costs (approximately £11,500) p.a. charged to the Pension Fund, to be increased periodically in line with IRPW guidelines

## **9. Integrated Impact Assessment Implications**

- 9.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage.
  - Consider opportunities for people to use the Welsh language.
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to their own needs.
- 9.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 9.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 9.4 An integrated impact assessment screening has been undertaken and it concludes that there are no equality impact implications arising from this report.

**Background Papers:** None

**Appendices:**

Appendix A - Integrated Impact Assessment Screening Form

**Integrated Impact Assessment Screening Form**

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

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

Service Area: Finance & Delivery

Directorate: Resources

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

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

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

**Pension Fund Committee Chair Role**

The report recommends paying the Pension Fund Committee Chair, the equivalent of a IRPW senior salary for a committee chair in line with other LGPS in Wales.

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

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Does not affect the wider community, only affects the current/future chair post holder (1 FTE)

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

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

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

High risk <input type="checkbox"/>	Medium risk <input type="checkbox"/>	Low risk <input type="checkbox"/> x
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**Q6 Will this initiative have an impact (however minor) on any other Council service?**

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

This initiative will have no impact on any other service

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

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

There is no cumulative of this proposal on people or communities

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

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

The report outlines a proposal affecting only 1 individual at a time with a very prescribed remit with minimal impact on others as assessed by this process

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

Full IIA to be completed

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

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

<b>Screening completed by:</b>
<b>Name:</b> Jeff Dong
<b>Job title:</b> Deputy Chief Finance Officer
<b>Date:</b> 3/3/22
<b>Approval by Head of Service:</b>
<b>Name:</b> Ben Smith
<b>Position:</b> Chief Finance Officer (S151 Officer)
<b>Date:</b> 3/3/22

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

# Agenda Item 11.



## Report of the Head of Democratic Services

Council – 17 March 2022

### Review of Councillors Handbook – Role Descriptions & Person Specifications

<b>Purpose:</b>	To approve the reviewed Section D of the Councillors Handbook – Role Descriptions & Person Specifications as recommended by the Democratic Services Committee.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Welsh Local Government Association’s (WLGA) “Framework Member Role Descriptions and Person Specifications - June 2021” and the Swansea Council specific Role Descriptions as set out in Appendices A & B respectfully be adopted as Section D of the Councillors Handbook.  2) The Head of Democratic Services be delegated authority to update Section D of the Councillor Handbook to ensure its constant alignment with the WLGA’s future publications.
<b>Report Author:</b>	Huw Evans
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Councillors Handbook provides information to Councillors / Co-opted Members. Sections A-C of the Councillors Handbook was reviewed by the Democratic Services Committee on 10 January 2022. Section D “Role Descriptions & Person Specifications” was reviewed by the Committee on 14 February 2022.

1.2 The review aimed to ensure that the information was correct and reflected any new working arrangements.

1.3 The entire Councillors Handbook may be viewed at [www.swansea.gov.uk/cllrshandbook](http://www.swansea.gov.uk/cllrshandbook)

## **2. Section D - Role Descriptions & Person Specifications**

2.1 Section D is currently mainly in line with the WLGA's Framework of Member Role Descriptions and Person Specifications – June 2021. However, there are a number of Swansea Council specific entries:

- i) Councillor Job Roles
- ii) Scrutiny Convener Role Description
- iii) Equality Member Champion - Role Description
- iv) Chair of Policy Development Committee

2.2 It is proposed that the current Section D be replaced in its entirety with the WLGA's Framework of Member Role Descriptions and Person Specifications as set out in **Appendix A** of the report.

2.3 The Swansea Council specific entries as set out in **Appendix B** of the report be added to those in **Appendix A** to form the new Section D of the Councillors Handbook.

## **3. Financial Implications**

3.1 There are no financial implications associated with this report.

## **4. Legal Implications**

4.1 There are no specific legal implications associated with this report.

## **5. Integrated Assessment Implications**

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

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.

- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.4 An IIA screening has been undertaken and no adverse implications have been noted.
- 5.5 The review seeks to align Section D of the Councillors Handbook to match that of the WLGA Framework.

**Background Papers:** None

**Appendices:**

- Appendix A WLGA Framework Member Role Descriptions and Person Specifications - June 2021.
- Appendix B Swansea Council Specific Role Descriptions.



# Framework Member Role Descriptions and Person Specifications

**June 2021**

## Welsh Local Government Association

The WLGA's primary purposes are to promote a better local government, its reputation and to support authorities in the development of policies and priorities which will improve public service and democracy.

It represents the 22 local authorities in Wales with the 3 fire and rescue authorities and 3 national park authorities as associate members.

### Welsh Local Government Association

Local Government House

Drake Walk

Cardiff CF10 4LG

029 2046 8600 | [www.wlga.wales](http://www.wlga.wales)

@WelshLGA

Published: June

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## Background

This is a set of generic role descriptions and person specifications for elected members. They are applicable in any authority and are made available as suggestions rather than prescription.

The role descriptions set out the responsibilities and functions of the role of the elected member. The person specifications describe the qualities and skills required of the member in the role and can help when considering personal development.

Where members undertake more than one role it is anticipated that role descriptions would be combined. For example: Overview and Scrutiny committee chairs would be expected to undertake the role of, Elected member, Overview and Scrutiny Member and Overview and Scrutiny Chair.

These role descriptions are designed to be used alongside the Welsh [Member Development \(Competency\) Framework](#) which describes the skills knowledge and behaviours required of Councillors

This document has been produced collaboratively by the Welsh local Government Association, working with members and officers from all the authorities in Wales. It takes account of all the UK and Wales legislation affecting the role of members, including, most recently, the Local Government and elections (Wales) Act 2021.

Please contact Sarah Titcombe, Policy, and Improvement Officer (Democratic Services) WLGA. Tel 029 2046 8638 or e mail [sarah.titcombe@wlga.gov.uk](mailto:sarah.titcombe@wlga.gov.uk)



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## **Elected Member Role Description**

### **1. Accountabilities**

- To Full Council
- To the electorate of their ward

### **2. Role Purpose and Activity**

#### **Representing and supporting communities**

- To represent ward interests
- To be an advocate for the Council in the ward and communities they serve
- To be a channel of communication to the community on council strategies, policies, services, and procedures
- To represent individual constituents and local organisations, undertaking casework on their behalf and serving all fairly and equally
- To liaise with executive members, other council members, council officers and partner organisations to ensure that the needs of the local communities are identified, understood, and supported.
- To be vigilant and do everything possible to protect adults and children at risk from abuse.
- To promote tolerance and cohesion in local communities

#### **Making decisions and overseeing council performance**

- To participate in Full Council meetings, reaching and making informed and balanced decisions, and overseeing performance
- To participate in informed and balanced decision making on committees and panels to which they might be appointed.
- To adhere to the principles of democracy and collective responsibility in decision making
- To take corporate responsibility for the protection of vulnerable children and adults
- To promote and ensure efficiency and effectiveness in the provision of council and other public services.

#### **Representing the Council (subject to appointment)**

- To represent the Council on local outside bodies as an appointee of the Council
- To represent the Council on local partnership bodies, promoting common interest and co-operation for mutual gain
- To represent and be an advocate for the Council on national bodies and at national events

**Internal governance, ethical standards, and relationships**

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate, and effective relationships with employees, the public and other members of the Council.
- To adhere to the Member's Code of Conduct, member/officer protocols and the highest standards of behaviour in public office
- To have regard to the requirements of the Group Leader (where one exists) in matters of conduct and behaviour.
- To promote equalities and diversity

**Personal and role development**

To actively identify individual needs and participate in opportunities for development provided for members by the authority.

**3. Values**

**To be committed to the values of the Council and the following values in public office**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

## Leader (and Deputy) Role Description

### 1. Accountabilities

- To Full Council
- To the Public

### 2. Role Purpose and Activity

#### **Providing political leadership to the Council**

- To be a political figurehead for the Council; to be the principal political spokesperson for the Council.
- To provide leadership in building a political consensus around council policies
- To form a vision for the Council and community
- To provide strong, clear leadership in the co-ordination of policies, strategies, and service delivery

#### **Appointing the Cabinet\***

- To designate the appropriate portfolios
- To appoint appropriate elected members to each portfolio
- To allocate cabinet members to roles with regards to their abilities. [?](#)
- To designate the Deputy Leader.

#### **Representing and acting as ambassador for the Authority**

- To represent the Authority to a high standard. Provide a strong, competent, and eloquent figure to represent the Authority both within the County and at external bodies.
- To represent the Authority on the WLGA coordinating committee and the WLGA regional partnership board.
- To provide leadership and support local partnerships and organisations.
- To represent the Authority in regional and national bodies as appropriate.

#### **Providing leadership within the portfolio**

- To fulfil the role of a portfolio holder, having regard to the role purpose and activities, and role specification of an executive member
- **Managing and leading the work of the Cabinet and chairing meetings**
  - To ensure the effective running of the Cabinet by managing the forward work programme and ensuring its continuing development.
  - To ensure the work of the Cabinet meets national policy objectives.
  - To agree objectives with Cabinet Members and monitor progress.
  - To advise and mentor other cabinet members in their work.
  - To chair meetings of the Cabinet in line with the Constitution.

- In the Leader's absence the Deputy Leader should fulfil this role.
- **Participating in the collective decision making of the Cabinet**
- To work closely with other cabinet members to ensure the development of effective council policies and the budgetary framework for the Council, and the delivery of high-quality services to local people.
- To accept collective responsibility and support decisions made by the Cabinet once they have been made.
- **Working with officers to lead the organisation.**
- To liaise with the Chief Executive, and other appropriate officers, on a regular basis
- To work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.
- **Leading partnerships and community leadership**
- To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities
- To negotiate and broker in cases of differing priorities and disagreement.
- To act as a leader of the local community by showing vision and foresight
- **Internal governance, ethical standards, and relationships**
- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate, and effective relationships with employees of the Council.
- To adhere to the Member's Code of Conduct, Member/Officer Protocol, and the highest standards of behaviour in public office

### 3. Values

- To be committed to and demonstrate the following values in public office:
  - Openness and transparency
  - Honesty and integrity
  - Tolerance and respect
  - Equality and fairness
  - Appreciation of cultural difference
  - Sustainability
  - Inclusive leadership
  - Consensus building

**Deputy Leader**

- **To fulfil the duties of the Leader in his or her absence**
- **To assist the Leader in specific duties as required**

\* Under constitutional arrangements for a cabinet model, either the Full Council or the Leader may appoint the Cabinet. In Wales it is common practice for the Leader to appoint the Cabinet under this model. This Role Description has been written accordingly, noting that councils may vary this arrangement.

## **Cabinet Member Role Description**

### **1. Accountabilities**

- To the Leader
- To the Cabinet (through collective responsibility)
- To Full Council

### **2. Role Purpose and Activities**

#### **Providing portfolio leadership**

- To give political direction to officers working within the portfolio
- To gain the respect of officers within the portfolio; provide support to officers in the implementation of portfolio programmes.
- To provide leadership in the portfolio
- To liaise with the appropriate scrutiny chair and receive scrutiny reports as required.
- To be accountable for choices and performance in the portfolio
- To have an overview of the performance management, efficiency, and effectiveness of the portfolio
- To make executive decisions within the Portfolio\*

#### **Contributing to the setting of the strategic agenda and work programme for the portfolio**

- To work with officers to formulate policy documents both strategic and statutory.
- Ensure that the political will of the majority is carried to and through the Cabinet.
- To provide assistance in working up and carrying through a strategic work programme both political and statutory
- Carry out consultations with stakeholders as required.
- Make sure that the portfolio's forward work programme is kept up to date and accurate.

#### **Providing representation for the portfolio**

- To provide a strong, competent, and persuasive figure to represent the portfolio.
- Be a figurehead in meetings with stakeholders.

#### **Reporting and accounting**

- To report as appropriate to the Leader, Full Council, Cabinet, appropriate chair of scrutiny, regulatory bodies, and the media.
- To agree objectives with the Leader and report progress.
- To be the principal political spokesperson for the portfolio.
- To appear before scrutiny committees in respect of matters within the portfolio.

**Taking an active part in cabinet meetings and decision making**

- To show an interest in and support for the portfolios of others
- To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.

**Leading partnerships and community leadership**

- To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities
- To negotiate and broker in cases of differing priorities and disagreement.
- To act as a leader of the local community by showing vision and foresight

**Internal governance, ethical standards, and relationships**

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate, and effective relationships with employees of the Council.
- To adhere to the Members' Code of Conduct, Member/Officer Protocol, and the highest standards of behaviour in public office

**3. Values****To be committed to the values of the Council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership

\* This only applies under constitutional arrangements where individual cabinet members or combinations of cabinet members are given individual responsibility for making decisions on behalf of the Executive.



**Chair of the Council Role Description**  
**Also suitable for Mayor\* and Presiding Officer**

**1.Accountabilities**

- To Full Council

**2.Role Purpose and Activity**

**Acting as a symbol of the Council’s democratic authority**

- As the ceremonial head of the Council, to be non-political and uphold the democratic values of the Council.
- To represent the Council at civic and ceremonial functions

**Chairing Council meetings**

- To preside over meetings of the Council, so that its business can be carried out efficiently.
- To ensure the Council conducts its meetings in line with the Council’s Standing Orders

**Upholding and promoting the Council’s Constitution**

- To ensure the Constitution is adhered to and, if necessary, to rule on the interpretation of the Constitution

**Internal governance, ethical standards, and relationships**

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate, and effective relationships with employees of the Council.
- To adhere to the Members’ Code of Conduct, Member/Officer Protocol, and the highest standards of behaviour in public office

**Work programming**

- To prepare and manage an annual work programme for the Council to meet its legal obligations (e.g. setting the budget and the Council Tax and making appointments)

### 3.Values

**To be committed to the values of the Council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

#### **Vice Chair**

- **To fulfil the duties of the Chair in his or her absence**
- **To assist the Chair in specific duties as required**

\* This Role Description describes the duties of the Chair or Presiding Officer of the Full Council or the Mayor in presiding over Council Meetings. It does not provide the detail of the wider ambassadorial or ceremonial responsibilities required of the Mayor.

## Chair of Democratic Services Committee Role Description

### 1. Accountabilities

- To Full Council

### 2. Role Purpose and Activity

#### Providing leadership and direction

- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- To lead the committee in its role in:
  - Designating the head of Democratic Services
  - Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate.
  - Make annual reports to the full council in relation to the above o Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee.
  - Considering reports prepared by the Head of Democratic Services o Developing the Authority's member support and development strategy.
  - Ensuring that members have access to a reasonable level of training and development as described in the Authority's member development strategy and the Wales Charter for Member Support and Development
  - Ensuring that the budget for member development is sufficient o Ensuring that members have access to personal development planning and annual personal development reviews.
- Work with the member support and development champion where relevant to promote the role of members and necessary support and development.
- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.

#### Promoting the role of the Democratic Services Committee

- To act as an ambassador for the DS committee, facilitating understanding of the role
- To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
- To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings.

#### Internal governance, ethical standards, and relationships

- To develop the standing and integrity of the committee and its decision making
- To understand the respective roles of members, officers and external parties operating within the Democratic services committee's area of responsibility
- To promote and support good governance by the Council.

### 3. Values

- To be committed to the values of the council and the following values in public office:
- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

## **Member of a Democratic Services Committee Role Description**

### **1. Accountabilities**

- To Full Council
- To the Chair of the Democratic Services committee

### **2. Role purpose and activity**

#### **Understanding the nature of the Democratic Services committee:**

- To be aware of and effectively undertake the role of the committee in:
  - Designating the head of Democratic Services
  - Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate
  - Make annual reports to the full council in relation to the above
  - Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee.
  - Considering reports prepared by the Head of Democratic Services
  - Developing the Authority's member support and development strategy
  - Ensuring that members have access to a reasonable level of training and development as described in the member development strategy and the Wales Charter for Member Support and Development
  - Ensuring that the budget for member development is sufficient
  - Ensuring that members have access to personal development planning and annual personal development reviews
  - To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
  - To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee

#### **Participating in meetings and making decisions**

- To participate effectively in meetings of the Democratic services committee,
- To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements

#### **Internal governance, ethical standards and relationships**

- To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
- To promote and support good governance by the Council
- To understand the respective roles of members, officers and external parties operating within the Democratic Services committee's area of responsibility

### 3. Values

- To be committed to the values of the Council and the following values in public office:
- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

## Chair of a Regulatory Committee Role Description

### 1. Accountabilities

- To Full Council
- To the members of the regulatory committee

### 2. Role Purpose and Activity

#### Providing leadership and direction

- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
- To ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process
- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements ☐ To delegate actions to sub committees as appropriate

#### Promoting the role of the regulatory committee and quasi-judicial decision making

- To act as an ambassador for the regulatory committee, facilitating understanding of the role
- To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
- To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings

#### Internal governance, ethical standards and relationships

- To develop the standing and integrity of the committee and its decision making
- To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility ☐ To promote and support good governance by the Council.

### 3. Values

- To be committed to the values of the council and the following values in public office:
  - Openness and transparency
  - Honesty and integrity
  - Tolerance and respect
  - Equality and fairness
  - Appreciation of cultural differences
  - Sustainability

## **Member of a Regulatory Committee Role Description**

### **1. Accountabilities**

- To Full Council
- To the Chair of the regulatory committee

### **2. Role purpose and activity**

#### **Understanding the nature of the regulatory committee and quasi-judicial decision making**

- To be aware of the quasi-judicial nature of regulatory committee decision making
- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee

#### **Participating in meetings and making decisions**

- To participate effectively in meetings of the regulatory committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making
- To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements

#### **Internal governance, ethical standards and relationships**

- To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
- To promote and support good governance by the Council
- To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility

### **3. Values**

#### **To be committed to the values of the Council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness



- Appreciation of cultural difference
- Sustainability

## Chair of Standards Committee Role Description

### 1. Accountabilities

- To Full Council

### 2. Role Purpose and Activity

#### Providing leadership and direction to the committee

- To act within technical, legal and procedural requirements to oversee the
- functions of the committee fairly and correctly
- To ensure thoroughness and objectivity in the committee, when receiving and responding to professional advice on the Code of Conduct
- To demonstrate independence, integrity and impartiality in decision making which accords with legal, constitutional and policy requirements
- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

#### To lead the committee in its role in:

- Promoting and maintaining high standards of conduct by Councillors, lay members and co-opted members
- Assisting all members in their observance of the Members' Code of Conduct
- Advising the Council on the adoption or revision of the Members' Code of Conduct
- Monitoring the operation of the Members' Code of Conduct;
- Advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct;
- Granting dispensations to Councillors and co-opted members
- Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
- Developing and applying any local resolution protocols
- The exercise of these functions (above) in relation to community councils and the members of those community councils
- Working with Political Group Leaders to promote and maintain high standards of conduct by the Group members
- Monitoring compliance by Leaders of Political Groups with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group and advising, training or arranging to train the Leaders of Political Groups about these duties. **(From May 2022)**
- Making an annual report to the Authority **(first report due in respect of the 2022/23 financial year, as soon as possible after year end)** describing how the committee's functions have been discharged during the financial year. The report may include any matter within the functions of the committee. The report must include:

- How the committee has discharged its legal duties, particularly, how the committee has monitored the compliance of Group Leaders with their duties to take reasonable steps to promote and maintain high standards of conduct by members of the Group and the work of the Committee in advising, training or arranging to train the Leaders of Political Groups about these duties.
- The degree of compliance of Group Leaders with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group

### **3. Values**

**To be committed to the values of the council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

## Member of a Standards Committee Role Description

### 1. Accountabilities

- To Full Council
- To the Chair of the Standards Committee

### 2. Role purpose and activity

#### **Participating in meetings and making decisions**

- To participate effectively in meetings of the Standards committee
- To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements, internal governance, ethical standards and relationships
- To ensure the integrity of the committee's decision making and of her/his own role by adhering to the Code of Conduct and other constitutional and legal requirements
- To promote and support good governance by the Council

#### **To contribute to the role of the Standards Committee in effectively fulfilling its functions and to support the Committee Chair by:**

- Promoting and maintaining high standards of conduct by Councillors, lay members and co-opted members
- Assisting Councillors, lay members and co-opted members in their observance of the Members' Code of Conduct
- Advising the Council on the adoption or revision of the Members' Code of Conduct.
- Monitoring the operation of the Members' Code of Conduct
- Advising, training or arranging to train Councillors, lay members and co-opted members on matters relating to the Members' Code of Conduct
- Granting dispensations to Councillors and co-opted members
- Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
- Contributing to the development and application of any local resolution protocol
- The exercise of these functions (above) in relation to community councils and the members of those community councils
- Working with Political Group Leaders to promote and maintain high standards of conduct by the Group members
- Monitoring compliance by Leaders of Political Groups with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group and advising, training or arranging to train the Leaders of Political Groups about these duties. **(From May 2022)**

- Making an annual report to the Authority (**first report due in respect of the 2022/23 financial year, as soon as possible after year end**) describing how the committee's functions have been discharged during the financial year. The report may include any matter within the functions of the committee. The report must include:
  - How the committee has discharged its legal duties, particularly, how the committee has monitored the compliance of Group Leaders with their duties to take reasonable steps to promote and maintain high standards of conduct by members of the Group and the work of the Committee in advising, training or arranging to train the Leaders of Political Groups about these duties
  - The degree of compliance of Group Leaders with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group

### 3. Values

**To be committed to the values of the Council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

## **Chair of Governance and Audit Committee Role Description**

### **1. Accountabilities**

- To Full Council

### **2. Role Purpose and Activity**

#### **Providing leadership and direction**

- To demonstrate independence, integrity, and impartiality in decision making according to legal, constitutional and policy requirements
- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
- To comply with the authority's Code of Conduct
- To work according to the Terms of Reference for the Committee
- To work with senior officers of the authority including the Chief Financial Officer and Head of Internal Audit (or equivalent), to agree the forward work programme and to set agendas for the Committee.
- To work with other members of the authority to ensure that the work of the Committee is communicated to and aligns with that of the Cabinet, Standards and Scrutiny functions whilst maintaining appropriate independence.
- To promote the role of the committee within the authority.
- To report as required to Council
- To participate in and contribute to training and development required for the role
- To support committee members to develop the skills required for the role.
- To lead the committee in responding to any recommendations made by the Auditor General for Wales

#### **Leading the Committee in its role in reviewing and scrutinising the authority's financial affairs**

- Make reports and recommendations in relation to the authority's financial affairs
- Oversee the authority's internal and external audit arrangements
- Work with internal and external auditors
- Review the financial statements prepared by the authority and approve them when powers are delegated including making relevant reports and recommendations

#### **Leading the Committee in its role in contributing to the effective performance of the authority**

- Review the draft report of the authority's annual self-assessment. Make recommendations for changes to the conclusions or actions that the authority intends to take
- Make recommendations in response to the draft report of the authority's Panel Assessment (commissioned once per term **from May 2022**)
- Review and assess the authority's ability to handle complaints effectively.
- Make reports and recommendations to the authority about the authority's ability to handle complaints effectively.

### **Leading the Committee in its role in Reviewing and assessing the Governance, Risk Management and Control of the authority**

- Review and assess the risk management, internal control, and corporate governance arrangements of the authority
- Make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements
- Review and assess the financial risks associated with corporate governance, and be satisfied that the authority's assurance statements including the annual governance statement reflect the risk environment and any activities required to improve it

### **3. Values**

- To be committed to the values of the council and the following values in public office:
  - Openness and transparency
  - Honesty and integrity
  - Tolerance and respect
  - Equality and fairness
  - Appreciation of cultural differences
  - Sustainability

## **Member of Governance and Audit Committee Role Description**

### **1. Accountabilities**

- To Full Council
- To the Chair of the Committee

### **2. Role purpose and activity**

#### **Participating in meetings of the committee and making decisions**

- To demonstrate independence, integrity, and impartiality in decision making according to legal, constitutional and policy requirements.
- To have regard to the requirements of the Chair of the Committee and the professional advice of senior officers of the authority including the Chief Financial Officer and Head of Internal Audit (or equivalent)
- To Comply with the authority's Code of Conduct
- To work according to the Terms of Reference for the Committee
- To contribute to the development of the forward work programme for the Committee.
- To promote the role of the committee within the authority
- To report as required to Council
- To respond to any recommendations made by the Auditor General for Wales
- To participate in any training and development required for the role

#### **Contributing to the work of the Committee in its role in:**

##### **Reviewing and scrutinising the authority's financial affairs**

- Make reports and recommendations in relation to the authority's financial affairs
- Oversee the authority's internal and external audit arrangements
- Work with internal and external auditors
- Review the financial statements prepared by the authority and approve them when powers are delegated including making relevant reports and recommendations.

##### **Contributing to the effective performance of the authority**

- Review the draft report of the authority's annual self-assessment and make recommendations for changes to the conclusions or actions that the authority intends to take



- Make recommendations in response to the draft report of the authority's Panel Assessment (commissioned once per term **from May 2022**)
- Review and assess the authority's ability to handle complaints effectively.
- Make reports and recommendations in relation to the authority's ability to handle complaints effectively.

### **Reviewing and assessing the Governance, Risk Management and Control of the authority**

- Review and assess the risk management, internal control, and corporate governance arrangements of the authority
- Make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements
- Review and Assess the financial risks associated with corporate governance, and be satisfied that the authority's assurance statements, including the annual governance statement, reflects the risk environment and any activities required to improve it

### **3. Values**

- To be committed to the values of the council and the following values in public office:
- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

## Overview and Scrutiny Chair Role Description

### 1. Accountabilities

- To Full Council
- To the Public
- To the Committee

### 2. Role purpose & activity

#### Providing leadership and direction

- To provide confident and effective management of the committee
- To promote the role of overview and scrutiny within the council, liaising effectively with officers, executive members and colleague chairs
- To promote the integral role and contribution of scrutiny within the authority's wider improvement planning and reporting arrangements
- To lead joint scrutiny activities with other authorities or organisations when required
- To champion and promote the role of Overview and Scrutiny to the public, helping the public better understand and, crucially, contribute to and engage with the scrutiny process.
- To promote the role of Overview and Scrutiny to partner bodies, helping them to understand and engage with the Scrutiny function.
- To demonstrate an objective and evidence-based approach to overview and scrutiny ensuring that scrutiny inquiries are methodologically sound and incorporate a wide range of evidence and perspectives
- To follow-up scrutiny recommendations, evaluate the impact and added value of overview and scrutiny activity and identify areas for improvement
- Work closely with scrutiny support staff to drive continual improvements in scrutiny
- Assist in publicising the work of the scrutiny committee

#### Managing the work programme

- To develop a balanced work programme for the committee which includes pre decision scrutiny, policy development and review, investigative scrutiny, holding the executive to account, and performance monitoring
- To ensure the programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, audit and regulatory reports and recommendations, single-integrated plan and partners strategic priorities and relevant community issues
- To ensure that the public are engaged in scrutiny activities by informing them about the work programme and encouraging participation
- To ensure that the work programme is delivered
- To report on progress against the work programme to Council, and others as appropriate

- To ensure that the work programme is manageable, and the workload delegated and prioritised to focus on the areas of most benefit or greatest risk to the organisation.
- To ensure that task and finish/working/subgroups have clear terms of reference and deliver the required outcomes.

### **Leading Joint Scrutiny**

- To apply the appropriate tests and criteria when deciding whether or not to undertake joint scrutiny
- To ensure that regional bodies and partnerships are held to account and that their plans are subject to scrutiny
- To develop protocols and terms of reference for joint working
- To ensure public engagement in joint scrutiny activities
- To enable the pooling of scrutiny resources for effective working and outcomes
- To ensure the equal participation and contribution from all partners as appropriate

### **Effective meeting management**

- To plan and set agendas containing clear objectives and outcomes for the meeting
- To ensure that necessary preparation is done beforehand, if necessary, through pre-meetings, including agreeing appropriate lines of questioning
- To ensure that the approach to overview and scrutiny is impartial and that the committee meeting is conducted without political whipping (as per the Local Government (Wales) Measure 2011)
- To manage the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to
- To ensure that all participants have an opportunity to make an appropriate contribution
- To ensure that members of the public are able to contribute to meetings and understand the protocols for public speaking.

### **Involvement and development of committee members**

- To encourage effective contributions from all committee members in both committee and task and finish groups
- To assess individual and collective performance within the committee and work to improve scrutiny outcomes
- To ensure that committee members have the appropriate knowledge and skills to undertake their roles and work with lead members and officers to secure appropriate development.

## **3. Values**

**To be committed to the values of the Council and the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

## Overview and Scrutiny Member Role Description

### 1 Accountabilities

- Chair of the appropriate scrutiny committee
- Full Council
- The public

### 2 Role purpose & activity

- To participate fully in the activities of the Overview and Scrutiny Committee, the development and delivery of its work programme and any associated task and finish groups

#### **Scrutinising and developing policy**

- To assist in the development of council policy through scrutinising of draft policies, and improvement and refinement of existing policy
- To challenge policies on a sound basis of evidence for example against legislation or local political priority
- To assess the impact of existing policy and identify areas for improvement
- To identify where new policies might be required to address forthcoming legislation

#### **Holding the Executive to account, monitoring performance and service delivery**

- To monitor the performance of internal and external providers against standards and targets including questioning of executive and senior officers on the delivery of targets
- To contribute to the identification and mitigation of risk
- To investigate and make recommendations to address the causes of under performance or poor performance
- To monitor action plans or recommendations following external audit, inspection or regulatory reports
- To evaluate the validity of executive decisions and challenge decisions through call in where appropriate
- To build trust with the executive so that appropriate matters could be sent to scrutiny for a pre-decision review prior to the executive taking a final decision

#### **Promoting the work of Overview and Scrutiny**

- To promote the role of overview and scrutiny within and outside the council, developing effective internal relationships with officers and other members and external relationships with community representatives.
- To demonstrate an objective non political and evidence based approach to overview and scrutiny, by utilising a wide range of research in any work undertaken including sources of information outside the Council

- To add value to the decision making and service provision of the authority through effective scrutiny
- To be able to demonstrate where scrutiny is making a difference by its involvement

### **Community engagement**

- To use scrutiny as a means to address community issues and engage the public in forward work programmes
- To encourage stakeholders to participate in the work of the authority
- To assist in developing locally viable and acceptable policy solutions
- To build a dialogue around priorities, objectives and performance, among communities and stakeholders
- To take a county wide perspective in dealing with issues

### **Participating in joint scrutiny**

- To work within the appropriate terms of reference and protocols governing joint working in scrutiny
- To apply the appropriate tests and criteria when deciding whether or not to undertake joint scrutiny
- To contribute to the scrutiny of regional bodies and partnerships
- To encourage public engagement in joint scrutiny
- To work effectively with partner scrutineers from other authorities and organisations.

### **Meeting participation**

- To make adequate and appropriate preparation for meetings through research and briefings and planning meeting strategies
- To participate in a proactive objective, informed and effective manner taking account of the Code of Conduct, Standing Orders and other constitutional requirements
- To demonstrate effective scrutiny inquiry skills in questioning, listening and information handling
- To be non-political
- To focus on outcomes / making a difference by participation

## **3. Values**

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference

- Sustainability

## **Leader of the Opposition Role Description**

### **1. Accountabilities**

- To the nominating group within the constitution

### **2. Role Purpose and Activity**

#### **Providing political leadership for an opposition group**

- To be a political figurehead for the opposition group; to be the principal political spokesperson for the Council's opposition.
- To provide leadership in the constructive challenge of the Council's policies
- To constructively challenge the vision for the Council and community where appropriate
- To provide strong, clear leadership in the co-ordination of alternative policies, strategies and service delivery

#### **Representing the Authority's opposition**

- To represent the Opposition Group to a high standard; providing a strong, competent and eloquent figure to represent the opposition within the Authority.
- To represent the Council on external bodies

#### **Internal governance, ethical standards and relationships**

- To promote and support good governance of the Council and its affairs
- To provide community leadership and promote active citizenship
- To promote and support open and transparent government
- To promote, support, and adhere to respectful, appropriate and effective relationships with employees of the Council
- To promote, support and adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

### **3. Values**

#### **To be committed to and demonstrate the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership



- Consensus building

### **Role of the Deputy Leader of the Opposition**

- To fulfil the duties of the Leader in his or her absence
- To assist the Leader in specific duties as required

## **Political Group Leader Role Description**

### **1. Accountabilities**

- To the nominating Group

### **2. Role Purpose and Activity**

#### **Providing political leadership to the Group**

- To be a political figurehead and role model for the Group
- To be the principal political spokesperson for the Group
- If in power, to provide Party Political leadership in the development of the Council's vision or policies and, if in opposition to provide constructive challenge and alternatives to the ruling Political Group's vision and policies.
- To canvass a range of views within the Political Group in the formulation of policy.
- To integrate and represent Political Group policy at a local level.
- To co-operate with other Political Groups where appropriate, particularly in matters of a non-Party Political nature.
- To chair and/or attend meetings where appointed to a representative role within the Council.
- To liaise with other local and regional representatives of the party.
- To be the representative voice of the Group for example and where applicable, in its dealings with outside organisations such as the Welsh Government or Senedd

#### **Internal governance, ethical standards and relationships:**

- To promote and support good governance of the Council and its affairs
- To provide community leadership and promote active citizenship
- To promote and support open and transparent government
- To promote, support, and adhere to respectful, appropriate and effective relationships with employees and other members of the Council
- To promote, support and adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office
- Encourage due regard to the Seven Principles of Public life and to civility in public life
- To participate in and encourage Group members to take part in relevant development opportunities.
- To set clear expectations of the behaviour of group members and challenge any inappropriate behaviour
- To promote diversity among Group members

- To encourage Group members to claim salaries and reimbursements due to them in accordance with the determinations of the IRPW

**Duty to promote and maintain high standards of conduct by Group Members in accordance with the Local Government and Elections (Wales) Act 2021**

- Take reasonable steps to promote and maintain high standards of conduct by the members of the Group.
- Co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions. Specifically, to co-operate with the Standards Committee in its duty to monitor compliance of Group Leaders with their duty under the act and in providing information for the Standards Committee's annual report.
- To work constructively with the Monitoring Officer and other Group Leaders in relation to this duty
- To work within the local resolution protocol where this applies
- To participate in any training relating specifically to this duty.

### **3. Values**

**To be committed to and demonstrate the following values in public office:**

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership
- Consensus building

## Political Group Leader supplementary guidance

**The Local Government and Elections (Wales) Act places a duty on Group Leaders to take “Reasonable Steps” to promote and maintain high standards of conduct by the members of their group. The following note provides further interpretation of the Act in support of the Group Leaders’ role description.**

- Group Leaders have a duty to promote and maintain high standards of behaviour by members of their group in a Unitary Authority. This applies to those group members whenever they are acting or giving the impression of acting in their capacity as a member.
- This duty has been introduced by the Welsh Government to encourage high standards of behaviour from members, including civility and respect in all situations and towards all people. The duty is not intended to be onerous and will not cover everyone (clearly those members who do not belong to a group), but rather to be proportionate and helpful and encourage the prevention of inappropriate behaviour before it becomes a breach of the Code.
- All councillors already have a responsibility to report breaches of the Code of Conduct
- The Duty applies to Group Leaders for their group members whenever these members are for example acting on the Council, in political group meetings, in the community and on outside bodies such as Fire and Rescue Authorities, National Park Authorities, Police Authorities, Community and Town Councils, Corporate Joint Committees and school governing bodies.
- In the case of outside bodies, the standards of conduct which apply are those set out by the body on which the group member is serving. If these are not available, the Council Code of Conduct applies.
- The Duty does not make Group Leaders **accountable** for the behaviour of their members as Conduct must be a matter of **individual responsibility**. However, Group Leaders **must** take “Reasonable steps” to promote and maintain high standards of conduct by the members of the group. And **must** cooperate with the standards committee and any subgroup of the committee in the exercise of the standards committee’s functions. And **must** have regard to guidance issued by Welsh Ministers on these matters.
- “Reasonable steps” might include Group Leaders:
  - Having informal discussions with and/or requesting training for members who may be showing early signs of inappropriate behaviour to ‘nip this in the bud’ before it becomes problematic or in danger of breaching the Code.
  - Working constructively with Standards committees to report compliance with their duty, any serious concerns about members’ behaviour which have not been remedied by informal actions, and training requirements for themselves and for their group members.
  - Working constructively with and supporting the Monitoring Officer in these matters
  - Acting as a positive role model for members, demonstrating the highest possible standards of behaviour, civility, and respect.
  - Maintaining an awareness of what constitutes very high standards of behaviour, civility, and respect, particularly with regard to equalities and diversity.
  - Working constructively with other group members on the council and on other councils to ensure the highest possible standards of behaviour both in the Council and throughout Wales.

- Welcoming and responding to concerns raised by Group members about behaviour in the group.
- Standards committees have a duty to monitor compliance by Political Group Leaders with their duties and advising, training or arranging to train leaders of political groups on the council about matters relating to their duties.
- Standards committees must give an annual report to council about their work including compliance of group Leaders with this duty.
- The sanctions which may be applied to group members acting inappropriately on an outside body are those set out by those bodies. Where sanctions are not set out, the Council rules apply.
- If a member has breached the Code of Conduct and is suspended, they are only suspended in the capacity as a member of one relevant authority. They would have to be disqualified for it to apply to their capacity as a member of more than one relevant authority. (Local Government Investigations (Functions of Monitoring Officers and Standards Committees (Wales) regs 2001)
- “A group leader who fails to comply with the new duty in a meaningful way may potentially be regarded as bringing their office into disrepute, in breach of paragraph 6(1)(a) of the Code” The Public Services Ombudsman for Wales, [\*The Code of Conduct for members of local authorities in Wales May 2021.\*](#)

## **Member Champion Purpose and Role**

### **What are Member Champions?**

Member Champions exist to provide a voice for traditionally underrepresented groups, or issues which need to be kept at the forefront of council business although they may not be the responsibility of any individual or committee.

Member Champions, (sometimes called lead members) are elected members who in addition to their other council responsibilities make sure that the issue or group that they are championing are taken into account when council policy is being developed and decisions are made. Members act as champions in areas such as children, homelessness, equalities, older people, young people, scrutiny, member support and development, health improvement and anti-poverty. There is a statutory role for a lead member of children's and young people's services with a responsibility for over-seeing the arrangements made under sections 25 and 26 of the 2004 Children Act.

Guidance on undertaking the role with regard to the subject knowledge that members need is sometimes available from the outside bodies associated with the issue being championed for example the toolkit for older peoples' champions from the LGA. Otherwise they will be reliant on their authority for guidance in the subject they lead on and also their role as lead member in this area.

### **What do they do?**

Typically, the lead member will:

- Make sure that their area of interest is taken into account when developing policy or making decisions
- Ask questions about performance and resourcing for the area
- Raise the profile of the area and make the authority aware of good practice.
- Engage with external bodies who work in the area
- Engage with other officers and members in relation to the role.
- Engage with community groups with an interest/stake in the area ☑ Report action to the council

### **How does their role fit within the corporate structure?**

This will vary according to the area/issue that is being championed and how the authority functions. There is potential for confusion and overlap between the role of the member champion and those of the relevant executive member or overview and scrutiny members. The champion role itself could be undertaken by either the relevant executive member or a non executive member.

It is therefore important that members and officers work together to agree roles and action for the area being championed and that there are mechanisms for lead members to report on their activities. It is helpful for the authority to draft a protocol which sets out what powers champions have and do not have, such as whether or not they are able to make decisions on behalf of the authority. Similarly, the appointment of champions varies between authorities, and includes appointments being made by full council meetings or by the leader.

### **The Role Description**

It is difficult to create a role description that fits with the different roles expected of champions and how they operate in the different authorities' structures. The following is a generic model which will require local adaptation, particularly to reflect the difference that may exist between a statutory role, one undertaken by an executive member and a non-executive lead.

## **Member Champion Role Description**

### **1. Accountabilities**

- To Full Council

### **2. Role Purpose and Activities**

#### **Within the Council**

- To promote the interest being championed within the Council's corporate and service priorities
- To promote the needs of the client group represented in the interest to the decision makers within the council
- To work with the decision makers in the Council to establish strategies/ policies/work plans connected with the interest
- To maintain an awareness of all matters connected with the interest
- To contribute to good practice and the continuous improvement of services and functions related to the interest
- To engage with members in matters related to the interest such as attending Overview and Scrutiny/Cabinet /Full Council meetings etc.
- Raising awareness of and taking a lead role in the development of all members and officers in relation to the interest

#### **In the Community**

- To raise the profile of the interest in the community
- To engage with citizens and community groups in matters related to the interest
- To lead and support local initiatives related to the interest

### **3. Values**

**To be committed to the values of the Council and the following values in public office:**

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- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership



## 1 Councillor Job Roles

Role	Key Messages
<b>Decision Maker</b>	Member of many decision making committees Makes decisions about how Council services are run Makes decisions about planning and licensing May be a local school governor May be a community centre committee or community partnership member Will represent your views when making decisions
<b>Community Volunteer</b>	Gets involved with many community activities, groups and projects Can give advice and help organise support Can help volunteers find something to get involved in
<b>Signposter</b>	Will let people know about services offered by the Council and other agencies Can provide advice about who to contact Can explain why Council decisions have been taken
<b>Watchdog</b>	Can report problems about local public services Can spot common problems and get something done Member of Overview & Scrutiny Boards which look in detail at some services Can raise problems at meetings where decisions are made
<b>Caseworker</b>	Deals with individual problems and complaints Gives advice and suggests solutions May hold local surgeries Will act as a representative at meetings and through letters
<b>Campaigner</b>	Works to support causes of personal interest Can support causes in the local community or Swansea wide May be involved with charities and voluntary groups May be an 'issue champion' in the Council (e.g. for Young People) Can give advice about campaigning

## **Scrutiny Convener Role Description**

- 1 The Scrutiny Convener will be responsible for a portfolio of scrutiny topics that they will manage and deliver. These topics, allocated by the Council's Scrutiny Programme Committee, will not be confined to a single subject or department. The scrutiny work led by these conveners will be done through informal task and finish groups / panels and the conveners will chair the meetings of these groups. Conveners will be accountable to the Scrutiny Programme Committee.
- 2 **Providing leadership**
  - a) To provide confident and effective management of the topics for which they are responsible.
  - b) To promote the role of scrutiny within and outside the council, liaising effectively both internally within the Council and externally with the Council's partners.
  - c) To contribute to the development of a balanced scrutiny work programme.
  - d) To ensure the programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues.
  - e) To demonstrate an objective and evidence based approach to scrutiny and to facilitate the identification of conclusions and recommendations accordingly.
  - f) To evaluate the impact and added value of scrutiny activity and identify areas for improvement.
  - g) To promote cross party working.
  - h) To keep any relevant deputies fully involved and informed to ensure they are able to cover the conveners' role as required.
- 3 **Managing the work programme**
  - a) To ensure that the work programme is delivered.
  - b) To report on progress against the work programme to Council, and others as appropriate.
  - c) To liaise with officers, other members and community representatives to resource and deliver the work programme.
- 4 **Effective meeting management**
  - a) To set agendas containing clear objectives and outcomes for meetings
  - b) To manage the progress of business at meetings, ensuring that meeting objectives are met.
  - c) To ensure that the necessary preparation is done beforehand.
  - d) To ensure that all participants have an opportunity to make an appropriate contribution
- 5 **Community leadership**
  - a) Where necessary to act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.
  - b) To build understanding and ownership of the scrutiny function within the community.
  - c) To involve fully external stakeholders for example, service users, expert witnesses and partners in scrutiny activity.

- d) To support the involvement and development of scrutiny members
- e) To encourage high performance from all scrutiny councillors in task and finish groups.
- f) To assess individual and collective performance within task and finish groups and facilitate appropriate development.

## 6 Values

### 6.1 To be committed to the values of the Council and the following values in public office:

- a) Openness and transparency;
- b) Honesty and integrity;
- c) Tolerance and respect;
- d) Equality and fairness;
- e) Appreciation of cultural difference;
- f) Sustainability.

## Equality Member Champion - Role Description

- 1 In addition to the Generic Member Champion Role Description, the Equality Member Champions shall abide by the following.
- 2 Based on the existing role and parts of the WLGA Member Role Guidance the core role of the Elected Member Equality Champion role in the City and County of Swansea would be to:
  - a) Be familiar with equality and diversity legislation and issues;
  - b) Be familiar with the needs and priorities of people with protected characteristics and represented groups;
  - c) Raise awareness of the views and needs of people with protected characteristics and represented groups within the business of the Council;
  - d) Support the Council's engagement and communication with people with protected characteristics and represented groups;
  - e) Encourage the participation of people with protected characteristics and represented groups in the work of the Council including the planning and evaluation of the services it provides;
  - f) Establish effective engagement with, and be recognised as, a link between people with protected characteristics and represented groups and the authority's members, officers and the Equalities Committee;
  - g) Champion good practice across the Council including learning from other organisations and linking with partner organisations;
  - h) Regularly report to the Equality Committee and represented groups.
- 3 The aim would be to implement and adapt the role over a period of time in conjunction with the development of the role of the Equalities Committee. A Member Champion's role could cover more than one of the protected characteristics and represented groups.

# **Chair of Policy Development Committee**

## **1 Accountabilities**

- a) To the Leader of the Council;
- b) To Cabinet;
- c) To Council.

## **2 Role Purpose and Activity**

### **2.1 Providing Portfolio Guidance and Assistance to the Cabinet Member**

- a) To assist the Cabinet Member in giving political leadership in relation to Cabinet portfolios;
- b) To provide support to Cabinet Members in the implementation and delivery of portfolio policies and change and alignment with the direction in Sustainable Swansea - Fit for the Future;
- c) To liaise and work closely with the Chair of the Scrutiny Programme Committee and the Scrutiny Inquiry Panel Conveners and to comment on reports as necessary.

### **2.2 Contributing to the setting of the Strategic Agenda and Work Programme for the portfolio**

- a) To work with the Cabinet to formulate policy development both strategic and statutory. Subject to the Cabinet Member having the final say, ensuring that the political will of the majority is carried to and through Cabinet;
- b) To provide assistance in working up and carrying through a strategic work programme both political and statutory. Make sure that the portfolio's forward work programme is kept up to date and accurate.

### **2.3 Providing representation for the Portfolio**

- a) To fully support the Cabinet Member when they have to provide a strong, competent and persuasive figure to represent the portfolio. Be a figurehead in meetings with stakeholders.

### **2.4 Reporting and Accounting**

- a) To report as appropriate to the Leader of the Council, Council, Cabinet, Chair of the Scrutiny Programme Committee, regulatory bodies and the media;
- b) To appear with the Cabinet Member if necessary before the Scrutiny Programme Committee in respect of matters within the portfolio.

### **2.5 Taking an active part in Cabinet meetings and Decision Making**

- a) To show an interest in and support for the portfolio of others;
- b) To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.

### **2.6 Leading Partnerships and Community Leadership**

- a) To assist the Cabinet Member in giving leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities;
- b) To negotiate and broker in cases of differing priorities and disagreement;
- c) To provide community leadership and active citizenship by showing vision and foresight.

## **2.7 Internal Governance, Ethical Standards and Relationships**

- a) To promote and support good governance of the Council and its affairs;
- b) To promote and support open and transparent government;
- c) To support, and adhere to respectful, appropriate and effective relationships with employees of the Council;
- d) To adhere to the Member's Code of Conduct, Member / Officer Protocol and the highest standards of behaviour in public office.

## **2.8 Providing leadership and direction**

- a) To provide confident and effective management of meetings to facilitate inclusively, participation and clear decision making;
- b) To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements;
- c) To communicate on behalf of the Leader of the Council and Cabinet on Council Strategies, Policies, Services and Procedures.

## **3 Values**

### **3.1 To be committed to the values of the Council and the following values in public office:**

- a) Working Together;
- b) Innovation;
- c) People Focussed.

# Agenda Item 12.



## Report of the Monitoring Officer

Council – 17 March 2022

### Amendments to the Council Constitution

**Purpose:** The report presents the necessary changes made to the Constitution following the commencement of certain sections of the Local Government and Elections (Wales) Act 2021 and recent senior management structure changes

**Report Author:** Tracey Meredith

**Finance Officer:** Ben Smith

**Access to Services Officer:** Rhian Millar

#### For Information

#### 1. Background

1.1 In compliance with the Local Government Act 2000, the City and County of Swansea has adopted a Council Constitution. It is necessary to review the Constitution occasionally to ensure good governance arrangements and to keep it in line with legislative requirements.

#### 2. Local Government and Elections (Wales) Act 2021

2.1 Article 15 “Review and Revision of the Constitution” allows the Monitoring Officer to make changes / updates to the Council Constitution in relation to:

- a) Legislation;
- b) Changes to the Officer structure or changes of responsibility within the Officer Structure;
- c) The need to correct any administrative or typing errors.

2.2 The Local Government and Elections (Wales) Act 2021 (the Act) has brought into effect several necessary legislative changes to the Constitution. The changes are:

- (a) That a principal council must appoint a Chief Executive and therefore reference to Head of Paid Service is removed.
- (b) The Chief Executive has specific functions under the Act which are set out in paragraph 12.4.
- (c) The Head of Democratic Services and functions of the Head of Democratic Services have been added at paragraph 12.10.
- (d) Changes to the Functions of Statutory Officers including restrictions on post.

### **3. Other changes to Constitution**

- 3.1 Council approved changes to the Senior Management Structure in November 2021. As a result, and following a recruitment process, changes need to be made to reflect the following:
- (a) The appointment of a Director of Finance who undertakes the statutory Chief Finance (s 151) role and areas of responsibility;
  - (b) The redesignation of the Deputy Chief Executive/Director of Resources to Deputy Chief Executive/Director of Corporate Services and areas of responsibility;
  - (c) The addition of the Head of Vulnerable Learner Service in the Education Directorate and role description;

### **4. Integrated Impact Assessment**

- 4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 4.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.



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

4.4 There is no requirement for a full Integrated Impact Assessment for this report as this relates to changes that are required to the Constitution following legislative changes.

## **5. Legal Implications**

5.1 The changes reflect those changes necessary under the Local Government and Elections (Wales) Act 2021 and reflect changes to officer structure.

## **6. Financial Implications**

6.1 There are no financial implications.

**Background papers:** None

### **Appendices:**

Appendix 1 – Changes to Article 12 - Officers

City & County Of Swansea  
Council Constitution, Part 2 – Articles of the Constitution

12 **Officers**

12.1 **Management Structure**

The Full Council may engage such staff (referred to as Officers) as it considers necessary to carry out its functions. (See also [Part 7 Management Structure](#)).

12.2 **Chief Officers**

The Full Council will engage persons for the following posts, who will be designated Chief Officers, which designation includes persons acting temporarily in such capacity.

Post	Functions & Areas of Responsibility
<p><b>Chief Executive</b></p>	<ul style="list-style-type: none"> <li>• Overall corporate management and operational responsibility including overall management responsibility of all Officers.</li> <li>• The provision of professional and impartial advice to all parties in the decision making process including the Cabinet, Scrutiny Committees, the Full Council and other Committees.</li> <li>• Together with the Monitoring Officer, responsibility for a system of record keeping for all the Authority's decisions</li> <li>• Representing the Authority on partnership and external bodies (as required by statute or the Council).</li> <li>• Service to the whole Council, on a politically neutral basis.</li> <li>• Acting as the Returning Officer / Electoral Registration Officer.</li> <li>• Variation of functions and areas of responsibility of the Deputy Chief Executive and Directors and any other directly managed staff.</li> </ul>
<p><b>Deputy Chief Executive/Director of Corporate Services</b></p>	<ul style="list-style-type: none"> <li>• To support the Chief Executive and overall Corporate, Operational and Strategic Management responsibility for Communications &amp; Marketing, Human Resources &amp; the Service Centre, Legal, Democratic Services &amp; Business Intelligence and Transformation Service Units</li> </ul>

	<p>together with Emergency Planning and civil contingencies.</p> <ul style="list-style-type: none"> <li>• To deputise for the Chief Executive in his absence in respect of all directorate / service activities</li> </ul> <p>Responsibility for the Service Units which deal with the following broad work areas:</p> <p><b>Communications &amp; Marketing.</b> Led by the Head of Communications &amp; Marketing. Areas of work include Access to Services, Communications and Marketing, Health &amp; Safety, the Lord Mayoralty, Corporate Planning and Performance and Policy and Transformation.</p> <p><b>Human Resources &amp; the Service Centre.</b> Led by the Head of Human Resources and Service Centre. Areas of work include employee services, employee and pensioner payroll, accounts receivable, accounts payable and cashiers. Human resources, cultural change, Organisational Development and workforce strategy.</p> <p><b>Legal, Democratic Services and Business Intelligence.</b> Led by the Chief Legal Officer. Areas of work include Legal Services, Democratic Services, Electoral Services, Coroner, Scrutiny, Member Support, Information Governance and the Welsh Translation Service. The Service Unit also has responsibility for liaising with Commissioners</p> <p><b>Digital and Customer Services.</b> Led by the Head of Digital and Customer Services who also acts as the Senior Information Risk Owner (SIRO). Areas of work include, Customer Services, &amp; Complaints, customer contact strategy development and implementation, Digital Strategy development, Digital Transformation and Technology Security.</p>
<p><b>Director of Finance</b></p>	<p>This is a statutory post. This Officer has responsibility for the Council's Chief Finance/Section 151 Officer function. The Director of Finance acts as the Chief Finance/Section 151 Officer.</p> <p>The Service Units deal with the following broad work areas:</p> <p><b>Finance.</b> Broad work areas include Financial Services, Pensions Management, Administration and Investment, Provision of the Authority's Council Tax, Financial Planning &amp;</p>

	<p>Management, Housing Benefits, Internal Tax and Accountancy services.</p> <p><b>Deputy Chief Finance Officer.</b> Directly assists and deputises as S151 Officer for the Director of Finance. Acts as professional lead on pension administration and pension fund, treasury management and capital planning and funding.</p> <p><b>Head of Revenues &amp; Benefits.</b> Directly assists the Director of Finance and acts as professional lead on council tax, non-domestic rates, benefits and social care financial assessments.</p> <p><b>Head of Commercial Services.</b> Directly assists the Director of Finance and acts as professional lead on procurement, commercial advice and activity, and compliance and implementation of the General Power of Competence for Welsh councils.</p> <p><b>Chief Internal Auditor.</b> Independent operational management of the Internal Audit function and independent right of reporting and issuance of audit opinions but with professional oversight by the Director of Finance.</p> <p><b>Head of HR and Service Centre.</b> Reports to the Deputy Chief Executive/Director of Corporate services but professional oversight on all financial matters is reserved to the Director of Finance as S151 Officer. Acts as professional lead on employee services, employee and pensioner payroll, accounts receivable, accounts payable and cashiers.</p>
<p><b>Director of Education</b></p>	<p>This is a statutory post. This Officer acts as the Chief Education Officer and has Corporate Management responsibility and must provide the Council's education services (including schools, school students, services to schools and strategic management of education across the City and County), subject to any variations determined by the Chief Executive.</p> <p>Responsibility for the Service Units which deal with the following broad work areas:</p> <p><b>Achievement &amp; Partnership Service.</b> Led by the Head of Achievement &amp; Partnership Service. Areas of work include education partnerships across the system, school performance and links to the regional education partnership service. School and governor support, Welsh in Education, school monitoring, specialist curriculum support, stakeholder engagement, performance, data and systems. Swansea Music team and oversight of minority ethnic learners.</p>

	<p><b>Education Planning &amp; Resources Service.</b> Led by the Head of Education Planning &amp; Resources. Areas of work include responsibility for Catering and Cleaning, stakeholder engagement, performance, data and systems, financial strategy, schools funding and information and capital planning and delivery.</p> <p><b>Vulnerable Learner Service.</b> Led by the Head of the Vulnerable Learner Service. Areas of work include safeguarding and child protection in education, school admissions, additional learning needs, behaviour support, pupil referral unit, the co-ordination of Looked After Children in education and support and promotion of attendance and inclusion for all including those educated other than at school.</p>
<p><b>Director of Social Services</b></p>	<p>This is a statutory post. This Officer has Corporate Management responsibility and is the Lead Director for children and young people’s services under the Childrens Act 2004 and must provide the Council’s social services (including services for children, and families, people with mental health problems, people with disabilities and the elderly) subject to any variations determined by the Chief Executive.</p> <p>Responsibility for the Service Units which deal with the following broad work areas:</p> <p><b>Adult Services and Tackling Poverty.</b> Led by the Head of Adult Services. Areas of work include responsibility for the provision of the Council’s Adult Social Services in the areas of learning disability, mental health, service provision, commissioning, safeguarding and tackling poverty</p> <p><b>Integrated Services.</b> Led by the Head of Integrated Services. This is a joint post between the Authority and Swansea Bay University Health Board. It is accountable to both Organisations. Areas of work include responsibility for all functions delivered through or linked with the existing integrated hubs for Older People and Adults with a physical disability.</p> <p><b>Child &amp; Family.</b> Led by the Head of Child &amp; Family. Areas of work include responsibility for the provision of the Council’s Child &amp; Family Social Services.</p>
<p><b>Director of Place</b></p>	<ul style="list-style-type: none"> <li>• Overall Corporate, Operational and Strategic Management responsibility for Building Services, Cultural Services, Highways &amp; Transformation, Housing</li> </ul>

& Public Health, Planning & City Regeneration, Property Services and Waste, Cleansing & Parks Service Units.

- Responsible for the delivery of front line operational services. In addition the Officer has the Section 123 Best Value responsibility, corporate management responsibility and must provide the Council's Building & Property Services, Facilities Management, Asset Management Service subject to any variations determined by the Chief Executive.

Responsibility for the Service Units which deal with the following broad work areas:

**Building Services.** Led by the Head of Building Services. Areas of work include responsibility for the provision of the Council's front line operational services.

**Cultural Services.** Led by the Head of Cultural Services. Areas of work include responsibility for the provision of cultural, sporting, arts and leisure facilities in the City and County. This includes tourism & destination management and the provision of Library and joint West Glamorgan Archive Service services.

**Highways & Transportation.** Led by the Head of Highways & Transportation. Areas of work include responsibility for the provision of the Council's Highway, Transportation, Streetscene, Drainage, Coastal Protection, Fleet and Marina Services.

**Housing & Public Protection.** Led by the Head of Housing & Public Protection. Areas of work include responsibility for the provision of the Council's Housing and Environment services (Building Control, Pollution, Housing & Public Health, Registrars, Burials, Cremations, Trading Standards, Licensing, Food & Safety, the Council's Housing Stock, Homelessness Services, Housing Advice, Disabled Facility Grants and improving the condition of Private Sector Housing subject to any variations determined by the Chief Executive.

**Planning & City Regeneration.** Led by the Head of Planning & City Regeneration. Areas of work include responsibility for the provision of the Council's services for the regeneration of the City and County, including economic & business development, physical regeneration, city centre management, development control design & conservation, planning policy & environment, This is subject to any variations determined by the Chief Executive.

	<p><b>Property Services.</b> Led by the Head of Property Services. Areas of work include responsibility for the provision of the Council's Corporate Property and Facilities Management functions.</p> <p><b>Waste, Cleansing &amp; Parks.</b> Led by the Head of Waste, Cleansing &amp; Parks. Areas of work include responsibility and provision of the Council's waste, cleansing, recycling and parks services.</p>
<b>Monitoring Officer</b>	<p>Responsibility for the provision of the Council's Monitoring Officer function.</p> <p>The Chief Legal Officer acts as the Monitoring Officer.</p>
<b>Chief Finance / Section 151 Officer</b>	<p>Responsibility for the provision of the Council's Chief Finance /Section 151 Office function.</p> <p>The Director of Finance acts as the Chief Finance Officer/ Section 151 Officer.</p>

### 12.3 **Council Designated Posts**

The Council will designate the following statutory posts as shown:

<b>Post</b>	<b>Designation</b>
Chief Executive	Chief Executive
Director of Education	Chief Education Officer
Director of Social Services	Director of Social Services.
Director of Finance	Chief Finance Officer (Section 151 Officer)
Chief Legal Officer	Monitoring Officer
Head of Democratic Services	Head of Democratic Services

The Chief Executive, Chief Finance Officer, Monitoring Officer and Head of Democratic services will have the statutory functions described below.

### 12.4 **Functions of the Chief Executive**

- a) **Discharge of Functions by the Council**  
Section 4 of the Local Government and Housing Act 1989 imposes a duty on authorities to designate one of their officers as Chief Executive. The Chief Executive will report to Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Staff required for the discharge of functions, the organisation of the authority's staff and the appointment and proper management of the authority's staff.

- b) The Chief Executive will keep the following under review:
- (i) the manner in which the exercise by the council of its different functions is co-ordinated;
  - (ii) the council's arrangements in relation to:-
    - financial planning;
    - asset management, and
    - risk management;
  - (iii) the number and grades of staff required by the council for the exercise of its functions;
  - (iv) the organisation of the council's staff;
  - (v) the appointment of the council's staff;
  - (vi) the arrangements for the management of the council's staff (including arrangements for training and development).
- c) Where appropriate, to make a report to the council setting out the Chief Executive's proposals in respect of any of the matters set out above. As soon as possible after preparing a report, the Chief Executive must arrange for a report to be sent to each Member of the Council.
- d) **Consultation**  
The Chief Executive is authorised to respond on the Council's behalf to any consultation received by the Council and also to authorise any other officer of the Council to respond to any consultation received by the Council.
- e) **Restrictions on Post**  
The Chief Executive may not be the Monitoring Officer or the Head of Democratic Services but may hold the post of Chief Finance Officer/s 151 Officer if a qualified accountant.

## 12.5 Proper Officer

- a) To act as the Proper Officer for the receipt of notices under [Articles 12.7c](#) and [12.7d](#).
- b) To be the Proper Officer for the purpose of the following sections of the Local Government Act 1972:
  - i) Witness and receipt of declarations of office (Section 83);
  - ii) Receipt of declaration of resignation of office (Section 84);
  - iii) Convening of meeting of council to fill casual vacancy in the office of Chairman (Section 88);
- c) Receipt of notice of casual vacancy from 2 local government electors (section 89)
- d) For the purposes of [Articles 12.5b](#) and [12.5c](#) the Proper Officer is assigned to the Chief Executive **and to the** Head of Democratic Services

## 12.6 Urgency or Absence of Responsible Officer

All the powers delegated to other officers shall, unless prevented by statute, also be delegated to the Chief Executive, for exercise in cases of urgency or in the absence of the responsible officer.



## 12.7 Functions of the Monitoring Officer

These are set out in section 5 of the Local Government and Housing Act 1989 as amended. The functions of the Monitoring Officer are:

- a) **Maintaining the Constitution**  
The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- b) **Ensuring Lawfulness and Fairness of Decision-Making**  
After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to Full Council or to the Cabinet in relation to any function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- c) **Supporting the Standards Committee**  
The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through the provision of support to the Standards Committee.
- d) **Receiving Reports**  
The Monitoring Officer will receive and act on reports made by the Public Services Ombudsman for Wales and decisions of the case tribunals.
- e) **Conducting Investigations**  
The Monitoring Officer will conduct investigations into matters referred by the Public Service Ombudsman for Wales and make reports or recommendations in respect of them to the Standards Committee.
- f) **Proper Officer for Access to Information**  
The Monitoring Officer will be the Proper Officer for Access to Information and will ensure that Council, Cabinet and Committee decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- g) **Proper Officer for receipt of Notices**  
The Monitoring Officer will be the Proper Officer for receipt of all Notices save for those notices listed under the Chief Executive where the Monitoring Officer shall deputise for the Chief Executive.
- h) **Advising whether decisions of the Council's Constitutional Bodies are within the Budget and Policy Framework**  
The Monitoring Officer will, in conjunction with the Chief Finance Officer, advise whether proposed decisions are in accordance with the Budget and Policy Framework.  
**Providing Advice**
- i) The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and Officers.
- j) **Restrictions on Post**  
The Monitoring Officer cannot be the Chief Finance Officer or the Chief Executive.

## **12.8 Functions of the Chief Finance Officer**

These are set out in section 6 of the Local Government and Housing Act 1989. The functions of the Chief Finance Officer are:

- (a) **Ensuring Lawfulness and Financial Prudence of Decision making**  
After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the Full Council or to the Cabinet in relation to a Cabinet function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item or account unlawfully.
- (b) **Administration of Financial Affairs**  
The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management**  
The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice
- (d) **Providing Advice**  
The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles
- (e) **Give Financial Information**  
The Chief Finance Officer will provide financial information to the media, members of the public and the community.
- (f) **Advising whether Decisions of the Cabinet are within the Budget and Policy Framework**  
The Chief Finance Officer will, in conjunction with the Monitoring Officer, advise whether decisions of the Cabinet are in accordance with the Budget and Policy Framework
- (g) **Restriction on Post**
  - (i) The Chief Finance Officer cannot be the Monitoring Officer or the Head of Democratic Services.
  - (ii) The Chief Finance Officer must be a member of one or more of the following professional bodies:
    - The Institute of Chartered Accountants in England and Wales;
    - The Chartered Association of Certified Accountants;
    - The Chartered Institute of Public Finance and Accountancy;
    - The Chartered Institute of Management Accountants; or
    - Any other body of accountants established in the UK and for the time being approved by the Welsh Ministers for this purpose.

## **12.9 Functions of the Head of Democratic Services**

These are set out in section 9 of the Local Government Measure 2011. The functions of the Head of Democratic Services are:

- (a) To provide support and advice to the authority in relation to its

- meetings;
- (b) To provide support and advice to committees of the authority and the members of those committees;
  - (c) To provide support and advice to any joint committee which a local authority is responsible for organising and the members of that committee;
  - (d) To provide support and advice to the authority's Democratic service Committee and the members of that Committee;
  - (e) To provide support and advice to the authority's Scrutiny Committee and the members of that Committee;
  - (f) To provide support and advice to each member of the authority in carrying out the role of member of the authority;
  - (g) To make reports and recommendations in respect of any of the following:
    - The number and grades of staff required to discharge democratic services functions;
    - The appointment of staff to discharge democratic services functions;
    - The organisation and proper management of staff discharging democratic services functions;
  - (h) Such other functions as may be prescribed by law
  - (i) Restrictions on Post

The Head of Democratic Services cannot be the Chief Executive or the Chief Finance Officer.

#### **12.10. Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer, Chief Finance Officer and Head of Democratic Services**

The Council will provide the Chief Executive, the Monitoring Officer, the Chief Finance Officer and the Head of Democratic Services with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

#### **12.11 Conduct**

Officers will comply with the Officers' Code of Conduct and Protocol on Officer/Member Relations set out in [Part 5](#) of this Constitution.

#### **12.12 Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in [Part 4](#) of this Constitution.

[↑](#)