

## Council

You are hereby summoned to attend the Annual Meeting of the **Council of the City and County of Swansea** to be held in the Council Chamber - Guildhall, Swansea on Thursday, 24 May 2018 at 4.00 pm.

The following business is proposed to be transacted:

1. **Election of Presiding Member for 2018-2019 Municipal Year.**
2. **Election of Deputy Presiding Member for 2018-2019 Municipal Year.**
3. **Apologies for Absence.**
4. **Disclosures of Personal and Prejudicial Interests.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
5. **Minutes.** 1 - 7  
To approve & sign the Minutes of the previous meeting(s) as a correct record.
6. **Announcements of the Presiding Member/Head of Paid Service.**
7. **Names of Councillors that the Leader of the Council has chosen to be Members of the Cabinet. (For Information)**
8. **Constitutional Matters 2018-2019.** 8 - 50
9. **General Data Protection Regulations (GDPR) – Data Protection Policy.** 51 - 69
10. **Policy Development and Delivery Committees Annual Report 2017/2018.** 70 - 79
11. **Common Seal.**



**Huw Evans**  
**Head of Democratic Services**  
**Guildhall,**  
**Swansea.**  
**Tuesday, 15 May 2018**  
**To: All Members of the Council**



## City and County of Swansea

### Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 26 April 2018 at 5.00 pm

**Present:** Councillor D W W Thomas (Chair) Presided

#### **Councillor(s)**

C Anderson  
M C Child  
N J Davies  
M Durke  
W Evans  
L S Gibbard  
J A Hale  
C A Holley  
O G James  
P K Jones  
J W Jones  
M A Langstone  
W G Lewis  
P Lloyd  
P N May  
C L Philpott  
J A Raynor  
B J Rowlands  
R V Smith  
D G Sullivan  
L G Thomas  
L J Tyler-Lloyd  
T M White

#### **Councillor(s)**

P M Black  
S E Crouch  
A M Day  
V M Evans  
E W Fitzgerald  
F M Gordon  
D W Helliwell  
B Hopkins  
Y V Jardine  
S M Jones  
E J King  
M B Lewis  
A S Lewis  
I E Mann  
H M Morris  
S Pritchard  
C Richards  
M Sherwood  
A H Stevens  
M Sykes  
W G Thomas  
G D Walker

#### **Councillor(s)**

J E Burtonshaw  
J P Curtice  
C R Doyle  
C R Evans  
S J Gallagher  
K M Griffiths  
T J Hennegan  
D H Hopkins  
M H Jones  
L R Jones  
E T Kirchner  
R D Lewis  
C E Lloyd  
P M Matthews  
D Phillips  
A Pugh  
K M Roberts  
P B Smith  
R C Stewart  
G J Tanner  
M Thomas  
L V Walton

#### **Apologies for Absence**

Councillor(s): P Downing, R Francis-Davies, P R Hood-Williams and L James

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

The Head of Legal and Democratic Services gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

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

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

- 1) Councillor M C Child declared a Personal Interest in Minute 190 "Local Democracy & Boundary Commission for Wales - Local Boundary Review".

**183. Minutes.**

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

- 1) Ordinary Meeting of Council held on 22 March 2018.

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

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

**185. Announcements of the Presiding Member.**

**1) Condolences**

**a) Elsie May Thomas, Mother of Councillor Mark Thomas**

The Presiding Member referred with sadness to the recent death of Elsie May Thomas, mother of Councillor Mark Thomas. Elsie was 94 years of age.

**b) Doreen Thomas, Wife of Honorary Alderman Charles Thomas**

The Presiding Member referred with sadness to the recent death of Former Mayoress of Swansea, Doreen Thomas, wife of Honorary Alderman, former Councillor and former Mayor Charles Thomas (St. Thomas).

Please stand as a mark of sympathy and respect.

**2) Councillor Sybil E Crouch**

The Presiding Member welcomed Councillor S E Couch back following her illness.

**3) Gold Coast, Australia Commonwealth Games 2018**

The Presiding Member congratulated the Gold Coast, Australia for hosting a successful 2018 Commonwealth Games. Team Wales' Gold Coast efforts were rewarded with their most successful Commonwealth Games by equalling their medal tally from Glasgow 2014. Team Wales ended the games in 7<sup>th</sup> position with 36 medals (10 Gold, 12 Silver and 14 Bronze).

**4) Ceremonial Council - 18 May 2018**

The Presiding Member reminded Councillors that invitations to the Ceremonial Meeting of Council for the Lord Mayor's Inauguration had been sent. The Ceremonial Council is scheduled for 14.00 on Friday, 18 May 2018. A RVSP is required to the Civic Officer (Jo-anne Jones) no later than noon on 4 May 2018.

**5) 2018 MJ Awards**

The MJ Awards is one of the UK's leading Local Government honour schemes. The Presiding Member congratulated the Authority for being recognised three times in the 2018 MJ Awards.

The Waste Management Team was in the Best Council Services Team category. They will find out if they have won top prize on 27 June 2018.

The Agile Working Project is commended in the Innovation in Property and Asset Management category.

The Colliers Way Passivhaus Pilot Scheme is commended in the Best Social Housing Initiative category.

**6) Huw, Evans, Head of Democratic Services - Eastern European Cader Man Cycling Adventure**

The Presiding Member offered the Council's best wishes to Huw Evans, Head of Democratic Services for his forthcoming Eastern European Cycling Adventure. Huw and 10 others will be flying to Krakow, Poland on 20 May 2018 and cycling from there through Ukraine, Belarus and ending in Vilnius, Lithuania. They will be cycling just short of 700 miles over 6 days (more if they get lost). They will be unsupported and required to carry all of their gear for the duration.

The purpose of the trip is to raise money for Bloodwise, a UK Blood Cancer Charity. Please feel free to donate directly to Huw or via the Cader Man Just Giving page.

<https://www.justgiving.com/fundraising/caderman2018>

**7) Amendments / Correction to the Council Summons**

**a) Item 14 "Councillors' Questions" - Question 9.**

The Presiding Member stated that additional information had been circulated in relation to Item 14 "Councillors' Questions" - Question 9. This information was not available at the time of printing the Council Summons.

**186. Announcements of the Leader of the Council.**

**1) Swansea Bay Region City Deal - Update**

The Leader of the Council stated that the Swansea Bay Region City Deal had successfully negotiated to retain 50% of the National Non Domestic Rates (NNDR) in relation to specific projects.

He also stated that a capitalisation directive had also been secured allowing some monies to be moved into the revenue budget.

He concluded by announcing that Ed Tomp had been appointed as Chair of the Strategy Board.

**187. Public Questions.**

A question was asked by a member of the public in relation to Minute 191 "Swansea Public Service Board Local Well-being Plan – Working Together for a Better Future".

The relevant Cabinet Member responded accordingly. No questions required a written response.

**188. Public Presentation - None.**

No Public Presentations were received.

**189. Code of Practice - Ethical Employment in Supply Chains.**

The Commercial Opportunities & Innovation Cabinet Member and Service Transformation & Business Operations Cabinet Member jointly submitted a report, which sought endorsement to sign up to the Ethical Employment in Supply Chains Code of Practice.

**Resolved that:**

- 1) The Authority sign up to the Ethical Employment in Supply Chains Code of Practice;
- 2) The action plan be noted and delegated to the Director of Place to implement.

**190. Local Democracy & Boundary Commission for Wales - Local Boundary Review. (Presentation)**

Theo Joloza, Steve Halsall, Matt Redmond and Dan Mosely, of the Local Democracy & Boundary Commission for Wales gave a presentation on the forthcoming Local Boundary Review for the City and County of Swansea. They outlined the process for the review of the electoral arrangements for the City and County of Swansea.

They stated that the Commission would welcome any comments from the Authority. The consultation period begins on 4 May 2017 and closes on 26 July 2017.

The presentation was followed by a question and answer session.

**Resolved** that:

- 1) The presentation be noted.

**191. Swansea Public Service Board Local Well-being Plan – Working Together for a Better Future.**

The Leader of the Council submitted a report, which sought approval for the Swansea Public Service Board's Local Well-being Plan which included the Local Well-being Objectives and the steps the Partnership will take to achieve them as set out within the Well-Being of Future Generations (Wales) Act 2015 and statutory guidance.

**Resolved** that:

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

**192. Membership of Committees.**

The Service Transformation & Business Operations Cabinet Member stated that an amended report had been circulated.

He stated that the Leader of the Council had not made changes to the Authority's Outside Bodies.

**Resolved** that:

- 1) The membership of the Council Bodies listed below be amended as follows:
  - i) **Economy & Infrastructure Policy Development and Delivery Committee**  
Remove Councillor L S Gibbard.  
Add Councillor P B Smith.
  - ii) **Poverty Reduction Policy Development and Delivery Committee**  
Remove Councillors P K Jones.  
Add Councillor G J Tanner.

**193. Scrutiny Dispatches – Quarterly Impact Report.**

The Chair of the Scrutiny Programme Committee submitted an information report setting out the Scrutiny Dispatches - Quarterly Impact Report.

**194. Councillors' Questions.**

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

Eight (8) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

No supplementary question(s) required a written response.

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

Four (4) Part B 'Questions not requiring Supplementary Questions' were submitted.

**195. Notice of Motion - Councillors M C Child, R Francis-Davies, W Evans, C A Holley, D H Hopkins, P K Jones, A S Lewis, C E Lloyd, J A Raynor, M Sherwood, R C Stewart & M Thomas**

Proposed by Councillor P K Jones and Seconded by Councillor R C Stewart.

*"This Council believes that leaving the European Union, without reasonable arrangements having first been put in place, will cause serious long-term harm to the people of Swansea, Wales and the UK.*

*We note recent Government impact reports, which confirm that leaving the European Union will harm growth and prosperity, and reduce GDP by between 1.5% and 9.5%. These negative impacts will damage people's jobs, incomes, pensions and opportunities. In addition, leaving the EU will put at risk many environmental protections, which require close international cooperation in order to be effective.*

*The overall level of impact will, of course, depend upon the arrangements put in place for our future relationship with the EU. However, all scenarios make it clear that the UK, Wales and Swansea will be poorer outside the EU.*

*This Council, therefore, calls upon the UK Government to ensure that the most important decision faced by this country in generations is subject to a meaningful vote.*

*This vote should be in the form of a free Parliamentary vote on the post Brexit deal that has been negotiated.*

*We call upon the Leader to write on behalf of the Council, to the UK Government and Welsh Government, to relay our views on this matter."*

**Resolved** that:

The Notice of Motion be approved.

The meeting ended at 8.55 pm

**Chair**





## Joint Report of the Head of Democratic Services & Monitoring Officer

Annual Meeting of Council - 24 May 2018

### Constitutional Matters 2018-2019

<b>Purpose:</b>	To inform Council of all necessary Constitutional matters in order to enable the efficient and lawful operation of Council.
<b>Policy Framework:</b>	Council Constitution.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:
1)	The Council Bodies and the Number of Allocated Seats as listed in <b>Appendix C</b> be appointed for the Municipal Year 2018-2019;
2)	The “ <b>Leader and Deputy Leader of the Council</b> ” be paid a <b>Band 1, Group A, Senior Salary</b> : <ul style="list-style-type: none"> <li>• Leader of the Council (£53,300);</li> <li>• Deputy Leader of the Council (£37,300).</li> </ul>
3)	The “ <b>Executive Members</b> ” be paid a <b>Band 2, Group A, Senior Salary</b> (£32,300): <ul style="list-style-type: none"> <li>• Cabinet Members x 8.</li> </ul>
4)	The “ <b>Committee Chairs</b> ” be paid a <b>Band 3, Group A, Senior Salary</b> (£22,300): <ul style="list-style-type: none"> <li>• Chair of General Licensing Committee;</li> <li>• Chair of Planning Committee;</li> <li>• Chair of Economy &amp; Infrastructure Policy Development Committee;</li> <li>• Chair of Education &amp; Skills Policy Development Committee;</li> <li>• Chair of Poverty Reduction Policy Development Committee;</li> <li>• Chair of Safeguarding Policy Development Committee;</li> <li>• Chair of Transformation &amp; Future Council Policy Development Committee;</li> <li>• Chair of Scrutiny Programme Committee.</li> </ul>

5)	The Independent Remuneration Panel for Wales (IRPW) determination that the “ <b>Leader of the Largest Opposition Political Group</b> ” must be paid a <b>Band 4, Senior Salary</b> (subject to the 10% rule) (£22,300) be noted;
6)	The following positions be paid a <b>Level 1, Civic Salary</b> (subject to them not already being in receipt of a Senior Salary): <ul style="list-style-type: none"> <li>• Lord Mayor (Civic Head) (£24,300);</li> <li>• Deputy Lord Mayor (Deputy Civic Head) (£18,300).</li> </ul>
7)	A <b>Presiding Member</b> and <b>Deputy Presiding Member</b> be re-established and that they Chair Meetings of Council. These posts will not receive a Senior Salary;
8)	The Committees listed in <b>Appendix D</b> be exempted by Council from the Local Government (Committees and Political Groups) Regulations 1990 for the Municipal Year 2018-2019 in order to allow greater representation on these Committees by the Opposition Political Groups;
9)	Councillors be allocated to serve on Council Bodies in line with the nominations received from the Political Groups;
10)	The Leader of the Council’ decision to allocate Councillors to sit on Outside Bodies as outlined in <b>Appendix E</b> be noted;
11)	The adoption of the Council Constitution which may be viewed at <a href="http://www.swansea.gov.uk/constitution">www.swansea.gov.uk/constitution</a> be reaffirmed including any amendments made at this meeting;
12)	Councillor P M Black be re-elected as Chair of the Democratic Services Committee;
13)	Those Co-opted Members eligible for Co-opted Member payments be paid a maximum of 20 full days per Municipal Year;
14)	Sections A and D The Councillors Handbook which may be viewed at <a href="http://www.swansea.gov.uk/CllrsHandbook">www.swansea.gov.uk/CllrsHandbook</a> be reaffirmed;
15)	Sections B and C of the Councillors Handbook as recommended by the Democratic Services Committee held on 16 April 2018 and outlined in <b>Appendix F</b> be adopted;
16)	The list of Member Champion Areas and Responsible Councillors as outlined in <b>Appendix G</b> be noted;
17)	The Councillor Mileage Distances 2017-2022 as amended be noted;

18)	The Council Bodies Diary 2018-2019 as listed in <b>Appendix I</b> be confirmed and adopted;
19)	Any consequential amendments to the Council Constitution and / or Councillors as a result of this report be carried out.
<b>Report Author:</b>	Huw Evans
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Sherill Hopkins

## 1. Introduction

- 1.1 The Council operates within a legal framework established by the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government Act 2000, the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, the Local Government (Wales) Measure 2011 and other relevant legislation (“the legislation”). Additionally, the Independent Remuneration Panel for Wales (IRPW) determines the remuneration available to Councillors and Co-opted Members.
- 1.2 This report seeks to address the requirements of the legislation and the Council Constitution.

## 2. Independent Remuneration Panel for Wales (IRPW)

- 2.1 The IRPW Annual Report of February 2018 sets out the new framework for Councillor and Co-opted Member remuneration. The IRPW determinations are included in this report. Nineteen (19) of the 72 City and County of Swansea Councillors are eligible to receive a Senior Salary payment. The Civic Salary and Senior Salary includes the Basic Salary.
- 2.2 The IRPW have prescribed payment levels for Basic Salary, Civic Salary, Senior Salary (**Appendix A**) and the Fees for Co-opted Member (with Voting Rights) of Local Authorities (**Appendix B**).
- 2.3 A Council **must** pay a Senior Salary to the **Leader of the Largest Opposition Political Group** subject to them having 10% or more of the total number of Council seats in their Political Group.
- 2.4 A Council can consider whether to pay a Senior Salary to **Leaders of the Other Political Groups** if they have 10% or more of the total number of Council seats in their Political Group. However, if Council resolve to make such a payment, it would be taken from the nineteen Senior Salaries permitted within the Authority.
- 2.5 Under Section 154 of the Local Government (Wales) Measure 2011, any Councillor or Co-opted Member may elect to forego any part of their entitlement to a salary, allowance or fee by giving notice in writing to the Monitoring Officer.

### 3. Senior Salaries

- 3.1 The IRPW state that each Council should decide whether to pay Senior Salaries and to identify those positions that will attract the payment. It is proposed that the following positions be paid Senior Salaries:

1)	Leader of the Council;
2)	Deputy Leader of the Council;
3)	Cabinet Members x 8;
4)	Chair of General Licensing Committee;
5)	Chair of Planning Committee;
6)	Chair of Economy & Infrastructure Policy Development Committee;
7)	Chair of Education & Skills Policy Development Committee;
8)	Chair of Poverty Reduction Policy Development Committee;
9)	Chair of Safeguarding Policy Development Committee;
10)	Chair of Transformation & Future Council Policy Development Committee;
11)	Chair of Scrutiny Programme Committee.

- 3.2 A Council **must** pay a Senior Salary to the **Leader of the Largest Opposition Political Group** subject to them having 10% or more of the total number of Council seats in their Political Group.

### 4. Civic Salary

- 4.1 The IRPW determined that Authorities are permitted to pay a Civic Salary to the Civic Head & Deputy Civic Head (Lord Mayor and Deputy Lord Mayor). These payments do not count towards the 19 permitted Senior Salaries. A Councillor may not be in receipt of both a Senior Salary and Civic Salary payment.
- 4.2 Council must decide whether to remunerate the Civic Head and the Deputy Civic Head. If Council agrees to remunerate them, then it must consider at what Level they should be remunerated as set out below:

<b>Remuneration of Civic Heads and Deputy Civic Heads (Inclusive of Basic Salaries)</b>		
	<b>Civic Heads</b>	<b>Deputy Civic Heads</b>
Level 1	£24,300	£18,300
Level 2	£21,800	£16,300
Level 3	£19,300	£14,300

- 4.3 Prior to deciding whether or not and / or at what level the Civic Heads should be remunerated, the question 'Who should Chair Council?' needs to be addressed. This question is considered up the "Presiding Member" section of the report.

- 4.4 The IRPW state that each Council should decide whether to pay Civic Salaries. It is proposed that the following be paid Civic Salaries:

1)	Lord Mayor;
2)	Deputy Lord Mayor.

## **5. Presiding Member**

- 5.1 The Local Government (Democracy) (Wales) Act 2013 allows Councils to appoint an additional post of Presiding Member whose role it will be to Chair meetings of the whole Council. Where appointed, there would be a consequential reduction in the responsibilities of the respective Civic Head.
- 5.2 As such the Authority must decide whether to appoint a Presiding Member to Chair Council or to allow the Civic Head to do so. This decision may affect the level that the remuneration of the Civic Head / Deputy Civic Head is set.
- 5.3 If a Presiding Member is appointed, and if Council resolves to remunerate the post then the position would be paid at a Band 3, Senior Salary Level in line with the Committee Chairs. If remunerated, this would count towards the maximum allowed of 19 Senior Salaries.
- 5.4 The Authority may also appoint a Deputy Presiding Member; however this post would not be remunerated.
- 5.5 Previous Annual Meetings of Council have resolved to appoint a Presiding Member and a Deputy Presiding Member. Council is asked to review its latest decision and to determine whether to continue with a Presiding Member or not.

## **6. Annual Meeting of Council**

- 6.1 The Authority's Council Constitution which is based on legislation outlines what needs to be considered at the Annual Meeting of Council (Council Procedure Rule 8). This report seeks to address those requirements.

## **7. Political Balance / Committee Proportionality**

- 7.1 Council is required to decide the allocation of seats to Political Groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (SI 1553/90) as amended. A simple explanation of these rules was presented to the Annual Meeting of Council on 24 May 2012.
- 7.2 The Standards Committee is exempt from the above legislation as outlined in Section 12 "Allocation of seats to Political Groups" of the Standards Committee (Wales) Regulations 2001.

7.3 The Ruling Group have liaised with the Head of Democratic Services in order to outline its view on the structure and size of Council Bodies. The relevant proportional calculations have been made and shared with all Political Groups. This process culminates with this report to Council seeking approval to the structure and size of Council Bodies.

## **8. Appointment of Committees and Other Council Bodies and their Sizes**

8.1 The Council Bodies and the Number of Allocated Seats (in accordance with Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (SI 1553/90) as amended are listed in **Appendix C**. It is proposed that these Council Bodies be established.

8.2 In the event of any changes made to the size of these Council Bodies then it will necessitate the recalculation of Political Balance.

8.3 A number of Committees are exempted from the Local Government (Committees and Political Groups) Regulations 1990 as they are covered by separate legislation. Council also has the right to exempt a Committee from the legislation providing that it has the unanimous backing of all Councillors voting at the meeting. A list outlining such bodies is shown at **Appendix D**.

## **9. Allocation of Councillors to the Council Bodies**

9.1 Councillors be allocated to serve on Council Bodies in line with the nominations received from the Political Groups.

9.2 The list showing the allocation of Councillors will be included in the minutes of the Annual Meeting of Council.

## **10. Allocation of Councillors to Outside Bodies**

10.1 The Leader of the Council has allocated Councillors to sit on Outside Bodies as outlined in **Appendix E**.

10.2 The list showing Councillors and their allocation to Outside Bodies will be included in the minutes of the Annual Meeting of Council.

## **11. Democratic Services Committee**

11.1 The Local Government (Wales) Measure 2011 states that a Democratic Services Committee and Chair must be appointed by Council. The Committee Chair must be an Opposition Member. The Leader of the Council shall not sit on this Committee. No more than one Cabinet Member shall sit on this Committee. Co-opted Members are not permitted to sit on this Committee.

11.2 Councillor P M Black is the current Chair of the Democratic Services Committee.

## **12. Co-opted Members**

- 12.1 The IRPW has confirmed that reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
- 12.2 Travelling time to and from the place of the meeting can be included in the claims for payments to Co-opted Members (up to the maximum of the daily rate).
- 12.3 The Head of Democratic Services can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- 12.4 Meetings eligible for the payment of the fee include other Committees and Working Groups (including task and finish groups), pre-meetings with Officers, training and attendance at conferences or any other formal meeting to which Co-opted Members are requested to attend by the Head of Democratic Services.
- 12.5 It is proposed to maintain payments to Co-opted Members at a maximum of 20 full days' payments per Municipal Year.

## **13. Councillors Handbook**

- 13.1 The Councillors Handbook [www.swansea.gov.uk/CllrsHandbook](http://www.swansea.gov.uk/CllrsHandbook) provides guidance for Councillors and Co-opted Members. The handbook contains information about Remuneration, Support for Councillors and Co-optee Members, Protocols and Role Descriptions.
- 13.2 The Democratic Services Committee reviewed Sections A and D at its meeting on 7 November 2017 and Council considered and adopted these recommendations on 14 December 2017.
- 13.3 The Democratic Services Committee reviewed Sections B and C at its meeting on 16 April 2018 and Council is asked to adopt the amended Sections B and C as outlined in **Appendix F**.

## **14. Appointment of Chairs & Vice Chairs of Committees**

- 14.1 Following the close of the Annual Meeting of Council, a number of Committees shall meet in order to elect Chairs and Vice Chairs to those Committees.

## **15. Member Champions**

- 15.1 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.

- 15.2 Member Champions, (sometimes called Lead Members or Councillor Champions) 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. Further information relating to Member Champions may be found within the 'Member Champions' report (Council on 17 January 2013).
- 15.3 Member Champions are appointed by the Leader of the Council. The Leader of the Council informs Council of whom he has appointed to the Member Champion roles. The Leader of Council's appoints are set out in **Appendix G**.
- 15.4 The "Member Champion - Generic Role Description" and the "Equality Member Champion Role Description" which have been extracted from the Councillors Handbook are set for information in **Appendix H**.
- 15.5 The Leader of the Council is keen to ensure that the work of the Member Champions is included in an annual report to Council.

## **16. Review of Councillors Mileage Distances**

- 16.1 Council, at its meeting on 3 December 2009 resolved to conduct a review of Councillors home to Guildhall / Civic Centre, single and return journeys using the RAC website (RAC Route Planner). The Councillors Mileage Distances to be used for the Council term 2017-2022 were presented to the Annual Meeting of Council on 25 May 2017. These figures have been slightly updated to correct a typographical error.

## **17. Council Bodies Diary 2018-2019**

- 17.1 Section 6 "Timing of Council Meetings" of the Local Government (Wales) Measure 2011 places a duty on Authorities to conduct a survey of its Councillors in relation to the timing of its Meetings. The Measure states that such a survey should be undertaken at least once in each Council term.
- 17.2 The Timing of Council Meetings survey was held between 21 December 2017 and 12 January 2018. Council at its meeting on 6 March 2018 considered the survey responses and resolved to note the responses and to maintain the status quo of timings.
- 17.3 The Timing of Council Meetings survey responses were considered in preparing the Council Bodies Diary. The Council Bodies Diary 2018-2019 is shown as **Appendix I**.

## **18. Equality and Engagement Implications**

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



## 19. Financial Implications

19.1 All financial impacts of this report are contained within existing budgets.

## 20. Legal Implications

20.1 There are no legal implications associated with this report other than those identified within it.

**Background Papers:** None

### Appendices:

<b>Appendix A</b>	Basic Salary, Civic Salary and Senior Salary Payments. (Group A Councils) as Prescribed by IRPW - February 2018
<b>Appendix B</b>	Fees for Co-opted Member (with Voting Rights) of Local Authorities as Prescribed by the IRPW - February 2018.
<b>Appendix C</b>	Council Bodies & Number of Allocated Seats 2018-2019.
<b>Appendix D</b>	Proposed Exemption from Committee Balance Rules.
<b>Appendix E</b>	Leader of the Council's Allocation of Councillors to Sit on Outside Bodies.
<b>Appendix F</b>	Sections B and C of the Councillors Handbook as proposed by the Democratic Services Committee - 16 April 2018.
<b>Appendix G</b>	Member Champion Areas & Responsible Councillors.
<b>Appendix H</b>	Member Champion – Generic Role Description and Equality Member Champion Role Description. Extract from Councillors Handbook.
<b>Appendix I</b>	Council Bodies Diary 2018-2019.

## Appendix A

### Basic Salary, Civic Salary and Senior Salary Payments (Group A Councils) as Prescribed by IRPW - February 2018

<b>Basic Salary</b>	£13,600
<b>Senior Salaries (inclusive of Basic Salary)</b>	
<b>Band 1</b>	
Leader of the Council	£53,300
Deputy Leader of the Council	£37,300
<b>Band 2</b>	
Executive Member (Cabinet Member)	£32,300
<b>Band 3</b>	
Committee Chairs	£22,300
<b>Band 4</b>	
Leader of the Largest Opposition Political Group *1	£22,300
<b>Band 5</b>	
Leader of Other Political Groups *2	£17,300
<b>Civic Salaries (inclusive of Basic Salary)</b>	
Civic Head (Mayor / Chair of Council) <b>Level 1</b>	£24,300
Civic Head (Mayor / Chair of Council) <b>Level 2</b>	£21,800
Civic Head (Mayor / Chair of Council) <b>Level 3</b>	£19,300
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) <b>Level 1</b>	£18,300
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) <b>Level 2</b>	£16,300
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) <b>Level 3</b>	£14,300

**Note:**

- \*1 Leader of the Largest Opposition Political Groups** – They are only entitled to a Senior Salary if they have 10% or more of the total number of Council seats in their Political Group. If the 10% rule is achieved then the payment is automatic.
- \*2 Leaders of the Other Political Groups** – They are only entitled to a Senior Salary if they have 10% or more of the total number of Council seats in their Political Group and Council resolve to remunerate them.

## Appendix B

### Fees for Co-opted Member (with Voting Rights) of Local Authorities As Prescribed by the IRPW - February 2018

Chair of Standards Committee and Chair of Audit Committee	4 Hours and Over	£256
	Up to 4 Hours	£128
Ordinary Members of Standards Committee; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	4 Hours and Over	£198
	Up to 4 Hours	£99
Community / Town Councillors sitting on Principal Council Standards Committee	4 Hours and Over	£198
	Up to 4 Hours	£99

## Council Bodies & Number of Allocated Seats 2018-2019

## Appendix C

Body	Seats	Comments	Status
Council	72	Automatically Proportional	
Cabinet	10	Not Part of PR Calculations	SS
<b>Committees</b>			
Appeals & Awards	7		
Appointments	13		
Audit	13	Chaired by an Independent Person. 1 Ind Person & 13 Cllrs.	
Chief Exec Appraisal & Remuneration	9	Leader & Deputy Leader of Ruling Group and Largest Opposition Group, Leader only of other Political Groups and 3 other Labour.	XPR
Chief Officers Disciplinary	13	At least 1 member of Cabinet must sit on this Cttee but no more than 50% of the Cttee are permitted to be Cabinet Members	
Chief Officers Disciplinary Appeals	13	At least 1 member of Cabinet must sit on this Cttee but no more than 50% of the Cttee are permitted to be Cabinet Members	
Democratic Services	13	Chair must be an Opposition Councillor and appointed by Council.	
Family Absence Complaints		As per Council of 12 August 2014	
Economy & Infrastructure Policy Development	12		SS
Education & Skills Policy Development	12		SS
Poverty Reduction Policy Development	12		SS
Safeguarding Policy Development	12		SS
Transformation & Future Council Policy Development	12		SS
JCC	7		
General Licensing	12		SS
<i>General Licensing Sub</i>	3	Drawn proportionally from General Licensing Cttee.	
Statutory Licensing	12		
<i>Statutory Licensing Sub</i>	3	Drawn proportionally from Statutory Licensing Cttee.	
Pension Fund	6	Chaired by the Cabinet Member with responsibility for Finance.	
Planning	12	1. Membership between 11 & 21. 2. Quorum is 50%. 3. Only 1 Cllr from an Electoral Ward may sit on the Cttee. 4. Use of Substitute Members prohibited.	SS
Scrutiny Programme	13		SS
Standards	9	Standards Committee (Wales) Regulations 2001. 5 Ind, 3 CCS Cllrs & 1 C/T Cllr	XPR
West Glamorgan Archives	5	Independent Chair	
<b>Panels, Forums, Groups etc.</b>			
Admissions Panel	6		
Armed Forces Community Covenant Signatories Panel	1	Armed Forces Member Champion	XPR
Challenge Panel	13	Must contain Leader of Largest Opposition Political Group (Chair) and Leader of the Second Largest Political Group (Vice Chair).	
Community / Town Councils Forum	12	All Cabinet Members, Chair of Planning and Chair of General Licensing.	XPR
Corporate Parenting Board	9	5 Ruling Group Cllrs , 2 Largest Opposition Group Cllrs, 1 Representative from each other Political Group.	XPR
Constitution Working Group	9	Presiding Member, Deputy Presiding Member, Leader & Deputy Leader of Ruling Group & Largest Opposition Group, Leader of other Political Groups & Cabinet Member with responsibility for Constitutional Matters.	XPR
Development Advisory Group (DAG)	3	This is a Cabinet Body.	XPR
External Funding Panel	10	This is a Cabinet Body. All Cabinet Members to have a vote.	XPR
Gower AONB Partnership Group	6	Chaired by Chair of Planning Committee	
<i>Sustainable Development Fund Panel</i>	2	Chaired by Chair of Planning Committee	
<i>Sustainable Development Fund Appeal Panel</i>	1		
Local Pension Board	1		
Social Services Rota Visits Group	14	9 Ruling Group Cllrs, 2 Largest Opposition Group Cllrs, 2 Second Largest Opposition Group Cllrs, 1 Representative from remaining Political Group.	XPR
Standards Cttee Vacancy Panel	3		
Swansea Student Liaison Forum (SSLF)	23	Relevant Cabinet Member & Cllrs with student issues within their Electoral Ward.	XPR
Trustees Panel	17		

SS - Committees that attract Senior Salary

XPR - Bodies exempt from Proportionality.

### Proposed Exemption from Committee Balance Rules

1. A number of Committees are exempt from the Local Government (Committees and Political Groups) Regulations 1990 as they are covered by other separate legislation. Council also has the right to exempt a Committee from the legislation providing that it has the unanimous backing of all Councillors voting at the meeting. The following is a list of the Committees covered by separate legislation together with a reference to that legislation and those proposed to be exempted by Council.
  - 1.1 **Chief Executive's Appraisal and Remuneration Committee.** Council is asked to exempt this from the Committee Balance Rules in order to allow the following membership: Leader & Deputy Leader of the Ruling Group and Largest Opposition Group, Leader only of other Political Groups and 3 other Labour Councillors.
  - 1.2 **Standards Committee.** This is made up of 5 Independent Members, 3 Councillors and 1 Community / Town Councillor. By virtue of Section 53 (10) of the Local Government Act 2000 a Standards Committee and the Standards Committees (Wales) Regulations 2001, the Standards Committee is not required to comply with Section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to Political Groups).
  - 1.3 **Community / Town Councils Forum.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that only the Cabinet Members and Chairs of Planning Committee and General Licensing Committee are represented on it.
  - 1.4 **Corporate Parenting Board.** Council is asked to exempt this from the Committee Balance Rules in order to allow the following membership: 5 Ruling Group Cllrs (Labour), 2 Largest Opposition Group Cllrs (Lib Dem & Ind Opposition), 1 Representative from each other Political Group (Conservative and Uplands).
  - 1.5 **Swansea Student Liaison Forum (SSLF).** Council is asked to exempt this from the Committee Balance Rules in order to ensure that the Relevant Cabinet Member and the Councillors from Castle, Gorseinon, Killay North, Kingsbridge, Loughor Lower, Loughor Upper, Oystermouth, Sketty, St. Thomas, Townhill and Uplands Electoral Wards are represented on it.
  - 1.6 **Social Services (SS) Rota Visits Group.** Council is asked to exempt this from the Committee Balance Rules in order to allow the following membership: 9 Ruling Group Cllrs, 2 Largest Opposition Group Cllrs, 2 Second Largest Opposition Group Cllrs, 1 Representative from remaining Political Group.
  - 1.7 **Constitution Working Group.** Council is asked to exempt this from the Committee Balance Rules in order to allow the following membership and representation by each Political Group: Presiding Member, Deputy Presiding Member, Leader & Deputy Leader of Ruling Group & Largest Opposition Group, Leader of other Political Groups & Cabinet Member with responsibility for Constitutional Matters.

## Leader of the Council's Allocation of Councillors to Sit on Outside Bodies

<b>ABMU Community Health Council</b>	Elliott King
	Hazel Morris
	Mo Sykes
<b>Association of Public Service Excellence (APSE)</b>	Clive Lloyd
<b>Bay Leisure Ltd</b>	Mandy Evans
	Louise Gibbard
<b>Cambrian Educational Foundation for Deaf Children</b>	Andrea Lewis
<b>EOTAS (Education Other Than At School) Steering Group</b>	Jennifer Raynor
<b>Fostering Panel (Friends and Family)</b>	Mo Sykes
<b>Fostering Panel (Mainstream Panel)</b>	Mandy Evans
<b>Gower College Swansea</b>	Oliver James
	Kelly Roberts
<b>Gower Commoners Association</b>	Andrew Stevens
<b>Heart of Wales Line Forum</b>	Paul Lloyd
<b>Inter Authority Agreement for Food Waste</b>	Mandy Evans
	Mark Thomas
<b>Joint Council of Wales (South Wales Provincial Council)</b>	Rob Stewart
	Clive Lloyd
<b>Loans and Savings Abertawe (LASA) Credit Union</b>	Lesley Walton
<b>Local Government Association (LGA) Executive</b>	Mark Thomas
	Clive Lloyd
	Andrea Lewis
	Rob Stewart
<b>Mid and West Wales Fire Authority</b>	Joe Hale
	Des Thomas
	Terry Hennegan
	Gloria Tanner
	Jan Curtice
	Gordon Walker
	Richard Lewis

<b>National Association of British Market Authorities</b>	Robert Francis-Davies
<b>National Waterfront Museum (Swansea) Ltd</b>	Erika Kirchner
	Joe Hale
	Robert Francis-Davies
<b>Oystermouth Castle Management Board</b>	Mark Child
<b>PATROL (Parking And Traffic Regulations Outside London) Steering Group</b>	Joe Hale
<b>PRU (Pupil Referral Unit) Management Board</b>	Jennifer Raynor
<b>Reserve Forces &amp; Cadets Association for Wales</b>	Armed Forces Member Champion (June Burtonshaw)
<b>South Wales Police and Crime Panel</b>	Christine Richards
	Kelly Roberts
<b>South West Wales Regional Waste Management Committee</b>	Mark Thomas
	Mandy Evans
	Mike White
<b>Standing Advisory Council on Religious Education</b>	Lynda James
	William Evans
	Beverley Hopkins
	Sam Pritchard
	Elliott King
	Peter Jones
<b>Suresprung Board of Trustees</b>	Ryland Doyle
	Alyson Pugh
	Jan Curtice
	Gloria Tanner
<b>Swansea Bay Port Health Authority</b>	Hazel Morris
	Joe Hale
	Clive Lloyd
	Robert Smith
	Mike White
	Paul Lloyd
	Mike Lewis
	Chris Holley
	Jeff Jones
	Gareth Sullivan
<b>Swansea Bay Regional Equality Council</b>	Erika Kirchner
	Sanctuary & Inclusion Member Champion (Yvonne Jardine)

<b>Swansea Business Improvements Ltd (Bids)</b>	Robert Francis-Davies
	Rob Stewart
<b>Swansea City Waste Disposal Ltd (LAWDAC)</b>	Joe Hale
	Clive Lloyd
	Mark Thomas
	Mike White
	Wendy Lewis
	Philip Downing
<b>Swansea Council for Voluntary Service</b>	Peter Jones
	Jan Curtice
	Ceri Evans
<b>Swansea Cycling Forum (Cycle Action Progress Group)</b>	Nick Davies
<b>Swansea Economic Regeneration Partnership</b>	Rob Stewart
	Robert Francis-Davies
	David Hopkins
<b>Swansea Environment Centre</b>	Peter Jones
<b>Swansea PSB (Public Services Board)</b>	Andrea Lewis
	Erika Kirchner
	Mark Child
	Rob Stewart
	Clive Lloyd
	June Burtonshaw
	Jen Raynor
	Mary Sherwood
<b>Swansea St Mary's Choral Trust</b>	Sam Pritchard
<b>University of Swansea Court</b>	Kelly Roberts
<b>Vision in Wales (Wales Council for the Blind)</b>	Christine Richards
<b>Wales National Pool (Swansea) Ltd</b>	Robert Francis-Davies
	Mark Child
	Robert Smith
<b>Wales Strategic Migration Partnership</b>	Sanctuary & Inclusion Member Champion (Yvonne Jardine)(
<b>Welsh Books Council</b>	Vacant



<b>WLGA (Welsh Local Government Association) Council</b>	Mark Thomas
	Jan Curtice
	Jennifer Raynor
	Clive Lloyd
	Rob Stewart
<b>WLGA (Welsh Local Government Association) Executive Board</b>	Rob Stewart
<b>West Glamorgan Council for Drug and Alcohol Abuse</b>	Terry Hennegan
	Erika Kirchner
<b>Western Bay Adoption Panel</b>	Cabinet Member with Responsibility for SS (Mark Child)
<b>Western Bay Regional Partnership Board</b>	Rob Stewart
	Clive Lloyd
	Mark Child

### Sections B and C of the Councillors Handbook as proposed by the Democratic Services Committee - 16 April 2018.

#### Section B - Councillor and Co-opted Member Support Services

##### 1. Cabinet Office & Democratic Services

- 1.1 The Cabinet Office provides a Personal Assistant role to the Cabinet (Executive) Members.
- 1.2 The Democratic Services (DS) Team provides general administrative support to all non-executive Councillors.

##### 2. Correspondence

- 2.1 As part of the Sustainable Swansea - Fit for the Future programme, Councillors and Co-opted Members have become more self-sufficient. The self-serve agenda has seen Councillors embracing IT, associated software and the Oracle payments system.
- 2.2 Councillors are expected to manage their own e-mails, diary and correspondence. Should they require any support then training can be provided in certain areas by the Training Team.
- 2.3 The Cabinet Office / DS Team can assist with proof reading of documents on request.
- 2.4 The Cabinet Office / DS Team can send out general non-political mailings for Councillors Electoral Ward work. However, Councillors are expected to type their own letters although the Teams can assist with formatting. The Cabinet Office / DS Team will arrange for the letters to be printed via DesignPrint but any folding or postage costs will be taken from the individual's Councillors Community Budget.
- 2.5 The Cabinet Office / DS Team can't deal with correspondence that is political, contains information which could be deemed to be libellous or is of a personal nature.

##### 3. Council Bodies Diary

- 3.1 The Council Bodies Diary may be viewed online at <http://www.swansea.gov.uk/councildiary>
- 3.2 The Cabinet Office will assist with the management of diaries for Cabinet Members. All other Councillors and Co-opted Members are expected to manage their own diaries.

##### 4. Political Group Rooms

- 4.1 Depending on the size of a Political Group, it is likely to have a room allocated to it. Rooms will be provided with the following items:
  - Pigeonhole for your agendas, mail etc. to be left for your collection;
  - PC(s);
  - Telephone(s);
  - Storage facilities (currently 2 filing cabinet drawers per Councillor);
  - Office furniture.

## **5. Identity (ID) Card**

- 5.1 All Councillors are required to wear their ID Card at all times. The Card allows access within the Civic Centre and Guildhall.
- 5.2 If your ID Card won't allow you access, visit <http://www.swansea.gov.uk/staffnet/replacementflexicard>
- 5.3 If you lose or misplace your ID Card please inform the Cabinet Office / DS Team immediately. HR will "block" the card to ensure it is not misused by anyone else. A replacement can be ordered at a personal charge to the Councillor (currently £5).
- 5.4 Temporary passes can be obtained from the DS Team and must be returned prior to exiting the building on the same day.

## **6. Receipt of Mail / Agendas etc.**

- 6.1 Incoming mail including agendas for Council meetings will be distributed daily and left in pigeonholes provided for each Councillor.
- 6.2 The Authority currently provides a mail delivery service for all Councillors on a Friday evening; however Councillors are asked to make every effort to collect any agendas / mail directly from their pigeonholes in order to reduce costs.
- 6.3 A number of Councillors have opted out of the mail delivery service. They have chosen to collect agenda(s) themselves and utilise the Modern.gov app to download electronic versions of the agenda. Agendas are also emailed out directly to all Councillors. The Councillors, Democracy and Elections web pages may be viewed at <https://democracy.swansea.gov.uk/>
- 6.4 **If you wish to Opt Out of the Mail Delivery Service, please inform the Cabinet Office / DS Team.**

## **7. e-mailing & Postage**

- 7.1 Councillors are advised to use electronic correspondence wherever possible. The Authority can send mail on behalf of a Councillors; however for bulk mail the cost will be deducted from their Councillors Community Budget.
- 7.2 The Cabinet Office / DS Team will not print out all e-mails for a Councillor. However training can be arranged so that the Councillor is taught how to do so.

## **8. Councillors Microsite (SharePoint)**

- 8.1 A dedicated Councillors "micro-site" online tool is available to display useful information for Councillors. [Micro Site Login](#).

## **9 Administrative Support**

- 9.1 Both Teams will answer general telephone queries from members of the public, and signpost where necessary to the relevant Councillor or, provide Assembly Member / Member of Parliament etc. contact details.
- 9.2 Both teams will act as a central contact point for Councillors for their general enquiries for Departments and provide information regarding Officer contacts within Service Departments.

## **10. Photocopying, Fax & Scanning Service**

- 10.1 Multi-Functional Devices (MFD's) are available in key locations throughout the Authority. All Councillors will be provided with a printer account which may be accessed via a Councillor ID card. Please note that personal printing is not permitted.
- 10.2 The MFD's also include a scanning facility which allows documents to be scanned and sent via e-mail.

## **11. ICT Support**

- 11.1 There are two ways to contact the ICT Service Desk  
01792 63 6900 or [ict.servicedesk@swansea.gov.uk](mailto:ict.servicedesk@swansea.gov.uk)

## **12. Training**

- 12.1 The Authority will arrange or inform Councillors of training opportunities which will include Courses, Seminars, Conferences, Induction Training for all Councillors and Other training subject to resources / budgetary availability.

## **13. Electoral Ward Surgery Support**

- 13.1 The Authority will pay a reasonable charge for surgery hire, following prior agreement from the Head of Democratic Services.
- 13.2 Invoices for surgeries should then be forwarded to the DS Team on a monthly or quarterly basis and by the end of March of the relevant financial year for processing.
- 13.3 Surgery Posters can be printed indicating surgery details for distribution within the electoral ward.

## **14. Web Pages**

- 14.1 Councillors are advised to take advantage of the "About You" section on the Council's website as it allows an opportunity for you to highlight your interests etc. Information may be found at [www.swansea.gov.uk/councillors](http://www.swansea.gov.uk/councillors)

## **15 Councillor Meeting Room**

- 15.1 A Councillor Meeting Room is located in Room 235, Guildhall. The room will accommodate 12-14 people around a table.
- 15.2 Bookings will be allocated on a "first come first served" basis and meeting slots shall be restricted to 2 hours. Block bookings shall not be permitted unless it is for a purpose such as a regular Political Group Meeting. The Head of Democratic Services shall operate a reasonable use protocol for the room.
- 15.3 Bookings are to be made by contacting the Democratic Services (DS) Team on 01792 63 6923 or e-mail [democracy@swansea.gov.uk](mailto:democracy@swansea.gov.uk)

## 16. Further Information Contact List

<b>Title</b>	<b>Tel:</b>
Cabinet Office	01792 63 6141
Democratic Services (DS) Team	01792 63 6923
Head of Democratic Services	01792 63 5757
Chief Executive	01792 63 7501
Section 151 Officer	01792 63 6423
Monitoring Officer / Head of Legal, Democratic Services and Business Intelligence	01792 63 6699
IT Service Desk	01792 63 6900

### Section C - Councillor & Co-opted Member Protocols

#### Contents

- 1) Lord Mayor and Deputy Lord Mayor Protocol
- 2) How Councillors and Officers Deal with Planning Applications
- 3) Title of Lord Mayor or Deputy Lord Mayor in Councillors Correspondence
- 4) Access to Political Group Rooms and Other Councillor Areas by Members of the Public
- 5) Councillors Correspondence
- 6) Response to Councillor Correspondence Protocol

#### Lord Mayor and Deputy Lord Mayor Protocol

This Protocol is not shown within this report as it was recently amended by Council on 20 April 2017. The Protocol will appear in the online version of the Councillors Handbook.

## **How Councillors and Officers Deal with Planning Applications**

### **1. Introduction**

- 1.1 The planning system involves taking decisions about the development and use of land in the wider public interest, in accordance with the provisions of the Development Plan, unless there are overriding material planning consideration which indicate otherwise.

### **2. Role of Councillors**

- 2.1 Councillors determine the Council's Planning Policy. They must abide by the provisions of the Code of Conduct during the development plan process. It is essential that they exercise their own responsibility to declare any personal interests such as land ownership or business interests which may be affected when plans are in preparation.

- 2.2 When Planning Committee Members come to make a decision on a planning application they will:

- a. Act fairly and openly;
- b. Approach each application with an open mind;
- c. Carefully weigh up all relevant issues;
- d. Determine each application on its own merits;
- e. Avoid undue contact with interested parties;
- f. Ensure that the reason for their decisions are clearly stated.

- 2.3 Non-Planning Committee Members are not bound by rules of pre-determination and are generally free to:

- a. Discuss any planning application with an applicant and/or lobby group;
- b. Attend any meeting arranged by an applicant and/or lobby group;
- c. Attend and speak at a Community / Town Council meeting;
- d. Relay relevant information about an application to the planning officer;
- e. Seek information from the planning officer.

- 2.4 They must at all times abide by the Member Code of Conduct and cannot improperly influence planning officers.

### **3. Role of Officers**

- 3.1 The officers' function is to advise and assist Councillors in matters of Planning Policy and in their determination of planning applications by:

- a. Providing impartial and professional advice;
- b. Making sure that all information necessary for the decision to be made is given;
- c. Providing a clear and accurate analysis of the issues;
- d. Assessing the application against the Council's Development Plan policies and all other material considerations;
- e. Giving a clear recommendation;
- f. Carrying out the decisions of Councillors in Committee or Council.

### **4. Lobbying**

- 4.1 It is quite common for applicants or other interested parties to wish to discuss a proposed development with Councillors before a planning application is determined.

- 4.2 This can help Councillors' understanding of the issues and concerns associated with an application. However, to avoid compromising their position before they have received all the relevant information, Planning Committee Members will:
- a. Avoid as far as possible meeting an applicant or potential applicant alone;
  - b. Avoid making it known whether they support or oppose the proposal;
  - c. Restrict their response to giving Procedure advice;
  - d. Not pressurise officers to make a particular recommendation in their report;
  - e. Direct lobbyists or objectors to planning officers who will include reference to their opinions where relevant in their report;
  - f. Advise the Head of Planning & City Regeneration or the Cabinet Member of the existence of any lobbying.
- 4.3 Where a Councillor feels that his/her impartiality has been compromised he/she will need to decide whether to declare a personal interest and withdraw from the decision making process.
- 4.4 Membership of a Community / Town Council which has expressed a view on an application does not by itself give rise to a conflict provided that the Member retains an open mind. The Council's Monitoring Officer will give advice on whether an interest should be declared in cases of doubt.

## **5. Discussions with potential applicants**

- 5.1 Pre-application meetings with potential applicants are encouraged, but to avoid them being misunderstood they will normally be at officer level and:
- a. Where they involve Planning Committee Members they will be at a forum prescribed for the purpose;
  - b. Potentially contentious meetings will be attended by at least two officers including the Head of Planning & City Regeneration or his representative;
  - c. A note of the discussion will be taken and placed on file and made available for public inspection at the appropriate time;
  - d. It will be made clear at such meetings that only personal and provisional views based upon the Development Plan can be given and no decisions can be made which would bind or otherwise compromise the Planning Committee or Council.

## **6. Decisions contrary to officer recommendation**

- 6.1 From time to time Members of the Planning Committees or Council will disagree with the professional advice given by the Head of Planning & City Regeneration.
- 6.2 In such cases the reasons for rejecting an Officer's recommendation will be clearly stated and recorded in the minutes of the meeting. Where an appeal arises against such a decision, Officers will give support to the relevant members in preparing evidence for the appeal.

## **7. Site Visits**

- 7.1 Site visits can be useful to identify features of a proposal which may be difficult to convey in a written report, but site visits do delay the decision on an application.
- 7.2 When appropriate, however, they will be normally requested by a ward member at the time of calling an application to Committee; or

- 7.3 Be authorised by the relevant Committee or by the of Planning & City Regeneration, or his representative, in consultation with the Chair of the relevant Committee;
- 7.4 Normally, the site visits will be held between the publication of the Committee Agenda and the Committee meeting.

## **8. Planning Applications by Councillors or Officers of the Council**

- 8.1 When an application is submitted by anyone involved in the planning process, the Member or officer will:
- a. Inform both the Head of Planning & City Regeneration and the Council's Monitoring Officer;
  - b. Take no part in processing or determining the application.
- 8.2 The Head of Planning & City Regeneration will ensure that all such applications are determined at the Committee meeting and not under delegated powers.

## **9. Planning applications by the Council**

- 9.1 The Council itself requires planning permission to carry out or authorise development on land it owns. These applications will be treated in the same way as those from private applicants.

## **10. Complaints**

- 10.1 Any issues or concerns arising from the Code of Practice can be raised with the relevant Cabinet Member with responsibility for Planning, the Corporate Director (Place), or the Head of Planning & City Regeneration.
- 10.2 The Council also have a formal complaints system in operation which can be used if necessary and accessed via the following link:  
<http://www.swansea.gov.uk/article/7326/Corporate-complaints-procedure>
- 10.3 The Council's Complaints Team can be contacted on 01792 63 7345.
- 10.4 Issues of maladministration can be referred to the Public Services Ombudsman for Wales who can be contacted at:
- 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ
  - 0300 790 0203
  - [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)
  - [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)



# Planning Applications

## Having your say at Swansea Council's Planning Committee

Listening to the people's views is an important part of City & County of Swansea Council's work. The Planning Committee welcome statements and petitions from local people about planning applications that affect them.

The Planning Committee decide the larger, complex or more controversial planning applications in the City.

The Committee meetings usually take place on Tuesdays at 2.00pm (but please check beforehand as occasionally times will vary) in the Council Chamber, Guildhall, Swansea, SA1 4PE and are open to the public.

**The public have a right to attend the meeting and may make a statement to the Committee (subject to advance notice being given) if they so wish.**

- **Who can speak**
- **Registering your request to speak**
- **What you can say to the Committee**
- **What happens at the meeting**

### Who Can Speak

If you wish to speak directly to the Planning Committee you should be:

- Someone who lives in Swansea and/or
- Someone who has a genuine interest in expressing a view on development control matters for example someone who:
  - (i) Is an applicant (or applicant's agent) for planning permission
  - (ii) Is an individual objector/supporter of a planning application
  - (iii) Represents a group of objectors/supporters of a planning application.

### Registering your request to speak

If you are thinking of speaking, please contact us as soon as possible. You can write, email or fax us and you **must**:

- Send your request to speak by **no later than 12.00 noon on the working day before the meeting, clearly indicating the item number or application number on which you wish to speak.**
- Give your name and address which will be publicly available unless there are particular reasons for confidentiality.

Contact details can be found at the end of this leaflet.

### What can I say to the Committee?

Under planning law, we can only take into account comments on planning issues. For example, these include loss of light or privacy, highway safety, traffic and parking issues, noise, amenity, pollution, conservation, wildlife, design and appearance of the development.

Issues which cannot be taking into account include loss of view, effect on property values, private rights, covenants and construction noise and boundary disputes.

Swansea Council has also to take into account Welsh Assembly Government policies and guidance, together with its own planning

### What happens at the meeting? (continued)

The Chair will then ask the Planning Officer to introduce the application and respond to any points raised. The Committee will then discuss the application and make a decision.

At the meeting you should not interrupt another speaker or the Committee debate.

policies and you may wish to refer to these as well.

You should not make statements that are personal, slanderous or abusive.

Keep your address short.

### **What happens at the meeting?**

Statements are heard prior to the relevant item.

Immediately before the item is to be considered, the Chair will call you to speak to the Committee.

However, the Council Constitution provides for a total time of ten minutes for representations (a maximum of 5 minutes each for objectors and applicants and supporters). So if there is more than one person wishing to address the Committee, either as an objector or applicant or supporter, you are advised to discuss the presentation before hand, perhaps nominating one person to make the statement, to ensure that the five minute limit is not exceeded.

The Committee Chair always has discretion as to whether or not a person speaks and has discretion to allow longer speaking times if appropriate.

Late requests to speak will not normally be accepted, although, in exceptional circumstances, they may be taken with the specific agreement of the Chair and Committee.

Should objectors/applicants wish to submit photographs/images for display at Committee, this has to be done by Noon the previous working day.

Any materials/literature objectors/applicants may wish to distribute to Councillors, they must do this themselves.

If a matter is deferred/withdrawn/deferred for site visit you will not be able to speak until it comes back to Committee.

### **After the meeting**

A letter will be sent to you notifying you of the decision made on that application.

### **Contact details**

If you wish to make a statement or present a petition, please address it to:

**Democratic Services** - Tel: 01792 636923

and send it either

**By post:** Democratic Services, Swansea Council, Room 216 Guildhall, Swansea, SA1 4PE

**By email:** [democracy@swansea.gov.uk](mailto:democracy@swansea.gov.uk)

If you have any questions about the procedures above or would like a copy of the full scheme please contact the Democratic Services Team.

### **Translation/Special Requirements**

If you would like this information in a different format, for example in Welsh, large print, computer disc or community languages, please contact: Planning Services, City & County of Swansea, Oystermouth Road, Swansea, SA1 3SN.

## **Title of Lord Mayor or Deputy Lord Mayor in Councillors Correspondence**

### **1. Introduction**

- 1.1 This protocol provides Councillors with guidance on the Use of the Title Lord Mayor or Deputy Lord Mayor in Councillors Correspondence. A breach of this protocol is deemed a breach of the Members Code of Conduct. As such should a breach occur then it should be reported to the Public Services Ombudsman for Wales.

### **2. Personal Motto and / or Civic Crest**

- 2.1 The use of a Personal Motto or an attempt to use or amend the Civic Crest by the Lord Mayor, Deputy Lord Mayor or any Councillor in correspondence shall not be allowed.

### **3 Use of the Title Lord Mayor or Deputy Lord Mayor**

- 3.1 The use of the Title Lord Mayor or Deputy Lord Mayor in personal correspondence shall not be allowed.

## **Access to Political Group Rooms and Other Councillor Areas by Members of the Public**

### **1. Introduction**

- 1.1 This protocol provides Councillors with guidance on access to Political Group Rooms and other Councillor areas by members of the public. A breach of this protocol is deemed a breach of the Members Code of Conduct. As such should a breach occur then it should be reported to the Public Services Ombudsman for Wales.

- 1.2 Whilst access to rooms is outlined below, Members of the public should not be allowed to use the Council's ICT equipment or any other facility prohibited by other Council protocols. Use of Council telephones in Councillor Areas may be allowed but only with the prior consent of the Councillor. Such use must be modest, necessary and appropriate.

### **2. Access to the Political Group Rooms & Other Councillor Rooms by Members of the Public**

- 2.1 Political Group Leaders / Deputy Group Leaders shall have the responsibility for deciding whether or not members of the public should be allowed to remain unattended in their Political Group Rooms.
- 2.2 Political Group Leaders / Deputy Group Leaders are advised to consider whether or not the member of the public has a legitimate reason for being invited in the Political Group Room.
- 2.3 The relevant Political Group Leader / Deputy Group Leader shall have the responsibility of policing their own Political Group Rooms.

## **Councillors Correspondence**

### **1. Introduction**

- 1.1 This protocol provides Councillors with guidance on Use of Political Party / Political Group Logo, Personal Imagery and/or Colour in Councillors Correspondence. A breach of this protocol is deemed a breach of the Members Code of Conduct. Any such breach may be reported to the Public Services Ombudsman for Wales.
- 1.2 Councillors must not use Council facilities and resources including letterheads and other correspondence to promote their Political Group / Political Party purposes.

### **2. Councillors Political Party / Political Group Names / Colours / Logos and / or Personal Imagery**

- 2.1 The Council shall not print or allow its equipment / facilities to be used to print (or publish) correspondence for Councillors containing their Political Party / Political Group Names / Colours / Logos and / or Personal imagery.

### **3. Councillors Surgery Posters**

- 3.1 Councillors Surgery Posters printed by the Council shall be allowed providing they are either printed using the corporate colours or in black and white.
- 3.2 A colour image of the Councillor shall be allowed for Councillor Surgery Posters; however the Political Group / Party Name / Logo shall not be permitted.

## **Response to Councillor Correspondence Protocol**

### **1. Introduction**

- 1.1 The "Customer Service - Guidelines for Staff" booklet outlines the Customer Request Response Guidelines. These guidelines do not differentiate between members of the public and Councillors. This Protocol makes a differentiation between Councillors and the public.

### **2. Service Requests**

- 2.1 On occasion it is likely that a Councillor will approach an Officer directly in order to request a service (e.g. reporting a faulty street light, requesting an appointment etc.). In such occasions this Protocol does not apply. The Officer will simply pass the Service Request to the relevant section and they will be dealt with in the normal way.

### **3. Councillor Request Response Guidelines**

- 3.1 All requests, where possible (and unless legislation allows otherwise e.g. FOIA gives 20 working days), shall be responded to within 5 clear working days of receipt. If the response can be produced within 5 clear working days, no acknowledgement of receipt of the request is necessary.
- 3.2 Where this is not possible (e.g. due to complexity), an acknowledgment shall be sent within the 5 clear working days. The acknowledgment must contain the reason for the delay and a realistic timescale as to when the response will be made.
- 3.3 These guidelines apply equally to all forms of correspondence (written or verbal) including those received in the Welsh Language.

**Member Champion Areas & Responsible Councillors.**

<b>Member Champion Area</b>	<b>Councillor(s)</b>
Animal Rights	Gloria J Tanner
Anti-Slavery & Ethical Employment	Clive E Lloyd
Armed Forces	June E Burtonshaw
Carers	Paulette B Smith
Children & Family Services	Mark C Child
Councillor Support & Development	Wendy G Lewis
Disability & Access to Services	Paul Lloyd
Diversity	Erika T Kirchner
Domestic Abuse	Erika T Kirchner
Health & Wellbeing	Alyson Pugh
Healthy Cities & Sport	Terry J Hennegan
Language (Inc. Welsh)	Robert V Smith
LGBT+ (Lesbian, Gay, Bisexual & Transgender+)	Elliott J King
Natural Environment & Biodiversity	Peter Jones
Poverty Reduction	Rob C Stewart
Public Transport	Nick J Davies
Rural Economy	Andrew H Stevens
Safeguarding	Mark C Child
Sanctuary & Inclusion	Yvonne V Jardine
UNCRC (United Nations Convention on the Rights of the Child)	Christine Richards & Sam Pritchard
Vulnerable & Older People	Jan P Curtice
Women	Louise S Gibbard
Young Carers	Sam Pritchard

### Member Champion – Generic Role Description and Equality Member Champion Role Description. Extract from Councillors Handbook.

#### Member Champion - Generic Role Description

#### 1. Accountabilities: To Council

#### 2. Role Purpose and Activities

##### 2.1 Within the Council

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

##### 2.2 In the Community

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

#### 3. Values

##### 3.1 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;
- g. Inclusive leadership.

## **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.

# June 2018

July 2018

Mo	Tu	We	Th	Fr	Sa	Su
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30	31					

June 2018

Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10
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18	19	20	21	22	23	24
25	26	27	28	29	30	

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
28 May	29	30	31	1 Jun	2	3
4	5 14:00 Planning	6 14:00 External Funding	7 14:00 Corporate Briefing	8 10:00 General Licensing	9	10
11 10:00 SDF Panel 16:30 Scrutiny Programme	12 14:00 Audit	13 16:00 Education PDC	14	15 11:00 Archives	16	17
18 09:30 Corporate Parenting 17:00 Student Liaison	19 10:30 JCC	20 16:00 Safeguarding PDC	21 10:00 Cabinet 14:00 Econ & Infra PDC 17:00 Council	22	23	24
25 19:00 Gower AONB	26 14:00 Transformation PDC	27 16:00 Poverty PDC	28	29	30	1 Jul



# July 2018

July 2018

August 2018

Mo	Tu	We	Th	Fr	Sa	Su
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MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
25 Jun	26	27	28	29	30	1 Jul
2	3 14:00 Planning	4 14:00 External Funding	5 10:00 Pension Fund 14:00 Corporate Briefing	6	7	8
9 p 16:30 Scrutiny Programme	10	11 16:00 Education PDC	12	13 10:00 General Licensing	14	15
16	17 14:00 Audit	18 16:00 Safeguarding PDC	19 10:00 Cabinet 14:00 Econ & Infra PDC	20 10:00 Standards	21	22
23 14:00 Armed Forces	24 14:00 Transformation PDC	25 16:00 Poverty PDC	26 10:00 Local Pension Board 17:00 Council	27	28	29
30 17:00 Community Town Councils	31 17:00 Democratic Services	1 Aug	2	3	4	5

# August 2018

August 2018							September 2018						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
30 Jul	31	1 Aug 14:00 External Funding	2 14:00 Corporate Briefing	3	4	5
6	7 14:00 Planning	8 16:00 Education PDC	9	10 10:00 General Licensing	11	12
14 16:30 Scrutiny Programme	14 14:00 Audit	15 16:00 Safeguarding PDC	16 10:00 Cabinet 14:00 Econ & Infra PDC	17	18	19
20 09:30 Corporate Parenting	21 10:30 JCC	22 16:00 Poverty PDC	23 17:00 Council	24	25	26
27 Bank Holiday	28 14:00 Transformation PDC	29	30	31	1 Sep	2

# September 2018

October 2018

September 2018

Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Mo	Tu	We	Th	Fr	Sa	Su
3	4	5	6	7	1	2
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17	18	19	20	21	15	16
24	25	26	27	28	22	23
					29	30

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
27 Aug	28	29	30	31	1 Sep	2
3	4 14:00 Planning	5 14:00 External Funding	6 14:00 Corporate Briefing	7	8	9
10 10:00 SDF Panel 16:30 Scrutiny Programme	11	12 16:00 Education PDC	13 10:00 Pension Fund 14:00 Audit	14 10:00 General Licensing	15	16
17	18	19 16:00 Safeguarding PDC	20 10:00 Cabinet 14:00 Econ & Infra PDC 17:00 Council	21 11:00 Archives	22	23
24 14:00 Armed Forces 19:00 Gower AONB	25 14:00 Transformation PDC	26 16:00 Poverty PDC	27 10:00 Local Pension Board	28	29	30

# October 2018

October 2018

November 2018

Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

  

Mo	Tu	We	Th	Fr	Sa	Su
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
1 Oct	2 14:00 Planning	3 14:00 External Funding	4 14:00 Corporate Briefing	5	6	7
8 16:30 Scrutiny Programme	9 14:00 Audit 17:00 Democratic Services	10 16:00 Education PDC	11	12 10:00 General Licensing	13	14
15 09:30 Corporate Parenting	16	17 16:00 Safeguarding PDC	18 10:00 Cabinet 14:00 Econ & Infra PDC	19	20	21
22 17:00 Student Liaison	23 10:30 JCC 14:00 Transformation PDC	24 16:00 Poverty PDC	25 17:00 Council	26	27	28
29	30 School Half Term	31	1 Nov	2	3	4

# November 2018

November 2018

Mo	Tu	We	Th	Fr	Sa	Su
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2018

Mo	Tu	We	Th	Fr	Sa	Su
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
29 Oct	30	31	1 Nov 14:00 Corporate Briefing	2 School Half Term	3	4
5	6 14:00 Planning	7 14:00 External Funding 16:00 Safeguarding PDC	8	9 10:00 General Licensing	10	11
12 16:30 Scrutiny Programme	13	14 16:00 Education PDC	15 10:00 Cabinet 14:00 Econ & Infra PDC	16 10:00 Standards	17	18
19	20	21	22 17:00 Council	23	24	25
26 10:00 SDF Panel 14:00 Armed Forces	27 14:00 Transformation PDC	28 16:00 Poverty PDC	29 10:00 Pension Fund	30	1 Dec	2

# December 2018

December 2018

January 2019

Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
26 Nov	27	28	29	30	1 Dec	2
3 19:00 Gower AONB	4 14:00 Planning	5 14:00 External Funding	6 14:00 Corporate Briefing	7	8	9
10 09:30 Corporate Parenting 10:30 Scrutiny Programme	11 14:00 Audit	12 16:00 Education PDC 16:00 Safeguarding PDC	13 10:00 Local Pension Board 14:00 Econ. & Infra PDC	14 10:00 General Licensing 11:00 Archives	15	16
17	18 10:30 JCC 14:00 Transformation PDC	19 16:00 Poverty PDC	20 10:00 Cabinet 17:00 Council	21	22	23
24	25	26	27	28	29	30
	Christmas Day	Boxing Day	School Christmas Holidays			
31 School Christmas Holidays Extra Statutory Day	1 Jan 19	2	3	4	5	6

# January 2019

January 2019							February 2019						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28			

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
31 Dec	1 Jan 19 New Years Day	2 School Christmas Holidays 14:00 Corporate Briefing	3	4	5	6
7	8 14:00 Planning	9 14:00 External Funding 16:00 Education PDC	10	11 10:00 General Licensing	12	13
14 16:30 Scrutiny Programme	15	16 16:00 Safeguarding PDC	17 10:00 Cabinet 14:00 Econ & Infra PDC	18	19	20
21 17:00 Student Liaison	22 14:00 Transformation PDC	23 16:00 Poverty PDC	24 17:00 Council	25	26	27
28 14:00 Armed Forces 17:00 Community Town Councils	29 17:00 Democratic Services	30	31	1 Feb	2	3

# February 2019

February 2019

March 2019

Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
28 Jan	29	30	31	1 Feb	2	3
4	5 14:00 Planning	6 14:00 External Funding	7 14:00 Corporate Briefing	8 10:00 General Licensing	9	10
11 16:30 Scrutiny Programme	12 14:00 Audit	13 16:00 Education PDC	14 10:00 Cabinet(Budget)	15	16	17
18 09:30 Corporate Parenting	19 10:30 JCC	20 16:00 Safeguarding PDC	21 10:00 Cabinet 14:00 Econ & Infra PDC	22 10:00 Standards	23	24
25	26 14:00 Transformation PDC	27 School Half Term 16:00 Poverty PDC	28 17:00 Council	1 Mar	2	3



# March 2019

March 2019							April 2019						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
25 Feb	26	27	28	1 Mar	2	3
4	5	6	7	8	9	10
10:00 SDF Panel	14:00 Planning	14:00 External Funding	14:00 Corporate Briefing	10:00 General Licensing		
11	12	13	14	15	16	17
16:30 Scrutiny Programme	16:00 Education PDC	16:00 Education PDC	10:00 Pension Fund	11:00 Archives		
18	19	20	21	22	23	24
		16:00 Safeguarding PDC	10:00 Cabinet 14:00 Econ & Infra PDC			
25	26	27	28	29	30	31
14:00 Armed Forces 19:00 Gower AONB	14:00 Transformation PDC	16:00 Poverty PDC	10:00 Local Pension Board 17:00 Council			

# April 2019

May 2019

Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2019

Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
1 Apr 17:00 Student Liaison	2 14:00 Planning	3 14:00 External Funding	4 14:00 Corporate Briefing	5	6	7
8 09:30 Corporate Parenting 16:30 Scrutiny Programme	9 14:00 Audit	10 16:00 Education PDC	11	12 10:00 General Licensing	13	14
15 Page 140	16	17	18	19	20	21
22 Easter Monday	23 10:30 JCC 14:00 Transformation PDC	24 School Easter Holidays 16:00 Safeguarding PDC 16:00 Poverty PDC	25 School Easter Holidays 10:00 Cabinet 10:00 Econ & Infra PDC 17:00 Council	26 Good Friday	27	28
29	30 17:00 Democratic Services	1 May	2	3	4	5

# May 2019

May 2019							June 2019						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
29 Apr	30	1 May	2 14:00 Corporate Briefing	3	4	5
6 Bank Holiday	7 14:00 Planning	8	9	10 10:00 General Licensing	11	12
13 16:30 Scrutiny Programme	14	15	16 10:00 Cabinet	17 14:00 Council (Lord Mayor)	18	19
20	21	22	23 16:00 Annual Council	24	25	26
27 Bank Holiday	28	29 School Half Term	30	31	1 Jun	2



## Report of the Cabinet Member for Service Transformation & Business Operations

Council – 24 May 2018

### General Data Protection Regulations (GDPR) – Data Protection Policy

<b>Purpose:</b>	To agree and adopt the Council's revised Data Protection Policy
<b>Policy Framework:</b>	Legislative requirement under the Data Protection Act 1998 and European General Data Protection Regulation (2016/679)
<b>Consultation:</b>	Access to Services, Finance and Legal
<b>Recommendation(s):</b>	It is recommended that Council: 1) Adopts the revised Data Protection Policy
<b>Report Authors:</b>	Marlyn Dickson/Kim Collis
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 This report presents the Council's Data Protection Policy for adoption by Council which replaces the Council's previous Human Resources and Data Protection Policy. The Data Protection Policy is attached at Appendix A.

#### 2. Background

- 2.1 The European General Data Protection Regulation (GDPR) was first formulated by the EU in 2009, the proposal was published in 2012, adopted by the European Parliament in April 2016 and the final text

published in May 2016. We are now coming to the end of a two year preparation period after which the GDPR will be fully enforceable on 25 May 2018. The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) covers the areas of both data protection and information security and is intended to strengthen and unify data protection for individuals.

- 2.2 Many of the GDPR's principles are the same as those in the current Data Protection Act 1998. As Swansea Council is already complying with the current law then most of the current approach to compliance will remain valid under the GDPR and can be the starting point to build from. However, there are new elements to GDPR and significant enhancements to citizens' rights, so the council will have to make some changes to our public face, amend and improve our recording of working practices where we collect personal data.
- 2.3 As a result of the GDPR, the Data Protection Act 1998 and its subordinate legislation will be replaced by a new legal framework. This means that Council policies, forms and websites that make reference to the old legislation will be out of date when implementation of the new legal framework takes place in May. It is therefore necessary to have in place a corporate policy that accurately reflects the legal position.

### **3. Overview of the Data Protection Policy**

- 3.1 Swansea Council needs to collect and use certain types of information about people with whom it deals in order to carry out its everyday business and fulfil its constitutional functions and objectives. This personal information whether in print, on computer or recorded on other material must be collected, held and used in accordance with the data protection principles. The adoption of this Data Protection Policy will make clear how Swansea Council will seek to meet its statutory obligations and how staff will be expected to handle personal data after GDPR comes into force.
- 3.2 The Data Protection Policy sets out:
  - 1. Purpose of the Policy - Swansea Council ('the Council') holds personal data about its citizens, employees, suppliers, job applicants and other individuals for a variety of business purposes, including its public task as a local authority, its status as a major local employer and as a commissioner of services.
  - 2. Scope of the Policy - This policy applies to all staff and elected Members who have access to Council records and information in whatever format in the course of their work.
  - 3. Definitions – There are general definitions relevant to this policy in this section.

4. Context of the Policy - This policy complements and sits alongside other related Council policies.

5. Principles of the Policy - The Council will implement technical and organisational measures to manifest that it has considered and integrated data protection into all its processing activities, in accordance with the applicable data protection principles, laws and rights of individuals.

6. Responsibilities for Implementing the Policy – Heads of Service and Operational Officers will take responsibility for ensuring that staff adhere to this policy. The Council will create the role of Data Protection Officer to monitor the Council's adherence to this Policy and enforce measures on departments to bring the Council into compliance with it where necessary.

7. External advisory standards affecting this Policy - This policy is informed by the ICO's guidance on the implementation of GDPR. The guidance can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

8. Monitoring of compliance - The Council should follow this policy for all relevant processes and procedures in its operational activities.

9. Policy Review - The Council will keep this policy under continuous review, amending it when necessary and formally reviewing it at intervals of not more than five years.

#### **4. Equality and Engagement Implications**

4.1 The Equality Impact Assessment (EIA) process has been applied to the report's subject and there are no equality implications. The EIA screening is attached as Appendix B.

4.2 An EIA Screening Form has been completed with the agreed outcome that a full EIA report was not required:

The new Data Protection Policy is an internal document created for staff and elected Members to follow. While the Policy describes new citizens' rights and obligations on the Council, these are changes enforced by the legislation and not by the Policy, i.e. the Council has no choice whether to adopt the Policy or not if it intends to stay within the law.

The effect of the Policy will be beneficial for citizens (for example, the need to explain data protection in a child-friendly as well as a general version), however as stated above these benefits derive from the new legislation not the policy.

With regard to the bilingualism of the initiative, all public information and data collection forms which are created will be bilingual and a number of the staff assisting the public in understanding their new rights will be Welsh-speakers (as currently is the case with all public interaction), as part

of the interface between the Council and the public which is designed to be no less favourable to those who opt to receive a service in Welsh.

## **5. Financial Implications**

- 5.1 There are no direct financial implications associated with consideration of adoption of the revised Data Protection Policy .
- 5.2 Adoption of the revised Policy is designed to reflect changes to the wider legislative provisions and ensure compliance with legal and governance obligations and mitigate the risks of financial penalties for non-compliance. There is no budgetary provision for the cost of any financial penalties or sanctions if we were to not meet our obligations under GDPR.
- 5.3 There is a requirement to appoint/designate a Data Protection Officer at a suitable level and this will need to be accommodated from within existing overall budgetary provision.

## **6. Legal Implications**

- 6.1 There are no legal implications associated with this report other than those already referred to.
- 6.2 The Data Protection Policy has to be approved by council under Article 4 of the Constitution.

### **Background Papers:**

None

### **Appendices:**

- Appendix A Draft Data Protection Policy
- Appendix B Equality Impact Assessment Screening Form



# Data Protection Policy

## Document

## Control

Organisation	Swansea Council
Title	Data Protection Policy
Author	Kim Collis – Information Governance Unit
Owner	Data Protection Officer
Protective Marking	[UNCLASS]

## Revision History

Revision Date	Revision Version	Previous Version	Description of revision
18/02/2018	0.1		First draft
21/02/2018	0.2	0.1	Second draft, substantial revision
22/02/2018	0.3	0.2	Minor changes
26/02/2018	0.4	0.3	Minor changes
19/03/2018	0.5	0.4	Major revision before submission for approval
28/03/2018	0.6	0.5	Minor change requested by CMT

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## 1. Purpose of the policy

- 1.1 Swansea Council ('the Council') holds personal data about its citizens, employees, suppliers, job applicants and other individuals for a variety of business purposes, including its public task as a local authority, its status as a major local employer and as a commissioner of services.
- 1.2 This policy sets out how the Council seeks to protect personal data and ensure that staff and elected Members understand the rules governing their use of personal data to which they have access in the course of their work. All staff and elected Members must make themselves familiar with this policy and comply with its terms.
- 1.3 Compliance with this policy will assist the Council in meeting the requirements of the European General Data Protection Regulation ('GDPR') and the accompanying Data Protection Act. This policy also relates to the following legislative requirements incumbent on the Council:
  - Local Government Act 1972
  - Local Government (Access to Information) Act 1985
  - Freedom of Information Act 2000
  - Environmental Information Regulations 2004
  - Re-use of Public Sector Information Regulations 2005
- 1.4 Failure to effectively implement this policy creates risks for the Council of non-compliance with legislation, significant monetary penalties from the Information Commissioner's Office (ICO), distress or harm to individuals whose data we hold, reputational damage to the Council and detriment to the Council's ability to deliver effective and reliable services.
- 1.5 The Council may supplement or amend this policy by additional policies and guidelines from time to time.

## 2. Scope of the policy

- 2.1 This policy applies to all staff and elected Members who have access to Council records and information in whatever format in the course of their work. 'Staff' for these purposes includes permanent and temporary employees of Swansea Council, volunteers and work experience interns, and external agents working for or on behalf of the Council.
- 2.2 This policy applies to all information held, maintained and used by the Council in all locations and in all media.
- 2.3 Some of the responsibilities within this Policy extend to employees of the Council beyond their period of employment or to elected Members beyond their period of office. This paragraph refers specifically to their continued responsibility to keep secure and not publicly disclose the personal data of any third party (particularly any sensitive personal information) to which they may have had privileged access by virtue of their period of employment or office.

### 3. Definitions

3.1 The following is a set of general definitions relevant to this policy. Some other definitions are given in the text where the term occurs and these can be identified by the emboldened text.

- **'Data'** is a set of values of quantitative or qualitative variables and can be of many types.
- **'Personal data'** means any data relating to living individuals from which they can be identified, either directly from the data itself or by another individual when combined with other data that is in, or likely to come into, their possession. Personal data includes any data which includes expression of opinion about the individual and any indication of someone else's intentions
- A **'Data subject'** is an identified or identifiable individual whose personal details are contained in the data.
- **'Processing'**, means here obtaining, recording or holding information or data, or carrying out any operation or set of operations on that information or data, including its organisation, retrieval, disclosure, combination with other data, or destruction. It primarily refers to activity carried out by computer systems, although some manual processes may qualify as processing if the data is highly structured and can be manipulated manually to produce meaningful items or sets of data.
- **'Business purposes'** means the purposes for which personal data may be lawfully used by the Council, for example administrative, regulatory, financial and business development use
- A **'data controller'** is an organisation or individual that determines the purposes and means of processing personal data.
- A **'data processor'** is responsible for processing personal data on behalf of a data controller. In many if not most cases, the data controller and data processor are the same organisation or individual. In some cases, Swansea Council uses a third party to process the data it collects, for example for commercial reasons.
- A **'joint data controller'** is where two or more controllers jointly determine the purpose and means of processing. This situation may arise where the Council is collecting the data on behalf of a larger regional or pan-Wales partnership.
- **'Sensitive personal data'** is data which reveals an individual's racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health or sex life. The presumption is that, because information about these matters could be used in a discriminatory way and is likely to be of a private nature, sensitive personal data needs to be treated with greater care than other personal data.

### 4. Context of the policy

4.1 This policy complements and sits alongside the following related Council policies:

Information Management Policy  
 Records Management Policy  
 ICT Acceptable Use Policy  
 ICT Security Policy Framework  
 Data Encryption And Portable Media Policy

Freedom Of Information Policy  
Staff Data Storage Policy  
Corporate Risk Management Policy

- 4.2 The Records Management Policy lays out the framework for the Council's records retention schedule, which is instrumental in adhering to the fifth GDPR data protection principle described below, that personal data should be kept for no longer than is necessary.
- 4.3 This policy sits alongside and complements the Council's privacy notice, which outlines how departments within the Council collect and use personal data. The privacy notice lists individuals' rights to access and correct the data that is held on them, and in certain circumstances to object to its processing. The corporate privacy notice, which should be read in combination with this policy, is to be found at <https://www.swansea.gov.uk/privacynotice>

## 5. Principles of the policy

- 5.1 The Council will implement technical and organisational measures to manifest that it has considered and integrated data protection into all its processing activities, in accordance with the applicable data protection principles, laws and rights of individuals as set out below in this section. The Council's approach to data protection will be, as required by GDPR, 'data protection by design and default' and 'privacy by design'.

### 5a. Compliance with the six GDPR data protection principles

- 5.2 The Council will take steps to ensure that all the personal data processing it undertakes accords with the six data protection principles as described in Article 5 of GDPR. These data protection principles are:
1. Personal data must be processed lawfully, fairly and transparently.
  2. Personal data can only be collected for specified, explicit and legitimate purposes.
  3. Personal data must be adequate, relevant and limited to what is necessary for processing.
  4. Personal data must be accurate and kept up-to-date
  5. Personal data must be kept in a form such that the data subject can be identified only as long as is necessary for processing.
  6. Personal data must be processed in a manner that ensures its security.

There is furthermore an overarching principle of accountability which means that the Council must not only comply with the six GDPR principles but must be seen to be complying with them in its public face and be able to demonstrate compliance if inspected by regulatory bodies, such as the ICO.

### 5.3 **First GDPR principle: fair and lawful processing**

Processing of personal data must only be undertaken where the Council has a lawful basis for carrying out the activity. GDPR specifies six lawful bases for processing, as follows:

1. Processing is necessary for compliance with a legal obligation to which the controller is subject. This is applicable to all statutory services which the Council is obliged to provide.
2. Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. This is applicable to all services where the Council is empowered but not obliged to provide a service by legislation (for example the provision of council housing).
3. Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
4. Processing is in the vital interests of the data subject.
5. Processing is in the Council's legitimate interests and does not unduly prejudice the individual's privacy. This is applicable only to internal services such as Payroll and HR and cannot be applied to the Council's public task.
6. The data subject has given consent to the processing of his or her personal data for one or more specific purposes. This is applicable mostly to marketing activity.

### 5.4 **Second GDPR principle: specified and legitimate purposes**

When gathering personal data or establishing new data protection activities, staff should ensure that data subjects receive appropriate privacy notices to inform them how the data will be used. There are limited exceptions to this requirement, which are specified in GDPR. A '**privacy notice**' is a statement that explains some or all of the ways an organisation gathers, uses, discloses, and manages the personal data it collects from its customers or clients. It fulfils part of the organisation's legal requirement to respect a customer or client's privacy when collecting and sharing personal data.

### 5.5 **Third GDPR principle: adequate, relevant and limited**

Staff should make sure data processed by them is adequate, relevant and proportionate for the purpose for which it was obtained. Personal data obtained for one purpose should not generally be used for unconnected purposes unless the individual has agreed to this or would otherwise reasonably expect the data to be used in this way.

### 5.6 **Fourth GDPR principle: accuracy**

Individuals may ask the Council to correct personal data relating to them which they consider to be inaccurate. If a member of staff receives such a request and does not agree that the personal data held is inaccurate, they should nevertheless record the fact that it is disputed and inform the Data Protection Officer (DPO).

### 5.7 **Fifth GDPR principle: retention only as long as necessary**

Personal data should not be retained for any longer than necessary. Staff should follow the corporate records retention schedule for guidance. The length of time for which data should be retained may vary from this schedule depending upon particular circumstances, including any special reasons why it was obtained.

### 5.8 **Sixth GDPR principle: security**

Staff must keep personal data secure against loss or misuse in accordance with the ICT Security Policy Framework. Where the Council uses external organisations to process personal data on its behalf, additional security arrangements need to be implemented in contracts with those organisations to safeguard the security of personal data. Staff should consult the DPO to discuss the necessary steps to ensure compliance when setting up any new data processing agreement or altering any existing agreement.

### **5b Compliance with individuals' rights under GDPR**

5.9 The Council will implement a set of rules and procedures, creating a workflow for the evaluation of requests, with regard to the following individual rights under GDPR:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to restrict processing
5. The right to object
6. Rights on automated decision making and profiling
7. Right to data portability
8. Right to erasure or 'right to be forgotten'

### 5.10 **The right to be informed**

The Council will explain at the point of collection how it intends to use the data it is collecting, whether it will share the data with anyone else, what is the legal basis for processing and which individual rights apply. The primary method for communicating this information will be the corporate privacy notice, supplemented by brief privacy statements at the point of collection which reference amongst other things the full notice. Other versions of the privacy notice will complement it, suitable for explaining the concepts of privacy and data protection to children and to others who may reasonably expect the information to be available in other, more accessible formats.

### 5.11 **The right of access**

Individuals are entitled (subject to certain exemptions specified in the Data Protection Act) to request access to information held about them. All such Subject Access Requests should be logged at a corporate level and referred onward immediately to the relevant officer(s) for action. Timeliness is particularly important because the Council must respond to a valid request within legally prescribed time limits.

### **5.12 The right to rectification**

Individuals are entitled to have personal data rectified if it is inaccurate or incomplete. The Council must respond within one month to any reasonable request for rectification, although this can be extended by two months where the request for rectification is complex. If the Council has shared the personal data in question with other agencies, each agency must be informed and asked to make the same rectification - unless this proves impossible or involves disproportionate effort. If asked to, staff must also inform the data subjects about these agencies whose data may also be inaccurate. If the request for rectification is refused (for example where the data subject's authenticity is contested), staff must explain why to the individual, informing them of their right of appeal to the DPO and to seek a judicial remedy.

### **5.13 The right to restrict processing**

Individuals are entitled to block the processing of their personal data in certain circumstances. The data may continue to be stored but processing of it must cease. The Council is only required to restrict the processing of personal data in the following circumstances: where an individual contests the accuracy of the personal data; where following an objection to processing the Council is considering whether its legitimate grounds override those of the individual (this is only applicable where the legal basis for processing is either performance of the public task or the exercise of legitimate interests, see 5.14 below); when processing is unlawful and the individual opposes erasure and requests restriction instead; if the Council no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim.

### **5.14 The right to object to processing**

Where the legal basis for processing is performance of a public task or the exercise of legitimate interests, individuals have the right to object to processing, including any profiling based on those provisions. The Council shall no longer process the personal data unless it can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject.

Where the legal basis for processing is consent, individuals have an absolute right to object to the Council processing their data for this purpose, to which demand staff must immediately respond without question. This legal basis for processing and this right applies in particular to any direct marketing undertaken by the Council, for example marketing for its cultural, leisure and other discretionary/optional services.

### **5.15 Rights on automated decision making and profiling**

Individuals have the right to be informed when their data is subject to automated decision making and profiling. The Council does not currently carry out such activity, hence the condition does not apply at present. A note to this effect is contained in the privacy notice.

### 5.16 **Right of portability**

Individuals have the right to demand that their personal data is transferred to another agency (for example when moving to another area). It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability. This limited right only applies where the legal basis for processing is performance of a contract or based on consent, hence is not applicable in any great degree to local authorities.

### 5.17 **Right to erasure or ‘right to be forgotten’**

Individuals also have the right, in the case of reliance on consent, to demand that their personal data be removed entirely from the particular processing activity, the so-called ‘right to be forgotten’. This limited right applies mostly to direct marketing activity by the Council.

## **5c Compliance with other legal obligations under GDPR**

5.18 The Council will take the necessary actions to ensure that it complies with all other legal obligations imposed on it by GDPR and the Data Protection Act. Specifically, this involves appointing a DPO, maintaining a Register of Processing Activities; maintaining a record of consent; undertaking Data Protection Impact Assessments; promptly investigating data breaches; not transferring personal data outside the European Economic Area and other countries designated as having an adequate level of data protection regulation.

### 5.19 **Data Protection Officer**

The Council will appoint or designate the role of Data Protection Officer within the authority, who will monitor internal compliance with the legislation, inform and advise the Council on its data protection obligations, provide advice regarding Data Protection Impact Assessments and in certain instances act as a contact point between data subjects and the Council.

### 5.20 **Register of Processing Activities**

The Council will maintain a Register of Processing Activities (within the Council this is known as the Information Asset Register) which records all data processing activity undertaken by the Council, amongst other things defining the legal basis for each activity, the categories of data contained within each system and identifying cases where we share the data and with whom.

### 5.21 **Maintaining a record of consent**

Where the legal basis for processing is consent, the Council must explain why the data is being collected, how it will be processed and whether it is to be shared with anyone else, before obtaining the data subject’s consent. Consent of this type is usually gathered through a tick box, which cannot be pre-ticked. A record must be made and maintained of the data subject’s consent.

Where the legal basis for processing is consent and the categories of data to be collected include sensitive personal data, it will be necessary to have an individual's explicit consent to process sensitive personal data, unless exceptional circumstances apply. Explicit consent of this type is usually gathered through a signature obtained below a clear privacy statement. A record must be made and maintained of the data subject's explicit consent.

## 5.22 **Data Protection Impact Assessments**

A '**Data Protection Impact Assessment**' is a tool for identifying and assessing privacy risks throughout the development life cycle of a program or system containing personal data. The Council will carry out Data Protection Impact Assessments when, for example, building new systems for storing or accessing personal data; developing policy or strategies that have privacy implications; embarking on a data sharing initiative; or using data for new purposes. Such an assessment is likely to be required where new or changed processing involves large amounts of sensitive personal data, where new regional partnerships or commercial outsourcing involve the transfer of personal data to third parties, or in the case of a data breach which brings to light risks in existing methods of processing.

In determining whether a Data Protection Impact Assessment is necessary, officers will either decide this themselves, guided by the screening mechanism available on the staff intranet (which involves the completion of a series of questions, the answers to which lead to a recommended course of action) or they may consult the DPO for advice where further clarity is needed. They may also be mandated by the DPO to carry out the assessment. The completed assessment should be scrutinised and certified by the DPO and stored as part of the Information Asset Register (Register of Processing Activities).

## 5.23 **Data breaches**

The Council will implement rules and procedures to ensure that it is able to respond to data breaches within the 72-hour timeframe prescribed by GDPR, the investigatory panel carrying out an assessment to enable it to determine whether the data subject should be informed of the breach and/or the ICO notified.

## 5.24 **Transfers of data outside the European Economic Area (EEA)**

There are restrictions under GDPR on international transfers of personal data outside the EEA because of the need to ensure that adequate safeguards are in place to protect it. Staff unsure of what arrangements need to be put in place before transferring data outside the EEA should consult the DPO. At present, the Council does not transfer personal data outside the EEA in a systematic fashion, other than using the Privacy Shield to transfer data to the USA (the adequacy of the Privacy Shield is under review).



## 6. Responsibilities for implementing the policy

- 6.1 The Council will appoint a Data Protection Officer with overall responsibility for the Council's adherence to this policy. The DPO will be complemented by the roles of Senior Information Risk Owner (SIRO) and deputy SIRO. The DPO will ensure compliance with the eight data protection principles of GDPR, in particular when any new data processing activity is initiated or any accidental loss or damage to data occurs.
- 6.2 These positions will be supported by an Information Governance framework which will be subject to periodic review for its effectiveness, but will comprise at its most basic level a network of representatives from each of the service units within the organisation. The existence of an information governance structure within the Council in no way negates or reduces the individual accountability and responsibility of all staff and elected members for protecting the personal data to which they have access.
- 6.3 Each Head of Service will be the senior officer with responsibility for maintaining appropriate procedures and standards of data protection within his or her service unit, as guided by the DPO and staff involved in information governance. The requirements of this policy will be acknowledged and articulated in each service unit's business plans, along with the related issues of information management, records retention, and compliance with Freedom of Information requests.
- 6.4 Heads of Service will ensure that all staff within their service unit:
- are aware of their responsibilities for data protection, for example by monitoring the compliance of their staff with mandatory data protection training;
  - do not enter into contractual arrangements which do not comply with the requirements of GDPR with appropriate clauses about data protection, privacy and so forth;
  - know where to look and who to approach for advice and guidance on the subject of data protection;
  - ensure that staff are appropriately trained to the correct level (and have signed appropriate undertakings in certain cases where highly sensitive personal data is processed) in order to protect and responsibly manage the personal data to which they have access through their employment.
- 6.5 All staff are responsible and accountable for following established corporate and departmental procedures with regard to data protection and for keeping their training and understanding up-to-date (in particular for undertaking all mandatory training). Corporate guidance to staff for the proper management and protection of personal data will be created, maintained and disseminated through the staff intranet and through other appropriate means to those staff who do not have access to the intranet. Failure to comply with this policy and the principles set out in the Act will be regarded as serious misconduct and will be dealt with in accordance with the Council's disciplinary policy. Misuse and unauthorised disclosure of personal data can lead to personal prosecution
- 6.6 All staff are also responsible for ensuring that volunteers, apprentices, trainees and work experience interns working alongside them temporarily are given, where necessary, an

appropriate basic training as part of their induction about data protection and respect for individual privacy rights.

- 6.7 All elected members are responsible and accountable for following established procedures and keeping their training and understanding up-to-date with regards to data protection. Corporate guidance to elected members for the proper management and protection of personal data will be created, maintained and disseminated through the Council's intranet and through face to face training.

## **7. External advisory standards affecting this policy**

- 7.1 This policy is informed by the ICO's guidance on the implementation of GDPR. The guidance can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/> This policy will be reviewed and if necessary amended following any revision by the ICO in its guidance and/or any significant legal case interpreting GDPR or the Data Protection Act especially in so far as it might affect the responsibility of public authorities.

## **8. Monitoring of compliance**

- 8.1 The Council should follow this policy for all relevant processes and procedures in its operational activities. Effectiveness of the incorporation of the policy into departmental processes and procedures will be assessed at intervals through the process of internal audit and at the behest of the DPO, who may carry out an internal investigation without prior notice or consent should s/he have cause for concern. Such audits of service areas will, amongst other measures:

- Identify areas of operation within the service area that are covered or not covered by the policy and to identify any relevant processing and/or procedures which fail to adhere to the policy
- Demand that a Data Protection Impact Assessment be carried out immediately where current methods of data processing present a corporate risk (for example where large quantities of sensitive personal data are being processed with potentially inadequate safeguards), or where a significant data breach has already occurred.
- Set requirements for implementing new operational procedures with regard to data protection, processing of data and dealing with requests for information.
- Highlight where non-conformance to the operational procedures is occurring and suggest a tightening of controls and adjustment to related procedures in the form of an improvement action plan

**9. Policy review**

- 9.1 The Council will keep this policy under continuous review, amending it when necessary and formally reviewing it at intervals of not more than five years.

Policy due for review April 2019

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

**Section 1**

Which service area and directorate are you from?

Service Area: Transformation

Directorate: Resource

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

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

**(b) Please name and describe below**

The Council is introducing a new Data Protection Policy to align itself with the regulatory environment that will be introduced on 25 May 2018 by the General Data Protection Regulation (GDPR) and an accompanying Data Protection Act 2018.

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

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

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

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

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

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

**Q4 HAVE YOU / WILL YOU UNDERTAKE ANY PUBLIC CONSULTATION AND ENGAGEMENT RELATING TO THE INITIATIVE?**

YES       NO (If NO, you need to consider whether you should be undertaking consultation and engagement – please see the guidance)

If yes, please provide details below

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

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

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

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

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

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

The whole Council needs to be GDPR-ready by 25 May 2018. The policy outlines to staff how they must amend their methods of working when collecting and processing personal data in order to comply with GDPR.

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

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

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

**Q8 If you determine that this initiative is not relevant for a full EIA report, you must provide adequate explanation below. In relation to the Council’s commitment to the UNCRC, your explanation must demonstrate that the initiative is designed / planned in the best interests of children (0-18 years). For Welsh language, we must maximise positive and minimise adverse effects on the language and its use. Your explanation must also show this where appropriate.**

The new Data Protection Policy is an internal document created for staff and elected Members to follow. While the Policy describes new citizens’ rights and obligations on the Council, these are changes enforced by the legislation and not by the Policy, i.e. the Council has no choice whether to adopt the Policy or not if it intends to stay within the law.

The effect of the Policy will be beneficial for citizens (for example, the need to explain data protection in a child-friendly as well as a general version), however as stated above these benefits derive from the new legislation not the policy.

With regard to the bilingualism of the initiative, all public information and data collection forms which are created will be bilingual and a number of the staff assisting the public in understanding their new rights will be Welsh-speakers (as currently is the case with all public interaction), as part of the interface between the Council and the public which is designed to be no less favourable to those who opt to receive a service in Welsh.

**Section 2**

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

<b>Screening completed by:</b>
Name: Marlyn Dickson
Job title: Business Improvement Advisor
Date: 18 <sup>th</sup> April 2018
<b>Approval by Head of Service:</b>
Name: Tracey Meredith
Position: Head of Legal, Democratic Services and Business Intelligence
Date: 20 <sup>th</sup> April 2018

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



## Joint Report of the Deputy Leader of the Council & PD&DC Chairs

Annual Meeting of Council - 24 May 2018

### Policy Development & Delivery Committees Annual Report 2017/2018

<b>Purpose:</b>	To report on the work undertaken by the Policy Development & Delivery Committees during the Municipal Year 2017/18 and to make recommendations to ensure that the arrangements remain suitable for their intended purpose.
<b>Policy Framework:</b>	Corporate Plan 2017/22 <i>Delivering a Successful and Sustainable Swansea</i> . Policy Commitments 2017/22.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:
1)	PDC Work Plans are established at the beginning of the Municipal Year through a meeting of Chairs of Policy Development Committees, Cabinet Members and Directors;
2)	PDC Work Plans are concise and deliverable, are aligned to the Council's budget and Corporate priorities, do not duplicate the work of Scrutiny and are properly resourced;
3)	Items in PDC Work Plans are clearly scoped and clear timescales and intended outputs are established at the beginning;
4)	A standard (but flexible) approach to working and developing policy across the PDCs is established, giving consideration to the five ways of working set out by the Well-being of Future Generations Act 2015;
<b>Report Author:</b>	Richard Rowlands
<b>Finance Officer:</b>	Paul Roach
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Sherill Hopkins

## **1.0 Introduction**

- 1.1 The Annual Meeting of Council on 25 May 2017 established the five Policy Development & Delivery Committees (PD&DCs). All meetings must be subject to access to information legislation, open to public etc.
- 1.2 The Corporate Directors, Monitoring Officer and Head of Democratic Services undertook a review of the PD&DCs after they had been in place for six months in order to ensure that they are operating effectively.
- 1.3 Concerns were raised at Council prior to the review taking place about the respective roles of the PD&DC's and Scrutiny. The amended Terms of Reference contained specific reference to the role of Scrutiny and the PD&DCs.
- 1.4 Work through informal working Groups comprising PD&DC Councillors and Officers takes place and is fed into the formal Committee work at a later stage. The PD&DCs meet formally on a quarterly basis.
- 1.5 Each PD&DC contains twelve Councillors. This is broken down under Proportionality Rules as eight Labour, two Liberal Democrat / Independent Coalition and two Conservatives.
- 1.6 The PD&DCs were established as part of the move towards a 'Member led' Council and to increase the participation of all elected Members in policy development. The purpose of the PD&DCs is to provide a forum in which Members can work with officers in a co-productive way to develop policy and shape delivery.
- 1.7 Members from all political parties have participated within the PD&DCs and now the next stage of development is to add further structure and support to the committees.
- 1.8 This report summarises and reports on the work that has been undertaken by the PD&DCs during the Municipal Year 2017/18
- 1.9 This report also makes some recommendations to ensure that the arrangements for PD&DCs remains suitable going forward.

## **2.0 Summary - work undertaken by PD&DCs during 2017/18**

### *2.1 Safeguarding PD&DC*

- 2.1.2 *Ethical Care Charter* - The Committee were briefed surrounding the requirements within Unison's Ethical Charter and how compliant Swansea was at this stage.



- 2.1.3 The proposed approach to build the components into the specification for domiciliary care going forward and use this a component of the scoring matrix for the procurement exercise was discussed and views sought from the Committee.
- 2.1.4 The Committee agreed that the proposed way forward was a sound approach and advised the Cabinet Member that they would have confidence that in this way Swansea was delivering its commitments under the Ethical Care Charter.
- 2.1.5 *Adult Services Model* - The Committee were given an overview of the model agreed in 2016 and how this fit with the various commissioning reviews. The Committee tested their understanding of the model and how Adult Services needed to change to deliver in line with the model. This understanding has proved a solid foundation for future advice to the Cabinet Member on the emerging commissioning reviews.
- 2.1.6 *Local Area Co-ordination* - The Local Area Coordination team presented at the Safeguarding PDDC in March and gave an overview of the growth of the team in 2017/18. There are now 10 Local Area Coordinators in post and external partner funding has been received for a new post in Blaenymaes.
- 2.1.7 There was discussion with Councillors around the outcomes of Local Area Coordination involvement in people's lives which led to residents feeling more confident, more involved in their communities and the reduced demand on services as a result.
- 2.1.8 The Committee was very supportive of Local Area Coordination and several of the Councillors had experienced a Local Area Coordinator working with one of their constituents which they described in very positive terms.
- 2.1.9 *Review of Corporate Safeguarding Policy* - Local authorities have a statutory duty to have in place safeguarding arrangements, which must include training, support, guidance, and compliance for all providers of relevant services. In 2014, the Wales Audit Office, as part of a national review, completed an audit of Swansea Council's corporate safeguarding procedures and assurance arrangements and reviewed two service areas to ensure that safeguarding policies and procedures were effective and being adhered to.
- 2.1.10 The WAO audit exposed some challenges in respect of the corporate safeguarding responsibility being exercised in a coherent fashion (e.g., safe recruitment arrangements in place, safeguarding responsibilities towards young people being fulfilled by both Members and Officers within the Council and the presence of a performance management framework).

2.1.11 WAO has announced their intention for a follow up review early next year. Swansea's Safeguarding PD&DC undertook to review the current corporate safeguarding policy, ahead of this national inspection, and on behalf of the Cabinet Member – Health and Wellbeing. The PD&DC noted that the existing Corporate Safeguarding Policy does reflect UNCRC and Council's Policy. The policy was expected to reflect the Council's ambition to actively promote safety and wellbeing amongst the population. In that way the new policy is more consistent with the ambition of the Council, as safeguarding vulnerable people is the number one corporate priority.

2.1.12 Following this PD&DC review of current policy and workshop to determine future requirements, a new Corporate Safeguarding Policy has been developed, and this new policy will be presented to the next meeting of the Corporate Safeguarding Group to be agreed as the basis for a new work programme of improvements leading up to next year.

2.1.13 *Joined-up around children* - The Committee sought to address the challenge of how 'joined up around children' the Council is. It had a number of discussions about: Corporate Parenting arrangements, arrangements for engagement with young people and hearing their voice, the Children and Young People Strategic Partnership plans and the plans for developing the Family Support Continuum. The summary of these discussions and the Committee's views about the current services was taken to Cabinet in May 2018.

## 2.2 *Education & Skills PD&DC*

2.2.1 The Education & Skills PD&DC determined that its work programme should focus on the implications and opportunities represented by the City Deal for Swansea.

2.2.2 *City Deal and the implications for Swansea* - Members have particularly been concerned about issues of pace and scale, as well as ensuring that disadvantaged people are able to benefit from the jobs and growth that the initiative represents.

2.2.3 The Committee invited speakers and held discussions on a series of items in order to develop further their understanding of what work is already being delivered and where potential gaps and challenges might be:

- overview of the local authority role, regional bodies' roles, curriculum changes, Learning City initiatives and also the Regional Learning and Skills Partnership (RLSP);
- pioneer schools update, views of children and young people on STEM subjects and teacher training implications;
- aligning 14-19 provision, Principal Gower College, plan to establish Partneriaeth Sgiliau Abertawe (PSA) / Swansea Skills Partnership (SSP) Board.

2.2.4 Following the work of the PD&DC, the final report will outline the way forward and increase the pace of change in this area to ensure that:

- the education system in Swansea has appropriate arrangements in place to meet the skills needed to effectively deliver the City Deal;
- local young people are given every opportunity to be a part of those changes.

2.2.5 As a result, this work will contribute to our well-being objective to improve education and skills and also to make Swansea a great place to live well and age well.

### 2.3 *Economy & Infrastructure PD&DC*

2.3.1 The Economy & Infrastructure PD&DC dealt with some substantial items during 2017/18, including the City Deal, future Transportation Strategy, an analysis of the wider economy and City River Corridor Strategy. In addition, it had the opportunity to look at more specific areas, including pedestrianisation of Wind Street, Citizens Card, Homes as Power stations and Co-operative housing.

2.3.2 *City Deal* - As well as receiving an overview of the City Deal, the Committee focussed on a breakdown of City Deal finances, public transport infrastructure, and evidence of sustainability from a well-being and environmental view and ways to address the GVA gap.

2.3.3 *Citizens Card* - The Citizen's Card would be available to individuals of voting age and could be used on a smart phone 'app' or be a physical card. The PD&DC discussed how the Card would allow individuals to undertake a whole range of functions (e.g. reporting fly tipping, paying Council Tax, applying for vacancies) and also enable users to access discounts on Council and partner facilities.

2.3.4 *Pedestrianisation of Wind Street* – An evaluation undertaken by City Centre Management highlighted that both businesses and residents felt pedestrianisation would help improve the prosperity of the City. The PD&DC discussed consideration being given to making the street one way and narrowing the traffic lanes and removing the current loading bays, whilst highlighting the need to maintain some access for deliveries etc.. A more detailed scheme will now be developed and reported back to the PD&DC.

2.3.5 *River Corridor* - The PD&DC discussed the need to incorporate foot / cycling routes on any future development proposals. The Committee raised the need for consideration to be given to enhancing wildlife in the areas. Approval / consultation with National Resources Wales for the proposed luge was discussed along with the need for consultation with users of the riverbank (e.g. anglers, etc.).

- 2.3.6 *Future Transportation Strategy* – After receiving an overview of the challenges driving a future Transportation Strategy, the PD&DC were informed of a commissioning study being undertaken to look at city centre master planning and the parking needs. The Committee asked that the results of the feasibility study be scheduled into the work plan for 2018/19.
- 2.3.7 *Housing in the City Centre* – The PD&DC discussed the role of housing in the regeneration of the City Centre. The discussions covered city living, car parking, the potential of new technology to ease traffic congestion and the city centre attracting more people through a mix of residential, retail and leisure uses. The PD&DC will undertake more work on this once detailed briefs become clear.
- 2.3.8 *Swansea Bay City Deal: Homes as Power Stations* – The PD&DC received an overview of the Swansea Bay City Deal Homes as Power Stations Project and the proposed next steps. The Committee discussed the pace of technological developments, new homes and retrofitting technology to existing homes. Further work is planned as part of the 2018/19 work programme once the business cases are finalised.
- 2.3.9 *Swansea and the City Region “An Economic Perspective”* – A wide range of issues were discussed at the PD&DC. These included: productivity, GVA and comparisons with other authorities within the region; transport links, connectivity, potential Swansea Bay Metro; the Tidal Lagoon project; improving the Fabian Way; involving communities outside the city centre in the changes; the City Deal and impact on employment, skills and training; the impact from the work of Universities; the potential of the Felindre site, and; confidence in the Planning process. The PD&DC asked that the key issues identified are integrated into other work streams as required.
- 2.3.10 *Co-operative Housing* – The PD&DC received a summary of information and discussed the opportunities afforded by co-operative housing. The PD&DC discussed why people live in co-operative housing, whom it is for and how schemes are developed. The Committee heard how the Welsh Government has a co-operative housing programme in place and discussed how co-operative housing could be part of the mix in Swansea. The next stage would be to gain internal opinion on a pilot approach and to consider the registered social landlord partner and location; thought could then be given to developing a Council Policy on co-operative housing. The Committee decide to review progress during 2018/19.

## 2.4 *Poverty Reduction PD&DC*

- 2.4.1 *Free Childcare Offer* - The PDDC considered the Childcare Offer specifically from a poverty perspective. As a result of its recent exploration of the Offer, it was recommended that eligibility should be broadened to include parents/carers on an employment pathway and that local employment programmes be more effectively aligned with the Offer to maximise the benefit to as many families as possible. A letter to Welsh Government was sent to request consideration of a change to national policy in relation to broadening the eligibility of the Childcare Offer.
- 2.4.2 *Safer Swansea Partnership Strategy* - A presentation was made to the Poverty Reduction PD&DC in January 2018. The presentation outlined the current position and the draft Community Safety Strategy which was going out to consultation. All members had the opportunity to shape the strategy. One point that came out of the meeting was that newly elected Members used to have six monthly/annual meetings with the Sector Police Inspector to discuss local issues – Members felt this was really useful and noted these had ceased over recent years. In response to the Members' comments further work has taken place to engage Ward Members in policing issues.
- 2.4.3 *Tackling Poverty Strategy* - The revised Tackling Poverty Strategy was reviewed by the PD&DC in August to look at whether they felt the Strategy was fit for purpose and would have a positive impact on revising poverty. Discussions also included the review of the original Strategy by Scrutiny. The conversation thread was positive, though somewhat limited by the very recent production of the Strategy and the level of external evaluation conducted by Scrutiny, the recommendations from which have been incorporated into the revised Strategy.
- 2.4.4 *Employability* - The Committee examined the Swansea Working proposals to assure themselves that they were fit for purpose and would support the outcomes of the Tackling Poverty Strategy. The discussions were positive and provided a full explanation of the type of provision on offer along with eligibility. Officers also stressed the importance of providing support in meeting the aims of Swansea's Economic Development Strategy, providing access to job and training opportunities to local people. The Committee asked to be kept informed of progress on outcomes and the programme develops.
- 2.4.5 *Homelessness Strategy and Housing First* - On 28<sup>th</sup> March 2018 the Committee had a presentation from Housing staff on the emerging themes of the Homelessness Strategy, which is progressing well with a draft strategy on target to be completed by October 2018. One of the emerging themes to come out from this meeting was the Housing First Model; at a subsequent meeting on 25<sup>th</sup> April 2018 the Committee discussed this model in greater detail. The next steps will be for Housing to complete the draft action plan and this will be further discussed with the Committee in 2018.

## 2.5 *Transformation & Future Council PD&DC*

- 2.5.1 *Zero hour contracts* –Whilst the Council does not have any employees on zero hours contracts, it is looking at its approach to flexible working in light of changes to work styles i.e. Agile working. Similarly, the Council is reviewing the types of contracts used by its suppliers. The project team provided an update to the March PD&DC to discuss its current progress. It was the view of the Committee that the current policy should be reviewed to ensure it remains fit for purpose. Data is being gathered and will provide further evidence to target as part of the implementation plan. The Committee will review progress during 2018/19 and will have further involvement in the development of the flexible working policy. This will be carried out in consultation with Trade Unions.
- 2.5.2 *Local supplier access to Council contracts* – This was the substantive work produced by the Committee. The Committee were concerned that local suppliers were finding it difficult to win bids due to various Welsh Government and EU rules when the Council procures services.
- 2.5.3 The Committee worked to understand fully the barriers facing local suppliers when bidding for work and the limitations imposed by regulations. The Committee sought to identify a definition for a ‘local Supplier’ and also considered whether a policy change was the best approach or whether there was an alternative way forward.
- 2.5.4 The Committee worked jointly with procurement officers through a series of workshops to address these questions. The committee considered the best approach to ensure equality, fairness and flexibility whilst meeting our legal obligations.
- 2.5.5 The Committee came up with options that will be developed into an action plan to develop and enhance advertising and marketing, provide support to bidders and suppliers and develop a new legal clause within the Council’s Contract Procedure Rule (revised CPR process); the clause will require approval by the Constitution Working Group.
- 2.5.6 The Action plan was appraised and also assessed against the Sustainable Development principles established by the Well-being of Future Generations Act 2015, which underpins the work of the PD&DC.
- 2.5.7 Consultation with internal officers, a supplier exercise and engagement with the Constitution Working group will also be undertaken to help inform the final document prior publishing; a paper will be reported to Cabinet in May 2018.

2.5.8 *Sustainable Swansea* – The PD&DC has contributed to the new cross cutting commissioning projects, such as Services in the Community. The Committee will support the development of the Co-production Strategy during 2018/19 and training and workshops will be arranged. The Committee will also support the work around terms and conditions, including zero hours, flexible working and sickness projects.

### **3.0 Improving the work of PD&DCs**

3.1 The work plans for each PD&DC comprised a selection of the Council's adopted Policy Commitments.

3.2 The potential to deliver Policy Commitments during the first year of operation determined their inclusion within each PD&DC work plan.

3.3 The work plans for each PD&DC vary in size and scope. Some items are about policy development or revision and others are about delivery. Some work plans are rather lengthy and the PD&DC will not deliver them over a single municipal year; nor is there sufficient officer capacity to resource them.

3.4 An improvement would be to ensure that the work plans for each PDC are short and focussed (perhaps even just two or three items), seek to produce work that addresses a question that needs to be answered and are closely aligned with the Council's budget and corporate priorities.

3.5 It would also be beneficial if the PDC work plans are set out and agreed at the start of the Municipal Year. The work plan should be discussed between the Chairs of the Policy Development Committees, Cabinet Members and Directors to ensure that the work plans align to budgets and to corporate priorities, that there is no duplication with Scrutiny and that there are sufficient resources in place.

3.6 The Constitutional Matters 2018-2019 report recommends that PD&DC's be re-established as PDC's 'Policy Development Committees' in order to help further clarify their purpose.

### **4.0 Approach**

4.1 Sometimes, the committees play an active and leading role in developing policy and shaping delivery working in a co-productive way. A monitoring role is undertaken by the committees at other times, reviewing the work already underway by officers and departments.

4.2 PDCs have used informal workshops and formal committee meetings to deliver work plans but there is no consistent approach to developing policy or shaping delivery across the PDCs.

- 4.3 A positive move forward would be for the PDCs to adopt a standard (but flexible) approach to working and developing policy and shaping delivery, informed by the five ways of working set out by the Well-being of Future Generations Act.
- 4.4 There needs to be clarity on the scope of each work plan item, on the problem that needs to be addressed and the expected timescales and outputs, all delivered by a disciplined approach to deliver an agreed 'product', such as a new or revised policy (or confirmation that the existing policy is appropriate).

## **5.0 Support and Membership**

- 5.1 Directors and officers from departments provide the Chair of each PDC and the committee with support to deliver work plans. Democratic Services provide committee support to each of the PDCs.
- 5.2 Committee Members and the Chair for each PDC should continue to be selected based on their interests, knowledge and ability to contribute to the item or items contained within the work plan.

## **6.0 Equality and Engagement Implications**

- 6.1 There are no direct equality and engagement implications. However, all policies, proposals or initiatives developed by the PDCs will need to be screened for an Equality Impact Assessment at the earliest possible opportunity.

## **7.0 Financial Implications**

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

## **8.0 Legal Implications**

- 8.1 There are no legal implications associated with this report.

**Background Papers:** None

**Appendices:** None