

Panel Perfformiad Craffu - Gwella Gwasanaethau a Chyllid

Lleoliad: Ystafell Bwyllgor 3 - Canolfan Ddinesig, Abertawe

Dyddiad: Dydd Mawrth, 10 Gorffennaf 2018

Amser: 11.00 am

Cynullydd: Y Cynghorydd Chris Holley OBE

Aelodaeth:

Cynghorwyr: P Downing, P R Hood-Williams, L James, M H Jones, P K Jones, J W Jones, I E Mann, B J Rowlands a/ac D W W Thomas

Agenda

Rhif y Dudalen.

- 1 Ymddiheuriadau am absenoldeb.**
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeliadauBuddiannau
- 3 Cwestiynau gan y Cyhoedd**
- 4 Adroddiad Blynnyddol - Safonau'r Gymraeg 2017/18** **1 - 25**
 - Clive Lloyd – Aelod y Cabinet - Trawsnewid Busnes a Pherfformiad (y Dirprwy Arweinydd)
 - Julie Nicholas-Humphreys - Customer Services and Complaints Manager
- 5 Y diweddaraaf am daliadau** **26 - 42**
 - Chris Williams – Pennaeth Gwasanaethau Masnachol
- 6 Gwahardd y cyhoedd** **43 - 48**
- 7 Y diweddaraaf am daliadau** **49 - 54**

Chris Williams – Pennaeth Gwasanaethau Masnachol

Cyfarfod nesaf: Dydd Mawrth, 14 Awst 2018 ar 10.00 am

Huw Evans

Huw Evans
Pennaeth Gwasanaethau Democrataidd
Dydd Mawrth, 4 Gorffennaf 2018
Cyswilt: Craffu 636292



Report of the Cabinet Member for Welsh Language

Service Improvement and Finance Panel – Tuesday 10th July 2018

Welsh Language Annual Report 2017/18

Purpose:	The report provides an overview of the work of the authority in relation to the Welsh Language during the specified reporting period.
Content:	Report on the Welsh Language Annual Report 17/18
Councillors are being asked to:	To inform Councillors of the Welsh Language Annual Report
Lead Councillor:	Cllr Clive Lloyd, Cabinet Member for Business Transformation & Performance
Lead Officer	Julie Nicholas-Humphreys Tel: 01792 635835 E-mail: julie.nicholas-humphreys@swansea.gov.uk
Report Author:	Ann Williams
Legal Officer:	Debbie Smith
Finance Officer:	Ben Smith

1. Introduction

- 1.1 The authority has been subject to Welsh Language Standards under the Welsh Language (Wales) Measure (2011) for two years since 30.03.2016
- 1.2 The Compliance notice issued to the authority by the Office of the Welsh Language Commissioner includes 169 standards with which we are obliged to comply. The 86 Service Delivery standards are the greatest in number.

1.3 The standards specify how the authority will work in relation to the Welsh language in a number of specific activities in different areas of operation, namely:

- Service delivery
- Policy Making
- Operational (i.e. internal)
- Promotion
- Record Keeping

1.4 Production of an Annual Report is mandated by standard No.170, which also specifies certain information to be included. This is the second Annual Report and covers the period of 01.04.017 until 31.03.2018.

2. Report Content

2.1 As well as an overview of the activity during the report period, the report contains sections on:

2.1.1 **Operation of Standards.** Information on the internal promotion of the Welsh Language Standards to support a successful and consistent implementation across the authority, along with tools and information to assist in this.

2.1.2 **Welsh Medium Education.** Whilst the authority's performance in this is reported separately in respect of our WESP (Welsh in Education Strategic Plan) it is included here as the future development of the Welsh language in the area and beyond is fundamentally linked with Welsh Medium Education

3. Financial Implications

3.1 There are no financial implications

4. Legal Implications

4.1 There are no legal implications.

5. Access to Services Implications

5.1 There are no equalities implications arising from this report.

Background papers: None

Appendices: a) Welsh Language Annual Report 2017 -2018

Swansea Council



Welsh Language Annual Report 2017 - 2018

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- b) Complaints regarding compliance with standards**
- c) Swansea Welsh Language demographics**

1. Introduction and Background

This is the second Annual Report since standards became effective and provides an overview of the activity of the 12 month period to 31st March 2018 and an appraisal of where the authority finds itself in relation to its implementation of the standards.

The appendices provide some detail concerning the specific implementation of the standards in Swansea and information regarding the Welsh language in the area.

Since 30th March 2016 all local authorities in Wales have had a statutory duty to comply with the Welsh Language (Wales) Measure (2011) and with the Welsh Language Standards imposed by the Measure through sub-legislation (Welsh Language Regulation Standards).

The standards issued to the City and County of Swansea are listed in a Compliance Notice -Section 44 Welsh Language (Wales) Measure 2011. A copy of these standards is available on the council's public website at:

<https://www.swansea.gov.uk/cymraeg> <https://www.abertawe.gov.uk/cymraeg>

This notice, agreed with the Office of the Welsh Language Commissioner, is the current document governing our compliance.

The intention of the standards is:

- to ensure that organisations treat the Welsh language no less favourably than the English language and
- to promote and facilitate the use of the Welsh language (making it easier for people to use in their day-to-day-life).

Standards aim to:

- make it clear to organisations what their duties are in relation to the Welsh language
- make it clearer to Welsh speakers about the services they can expect to receive in Welsh
- make Welsh language services more consistent and improve their quality.
-

Swansea Council is required to comply with **163 standards across 5 categories** as shown in table 1, below:

Table 1: Standards for compliance by Swansea Council

Swansea Council		
	Categories	Number of Standards
1	Service Delivery standards	86
2	Policy Making standards	16
3	Operational standards	51
4	Promotional standards	2
5	Record Keeping standards	8
	Total	163

2. Overview of 2017-2018

The good progress made on implementing the Welsh language standards continued during the year and general feedback indicates that officers are more educated and much more aware of the need for compliance than they were previously. Overall feedback from managers has been positive with no major issues noted.

When the standards first came in, waiting times for translation could be very long but there has been an improvement during the year.

The Authority has committed to an annual 3 day “CROESO” event to celebrate St. David’s Day on the weekend nearest 1st March. See section 3ch: Promotional Standards for more details of this year’s event.

In January 2018 the Commissioner commended the council’s Leisure Services on the facilitation and promotion of Welsh language swimming lessons.

The Welsh language service on the Council’s main telephone number is popular with Welsh speakers with a number of callers commenting how good it is to be able to speak Welsh first when contacting the authority by phone. A significant number of Welsh speakers too have chosen to access other Welsh language departmental telephone lines (see section 3a Service Delivery Standards for details).

During the year all individual and team email addresses in the authority acquired a Welsh Language equivalent.

The priority during the year has continued to concentrate on Service Delivery standards as they are greatest in Number (86) as well as the most visible to the public.

Work has also progressed on the Operational Standards particularly as they apply to the requirements in relation to the authority’s workforce.

3. The operation of Standards

Responsibility for our compliance with the Welsh language standards rests with the Corporate Management Team with Heads of Service implementing their own local procedures.

Each service area has a Welsh language Champion as the main channel for information (inward and outward) relevant to their work areas and practices.

A designated Equality Officer is the general point of contact for Welsh language issues raised externally – whether by individuals, the Office of the Welsh Language Commissioner or elsewhere. They also provide advice and guidance internally on implementation of and compliance with the standards.

Definitive information and decisions about the standards have been communicated, in addition to the Champions, to each Head of Service – who has the responsibility for compliance within their own area.

Responsibility for overseeing the Welsh Language agenda is led by the Council’s Customer Service Manager.

In December 2017 the authority received the findings of the Welsh Language Commissioner's Assurance Report 2016-17 "Rights Taking Root" and details of findings in relation to Swansea Council can be found in **Appendix a)**

Whilst the report notes that things are improving across the organisations that are required to comply with Welsh Language Standards there is more to be done: general findings of the report include:

- The quality of Welsh-language services, and organisations' arrangements for self-regulation, need to be improved.
- There's a need to change behaviours in order to promote and facilitate the use of the Welsh Language. Services need to be marketed intelligently and need to persuade people that their needs will be met
- It is vital that promotion strategies are prepared and implemented in order to ensure that the number of Welsh speakers is maintained or increased.

The above findings reflect the present situation in Swansea Council and offer a clear challenge to the authority in going forward with embedding the standards and normalising the use of the Welsh Language in all its functions.

The Welsh Translation Unit

The Welsh language's increased profile following the announcement and introduction of standards has improved the timeliness of submissions to the Translation Unit with requestors being more aware of the need to include time for translation in plans for developing any relevant documents, publicity and other resources.

The Unit also moved under Customer Services in April 2018 and we are currently undertaking a review of demand and looking at new ways of working to enable translation requirements to be scheduled and prioritised in an efficient manner from across the whole Council.

The workload of the Translation Unit continues to grow – due to both the additional requirements of the Standards compared to the Scheme; and the broader take-up of services by sections which had not fully engaged previously. Changing the way we work, raising awareness and better communication and marketing of the service will resolve some of the problems that can occur at certain times of the year when multiple deadlines coincide.

During 2017-18, the Translation Unit translated 3.8 million words. Whilst this represents a decrease of 6.3% over 2016-17, simultaneous translation at meetings have significantly increased over the past year with 171½ hours being recorded during 2017–18, an increase of 103% on the previous year.

In order to achieve efficiencies, the organisation has seen significant change over the last 12 months which has resulted in several restructures and subsequent advertising of posts. As the Welsh Translation Unit is operating at maximum capacity and due to the quick turnaround required, approximately 700,000 words were translated externally.

Feedback from departments

Design Print

There are times when employees have to be reminded of requirements and there remain instances where officers producing documentation are still not taking the Welsh Language Standards into account when planning projects or events. When the standards first came in, waiting times for translation could be very long but there has been an improvement during the year.

Scrutiny

The turnaround from the Welsh translation unit can be an issue which impacts on deadlines and adds pressure to prepare work when factoring in translation time.

3a. Service Delivery Standards

Email addresses

Since February 2018 all individual and departmental email addresses have been available in English and Welsh so that Welsh speaking residents and others are able to make contact via the Welsh address. Staff are expected to place their @swansea.gov.uk and their @abertawe.gov.uk address in their email signature.

Telephone

The inclusion of Welsh language in telephone greetings and being aware of departmental procedures has given staff in many areas the confidence to be able to provide a Welsh language service to those requesting or needing it.

During the last financial year 2733 callers to the Council's Switchboard and Corporate Call Centre chose the option to speak to the Council in Welsh, however only 1676 of those continued their query through the medium of Welsh, the others were residents who made an incorrect language choice.

The call centre answered 435,657 calls in total the same period (2017/2018) so the above equates to only 0.4% of calls being requested through the medium of Welsh.

The number of customers who accessed the services of the Revenues and Benefits Department of the Council in Welsh by telephone in the reporting period was 1,866. Total contact by telephone was 151,173 calls therefore the percentage of Welsh calls totalled 0.12%.

A dedicated Welsh telephone line was set in the Adult Social Services Department as the "Common Access Point" in December 2017 to access Adult Health and Social Care services. Prior to that there was no means of tracking Welsh Language calls. Between December 2017 and 31st March 2018, 57 people called the Welsh Language line of the Common Access Point. All callers however decided to proceed in English rather than wait for a Welsh speaker to phone them back.

The number of calls to the Welsh Language employment services telephone line in the 2017/2018 financial year was 379. This equates to 2% of the total calls to the Service Centre Helpdesk.

Swansea, through Western Bay, plan to deploy the Welsh Community Care Information System (WCCIS) which supports an active offer, and would replace its “PARIS” system. Progress on this will be included in the next Annual Report including data on the number of Welsh Speakers who contacted the Child and Family Information, Advice and Assistance Service.

Mwy Na Geiriau: More than Just Words:

Whilst the Welsh language standards apply across all areas of the authority’s operation, Swansea Council, in addition, is committed to taking forward Mwy na Geiriau / More than just words – the Welsh Government’s strategic framework for Welsh language services in health, social services and social care.

In year One, Swansea through the Western Bay Regional programme profiled and assessed a number of target populations to support the development of an Area Plan last year. We have just completed Year 2 of the programme in which the ‘Active Offer’ of information, advice and assistance through the medium of Welsh is made at our statutory front door, and through social work assessment, and social service provision. Social Services are working closely with commissioned services to ensure that a bilingual approach is visible, embedded and a feature of quality within a social care offer to adults and children in Swansea. There are plans to implement the Welsh Community Care Information System (WCCIS) next year.

Within Social Services, and partnerships this framework is the focus of action relating to the Welsh language standards. Progress against the framework’s action plan is reported to Welsh Government, and Care Inspectorate Wales (CiW). Swansea Council, and Western Bay are now represented at the Cwm Taf and ABMU Health Board’s Joint Regional “More than Just Words” Forum, a collaborative group formed to take forward implementation across health and social care across the two regions, and to share best practice.

3bi Policy Making Standards

All Policy Making decisions are subject to the authority’s corporate Equality Impact Assessment process, which considers the potential effect which the initiative may have on Equality issues.

While based on the requirements of the Public Sector Equality Duty (under the Equality Act (2010)) our particular EIA process has broadened the set of parameters to include specific mention of the Welsh Language Standards and our requirements to meet them. Associated guidance reinforces these requirements. Whilst understanding of the standards has increased generally, officers often require explanation and support when completing the Welsh language element of an EIA. One common issue is a failure to discuss proposals with Welsh speakers in the community.

Supplementary policy making standards

3bii Complaints

Complaints in relation to the Welsh Language and /or complaints received in the Welsh Language about any aspect of service delivery are dealt with according to the authority’s

corporate complaints policy which is published on the Council's external website <https://www.swansea.gov.uk/cymraeg>

During the reporting period 1st April 2017 -31st March 2018 we received **one** new complaint via the Office of the Welsh Language Commissioner in relation to service provision under the Welsh Language Standards and three complaints directly to our corporate complaints department in relation to the Welsh Language.

It must be noted that complaints initiated via the Office of the Welsh Language Commissioner are progressed in line with their own standards and timescales which take priority over our normal (published) response times.

Details of open complaints along with complaints that were not closed at the end of the previous reporting period are shown in the table in **Appendix b)** Complaints on-going at the end of the reporting period will be included in the next annual report.

3c Operational standards

Operational Standards that relate to the use of Welsh within the internal functions of an organisation including the relationship between the authority and its employees (including during recruitment and appointment), through:

- Encouraging and assisting staff to use their Welsh language skills as part of their normal day-to-day work
- Providing a supportive framework for staff to improve and develop their Welsh language skills.

The Human Resources department has commissioned the translation of those policies and procedures as directed under the standards and these are available to any member of staff requesting them.

Access to software to assist staff in the use of Welsh (e.g. MSOffice spell checking and grammar checking; and automatic translation) is available as a standard add-on. StaffNet has a 'Welsh Language' section <http://www.swansea.gov.uk/staffnet/welsh> which contains supporting resources for staff using the Welsh language in their work, which includes:

- An overview of the Standards, including information on the role of the Welsh Language Commissioner
- An on-line Welsh language awareness course developed to provide some social and historical context to the Welsh language and its place in modern society.
- Handy Guides, each giving a quick guide to a specific area of the standards, e.g.
 - telephone calls
 - emails
 - organising meetings
 - design of signs
 - welsh translation Services

- Standard Translations
 - to assist with production of standard information with small amounts of variable data, e.g.
 - dates, times, venues
 - automatic (out of office) messages
 - standard ad hoc signs
- Guide to bilingual social media - rules for publicising events and other information on Twitter, Facebook and other social media.
- Details of Welsh language tuition and practice sessions, including external courses listed on the <http://www.swansea.ac.uk/learnwelsh/> website
- Regular external social events via the Menter Iaith Abertawe website
- Welsh language training for staff - initially targeted towards front-line staff in areas with an identified insufficiency of Welsh-speakers.
- Details of service area Welsh language champions

Staff and Welsh Language Skills

The authority's HR system (Oracle) records Welsh language skill levels across the four areas of Speaking, Understanding, Reading and Writing. Staff are encouraged to update their Welsh language skill levels as part of the on-line "Self Service" option and initiatives encouraging them to do so have seen a slight increase in recording in 2017/18.

Data supplied by staff (as of 31st March 2018) and held on the system can be seen in the following tables.

Table A: Staff recording of one or more Welsh language skills.

	Q18 Understand Spoken Welsh	Q18 Speak Welsh	Q18 Read Welsh	Q18 Write Welsh	Q18 Learning Welsh
Grade 2	30	15	14	11	9
Grade 3	26	17	16	14	13
Grade 4	28	20	19	12	11
Grade 5	33	24	23	17	18
Grade 6	43	26	34	20	30
Grade 7	34	32	34	28	18
Grade 8	33	24	27	21	19
Grade 9	17	15	16	13	20
Grade 10	12	8	10	6	11
Grade 11	8	6	7	4	3
Grade 12	5	4	4	3	6
Over 12	3	1	1	1	1

Totals 2017/18	272	192	205	150	159
Totals 2016/17	233	166	205	145	153

The data summarised in the above table suggests that Welsh language skills are fairly evenly distributed throughout the various levels of employee by grades. The data also indicates that there has been an increase in the number of skills recorded since the previous year.

Table B: The overall figures for each section of staff recording of one or more Welsh language skills.

	Q18 Understand Spoken Welsh	Q18 Speak Welsh	Q18 Read Welsh	Q18 Write Welsh	Q18 Learning Welsh
Poverty and prevention	17	12	13	9	17
Place	117	87	96	74	69
Education (not schools)	22	15	16	15	19
Social Services	43	37	37	28	28
Resources	32	23	27	19	20
Total	231	174	189	145	153

Table C: Summary figures for each section

Service Unit	Headcount	% of staff with skills recorded	Number of staff with skills recorded
Directorate - Resources	683	28.8%	197
Directorate - People (Poverty and Prevention)	375	30.4%	114
Directorate - Place	2758	33.4%	920
Education Non Schools	1047	32.8%	343
Social Services	1598	48.5%	775
Total	6461	36.40%	2349

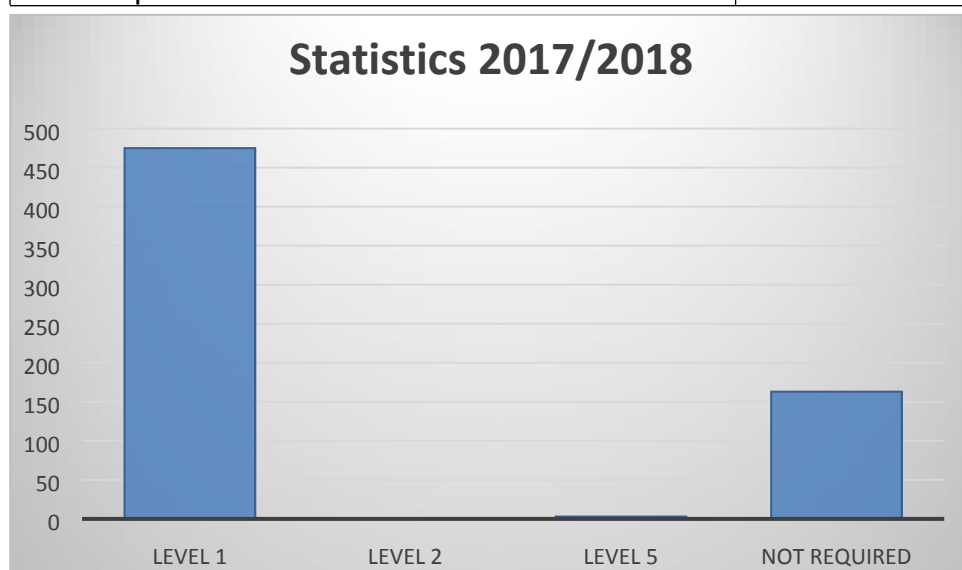
Table C indicates that there has been a significant increase in the number and percentage of staff who have recorded their Welsh language skills since the last report suggesting that initiatives to encourage staff to provide details have had some effect in improving the completion rate on Oracle.

- **426** members of staff in 2016/17 and **2349** in 2017/18
- **6.54%** recorded their skills in 2016/17 increasing to **36.4%** in 2017/18.

New and Vacant Posts

The table below gives a summary of the number of new or vacant posts advertised by the authority and indicates the levels of Welsh Language Skill required for the role. Level 1 being the most basic level of understanding and Level 5 the most advanced.

Welsh Language skill level required	Number of new and vacant posts advertised 2017/18
Level 1	475
Level 2	1
Level 5	3
Not Required	163



Training

The Council registered with “Learn Welsh Cymru” during the reporting period so that staff can access the 10 hour on line course <https://learnwelsh.cymru/work-welsh/online-taster-course/>

No Corporate courses were offered in Welsh during the reporting period but all mandatory e-learning courses for staff were in the process of being translated in March 2018 to ensure staff can undertake them in Welsh in future. Progress will be reported on this in next year’s annual report.

A total of 12 members of staff completed an on line Welsh Awareness e-learning module on line in the reporting period.

From April 2017 to August 2017 the authority continued to provide subsidised basic Welsh Language tuition to staff. The table below shows details of student attendance.

Staff feedback suggests that there could be better opportunities for learning Welsh as currently it is not accessible enough or easy to undertake.

Welsh Language lessons Attendance Records for Financial Year 2017 / 2018

Level	Dates of courses	am / pm	No. of lessons	Staff on Course	Total Planned Attendance	Total Actual Attendance	Attendance Percentage
1	9/11/16 to 5/7/ 2017	am	13	16	208	160	77%
1	9/11/16 to 5/7/ 2017	pm	13	16	208	199	96%
1	5/01/16 to 3/8/2017	am	17	17	289	181	63%
				49	705	540	77%
2	5/11/16 to 3/8/ 2017	pm	17	7	119	60	50%
TOTAL				56	824	600	73%

A number of staff who completed Foundation courses wished to continue their training after the Summer of 2017 and others wished to start to learn the language.

A total of 99 staff registered an interest in Welsh classes during the reporting period but the authority did not have the necessary funding in September 2017 to meet the demand.

Negotiations with the National Centre for Learning Welsh resulted in an agreement whereby the Centre would fund and organise “Gwaith Cymru” intensive training for council staff. A partnership agreement was put in place in early January 2018 allowing 36 members of staff to begin the intense training on April 16th 2018 (to end on 31st March 2019).

From September 2018 staff (including those who wished to move on from their level 1 course) and others who do not wish to do the intense course will have the opportunity to attend a Foundation level 1 or 2 course (30 weeks) commissioned by Swansea Council and provided by Swansea University.

Progress on all staff courses will be reported in the next annual report.

Staff Support

The Weekly, lunchtime groups to support Welsh speakers and learners at the two main council venues which began the previous year were not able to continue due to a

reduction in staff to coordinate the groups and a general feeling that employees were unable to give up their time to attend regularly at lunchtime. Discussion continues as to the best way forward and a few smaller groups of employees are meeting informally.

Lanyards/Badges

Our compliance notice dictates that Welsh speaking reception staff should be provided with 'Iaith Gwaith' lanyards and badges to identify themselves to members of the public. All Welsh speaking staff have access to a "Iaith Gwaith" Lanyard and Welsh Learners are able to wear "Welsh Learner" lanyards.

As a consequence, Welsh speaking members of staff have been able to identify other Welsh speakers and start conversations in Welsh. In some cases people had worked together for a number of years without recognising this. As a result, there is more of an opportunity for informal (and wider) conversations in Welsh, thus normalising the use of Welsh in the work environment.

Staff Communication

Although communication issued centrally and sent to groups of staff would be in English (as is permissible under the standards), Welsh speaking staff are increasingly contacting other known Welsh speakers by email or telephone in Welsh

With an increasing emphasis on "Agile" working, a new agile area is being developed which will have one section designated for Welsh Speaking staff to sit together should they so wish in the knowledge that they can speak Welsh to those around them.

A large drop in event was held for staff entitled "Be the Best You Can Be" during the reporting period where amongst the exhibitor stands were Swansea "Menter Iaith", the National Centre for Learning Welsh (from their local base at the Academi Hywel Teifi in Swansea University) and the Council's Welsh Language Officer. A simple paper quiz about Welsh place names proved popular in drawing people to the stands and several staff expressed interest in learning Welsh or finding out more about the opportunities available locally for Welsh speakers and learners.

Meetings

During internal meetings, particularly those of a more formal nature, pre-booked simultaneous translation is available to allow those attending to contribute in Welsh. When meeting with external agencies who wish to deal with the authority through the medium of Welsh, wherever possible (and with prior warning) suitably qualified Welsh speakers would attend on behalf of the authority to allow all or as much of the meeting as possible to proceed in Welsh.

Visibility

All of the above initiatives have increased and improved the visibility of the Welsh language throughout most areas' operations and encouraged its use both informally and in the work setting.

3ch Promotional standards

Whilst an outline 5 year Strategy to promote the Welsh Language has been in place since September 2016 progress in developing this has been slow.

Nia Davies of "Cwmni Nico" on behalf of the Language Commissioner, met with the Welsh Language Officer and their team leader in December 2017 to discuss the

promotional standards. “Nico” has been commissioned by the Commissioner to produce a toolkit to aid compliance with the promotional standards. The discussion was very useful in clarifying what actions we need to take in developing the plan and the resulting toolkit /advice document will be beneficial in assisting the authority in moving forward.

Swansea’s Welsh Language Initiative (Menter Iaith Abertawe) was unsuccessful in gaining grant funding from the Authority during the reporting period so proposals to work together to promote the language will be limited.

The Authority has committed to an annual 3 day “CROESO” event to celebrate St. David’s Day on the weekend nearest 1st March. Unfortunately due to a warning of severe weather conditions several of the outdoor aspects of this year’s event had to be either cancelled or moved indoors. However, a city centre parade entitled “Pâred Dewi” went ahead with around 200 individuals and 7 floats taking part. Menter Iaith Abertawe advises on the organising and content of the event and all communities are encouraged to take part in the festival which highlights the Welsh language as a distinctive and unifying force in Swansea.

To mark St.David’s Day, the authority organised a Welsh Language exhibition in Swansea’s Civic Centre which ran for a month traversing 1st March to promote the language and to highlight the opportunities available in the City and County of Swansea for Welsh speakers and learners. Exhibits included details of how to learn Welsh, how and where to access Welsh medium education including pre-school groups and nursery provision, social activity groups and the opportunities available through Swansea’s Welsh Language Initiative at their City Centre Welsh Language Centre and beyond.

3.d Welsh Medium Education

The future development of the Welsh language in the area and beyond is fundamentally linked with Welsh Medium Education and this aspect is dealt with specifically in the council’s Welsh Language Education Scheme.

There are 11 Welsh medium primary schools feeding into the two senior schools – Ysgol Gyfun Gŵyr and Ysgol Gyfun Bryntawe.

Currently the number of students attending Welsh medium education in the three age ranges and the overall percentage of each range which these figures is outlined in the tables and graphs below. They show that both the number of students receiving Welsh medium education and the overall percentage has increased in the last year.

2017-2018

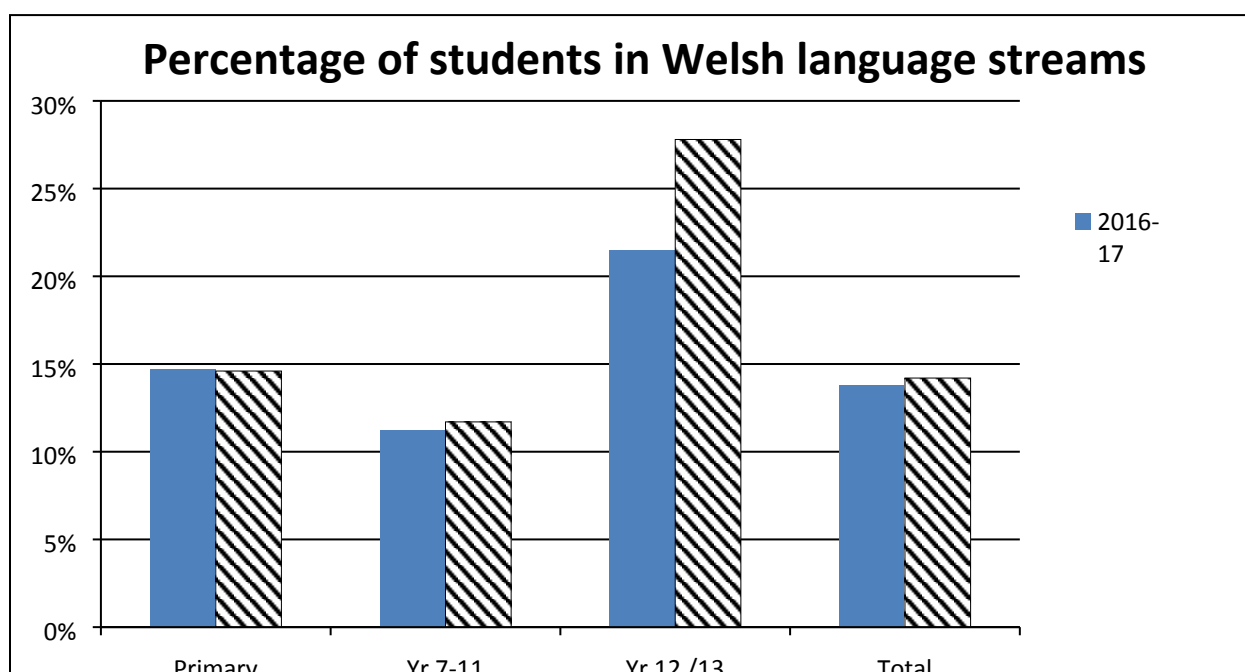
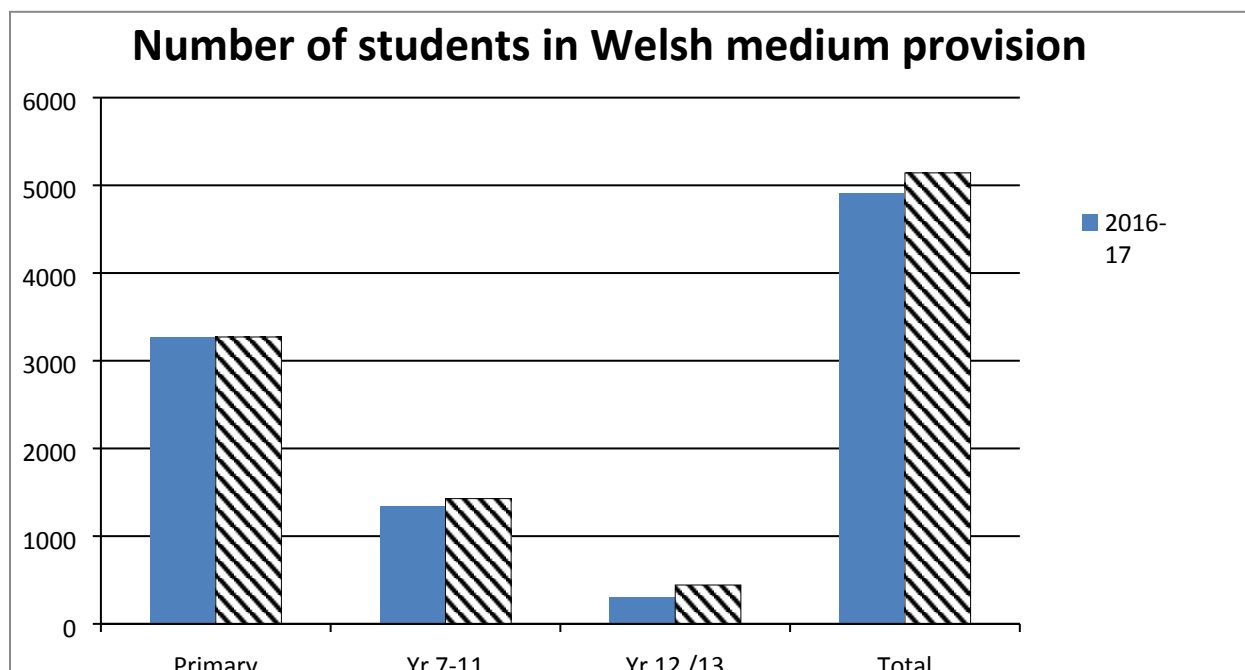
School Rolls	Total Welsh and English streams	Number of students in Welsh medium provision	Percentage of students in Welsh language streams
Primary	22383	3271	14.6%
Y7-11	12210	1428	11.7%
Y12-Y13 ¹	1592	443	27.8%
Total	36185	5142²	14.2%

^{1&2}Figures do not include attendance at 6th from College e.g Coleg Gŵyr Abertawe

2016-2017

School Rolls	Total Welsh and English streams	Number of students in Welsh medium provision	Percentage of students in Welsh language streams
Primary	22266	3263	14.7%
Y7-11	11928	1338	11.2%
Y12/13 ³	1430	307	21.5%
Total	35624	4908⁴	13.8%

^{3&4}Figures do not include attendance at 6th from College e.g. Coleg Gŵyr Abertawe



In GCSE Welsh First Language, over 86% of students attain grades A*- C, and numbers entering this subject have increased steadily in the six years up to 2017.

In the GCSE Welsh Second Language (full course) over 86% attain grades A*- C and numbers entering the subject have increased in the six years since 2012 from 239 entries (9.2%) to 678 entries (28.2%) in 2017. The increase in entries is due partly to the pending withdrawal of the short course option in this subject, with all entries being full course from 2019.

Performance in Welsh is also strong in key stages 2 and 3.

In key stage 2, the percentage of pupils in year 6 attaining level 4 or higher in Welsh First Language has improved from 91.2% in 2013 to 95.3% in 2017. The equivalent improvement for Welsh Second Language over the same period was from 67.5% to 77.0%.

In key stage 3, the percentage of pupils in year 9 attaining level 5 or higher in Welsh First Language has improved from 87.6% in 2013 to 93.8% in 2017. The equivalent improvement for Welsh Second Language over the same period was from 73.1% to 81.8%.

Overall Welsh is performing well as a subject in Swansea.

Swansea Welsh Language Demographics

The 2011 Census is still the key source of information on Welsh language skills at a geographical level. The tables in Appendix c) outline the percentage of Welsh Language skills by electoral ward and by age.

3dd Record Keeping Standards

These standards concern ensuring that data is maintained and reported upon in line with the requirements of the standards to illustrate the authority's compliance with the standards. This includes the production of this annual report.

Appendix a) - Findings of monitoring work in relation to the organisation in 2016-17

The report is based in part on the findings of the Commissioner's monitoring work in 2016-17. A series of mystery shopper and desktop research exercises were conducted in order to test how the standards are being implemented in practice. Information about the methodologies used for this work is available in an appendix to the Assurance Report.

The table in Appendix 1 shows a) organisations' general performance in these exercises, and

b) presents Swansea Council's performance for comparison.

	General Performance	The organisations' performance
Telephone	<p>A Welsh greeting was given during 90% of the calls to public organisations' main phone line</p> <p>A Welsh-language service needed to be asked for during 12% of the calls to public organisations</p> <p>84.5% dealt with the entire call in Welsh, with the receptionist and possibly another officer providing a response (organisations subject to standard 10)</p> <p>In 57% of the calls the receptionist conducted the conversation in Welsh to understand the nature of the enquiry and then transferred the call (organisations subject to standard 11(a))</p> <p>No Welsh-language service was available during 5% of the phone calls answered by organisations</p>	<p>2 of 3 calls were answered with a Welsh-language greeting</p> <p>2 of the 3 calls were dealt with entirely in Welsh, with the receptionist and possibly another officer providing a response</p> <p>No Welsh-language service was available during 1 of the 3 phone calls answered by the organisation</p>
Reception	<p>A member of staff was available to provide a Welsh-language service at 67% of receptions at county councils, national park authorities, and the Welsh Government</p> <p>54% of county councils' receptions displayed a sign welcoming the use of Welsh</p> <p>Staff at 75% of the receptions where a Welsh-language service was available wore a badge welcoming the use of Welsh</p>	<p>A Welsh-language service was received at 1 out of 2 of the organisations' receptions visited</p> <p>A sign welcoming the use of Welsh was displayed in 1 out of 2 of the organisation's receptions visited</p> <p>Staff wore a badge welcoming the use of Welsh in 1 out of 2 of the organisation's receptions visited where a Welsh-language service was available</p>
Social Media	<p>23% of public organisations' Twitter accounts, and 29% of their Facebook accounts, provided a corresponding service in Welsh and English</p>	<p>The organisation was seen to be providing a corresponding service in Welsh and English in relation to 42 of the 46 Twitter messages viewed, and 1 of the 20 Facebook messages viewed</p>

Correspondence	<p>E-mail A response was received to 74% of Welsh-language e-mails and 79% of English-language e-mails 7% of the responses to Welsh-language e-mails were in English</p> <p>Letters A response was received to 61% of Welsh-language letters and 66% of English-language letters 4% of the responses to Welsh-language correspondence were in English</p> <p>Facebook A response was received to 74% of Welsh-language Facebook messages, and 74% of English-language Facebook messages 4% of the responses to Welsh-language Facebook enquiries were in English</p>	<p>E-mail A response was received to 2 out of 2 Welsh-language e-mails and 2 out of 2 English-language e-mails</p> <p>Letters A response was received to 2 out of 2 Welsh-language letters and 1 out of 2 English-language letters</p> <p>Facebook A response was received to 2 out of 2 Welsh-language Facebook messages, and 1 out of 2 English-language Facebook messages</p>
Website	<p>Of all the pages viewed, 75% were available in Welsh and the two languages corresponded to each other; a further 18% were available in Welsh but the Welsh version did not correspond to the English version, or there were errors on the page.</p> <p>7% of the pages were not available in Welsh.</p> <p>In respect of 53% of the organisations, all web pages were available in Welsh, and in respect of 78% of the organisations, over three quarters of their web pages were available in Welsh.</p>	<p>43 of the 45 pages viewed were available in Welsh</p> <p>10 of the 43 pages either did not correspond or contained errors</p> <p>2 of the 45 pages were not available in Welsh</p>
Documents	<p>Seven of the 8 organisations subject to standard 40 (any documents that you produce for public use must be produced in Welsh) complied with the standard</p> <p>The number of organisations subject to other standards who were compliant was as follows:</p> <ul style="list-style-type: none"> ● 41 (management board papers) – 6 of 16 organisations ● 43 (brochures, leaflets, pamphlets, cards) – 11 of 18 organisations ● 44 (policies, strategies, reports, plans, codes of practice, and other corporate documents) – 6 of 15 organisations ● 46 (press releases) – 14 of 17 organisations 	<p>Three documents were viewed in relation to each of the standards the organisation is subject to. We found:</p> <ul style="list-style-type: none"> ● that the organisation was compliant with standard 41; ● that the organisation was compliant with standard 43; ● that the organisation was not compliant with standard 44; ● that the organisation was compliant with standard 46.

Supplementary issues	<p>725 of the organisations had published a document stating which standards they must comply with;</p> <ul style="list-style-type: none"> 55% of the organisations had published a document stating how they will comply with the standards; 28% of the organisations had published a document stating their monitoring arrangements; 20% of the organisations had published a document stating their complaints procedure. 	<p>When viewing the organisation's website, we found:</p> <ul style="list-style-type: none"> that the organisation had published a document stating which standards it must comply with; that the organisation had not published a document stating how it will comply with the standards; that the organisation had not published a document stating its monitoring arrangements; that the organisation had not published a document stating its complaints procedure.
Jobs	<p>The Welsh language was an essential skill for 15% of posts</p> <p>The Welsh language was a desirable skill for 52% of posts</p> <p>It was stated that there was a need to learn Welsh in 0.2% of posts</p> <p>It was stated that Welsh language skills were not required in 27% of posts</p> <p>Another description was given for 13% of posts</p>	<p>The Welsh language was an essential skill for 0% of the posts (0 of 98) advertised by the organisation</p> <p>The Welsh language was a desirable skill for 26% of the posts (25 of 98) advertised by the organisation</p> <p>It was stated that there was a need to learn Welsh in 0% of the posts (0 of 98) advertised by the organisation</p> <p>It was stated that Welsh language skills were not required in 16% of the posts (16 of 98) advertised by the organisation</p> <p>Another description was given for 58% of the posts (57 of 98) advertised by the organisation</p>
Promotion Strategies	<p>15 of the 21 organisations that are subject to a duty to comply had published a promotion strategy</p> <p>9 of the 15 strategies set a target relating to the number of Welsh speakers</p> <p>14 of the 15 strategies included strategic objectives, targets or action plans outlining activities to promote and facilitate the use of Welsh more widely, but their level of detail varied greatly</p>	<p>The organisation had published a promotion strategy</p> <p>The strategy did not set a target relating to the number of Welsh speakers</p> <p>The strategy did not include strategic objectives, targets or action plans that outline promotion activity and facilitate the use of Welsh more widely.</p> <p>The document was a framework for strategic action. It did not have a baseline in terms of demography or current provision. The intention is to map and shape a baseline of activities and numbers of Welsh speakers by ward before determining development measures from January 2017</p>

Appendix b) – Complaints regarding compliance with standards

Reference	Complaint	Date Rec'd	Response	Last Action	Status
CSG118	Lack of Welsh language swimming lessons	15.09.16	Draft action plan requested by OWLC and provided.	22.01.18:	<p>CLOSED</p> <p>OWLC Approved the authority's draft action plan.</p> <p>Plan activated on 24th January 2018 and followed.</p> <p>No further action</p>
CSG156	English-only on line payment of parking fine	26.10.16	System is available in both languages. Payment via external site may require cookies to be cleared otherwise system will pick up old data and display in English	18.04.18	Commissioner decided not to open an investigation.
CS168	Automatic reminder for resident parking permit sent in English only	07.02.17	Problem resulted from one-off manual handling error during the parallel running of two systems.	29.11.17	<p>CLOSED</p> <p>Final report received from OWLC and agreed.</p> <p>Subsequent action taken to prevent future occurrence.</p> <p>No further action req'd</p>

CSG201	English only response to a Welsh language email	30.03.17	Email marked urgent received out of office. Recipient sent reply in English only.	08.09.17 06.10.17	<p>CLOSED</p> <p>Final report and decision notice received and agreed.</p> <p>Swansea Council must:</p> <ol style="list-style-type: none"> 1. respond to Welsh correspondence in Welsh; 2. State in correspondence (including ALL email disclaimers) that we welcome correspondence in Welsh, etc. <p>Staff reminded of the requirements and disclaimer embedded along with all emails as default. No further action req'd.</p>
CSG311	English responses to a series of Welsh Language emails	15.01.18	Complainant had agreed that no WL translation was required for meetings with officer. Officer considered it was therefore acceptable to email complainant in English	22.01.18	<p>OPEN</p> <p>Agreed with Tesni Glyn of OWLC that an officer of Swansea Council was responsible.</p>

Appendix c) - Swansea Welsh Language demographics

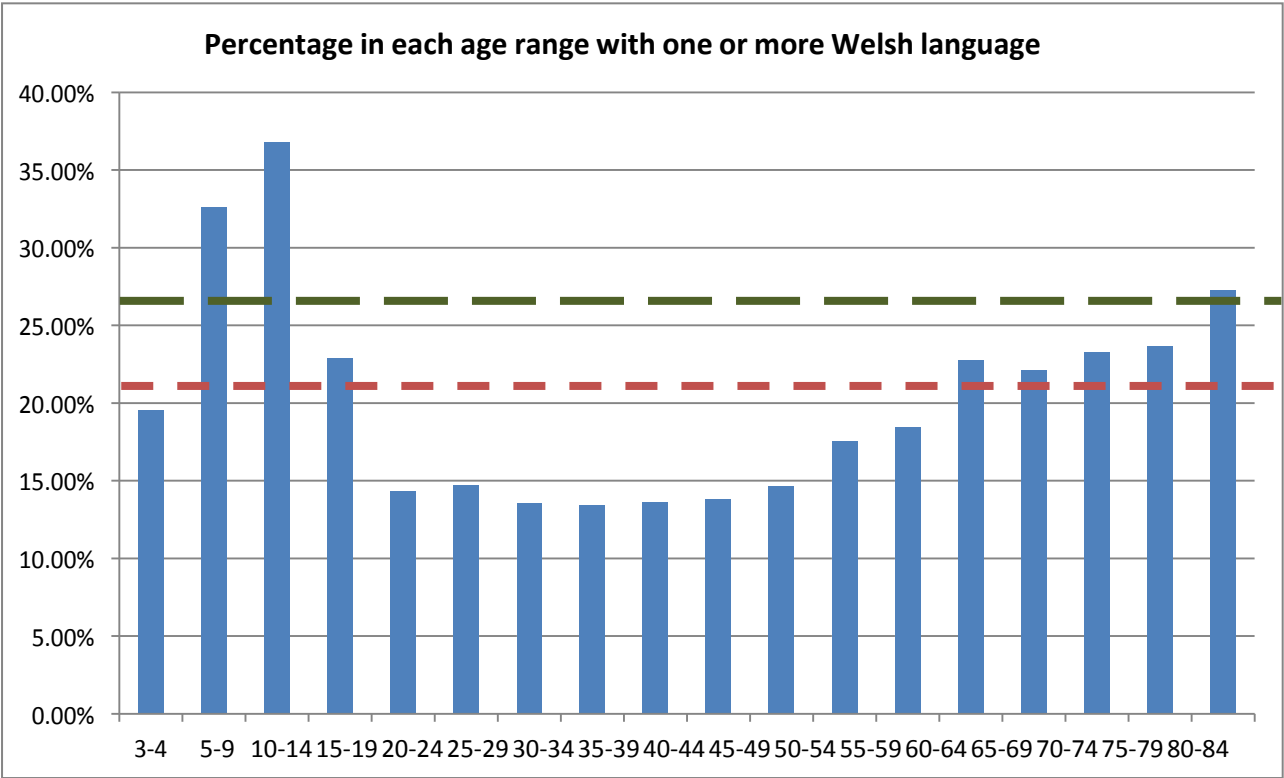
2011 Census - Percentage Welsh Language skills by electoral ward

	Can speak, read and write Welsh	Can speak and read but cannot write	Can speak but cannot read or write Welsh	Can understand spoken Welsh only	Other combination of skills	No skills
Bishopston	5.9	0.9	1.4	5.8	2.7	83.2
Bonymaen	6.1	0.6	2	4.7	2.1	84.5
Castle	5.3	0.7	1.3	3.2	2.4	87.2
Clydach	14.3	2	3.9	9.7	2.7	67.4
Cockett	6.9	1.1	1.7	5.4	2.4	82.6
Cwmbwrla	4.8	0.6	1.1	4.6	2.4	86.4
Dunvant	5	0.8	1.6	4.5	2.6	85.5
Fairwood	7.4	1.1	1.5	5.2	3.2	81.6
Gorseinon	8.3	1.7	2.8	8	3.2	76
Gower	6.8	0.8	2	5.6	2.4	82.4
Gowerton	9.5	1.2	2.3	6.7	3.5	76.7
Killay North	7.4	0.8	1.1	3.7	2.8	84.1
Killay South	4.6	1	1.1	5.5	3	84.7
Kingsbridge	12.1	1.8	3	9.2	3.7	70.2
Landore	4.5	0.7	0.9	3.6	1.8	88.6
Llangyfelach	13	1.3	2.5	7.4	2.5	73.3
Llansamlet	9.9	1.5	2.4	5.6	2.8	77.8
Lower Loughor	10.8	1.7	2.3	7.5	2.3	75.3
⁵ Mawr	29.3	4.4	4.5	11.1	2.8	47.9
Mayals	8.7	1.2	2	4.5	3.5	80
Morrison	8.2	1.3	2.3	5.9	2.8	79.6
Mynyddbach	7.1	0.9	1.6	5.2	2.6	82.5
Newton	7.2	1	1.8	4.2	2.5	83.3
Oystermouth	7.3	1	1.9	5.5	2.6	81.7
Penclawdd	8.8	2	3.8	8.9	3.9	72.6
Penderry	5	0.8	1.4	3.6	1.7	87.4
Penllergaer	10.2	1.9	3.1	6.7	2.3	75.9
Pennard	6.7	1.6	1.8	3.9	2.9	83.1
Penyrheol	9.1	2	3.8	9	3.3	72.9
Pontarddulais	22.5	3.1	5.8	11.4	2.8	54.4
Sketty	8.1	1	1.6	4.7	2.6	82
St. Thomas	4.8	0.5	1.3	3.6	1.8	88
⁶ Townhill	3.7	0.6	1.4	3.6	1.2	89.5
Uplands	8.2	0.9	1.3	3.8	2.9	82.8
Upper Loughor	11.3	1.6	3.5	9.8	3.9	69.9
West Cross	5.6	0.9	1.5	4.6	2.7	84.7
SWANSEA	8.1	1.2	2.0	5.5	2.6	80.7

⁵ Highest percentage of residents with Welsh language skills

⁶ Lowest percentage of residents with Welsh language skills

2011 Census - Welsh language skills by age – all Swansea



Average for Swansea total population aged 3+ shown as dotted line. Average for Wales total population aged 3+ shown as dashed line.



Report of the Cabinet Member for

Scrutiny Performance Panel – Service Improvement & Finance

3rd July 2018

Fees and Charges – An Overview

Purpose:	<ul style="list-style-type: none">• To provide an overview of the range of services charged for by the Council.• To highlight the decision making processes used to set such fees and charges.
Content:	In addition to this report a number of associated attachments are included as Appendices.
Lead Councillor:	Councillor Clive Lloyd, Cabinet Member and Deputy Leader
Lead Officer & Report Author:	Sara Gibbons (Commercial Development Officer) with data gathered from the relevant Service Areas. Email: sara.gibbons@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Background – Fees and charges

- 1.1 Fees and charges are applied to many of the wide range of services offered by the Council from room hire at our Council-owned venues to berthing fees at the Marina. Each of the Council's Service Areas sets fees and charges, for example, library hire fees are set by the Cultural Services area and fees relating to the hire of meeting rooms in the Civic Centre and Guildhall are set by the Corporate Property Service

area. The Council has adopted an Income Generation and Charging Policy which was approved by Cabinet on 11th March 2014.

This Policy applies to any service that the Council has a power and discretion to provide to the community, or has a statutory duty to provide, and has a discretion to set a charge. It also applies to internal charging. All services must comply with this Policy when setting and reviewing fees, charges and concessions.

- 1.2 This report has been compiled by the Commercial Services team on behalf of all Service Areas and is based upon the data provided by each Service. The format used to compile the data contained within this submission is as follows:

Service Areas were requested to list all fees and charges on the spreadsheet provided and note the methodology used to set each charge. Services were asked to identify any information that they considered commercially sensitive and such data is included on separate tabs in the Appendices. The full range of services charged for by the Council is included in the spreadsheet appendices (A, B and C).

- 1.3 Income generated by the Authority from fees and charges is governed by legislation, primarily the Local Government Act 2003 which provides the general power for Service Areas where there is no other legislative framework.
- 1.4 The Council has a separate charging regime for Social Services because that area is governed by the Social Services and Well-Being (Wales) Act 2014 / please see Appendix D.
- 1.5 It is important to note that the principles behind the Council's fees and charges, the list presented below in 1.6 and 1.7, is not an exhaustive one but helps to provides context for this paper.

1.6 From the Local Government Act 2003 –

- The income from charging for a service should not exceed the cost of providing that service.
- The recipient of the service must have agreed to its provision and agreed to pay for it.
- Charges may be set differentially, so that different people are charged different amounts.

1.7 As noted in the Charging Policy (Social Services):

Fairness - we will give individuals the right information about charging at the right time. We will provide clear explanations of how we charge and what we charge for.

Equality - we will treat all people with dignity and respect. Swansea is committed to eliminating all forms of discrimination on the grounds of age, gender, disability, marriage or civil partnership, race, religion, beliefs, or sexual orientation. We are working towards Welsh language standards and the active offer to carry out services in Welsh.

Transparency - we will give clear and simple information about charging. We will give clear information about financial assessment before and during the process. We will give clear explanations about how an individual contribution has been calculated. We will give clear information before and during a review.

Continuity - We have a corporate charging policy which seeks to recover the full cost of services where this is legally permitted and appropriate. We will charge for social care services in accordance with the national charging framework and maintain current charges where possible.

Sustainability - we will make full use of the range of universal services as well as preventative and early intervention services to meet a person's own well-being outcomes. We agree to a care and support plan that is appropriate and proportionate to meet the eligible assessed need for care and support within the resources we have available. We ensure that care and support plans are reviewed regularly, and within each year, to ensure appropriateness and effectiveness is achieved as well as value for money.

2. Comparison with other Local Authorities

- 2.1 Swansea Council's fees and charges list (Appendices A, B and C) contains many hundreds of lines of data for the products and services provided.

Due to the volume of fees and charges and the descriptors used gaining accurate comparative data from different organisations is difficult. An example of the difficulties is evident when considering room hire charges. These are difficult to compare across Councils as charges for venues differ dependant on a number of factors including room size, facilities, hourly rate charging or half day/full day charging.

- 2.2 Different product names are also evident across Councils. An example is leisure charges relating to Active Swansea; in other Local Authorities these services are branded differently and may contain services not

offered by Swansea Council and this complicates direct comparison.

- 2.3 Of note in this area is that the Welsh Government showed interest in mapping and comparing Local Authority fees and charges and commissioned the consultancy Deloitte to undertake this exercise in 2011/12; this work was not continued in subsequent years partly, it is understood, due to the complexity and cost of the exercise (a copy of the Deloitte analysis is available upon request - it was not included in this report due to the volume of data already provided). The Deloitte report showed that, at that time, Swansea was near the midpoint of local authorities in Wales in terms of the charges it applied to residents (£132 of income derived per resident per year versus £164 at the top end of the measured scale). The Welsh Local Government Association is reviewing the fees and charges area to see if it can add value and coordinate cross-Council comparison based on clear guidelines enabling true 'like-for-like' comparison and data analysis.

3. Legal issues / methodology for charging

- 3.1 The legal regime regarding the setting of fees and charges is somewhat complex with some fees subject to a statutory limitation, for example, the charge that the Council can apply for respite care services is set at a maximum of £80 per individual, per week and is subject to a financial assessment. Swansea Council's Social Services Charging Policy is governed by the Social Services & Wellbeing Act (Wales) 2014 and a copy of that policy is provided as Appendix D.
- 3.2 As noted above the core power relating to charging for services comes from the Local Government Act 2003 and the Act notes that income must not exceed cost of provision, but the full cost of provision can be charged.
- 3.3 It should also be noted that the legal regime regarding fees and charges is currently being reviewed; consultation was begun by the Welsh Government on a proposed new charging power – the 'General Power of Competence'; this has not yet been pursued although the WLGA have noted that it remains something that may be implemented in the near future. If enacted, this new legal base would give a Local Authority the power to do anything that individuals generally may do, but it does not enable a Local Authority to anything it is prevented from doing by another statute, e.g. the Social Services & Wellbeing Act (Wales) 2014 as mentioned above.

4. Legal Implications

- 4.1 The Council's Income Generation and Charging Policy provides clear guidance for service departments on deciding when and how to levy charges for services and the basis for calculation and review. The Council's Equality Impact Assessment process should be applied to every decision to introduce charges or to make significant variations to existing charges.

The power to levy charges derives from Section 93 Local Government Act 2003. Where possible service departments should set charges reflecting the full cost of the service ("Full Cost Recovery"), unless concessions have been agreed. The full cost of a service should include all expenditure required to deliver the service, including staffing, cost of materials, and overheads also relating to central council support functions directly applicable to that service.

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

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

5. Financial Implications

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

6 Opportunities to charge for other services

- 6.1 Swansea Council will consider all options and opportunities to increase revenue. This will help to support existing services and allow for the exploration of new commercial opportunities. The Council is, for example, seeking to maximise income from all its assets and is currently reviewing its policies with regard to expanding our advertising offer; our vehicle fleet is now capable of taking adverts and we are looking to further develop our roundabout and related portfolio of opportunities. In addition the Council has created new sponsorship opportunities such as the opportunity to sponsor the newly installed Ability Swing for wheelchair use in Victoria Park. This increased

commercial practice and awareness will play a key part in the Council's Corporate Plan of delivering a successful and sustainable Swansea.

- 6.2 The Council has introduced webpages –
<https://www.swansea.gov.uk/business> - to promote our products and services and we are working to publish a new 'commercial brochure' shortly (paid for by corporate advertisers) to further market the Council's offer.

Contact: Sara Gibbons, Commercial Services

Date: 25th June 2018

Appendices:

Appendix A – Corporate Services Directorate - Commercially Sensitive
Appendix B – Corporate Services Directorate – Non Commercially Sensitive
Appendix C - People Directorate - Commercially Sensitive
Appendix D - People Directorate – Non Commercially Sensitive
Appendix E - Place Directorate - Commercially Sensitive
Appendix F - Place Directorate – Non Commercially Sensitive
Appendix G - Social Services Charging Policy 2018



Report of the Head of Legal, Democratic Services & Business intelligence

Service Improvement and Finance Panel – 10th July 2018

Exclusion of the Public

Purpose:		To consider whether the Public should be excluded from the following item of business.
Policy Framework:		None.
Consultation:		Legal.
Recommendation(s):		It is recommended that:
1)	The public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No.	Relevant Paragraphs in Schedule 12A
	7	14
Report Author:		Scrutiny
Finance Officer:		Not Applicable
Legal Officer:		Tracey Meredith –Head of Legal, Democratic Services & Business Intelligence (Monitoring Officer)

1. Introduction

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

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, the Panel will be requested to exclude the public from the meeting during consideration of the item of business identified in the recommendation to the report on the grounds that it involves the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

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

4. Legal Implications

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

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	<p>Information relating to a particular individual.</p> <p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	<p>Information which is likely to reveal the identity of an individual.</p> <p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	<p>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <ul style="list-style-type: none"> a) Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts. <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which</p>

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

	interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.
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