



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Scrutiny Performance Panel – Service Improvement & Finance

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

**On:** Wednesday, 6 March 2019

**Time:** 9.30 am

**Convenor:** Councillor Chris Holley OBE

**Membership:**

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

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### Agenda

### Page No.

- 1 Apologies for Absence.**
- 2 Disclosure of Personal and Prejudicial Interests.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
- 3 Minutes.** **1 - 13**  
To approve & sign the Notes of the previous meeting(s) as a correct record.
- 4 Public Questions**
  - Questions must relate to matters on the open part of the Agenda of the meeting, and will be dealt with in a 10 minute period
- 5 Review of Community Groups - Friends of Parks/Community Centres** **14 - 33**
  - Tracey McNulty – Head of Cultural Services
  - Cllr June Burtonshaw – Cabinet Member for Better Communities – Place
  - Sue Reed - Community, Partnership & Destination Development Manager
- 6 Corporate Complaints Annual Report 2017/18** **34 - 61**
  - Julie Nicholas Humphreys - Customer Services Manager
  - Cllr Clive Lloyd – Cabinet Member for Business Transformation

**Next Meeting:** Wednesday, 20 March 2019 at 9.30 am

*Huw Evans*

**Huw Evans**  
**Head of Democratic Services**  
**Thursday, 28 February 2019**  
**Contact: Scrutiny 636292**

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# Agenda Item 3



City and County of Swansea

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

Committee Room 5 - Guildhall, Swansea

Tuesday, 11 December 2018 at 10.00 am

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

**Councillor(s)**

P R Hood-Williams  
J W Jones  
D W W Thomas

**Councillor(s)**

L James

**Councillor(s)**

P K Jones  
I E Mann

**Co-opted Member(s)**

**Co-opted Member(s)**

**Co-opted Member(s)**

**Other Attendees**

Clive Lloyd

Cabinet Member - Business Transformation &  
Performance (Deputy Leader)

David Hopkins

Cabinet Member - Delivery

**Officer(s)**

Bethan Hopkins  
Richard Rowlands  
Ben Smith  
Ryan Thomas

Scrutiny Officer  
Strategic Delivery & Performance Manager.  
Chief Finance Officer / Section 151 Officer  
Planning Control Manager

**Apologies for Absence**

Councillor(s): M H Jones and B J Rowlands

Co-opted Member(s):

Other Attendees:

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

- None

**2 Minutes.**

- Approved

**3 Public Questions**

- None

**4 Budget Update**

- The draft budget has been published
- Final settlement due end of December
- Expectation between £1.5m - £3m
- Much of the money will be ring-fenced

## **5 Quarter 2 Budget Monitoring**

- Services overspent by £8.5m
- £2.7m to be addressed by the end of the year 2018/19
- Spend pressures in social care
- Some capital underspend relieves some pressure on capital financing charges
- Housing Revenue Account – no issues
- Every vacant post goes before CMT for approval
- The earmarked reserves are only drawn on advice from 151 Officer
- Making some inroads to savings stretch targets but not as much as required
- Totality of ER/VR from the restructure reserve
- The sickness savings target is about looking to reduce the overall sickness bill
- Looking at different way of working like agile working creating a better work life balance – trials around flexi and core hours
- Some issues around the pace and scale of delivery of savings

## **6 Annual Review of Well-being Objectives and Corporate Plan 2018/22**

- The plan was reviewed to meet requirements
- Following a review of progress and evidence
- Addition of a new objective which maximises the contribution to the Well-being of Future Generations Act under the resilient Wales goal and the Environment Act. Ensures better aligned with the Corporate Plan and Well-being Plan
- Wales Audit Office certified the plan as meeting requirements under legislation
- No Brexit implications in the plan
- Collaborative working needs to list the bodies who are working together

## **7 Planning Annual Report 2017/18**

- The Planning process is working well, the officers have change the way of working and that has been a success
- The Planning Committee is streamlined and takes their responsibilities seriously
- Some concerns over enforcement of planning breaches
- Public concern over ecological enforcement – if breaches are found they will be dealt with
- The previous monitoring officer was grant funded and this funding ended
- Previous call in system was used inappropriately so the new system is better

- Questions around the transparency of planning applications around Councillor involvement

**8 Work Plan 2018/19**

- Discussed

The meeting ended at Time Not Specified

**Chair**

To/  
**Councillor Rob Stewart**  
**Cabinet Member for Economy and Strategy**

**BY EMAIL**

*Please ask for:*  
*Gofynnwch am:*

*Direct Line:*  
*Llinell Uniongyrochol:*

*e-Mail*  
*e-Bost:*

*Date*  
*Dyddiad:*

Overview & Scrutiny

01792 636292

scrutiny@swansea.gov.uk

14<sup>th</sup> January 2019

**Summary:** This is a letter from the Service Improvement and Finance Performance Panel to the Cabinet Member for Economy and Strategy. The Panel met on 11<sup>th</sup> December 2018. This letter relates to the Q2 Budget Monitoring, the Annual Review of Well-being Objectives and Corporate Plan 2018/22 and the Planning Annual Report 2017/18.

Dear Councillor Stewart,

On the 11<sup>th</sup> December 2018 the Panel met to discuss the Q2 Budget Monitoring, the Annual Review of Well-being Objectives and Corporate Plan 2018/2022 and the Planning Annual Report 2017/18.

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

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

### Quarter 2 Budget Monitoring

We heard how services have overspent by £8.5m but £2.7m of this is to be addressed by the end of the year 2018/19. We were told there are still ongoing spend pressures in social care.

We were told that some of the capital underspend will relieve some pressure on the capital financing charges but there are still ongoing issues around the pace and scale of delivery of savings targets. We heard there are some inroads into savings stretch targets but not as much as required. The Panel did recognise that there is consistent underspend in relation to capital budget and would like some clarification around this.

It was explained that in order to minimise the amount of spending every vacant post is now going before CMT for approval.

**OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU**

**SWANSEA COUNCIL / CYNGOR ABERTAWE**

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

[www.swansea.gov.uk](http://www.swansea.gov.uk) / [www.abertawe.gov.uk](http://www.abertawe.gov.uk)

I dderbyn yr wybodaeth hon mewn fformat arall neu yn Gymraeg, cysylltwch â'r person uchod  
To receive this information in alternative format, or in Welsh please contact the above

It is encouraging that the issue of sickness is being tackled in innovative ways such as agile working and trials around flexi and core time to create a better work/life balance for staff.

### Annual Review of Well-being Objectives and Corporate Plan 2018/22

We were encouraged to hear that the addition of a new environmental objective maximises our contribution to the Well-being of Future Generations Act under the resilient Wales goal and the Environment Act. This also ensures a better aligned Corporate Plan and Well-being Plan. The Wales Audit Office has certified the plan as meeting requirements under the legislation.

We feel that the report is missing information about implications post Brexit, we feel it would be beneficial to include this. There should also be a list of bodies and organisations who are involved in the collaborative work also included in the plan.

### Planning Annual Report 2017/18

The Panel heard that the planning process is working well and that the way officers are working is proving to be a success.

We heard that the Planning Committee is a streamlined function and works well. We were told that the previous 'Call-In' procedure was sometimes used inappropriately so the newer system is more suitable. The Panel did raise some concerns over the transparency of planning applications and the level of Councillor involvement not being as high as it could be. The Panel are happy that the Planning Annual Report is scheduled to come to the Service Improvement and Finance Performance Panel for annual scrutiny.

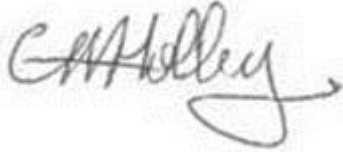
There have been some environmental breaches in Swansea lately and the Panel and the public do have concerns over the enforcement related to these breaches. The Panel were assured that any breach would be dealt with appropriately.

We welcome your views on any aspect of this letter but ask that you please respond to the following points by Monday 4<sup>th</sup> February;

1. Why is there a consistent issue of capital underspend – why is there capital slippage occurring?
2. Why is the Housing Revenue Account underspent when there is a current issue with lack of house building and homelessness?
3. Why are there such large underspends in 'Place' in general?
4. Regarding engagement of the public, do we use social media effectively to achieve meaningful feedback?
5. Could you consider including in the Annual Review of Well-being Objectives and Corporate Plan 2018/22;

- Brexit implications.
- The organisations included in the collaborative working.

Yours sincerely,

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

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





Councillor Chris Holley  
Convener  
Service Improvement and Finance Scrutiny  
Performance Panel  
**BY EMAIL**

*Please ask for:* Councillor Rob Stewart  
*Direct Line:* 01792 63 6141  
*E-Mail:* [cllr.rob.stewart@swansea.gov.uk](mailto:cllr.rob.stewart@swansea.gov.uk)  
*Our Ref:* RS/CM  
*Your Ref:*  
*Date:* 12<sup>th</sup> February 2019

Dear Councillor Holley

Thank you for your letter dated 14<sup>th</sup> January 2019 and I would respond as follows.

**1. Why is there a consistent issue of capital underspend – why is there capital slippage occurring?**

There are range if reasons why there is slippage in various schemes. Some examples include;

- Delay in carrying out high rise works due to the deferred of works post Grenfell Tower
- Lack of capacity within the contracting sector for certain aspects of work e.g. HRA external improvements
- Significantly increasing capital programme for WHQS requiring lead in time for procurement and delivery e.g. Kitchens and Bathrooms
- The complex nature of regeneration projects, especially when dealing with multiple organisations and funding partners, often gives rise to programme delays which has a knock-on effect on spend.
- Construction project delivery is heavily regulated, in particular environmental projects which can require unforeseen detailed survey work, such as CADW, ecological or archaeological surveys which can be influenced by seasons, weather conditions and require 3<sup>rd</sup> party permissions.
- There are also lengthy timelines for 3<sup>rd</sup> party funding decisions that can mean council funding is allocated but can't be used until grants are confirmed from other sources and regulatory requirements satisfied, which all takes a long time.
- Delays in progressing schemes as the council awaits confirmation of Grant funding from Welsh Government, an example of this would be the "New Homes" schemes that provide energy efficient homes for the Innovative element of providing Green and Renewable energy. The council was successful and awarded £1.5 in October with the subsequent planning approve sought with the revised start date for both these schemes is now early March 2019 resulting in a significant slippage.



Despite the above, every attempt is made to accurately profile spend, eliminate and reduce programme slippage, and hence minimise capital spend slippage, wherever possible.

**2. Why is the Housing Revenue Account underspent when there is a current issue with lack of house building and homelessness?**

The HRA capital programme is allocated against specific projects some of which are referred to above which account for the underspends. Homelessness is funded from revenue which is being profiled to deliver the newly approved Homelessness Strategy recently agreed by Council.

**3. Why are there such large underspends in “Place” in general**

Please see response to Question 2 above

**4. Regarding engagement of the public, do we use social media effectively to achieve meaningful feedback?**

Social media is a major information and engagement tool for the Council. We have a number of accounts including Facebook, Twitter and image-sharing sites like Instagram and Flickr.

We utilise Facebook and Twitter the most because they are popular and are largely used by our main audiences. There are a number of corporate accounts, but also some which are service specific.

Examples of social media accounts in the Council:

Account	Social media	Number of followers
Swansea Council	Facebook	13,877
Swansea Council	Twitter	Over 46,800
Visit Swansea Bay	Facebook	75,000
Visit Swansea Bay	Twitter	Over 15,600
Recycle for Swansea	Facebook	3,049

It is an effective way to promote information and to get urgent messages out quickly when needed. These messages get shared between users rapidly which is often a far quicker and more effective way than using traditional media.

We also use it to promote services and help raise awareness of important issues such as increasing the uptake of recycling in Swansea. It allows us to speak directly to individuals and groups and also helps to make the Council seem friendlier and engaging.

It allows us to post videos and info graphics which can help simplify complex issues.

But social media is more than an information tool. The Council increasingly uses it to engage the public in a range of issues. It provides an alternative customer services channel for many users on daily issues such as missed bin collections where we can chat to service users directly and provide real-time information.

Linked to this, it's an increasingly important tool for protecting the Council's reputation because it allows staff to address issues and complaints in real time and before they escalate.

Quite often customers will initially post negative comments on social media, but by engaging them and providing useful, honest information they often become more positive and complimentary towards the council.

We monitor social media both quantitatively and qualitatively which means we consider the number of views, shares, likes, etc., as well as assessing the actual conversations/comments. We can assess the significance of a particular issue by the amount and nature of conversations taking place. This allows the Council to act and diffuse situations or address concerns.

The Council continues to develop its use of social media in areas such as income generation. For example, on one particular Facebook post last year which promoted hanging baskets, we received 273 referrals and £595 of sales in one day at no expense to the council.

We also use social media as a cost-effective, fully trackable advertising platform. We can assess the return on investment from advertising on social media platforms. When we post (which is free) we are talking to our existing followers, but advertising allows us to target specific groups and individuals who are not followers.

Some types of social media would not be appropriate or would be difficult to use in a service context e.g. Snapchat, and others have a younger audience so we are building up this platform, for instance, using Instagram to share images of the area, beaches and wildflower programme.

## **5. Could you consider including in the Annual Review of Well-being Objectives and Corporate Plan 2018/22;**

### **Brexit Implications and the organisations included in the collaborative working**

The Council has established a cross-departmental Brexit Steering Group, which I chair, to oversee the Council's response to Brexit; I also speak for the WLGA on Europe, which is helping Council's in Wales develop a consistent response to the challenges that we all face from Brexit.

The internal Steering Group has explored the implications from Brexit for the Council and has set out some ways in which it is mitigating the risks; the Council has shared

this with WAO in their recent call for evidence and self-assessment on how we are responding to Brexit.

The work of the Brexit Steering group will continue to inform how we manage the risks Brexit poses for the Council and our response will be regularly monitored and tracked by the Audit Committee.

Progress will be further described in the Council's 'Annual Review of Performance 2018/19', which will be published in October and will also include a relevant list of the organisations that we work with to help meet our priorities.

Any further and impending actions to manage Brexit identified by the steering group will be done through the Council's risk management arrangements and will also be included in the next Annual Review of Well-being Objectives and any refresh of the Corporate Plan.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Stewart', with a long horizontal stroke extending to the right.

**COUNCILLOR ROB STEWART  
LEADER & CABINET MEMBER FOR ECONOMY & STRATEGY**



City and County of Swansea

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

Committee Room 5 - Guildhall, Swansea

Tuesday, 15 January 2019 at 9.30 am

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

**Councillor(s)**

P Downing  
M H Jones  
I E Mann

**Councillor(s)**

P R Hood-Williams  
P K Jones  
D W W Thomas

**Councillor(s)**

L James  
J W Jones

**Co-opted Member(s)**

**Co-opted Member(s)**

**Co-opted Member(s)**

### Other Attendees

**Officer(s)**

Bethan Hopkins  
Richard Rowlands  
Ben Smith

Scrutiny Officer  
Strategic Delivery & Performance Manager.  
Chief Finance Officer / Section 151 Officer

### Apologies for Absence

Councillor(s): B J Rowlands

Co-opted Member(s):

Other Attendees:

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

- None

**2 Notes, Conveners Letter and Response**

- Approved, some print/format issues on one page - feedback

**3 Public Questions**

- None

**4 Quarter 2 2018/19 Performance Monitoring Report**

- Summary chart – 64% of indicators met and 53% showing improvement compared to Q2 last year.

#### Safeguarding

- AS8 historical data shows a declining trend since Q4 16/17, second lowest since records going back to 2016/17.
- AS9 first quarter showing improvement (compared to Q1) since 16/17
- CFS18 increased number of looked after children – highest since records 16/17, 14% increase since the same time last year
- CFS19/20 both improving trends

#### Education

- Majority of indicators have improved their target
- BBMA4 new PI, below the number of starts for the same period as last year
- Q2 primary school attendance figure lowest Q2 figure since records 2014/15.

#### Tackling Poverty

- Improved time of processing new Housing and Council Tax Benefit claims but HBCT101B (time to process Housing benefit changes in circumstances) still high against historical data

#### Transformation and Future Council

- CHR002 staff sickness has the highest Q2 result since records 2015/16 (CMT changed sickness target to make it more realistic)
- FINA6 there are risks in relation to balancing the budget

### **5 Sustainable Swansea - Fit For The Future: Budget Proposals 2019/20 – 2022/23**

- The budget is out for consultation at present
- There is 1.5m extra revenue and some extra benefits on capital
- Teachers pay award is still a pressure
- Some concerns around teachers' pension funding
- The overspend is still 'sticky'
- General reserves are at the minimum considered safe
- Departments will have to meet some of their own costs
- Overspending risks are material
- Budget scrutiny set for 12<sup>th</sup> February 2019
- Long term costs of capital financing will continue to grow
- Total known pressures will increase
- Still awaiting amount of money for social services announced by Chancellor
- Split money between NHS and local authorities
- Important to recognise the consequences of continuing austerity on the future purpose and shape of local authorities - substantial
- Need to look at how we maintain core services
- Need more clarity on how we get to a sustainable budget
- Savings should be realistic and achievable

**6 Work Plan 2018/19**

- Discussed remainder of work plan
- Budget meetings next

The meeting ended at 11.15 am

**Chair**

# Agenda Item 5



## Report of the Cabinet Member for Better Communities

To the Service Improvement and Finance Scrutiny Performance Panel –  
6 March 2019

### Community Groups and Centres

<b>Purpose:</b>	To brief/update the Service Improvement and Finance Scrutiny Performance Panel on 6 March 2019
<b>Content:</b>	A briefing/update on the general activity and position of Community Groups and Centres.
<b>Councillors are being asked to:</b>	Consider the information provided and to forward views to the Cabinet Member via a letter from the Panel Convener
<b>Lead Councillor:</b>	Councillor June Burtonshaw, Cabinet Member for Better Communities
<b>Lead Officer &amp; Report Author:</b>	Sue Reed, Community, Partnerships and Destination Development Manager Tel: 01792 635415 E-mail: sue.reed@swansea.gov.uk

#### 1. Background

- 1.1 For nearly half a century Community Centres have been at the heart of the communities of Swansea. They have provided an effective means for people to make their own contributions to the development of their communities. The support given to them from the section has enabled us to compare centres at very different stages of development and in different areas to see how they are all attempting to meet local needs.
- 1.2 The last 18 months has seen a strengthening of Friends of Parks groups, 11 of which have been established.
- 1.3 Swansea Council owns 38 Community Buildings and leases 1 from Swansea & Brecon Diocese (**list attached at Appendix A**), 36 are licensed to Voluntary Management Committees on an Annual rolling Licence (**attached at Appendix C**) with 2 buildings awaiting a volunteer model. The committees manage the buildings within the framework of the Licence which clearly sets out the expectations of both parties.



- 1.4 We currently have 29 active Friends of Parks/Open Spaces with 1 undertaking a lease and 1 considering Community Asset Transfer (**list attached at Appendix B**). Currently no formal agreement is in place and a draft document is currently being discussed and consultation with Friends is taking place.
- 1.5 For the purpose of this report a community building will be defined as a building which acts as the focal point to meet the needs of a community in terms of provision of social, recreational, educational and cultural activities as well as encouraging volunteering. "Friends of" will be defined as a group of interested local people who come together to improve the appearance, facilities, conservation value and safety of their local park.
- 1.6 Within the Community, Partnerships, Destination Development Section there is a team of 1FTE Community Development Monitoring Co-ordinator a vital key role to provide, advice, guidance and recommendations to management committees, volunteers and community groups to ensure that all building management and range of activities delivered comply with all legislative requirements including licence, lease, health & safety, fire risk, landlords consent procedure, collaboration with building services, sub contractors, beyond bricks and mortar and best practice in general. 3FTE Community Development Officers which support the provision of Community Centres and Friends/Community Groups as detailed in the appendices attached.

## **2. Briefing/main body of report**

- 2.1 The section has many years of experience engaging with communities across Swansea and encouraging contribution and participation. There is a requirement to understand the unique needs of areas and have staff with the expertise of working with the most hard to reach. The unique partnership agreement developed between the Council and communities is a valuable asset that can deliver direct benefits, cost effectively to local communities.
- 2.2 Community Development Section, given the limited resource, act as community enablers to support groups and empower the volunteers to look at;
  - Ensuring the voice of the local community is heard in relation to the management of community buildings, parks and improvement of facilities
  - Fundraising for improvements to buildings, parks equipment and events
  - Developing partnerships with local businesses, agencies, voluntary sector and others e.g. Beyond Bricks & Mortar
  - Ensuring all legislative and governance procedures are carried out and continually monitored
- 2.3 Community involvement is a very important aspect of achieving and maintaining high standards within Swansea's parks. It is a major factor in our efforts to win Green Flag Awards.
- 2.4 There have been a number of successes which will be tabled and detailed at the scrutiny session. Key to all are Volunteering which has proven to have the ability to encourage the most excluded to engage, helping to increase confidence, improve skills and build capacity, thereby improving employability, reducing social exclusion, contributing to physical health and wellbeing.

- 2.5 Financial investment in community centres and parks have been significant over the last two years, due to external funding, beyond bricks & mortar, 3<sup>rd</sup> party investment and by the groups themselves. Buildings have benefited from kitchens, toilets, flooring, internal/external painting, windows, general refurbishment and parks investment has been substantial with new playground equipment, MUGAs, events and family days and planting of new trees and shrubs.
- 2.6 There are 19 football pitches who are now self-managing together with 16 bowling greens detailed attached (**Appendix D**).
- 2.7 Friends of Oystermouth Castle is a Constituted charitable group with 7 Trustees and over 30 members. Their role is to provide access and presentation at Oystermouth Castle, which is a scheduled Ancient Monument and Grade1 listed building owned by the Council. The charity promotes the history and heritage of the site to visitors and provides a venue for local schools, colleges and universities.
- 2.8 Currently all voluntary management committees have the opportunity to access the Council's internal training courses, IT, basic health & safety, fire risk assessment bespoke training to the volunteer and community centres which was compiled by the section and health & safety team. With the support of the development officer committees have applied for external funding to run food & hygiene and first aid courses. Each committee is given a Building Induction Manual outlining roles and responsibilities, insurance, licence and health & safety and fire risk specific information. This would be something the section would be keen to offer to other community groups.

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

- 3.1 In summary Community Centres, Parks, Oystermouth Castle and other open spaces exist with the purpose of meeting the needs of users within their community. The challenge for these groups is to adapt to change and look at alternative avenues for funding, whilst sources of funding are reducing.
- 3.2 Previous consultation has highlighted the essential need for continued officer support and advice, in essence a partnership approach between Council and voluntary groups. The community development service has been substantially reduced over current years, but is evident that the unique partnership that exists is a valuable one that can deliver direct benefits to local communities.
- 3.3 Preventative approach to a number of ageing well outcomes is being delivered through the network of buildings. The team ensure an improved understanding of the Ageing Well Strategy with those that direct and manage the facility timetables and bookings.
- 3.4 By continuing to provide strategic support to create, improve and sustain effective community led voluntary management committees and friends of parks which are of a high quality, responsive local structure the section directly play a part in the transformation & future Council development.

3.5 It is essential for the future viability of any community asset that it clearly provides services and facilities for its community. Our buildings, open spaces and parks are the heart of a community and provide physical and social space where community interaction takes place. They are one of the key building blocks of community and appropriate facilities are an essential part of the community development process, especially in the current financial climate. Importantly, they can and do provide a social function and focus to help sustain the life of a community, either by virtue of the particular service it provides and/or as a meeting place and venue for social and health & wellbeing gatherings. It is often difficult to quantify the degree of benefit and value however, in cases where there is a lack of facilities the loss is capable of having a significant adverse impact in terms of community vitality and cohesiveness. We cannot underestimate the value of volunteering.

#### **4. Legal implications**

4.1 The licences outline obligations on the “Management Committee” as well as outlining duties on the “Council”.

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

None.

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

**Background papers:** none

**Appendices:** Appendix A – Community Centres  
Appendix B – Friends of Parks  
Appendix C – Community Centre Licence  
Appendix D - Football/Bowling Greens

## Swansea Council Community Buildings 2019

Baywood Community Centre Kenilworth Road, West Cross, Swansea SA3 4PE
Birchgrove Community Centre Lon Gwesyn, Birchgrove, Swansea SA7 9LD
Birchgrove Pavilion Birchgrove Road, Swansea SA7 9NA
Blaenymaes Community Centre Broughton Avenue, Blaenymaes, Swansea SA5 5LN
Bonymaen Community Centre Bonymaen Rd, Bonymaen, Swansea SA1 7AW
Brynmill Community Centre St Albans Road, Brynmill, Swansea SA2 0BP
Clase Community Centre Longview Road, Clase, Swansea SA6 7HH
De La Beche Pavilion Park View Terrace, Sketty, Swansea SA2 9AR
Dyfatty & Greenhill Community Centre Chapel Street, Dyfatty, Swansea SA1 1QG
Dyfatty Senior Citizens Bowls Croft Street, Swansea SA2 9AR
Fforestfach Memorial Hall Carmarthen Road, Fforestfach, Swansea SA5 8HR
Gendros Community Centre Gendros Ave East, Gendros, Swansea SA5 8DE
Glais Community Centre Birchgrove Road, Swansea SA7 9EN
Gors Avenue Community Centre Heol y Gors, Gors, Swansea SA1 6SA
Gorseinon Institute 44 Lime Street, Gorseinon, Swansea SA4 4AD
Hafod Community Centre Odo Street, Hafod, Swansea SA1 2LT

Llansamlet Community Centre Church Road, Llansamlet, Swansea SA7 9RH
Manselton & Cwmbwrla Community Centre Elgin Street, Manselton, Swansea SA5 8QE
Manselton Cheery Boys Pavilion St Johns Road, Manselton, Swansea SA5 8PS
Mayhill Community Centre Mayhill Road, Mayhill, Swansea SA1 6TD
Montana Park Community Centre Montana Park, Landore, Swansea, SA1 2QB
Morrison Community Centre School Road, Morrison, Swansea SA6 6AA
Morrison Memorial Hall & Community Centre Heol Gwernen, Morrison, Swansea SA6 6JR
North Penlan Community Centre Heol Penar, Penlan, Swansea SA5 9AL
Parc Llewellyn Community Centre Trewyddfa Terrace, Morrison, Swansea SA6 8NY
Penclawdd Community Centre Banc Bach, Penclawdd, Swansea SA4 3FJ
Plasmarl Community Centre Dinas Street, Plasmarl, Swansea SA6 8LQ
Port Tennant Community Centre Wern Fawr Road, Port Tennant, Swansea SA1 8LQ
Rechabite Hall Church Street, Gowerton, Swansea SA4 3EA
Sketty Park Community Centre Heather Crescent, Sketty, Swansea SA2 8HE
South Penlan Community Centre Heol Frank, Penlan, Swansea SA5 7AH
St Phillips Community Centre Bathurst Street, Swansea SA1 3SA
Townhill Community Centre Powys Avenue, Townhill, Swansea SA1 6PG

Trallwn Community Centre Bethel Road, Trallwn, Swansea SA7 9QP
Treboeth Community Centre Llangyfelach Road, Treboeth, Swansea SA5 9EL
Wanarwydd Community Centre Victoria Road, Wanarwydd, Swansea SA5 4SY
Wan Wen & Brynmelyn Community Centre Park Terrace, Brynmelyn, Swansea SA1 2BY
West Cross Community Centre Linden Avenue, West Cross, Swansea SA3 5LE

## Friends of Parks and Open Spaces

<b>Bonymaen</b>
<b>Botanics</b>
<b>Brynmill</b>
<b>Brynydon Park</b>
<b>Clydach Heritage Centre</b>
<b>Clyne Gardens</b>
<b>Coed Bach Park</b>
<b>Cwmdonkin Park</b>
<b>Dunvant Park</b>
<b>Ganges (Pentyla Playing Fields)</b>
<b>Gowerton Woods</b>
<b>Hafod</b>
<b>Jersey Park</b>
<b>Mayhill Washing Lake</b>
<b>Morrison Park</b>
<b>Mumbles</b>
<b>Parc Llewelyn</b>
<b>Parc Williams</b>
<b>Parc Yr Helyg</b>
<b>Plasmarl</b>
<b>Polly's Park</b>
<b>Primrose Park</b>
<b>Ravenhill Park</b>
<b>Rosehill Quarry</b>
<b>Upper Killay</b>
<b>Waunarlwydd Park</b>
<b>White Rock</b>
<b>Ynystawe</b>

Facebook: <https://www.facebook.com/groups/swanseaparksforum>





**THIS LICENCE** is made the             day of             two thousand and sixteen **BETWEEN THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA** acting by its Head of Cultural Services of Guildhall in the City and County of Swansea SA1 4PE (“the Council”) of the one part and [                                     ] **COMMUNITY BUILDING MANAGEMENT COMMITTEE** acting by its Chair Person Secretary and Treasurer as duly authorised by resolution of the Management Committee to sign on its behalf (“the Management Committee”)

**DEFINITIONS**

In this agreement:

“the Community Building” means the [                                     ] Community Building the Management Committee and all members of the Community Building

“the Licence” means all the provisions of this agreement

“the Premises” means ALL THAT Community Building known as [                                     ] Community Building situate at [                                     ] in the City and County of Swansea which premises are shown for the purposes of identification shown edged red on the attached plan.

**BACKGROUND**

- 1       The Council owns the freehold interest in the Premises and wishes the Management Committee to run them as a Community Building for the benefit of local residents in accordance with the Constitution of the Community Building as set out in the Schedule hereto
  
- 2       This Licence is granted on the understanding that the Council requires use of the Premises from time to time for the purposes of its other leisure and community functions.

## **OPERATIVE SECTION**

### **1 Extent of the Licence**

1.1 The Council permits the Community Building to use the Premises to run them as a Community Building subject to the provisions of clause 1.2 below

1.2 The Management Committee's possession of the Premises shall not be exclusive and the Council may use the Premises for the following purposes:-

- (a) as a polling station when required for all local general and European elections
- (b) for community activities organised by the Council
- (c) for such other purposes as may be required by the Council to carry out its functions

1.3 Where the Council uses the Premises as provided under sub-clause 1.2 above it shall contribute a fair proportion of the outgoings in respect of such period of use which are otherwise payable by the Management Committee under clause 3.3 below

### **2 Licence Period**

2.1 The Licence shall be for a period of one year ending on the thirty first day of March 2017 and shall thereafter continue from year to year unless ended earlier under the provisions of this Licence

- 2.2 The Licence may be ended by three months' notice in writing by the Management Committee to the Council
- 2.3 The Licence may be ended immediately by notice by the Council to the Management Committee if the Management Committee do not comply with their obligations under the Licence the Council having given them 28 days' written notice specifying the non-compliance and requiring it to be remedied
- 2.4 The Licence may be ended by three months' notice in writing by the Council to the Management Committee
- 2.5 The Licence shall not terminate as a result of changes to the individual members of the Management Committee and if either or all the Chair Person Secretary and Treasurer are replaced then their successors shall be deemed to accept the benefits and obligations of the Licence instead of the Chair Person Secretary and Treasurer so replaced

**3 The Management Committee's obligation in respect of the Premises**

The Management Committee agree as follows:-

- 3.1 To use the Premises only in accordance with the objects and rules of the Community Building and its constitution
- 3.2 Not to allow the Premises to be used in a way which causes or might be expected to cause nuisance or annoyance or disturbance to anybody

- 3.3 To pay for **non-domestic rates, water rates, electricity, gas, refuse collection** and any other outgoings in respect of the Premises (except those which the Council has agreed to meet under clause 4 below) and subject to the Council's contribution under clause 1.3 above
- 3.4 To keep the Premises clean and to maintain and repair the internal decorations furniture equipment fixtures and fittings and to replace the same where necessary
- 3.5 Not to make any alterations or additions to the Premises without the written consent of the Council and not to interfere in any way with the services or wiring or any other system in or to the Premises without the written consent of the Council. Any building, mechanical or electrical work at the facility using an External Contractor will require the completion of a Landlords Consent Form
- 3.6 To comply with planning and all other statutory requirements in respect of the Premises
- 3.7 To obtain and pay for all licences which may be required for the use of the Premises
- 3.8.1 To arrange public liability insurance with a minimum limit of indemnity of five million pounds (£5,000,000) in respect of the use of the Premises as provided by this Licence and the usual activities of the Management Committee and the Community Building and any specific matters which the Council shall notify in writing to the Management Committee from time to time
- 3.8.2 For the avoidance of doubt if any claim is made against the Management Committee for which they are not

insured or for which the insurance cover is inadequate then the Council will accept liability for such claims unless that claim has arisen because of:-

- (a) the dishonesty or fraud of the Management Committee or any of its members or
- (b) the insurance having been made void because of the actions of the Management Committee or any of its members or the failure of the Management Committee or its members to carry out a specific requirement or requirements of the insurance company providing such insurance

3.9 To seek the agreement of the Council in writing prior to carrying out any decoration to the exterior of the Premises

3.10 To inform the Council in writing within 30 days of any change to the officers or members of the Management Committee with details of such change

3.11 Not to grant any licence or share occupation of the Premises in whole or in part without the consent in writing of the Council

3.12 Not to assign the benefit of this Licence

3.13 To comply with all provisions of the Equality Act 2010 and Welsh Language (Wales) Measure 2011 and all amendments and modifications thereof, together with all appropriate health and safety legislation

- 3.14 Not to allow any member of the Management Committee to rent space from the Management Committee unless for a shorter period than two hours in any one year

#### 4 **The Council's obligations in respect of the Premises**

- 4.1 To repair and maintain the structure and exterior of the building on the Premises so as to be wind and water tight and to keep in good repair the heating ventilation systems and electrical circuitry in the building and to be responsible for the internal pipework and plumbing systems, within Council criteria ;
- ***Urgent works that will prevent immediate closure of premises***
  - ***Address an immediate high risk to the health & safety of the occupants***
  - ***Remedy a serious breach of legislation***
- 4.2 To maintain the parts of the Premises which are external to the building in no worse a condition than at the commencement of this Licence
- 4.3 To insure the Premises against fire and associated risks as it deems necessary
- 4.4. To meet the cost of the installation and maintenance of fire fighting equipment at the Premises

#### 5 **Affairs of the Management Committee**

- 5.1 The Management Committee shall produce to the Council by the first day of September of each year (or on demand) copies of their audited accounts and constitution

in respect of the previous year together with copies of all licences and public liability insurance

- 5.2 The Management Committee may retain any income arising from the use and operation by them of the Premises
- 5.3 The Council's officer and Elected Member representative may attend (but not vote) at meetings of the Management Committee
- 5.4 The Leader of the Council will nominate one Elected Member to be co-opted to the Management Committee

## **6 General Provisions**

- 6.1 Any notice required to be served by the Licence shall be sufficiently served if in writing and:-
  - a) if by the Management Committee it is addressed to the Head of Cultural Services and delivered to Guildhall Swansea and
  - b) if by the Council to the Management Committee it is addressed to the Chair Person Secretary or Treasurer of the Management Committee and delivered to the Premises
- 6.2 The Licence constitutes the whole agreement and understanding of the parties as to its subject matter and there are no provisions terms conditions or obligations whether oral or written express or implied other than those contained or referred to in the Licence

**AS WITNESS** the hands of the parties the day and year first before  
written

**The Schedule  
(Constitution)**

**SIGNED** as a **DEED** on behalf of  
**THE COUNCIL OF THE CITY  
AND COUNTY OF SWANSEA**

Head of Cultural Services  
Authorised Signatory

**SIGNED** as a **DEED** on behalf of  
[ ]  
**COMMUNITY BUILDING  
MANAGEMENT COMMITTEE** by

.....  
Chair Person

.....  
Secretary



.....

Treasurer

## City and County of Swansea Self-management – Football / Bowling Greens

Location of sites	Facilities	Clubs	Comment
Trallwn Playing Fields	4 Ch Rms Pavilion & Comm Centre	Talycopa FC	Currently self-managing.
Halfway Park	2 Ch Rms – currently decommissioned	FC Brynawel	FC Brynawel have submitted an expression of interest for the CAT of Halfway Park. Pavilion/changing room roofing repairs required.
Ynystawe Park	4 Ch Rms	Ynystawe FC	Currently self-managing.
Coed Bach Park	4 Ch Rms	Pontarddulais FC	Currently self-managing.
Parc Williams	2 Ch Rms	Loughor Rovers FC	Currently self-managing.
Cwmbwrla Park	4 Ch Rms	Plough Colts FC	Currently self-managing.
Bonymaen Park	4 Ch Rms Pavilion	Bonymaen AFC	Currently self-managing.
Coedgwilym Park	4 Ch Rms	Clydach Sports FC Sunnybank AFC	Currently self-managing as an association. Formal expression of interest received to lease Coedgwilym Park/playing fields/pavilion as a partnership with Clydach Community Council. Ongoing Discussions with Council Estates Department.
Grovesend Park	2 Ch Rms	Pengelli AFC	Currently self-managing.
Pontlliw Park	2 Ch Rms	Pontlliw AFC	Currently self-managing
Garden Village Park	2 Ch Rms	Kingsbridge Colts FC	Currently self-managing.
Ashland Playing Fields (including Bandfield and Maesteg Park)	4 Ch Rms Pavilion & Community Centre	Port Tennant Colts	Currently self-managing.
Parc y Werin	4 Ch Rms	Gorseinon Athletic FC Gorseinon Boys Club	Currently self-managing.
Cwm Level Playing Fields	4 Ch Rms	Cwmfelin Press FC Cwm Albion Colts FC	Currently self-managing.
Wunarwydd Park	4 Ch Rms	Wunarwydd AFC	Currently self-managing.
Pentrefhafod School	4 Ch Rms	Maltsters Sports FC	Currently self-managing.
Gors Playing Fields	6 Ch Rms	Gors FC	Currently self-managing.
Cadle Mill Playing Field	2 Ch Rms	Blaenymaes FC	Currently self-managing alongside Blaenymaes Community Centre agreement regarding use of the Centres changing rooms.
Paradise Park	4 Ch Rms (Phoenix Centre)	West End Rangers / Mountain Dew FC	Self-management agreement has yet to be established. Discussions ongoing.

## **BOWLS GREENS**

From 1<sup>st</sup> April 2016 all responsibility for bowls greens has been devolved to either community bowls associations, individual clubs or Community Councils, who have responsibility for maintenance of the green.

- 8 greens are maintained by the club or association themselves or by way of an external contractor  
These are;

Coedbach, Parc y Werin (x2), Parc Williams, Coedgwilym Park, Jersey Park, Landore, Dyfatty Park

- 8 greens are maintained by Parks to a specification agreed with the leaseholders, who are charged for the maintenance arrangements.  
These are;

Hafod Park, Morryston Park, Mumbles Bowls Green, Primrose Park, De la Beche, Duvant Park and Victoria (x1)

- 7 greens are not in use and are subject to minimal maintenance and 1 green has been turned into a play area.

Bonymaen Park has been turned into a play area; Cwmdonkin Park, Brynmill Park, Ynystawe Park, Manselton Park, Ravenhill Park, Parc Llewellyn and 1 green at Victoria Park are currently unused.

# Agenda Item 6



## Report of the Convener of Service Improvement and Finance Panel

To the Service Improvement and Finance Scrutiny Performance Panel – 6<sup>th</sup>  
March 2019

## Briefing on the Corporate Complaints Annual Report for 2017/18

<b>Purpose:</b>	The report provides an overview of the work of the Complaints Team in relation to its areas of responsibility during the specified reporting period.
<b>Content:</b>	Statistical Information concerning complaints, information requests and use of surveillance under Regulation of Investigatory Powers legislation received and dealt with during the financial year in question.
<b>Councillors are being asked to:</b>	Discuss the report and identify if there are any comments and/or recommendations to be reported back to relevant Cabinet Member.
<b>Lead Councillor:</b>	Councillor Chris Holley, Convener of Service Improvement and Finance Performance Panel.
<b>Lead Officer &amp; Report Author:</b>	Bethan Hopkins, Scrutiny Officer Tel: 01792 636292

### 1. Background

#### 1. Background

- 1.1 The Complaints Team is responsible for the central recording and control of all complaints received in respect of the services delivered by the Authority.
- 1.2 There are two complaints procedures; one for Social Services complaints and another for complaints for all other service areas (known as Corporate Complaints).

- 1.3 Each of these complaints procedures has its own policy; whilst the processes are similar, there are a number of statutory differences (mainly to do with timescales) making two separate policies a necessity.
- 1.4 In addition to its responsibilities for administering complaints, the team is also responsible for central control of requests for information received under the Freedom of Information Act (FOI), Subject Access requests made under the Data Protection Act (SAR) and investigations required to be carried out under the Regulation of Investigatory Powers (RIPA).
- 1.5 The Complaints Team provides a Corporate Complaints Annual Report to Cabinet on its activities for the previous financial year. Appended to this report are 3 further reports in respect of the team's other responsibilities as follows:
- Corporate Complaints Statistics for Annual Report 2017/18
  - Freedom of Information Annual Report 2017/18
  - Regulation of Investigatory Powers 2017/18
- 1.6 The Corporate Complaints Annual Report for 2017/18 went to Cabinet on 17<sup>th</sup> January 2019.

## **2. Legal Implications**

- 2.1 There are no legal implications.

## **3. Financial Implications**

- 3.1 There are no financial implications

### Background papers:

None

### Appendices:

- Appendix 1 - Corporate Complaints Annual Report 2017/18  
Appendix 2 - Corporate Complaints Statistics for Annual Report 2017/18  
Appendix 3 - Freedom of Information Annual Report 2017/18  
Appendix 4 - Regulation of Investigatory Powers Annual Report 2017/18



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

Cabinet – 17<sup>th</sup> January 2019

### CORPORATE COMPLAINTS ANNUAL REPORT 2017-18

**Purpose:** To report on the number, nature and outcome of complaints made against the Authority, together with details of lessons learned and service improvements.

The following reports have been prepared separately in conjunction with this report, and are appended for information purposes:

- Adult Social Services Complaints;
- Child and Family Services Complaints;
- Freedom of Information Act (FOI);
- Regulation of Investigatory Powers Act (RIPA).

**Policy Framework:** None

**Consultation:** Access to Services, Legal and Finance

**Report Author:** Julie Nicholas-Humphreys

**Finance Officer:** Janet Morgan

**Legal Officer:** Tracey Meredith

**Access to Services Officer:** Rhian Millar

#### FOR INFORMATION

### 1. Introduction

1.1 Swansea Council is a large organisation providing a variety of services and whilst every effort is made to carry out these services accurately and professionally, complaints are made for a number of reasons.

1.2 Members of the public complain for various reasons, such as lack of action/consultation, delay, staff attitude etc. Customers wishing to voice their

dissatisfaction or concerns are dealt with open-mindedly and impartially by the Complaints Team.

- 1.3 The Council recognises that in order to meet the needs and concerns of members of the public, the monitoring of complaints is a valuable resource in its requirement to continually improve services. All complaints are taken very seriously and the Corporate Management Team receives monthly updates on complaints received, providing valuable customer insight. **Appendix 1** contains all statistical tables referred to in this report.

## **2. Requests for Service (RFS)**

- 2.1 A request for service is not a complaint (e.g. a request for service could be a request to repair an unlit lamp post). A complaint would only arise should the request for service not be properly dealt with. The Complaints Team take calls of this nature and liaise with the service department to ensure they are processed, to avoid a public perception of being “pushed from pillar to post”. A total of 1069 service requests have been dealt with by the complaints team during 2017-2018, representing a 7% decrease on the previous year’s figures and reflects the good work being undertaken with service areas such as Waste to reduce any issues.

## **3. The Corporate Complaints Process**

- 3.1 The current Corporate Complaints Policy was adopted on 01/04/2013 in line with the Welsh Government Model Complaints Policy issued in 2011.
- 3.2 It is understood that the Welsh Government Model has now been adopted by all Welsh Authorities, providing greater consistency to the way complaints are handled nationally.

### **3.3 Stage 1 Complaints**

- 3.3.1 The majority of Stage 1 complaints are dealt with by the relevant service area. When a complaint spans several different service areas, the complaints team will coordinate the handling of the complaints and provide a single, substantive response. Additionally, where a member of the public will not accept the information given to them by departmental staff, the complaints team will often work as the intermediary to try and resolve issues.
- 3.3.2 Stage 1 complaints should be responded to or actioned within 10 working days. 89% of complaints were responded to within this timescale, in comparison to 86% the previous year.
- 3.3.3 Initial complaints may be made to the Complaints Team or to the Service Department. The figures shown in this report reflect Stage 1 complaints that have been received by the Complaints Team directly and those that went directly to the service departments.

- 3.3.4 Of the **1494** Stage 1 complaints received, **652** (44%) were found to be either fully or partly justified. When service delivery is below the level we would normally expect, steps are taken wherever possible to learn from mistakes in order to improve future service delivery.
- 3.3.5 **0.4%** of the complaints received were made through the medium of Welsh, or related to Welsh Language issues. In accordance with legislative requirements this information is reported to the Welsh Language Commissioner.

### 3.4 **Stage 2 Complaints**

- 3.4.1 If a complainant is dissatisfied with the outcome of a Stage 1 complaint, they may request that the matter be investigated by the Complaints Team, which is independent of the service department.
- 3.4.2 The Complaints Team will carry out an investigation, re-examining those issues with which the complainant remains aggrieved. This investigation will include a review of all relevant correspondence, and often incorporates separate discussions with both the complainant and with relevant officers from the service department(s) concerned. Stage 2 complaints should be responded to within 20 working days.
- 3.4.3 Complainants who remain unhappy with the outcome of the Stage 2 investigation by a Complaints Officer can refer their complaint to the Public Services Ombudsman for Wales (the Ombudsman).
- 3.4.4 Of the 1494 Stage 1 Complaints received only **100** disagreed with the original investigation and appealed to Stage 2. In **24** of those, it was deemed that their appeal was justified (13) or partially justified (11). The remaining 76 were not justified in requesting an appeal.

## 4. **Social Services Complaints**

- 4.1 The handling of the majority of Social Services complaints is carried out under specific legislation and the Authority has a separate policy for such complaints. Full details of Social Services Complaints for Adult and Directorate Services dealt with under this process have therefore been reported separately in **Appendix 2**. Complaints for Child and Family Services are shown in **Appendix 3**.
- 4.2 In some cases, complainants are not eligible to make complaints under the Social Services complaints procedure. In these cases their complaints are handled under the corporate procedure and as such they are included in this report.



## **5. Corporate Complaints Received**

- 5.1 Appendix 1 (Table 1) shows details of complaints received at stages 1 & 2 during 2017-2018. This table also shows the number of enquiries received by the complaints team which were referred to service departments as service requests. Although the number of enquires have increased Waste Management it is believed that the new fleet of vehicles being purchased at the end of this financial year will assist in mitigating some of the issues that were presented.
- 5.2 The “Comments” section relates to cases where an individual has made a comment regarding a service as opposed to a complaint, which is then passed on to the relevant service unit for information. These comments may be negative or positive.
- 5.4 Appendix 1 (Table 2) provides the total enquiries received by the Complaints Team, which includes both complaints, requests for service and comments, which is up 8% on the previous year.

## **6. Cases reported to the Ombudsman**

- 6.1 Should a complainant remain dissatisfied following completion of the two internal complaint stages, they can take their complaint to the Ombudsman’s office for independent investigation.
- 6.2 The Ombudsman will usually check with the Authority whether or not the complaint has been through Stages 1 & 2 of the Authority’s complaints procedure. Where this has not been done, the Ombudsman will usually refer the complaint back to the Authority, to give an opportunity to attempt to resolve the complainant’s concerns through our internal complaints processes first.
- 6.3 The Ombudsman publishes an Annual Report every year and full details of his report for Swansea Council for 2017/18 can be viewed online at: <https://www.ombudsman-wales.org.uk/en/publications/Annual-reports.aspx> .
- 6.4 In summary, there have been a total of **62** complaints to the Ombudsman up 23% on last year (there were **54** cases in 2016/17). Of the total complaints received by the Ombudsman this year, 1 was upheld, 1 was not upheld, 10 were resolved by quick fix/voluntary settlement and all the others were either out of their jurisdiction, premature, or closed after initial consideration. There were no s16 Public Interest Reports during this year.

## **7. Service improvements introduced following complaint investigations**

- 7.1 Lessons can usually be learned from complaints received where complaints are upheld (and in many cases where the complaint was not upheld but the Authority recognises that improvements to services can be made).

- 7.2 Occasionally during the course of an investigation issues will be identified that need to be addressed over and above the original complaint. The Complaints Team will always try to look at the “bigger picture” to ensure that residents receive the best possible service from the Council.
- 7.3 Redress measures have included the issuing of apologies, small compensation payments, additional training for staff and the introduction of new procedures
- 7.4 Where Service Departments agree to take follow up action as an outcome from a complaint investigation, the Complaints Team may inform Internal Auditors (when deemed appropriate) in order to ensure that changes have been implemented. In these circumstances, compliance checks can be made as part of the next internal audit of that section. No actions were reported to Audit this year.
- 7.5 Regular reminders are given to departments to follow corporate guidelines with regards to the importance of acknowledgement letters and responses.

## **8. Compliments**

- 8.1 When compliments are received they are acknowledged and forwarded to the Head of Service for the relevant service area. A selection are highlighted for the staff newsletter, The Weekly. This has a positive impact on staff morale and allows departments to recognise good practices. Examples of the many compliments received are shown in Appendix 1 (Table 3).

## **9. Other Functions carried out by the Complaints Team**

### **9.1 Implementing & Providing Advice on Use of the CCS Unreasonable Customer Behaviour Policy.**

- 9.1.1 A revised Unreasonable Customer Behaviour Policy was adopted by the Authority with effect from 1 May 2013. There are occasions when customers act in an unacceptable or unreasonable manner. In some cases the frequency and nature of their contact with the Authority can hinder the consideration of their own or other people’s enquiries. In some instances the sheer number or nature of their inquiries lead them to be considered as ‘persistent’ or ‘vexatious’ in their dealings with staff. The revised policy provides a robust mechanism for dealing with situations whenever such circumstances arise.
- 9.1.2 The Team have issued **12** letters asking members of the public to moderate their behaviour and on occasion to restrict contact to a single point of contact within the Authority. Another example of restriction is where a member of the public is restricted to contacting the Council in writing only.
- 9.1.3 The Complaints Team collaborates with departmental staff in a consultative capacity and ensure that a consistent and corporate approach is followed in relation to the way in which they are treated by members of the public. Staff

are reminded to complete HS3 forms when incidents of abusive behaviour have occurred. These forms, which are collated and recorded by the Health & Safety Unit, can be used in the decision process when consideration is given to implementing the behaviour policy.

9.1.4 The Authority has a duty of care to its staff; in line with this, a revised policy was launched with effect from May 2013, providing more comprehensive guidance on appropriate measures that may be implemented where customers' actions are deemed to be unreasonable or unacceptable.

9.1.5 More information on the Authority's Unreasonable Customer Behaviour Policy can be found at [www.swansea.gov.uk/behaviour](http://www.swansea.gov.uk/behaviour) .

## 9.2 Freedom of Information Requests

9.2.1 Requests for information continue to be an area of high demand, with year on year increases since the inception of the Freedom of Information Act in 2000 and the right to request information which came into force on 1 January 2005. A total of 1300 FOI requests were received for the year 2017-18. This is slightly higher than the previous year (by 75 requests).

## 9.3 Subject Access Requests

9.3.1 A Subject Access Request is a request made by an individual under the Data Protection Act for personal data held on them. Co-ordinating subject access requests is a role that the Complaints Team have undertaken since January 2010. At present the requests are in much smaller numbers than the Freedom of Information requests, however this is also an area that is increasing as individuals become more aware of their right to have sight of their personal information. A total of 61 Subject Access requests were received this year, which is lower by 1 on the previous year.

9.3.2 Detailed analysis of both FOI & Subject Access requests can be found in the Freedom of Information Annual Report 2017-2018 at **Appendix 4**.

## 9.4 Regulation of Investigatory Powers Act

9.4.1 The Regulation of Investigatory Powers Act (RIPA) 2000 allows local authorities to conduct covert surveillance activity where it is required for the purpose of preventing or detecting crime or of preventing disorder. This is now subject to Magistrates Court approval.

9.4.2 Analysis of RIPA activity this year can be obtained in the Regulation of Investigatory Powers (RIPA) Annual Report 2017-2018 at **Appendix 5**.

## 10. Conclusion

10.1 Whilst the resource levels are reducing, the demand continues to grow year on year. The total number of Complaints & Requests for Service handled by the team has risen by 7% on last year, and the number of requests for information

continues to be very high. It is worth noting however, based on the statistical evidence provided that there are no trends to cause concern.

- 10.2 The highest standards of service are expected from all service departments irrespective of the increasing budgetary challenges faced by Local Authorities. It is therefore vital that customer expectations are carefully managed to keep complaints to manageable levels. On occasion, customer behaviour toward staff members has been unreasonable, and this has been addressed by use of warning letters asking individuals to moderate future behaviour.

## **11. Equality and Engagement Implications**

- 11.1 The Authority reports to the Welsh Language Commissioner on the number of complaints received concerning compliance with Welsh language legislation and those made through the medium of Welsh. This year, just under 0.4% of all complaints fell into this category.

## **12. Financial Implications**

- 12.1 All costs incurred in dealing with complaints have to be covered from within existing budgets.

## **13. Legal Implications**

- 13.1 None.

**Background Papers:** None.

**Appendices:** Appendix 1 - Corporate Complaints 2017/18 - statistical data  
Appendix 2 - Adult Social Services Complaints Annual Report 2017/18;  
Appendix 3 - Child and Family Services Complaints Annual Report 2017/18;  
Appendix 4 - Freedom of Information Act (FOI) Annual Report 2017/18;  
Appendix 5 - Regulation of Investigatory Powers Act (RIPA) Annual Report 2017/18.

**Corporate Complaints Annual Report - Statistical data**

**TABLE 1: Complaints recorded from 1 April 2017 to 31 March 2018 by Service Department**

<b>Service Area</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Requests for Service</b>	<b>Comments</b>	<b>TOTALS</b>
Commercial Services	1	0	0	0	1 =
Communications & Customer Engagement	43	3	2	9	57 +
Corporate Building & Property Services	105	9	56	7	178 -
Cultural Services	48	7	46	23	124 -
Economic Regeneration & Planning	66	13	23	5	107 +
Education	20	1	3	3	27 -
Financial Services	57	7	95	2	161 -
Highways & Transportation	279	17	244	34	574 -
Housing & Public Protection	213	29	187	9	438 =
HR & OD	9	0	8	1	18 -
Information & Business Change	1	1	2	4	8 +
Legal & Democratic Services	7	2	7	4	20 -
Poverty, Wellbeing & Communities	2	0	0	0	2 -
Social Services Corporate	48	1	47	3	99 =
Waste Management & Parks	639	10	349	49	1047 +
<b>Totals</b>	<b>1538</b>	<b>95</b>	<b>1069</b>	<b>153</b>	<b>2855</b>

<b>TABLE 2: Comparison of total enquiries received with the Previous Year</b>			
	<b>1 April 2016 to 31 March 2017</b>	<b>1 April 2017 to 31 March 2018</b>	<b>Difference (+ or -)</b>
<b>Stage 1</b>	1147	1538	+391
<b>Stage 2</b>	115	95	-20
<b>Requests for Service</b>	1146	1069	-77
<b>Comments</b>	236	153	-83
<b>Total</b>	<b>2639</b>	<b>2885</b>	<b>+211</b>

<b>TABLE 3: Examples of compliments received across different service areas</b>	
<b>Service Area</b>	<b>Compliment</b>
Commercial Services	The High 5 awards ceremony once again achieved its aim. To witness the young people and their guests enjoying the event and their pride and pleasure when they were declared a winner endorsed my commitment to the event. Thank you for your hard work and support.
Cultural Services – Central Library	Not just the service - but the setting! Spacious spaces, light and airy, overlooking the beautiful Swansea Bay; it is very well furnished, with many comfortable, and secluded corners, if desired, for study; a large car park, so important; access to food and drink in the cafe, combining also access to other essential information and services provided by council staff.

<p>Fforestfach Library</p> <p>Gorseinon Library</p> <p>Brangwyn Hall</p>	<p>Just received a detailed response to a research enquiry from Swansea Library with on-line links and the offer of further assistance. Fantastic service!</p> <p>I've used many libraries in various parts of the UK - this one must be the best This summer the library put on quite a few children's events. They were put together well and an excellent idea with all the staff doing a great job</p> <p>Staff always very helpful, pleasant and polite - always cheerful, friendly and so helpful</p> <p>I am writing to express our sincere thanks to all the Brangwyn Hall staff who worked last Sunday at the Swansea Primary Schools' Music Festival. From the feedback we have received from everyone who took part, it appears the Festival was an overwhelming success</p>
<p>Corporate Building Services</p>	<p>I had 2 plasterers here at (address supplied). They have been fantastic done an amazing job and left it very tidy and clean here. They were also very polite and helpful</p> <p>I have had 2 carpenters working here which are fantastic. They have worked hard and been very helpful, left the place lovely and tidy</p>
<p>Customer Services</p>	<p>I must thank you both for your prompt replies. Prompt replies can be rare in public bodies, so well done to both SJL &amp; L</p> <p>they were really impressed with the service they received in the contact centre in particular the way JG helped them with their interview for a blue badge application</p> <p>The service received was excellent and surpassed my expectations. The call handler (MJ) was helpful and sympathetic while the gutter was fixed before lunch and the drain later in the afternoon! Superb service!</p> <p>HD took it upon herself to make a difference, made calls to transport department to assist my application, brought forms and even a pen to me by child play area and came back to me when completed. Even brought camera over to take my sons photo in situ</p>

	<p>Customer wanted to pass on feedback today. She saw our Rachel today and thought she was excellent and very helpful with her query today. She also wanted to say that whenever she has visited the contact centre she has been impressed with the level of service and how helpful the staff are.</p> <p>Could you please pass on our thanks to the member of staff that handled my call today. Very polite, professional and most helpful.</p>
Education	<p>Mrs C A, listened to me, tried to solve the issue, and gave me the best solution, and notified me with detailed email. Thank you</p>
Highways & Transportation	<p>I would like to send my appreciation for the first class service received. I filled in the on line form at just before 5pm yesterday and had an acknowledgement at 5.05pm. I was amazed by the time that I had got home at approximately 6.15 pm to be told by my husband that a visit had already been made and that someone would be coming back that evening to make the street lamp safe. – re Street Lighting</p> <p>The speed your staff filled in a large pot hole in Edgemoor Close was brilliant.</p> <p>Many thanks for your prompt response to my report of a pothole in Gowerton, repair was carried out the following day. Well done to all of the team involved– re PATCH Team</p> <p>We would like to compliment the Council for the efforts made to keep our roads safe during the recent severe weather. In particular we were very impressed to see the lane between Llanrhidian and Welshmoor had been gritted. Thank you to Highways and all the staff who braved the cold.</p> <p>I've had my grumbles in the past about Swansea Council but fair play the roads have been gritted well so thanks to all involved</p> <p>I write to thank you and your colleagues for the recent work in the community on the roads around the school, to improve road safety for our children and parents as they walk to and from school. I am sure it will make a significant difference in the long term. – re Road Safety</p>



Housing & Public Protection	<p>I just wanted to say that the Council sometimes get a bad rap for not being helpful or ‘customer’ focused, but you were extremely polite, friendly and helpful on the phone and it’s good to know that there are still people out there that understand that this goes a long way. It was a pleasure to talk to you – re R Dowling, Housing</p> <p>He asked me to pass on his thanks to Big Al and the boys for all their hard work doing his garden, they were so polite, very good at their jobs and just got on with it with no problem, they didn’t stop. He even said that IMPRESSIVE was not even a word for the standard of work they done! And he didn’t realise that there were still people out there like this guys. - re Landlord Services</p> <p>I thought I’d let you know what a great job the boys did this morning in cutting back the overgrowth and clearing the leaves around the office. They have even cut back all the trees that were growing up the side of the building which hasn’t been done for years.- re Landlord Services</p> <p>Thank you so very much for a beautiful wedding ceremony which we will treasure forever. Everyone commented on how lovely it was and how special you made it. Many, many thanks again. – re Registration Services</p>
Planning & City Regeneration	<p>I am again heartened by your prompt replies and that my concerns have been listened to – re Countryside Access</p> <p>My thanks to you and your colleague .The path will be much safer now for another year. I know it is frequently used by many older people living in this area, The steep slope will be much easier for them to negotiate now. Thank you on their behalf. – re Countryside Access</p>

<p>Poverty &amp; Prevention</p>	<p>Cards received from parent and grandparent of child who received full entitlement in Flying Start and were supported through the statutory assessment process. Cards read: "Words can't express how grateful I am for all the help and support you have given" and "Thank you for all your help and support for my Daughter and Grandson" – re Flying Start</p> <p>Card sent by parent: "Thank you for everything you have done for me, I wouldn't be the mother I am today if it wasn't for you." – re Family Partnership Team</p> <p>I've been instructed by our client to offer you thanks for your diligent work over the period of the PIP application – our client wants me to thank you for the support you gave at this difficult time." - re Welfare Rights</p> <p>Text message re. support provided to a family: "A massive thank you again for putting the spark back in to my family life. This experience you have given us and made us whole again." – re EVOLVE</p> <p>It has been our privilege at X primary school to have you're stepping into play team working with our children and parents. Due to their commitment and enthusiasm it has been a huge success. We also appreciated their willingness to be part of our inspection week which left a massive impression with the inspectors. – re Playteam</p>
<p>Waste Management &amp; Parks</p>	<p>We have seen the magnificent wild flower verges around Swansea and the Gower. They look glorious. I understand that your department are responsible for this excellent initiative</p> <p>Particularly we found the wild flowers along side the dual carriage ways and roundabouts, to be amazing. I don't know who did the planting but they should be given a hearty pat on the back for such a beautiful job that just added 'the icing on the cake' to a wonderful city</p> <p>Several friends from different parts of the UK have visited Swansea over the summer and have remarked on the flowers planted on roundabouts and verges and of course in parks. I thought I'd pass on the compliments ! re Parks</p>

Facebook - I have to admit that our bin men do an excellent job and are always courteous – re Waste

Twitter - nice to see @ Swansea Council put my garden waste bags in a nice pile on my drive - good service- re Waste

I just want to say what a lovely job has been done by the team in Craig Cefn Parc and Felindre. If there is the chance to have this service again we would be delighted to find some jobs!, such a lovely team of workers. Thank you to all involved. – re Cleansing

I have used the recycling site at Llansamlet several times over the past few days, and each time. Was impressed by that courtesy and helpfulness of the staff. They should be commended. Additionally the site is very easy to access and seems to run very smoothly re Civic Amenity Site

X called to compliment whoever did the refuse collection today at the above area. All the food waste bins were neatly stacked and any over spills had been cleared up with no rubbish in sight.

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

**Cabinet – 17<sup>th</sup> January 2019**

**FREEDOM OF INFORMATION (FOI)  
ANNUAL REPORT 2017-2018**

<b>Purpose:</b>	To report on requests for information made under the provisions of The Freedom of Information Act 2000 for the period 1 April 2017 to 31 March 2018
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Legal, Finance.
<b>Report Author:</b>	Julie Nicholas-Humphreys
<b>Finance Officer:</b>	Janet Morgan
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

**FOR INFORMATION**

**1. Introduction**

- 1.1 The Freedom of Information (FOI) Act 2000 places a duty on all Public Authorities to comply with the general right of access to all types of “recorded” information held by the Authority (unless an exemption applies under the Act). This right of access to information came into force on 1 January 2005.
- 1.2 FOI Requests must be dealt with within 20 working days. Failure to comply may result in a complaint against the Council being investigated by the Information Commissioner.
- 1.3 The FOI Act is fully retrospective and applies to all information held by the Council. The Council adopted a Corporate Policy on Freedom of Information and on Records Management in December 2004.
- 1.4 The FOI policy sets out the Council’s commitment to making information publicly available unless there are sound operational or public interest reasons for not doing so or there are legal reasons preventing it.

1.5 FOI covers all recorded information held by the Authority. Recorded information may be in any format e.g. paper, floppy disk, video and includes both electronic and paper versions of records such as email messages, correspondence, reports, minutes of meetings and telephone attendance notes.

## 2. The FOI Process

2.1 The Complaints Team logs and monitors requests for information under the Act. All FOI Requests must be in writing, however a request need not state that it is made under the FOI legislation. The information requested must be adequately described. Authorities are under a duty to provide advice and assistance to applicants. It is a criminal offence both personal and corporate to destroy information to prevent its disclosure under FOI.

2.2 Once logged, FOI's are allocated a unique number and passed to the appropriate Departmental FOI Officer. The FOI Officer decides whether to call a FOI Panel in order to consider if there is a need to apply an exemption or to release the information requested.

2.3 The Complaints Team monitor progress of the request to try and ensure that the 20 working day timescale is adhered to.

2.4 The Complaints Manager is ultimately responsible for all FOI Reviews required under the Act, which arise if the requester is unhappy with the response. The FOI decision is reviewed in conjunction with a Legal Officer and where appropriate a representative from the relevant Department.

2.5 Requesters also have a further right of appeal to the Information Commissioner's Office (ICO).

## 3. Information Request Statistics

3.1 Table 1 below shows information requests received this year, broken down by Service Area:

TABLE 1 – Information Requests By Service Area					
Service Area	FOI Requests	Subject Access Requests	FOI /SAR Reviews	Appeals to Information Commissioner	Totals
Information/Communication Technologies	39				39
Social Services (Children Services)	70	5	3		78
Social Services (Adult Services)	76	23	2	1	102
Communications	13				13
Corporate Building Services	8				8
Corporate Property Services	61		1		62
Culture & Tourism	40	1	1		42
Environment	113	1	3		117
Waste Management	44		1		45
Financial Services	172				172

Human Resources	98	3	3		104
Housing	131	5	2	1	139
Legal & Democratic Services	69	1			70
Planning	59	1	4		64
Education	137	3	4		144
Commercial Services & Procurement	15				15
Transportation & Engineering	154	18	5	1	178
<b>Totals</b>	<b>1300</b>	<b>61</b>			<b>1393</b>

3.2 Table 2 below shows the rise in information requests since 2009.

Financial Year	Requests Received (FOI, EIR & SAR)	Year on Year Difference
2009/10	607	
2010/11	726	+119
2011/12	838	+112
2012/13	932	+94
2013/14	1154	+222
2014/15	1185	+31
2015/16	1354	+169
2016/17	1327	-27
2017/18	1361	+34

#### 4. Timeliness of Responses to FOI & EIR Requests

4.1 **1300** requests were received during 2017/18 representing a **2.7%** increase on last year's figures. Of the requests received this year, 987 (75.9%) were responded to within the FOI time limit of 20 working days. The response rate within timescale is a 1% increase on that of last year (74.9% for 2016/17).

#### 5. Type of Applicant

5.1 FOI requests are received from a variety of sources. The table below gives a breakdown of the type of applicant that made the FOI Request.

Type of Applicant	No.
Commercial Organisation	174
Freelance Journalist	9
Individual	825
Media	160

Not for Profit	36
Politician	87
Solicitors	9
<b>Total</b>	<b>1300</b>

## 6. Responses to FOI Requests

- 6.1 Table 3 below shows a breakdown of the type of response that the Council gave to the FOI Requestor. **992** of the **1300** (76%) were either fully disclosed or mainly granted. This statistic clearly shows the Council's continued commitment to openness and transparency.

<b>Table 3 - Type of Response given to FOI Requestor</b>	
<b>Type of Response</b>	<b>No.</b>
Full Disclosure	896
Completely Refused	97
Data not held	81
Mainly Granted	96
Mainly Refused	69
Not Pursued / Withdrawn	61
Timed Out *	
Ongoing / Incomplete	
<b>Total</b>	<b>1300</b>

\* The "Timed Out" category is used where an applicant did not respond to a request for clarification, therefore the request could not be processed.

## 8. Responses where Exemptions were necessary to withhold Information

- 8.1 Table 4 below shows a breakdown of the exemptions used under the FOI Act to withhold information.

<b>Table 4 - Number of and List of FOI Exemption Used</b>		
<b>Section</b>	<b>Exemption</b>	<b>No.</b>
<b>12</b>	Cost of Redacting & Extracting Information	62
<b>14</b>	Vexatious & Repeated Requests	1
<b>21</b>	Information accessible to applicant by other means	3
<b>22</b>	Information intended for future publication	3
<b>30</b>	Investigations & Proceedings	4
<b>31</b>	Law Enforcement	8
<b>32</b>	Court Records	1
<b>36</b>	Effective Conduct of Public Affairs	0
<b>38</b>	Health & Safety	8
<b>40</b>	Data Protection	28
<b>41</b>	Information provided in confidence	1

<b>42</b>	Legal professional privilege	1
<b>43</b>	Commercial Interest	50
<b>Totals</b>		<b>170</b>

**Note: In some cases more than one exemption was used to withhold data requested.**

## **9. Reviews and Appeals**

- 9.1 There were **25** FOI Reviews carried out during 2017/18. Of the reviews conducted, the original decision was upheld in **13** of those cases.
- 9.2 The Requester appealed to the Information Commissioner's Office (ICO) in **1** of those cases. Details of the ICO appeals and their outcome is summarised in Table 5 below.

<b>Table 5 - Appeals to the Information Commissioner's Office (ICO)</b>		
	<b>Information Requested</b>	<b>Outcome of Appeal</b>
Case 1	Appeal against decision not to release tax information	The Authority was instructed to release the information

## **10. Looking Forward**

- 10.1 New legislation was introduced in May 2018 called the General Data Protection Regulation (GDPR). In order to ensure that the Authority was fully prepared for these changes, an Information Governance Unit (IGU) has been created which will focus on the introduction of this legislation and oversee all matters relating to information management across the Authority. The IGU will also be reviewing the processes used in the handling of information requests with a view to further improving both the quality of responses and the percentage of cases replied to within 20 working days.

## **11. Equality and Engagement Implications**

- 11.1 This report provides a breakdown of information concerning requests for information for the prescribed period as such reflects current practice and involves no changes to service delivery. Consequently, there is no requirement for an Equality Impact Assessment.

## **12. Financial Implications**

- 12.1 All costs incurred through dealing with FOI are covered within existing budgets.



### **13. Legal Implications**

13.1 None

**Background Papers:** None

**Appendices:** None

## APPENDIX 5

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

Cabinet – 17<sup>th</sup> January 2019

#### **REGULATION OF INVESTIGATORY POWERS (RIPA) ANNUAL REPORT 2017-2018**

<b>Purpose:</b>	To report on the operation of the Authority's use of covert surveillance, conducted under the provisions of The Regulation of Investigatory Powers Act (RIPA) 2000 for the period 1 April 2017 to 31 March 2018
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Legal, Finance.
<b>Report Author:</b>	Julie Nicholas-Humphreys
<b>Finance Officer:</b>	Janet Morgan
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar
<b>FOR INFORMATION</b>	

#### **1. Introduction**

- 1.1 The Regulation of Investigatory Powers Act (RIPA) 2000 allows local authorities to conduct covert surveillance activity in circumstances where it is for the purpose of preventing or detecting crime or of preventing disorder. It also allows local authorities to acquire communication data from Communication Providers.
- 1.2 The process must be in accordance with the Home Office's Code of Practice for Covert Surveillance and Code of Practice on Acquisition of Communication data and this report has been prepared in line with best practice.
- 1.3 This report will provide an overview to the Cabinet of the Authority's practices and activity regulated by RIPA.

## 1.4 Glossary of Terms

RIPA	Regulation of Investigatory Powers Act (RIPA) 2000
OSC	Office of Surveillance Commissioners – Central Government
IOCCO	Interception of Communications Commissioner’s Office
Inspection	Biennial event to monitor compliance in surveillance matters
RIPA Application	A request for a surveillance exercise
Applicant	Officer requesting surveillance
Countersigning Officer	An officer who brings further experience to the Application
Authorised Officer	Officer responsible for surveillance compliance and monitoring
CHIS [defined in Section 26(8) of the Act]	Covert Human Intelligence Source. A person is a covert human intelligence source if— (a)he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c); (b)he covertly uses such a relationship to obtain information or to provide access to any information to another person; or (c)he covertly discloses information obtained by the use of such a relationship, or as a consequence of the existence of such a relationship.
Gatekeeper	Officer responsible for administration of surveillance practice
FOI	Requests under the Freedom of Information Act 2000
Communications Data [defined in Section 21(4) of the Act]	(a) any traffic data comprised in or attached to a communication for the purposes of any postal service or telecommunication system by means of which it is being or may be transmitted; (b) any information which includes none of the contents of a communication (apart from any information falling within paragraph (a)) and is about the use made by any person— (i) of any postal service or telecommunications service; or (ii) in connection with the provision to or use by any person of any telecommunications service, of any part of a telecommunication system; (c) any information not falling within paragraph (a) or (b) that is held or obtained, in relation to persons to whom he provides the service, by a person providing a postal service or telecommunications service.

## 2. Service Delivery

2.1 A list of authorised officers is shown in Appendix 1.

2.2 Table 1 below shows the types of surveillance permitted under RIPA for Local Authority use, comparing annual usage over the last 5 years.

<b>TABLE 1 - Surveillance Permitted Under RIPA</b>					
	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>
Directed	4	1	1	0	0
Interception of Communications	0	0	0	0	0
Acquisition / Disclosure of Communications Data	0	0	0	0	0
Covert Human Intelligence Source	0	0	0	0	0

### 2.3 Directed Surveillance

2.3.1 Directed surveillance is covert surveillance which is carried out in relation to a specific investigation which is likely to result in the obtaining of private information about a person. Since 1 November 2012, pursuant to the Protection of Freedoms Act 2012 and amendments made to RIPA legislation, such techniques may only be used where the offence under investigation either:

(a) attracts a maximum penalty of at least 6 months imprisonment; or

(b) is contrary to either Section 146 or 147 or 147A Licensing Act 2003; or

(c) is contrary to Section 7 Children and Young Person Act 1993.

No authorisations were granted during 2016-17 as shown in Table 2 below. This reflects officer's commitment to explore the least intrusive method of gaining information to carry out the Local Authority's responsibilities.

### 2.4 Acquisition and Disclosure of Communications Data

2.4.1 Since 8 February 2012, the City & County of Swansea (CCS) has subscribed to the National Anti-Fraud Network (NAFN)'s Single Point of Contact Services to acquire this information. Annual Returns are provided to the Interception of Communications Commissioner's Office on a calendar year basis.

### 2.5 Covert Human Intelligence Source (CHIS)

2.5.1 No CHIS activity took place during this year.

## 2.6 Surveillance Activity

2.6.1 Table 2 below shows the use of RIPA by services and its purpose within the City and County of Swansea

<b>TABLE 2 - Use of RIPA</b>		
<b>Directed Surveillance</b>		
	0	
<b>Covert Human Intelligence Source</b>		
	0	
<b>Acquisition and Disclosure of Communications Data</b>		
	0	

2.6.2 CCS operates an extensive Closed Circuit Television (CCTV) system to provide a safer environment for the community. The system is managed and developed in partnership with the South Wales Police. The use of CCTV is not covered by the same regulations as the surveillance reported on above as it is an overt not covert method of observation. A separate code of practice and annual report apply to the CCTV system and are public documents.

2.6.3 If requested the system can also be used for directed surveillance by the police for law enforcement purposes or for a specific exercise. If this does occur, the use changes from overt to covert surveillance and will be regulated by RIPA. The Police have responsibility to comply with the legislation in these cases. As a matter of transparency and good practice we will include in this report the use of our equipment for this purpose. Any specific use for local authority purposes would be reported under service usage.

2.6.4 During 2017-18, no directed surveillance requests were made by the police to utilise the authority's CCTV equipment which were conducted under Police RIPA authorisations.

## 3. Progress & Development

3.1 Since 1st November 2012, all local authority surveillance and access to communication data authorised under the Regulation of Investigatory Powers Act 2000 (RIPA) have required the approval of a Magistrate.

3.4 The list of Authorised Officers reflects those services most likely to conduct criminal investigations which satisfy the serious crime test set out in the legislation above. This would include Trading Standards and Housing Benefit officers.

3.5 It should be noted that from 1 June 2015 Housing Benefit fraud investigations have been conducted solely by the Department for Works and Pensions.

**4. Freedom of Information (FOI)**

4.1 There have been no FOI requests related to RIPA activities during the year.

**5. Equality and Engagement Implications**

5.1 There are no equality and engagement implications

**6. Financial Implications**

6.1 All costs incurred in dealing with RIPA are covered within existing budgets.

**7. Legal Implications**

8.1 As set out in the Report

**Background Papers:** None

**Appendices:** Appendix 1 – Authorised Officers

<b>TABLE 3 – RIPA Authorised Officers.</b>	
<b>Name</b>	<b>Department / Section</b>
Lynda Anthony	Environmental Health (Licensing)
Huw Morgan	Environmental Health (Pollution)
Peter Richards	Environment Health (Trading Standards)

# Agenda Item 7

## Service Improvement and Finance Scrutiny Performance Panel

### Work Plan 2018/2019

**All Meetings will take place in Committee Room 5**  
**10am – 12pm (Unless stated otherwise)**

<b>Meeting 1</b> <b>Tuesday June 5th</b>	<b>1. Election of Convener</b>  <b>2. Role of Panel and Terms of Reference</b> <ul style="list-style-type: none"><li>• Cllr Chris Holley</li></ul> <b>3. Work Plan 2018-2019</b> <ul style="list-style-type: none"><li>• Cllr Chris Holley</li></ul>
<b>Meeting 2</b> <b>Commissioning Review</b> <b>Tuesday June 19<sup>th</sup></b> <b>11am – 1pm</b>	<b>Cultural Programme – Final Bidder Options</b> <ul style="list-style-type: none"><li>• Martin Nicholls – Director Place</li><li>• Tracey McNulty – Head of Cultural Services</li><li>• Robert Francis-Davies – Cabinet Member Culture, Tourism and Major Projects</li></ul>
<b>Meeting 3</b> <b>Tuesday July 10<sup>th</sup></b> <b>Committee Room 3 Civic Centre</b>	<b>1. Welsh Language Standards Annual Report 2017/18</b> <ul style="list-style-type: none"><li>• Julie Nicholas Humphreys - Customer Services Manager</li><li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li></ul> <b>2. Charges Item</b> <ul style="list-style-type: none"><li>• Chris Williams – Head of Commercial Services</li><li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li></ul>
<b>Meeting 4</b> <b>Tuesday August 14th</b>	<b>1. End of Year 2017/18 Performance Monitoring Report</b> <ul style="list-style-type: none"><li>• Richard Rowlands – Corporate Performance Manager</li></ul>
<b>Meeting 5</b> <b>Tuesday September 11th</b>	<b>1. Recycling and Landfill - Annual Performance Monitoring</b> <ul style="list-style-type: none"><li>• Chris Howell – Head of Waste Management and Parks</li><li>• Cllr Mark Thomas – Cabinet Member for Environment and Infrastructure Management</li></ul>



<b>Meeting 6</b> <b>Thursday September 27<sup>th</sup></b> <b>Committee Room 2 Civic</b> <b>Centre</b>	<b>1. Equality Review Report 2017/18</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Mary Sherwood – Cabinet Member for Better Communities</li> </ul> <b>2. Q1 2018/19 Performance Monitoring Report</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> </ul>
<b>Meeting 7</b> <b>Monday October 29<sup>th</sup></b>	<b>1. Q1 Revenue and Capital Budget Monitoring 2018/19</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <b>2. Revenue Outturn and Savings Tracker 2017/18</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <b>3. Revenue Outturn 2017/18 (HRA)</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <b>4. Capital Outturn and Financing 2017/18</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<b>Meeting 8</b> <b>Tuesday November 13<sup>th</sup></b>	<b>1. Annual Review of Performance 2017/18</b> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul> <b>2. Reserve Update</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <b>3. Mid-Year Budget Statement 2018/19</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<b>Meeting 9</b> <b>Tuesday December 11<sup>th</sup></b>	<b>1. Budget Update</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <b>2. Q2 Budget Monitoring</b> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and</li> </ul>

	<p style="text-align: center;"><b>Service Centre</b></p> <p><b>2. Annual Review of Well-being Objectives and Corporate Plan 2018/22</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> <li>• Cllr Rob Stewart – Cabinet Member for Economy and Strategy</li> </ul> <p><b>3. Planning Annual Performance Report</b></p> <ul style="list-style-type: none"> <li>• Ryan Thomas - Development Conservation and Design Manager</li> <li>• Cllr David Hopkins – Cabinet Member for Delivery</li> </ul>
<p><b>Meeting 10</b> <b>Tuesday January 15th</b></p>	<p><b>1. Q2 Performance Monitoring Report</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> </ul> <p><b>2. Budget Proposals</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<p><b>Meeting 11</b> <b>Tuesday February 12th</b> <b>Council Chamber</b> <b>Guildhall</b> <b>BUDGET MEETING</b></p>	<p><b>1. Q3 Budget Monitoring</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul> <p><b>2. Annual Budget</b></p> <ul style="list-style-type: none"> <li>• Ben Smith – Head of Financial Services and Service Centre</li> <li>• Cllr Rob Stewart – Cabinet Member for Economy and Strategy</li> </ul>
<p><b>Meeting 12</b> <b>Wednesday March 6th</b></p>	<p><b>1. Review of Community Groups – Friends of Parks/Community Centres</b></p> <ul style="list-style-type: none"> <li>• Tracey McNulty – Head of Cultural Services</li> <li>• Cllr June Burtonshaw – Cabinet Member for Better Communities – Place</li> </ul> <p><b>2. Corporate Complaints Annual Report 2017/18</b></p> <ul style="list-style-type: none"> <li>• Julie Nicholas Humphreys - Customer Services Manager</li> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> </ul>
<p><b>Meeting 13</b> <b>Wednesday 20<sup>th</sup> March</b></p>	<p><b>1. Wales Audit Office Report – Housing Quality Standards</b></p> <ul style="list-style-type: none"> <li>• Councillor Andrea Lewis</li> <li>• Mark Wade – Head of Housing and Public</li> </ul>

	<p>Protection</p> <ul style="list-style-type: none"> <li>• Lynda Grove – Service Improvement Manager</li> </ul> <p><b>2. Welsh Public Library Standards Annual Report 2017/18</b></p> <ul style="list-style-type: none"> <li>• Karen Gibbins - Principal Librarian for Information &amp; Learning</li> <li>• Cllr June Burtonshaw – Cabinet Member for Better Communities – Place</li> </ul>
<p><b>Meeting 14</b> <b>Tuesday April 9<sup>th</sup></b></p>	<p><b>1. Q3 Performance Monitoring Report</b></p> <ul style="list-style-type: none"> <li>• Richard Rowlands – Corporate Performance Manager</li> </ul>
<p><b>Meeting 15</b> <b>Monday May 13<sup>th</sup></b></p>	<p><b>1. WAO Report – Local Government use of Data</b></p> <ul style="list-style-type: none"> <li>• Cllr Clive Lloyd – Cabinet Member for Business Transformation and Performance</li> <li>• Sarah Caulkin – Chief Transformation Officer</li> </ul>

To be scheduled;

- Commissioning Reviews 2016/17 Evaluation Item
- Additional Commissioning Reviews (TBA)
- Local Government Performance Bulletin 2017/18