



Dinas a Sir Abertawe

Hysbysiad o Gyfarfod

Fe'ch gwahoddir i gyfarfod

Y Cabinet

Lleoliad: Siambr y Cyngor, Neuadd y Ddinas, Abertawe

Dyddiad: Dydd Iau, 20 Mehefin 2019

Amser: 10.00 am

Cadeirydd: Cyngorydd Rob Stewart

Aelodaeth:

Cynghorwyr: M C Child, R Francis-Davies, D H Hopkins, E J King, A S Lewis, C E Lloyd, S Pritchard, A Pugh, J A Raynor a/ac M Thomas

Hefyd gwahoddwyd: S Pritchard, A H Stevens

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

Mae croeso i chi siarad Cymraeg yn y cyfarfod.

Dywedwch wrthym erbyn canol dydd, ddeuddydd cyn y cyfarfod.

Agenda

Rhif y Dudalen.

1. Ymddiheuriadau am absenoldeb.
2. Datgeliadau o fuddiannau personol a rhagfarnol.
www.abertawe.gov.uk/DatgeluCysylltiadau
3. Cofnodion. 1 - 4
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod
4. Cyhoeddiadau Arweinydd y Cyngor.
5. Cwestiynau gan y cyhoedd.
Rhaid i'r cwestiynau ymwneud â materion ar ran agored agenda'r cyfarfod, ac ymdrinnir â hwy o fewn 10 munud.
6. Hawl i holi cynghorwyr.
7. Penodiadau Llywodraethwyr yr Awdurdod Lleol. 5 - 8
8. Adroddiad Cynnal Cyfalaf Adeiladu 2019/20 - Cyllid Ychwanegol 9 - 16

gan Lywodraeth Cymru.

9.	Comisiwn y Gwirionedd am Dlodi Abertawe	17 - 42
10.	Gwahardd y cyhoedd.	43 - 46
11.	Dyfarnu'r Contract (Adeiladu) Cam Cyntaf ac Awdurdodi'r Rhaglen Gyfalaf perthnasol ar gyfer y Prosiect Ailfodelu ac Ailwampio yn Ysgol Gyfun Llandeilo Ferwallt	47 - 69
12.	Pryniant Arfaethedig o Fuddsoddiad Eiddo yng Nghanol y Ddinas.	70 - 81
13.	Gwerthu Tir Priffordd yn y Mwmbwls, Abertawe.	82 - 94

Cyfarfod Nesaf: Dydd Iau, 18 Gorffennaf 2019 ar 10.00 am

Huw Evans

Huw Evans

Pennaeth Gwasanaethau Democrataidd

Dydd Mawrth, 11 Mehefin 2019

Cyswllt: Gwasanaethau Democrataidd - Ffon: (01792) 636923

Agenda Item 3.



City and County of Swansea

Minutes of the Cabinet

Council Chamber, Guildhall, Swansea

Thursday, 16 May 2019 at 10.00 am

Present: Councillor C E Lloyd Presided

Councillor(s)

M C Child
A Pugh

Councillor(s)

E J King
J A Raynor

Councillor(s)

M Thomas

Officer(s)

Huw Evans
Tracey Meredith
Ben Smith
Jack Straw

Head of Democratic Services
Chief Legal Officer
Chief Finance Officer / Section 151 Officer
Interim Chief Executive

Also present

Councillor(s): C R Evans, S Pritchard, R V Smith

Apologies for Absence

Councillor(s): R Francis-Davies, D H Hopkins, A S Lewis and R C Stewart

1. Disclosures of Personal and Prejudicial Interests.

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

- 1) Councillor J A Raynor declared a Personal & Prejudicial Interest in Minute 9 “Local Authority Governor Appointments” and stated that she had dispensation from the Standards Committee to Stay, Speak but Not Vote on matters relating to the Appointment of Local Authority Governors;
- 2) Jack Straw declared a Personal & Prejudicial Interest in Minute 13 “Disposal of Highway Land at Mumbles, Swansea” and withdrew from the Meeting prior to its consideration.

2. Minutes.

Resolved that the Minutes of the meeting(s) listed below be approved and signed as a correct record:

- 1) Cabinet held on 18 April 2019;
- 2) Special Cabinet held on 2 May 2019.

3. Announcements of the Leader of the Council.

1) Webcasting of Meeting

The Deputy Leader of the Council stated that as part of the ongoing works to enable the Webcasting of Council, Cabinet, Planning Committee and the Scrutiny Programme Committee; this meeting was being recorded.

4. Public Question Time.

No questions were asked.

5. Councillors' Question Time.

No questions were asked.

6. Report of the Chair of the People Policy Development Committee - Supported Living.

The Chair of the People Policy Development Committee submitted a report summarising the Committee's work on Supporting Living.

Resolved that:

- 1) The communication exchange process regarding supported living developments for Mental Health and Learning Disability Services and Council Members as set out within Paragraphs 4.3, 4.4 and Appendix 1 of the report be approved.

7. Report of the Chair of the Education & Skills Policy Development Committee - Pupil Development Grant.

The Chair of the Education & Skills Policy Development Committee submitted a report summarising the Committee's recommendations in relation to the Pupil Development Grant.

Resolved that:

- 1) The recommendations within the report be endorsed to establish a Policy on the use of the Pupil Development Grant.

8. Local Authority Governor Appointments.

The Local Authority Governors Appointment Group submitted a report, which sought approval of the nominations submitted to fill Local Authority (LA) Governor vacancies on School Governing Bodies.

Resolved that:

- 1) The following nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning & Skills be approved:

1)	Parklands Primary School	Christopher O'Brien
2)	Pengelli Primary School	Elaine Thomas
3)	Olchfa Comprehensive School	James Ellis

9. Contract Award Report - Tender for the Provision of Local Bus Services.

The Cabinet Member for Environment & Infrastructure Management submitted a report which detailed the outcome of the recent tenders for Local Bus Services and sought approval to award contracts.

Resolved that:

- 1) The tender prices recommended by the Tender Evaluation Panel and set out in Schedule B of the report by accepted as representing the Most Economically Advantageous Tenders;
- 2) Contracts be awarded to the Companies as set out in Schedule B of the report.

10. Contract Award Report - Tender for the Provision of Park and Ride Bus Services.

The Cabinet Member for Environment & Infrastructure Management submitted a report which detailed the outcome of the recent tenders for the provision of Park and Ride Bus Services and sought approval to award contracts.

Resolved that:

- 1) The tender prices recommended by the Tender Evaluation Panel and set out in Schedule B of the report by accepted as representing the Most Economically Advantageous Tenders;
- 2) A Contract be awarded to Tenderer 1 as set out in Schedule A of the report.

11. Exclusion of the Public.

Cabinet were requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendations to the report(s) on the grounds that it / they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 relevant to the items of business set out in the report(s).

Cabinet considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following item(s) of business.

(Closed Session)

12. Disposal of Residential Element of Swansea Central Phase 1.

The Cabinet Member for Environment & Infrastructure Management presented a report which sought authority for disposal of assets in accordance with the Council Constitution.

Resolved that the recommendations as detailed in the report be approved.

13. Disposal of Highway Land at Mumbles, Swansea.

Resolved that the item be deferred to a future meeting.

The meeting ended at 11.00 am

Chair

Call In Procedure – Relevant Dates	
Minutes Published:	16 May 2019
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 21 May 2019
Decision Comes into force:	22 May 2019

Agenda Item 7.



Report of the Local Authority Governor Appointment Group

Cabinet – 20 June 2019

Local Authority Governor Appointments

Purpose:	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
Policy Framework:	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: 1) The nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills.
Report Author:	Gemma Wynne
Finance Officer:	Chris Davies
Legal Officer:	Stephen Holland
Access to Services Officer:	Catherine Window

1.0 The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Glyncollen Primary School	Cllr Ceri Evans
2. Morriston Comprehensive School	Cllr Andrea Lewis

2.0 Financial Implications

2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

3.0 Legal Implications

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

4.0 Equality and Engagement implications

- 4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 4.2 There are no equality and engagement implications associated with this report.

Background Papers: None

Appendices: Equality Impact Assessment Form

Equality Impact Assessment Screening Form

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

Section 1

Which service area and directorate are you from?

Service Area: Education

Directorate: People

Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

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

(b) Please name and describe here:

Appointing Local Authority governors to schools in Swansea

Q2(a) WHAT DOES Q1a RELATE TO?

Direct front line
service delivery

☐ (H)

Indirect front line
service delivery

☒ (M)

Indirect back room
service delivery

☐ (L)

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

Because they
need to

☐ (H)

Because they
want to

☐ (M)

Because it is
automatically provided to
everyone in Swansea

☒ (M)

On an internal
basis
i.e. Staff

☐ (L)

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

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?

Please provide details below – either of your planned activities or your reasons for not undertaking engagement

This activity does not require consultation

Equality Impact Assessment Screening Form

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

High visibility <input checked="" type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input type="checkbox"/> (L)
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(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION? (Consider the following impacts – legal, financial, political, media, public perception etc...)

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

☐ Yes ☒ x No If yes, please provide details below

Q7 HOW DID YOU SCORE? Please tick the relevant box

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

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

Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.

There are no equality and engagement implications associated with this process. Under the Government of Maintained Schools (Wales) Regulations 2005, it is a statutory requirement for all schools to have Local Authority governors who are appointed by the Direction of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills. The Councillor(s) representing the ward(s) in the catchment area of the schools', the Headteacher and Chair of governors views will be sought to input into the decision-making and recommendations are taken to Cabinet for ratification as agreed by the Council Constitution.

Section 2

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

Screening completed by:
Name: Gemma Wynne
Job title: Governor Support Officer
Date: 03/06/19
Approval by Head of Service:
Name: Nick Williams
Position: Director of Education
Date: 03/06/19

Agenda Item 8.



Report of the Leader

Cabinet – 20 June 2019

Building Capital Maintenance Programme 2019/2020 Additional Welsh Government Funding

Purpose:	To agree the schemes to be funded through the additional Capital Maintenance allocation for 2019/20.
Policy Framework:	Financial Procedure Rule No.7 (Capital Programming and Appraisals) The Revenue and Capital Budget as reported to and approved by Council on the 28 th February 2019
Consultation:	Access to Services, Finance, Legal, Education,
Recommendation(s):	It is recommended that Cabinet: 1) Approves the proposed additional capital maintenance schemes for Building Services, as listed in Appendix A. 2) Authorises the financial implications identified in Appendix C to be included in the capital programme.
Report Author:	Nigel Williams
Finance Officer:	Ben Smith
Legal Officer:	Debbie Smith
Access to Services Officer:	Catherine Window

1.0 Introduction

Cabinet has previously approved the Council's Asset Management Plan for Property Assets which sets out a series of measures to improve the management and performance of the property portfolio. This Report sets

out the way in which the additional Welsh Government funding for Capital Maintenance resources for 2019/20 will be deployed.

2.0 Capital Programme Process

On 28th February 2019, Council approved a Capital Maintenance allocation of £4m for the Authority's building portfolio plus a further £700k for the Social Services asset portfolio. Subsequently, on 21st March 2019, Cabinet approved the proposed schemes to be funded through this Capital Maintenance allocation.

- 2.1 An offer of further funding was received from Welsh Government for Education projects that had been completed in 2018/19 and the Authority were successful in their application this displaced the unsupported borrowing to fund £2,921,162 of additional Education projects that must be completed in 2019/20.

3.0 Objectives of Scheme

- 3.1 The proposals set out will directly support the corporate objectives of the Authority, in relation to the maintenance and improvement of the Authority's building portfolio.
- 3.2 This maintains the previous commitment to address the significant backlog of maintenance and minimise the potential effect of unforeseen breakdowns of building elements.
- 3.3 As was reported in previous building maintenance programme reports, attention needs to be drawn to the fact that the Authority still has a significant backlog of maintenance and whilst there have been some reductions in this backlog, the limited programme contained within the 2019/20 budget, whilst being very important, will not remedy the immediate backlog.

Notwithstanding the current financial pressures, further budget provisions will therefore need to be made in subsequent years to maintain this investment and minimise the risks of failure and unplanned closures.

- 3.4 The list of identified schemes (**Appendix A**) has been selected on a priority basis. The criteria for selection (unless otherwise stated) was based upon Condition rating as independently determined by the recently completed, externally commissioned condition surveys, legislative compliance, Health and Safety implications, likelihood of failure and business continuity. Whilst all schemes have been selected on these criteria there are a number of similar priorities which we are unable to progress within the budgets available.

4.0 Description of Schemes

4.1 The recommended list of schemes is included in **Appendix A** and to assist, a brief summary of the planned works have been included, as follows:-

- 1) **Statutory Compliance - Electrical**
The schemes listed consist of total rewires, partial rewires or upgrades to ensure safety and compliance with electrical regulations and maintained operation of the premises.
- 2) **Essential Building Repairs**
The schemes listed in **Appendix A** are a combination of prioritised schemes and allowances linked to the ongoing maintenance strategy which include roof renewal and window replacement.
- 3) **Kitchen compliance**
All kitchens that currently require Air Quality/CO (Carbon Monoxide) testing work (AQT) to aid compliance to coincide with the extraction canopy programme of works.

4.2 QEd Programme

4.2.1 The proposed list of schemes listed under **Appendix A** is based on the technical assessment of the individual establishments, resulting in the prioritised listing attached. However consultation has taken place with Education colleagues to confirm that none of the suggested schemes will conflict with the Authority's proposed Band B programme.

5.0 Equality and Engagement Implications

5.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

5.2 An EIA has been carried out for this project and is attached as **Appendix B**. The impact has been determined as low priority and as such, a full EIA is not required at this stage. The additional Capital Maintenance investment within building assets in Swansea will help to realise a more

sustainable asset portfolio for Swansea Council. Where relevant, each specific project for which funding is agreed will be screened for an Equality Impact Assessment.

6.0 Financial Implications

6.1 Capital

The total capital cost of the additional schemes in the Authority's Buildings Portfolio amount to £2.921m and will be fully funded by the displaced unsupported borrowing from 2018/19. Details are set out in **Appendix C**.

6.2 Revenue

Maintenance costs will be met from existing revenue budgets.

7.0 Staffing Implications

7.1 Elements of the design and works may be procured externally to supplement in-house resources although the first call will be to seek interest from neighbouring Authorities if required.

8.0 Procurement

8.1 The additional 2019/20 Capital Maintenance projects identified within **Appendix A** of this report will therefore be delivered by a combination of in-house resources, with other projects procured in line with Contract Procedural Rules. Any externalised works will be procured in accordance with Contract Procedure Rules (CPRs) and procurement rules and regulations.

9.0 Legal Implications

9.1 As indicated in paragraph 4 of the Report, the Council must comply with various statutory requirements as well as general obligations under the Occupiers Liability Acts. All works and services required to deliver the projects must be procured in accordance with the Council's CPRs as stated in paragraph 8.

Background Papers: None

Appendices:

Appendix A: Capital Maintenance Budget 19/20 – Proposed Programme

Appendix B: EIA Screening Form

Appendix C: Financial Implications Summary – Building Services

CAPITAL MAINTENANCE ADDITIONAL BUDGET 2019/20

<u>PROPOSED PROGRAMME</u>	Building Services additional Budget (£2.921m) £000's
1 <u>STATUTORY COMPLIANCE - ELECTRICAL SCHEMES</u>	
Terrace Road Primary Rewire	111
Bishop Gore Comprehensive	700
2 <u>Essential building repairs</u>	
Cadle Primary Roof renewal	450
Clwyd Primary Roof renewal	200
St. Helen's Primary Window Replacement	160
Bishop Gore Comprehensive structural repairs and Window Replacement	750
Brynhyfryd Primary Demolition of Janitors House - Dry Rot	150
Contingency roofing/walls various schools	200
3 <u>Kitchen compliance</u>	
Upgrade AQT / CO	200
	<hr/>
CM ADDITIONAL BUDGET 2019/20 TOTAL	2921

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

Section 1

Which service area and directorate are you from?

Service Area: Building Services

Directorate: Place

Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?Service/
Function☐Policy/
Procedure☐

Project

☒

Strategy

☐

Plan

☐

Proposal

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

Capital Maintenance works programme 19/20 - To agree the proposed schemes to be funded through the additional Capital Maintenance programme funding.

Q2(a) WHAT DOES Q1a RELATE TO?Direct front line
service delivery☐ (H)Indirect front line
service delivery☒ (M)Indirect back room
service delivery☐ (L)**(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?**Because they
need to☐ (H)Because they
want to☐ (M)Because it is
automatically provided to
everyone in Swansea☒ (M)On an internal
basis
i.e. Staff☐ (L)**Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...**

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

Q4 HAVE YOU / WILL YOU UNDERTAKE ANY PUBLIC CONSULTATION AND ENGAGEMENT RELATING TO THE INITIATIVE?☐ YES☒ NO

(If NO, you need to consider

If yes, please provide details below

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

High visibility
☐ (H)

Medium visibility
☐ (M)

Low visibility
☒ (L)

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

High risk
☐ (H)

Medium risk
☐ (M)

Low risk
☒ (L)

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

☒ Yes

☐ No

If yes, please provide details below

Programme relates to Building Capital Maintenance Works

Q7 HOW DID YOU SCORE?

Please tick the relevant box

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

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

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

The report sets out prioritisation works to commit the Council's additional £2.921m funding allocation to the Building Capital Maintenance Programme and as such, does not impact on any frontline service delivery.

Section 2

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

Screening completed by:
Name: Nigel Williams
Job title: Head of Building Services
Date: 18/4/2019
Approval by Head of Service:
Name: Nigel Williams
Position: Head of Building Services
Date: 18/4/2019

APPENDIX C - £2.921m Additional Capital Maintenance Funding

FINANCIAL IMPLICATIONS : SUMMARY

Portfolio: PLACE

Service : BUILDING SERVICES

Scheme : CAPITAL MAINTENANCE ADDITIONAL BUDGET FOR SCHOOLS -
BUILDINGS 2019/20

Head of Service: BUILDING SERVICES

1.1. CAPITAL COSTS

2019/2020	2020/2021	2021/2022	2022/2023
£'000	£'000	£'000	£'000

EXPENDITURE

Capital Maintenance

Stat Compliance - Electrical works

811

Essential Building Maintenance

1,910

Kitchen compliance AQT

200

EXPENDITURE

2,921

0

0

Financing

Displaced unsupported borrowing from
2018/19

2,921

FINANCING

2,921

1.2. REVENUE COSTS

2019/2020	2020/2021	2021/2022	FULL YEAR
£'000	£'000	£'000	£'000

Service Controlled - Expenditure

To be met by existing budgets

0

NET EXPENDITURE

0

0

0

0

Agenda Item 9.



Report of the Cabinet Member for Better Communities (People)

Cabinet – 20 June

Swansea Poverty Truth Commission

Purpose:	To consider for approval the proposed next steps in the development of a Swansea Poverty Truth Commission and agree the details of the required commitment from Swansea Council.
Policy Framework:	Delivering a Successful & Sustainable Swansea: The City and County of Swansea's Corporate Plan 2018/22. Working towards prosperity for all in Swansea: A tackling poverty strategy for Swansea 2018/21.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that Cabinet : 1) Approves the proposal to implement the next steps of establishing a Swansea Poverty Truth Commission 2) Approves its commitment and support for a Swansea Poverty Truth Commission.
Report Authors:	Amy Hawkins/Anthony Richards /Sian Denty
Finance Officer:	Chris Davies
Legal Officers:	Tracey Meredith / Lucy Moore
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 Poverty Truth Commissions bring together key decision makers with those living at the sharp end of poverty to work together towards overcoming poverty. Ensuring that those affected by decisions are central to decision making; recognising that we cannot hope to understand, let alone address the causes and symptoms of poverty unless we involve the experts, those with direct experience of poverty who live with the reality day in day out.

- 1.2 The Joseph Rowntree Foundation (JRF), takes an evidence- informed view about how to solve poverty. The JRF report on reducing poverty in Wales, *Prosperity without poverty: a framework for action in Wales*, Nov 2016, focuses on solutions that are proven to work and includes this recommendation: 'Involving people with first-hand experience of poverty in shaping local policies and actions, e.g. Through Poverty Truth Commissions as established in Leeds and Glasgow;' p20 <https://www.jrf.org.uk/report/prosperity-without-poverty>
- 1.3 Poverty Truth Commissions have a lifecycle, from the Public Launch Event to the Closing Event and Final Report Publication of approximately 18 months. Prior to the Public Launch Event, there is a critical process that takes approximately 9 months. During this period a Start-Up Group is established, resources, finances and staff are put in place and Civic, Business and Community Commissioners are recruited. Learning from other areas tells us that the success of Poverty Truth Commissions is dependent on the time taken to build relationships between Community Commissioners during this start-up phase to build relationships and trust between Community Commissioners, Civic and Business Commissioners (**Appendix A** – Approximate Timeline for a Swansea PTC). During the Commission process, opportunities are provided for those making and influencing decisions to listen, stereotypes and titles are left at the door and power imbalances addressed so that commissioners can work effectively together.
- 1.4 Poverty Truth Commissions should not be owned or dominated by any single organisation, they should be independent and able to act as a 'constructive friend' for all with a responsibility for contributing to tackling poverty.

2. Background and progress to date

- 2.1 In the Tackling Poverty Scrutiny Inquiry Panel report: [Action, partnership, participation: How can the Council's Tackling Poverty Strategy be improved?](#) February 2017, establishing a Swansea Poverty Truth Commission was a principle recommendation. This recommendation was subsequently incorporated into Swansea's current Tackling Poverty Strategy.
- 2.2 The Poverty Reduction Policy Development Committee (PDC) advocated the further development of proposals and next steps for a Swansea Poverty Truth Commission at their meeting in July 2018.
- 2.3 At the early stage of the process the Council has acted as an instigator, liaising with Poverty Truth Commission UK Development and Leeds Poverty Truth Commission representatives who have offered to provide continued guidance and support so that we might benefit from their experiences and expertise.

- 2.4 Following on from the direction to implement the Poverty Reduction PDC's recommendations, Officers set-up a series of meetings with key stakeholders on the 26th of February 2019. The aim of these meetings was for stakeholders to find out more about how Poverty Truth Commissions' work, what they do, ask questions and explore whether there would be interest in, and enthusiasm for, developing a similar process in Swansea. The meetings, attended by 64 representatives across the city were led and facilitated by Andrew Grinnell (Leeds Poverty Truth Commission) who, in partnership with JRF, have been supporting the development of PTCs across the UK. The outcomes were as follows:

The first meeting involved key figures in the Public Sector (which included members of Swansea Public Services Board), Registered Social Landlords and Civic leaders. Interest, enthusiasm and backing for developing a Swansea PTC led to:

- A number of post-meeting offers of contributions in terms of financing the running/staff costs of a Commission, including a significant offer from one partner of £20,000.
- Three offers to host the Commission.
- Offers to participate in a Start-up group / to become a 'Civic/Business Commissioner'.
- Various other offers in terms of resources, staff time, meeting space, hosting meetings etc.

The second meeting involved key organisations and individuals working at a grassroots level with people experiencing poverty:

- Overall, a broad sense of support for the idea of a PTC was conveyed and strong commitments to be involved.
- Officers also received positive feedback post event, and expressions of support going forward, from individuals and organisations who were unable to attend at that time.

The third meeting with a group of people with direct lived experience of poverty;

- This was a dynamic and candid session
- There was unanimous agreement from the group that Swansea should have its own Poverty Truth Commission and a desire to be involved.

- 2.5 Officers sent out emails to the 2nd and 3rd meeting invitees advising that as a result of the support and commitment expressed, we will now be moving towards establishing an independent, local Start-Up Group, and further updates on progress would follow.

3. Required commitments

- 3.1 The Poverty Truth Commission model requires funding to support the running and facilitation of the Commission, this usually equates to £35,000

a year. A total of £70,000 funding is required for the two year lifecycle of the PTC. This would cover running costs for the Commission including a small local facilitation team usually comprising of two/three people working part time.

- 3.2 Poverty Truth Commissions across the UK have accessed a range of funding to cover these costs including grants and partner contributions of between £5,000 and £10,000. The Start-Up Group will be responsible for identifying and securing the required funding. A mix of national and local funding, or local funding, is preferable as this gives a greater sense of local investment and buy in, with no single organisation providing all of the funding as they may feel, and others may perceive, that the PTC then belongs to them.
- 3.3 A commitment from Swansea Council is required in terms of nominating a 'Civic Leader' representative who will champion the Poverty Truth Commission and become a Commissioner themselves. In many other Poverty Truth Commissions across the UK, this commitment has been from Council Leaders / Deputy Leaders / Chief Executive or Lord Mayor. Local Government's commitment and active participation have been important factors contributing to the efficacy and success of Poverty Truth Commissions across the UK. It is their agency, role and status in the community that can engage Civic and Business Leaders, get key decision makers in the room and facilitate opportunities for voice for PTC Working Groups. As testified, by Cheshire West and Chester Council, involvement in the PTC has also greatly improved their relationships with residents. They felt their voice was being heard, input and experience valued and saw change happening as result of their involvement. As a result of the relationships built during the commission process, Community Commissioners developed a greater understanding of the way systems operate within the Local Authority and how decisions are made.

4. Next Steps

- 4.1 The PTC Model has a clear trajectory:

- **Establishing whether there is commitment and enthusiasm locally for a PTC.** (Completed 26th February 2019, see 2.4)
- **Establishing a Start-up Group** – Made up of a small group of people who are committed to establishing a Swansea PTC. This Team has a clearly defined role, it is a task and finish group and will cease to exist when the PTC is launched. Part of this group's role is recruiting a staff delivery team which will facilitate the Commission itself and identifying and engaging 'Civic and Business' Commissioners. Membership should ideally include; public sector, business, third sector and faith sector and those with lived experience of poverty.
- **Setting in place the Staff Delivery team** who will initially recruit and build relationships between Community Commissioners and later between Community Commissioners and Civic/Business Commissioners. The staff team have three main responsibilities – convening, facilitation and support.

- **Invitation and Public Launch of the Commission** - A high profile launch would then be held where the Community Commissioners present their stories. The public as a whole are invited to the launch. Senior city leaders invite key figures within the Civic, Business, Third and Faith Sectors. The event will be the first time both sets of commissioners meet.
 - **The Commission** – Initially the full Commission meet monthly to build relationships and increased shared understanding. Through these meetings the Commission identifies particular issues to work on together within a limited timescale (12-18 months). Programmes for these meetings are developed by the staff team who are responsible for co-ordinating and facilitating them. Once the Commission has identified its priorities (usually three key issues) they split into sub-groups who then meet monthly to work on the issues identified.
 - **Communication and Embedding** – The Commission reports on its work both through a second large public gathering and a short, accessible report highlighting what has been learned, what the commission has done, what individual commissioners aim to do, as well as a small number of policy and practice recommendations it is making. Although this reporting is important, the key thing is what commissioners **do** together rather than simply what they **say** need to be done, **a PTC is not a ‘talking shop’**.
- 4.2 PTCs, and the participatory approaches they use, offer an opportunity for more meaningful participation; this is more than just having a conversation with people and is framed around an action based structure. PTCs give people greater opportunities to influence decisions through participative and direct democracy rather than formal consultation exercises and focus groups.

Commissioners are drawn from across the locality and from a range of experience, age, race, disability and gender backgrounds that are broadly representative of the demographics of the area. The process used for identifying and recruiting people who experience poverty to participate as Community Commissioners allows for contact to be made with those who are not ‘the usual suspects’ or simply easiest to reach in terms of participation.

5. Links, Strategic Fit and Example Outcomes

- 5.1 A Swansea Poverty Truth Commission could support and inform the work of the Public Service Board in the implementation of the Local Well-being Plan/Corporate Plan as well as projects such as Human Rights City and City Deal. A Swansea Poverty Truth Commission would also be an example of genuine co-productive working. It should be noted that the Poverty Reduction Policy Development Committee identified and recommended that Swansea work towards becoming a Human Rights City and that a significant part in achieving this would include the development of a Swansea Poverty Truth Commission.

- 5.2 The JRF recognises that ‘The new City Regions for Cardiff, Swansea Bay and North Wales provide an exciting opportunity to build a commitment to best employment practice to reduce poverty from the very start’ Pg. 30
<https://www.jrf.org.uk/report/prosperity-without-poverty>.
- 5.3 **Appendix B** provides examples of the impact of other Poverty Truth Commissions and the differences that they have made at the level of individuals, organisations, policy and wider society. One such example from Scotland is where the Commission instigated a mentoring programme for Civil servants through which those who have direct experience of poverty coach senior policy leaders.
- 5.4 A Swansea Poverty Truth Commission could directly support the PSBs work to achieving the Well-being of Future Generations (Wales) 2015 Act and well-being goals, including: a prosperous Wales, a resilient Wales, a more equal Wales, a healthier Wales and a Wales of Cohesive Communities. It would do this as outlined in Section 1. Actions taken forward to reduce poverty and the impact of poverty through the Poverty Truth Commission process will directly support the delivery of these well-being goals.

Poverty Truth Commissions:

- Seek to address short-term issues that also sustain **long-term** needs.
- Consider the solutions to issues in collaboration, **integrating** meeting the needs of those experiencing poverty with the objectives of multiple organisations.
- Directly **involve** people with lived experience of poverty to share their experiences and work with organisations to identify solutions.
- Include city wide representation from civic bodies, front line services and members of the public. They work **collaboratively** to identify priorities and take actions to solve problems.
- Through the development of priorities and actions, **prevent** issues from getting worse and can also **prevent** issues from occurring in the first place. (See **Appendix B** for examples)

6. Risks

- 6.1 Extended delay, leading to a loss of momentum, thereby dissipating the energy, commitment and enthusiasm and support offered post the 26th February 2019 meeting.
- 6.2 If the decision now is to withdraw backing at a high level for developing a Swansea Poverty Truth Commission, (a principle recommendation of the Tackling Poverty Scrutiny Inquiry Panel report incorporated and approved as part of the Tackling Poverty Strategy/Delivery Plan) the Council risks losing credibility and the trust of its partner organisations, grassroots organisations in the third sector and, most significantly, with its residents who are experiencing poverty.

7. Equality and Engagement Implications

7.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

7.2 The maxim of a Poverty Truth Commission is '**Nothing about us, without us, is for us**', the purpose of the Poverty Truth Commission is to empower voice within policy, putting people with direct lived experience of Poverty at the heart of decision making processes.

7.3 A full EIA has been completed (**Appendix C**).

7.4 The full EIA identified the following key points:

- The impact on different protected characteristics was seen as being mostly positive with a few characteristics having a potentially neutral impact.
- As part of the set-up process, the Start-Up Group would consider inclusion and involvement from people from protected characteristic groups.
- Good practice is identified through ongoing consultation with Poverty Truth Commission Development UK and Leeds Poverty Truth Commission.

8. Financial Implications

8.1 Funding of £70,000 is required for the lifecycle of the Commission, usually comprised of grants and partner contributions.

8.2 Funding options for the Commission would be explored by the Start-Up Group. It is proposed that the Council would make a cash contribution of £5,000 during the first year (this contribution would be allocated from 'Legacy Fund' grant awarded from Welsh Government). Staff time of 2 days per week would be allocated throughout the duration of the Commission.

9. Legal Implications

9.1 There are no legal implications other than those already mentioned in the report.

Background Papers: None

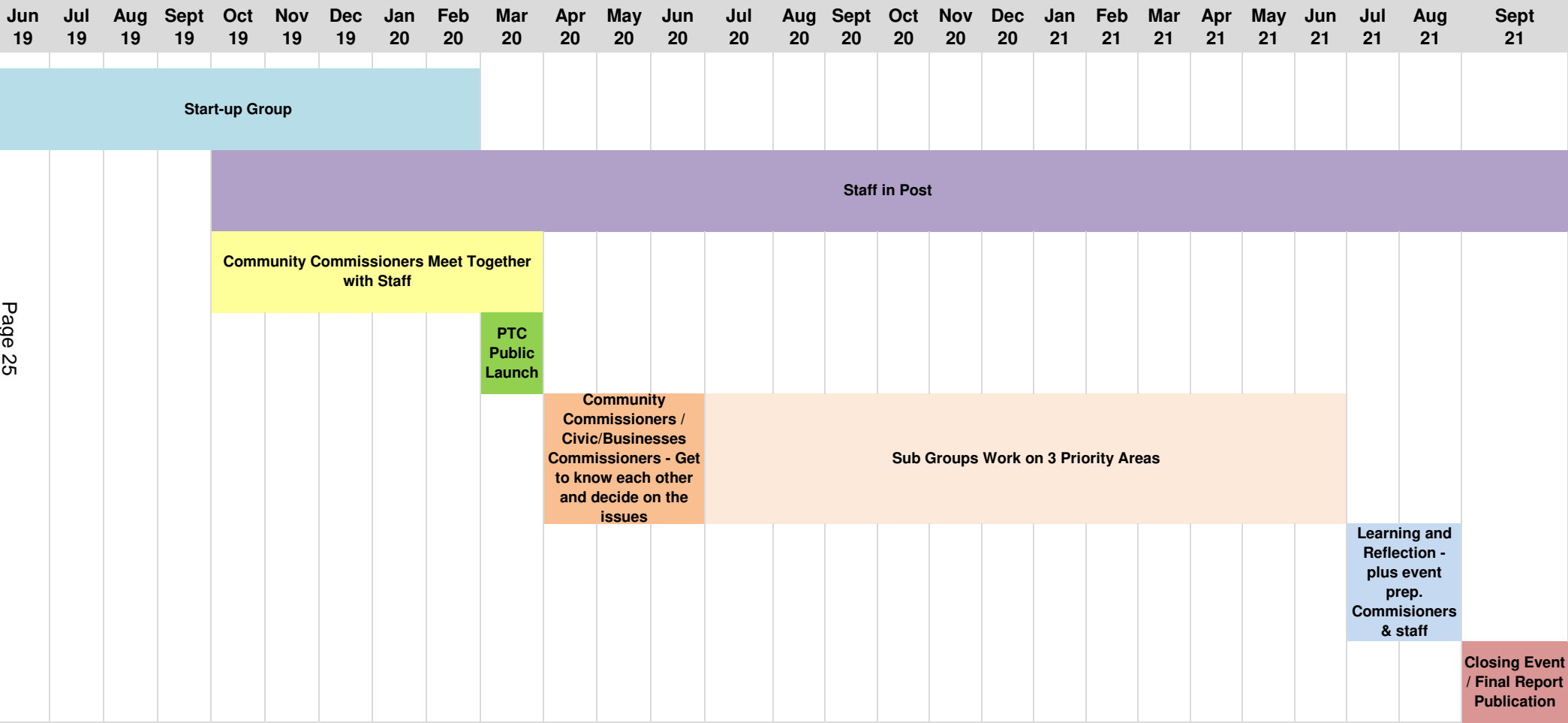
Appendices:

Appendix A	Approximate timeline for Swansea Poverty Truth Commission
Appendix B	Poverty Truth Commissions: Example Outcomes
Appendix C	Full EIA Form

Approximate Timeline - Swansea Poverty Truth Commission (PTC)

Appendix A

The timeline below is an approximate timeline for Swansea, based on learning gained from other Poverty Truth Commissions



Poverty Truth Commissions: Example Outcomes

We have sought to break down examples of the impact of the Poverty Truth Commissions' work into the differences that they have made at the level of individuals, organisations, policy and wider society.

Individual Impact

- ✓ Community commissioners have spoken of how they have grown in confidence, and how the strength of relationships and sense of purpose of the group has kept them going through hard times.
- ✓ Community Commissioners have spoken of improvements in their mental and physical health and well-being
- ✓ Commissioners have been able to; find work or to establish their own businesses, gain qualifications and go on to higher education.
- ✓ Further examples, Scotland and Leeds, a commissioner attributed his ability to stop drinking to the support which he was offered by others whilst a member of the Commission. Another said Poverty Truth gave her the confidence to go to University.
- ✓ Skills Training for Community Inspirers, West Cheshire PTC. Pennysmart CIC made available a range of skills training. This will enable Community Inspirers to develop the skills that they have gained through involvement in the PTC Process, helping to increase opportunities and help them to continue their community work in a voluntary or paid capacity.
- ✓ In *Leeds* a senior business leader said he had chosen the stigma group because he wanted to understand, and that he was beginning to as he listened. In *Scotland*, a senior public health policy leader has spoken about how her friendship with someone living in food poverty has changed the way she views the issue.

Organisational Impact

- ✓ In *Scotland*, the Commission instigated a mentoring programme for Civil servants through which those who have direct experience of poverty coach senior policy leaders. This programme has now been developed more widely.
- ✓ People with a direct experience of poverty mentoring the Social Justice Team within Scottish Government and the Glasgow Poverty Leadership Panel.
- ✓ West Cheshire 'Changes in Housing Benefits letters: The PTC has worked with Cheshire West and Chester Council to change the wording of Housing Benefit letters to make them more understandable and customer friendly for clients.
- ✓ Salford PTC inspired the council to: stop using enforcement agents when recovering debts from the most vulnerable residents, and also to waive charges

for copies of birth certificates for homeless people, enabling them to more easily obtain the official Identification they need to access benefits

- ✓ In Leeds, Business Leaders in building relationships with Community Commissioners, encouraged their skills and sought to develop new opportunities within their business to make a difference in the city.
- ✓ In Leeds, Leeds Mind working in partnership with Leeds & York NHS Partnership pioneered *Breathing Spaces*, an initiative conceived and developed through the mental health working group of Leeds PTC.
- ✓ Leeds Apprenticeship Training Agency found new ways to support young people without A –C grades in Maths and English at GCSE
- ✓ West Cheshire PTC Pledge: Through listening to the Community Inspirers, many voiced negative customer service experiences when accessing benefit systems and support services. The lack of empathy and respect for people accessing these services had a negative impact on people's mental health and wellbeing. The PTC worked collaboratively to address this issue, creating the PTC Pledge which promotes honest and respectful treatment of all people, encouraging the development of positive relationships rather than transactional processes. The aim being that by signing up to this, organisations and the people within them become more self-aware, and are accountable for their behaviour

Policy Level

- ✓ Co-authorship of the official report, 'Poverty in Scotland' with the Scottish Government.
- ✓ In *Scotland*, the Commission was heavily involved in the *Community Empowerment Bill* (2014), with commissioners serving on the Bill Reference Team as well as meeting regularly with officials and ministers. The Commission has helped to ensure that the Bill guidance will promote participatory budgeting and other forms of participatory democracy.
- ✓ Leading and involvement of commissioners in the Reference Group for Fairer Scotland.
- ✓ GP Engagement Strategy West Cheshire: The DWP have developed new links with the Cheshire Clinical Commissioning Groups (CCGs) and are, as a result, working more closely with GP practices. The NHS and DWP are building stronger relationships and aim to work together to support people back into employment. This will also lead to a GP forum, working with both trainee GPs and experienced GPs to improve the knowledge shared across the two organisations. This team will work with organisations within Cheshire and seek to continue the good work that has been achieved as a part of the PTC.

- ✓ In *Scotland*, the work of the Commission has led to changes in government policy, including securing a minimum level of £100 for School Clothing Grants in every local authority in Scotland.

Impact Wider Society

- ✓ Wide use of the *Scottish* films on social media and for training purposes - including schools, local authorities, GP training, ATD Fourth World and UNICEF.
- ✓ Leeds PTC working with Church Action on Poverty created videos **for** www.realbenefits-street.com as an alternative narrative to the TV series.
- ✓ Leeds PTC commissioners invited to advise scriptwriters on major national TV soap on storylines and portrayals of people living in poverty.
- ✓ West Cheshire, January 2018: PTC Commissioners featured on the North West's Sunday Politics Show, sharing their lived experiences and discussing their work with the Poverty Truth Commission.

Equality Impact Assessment (EIA) Report

Appendix C

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to equality.

Please refer to the 'EIA Report Form Guidance' while completing this form. If you need further support please contact accesstoservices@swansea.gov.uk.

Where do you work?
Service Area: Adult Prosperity and Well Being
Directorate: Poverty and Prevention

(a) This EIA is being completed for a:

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

(b) Please name and describe here:

Development of a Swansea Poverty Truth Commission

Poverty Truth Commissions bring together key decision makers with those living at the sharp end of poverty to work together towards overcoming poverty, ensuring that those affected by decisions are central to decision making. Poverty will only be truly addressed when those who experience it first-hand are at the heart of the process.

In the Tackling Poverty Scrutiny Inquiry Panel report: Action, partnership, participation: How can the Council's Tackling Poverty Strategy be improved? February 2017, establishing a Swansea Poverty Truth Commission is a principle recommendation. This recommendation has subsequently been incorporated into Swansea's current revised Tackling Poverty Strategy.

The Council's Poverty Reduction Policy Development Committee (PDC) recommended to advocate the development of proposals and next steps to developing the commission. This would primarily be to continue working with representatives of 'Poverty Truth Commission UK Development' and 'Leeds Poverty Truth Commission' who, in their roles, support the development of Truth Commissions across the UK. Initial meetings with them and key representatives from civic leaders, grass roots organisations and people with direct lived experience of poverty have established the level of interest and offers of support in developing a Swansea Poverty Truth Commission.

A Swansea Poverty Truth Commission would not be directed or owned by the Council or another organisation. A Commission is made up of key representatives that hold power in relevant organisations and members of the public with direct, lived experience of poverty. During the commission, no member would hold any more power than another. Relationships between commissioners are developed over time, stories are shared, solutions discussed and a set of particular issues are identified to be worked on together in a given timescale.

The role of the Council at this stage is to act as the facilitator to scope and develop the interest and start up processes required to develop the proposal further.

(c) It was initially screened for relevance to Equality and Diversity on: 15/08/18 and this Full EIA was updated 17/05/19

(d) It was found to be relevant to...

Children/young people (0-18)..... ☒
Older people (50+)..... ☒
Any other age group ☒
Disability ☒
Race (including refugees) ☒
Asylum seekers..... ☒
Gypsies & Travellers..... ☒
Religion or (non-)belief..... ☒
Sex..... ☒

Sexual orientation..... ☒
Gender reassignment ☒
Welsh language..... ☒
Poverty/social exclusion ☒
Carers (including young carers)..... ☒
Community cohesion ☒
Marriage & civil partnership ☒
Pregnancy and maternity..... ☒

(e) Lead Officer

Name: Anthony Richards

Job title: P&P Strategy Development Manager

Date: 17/05/19

(f) Approved by Head of Service

Name: David Howes

Date: 22/05/19

Section 1 – Aims (See guidance):

Briefly describe the aims of the initiative:

What are the aims?

The aim of establishing a Swansea Poverty Truth Commission would be to bring together Swansea's key decision makers with those living at the sharp end of poverty to work together towards overcoming poverty in Swansea; ensuring that those affected by decisions are central to decision-making.

Poverty Truth Commissions recognise that we cannot hope to understand, let alone address the causes and symptoms of poverty fully unless we involve the experts. In this context, the experts are those who have a direct experience of poverty; living with the reality day in and day out. Real progress towards overcoming poverty will be made when those who experience poverty are central to the development, delivery and evaluation of solutions.

PTCs aim to give a face to the facts. This is done by creating safe spaces for 'Community Commissioners' (those with direct experience of poverty), to tell their stories, build relationships with each other and also during the commission process with the 'Civic and Business Commissioners'. It is vital that trust is gained through the building of human relationships in order that people can really listen and be valued, it is then that poverty can be truly addressed. In this manner, opportunities are provided for those making and influencing decisions to listen, stereotypes are left at the door, power imbalances addressed so that commissioners can work effectively together. PTCs deepen understanding of the emotive and difficult sides of poverty, improve perceptions, and leads to better decision-making by the areas leaders across business, public and voluntary sectors. The impact of PTCs' work can be seen at the individual, organisational, policy and wider societal level.

The Poverty Truth Commission Model

The PTC model has a clear trajectory:

- **Establishing whether there is commitment and enthusiasm locally for a PTC.** (Completed 26th February 2019)
- **Establishing a Start-up Group** – Made up of a small group of people who are committed to establishing a Swansea PTC. This Team has a clearly defined role, it is a task and finish group and will cease to exist when the PTC is launched. Part of this group's role is recruiting a staff delivery team which will facilitate the Commission itself and identifying and engaging 'Civic and Business' Commissioners. Membership should ideally include; public sector, business, third sector and faith sector and those with lived experience of poverty.
- **Setting in place the Staff Delivery team** who will initially recruit and build relationships between Community Commissioners and later between Community Commissioners and Civic/Business Commissioners. The staff team have three main responsibilities – convening, facilitation and support.
- **Invitation and Public Launch of the Commission** - A high profile launch would then be held where the Community Commissioners present their stories. The public as a whole are invited to the launch. Senior city leaders invite key figures within the Civic, Business, Third and Faith Sectors. The event will be the first time both sets of commissioners meet.
- **The Commission** – Initially the full Commission meet monthly to build relationships and increased shared understanding. Through these meetings the Commission identifies particular issues to work on together within a limited timescale (12-18 months). Programmes for these meetings are developed by the staff team who are responsible for co-ordinating and facilitating them. Once the Commission has identified its priorities (usually three key issues) they split into sub-groups who then meet monthly to work on the issues

identified.

- **Communication and Embedding** – The Commission reports on its work both through a second large public gathering and a short, accessible report highlighting what has been learned, what the commission has done, what individual commissioners aim to do, as well as a small number of policy and practice recommendations it is making. Although this reporting is important, the key thing is what commissioners **do** together rather than simply what they **say** need to be done, a PTC is not a ‘talking shop’.

Following the recommendations of the Poverty Strategy Scrutiny Inquiry, seeking to establish a Swansea Poverty Truth Commission has been incorporated into Swansea Council’s current Poverty Strategy. Swansea Council’s Poverty Reduction Development Committee (PDC) also recommended and advocated the development of proposals of the next steps.

It is important to note that Poverty Truth Commissions need to remain independent so as to be able to offer a critique for all with a responsibility for contributing to tackling poverty. Therefore, the Council at this early stage is only acting as an instigator, liaising with Poverty Truth Commission UK Development and Leeds Poverty Truth Commission representatives who are providing guidance and support so that we might benefit from their experiences and expertise. An established Swansea Poverty Truth Commission would not be directed by or owned by any single organisation including the Council.

Who has responsibility?

The Tackling Poverty Service will facilitate the development of the initiative. Monitoring and review will be undertaken both by the Swansea Poverty Truth Commission and the governance structure for the delivery of the Tackling Poverty Strategy.

Who are the stakeholders?

The stakeholders are:

- 1) People with direct lived experience of poverty.
- 2) Organisations that provide support for people with direct lived experience of poverty (Swansea Council for Voluntary Services, Citizens Advice, Crisis, Coastal Housing, Family Housing, Pobl/Gwalia, Swansea City of Sanctuary, Action For Children, YMCA, Swansea Women’s Aid Swansea Carers Centre, Swansea Young Single Homeless Project, Swansea Disability Forum, Foodbanks etc.
- 3) Those in positions of influence (Civic Leaders - Swansea Council, Senior Public Sector Leaders – Department for Work and Pensions, NHS / Health Board, Police, Public Service Board, Senior Business Leaders, Senior Faith Leaders).


Section 2 - Information about Service Users (See guidance):


Please tick which areas you have information on, in terms of service users:

Children/young people (0-18).....	<input checked="" type="checkbox"/>	Sexual orientation.....	<input checked="" type="checkbox"/>
Older people (50+).....	<input checked="" type="checkbox"/>	Gender reassignment	<input type="checkbox"/>
Any other age group	<input checked="" type="checkbox"/>	Welsh language.....	<input checked="" type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Poverty/social exclusion	<input checked="" type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	Carers (including young carers).....	<input checked="" type="checkbox"/>
Asylum seekers.....	<input checked="" type="checkbox"/>	Community cohesion	<input type="checkbox"/>
Gypsies & Travellers.....	<input checked="" type="checkbox"/>	Marriage & civil partnership	<input checked="" type="checkbox"/>
Religion or (non-)belief.....	<input checked="" type="checkbox"/>	Pregnancy and maternity.....	<input type="checkbox"/>
Sex.....	<input checked="" type="checkbox"/>		

Please provide a snapshot of the information you hold in relation to the protected groups above:

Examples include:

The  [Swansea Profile \(PDF, 886KB\)](#) provides a demographic and socio-economic overview of the City & County of Swansea, including a summary of Swansea's population, information on population characteristics and recent change, together with background information on a range of matters including health and the economy.

The  [Swansea Economic Profile \(PDF, 240KB\)](#) provides a statistical overview of Swansea's labour market and economy which brings together recent published data from various official sources:

The [Ward Profiles](#) bring together a range of key statistical and other information about each ward or electoral division in Swansea, including the most recent (2014) local rankings from the Welsh Index of Multiple Deprivation (Welsh Government),

Employment: 2017 estimates on a workplace basis via ONS' Business Register and Employment Survey (BRES), an annual business survey which collects employment information.

Workforce qualifications: annual APS estimates (for 2018) showing the educational attainment of the working age (16-64) population, by NVQ level.

Unemployment: local and national data on the claimant count - claimants of Jobseekers Allowance plus claimants of Universal Credit who are required to seek work (as at March 2019) - and the latest quarterly model-based unemployment estimates (for the period ending December 2018).

Gross Disposable Household Income (GDHI): 2016 data for Swansea released by ONS in May 2018, including GDHI per head figures, recent trends (2011-2016) and equivalent regional and national data.

Earnings: results from the ONS Annual Survey of Hours and Earnings (ASHE) - gross median full-time weekly and annual earnings of employees in employment as at 6th Feb 2019.

Proportion of jobs paid below the Living Wage - The Office of National Statistics reports on the proportion of jobs paid at below the Living Wage rate; drawn from the Annual Survey of Hours and Earnings, it relates to jobs in Swansea, not workers resident in Swansea.

Welsh Index of Multiple Deprivation (WIMD) is the Welsh Government's official measure of relative deprivation for small areas in Wales. It is designed to identify those small areas where there are the highest concentrations of several different types of deprivation. As such, WIMD is a measure of multiple deprivation that is both an area-based measure and a measure of relative deprivation.

[Households Below Average Income](#) statistics (last updated 16 March 2019) - provide statistics and commentary on living standards in UK households, as determined by disposable income. They include the number and percentage of people living in low-income households, and changes in income patterns over time.

[2011 Census](#) – Office for National Statistics

Policy In Practice research 'The cumulative impact of welfare reform in Swansea' (September 2018)

This report sets out the findings of an analysis of the impact of welfare reform in Swansea carried out by Policy in Practice and commissioned by City and County of Swansea Council (CCSC). Single Household Benefit Extract (SHBE) data for the month of September 2018, which contains

information on every household in Swansea receiving Housing Benefit, was analysed to examine the impact of the main welfare reforms that have already taken place; those yet to be implemented; the mitigation measures put in place by the government; and the cumulative impact of all these on individual, low-income households in Swansea.

The **One Swansea Strategic Needs Assessment (SNA), fourth edition** was published in December 2015. Considering all of the relevant data available when it was produced, and in recognition of the changing context in which we operate, locally and nationally, the SNA is a key document for understanding our current position in relation to the causes and effects of poverty and the drivers towards prosperity and well-being. Data, commentary and analysis are offered under all six Population Outcomes which the Council, along with Public Service partners has committed to striving towards:

Careers Wales provide monthly figure regarding the number of young people who are NEET under 18 in the Swansea area this is provided to the Poverty & Prevention Service, particularly to the Young People Services section – as part of the Youth Progression & Engagement Framework. The Young People Services work with NEETS at Tier 1 and Tier 2 on Careers Wales 5 tier ladder any work done with referrals is tracked.

In addressing ‘making poverty everyone’s business’ the revised Tackling Poverty Strategy has been developed of cross Directorate actions, each directorate would also have a range of data available specific to its service area.

Any actions required, e.g. to fill information gaps?

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics.

	Positive	Negative	Neutral	Needs further investigation
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case.

Establishing a Swansea Poverty Truth Commission would result in a positive impact for people experiencing or at risk of experiencing poverty. The Commission will provide the opportunity for people experiencing poverty every day to discuss the issues of their choice with key decision makers and people in positions of power. The issues that the Commission focuses on would be worked through in collaboration to understand fully and find workable solutions.

PTCs offer an opportunity for more meaningful participation, this is more than just having a conversation with people, and is framed around an action based structure. PTCs give people greater opportunities to influence decisions through participative and direct democracy rather than formal consultation exercises, focus groups.

As part of the start-up process, the Start-up Group will consider inclusion and involvement from people from protected characteristic groups. Community Commissioners are drawn from across the locality and from a range of experience, age, race, disability and gender backgrounds that are broadly representative of the demographics of the area. The process used for identifying and recruiting people who experience poverty to participate as Community Commissioners allows for contact to be made with those who are not 'the usual suspects' or simply easiest to reach in terms of participation.

Section 4 - Engagement:

Please consider all of your engagement activities here, e.g. participation, consultation, involvement, co-productive approaches, etc.

What engagement has been undertaken to support your view? How did you ensure this was accessible to all?

A series of meetings were set up with key stakeholders on the 26th of February 2019. The aim of these meetings was for stakeholders to find out more about how Poverty Truth Commissions' work, what they do, ask questions and explore whether there would be interest in, and enthusiasm for, developing a similar process in Swansea. The meetings, attended by 64 representatives across the city were led and facilitated by Andrew Grinnell (Leeds Poverty Truth Commission) who, in partnership with JRF, have been supporting the development of PTCs across the UK. The outcomes of these meetings are detailed on pg. 10 of this EIA.

The first meeting involved key figures in the Public Sector (which included members of Swansea Public Services Board), Registered Social Landlords and Civic leaders.

The second meeting involved key organisations and individuals working at a grassroots level with people experiencing poverty.

The third meeting with a group of people with direct lived experience of poverty.

Every attempt was made to ensure as broad a representation as possible from the locality and from a range of experience, age, race, disability and gender backgrounds.

At the early stage of the process the Council has acted as an instigator, liaising with Poverty Truth Commission UK Development and Leeds Poverty Truth Commission representatives who have offered to provide continued guidance and support so that we might benefit from their experiences and expertise.

The development of a Swansea Poverty Truth Commission would provide the forum to put people with direct lived experience of poverty at the heart of the decision making process. The maxim of a Truth Commission is 'Nothing about us, without us, is for us'.

Working with advisors from the 'Poverty Truth Commission UK Development' and 'Leeds Poverty Truth Commission', the next steps would follow an established route (outlined in Section 1 of this EIA).

Once up and running, the Commission would become a significant voice to represent the views and opinions and recommendations of those experiencing poverty.

The proposal to develop a Swansea Poverty Truth Commission was recommended by the Poverty Strategy Scrutiny Inquiry – [Action, partnership, participation: How can the Council's Tackling Poverty Strategy be improved?](#) This recommendation was subsequently incorporated into Swansea's current revised Tackling Poverty Strategy.

The Council's Poverty Reduction Policy Development Committee (PDC) recommended to advocate the development of proposals and next steps to developing the commission

What did your engagement activities tell you? What feedback have you received?

Consultation to date with Poverty Truth Commission UK Development and Leeds Poverty Truth Commission has established the recommended process for establishing a Poverty Truth Commission in Swansea.

As outlined above, a series of meetings were set up with key stakeholders on the 26th of February 2019. The first meeting involved key figures in the Public Sector (which included members of Swansea Public Services Board), Registered Social Landlords and Civic leaders. Interest, enthusiasm and backing for developing a Swansea PTC led to:

- A number of post-meeting offers of contributions in terms of financing the running/staff costs of a Commission, including a significant offer from one partner of £20,000.
- Three offers to host the Commission.
- Offers to participate in a Start-up group / to become a 'Civic/Business Commissioner'.
- Various other offers in terms of resources, staff time, meeting space, hosting meetings etc.

The second meeting involved key organisations and individuals working at a grassroots level with people experiencing poverty:

- Overall, a broad sense of support for the idea of a PTC was conveyed and strong commitments to be involved.
- Officers also received positive feedback post event, and expressions of support going forward, from individuals and organisations who were unable to attend at that time.

The third meeting with a group of people with direct lived experience of poverty

- This was a dynamic and candid session
- There was unanimous agreement from the group that Swansea should have its own Poverty Truth Commission and a desire to be involved.

How have you changed your initiative as a result?

Listening to the experts in the field and learning from good practice examples from around the UK has informed the development process from the outset.

Any actions required (e.g. further engagement activities, mitigation to address any adverse impact, etc.):

The process to establishing a Poverty Truth Commission is largely about ongoing consultation and engagement with stakeholders. The Commission itself facilitates engagement between commissioners.

Section 5 – Other impacts:

Please consider how the initiative might address the following issues - see the specific Section 5 Guidance

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

Please explain any possible impact on each of the above.

Poverty Truth Commissions foster good relations between different groups by investing the time to facilitate the development of relations between commissioners at the start of the commission. This is a critical part of the development process.

The impact of a successful Poverty Truth Commission would support equality of opportunity between groups, particularly for those experiencing poverty. Through commissioners taking action, the barriers to opportunity caused by poverty will be reduced or removed.

Poverty Truth Commissions by their very nature, challenge the stigmas of poverty and contribute to the elimination of discrimination, harassment and victimisation.

The development of a Swansea Poverty Truth Commission will specifically focus on reducing social exclusion and poverty in Swansea.

What work have you already done to improve any of the above?

The development of the revised Tackling Poverty Strategy underwent an extensive consultation process. This particular action from the Strategy will directly involve people who experience poverty in discussions and developing actions that will mitigate the impacts of poverty and shape future policy and decision making.

Is the initiative likely to impact on Community Cohesion? Please provide details.

The development of a Poverty Truth Commission in Swansea would support community cohesion by giving people the opportunity to have a voice and take part in meaningful conversation with decision makers and people in positions of power.

How does the initiative support Welsh speakers and encourage use of Welsh?

Welsh language speakers will not be treated any less favourably than English or any other language. The use of the Welsh language will be encouraged through the promotion of the Welsh Language Standards, although, a Poverty Truth Commission would not be owned nor directed by the Council. As a stakeholder we would promote the use of the Welsh Language and equal opportunity to use Welsh in their activities.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

To continue with the initiative with support from Poverty Truth Commission UK Development and Leeds Poverty Truth Commission to apply good practice to the development phases of the initiative.

Section 6 - United Nations Convention on the Rights of the Child (UNCRC):

Many initiatives have an indirect impact on children and you need to consider whether the impact is positive or negative in relation to both children's rights and their best interests. Please read the UNCRC guidance before completing this section.

Will the initiative have any impact (direct or indirect) on children and young people (think about this age group holistically e.g. disabled children, those living in poverty or from BME communities)? If not, please briefly explain your answer here and proceed to Section 7.

Establishing a Swansea Poverty Truth Commission will have a positive impact on children and young people across this age group, including disabled children, those living in poverty or from BME communities. Involvement in the Commission and actions that support families will ensure that children/young people are not disadvantaged by poverty in their early years, when achieving and attaining standards and wellbeing in education, go on to get good jobs and a decent standard of living and are given a voice in relation to decision making which affects them. (UNCRC – Article 12 – ‘Your right to say what you think should happen and be listened to.’ / Article 27 – ‘Your right to a good standard of living.’ / Article 28 – ‘Your right to learn and to go to school.’ / Article 29 – ‘Your right to become the best that you can be.’)

All initiatives must be designed / planned in the best interests of children and young people.

Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Please explain how you meet this requirement:

The involvement of children and young people will be fully considered during the ‘start-up’ phase. Where the Poverty Truth Commission identifies a direct impact on children and young people then involvement of children and young people on an equal level will form part of the commission process. (In line with our commitment to the UNCRC Due Regard Duty and Children's Rights Scheme in Swansea).

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

Section 7 - Monitoring arrangements:

Please explain the monitoring arrangements for this initiative:

Monitoring arrangements:

Facilitation of the development of the Swansea Poverty Truth Commission will be led by the Tackling Poverty Service.

The Poverty Truth Commission would be independent and not owned or directed by any single organisation so as to be able to offer a critique for all with a responsibility for contributing to tackling poverty.

Actions:

Section 8 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to the guidance for further information on this section).

Outcome 1: Continue the initiative – no concern

☒

Outcome 2: Adjust the initiative – low level of concern

☐

Outcome 3: Justify the initiative – moderate level of concern

☐

Outcome 4: Stop and refer the initiative – high level of concern.

☐

For outcome 3, please provide the justification below:

For outcome 4, detail the next steps / areas of concern below and refer to your Head of Service / Director for further advice:

Section 9 - Publication arrangements:

On completion, please follow this 3-step procedure:

1. Send this EIA report and action plan to the Access to Services Team for feedback and approval – accesstoservices@swansea.gov.uk
2. Make any necessary amendments/additions.
3. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

EIA Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
If approved, proceed with establishing a Start-up Group to catalyse a Swansea Poverty Truth Commission	Tackling Poverty Service	July 2019	Start-up group established	

* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).

Agenda Item 10.



Report of the Chief Legal Officer

Cabinet – 20 June 2019

Exclusion of the Public

Purpose:		To consider whether the Public should be excluded from the following items of business.
Policy Framework:		None.
Consultation:		Legal.
Recommendation(s):		It is recommended that:
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No's	Relevant Paragraphs in Schedule 12A
	11	14 & 16
	12	13 & 14
	13	14
Report Author:		Democratic Services
Finance Officer:		Not Applicable
Legal Officer:		Tracey Meredith – Chief Legal Officer(Monitoring Officer)

1. Introduction

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

2. Exclusion of the Public / Public Interest Test

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

3. Financial Implications

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

4. Legal Implications

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

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

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

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

Agenda Item 11.

Yn rhinwedd paragraff(au) 14, 16 Atodlen 12A
o Ddeddf Llywodraeth Leol 1972
fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

Yn rhinwedd paragraff(au) 14, 16 Atodlen 12A
o Ddeddf Llywodraeth Leol 1972
fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

Agenda Item 12.

Yn rhinwedd paragraff(au) 13, 14 Atodlen 12A
o Ddeddf Llywodraeth Leol 1972
fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

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fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

Agenda Item 13.

Yn rhinwedd paragraff(au) 14 Atodlen 12A

o Ddeddf Llywodraeth Leol 1972

fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywiad) (Cymru) 2007.

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