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Date: 11th April 2018

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Dear Sir/Madam,

A meeting of **Council** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 17th April, 2018** at **6.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CHarrhy'.

**Christina Harrhy**  
INTERIM CHIEF EXECUTIVE

## AGENDA

Pages

- 1 To receive apologies for absence.

A greener place Man gwyrddach



2 Mayor's Announcements.

3 Presentation of Awards.

4 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

5 Special Council held on 22nd February 2018. 1 - 10

6 Council held on 6th March 2018. 11 - 20

To receive and consider the following reports from the meeting of Cabinet.

7 Integrated Commissioning And Section 33 Agreement For Care Homes For Older People In Gwent Region (Pooled Funds) - Cabinet 28th March 2018. 21 - 38

8 Corporate Plan Including Well-Being Objectives 2018 - 2023 - Cabinet 11th April 2018. 39 - 124

To receive and consider the following reports: -

9 Implementation of Welsh Government Land Drainage Byelaws. 125 - 144

10 Independent Remuneration Panel Annual Report 2018/19. 145 - 236

11 Update on Council's Constitution - Terms of Reference of Scrutiny Committees. 237 - 312

12 Contract Arrangements of the Interim Chief Executive. 313 - 316

13 Internal Investigation of Senior Officer - Additional Financial Provision. 317 - 320

14 To receive and to answer questions received under Rule of Procedure 10(2). 321 - 322

**Circulation:**

All Members And Appropriate Officers



## SPECIAL COUNCIL

### MINUTES OF THE SPECIAL MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON THURSDAY, 22ND FEBRUARY 2018 AT 5.00 PM

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PRESENT:

Councillor J. Bevan - Mayor  
Councillor M. Adams - Deputy Mayor

Councillors:

Mrs E. Aldworth, P.J. Bevan, C. Bezzina, A. Collis, S. Cook, D. Cushing, C. Cuss, W. David, D.T. Davies, M. Davies, N. Dix, K. Etheridge, M. Evans, A. Farina-Childs, A. Gair, Ms J. Gale, N. George, C. Gordon, R.W. Gough, D.T. Hardacre, D. Harse, D. Havard, A. Higgs, A. Hussey, M. James, L. Jeremiah, G. Johnston, Mrs B. Jones, G. Kirby, Ms P. Leonard, C.P. Mann, Mrs P. Marsden, Mrs G. Oliver, B. Owen, T. Parry, Mrs L. Phipps, D.V. Poole, D.W.R. Preece, Mrs D. Price, J. Pritchard, J. Ridgewell, J.E. Roberts, R. Saralis, J. Scriven, G. Simmonds, J. Simmonds, S. Skivens, Mrs E. Stenner, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L G. Whittle, T. Williams, W. Williams, B. Zaplatynski

Together with:

C. Harry (Interim Chief Executive), M.S. Williams (Interim Corporate Director – Communities), D. Street (Corporate Director - Social Services), L. Donovan (Acting Head of Human Resources and Organisational Development), R.M. Harris (Internal Audit Manager and Acting Deputy Monitoring Officer), S. Harris (Interim Head of Corporate Finance & Acting Section 151 Officer), D. Marr (Deputy Monitoring Officer - Cardiff Council), A. Southcombe (Finance Manager) and R. Barrett (Committee Services Officer)

#### 1. WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publicly available in live and archive form via the Council's website. She advised that decisions would be made by a show of hands.

#### 2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Andrews, A. Angel, L. Binding, K. Dawson, C. Elsbury, Mrs C. Forehead, Ms E. Forehead, J.E. Fussell, L. Harding, V. James, S. Kent, Mrs A. Leonard, B. Miles, S. Morgan and Mrs M.E. Sargent.

#### 3. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

## REPORTS OF OFFICERS

Consideration was given to the following reports.

### 4. **REVISED TREASURY MANAGEMENT ANNUAL STRATEGY, CAPITAL FINANCE PRUDENTIAL INDICATORS AND MINIMUM REVENUE PROVISION POLICY FOR 2018/2019**

The Interim Head of Corporate Finance outlined the Council's Annual Strategy for Treasury Management, Capital Finance Prudential Indicators and the Minimum Revenue Provision Policy for 2018/2019, which had originally been presented to the Policy and Resources Scrutiny Committee on 16th January 2018.

It was noted that in accordance with legislative requirements, Welsh Government guidance and Codes of Practice, the Council is required to approve a Treasury Management Strategy on an annual basis, which sets out its borrowing and investment strategies for the forthcoming year. The Council is also obliged to approve and publish a number of prudential indicators relevant to Capital Finance and Treasury Management, and to prepare an Annual Minimum Revenue Provision Policy Statement. Further details were contained in the report and its appendices.

Council were advised that since the endorsement of the Policy and Resources Scrutiny Committee on 16th January 2018, the Treasury Management Strategy and supporting appendices have been updated, with these changes set out in the Officer's covering report. Members were therefore asked to approve the Revised Treasury Management Annual Strategy, Capital Finance Prudential Indicators and Minimum Revenue Provision Policy for 2018/2019 as appended to the covering report in light of these changes.

It was explained that as in previous years, the Policy and Resources Scrutiny Committee will continue to receive treasury management monitoring reports during the forthcoming financial year and a Members seminar will be held during the autumn facilitated by Arlingclose, the Council's treasury management advisers.

During the course of the debate, concerns were expressed over the proposed borrowing of £22.6m for the General Fund in view of the level of reserves currently held by the Authority. Reference was also made to the proposed transfer of £3.5m into a Capital Earmarked Reserve and whether this could be used instead to offset the proposed Council Tax increase. Officers explained that budgets must be established to meet borrowing requirements but wherever possible internal balances will be utilised in the short to medium term in lieu of borrowing i.e. "internal borrowing". However, where this is the case the balances will need to be replenished in the longer term, hence the need to establish revenue budgets to meet borrowing requirements. In relation to the proposal to offset the proposed increase in Council Tax by utilising some of the £3.5m to be transferred into a Capital Earmarked Reserve, Officers explained that this is clearly a political consideration but the proposal would simply push the need to increase Council Tax into future years or further increase the amount of savings required. Furthermore, the Capital Earmarked Reserve will potentially be used as match-funding to lever in external financial support for projects such as Band B of the 21st Century Schools Programme.

Members expressed their thanks to all Officers involved in the preparation of the detailed report.

It was moved and seconded that the recommendations in the report be approved. By a show of hands (and in noting that there were 11 against) this was agreed by the majority present.

RESOLVED that for the reasons contained in the Officer's report:-

- (i) the Revised Annual Strategy for Treasury Management 2018/19 be approved;
- (ii) the strategy be reviewed quarterly within the Treasury Management monitoring reports presented to the Policy and Resources Scrutiny Committee and any changes recommended be referred to Cabinet, in the first instance, and to Council for a decision. The Authority will also prepare a half-yearly report on Treasury Management activities;
- (iii) the Prudential Indicators for Treasury Management as outlined in Appendix 5 of the report be approved;
- (iv) the Prudential Indicators for Capital Financing as outlined in Appendices 6 and 7 of the report be approved;
- (v) the MRP policy as set out in Appendix 8 of the report be adopted;
- (vi) the continuation of the 2017/18 investment strategy and the lending to financial institutions and corporates in accordance with the minimum credit rating criteria disclosed within the report be approved;
- (vii) the Authority borrows £22.6m for the General Fund to support the 2018/19 capital programme and £44.3m for the HRA WHQS programme;
- (viii) the Authority continues to adopt the investment grade scale as a minimum credit rating criteria as a means to assess the credit worthiness of suitable counterparties when placing investments;
- (ix) the Authority adopts the monetary and investment duration limits as set in out in Appendix 3 of the report.

## **5. BUDGET PROPOSALS 2018/19 AND MEDIUM-TERM FINANCIAL STRATEGY 2018/2023**

In presenting the report which had been endorsed by Cabinet on 14th February 2018, the Interim Head of Corporate Finance referred to the key issues contained therein and reminded Members that following the announcement of the Welsh Government (WG) Provisional 2018/19 Local Government Financial Settlement in October 2017, Cabinet endorsed draft budget proposals for 2018/19 which included a package of savings totalling £7.205m and a proposed increase of 4.52% in Council Tax. These draft budget proposals have since been subject to an extensive consultation process, which have helped frame the final budget proposals.

It was noted that the final 2018/19 Financial Settlement announced on the 20th December 2017 showed an improved position and provided headroom of £1.187m in considering the final 2018/19 budget proposals. However, emerging issues have required consideration, in particular cost pressures in Social Services, which have resulted in the inclusion of £3m growth within the final budget proposals. It was also noted that the draft budget proposals presented to Cabinet in November 2017 included £700k proposed growth in relation to school PFI Schemes, but it is now proposed that this be deferred to 2019/20 to allow ongoing work with Local Partnerships to be concluded and for all potential options to be considered. A detailed report on the outcome of the review will be presented to Members in the summer.

The final budget proposals report also provided details of updated savings proposals for 2018/19 that, alongside a proposed increase of 4.52% in Council Tax, will enable a balanced budget to be achieved. As a consequence of the headroom in the Final Settlement the savings requirement has been reduced from £7.205m to £6.736m. The report also detailed

savings totalling £537k which have been deferred as a consequence of feedback from the extensive consultation process undertaken on the draft budget proposals.

Reference was made to the significant financial challenges that still lie ahead and the report detailed the updated medium-term financial plan, which provided a potential savings requirement of £40.822m for the period 2018/19 to 2022/23.

With regards to the schools budget proposals for 2018/19, the report recommended the virement of £547k from Capital Financing budgets to the delegated schools budget to assist with meeting anticipated cost pressures from the Teachers' pay award. Reference was also made to the projected movement on General Fund balances which result in a projected General Fund balance of £10m as at the 31st March 2018, which is the minimum balance recommended by the Section 151 Officer. With regards to the capital programme 2018/19 to 2020/21, it was noted that a further report will be prepared during the spring identifying sums held in Capital Earmarked Reserves, and providing options for how these sums can be used (such as match funding for Band B of the 21st Century Schools Programme).

Reference was made to the Authority's continued strong position in view of the required savings and the way in which essential services have been protected and maintained. It was explained that moving forward the Council will need to examine alternative service delivery models and that a number of difficult decisions will need to be made in the future in order to meet ongoing savings requirements.

During the meeting the Cabinet Member for Finance, Performance & Governance made reference to the fact that during the last week it had been announced that the decision in respect of the proposed closure of Pontllanfraith Leisure Centre has been deferred. As a result, it was recommended that a further report would now need to be presented to Council outlining what deferred savings would need to be reinstated in the 2018/19 financial year to meet the net operating costs of the Centre, pending a final decision on its future.

It was moved and seconded that the recommendations from Cabinet as detailed in the report be approved, with the inclusion of the additional recommendation to reflect that a further report will be presented to Council in the near future to identify alternative savings in view of the deferment of the decision on the future of Pontllanfraith Leisure Centre.

During the subsequent debate, a Member referred to the savings proposals in respect of the decommissioning of the Age Concern Hospital Discharge contract (£46k), two luncheon club contracts (£12k) and the Stroke Association contract (£18k) and it was moved and seconded that these be removed from the list of savings proposals for 2018/19. Advice was sought on whether the Authority would be able to endorse a deficit budget and the Deputy Monitoring Officer (Cardiff Council) confirmed that a balanced budget must be set at the start of every year and that alternative savings would need to be put forward in the event of any items being removed from the list of proposed savings.

Members were advised that public consultation had been undertaken on the decommissioning proposals and that the Aneurin Bevan University Health Board has agreed to meet the shortfall in respect of the Stroke Association contract for the 2018/19 financial year. They are also examining whether they can extend this arrangement to the Age Concern Hospital Discharge contract. It was emphasised to Members that there had been a need to review the funding arrangement as Caerphilly CBC is the only remaining Authority contributing financially to the Stroke Association contract. It was further explained that in respect of the two luncheon club contracts being decommissioned, these are the only two clubs that receive funding, which could be viewed as disadvantageous to the many other luncheon clubs operating across the county borough.

Concerns were also raised as to the impact that the proposed 4.52% Council Tax increase could have on households and it was moved that the Council Tax increase should be reduced to 3% with the shortfall being funded from the £121m reserves held by the Authority.

Discussion took place as to how a lesser increase could impact on the level of Council Tax payable across each banding by residents, and Members were advised that 53% of dwellings across the Authority fall under the lowest A or B banding rate.

Members sought further information in respect of vacancy management and concerns were raised regarding the potential impact of these nil impact savings on staff and service users. Clarification was also sought on the sharing of services to create savings and the progress made on this to date. Officers explained that significant nil impact savings had been achieved to date through measures such as vacancy management and budget realignment but that it has been acknowledged that this is no longer a sustainable approach moving forward. It was also confirmed that shared working has already been introduced across a number of Council service areas and that Local Government Reform will also examine the collaboration of services between neighbouring authorities.

Officers responded to suggestions regarding the use of reserves as an alternative to some of the 2018/19 savings proposals. Members were reminded that updates on Council reserves are regularly reported to the Policy and Resources Scrutiny Committee, which allows Members to scrutinise the use of reserves and examine the reasons for their retention. Members were also reminded of the Reserves Strategy recently introduced by the Authority which provides further transparency regarding the use of reserves. Members were reminded that where balances are not required in the short to medium term then they are invested which provides income to support the budget. Furthermore, balances are also used to fund "internal borrowing", which reduces borrowing costs in the short to medium term.

Following consideration and discussion, the proposed amendment was put to the vote, in that the proposed savings in respect of Age Concern Hospital Discharge, the Stroke Association and luncheon clubs be removed from the list of savings for 2018/2019. By a show of hands (and in noting there were 11 for and the majority against with 1 abstention) the motion was declared lost.

The further amendment to the report recommendations was then seconded and taken, in that the Council Tax increase be reduced from 4.52% to 3% and that the budget shortfall be met by the use of circa £1m from the Council's reserves. By a show of hands (and in noting there were 11 for and the majority against) the motion was declared lost.

The substantive motion was then put to the vote, including the foregoing additional recommendation in relation to Pontllanfraith Leisure Centre and the identification of alternative savings. By a show of hands (and in noting there were 14 against with 1 abstention) this was agreed by the majority present.

RESOLVED that for the reasons contained in the report the following recommendations be adopted:-

- (i) the grants passported into/out of the Financial Settlement and the funding for new responsibilities be passed directly to those services that they relate to (paragraphs 4.2.2, 4.2.3 and 4.2.4 of the report refer);
- (ii) the proposed savings for 2018/19 totalling £6.736m as set out in paragraph 4.3.3 and Appendix 3 of the report be agreed;
- (iii) the utilisation of £830k of Local Management of Schools (LMS) balances to support continued investment with schools in school buildings in the short to medium-term (paragraph 4.3.6) be agreed;
- (iv) it be noted that alternative savings totalling £107k will need to be identified during the 2018/19 financial year in the event that the proposed closure of Pontllanfraith Leisure Centre does not proceed (paragraph 4.3.9);

- (v) it be noted that a further report will be presented to Council outlining what deferred savings will need to be reinstated in the 2018/19 financial year to meet the net operating costs of Pontllanfraith Leisure Centre, pending a final decision on its future.
- (vi) the transfer (virement) of £547k from Capital Financing budgets to the delegated schools budget to assist schools with anticipated additional costs from the teachers pay award in 2018/19 (paragraph 4.4.5) be agreed;
- (vii) the Revenue Budget proposals for 2018/19 of £332.043m as set out in the report and summarised in Appendix 1 be agreed;
- (viii) the proposed use of General Fund Balances as detailed in Appendix 5 of the report be agreed;
- (ix) the proposed Capital Programme for the period 2018/19 to 2020/21 as set out in Appendix 6 of the report be agreed;
- (x) the updated Medium Term Financial Plan detailed in Appendix 7 of the report and the indicative savings requirement of £40.822m for the five-year period 2018/19 to 2022/23 be noted.

During the course of the debate, Members placed on record their appreciation to all those involved in the budget setting process, the implementation of the previously agreed savings and the preparation of the report.

## 6. COUNCIL TAX SETTING RESOLUTION 2018/19

Consideration was given to the report which provided details of the Authority's Council Tax for the 2018/19 financial year prior to passing the necessary statutory resolutions.

It was moved and seconded that the recommendations in the report be approved. By a show of hands (and in noting that there were 11 against and 4 abstentions) this was agreed by the majority present.

RESOLVED that for the reasons contained in the Officers report:-

1. That it be noted that at its meeting on the 13th December 2017 the Cabinet calculated the following amounts for the year 2018/2019 in accordance with regulations made under Section 33(5) of The Local Government Finance Act 1992 and powers granted under The Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2007 as amended.
  - (a) **59,944.01** Being the amount calculated by the Cabinet, in accordance with Regulation (3) of The Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995 as amended, as its council tax base for the year.



(b) Part of Council's Area

|                            | <u>Tax Base</u>              |
|----------------------------|------------------------------|
|                            | <u>No. of D Band</u>         |
|                            | <u>Equivalent Properties</u> |
| Aber Valley                | 2,013.21                     |
| Argoed                     | 852.94                       |
| Bargoed                    | 3,610.53                     |
| Bedwas, Trethomas & Machen | 3,772.63                     |
| Blackwood                  | 2,931.10                     |
| Caerphilly                 | 6,223.46                     |
| Darren Valley              | 703.87                       |
| Draethen, Waterloo & Rudry | 609.20                       |
| Gelligaer                  | 6,270.57                     |

|                                 | <u>Tax Base</u>              |
|---------------------------------|------------------------------|
|                                 | <u>No. of D Band</u>         |
|                                 | <u>Equivalent Properties</u> |
| Llanbradach & Pwllypant         | 1,470.45                     |
| Maesycwmmmer                    | 771.48                       |
| Nelson                          | 1,600.32                     |
| New Tredegar                    | 1,337.97                     |
| Penyrheol, Trecenydd & Energlyn | 4,406.55                     |
| Rhymney                         | 2,536.93                     |
| Risca East                      | 2,043.79                     |
| Risca West                      | 1,777.74                     |
| Van                             | 1,637.45                     |
| Remainder                       | 15,373.82                    |
| <b>Total</b>                    | <b>59,944.01</b>             |

*being the amounts calculated by the cabinet, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.*

2. That the following amounts be now calculated by the Council for the year 2018/2019 in accordance with Sections 32 to 36 of the Local Government and Finance Act 1992:-.
- (a) **£332,772,512** *being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;*
- (b) **£1,400,000** *being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) to (c) of the Act;*
- (c) **£331,372,512** *being the amount by which the aggregate at (2)(a) above exceeds the aggregate at (2)(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;*
- (d) **£267,240,454** *being the aggregate of the sums which the Council estimates will be payable for the year into its council fund in respect of redistributed non domestic rates, revenue support grant, an authority's council tax reduction scheme or additional grant.*

- (e) **£1,069.87** *being the amount at (2)(c) above less the amount at (2)(d) above, all be divided by the amount at (1)(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year;*
- (f) **£729,279** *being the aggregate amount of all special items referred to in section 34(1) of the Act.*
- (g) **£1,057.70** *being the amount at (2)(e) above less the result given by dividing the amount at (2)(f) above by the amount at (1)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.*

(h) **Part of the Council's Area**

|                                 | <b>Local<br/>Precept<br/>£</b> | <b>County<br/>Borough<br/>Levy<br/>£</b> | <b>Total County<br/>Borough &amp;<br/>Community<br/>Council Band D<br/>Charge<br/>£</b> |
|---------------------------------|--------------------------------|--|---|
| Aber Valley                     | 18.88                          | 1,057.70                                 | 1,076.58  |
| Argoed                          | 14.50                          | 1,057.70                                 | 1,072.20  |
| Bargoed                         | 17.67                          | 1,057.70                                 | 1,075.37  |
| Bedwas, Trethomas & Machen      | 20.66                          | 1,057.70                                 | 1,078.36  |
| Blackwood                       | 20.00                          | 1,057.70                                 | 1,077.70  |
| Caerphilly                      | 14.00                          | 1,057.70                                 | 1,071.70  |
| Darren Valley                   | 17.73                          | 1,057.70                                 | 1,075.43  |
| Draethen, Waterloo & Rudry      | 24.62                          | 1,057.70                                 | 1,082.32  |
| Gelligaer                       | 14.92                          | 1,057.70                                 | 1,072.62  |
| Llanbradach & Pwllypant         | 21.25                          | 1,057.70                                 | 1,078.95  |
| Maesycwmmmer                    | 23.72                          | 1,057.70                                 | 1,081.42  |
| Nelson                          | 17.77                          | 1,057.70                                 | 1,075.47  |
| New Tredegar                    | 12.65                          | 1,057.70                                 | 1,070.35  |
| Penyrheol, Trecenydd & Energlyn | 13.54                          | 1,057.70                                 | 1,071.24  |
| Rhymney                         | 13.80                          | 1,057.70                                 | 1,071.50  |
| Risca East                      | 12.00                          | 1,057.70                                 | 1,069.70  |
| Risca West                      | 18.70                          | 1,057.70                                 | 1,076.40  |
| Van                             | 14.05                          | 1,057.70                                 | 1,071.75  |
| Remainder                       | 0.00                           | 1,057.70                                 | 1,057.70  |

*being the amounts given by adding to the amount at (2)(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (1)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts, of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.*

(i)

| <u>Valuation Bands</u>           | <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> | <b>E</b> | <b>F</b> | <b>G</b> | <b>H</b> | <b>I</b> |
|----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|                                  | £        | £        | £        | £        | £        | £        | £        | £        | £        |
| <b>County Borough Council</b>    | 705.13   | 822.66   | 940.18   | 1,057.70 | 1,292.74 | 1,527.79 | 1,762.83 | 2,115.40 | 2,467.97 |
| <b><u>Community Councils</u></b> |          |          |          |          |          |          |          |          |          |
| Aber Valley                      | 12.59    | 14.68    | 16.78    | 18.88    | 23.08    | 27.27    | 31.47    | 37.76    | 44.05    |
| Argoed                           | 9.67     | 11.28    | 12.89    | 14.50    | 17.72    | 20.94    | 24.17    | 29.00    | 33.83    |
| Bargoed                          | 11.78    | 13.74    | 15.71    | 17.67    | 21.60    | 25.52    | 29.45    | 35.34    | 41.23    |
| Bedwas, Trethomas & Machen       | 13.77    | 16.07    | 18.36    | 20.66    | 25.25    | 29.84    | 34.43    | 41.32    | 48.21    |
| Blackwood                        | 13.33    | 15.56    | 17.78    | 20.00    | 24.44    | 28.89    | 33.33    | 40.00    | 46.67    |
| Caerphilly                       | 9.33     | 10.89    | 12.44    | 14.00    | 17.11    | 20.22    | 23.33    | 28.00    | 32.67    |
| Darren Valley                    | 11.82    | 13.79    | 15.76    | 17.73    | 21.67    | 25.61    | 29.55    | 35.46    | 41.37    |
| Draethen, Waterloo & Rudry       | 16.41    | 19.15    | 21.88    | 24.62    | 30.09    | 35.56    | 41.03    | 49.24    | 57.45    |
| Gelligaer                        | 9.95     | 11.60    | 13.26    | 14.92    | 18.24    | 21.55    | 24.87    | 29.84    | 34.81    |
| Llanbradach & Pwllypant          | 14.17    | 16.53    | 18.89    | 21.25    | 25.97    | 30.69    | 35.42    | 42.50    | 49.58    |
| Maesycwmmmer                     | 15.81    | 18.45    | 21.08    | 23.72    | 28.99    | 34.26    | 39.53    | 47.44    | 55.35    |
| Nelson                           | 11.85    | 13.82    | 15.80    | 17.77    | 21.72    | 25.67    | 29.62    | 35.54    | 41.46    |
| New Tredegar                     | 8.43     | 9.84     | 11.24    | 12.65    | 15.46    | 18.27    | 21.08    | 25.30    | 29.52    |
| Penyrheol, Trecenydd & Energlyn  | 9.03     | 10.53    | 12.04    | 13.54    | 16.55    | 19.56    | 22.57    | 27.08    | 31.59    |
| Rhymney                          | 9.20     | 10.73    | 12.27    | 13.80    | 16.87    | 19.93    | 23.00    | 27.60    | 32.20    |
| Risca East                       | 8.00     | 9.33     | 10.67    | 12.00    | 14.67    | 17.33    | 20.00    | 24.00    | 28.00    |
| Risca West                       | 12.47    | 14.54    | 16.62    | 18.70    | 22.86    | 27.01    | 31.17    | 37.40    | 43.63    |
| Van                              | 9.37     | 10.93    | 12.49    | 14.05    | 17.17    | 20.29    | 23.42    | 28.10    | 32.78    |
| Remainder                        | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     |

| <u>Valuation Bands</u>                           | <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> | <b>E</b> | <b>F</b> | <b>G</b> | <b>H</b> | <b>I</b> |
|--|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|  | £        | £        | £        | £        | £        | £        | £        | £        | £        |
| <b><u>Totals For Community Council Areas</u></b> |          |          |          |          |          |          |          |          |          |
| Aber Valley                                      | 717.72   | 837.34   | 956.96   | 1,076.58 | 1,315.82 | 1,555.06 | 1,794.30 | 2,153.16 | 2,512.02 |
| Argoed   | 714.80   | 833.94   | 953.07   | 1,072.20 | 1,310.46 | 1,548.73 | 1,787.00 | 2,144.40 | 2,501.80 |
| Bargoed  | 716.91   | 836.40   | 955.89   | 1,075.37 | 1,314.34 | 1,553.31 | 1,792.28 | 2,150.74 | 2,509.20 |
| Bedwas, Trethomas & Machen                       | 718.90   | 838.73   | 958.54   | 1,078.36 | 1,317.99 | 1,557.63 | 1,797.26 | 2,156.72 | 2,516.18 |
| Blackwood  | 718.46   | 838.22   | 957.96   | 1,077.70 | 1,317.18 | 1,556.68 | 1,796.16 | 2,155.40 | 2,514.64 |
| Caerphilly                                       | 714.46   | 833.55   | 952.62   | 1,071.70 | 1,309.85 | 1,548.01 | 1,786.16 | 2,143.40 | 2,500.64 |
| Darren Valley                                    | 716.95   | 836.45   | 955.94   | 1,075.43 | 1,314.41 | 1,553.40 | 1,792.38 | 2,150.86 | 2,509.34 |
| Draethen, Waterloo & Rudry                       | 721.54   | 841.81   | 962.06   | 1,082.32 | 1,322.83 | 1,563.35 | 1,803.86 | 2,164.64 | 2,525.42 |
| Gelligaer  | 715.08   | 834.26   | 953.44   | 1,072.62 | 1,310.98 | 1,549.34 | 1,787.70 | 2,145.24 | 2,502.78 |
| Llanbradach & Pwllypant                          | 719.30   | 839.19   | 959.07   | 1,078.95 | 1,318.71 | 1,558.48 | 1,798.25 | 2,157.90 | 2,517.55 |
| Maesycwmmmer                                     | 720.94   | 841.11   | 961.26   | 1,081.42 | 1,321.73 | 1,562.05 | 1,802.36 | 2,162.84 | 2,523.32 |
| Nelson   | 716.98   | 836.48   | 955.98   | 1,075.47 | 1,314.46 | 1,553.46 | 1,792.45 | 2,150.94 | 2,509.43 |
| New Tredegar                                     | 713.56   | 832.50   | 951.42   | 1,070.35 | 1,308.20 | 1,546.06 | 1,783.91 | 2,140.70 | 2,497.49 |
| Penyrheol, Trecenydd & Energlyn                  | 714.16   | 833.19   | 952.22   | 1,071.24 | 1,309.29 | 1,547.35 | 1,785.40 | 2,142.48 | 2,499.56 |
| Rhymney  | 714.33   | 833.39   | 952.45   | 1,071.50 | 1,309.61 | 1,547.72 | 1,785.83 | 2,143.00 | 2,500.17 |
| Risca East                                       | 713.13   | 831.99   | 950.85   | 1,069.70 | 1,307.41 | 1,545.12 | 1,782.83 | 2,139.40 | 2,495.97 |
| Risca West                                       | 717.60   | 837.20   | 956.80   | 1,076.40 | 1,315.60 | 1,554.80 | 1,794.00 | 2,152.80 | 2,511.60 |
| Van  | 714.50   | 833.59   | 952.67   | 1,071.75 | 1,309.91 | 1,548.08 | 1,786.25 | 2,143.50 | 2,500.75 |
| Remainder  | 705.13   | 822.66   | 940.18   | 1,057.70 | 1,292.74 | 1,527.79 | 1,762.83 | 2,115.40 | 2,467.97 |

being the amounts given by multiplying the amounts at (2)(g) and (2)(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings

listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in a particular valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. That it be noted that for the year 2018/2019 the major precepting authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

| <u>Valuation Bands</u>                  | A      | B      | C      | D      | E      | F      | G      | H      | I      |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|   | £      | £      | £      | £      | £      | £      | £      | £      | £      |
| <u>Precepting Authority</u>             |        |        |        |        |        |        |        |        |        |
| Police and Crime Commissioner for Gwent | 159.23 | 185.76 | 212.30 | 238.84 | 291.92 | 344.99 | 398.07 | 477.68 | 557.29 |

4. That having calculated the aggregate in each case of the amounts at (2)(i) and (3) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of Council Tax for the year 2018/2019 for each of the categories of dwellings shown below:-

| <u>Valuation Bands</u>          | A      | B        | C        | D        | E        | F        | G        | H        | I        |
|---------------------------------|--------|----------|----------|----------|----------|----------|----------|----------|----------|
|                                 | £      | £        | £        | £        | £        | £        | £        | £        | £        |
| Aber Valley                     | 876.95 | 1,023.10 | 1,169.26 | 1,315.42 | 1,607.74 | 1,900.05 | 2,192.37 | 2,630.84 | 3,069.31 |
| Argoed                          | 874.03 | 1,019.70 | 1,165.37 | 1,311.04 | 1,602.38 | 1,893.72 | 2,185.07 | 2,622.08 | 3,059.09 |
| Bargoed                         | 876.14 | 1,022.16 | 1,168.19 | 1,314.21 | 1,606.26 | 1,898.30 | 2,190.35 | 2,628.42 | 3,066.49 |
| Bedwas, Trethomas & Machen      | 878.13 | 1,024.49 | 1,170.84 | 1,317.20 | 1,609.91 | 1,902.62 | 2,195.33 | 2,634.40 | 3,073.47 |
| Blackwood                       | 877.69 | 1,023.98 | 1,170.26 | 1,316.54 | 1,609.10 | 1,901.67 | 2,194.23 | 2,633.08 | 3,071.93 |
| Caerphilly                      | 873.69 | 1,019.31 | 1,164.92 | 1,310.54 | 1,601.77 | 1,893.00 | 2,184.23 | 2,621.08 | 3,057.93 |
| Darren Valley                   | 876.18 | 1,022.21 | 1,168.24 | 1,314.27 | 1,606.33 | 1,898.39 | 2,190.45 | 2,628.54 | 3,066.63 |
| Draethen, Waterloo & Rudry      | 880.77 | 1,027.57 | 1,174.36 | 1,321.16 | 1,614.75 | 1,908.34 | 2,201.93 | 2,642.32 | 3,082.71 |
| Gelligaer                       | 874.31 | 1,020.02 | 1,165.74 | 1,311.46 | 1,602.90 | 1,894.33 | 2,185.77 | 2,622.92 | 3,060.07 |
| Llanbradach & Pwllypant         | 878.53 | 1,024.95 | 1,171.37 | 1,317.79 | 1,610.63 | 1,903.47 | 2,196.32 | 2,635.58 | 3,074.84 |
| Maescymmer                      | 880.17 | 1,026.87 | 1,173.56 | 1,320.26 | 1,613.65 | 1,907.04 | 2,200.43 | 2,640.52 | 3,080.61 |
| Nelson                          | 876.21 | 1,022.24 | 1,168.28 | 1,314.31 | 1,606.38 | 1,898.45 | 2,190.52 | 2,628.62 | 3,066.72 |
| New Tredegar                    | 872.79 | 1,018.26 | 1,163.72 | 1,309.19 | 1,600.12 | 1,891.05 | 2,181.98 | 2,618.38 | 3,054.78 |
| Penyrheol, Trecenydd & Energlyn | 873.39 | 1,018.95 | 1,164.52 | 1,310.08 | 1,601.21 | 1,892.34 | 2,183.47 | 2,620.16 | 3,056.85 |
| Rhymney                         | 873.56 | 1,019.15 | 1,164.75 | 1,310.34 | 1,601.53 | 1,892.71 | 2,183.90 | 2,620.68 | 3,057.46 |
| Risca East                      | 872.36 | 1,017.75 | 1,163.15 | 1,308.54 | 1,599.33 | 1,890.11 | 2,180.90 | 2,617.08 | 3,053.26 |
| Risca West                      | 876.83 | 1,022.96 | 1,169.10 | 1,315.24 | 1,607.52 | 1,899.79 | 2,192.07 | 2,630.48 | 3,068.89 |
| Van                             | 873.73 | 1,019.35 | 1,164.97 | 1,310.59 | 1,601.83 | 1,893.07 | 2,184.32 | 2,621.18 | 3,058.04 |
| Remainder                       | 864.36 | 1,008.42 | 1,152.48 | 1,296.54 | 1,584.66 | 1,872.78 | 2,160.90 | 2,593.08 | 3,025.26 |

The meeting closed at 5.58 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th April 2018, they were signed by the Mayor.

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MAYOR



## COUNCIL

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 6TH MARCH 2018 AT 5.00 PM

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#### PRESENT:

Councillor M. Adams - Deputy Mayor - Presiding

#### Councillors:

C. Andrews, A. Angel, P.J. Bevan, C. Bezzina, L. Binding, A. Collis, S. Cook, D. Cushing, C. Cuss, W. David, D.T. Davies, M. Davies, K. Dawson, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, J.E. Fussell, A. Gair, Ms J. Gale, N. George, C. Gordon, R.W. Gough, L. Harding, D. Harse, D. Havard, A. Higgs, A. Hussey, M. James, G. Johnston, S. Kent, C.P. Mann, B. Miles, S. Morgan, Mrs G. Oliver, B. Owen, T. Parry, D.V. Poole, D.W.R. Preece, Mrs D. Price, J. Pritchard, J. Ridgewell, J.E. Roberts, Mrs M.E. Sargent, J. Scriven, J. Simmonds S. Skivens, Mrs E. Stenner, J. Taylor, A. Whitcombe, R. Whiting, T. Williams, W. Williams, B. Zaplatynski

#### Together with:

C. Harry (Interim Chief Executive), M.S. Williams (Interim Corporate Director of Communities), D. Street (Corporate Director - Social Services, D. Marr (Deputy Monitoring Officer, Cardiff Council), L. Donovan (Acting Head of Human Resources and Organisational Development), L. Lane (Corporate Solicitor), K. Peters (Corporate Policy Manager) and R. Barrett (Committee Services Officer)

#### Also in attendance:

P. Diamond (Theme Lead - Regional Partnership Team)

#### 1. WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publicly available in live and archive form via the Council's website. She advised that decisions would be made by a show of hands.

#### 2. RECOGNITION OF COUNCIL STAFF – EXTREME WEATHER CONDITIONS

The Interim Chief Executive delivered a presentation to Members which outlined the extent of the recent extreme weather conditions across the county borough arising from the heaviest snowfall for many years, and which led to the initiation of the Council's emergency planning response.

Members were advised of the many instances where Council staff had gone above and beyond the call of duty in order to ensure that essential services continued to be delivered across communities during the challenging weather conditions. Particular reference was made to the work of the gritting crews, carers, refuse and grounds maintenance teams, the housing team, facilities management, CCTV control room staff, registrars and policy staff, Countryside staff, council plumbers, highways staff, Meals Direct staff, the Emergency Daycare team, and the Communications team. The Interim Chief Executive praised the team effort which had been evident over the last few days and paid tribute to the dedication of staff in delivering these services despite the challenging circumstances and stretched resources.

A cross-section of staff from across these key areas were in attendance at Council in order for their efforts to be recognised. Members gave a standing ovation and offered individual comments and thanks to the staff present as a sign of their appreciation.

Following recognition by Council, the staff were invited to have a team photograph taken with the Deputy Mayor and Deputy Leader and a short recess took place whilst this was being carried out.

### **3. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs E.M. Aldworth, J. Bevan (Mayor), N. Dix, Mrs C. Forehead, Ms E. Forehead, D.T. Hardacre, V. James, L. Jeremiah, Mrs B. Jones, G. Kirby, Mrs A. Leonard, Ms P. Leonard, Mrs P. Marsden, Mrs L. Phipps, R. Saralis, G. Simmonds, C. Thomas and L.G. Whittle.

### **4. MAYOR'S ANNOUNCEMENTS**

The Deputy Mayor referred to the many events held across the county borough since the last meeting, and informed Members that he had the recent pleasure of attending the annual Rorke's Drift Concert at Brecon Theatre, as well as the opening of the Vision Centre at the Newbridge Tabernacle Church. The Deputy Mayor also recently attended the unveiling of a green plaque at Waterloo Terrace to commemorate the work of pioneering surgeon and local resident Dr William Price, which was followed by a ceremony at Rudry Parish Hall.

### **5. PRESENTATION OF AWARDS**

There were no awards to be presented on this occasion.

### **6. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the commencement of the meeting. During the course of the meeting a number of declarations were received from Members and Officers in respect of Agenda Item 9 (Publication of Pay Policy Statement – Localism Act 2011) and are detailed with the respective item

### **7. COUNCIL – 23RD JANUARY 2018**

RESOLVED that the following minutes be approved as a correct record and signed by the Mayor.

Council held on 23rd January 2018 (minute nos. 1-13).

## **REPORTS REFERRED FROM CABINET**

Consideration was given to the following report referred from Cabinet.

### **8. AMENDMENTS TO AUTHORISATION OF OFFICERS WITHIN THE PUBLIC PROTECTION DIVISION**

The report, which was presented to Cabinet on 31st January 2018, provided an update on the changes to the legislation applicable to officers of the Public Protection Division, sought Council approval to amend the Council's Constitution to include the Public Health (Wales) Act 2017 and sought additional authorisation for Officers under the above Act in order to enforce the legislation and carry out their duties.

The Act aims to address a number of specific public health concerns, and to create social conditions that are conducive to good health and where avoidable harms can be prevented. It includes provisions relating to obesity, tobacco and nicotine products, special procedures (acupuncture, body piercing, electrolysis, tattooing), intimate piercing, health impact assessments, pharmaceutical services, and toilets for public use. There are staged commencement dates for the different Parts of the Act which will be enforced/ implemented by a variety of organisations. The Parts of the Act which are the enforcement responsibility of the local authority include Part 5 (Intimate Piercing), Part 4 (Special Procedures) and Part 3 (Tobacco and Nicotine Products).

It was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report:-

- (i) the implementation of this legislation be endorsed;
- (ii) the Council's Constitution and terms of reference be amended by adding the Public Health (Wales) Act 2017 and that the Council's Monitoring Officer be authorised to make the necessary amendments to the Council's Constitution;
- (iii) that Officers within the Public Protection Division be authorised under the Public Health (Wales) Act 2017 in order to enforce the legislation and carry out their duties.

## **REPORTS OF OFFICERS**

Consideration was given to the following reports.

### **9. CAERPHILLY PUBLIC SERVICES BOARD – WELLBEING PLAN 2018-2023**

Consideration was given to the report, which provided details of the Caerphilly Public Services Board draft Well-being Plan for the area; 'The Caerphilly We Want 2018-2023' and sought Council approval of the Plan under Section 43(5) of the Well-being of Future Generations (Wales) Act 2015.

The draft Well-being Plan for the area has been developed through collaborative partnership activity commencing when the Act came into force on 1st April 2016. The Plan has been based upon the local assessment of well-being for the area and has been informed by extensive stakeholder and community consultation. The Plan must be approved by the Board's statutory partners (the local authority, Natural Resources Wales, Aneurin Bevan University Health Board, and South Wales Fire and Rescue Service) and published within one year of a local government election. Subject to statutory partner approval the Plan will be ratified by the Caerphilly Public Services Board at its meeting on 13th March 2018.

The draft Plan (appended to the report) includes 4 high level objectives and includes a delivery plan that sets areas for collaborative activity under 4 Enablers and 5 Actions that together will lead these objectives. Sitting beneath the Delivery Plan will be the groups of staff and resources that the individual Board members wish to dedicate to the delivery aims, and the Board have also agreed on the lead organisation for each aspect of the plan. Within each Action Area and Enabler, groups of staff, community members and the private and third sectors have begun to be identified. Each theme will have a lead officer who will be expected to set programmes of activity for the duration of the plan. These action plans are currently being developed in more detail and will be in place in time to commence delivery by the statutory deadline.

During the course of the ensuing debate, clarification was sought on how the partner organisations involved in the Well-being Plan would liaise with each other in order to achieve these objectives. Officers explained that strategic planning is underway to allow these organisations to work together to improve and complement each other, whilst avoiding duplication of activity. It was noted that the draft Well-being Plan had also been presented to the Partnerships Scrutiny Committee on 20th February 2018 and the earlier meeting of the committee on 14th September 2017. Arising from comments received by that committee, the Positive Places objective had been revised to reflect the need for sustainable and affordable housing.

Reference was made to the low response rate to the online survey used to record responses to the Draft Plan, and Officers explained that this was potentially due to the specific nature of the consultation and also because the survey was carried out in addition to face-to-face engagement events and was designed to gather the views of local residents and/or organisations unable to attend one of these events. In response to a query regarding the budget allocation for the Apprenticeships Action Area (for which Caerphilly Council had been identified as the lead organisation), it was explained that this would fall under the theme of regional training as part of the City Deal. Members were advised that further information on apprenticeships would be included within the City Deal Business Plan being presented to Special Council on 28th March 2018.

It was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report:-

- (i) the contents of the Caerphilly Public Services Board final draft Well-being Plan be noted;
- (ii) the Caerphilly Public Services Board final draft Well-being Plan be approved to allow progression to final publication before 3rd May 2018.

## **10. DRAFT REGIONAL AREA PLAN**

The Corporate Director of Social Services introduced the report, which detailed the draft regional Area Plan required under the Social Services and Wellbeing Act (2014) and set out how it complements the Well-being Plan required under the Well-being of Future Generations Act. Members were advised that following the publication of the region's population needs assessment (PNA), a draft Area Plan has now been jointly developed across the region by Aneurin Bevan University Health Board and the Regional Partnership Team.

Mr Phillip Diamond (Theme Lead - Regional Partnership Team) was in attendance at Council to present the draft Plan and to respond to questions on its contents. He explained that the draft Area Plan sets out the actions to achieve the priorities identified in the PNA and will closely align and share similar priorities to the Caerphilly Well-being Plan. It was explained that the draft Area Plan is best read as a working draft as there are still a number of details to be added such as the Integrated Care Funding profile. It was noted that once published there will be a need to produce an annual report on the Area Plan in order to evidence that progress has been made.



Members were advised that the draft Area Plan places an emphasis on joint priorities and joint working across the five local authorities and local health board. The first area plans must be published by 1st April 2018 and there will be a need to ensure links between the Area Plan and the local authority Well-being Plans required under the Well-being of Future Generations Act. Synergies can be gained and duplication can be avoided by linking the plans, and local officers have been working closely to identify areas of synergy and joint working. Mr Diamond explained that the draft Area Plan will identify the separate actions to be taken forward by the Regional Partnership Board and the Public Services Boards, as well as the joint actions to be progressed in order to avoid duplication, maximise resources and make effective use of partnership working.

In responding to queries received during the course of the debate, Officers outlined the multiple working strands underway in order to progress the alignment of the Neighbourhood Care Network plans in each GP cluster area, and explained how it is intended for the Regional Partnership Board to share reports with local authorities and Public Services Board in order to deliver the priorities identified in the draft Area Plan. Officers summarised the comprehensive engagement carried out to date and explained there will be flexibility around future engagement methods, with a report due to be presented to the Regional Partnership Board setting out how citizens will be involved in the Area Plan. Officers also gave assurances that continual good progress is being made in regards to the alignment of the Area Plan and individual Wellbeing Plans, and Members were advised that there will be a need to report on progress of the Area Plan on an annual basis.

A query was received regarding the anticipated completion dates for the Learning Disability and Mental Health Regional Strategies. It was confirmed that the Learning Disability Regional Strategy is nearing completion, although work is continuing on the Mental Health Regional Strategy, and that there will be an opportunity for Members to provide their views on both documents once these have been finalised. It was also noted that the draft Area Plan was presented to the Health, Social Care and Wellbeing Scrutiny Committee on 6th February 2018, where a number of comments were received and will be included in the final Area Plan.

Following consideration and discussion and in noting its contents, it was moved and seconded that the recommendation in the report be approved. Arising from the reference within the report for pooled funds to be established in response to the population assessment, an additional recommendation was also moved and seconded, in that a separate report on pooled funds for care homes for older people be presented to Cabinet in due course. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report:-

- (i) the alignment of the Draft Area Plan and Caerphilly's Well-being Plan be noted;
- (ii) a further report be presented to Cabinet in relation to pooled funds for residential care homes for older people.

## **11. PUBLICATION OF PAY POLICY STATEMENT – LOCALISM ACT 2011**

Having sought advice from the Deputy Monitoring Officer (Cardiff), Councillor C. Bezzina declared a personal and prejudicial interest (being a trade union employee) and left the Chamber during consideration of this item.

A number of Members sought clarification on whether they were required to declare an interest in that they have family members employed by the Council. The Deputy Monitoring Officer (Cardiff) confirmed that due to the nature of the report, there was no requirement for Members to declare a prejudicial interest and leave the meeting on that basis, but that their personal interest could be declared on this matter.

Councillors C. Andrews, D.T. Davies, M. Davies, K. Etheridge, M. Evans, D.T. Hardacre, D.W.R. Preece, D.V. Poole and W. Williams all declared a personal interest in that they have a family member who is employed by the Authority.

Clarification was sought on whether senior officers present should also declare an interest, due to the nature of the report. Following advice from the Deputy Monitoring Officer (Cardiff), C. Harray, D. Street, M.S. Williams, L. Donovan, and L. Lane declared a personal interest and remained in the meeting during consideration of the item.

Consideration was given to the report, which sought approval from Council for the publication of the Authority's Pay Policy. Members were advised that the Localism Act 2011 requires local authorities to develop and make public their Pay Policy. This includes all aspects of Chief Officer Remuneration (including on ceasing to hold office), and also in relation to the "lowest paid" in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.

The Pay Policy Statement appended to the report contains the full details of the remuneration position for the Council that it is required to publish under the legislation. Members were reminded of the legislative requirement for the Pay Policy to be published on an annual basis before 31<sup>st</sup> March each year and that the Pay Policy Statement attached at Appendix 1 to the report was a statement of fact.

During the course of the debate, Officers responded to a query in respect of the protected annual leave entitlement for a number of Officers and confirmed that the matter is being progressed.

Following consideration and discussion, It was moved and seconded that the recommendation in the report be approved. By a show of hands (and in noting that there were 16 against) this was agreed by the majority present.

RESOLVED that for the reasons contained in the Officer's report, the Pay Policy Statement (Version 7) be approved and published on the Council's website.

## **12. QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(2)**

Consideration was given to the following Questions under Rule of Procedure 10(2). In accordance with the revisions to the constitution, the answer is also provided.

### **(I) ASBESTOS WITHIN PONTLLANFRAITH COUNCIL OFFICES**

To the Cabinet Member for Corporate Services and the Cabinet Member for Neighbourhood Services from Councillor G. Simmonds.

To ask the Cabinet Members:

1. If Caerphilly Council is to establish a compensation scheme to deal with any asbestos related claims for compensation arising from the admission of Pontllanfraith Council offices "being riddled with asbestos" from memory the building was built in 1972 so exposures in excess of forty years working in an asbestos riddled work environment is not unthinkable?
2. Is Caerphilly Council to establish a screening programme for employees who worked in Pontllanfraith Council offices?
3. When did Caerphilly Council become aware of the Pontllanfraith Council Offices were riddled with asbestos, please list the frequency of checks carried out on the Pontllanfraith offices?

4. For mesothelioma, it may **take** 40 years. Generally, asbestosis **takes** between 15 to 20 years to show **up** on a chest x-ray. The most common symptoms of **asbestos-related lung disease** are shortness of breath and coughing. The symptoms may be mild to severe, depending on the extent of the scarring. ([www.workerhealth.org/asbestosreldisease.html](http://www.workerhealth.org/asbestosreldisease.html)) Is Caerphilly aware of any cases or pending cases of asbestos related claims for compensation against Caerphilly Council?
5. In view of the claim the Pontllanfraith Council offices were closed due to cost running into hundreds of thousands of pounds to make safe, has Caerphilly's insurers been made aware that potentially harmful work environments were tolerated because of cost pressures.
6. Is it the case vulnerable people were seen as more important than employees of Caerphilly Council and were our employees made aware of the potential risk to their health and future health?

## **RESPONSE FROM COUNCILLOR C GORDON , CABINET MEMBER FOR CORPORATE SERVICES.**

### **Question 1 – Answer**

No.

All asbestos containing materials (ACMs) within the offices have been managed in accordance with appropriate regulations. With regards to Asbestos Containing Materials (ACMs) within this building then there was varying ACMs from Asbestos Floor Tiles to Asbestos Insulation Board with a large percentage of these ACMs are enclosed within the fabric of the building and not prone to damage from normal occupancy of the building. These ACMs are not uncommon to many buildings within the Authority and/or nationwide of this age of construction and they were managed in accordance with current HSE Guidance and Corporate Asbestos Management Plan.

### **Question 2 – Answer**

No, for the reasons given above. In any case, such a programme would not diagnose any issues until symptoms had developed.

### **Question 3 – Answer**

Pontllanfraith Offices contained asbestos containing materials (ACMs) in a number of forms as detailed in question 1. The initial Asbestos Management Survey was undertaken in 2003 then resurveyed in 2007, then 2010. There was a Refurbishment Survey, 2009, 2013 and demolition survey 2016, condition monitoring Jan 2010, Jan 2011, Sep 2012, Dec 2012, Jan 2014 and Jan 2015.

### **Question 4 – Answer**

The Council is aware of 5 Cases, none of which relate to Pontllanfraith House.

### **Question 5 – Answer**

A report was presented to Special Policy and Resources Scrutiny Committee on 17th June 2014 regarding Pontllanfraith House. This report identified Pontllanfraith House as a candidate for closure as it represented a significant liability to the Council. As the building was constructed in 1977 and that the building was in poor state of repair requiring major repair work to the roof, windows, external cladding and heating/ventilation system, upgrade to the electrical system and also of IT supply. It did not refer to the building being unsafe with regards to Asbestos. However, due to the presence of ACMs within the fabric of the building, the safe management of those materials would represent an additional cost to the required repair/refurbishment. The additional cost was not to make the building safe due to asbestos, but to ensure repairs would have been carried out in a way which ensured ACMs were managed in accordance with the legal requirements for safety of the users of the building and individuals carrying out the work.

**Question 6 – Answer**

In accordance with relevant guidance and the Local Asbestos Management Plan, asbestos containing materials (ACMs) were labelled at the time of the survey. Also Employees would be made aware by managers of the presence of ACMs. Due to the ACMs being correctly and sufficiently managed then then the Health and Safety Executive would be satisfied that this building was safe to access by public and a safe working environment for Caerphilly employees.

**(ii) ASBESTOS WITHIN CAERPHILLY COUNTY BOROUGH COUNCIL LEISURE CENTRES**

To the Cabinet Member for Corporate Services and the Cabinet Member for Neighbourhood Services from Councillor A. Farina-Childs.

To ask the Cabinet Members:

1. Have any surveys been undertaken into the presence of asbestos in Caerphilly's Leisure Centres?
2. If so when were the surveys last undertaken?
3. Please can you list any Leisure Centres found to have asbestos present?
4. Have any condition surveys been undertaken on Caerphilly's Leisure Centres?
5. If so when were the surveys last undertaken?

Please can these findings be made available to Council together with any costs necessary to bring each Leisure Centre up to an acceptable standard.

**RESPONSE FROM COUNCILLOR C. GORDON, CABINET MEMBER FOR CORPORATE SERVICES AND COUNCILLOR N. GEORGE CABINET MEMBER FOR NEIGHBOURHOOD SERVICES****Question 1 - Answer**

Yes

**Question 2 - Answer**

- Bedwas LC – Asbestos Management Survey completed on 10/8/17
- Caerphilly LC - Asbestos Management Survey completed on 23/9/08
- Cefn Fforest LC - Asbestos Management Survey completed on 3/2/14
- Heolddu LC - Asbestos Management Survey completed on 22/9/08
- Newbridge LC - Asbestos Management Survey completed on 6/6/13
- New Tredegar LC - Asbestos Management Survey completed on 7/5/15
- Pontllanfraith LC – Asbestos Management Survey completed on 7/1/10
- Risca LC – Asbestos Management Survey completed on 16/11/09
- Sue Noakes LC - Asbestos Management Survey completed on 1/12/09
- St Cenydd LC was constructed post 2000 so does not have any asbestos containing materials and does not require an Asbestos Management Survey

**Question 3 - Answer**

The Leisure Centres that have asbestos present are detailed in questions 2 and are managed in accordance with regulations

**Question 4 – Answer**

Yes

**Question 5 – Answer**

- Bedwas LC – Condition Monitoring completed on 10/8/17
- Caerphilly LC - Condition Monitoring completed on 28/2/18

- Cefn Fforest LC - Condition Monitoring completed on 26/1/18
- Heolddu LC - Condition Monitoring completed on 26/10/17
- Newbridge LC - Condition Monitoring completed on 9/10/17
- New Tredegar LC - Condition Monitoring completed on 17/8/17
- Pontllanfraith LC – Condition Monitoring completed on 27/2/18
- Risca LC – Condition Monitoring completed on 18/11/17
- Sue Noakes LC - Condition Monitoring completed on 6/3/18

Asbestos is managed to an acceptable standard in accordance with regulations in each of the leisure centres.

Review of current asbestos condition monitoring inspections in Leisure Centre constructed pre 2000, no Asbestos Containing Materials (ACMs) are shown in an unsafe position so no requirement for any remedial works to make ACMs safe.

Asbestos surveys are done in house free of charge.

**(iii) PWLL-Y-PANT ROUNDABOUT**

To the Deputy Leader and Cabinet Member for Economy, Infrastructure and Sustainability from Councillor Kevin Etheridge

1. To ask the Deputy Leader and Cabinet Member when the traffic impact assessment, feasibility study and cost benefit analysis was undertaken on the Pwll-y-Pant Roundabout and its impact and provide a summary of the conclusions?
2. To ask the Deputy Leader and Cabinet Member to provide a breakdown of the cost in regard to the original tender, who undertook the valuation of the work with details of the consultation procedures prior to the commencement of the work, and the original and current timescales involved?

**RESPONSE FROM COUNCILLOR SEAN MORGAN, DEPUTY LEADER AND CABINET MEMBER FOR ECONOMY, INFRASTRUCTURE AND SUSTAINABILITY**

**Question 1 - Answer**

- A Traffic Impact Assessment (TIA) accompanies a planning application. As this work was undertaken under permitted development there was no need for a TIA.
- To demonstrate the need for the scheme and the benefits from it, Welsh government required a WelTag Options Appraisal to support the grant funding application. The conclusions of the appraisal were as follows:
  - The do nothing option will result in significant additional queuing and increases in journey time at a junction that is already over capacity.
  - Traffic Modelling indicates that (Option 2D rev D) will be able to mitigate against additional traffic increases which have been identified in the adopted LDP 2010 to the year 2033.
- Traffic modelling using the Saturn model was used to support the Caerphilly Basin and the LDP process, and also used to demonstrate the need for the improvements. Traffic flows are currently on average 37,000/day and the scheme being undertaken future proofs the roundabout. The Saturn model includes traffic flows before and after the scheme is complete with projections up to 2033 which includes 22% growth in traffic flows, which with the completed works, the roundabout will be able to accommodate.

**Question 2 – Answer**

- The original tender figure as submitted by Walters UK Ltd was £3.175 million; a breakdown of this figure cannot be given as it contains commercially sensitive information.

- A PQQ process via Sell2Wales was undertaken in accordance with the Authority's Standing Orders for Contracts on 11th May 2017 (reference WA Ref:66401), inviting expressions of interest from organisations interested in undertaking the works. A total of nine organisations submitted PQQ responses which were returned to the Authority via the Proactis Plaza E-Tendering System on Tuesday 25th May 2017.
- A "pass/fail & elimination" process was undertaken and subsequently scored and ranked. Three of the PQQ submissions were deemed to be failed responses following assessment against scored questions and were not considered in the tender process going forward. The top six ranked organisations were short listed to the ITT Stage of the process.
- The instruction to progress the procurement was issued by Christina Harray, the then Director of Communities, following Cabinet approval in June 2017 to proceed to secure a contract for the delivery of highway refurbishment works at Pwllpant roundabout and associated highway links.
- All Contractors identified above received an invitation to tender via the Council's Proactis Plaza Etendering Portal dated Thursday 29th June 2017. The return date for tenders was specified as 12.00 noon on Thursday 27th July 2017, and all tender responses were to be via the Proactis Plaza E-tendering Portal.
- Evaluation of tender submissions was undertaken on a cost/quality basis and not on price alone. Determination of the most economically advantageous tender was undertaken utilising a cost/quality scoring matrix the detail of which was issued to tenderer's as part of the instructions for tendering.
- The quality assessment exercise was undertaken independently by officers from CCBC Engineering Projects Group in consultation with officers from CCBC Procurement Department.
- Approval to proceed to award was then sought from and given by Christina Harray, Director of Communities and Elizabeth Lucas, Head of Procurement.
- The contract start date was 9<sup>th</sup> October 2017 with completion programmed for 10<sup>th</sup> October 2018. On commencement of the works issues with public reaction to the disruption and delays caused by these works, necessitated the reappraisal of the approach to delivering the works with the restriction of maximising two lane running place upon the traffic management, this has resulted in a possible revised completion date of 14<sup>th</sup> November 2018.

Consultation with the business community and local communities was undertaken in advance of the scheme and also during the scheme. As a result of the engagement with the business community the scheme has been revised to incorporate the views of the local business community.

The original estimated timescale for the completion of the works was a maximum of 12 months and with the revisions to the programme that have recently taken place, they remain at 12 months maximum duration. The key difference, as a result of the revisions to the programme being a large reduction in the amount of time single lane traffic is in operation.

The meeting closed at 6.19 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th April 2018, they were signed by the Mayor.

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MAYOR



## COUNCIL – 17TH APRIL 2018

**SUBJECT: INTEGRATED COMMISSIONING AND SECTION 33 AGREEMENT FOR CARE HOMES FOR OLDER PEOPLE IN GWENT REGION (POOLED FUNDS)**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report, was presented to Cabinet on 28<sup>th</sup> March 2018, and for the reasons contained in the report Cabinet endorsed the following recommendations:-
- (i) The pooled budget arrangements for care home accommodation functions to be overseen by the Regional Partnership Board (RPB) and, in particular that the fund will not share financial risk nor introduce any potential cross-subsidy between the partners be approved.
  - (ii) That any changes to this approach will require further approval by all partners and further agreement by Cabinet be approved.
  - (iii) That delegated powers to the Cabinet Member for Social Care & Wellbeing, as Caerphilly County Council member of the RPB, in the exercise of those functions, and consideration of any specific arrangements that need to be put in place to meet statutory duties at local and regional level be approved.
  - (iv) That the required key elements for these arrangements through development of a formal Partnership Agreement i.e a Section 33 agreement be approved.
  - (v) That the resource implications for the local authority in relation to the pooled budget arrangements and oversight of the pooled budget agreements by the RPB be approved.
  - (vi) That authority is sought from Council for the Principal Solicitor to amend the Councils Constitution to give effect to the delegation in (iii) above.
- 1.2 The purpose of this report is to seek authority from Council to amend the Council's Constitution to give effect to the delegated powers given to the Cabinet Member for Social Care and Wellbeing as set out in paragraph 1.1(vi) above.
- 1.3 It is therefore recommended to Council that

The Principal Solicitor be given delegated authority to make the necessary changes to the Council's Constitution to give effect to the requirements of paragraph 1.1 (iii) above.

Author: L. Lane, Corporate Solicitor

Appendices:

Appendix 1 Report to Cabinet 28<sup>th</sup> March 2018 - Integrated Commissioning and Section 33 Agreement for Care Homes for Older People in Gwent Region (Pooled Funds)



## CABINET – 28TH MARCH 2018

**SUBJECT: INTEGRATED COMMISSIONING AND SECTION 33 AGREEMENT FOR CARE HOMES FOR OLDER PEOPLE IN GWENT REGION (POOLED FUNDS)**

**REPORT BY: DAVE STREET, CORPORATE DIRECTOR SOCIAL SERVICES**

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### 1. PURPOSE OF REPORT

- 1.1 To recommend the establishment of a regional pooled budget in relation to the exercise of care home accommodation functions (in this case care homes for older people) between Caerphilly County Council, and other Gwent Local Authorities (Blaenau Gwent County Borough Council, Monmouthshire County Borough Council, Newport City Council, Torfaen County Borough Council) and Aneurin Bevan University Health Board (ABUHB).
- 1.2 To advise Members on progress in developing other key elements required by Welsh Government guidance in support of the pooled budget arrangements, namely common contracts and developing an integrated approach to commissioning in the Gwent region.
- 1.3 To fulfil the statutory requirement on Local Authorities and Local Health Boards within the Social Services and Wellbeing (Wales) Act (2014) (SSWBA) which takes effect from April 2018

### 2. SUMMARY

- 2.1 Partnership and collaboration is a significant element within the SSWBA. Part 9 of the Act is where duties and expectations around partnership working are set out specifically.
- 2.2 Statutory guidance mandates the geographical footprint for regional partnership arrangements for social care and health. The Regional; Partnership Board (RPB), is established on a statutory basis and comprises ABUHB, 5 Local Authorities, 2 county voluntary service organisations and representatives of the regional citizen's panel and provider forum.



### **3. LINKS TO STRATEGY**

- 3.1 Part 9 of the Social Services and Wellbeing (Wales) Act (2014)
- 3.2 Care Closer To Home Strategy
- 3.3 Well-being of Future Generations Act (Wales) 2015:
- *A Prosperous Wales*
  - *A Resilient Wales*
  - *A Healthier Wales*
  - *A More Equal Wales*
  - *A Wales of Cohesive Communities*
  - *A Wales of Vibrant Culture and Thriving Welsh Language*
  - *A Globally Responsible Wales*
- 3.4 More than just Words – Strategic Framework for Welsh Language Services in Health, Social Services and Social Care

### **4. THE REPORT**

- 4.1 Development of arrangements to pool funds for care home arrangements between the 5 local authorities and ABUHB has been a major piece of work for the RPB since its inception. The legal requirement for these arrangements is set out in Section 62, Part 9 of the SSWBA. The establishment of a partnership agreement – known as a Section 33 Agreement - will enable integrated commissioning and pooled funds in relation to the exercise of care home accommodation functions. The aim is for this to be in place by April 2018, subject to approval by all partners to the agreement.
- 4.2 Supported by the National Commissioning Board (NCB) and Welsh Local Government Association (WLGA) the Gwent region has been the pilot area for Wales for developing a Model Partnership Agreement (MPA) for pooled budget arrangements for older people.
- 4.3 The scope of the agreement, and its design principles, were aligned to the draft priorities for older people contained in the Population Needs Assessment (PNA) and the draft Area Plan, both of which were recently approved by Caerphilly County Borough Council.
- 4.4 A national market analysis of the current size and scope of the care home sector in Wales was conducted in 2016 with a census undertaken at the same point in time across the country. This showed that in 2015/16 there were nearly 18,000 placements by local authorities and health boards, which included 4,877 placements of people funding their own care. There were 21,823 registered beds in care homes for older people on the census date and the combined local authority and health board spend was approximately £369 million. This *excludes* client contributions, third party payments and the fees paid by those individuals who fund their own care.
- 4.5 SSWBA Part 9 Statutory Guidance (Partnership Arrangements) that Regional Partnership Boards will be expected to develop written agreements concerning any formal partnership arrangements which involve a delegation of function
- 4.6 Regulations allow for the partners to enter arrangements for the establishment and

maintenance of a fund which is made up of contributions from the partners and out of which payments may be made towards expenditure incurred in the exercise of National Health Service functions or health-related (Local Authority) functions.

- 4.7 This is the 'pooled fund' and money from this fund may be used on purposes agreed between the partners (in this case to carry out the Care Home Accommodation Functions) in arranging care for Older People in Registered Homes. While the legislation suggests that the partnership agreement may cover all care home functions Welsh Government expect this to include care homes for older people (over 65) initially.
- 4.8 The Act envisages that this would be a single fund which removes the traditional health/social care division between partners, offering flexibility in the single fund's use according to locally agreed needs. However, in the Gwent region (and in other regions in Wales) the proposed approach adopted towards the 'mechanics' of the pooled fund arrangement is that at least in its initial stage, the fund **will not share financial risk nor introduce any potential cross-subsidy between the partners. Any changes to this approach will require further approval by all partners to the agreement.**

This approach has been deemed preferential after the completion of an options appraisal which is attached as Appendix 2.

- 4.9 Section 33 agreements require the establishment of a named 'pooled fund manager'. Consideration is currently being given to agreeing which of the six partners will assume this role. This will be the subject of a separate report once expressions of interest and recommendations from RPB are known.

#### Market Analysis of Care Homes for Older People in Gwent

- 4.10 The pooled fund represents one element of an integrated regional approach to the commissioning of care home provision. A market position statement and regional commissioning strategy is under development.
- 4.11 Initial market analysis, as at September 2017, shows there were a total of 95 care homes for older people in the Gwent region offering 3,363 beds. The total number of beds comprise 1,871 residential beds, including residential beds for people with dementia and 1,492 nursing beds, including nursing beds for people with dementia.
- 4.12 55 operators provide care homes in Gwent of which eight operate in more than one locality. 40 providers own and operate just one home. 52% of beds are provided by single home providers. 38 providers, operating 50 homes, are currently commissioned to provide Continuing Health Care Placements.
- 4.13 8 providers operate in more than one local authority area, three operating across Torfaen and Newport, two across Blaenau Gwent and Caerphilly, one across Newport and Blaenau Gwent, one across Torfaen and Caerphilly and one across Blaenau Gwent and Monmouthshire
- 4.14 In summary, there is a mixture of sole providers that own and operate one home, medium sized providers that own and operate more than one home and a number of national companies that operate care homes across the region.

- 4.15 Few homes are registered solely for residential, residential care for people with dementia, nursing or nursing care for people with dementia. Many homes offer a combination of beds, across all types of care e.g. dual registration for residential and nursing or dual residential and nursing care for people with dementia.

#### Current risks and challenges in the care home sector

- 4.17 One of the anticipated benefits to an integrated regional commissioning approach to care homes is a coherent, strategic approach which will support the sector in its medium and longer term business planning and mitigate the current risks the sector is experiencing.
- 4.18 The recruitment and retention of registered general nurses and registered mental health nurses is becoming particularly challenging as is the recruitment and retention of registered managers and care staff.
- 4.19 There is an increasing demand for care provision for older people with mental health conditions such as dementia, in both residential and nursing care homes, whilst there has been a decrease in demand for residential and nursing only provision.
- 4.20 Across the region, older people are being supported to remain as independent as possible in their own homes for as long as they are able to. As a consequence people entering a care home for older people, are now older and often require more complex care.
- 4.21 Bed vacancies do not necessarily align with need as vacancies are often not in the required category of care or in the locality of need. Despite efforts to realign the market to better reflect need, the market can be slow to respond. Providers are, of course, independent operators.
- 4.22 There is also evidence that the size, structure, age, layout and location of care homes across Gwent is having an impact on sustainability.
- 4.23 Rising cost pressures is another feature that threatens sustainability. It is anticipated that the incremental increases each year until 2020 in the National Living Wage, the growing costs of recruitment and retention, employee pension costs and other costs such as the purchase of equipment will continue to exert an upwards pressure on operating costs.
- 4.24 The Regulation & Inspection (Wales) Act 2016 becomes extant in April 2018. Care homes will be required to place a much greater emphasis upon the 'statement of purpose' as the driver for business focus and registration criteria. This is intended to bring a greater flexibility for operators as long as they can demonstrate the capacity and capability to deliver. Care home workers are also subject to registration from April 2018, although this will be phased in over several years. There is a need to plan for registration so it does not adversely impact on retention and recruitment.
- 4.25 As part of developing regional commissioning arrangements, work is being undertaken to ensure that common contractual terms and conditions and a shared approach to contract monitoring become operational alongside pooled budget arrangements.

## Risks and Issues in Pooled Budget for Care Homes

- 4.26 There are risks and challenges that have been identified in relation to joint commissioning and pooled budgets for care home commissioning:
- effective management of a Section 33 Agreement so that there is timely and sufficient local management information.
  - ensuring partner budget management and reporting requirements are fully met. The size of the spend on this care provision means that this is vital.
  - engaging providers in revised commissioning arrangements in due time and without compromising current provision.
  - ensuring joint commissioning arrangements do not cut across individual commissioners care home fees setting arrangements (which are determined at organisational level and approved by each organisation)
- 4.27 In order to mitigate the risks, the development of a Section 33 Agreement for care home placements draws on the experience and learning from the regional pooled budget arrangements put in place for the Gwent Frailty Programme (refreshed in 2016) and the Gwent Wide Integrated Community Equipment Service (GWICES). It is also recognised that this Section 33 Agreement will be on a much larger scale than anything that has been undertaken previously. This is one of the key reasons that the pooled fund recommended does not include a financial risk sharing arrangement at this stage.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 Residents of care homes for older people have high levels of care and support needs. Safeguarding is, therefore, fundamental to the commissioning of quality care provision with the right model of care and support to meet the needs of their residents. Sufficiency of the right type of care homes, delivered to sustainable business models, is critical in meeting the needs of our most vulnerable of our citizens.
- 5.2 Establishment of a pooled budget for care home placements for over 65's provides consistency of opportunity, access, contract arrangements and outcome monitoring assisting statutory bodies to meet those duties placed on them to promote wellbeing set out in both Wellbeing for Future Generations Act and the Social Services and Wellbeing Act. A Well-being of Future Generations Assessment is included as Appendix 1.
- 5.3 A single, combined regional approach to commissioning aims to ensure that there is equity of information provision, needs consideration and exercise of choice as to care home placement, with one common process.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

- 6.2 A combined regional approach to commissioning proposed will have no impact on service provision and therefore no direct impact on any groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan.
- 6.3 The creation of an Integrated Commissioning and Section 33 Agreement for Care Homes for Older People in the Gwent Region will improve the service provision by ensuring the service delivery for all older people within the care homes system across Gwent is consistent.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 A resource mapping exercise has been undertaken to understand the value of the pooled fund. In summary, across the Gwent Partnership the spend forecasts indicate a potential pooled fund of £89 million – comprised of £20 million from service user contributions and 69 million from public funding (£32m ABUHB and £37m Local Authorities).
- 7.2 . Using Full Year Estimates this Funds in excess of 900,000 bed days:
- 109,000 long term bed days in LA owned Homes.
  - 11,000 short term and step up/step down bed days in LA owned Homes.
  - 600,000 Long term and short term Independent sector bed days (including FNC and step up/step down beds).
  - 200,000 Continuing Health Care bed days.
- 7.3 Specifically for Caerphilly CBC this means pooling our older persons care home budgets, including the six care homes owned and run by the local authority which, based on current figures for 2018/19, equates to a gross annual expenditure budget of £21,989,175 (excluding income from client contributions and partners). As already outlined earlier within the report, the proposed agreement is on a non risk sharing basis and as such Caerphilly will retain local decision making around our pooled budget contribution, including our own internal care homes.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no direct Personnel implications.

## **9.0 CONSULTATIONS**

- 9.1 As joint commissioning of care home placements and pooled budgets is a statutory requirement, consultation centres very much around 'how' work is done rather than 'why' it is done. Senior officers across local authorities and the Aneurin Bevan University Health Board (ABUHB) have been part of this process, and so has the regional provider forum (spanning a wide range of care providers) and the regional citizen panel.
- 9.2 In addition to the above, a focus group of care home providers that represent the care home sector has been established. This group has supported this process and has

co-produced the development of the regional contract. This is a significant development and sets the 'direction of travel' for joint working in the region, not only between commissioning partners, but also between commissioners and operators. It is envisaged that partners build on this to develop a market that is both flexible enough to meet fluctuating need and is sustainable for the longer term.

## **10. RECOMMENDATIONS**

- 10.1 To approve the pooled budget arrangements for care home accommodation functions to be overseen by the Regional Partnership Board (RPB) and, in particular that the fund will not share financial risk nor introduce any potential cross-subsidy between the partners.
- 10.2 To agree that any changes to this approach will require further approval by all partners and further agreement by Cabinet.
- 10.3 To approve delegated powers to the Cabinet Member for Social Services & Wellbeing, as Caerphilly County Council member of the RPB, in the exercise of those functions, and consideration of any specific arrangements that need to be put in place to meet statutory duties at local and regional level.
- 10.4 To confirm the required key elements for these arrangements through development of a formal Partnership Agreement i.e a Section 33 agreement
- 10.5 To confirm resource implications for the local authority in relation to the pooled budget arrangements and oversight of the pooled budget agreements by the RPB.
- 10.6 To seek authority from Council for the Principal Solicitor to amend the Councils constitution to give effect to the delegation in 10.3.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To ensure compliance with the requirements of Part 9 of the Social Services & Wellbeing Act

## **12. STATUTORY POWER**

- 12.1 Part 9 of the Social Services and Wellbeing (Wales) Act (2014)

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Consultees: Corporate Management Team  
Social Services Senior Management team  
Cllr Carl Cuss, Cabinet Member, Social Services & Wellbeing

Lisa Lane, Solicitor  
Anwen Cullinane, Senior Policy Officer (Equalities & Welsh Language)

Appendices:

- Appendix 1 Options Appraisal & Evaluative Methods
- Appendix 2 Wellbeing Assessment Template

## OPTIONS APPRAISAL AND EVALUATIVE MEASURES

A range of options to meet statutory requirements of the SSWBA were developed for consideration by the RPB. Options ranged from the complex and high risk to the relatively simple and low risk.

The following outcomes have been developed and adopted against which each of the options were measured and evaluated:

- a. A consistent, timely equitable assessment and decision-making process which enables citizens to be supported in the right place at the right time by staff with the right skills.
- b. A consistent regional methodology is established for agreeing fee levels that improves transparency and efficiency for commissioners and care home providers, while recognising local difference and the autonomy of commissioners.
- c. A consistent, efficient and effective regional contract management and safeguarding system is established which could lead to process efficiencies for both commissioners and providers, as well as ensuring that the requirements of the regulatory bodies are met.
- d. A cross-stakeholder regional understanding of the care home market is reached leading to a market position that is responsive to population needs and is sustainable for the future.
- e. Use of scarce resources are maximised and value is added

The following risk factors have also been identified and a risk assessment matrix is set out below in the table below.

- Financial Risks
- Political and/or organisational acceptability
- Deliverability due to complexity of task
- Organisational capacity
- Market stability and volatility
- Workforce capacity at operational level
- Service users adversely affected

The following options were considered in detail by RPB:

- A Section 33 Agreement that encompasses all residential and nursing care homes for



older people over 65 years – full implementation in year 1.

- A Section 33 Agreement that encompasses all residential and nursing care homes for older people over 65 years (Consolidated Financial Statements (i.e. a pooled budget where contributions by each partner matches the costs committed by each partner) with a view to understanding the market so that the financial risks can be fully explored before committing to full implementation as recommended below).
- A pooled fund arrangements for all nursing homes registered for people with dementia
- Lead commissioning arrangement for commissioning and contracting functions is required as a stepped approach to enable and support section 33 arrangements

The findings of the option appraisal are set out in the tables below:






| <b>Option</b>  | <b>No. Deliverable in year 1</b> | <b>Timescale proposed</b> | <b>Aggregated Risk Profile</b> | <b>Outcomes met</b> |
|--|----------------------------------|---------------------------|--------------------------------|---------------------|
| <b>1. Pool all Care Home funds – full implementation in year 1</b>   | <b>No</b>                        | <b>Year 3</b>             | <b>30</b>                      | a b c d e           |
| <b>2. Consolidated Financial Statements (i.e. a pooled budget where contributions by each partner matches the costs committed by each partner) with a view to understanding the market so that the financial risks can be fully explored before committing to any potential financial risk sharing in future years</b> | <b>Yes</b>                       | <b>Year 1</b>             | <b>5</b>                       | a b c d e           |
| <b>3. Dementia Nursing</b>   | <b>No</b>                        | <b>Year 2</b>             | <b>25</b>                      | a b c d e           |
| <b>4. Commissioning &amp; contract functions</b>   | <b>Yes</b>                       | <b>Years 1-3</b>          | <b>16</b>                      | b c d e             |

**RISK MATRIX 1 Low risk 5 significant risk**

| <b>Risk Factor</b>   | <b>Option 1</b>           | <b>Option 2</b>               | <b>Option 3</b>         | <b>Option 4</b>                        |
|----------------------|---------------------------|-------------------------------|-------------------------|--|
|                      | <b>Pool all with risk</b> | <b>Virtual Pool years 1-3</b> | <b>Dementia nursing</b> | <b>Commissioning &amp; Contracting</b> |
| <b>Financial</b>     | 4                         | 0                             | 3                       | 2                                      |
| <b>Acceptable</b>    | 5                         | 1                             | 4                       | 3                                      |
| <b>Deliverable</b>   | 5                         | 2                             | 5                       | 4                                      |
| <b>Capacity</b>      | 5                         | 2                             | 4                       | 3                                      |
| <b>Market</b>        | 3                         | 0                             | 3                       | 1                                      |
| <b>Workforce</b>     | 5                         | 0                             | 4                       | 3                                      |
| <b>Service Users</b> | 3                         | 0                             | 2                       | 0                                      |
|                      | <b>30</b>                 | <b>5</b>                      | <b>25</b>               | <b>16</b>                              |

Following extensive discussion, the RPB agreed to progress the development of a variation of option two - a non risk sharing Section 33 agreement for older people in residential and nursing care homes. This is essentially a pooled budget where the contributions by each partner match the costs they commit to for their population. This option enables a full assessment of the expenditure in the sector across the region.

## WELL BEING ASSESSMENT TEMPLATE

|  |   |
|--|---|
| <b>Project Description (key aims): This is not a project – but outline of a statutory requirement under the Social Services and Wellbeing Act, which places a number of duties on local authorities and on statutory partners.</b> |   |
| <b>Section 1) Complete the table below to assess how well you have applied the 5 ways of working.</b>  |   |
| <br><b>Integration</b>  | <p>1. <i>How does your project/activity deliver economic, social, environmental &amp; cultural outcomes together?</i></p> <p>Regional Partnership Boards, on local health board footprint, are a statutory requirement under the Social Services and Well-Being Act (Wales) 2014. This activity confirms that these requirements on partnership and collaboration are met and is set to ensure best use of available resources through pooling funds.</p>   |
| <br><b>Long-term</b>   | <p>2. <i>How does your project/activity balance short-term need with the long-term and planning for the future?</i><br/> <i>This link may help you with long term planning: <a href="http://www.wlga.gov.uk/sustainable-development/generation-2050-better-long-term-decision-making-l-a-resource-for-local-government">http://www.wlga.gov.uk/sustainable-development/generation-2050-better-long-term-decision-making-l-a-resource-for-local-government</a></i></p> <p>The whole emphasis with RPB's, Joint statements of Strategic Intent, and joint service planning and commissioning of care home placements is geared to meeting known short term care provision needs and longer term forward planning in relation to projected needs, based on population growth for older people.</p> |
| <br><b>Prevention</b>   | <p>3. <i>How does your project / activity put resources into preventing problems occurring or getting worse?</i></p> <p>A pooled budget approach combines partner resources to take a holistic and consistent approach focused on citizen needs, so as to provide the right services at the right time and in the right place with the right providers and the right funding. It fits with strategic direction for health and social care.</p>  |
| <br><b>Collaboration</b>  | <p>4. <i>How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</i></p> <p>Regional Partnership Boards, and joint planing as to commisioning of care home palcementts, and polling of funding to do this demonstrates better working together – spanning not just statutory partners but also third sector, citizen and service provider representatives.</p>  |
| <br><b>Involvement</b>  | <p>5. <i>How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</i><br/> <i>These links may help you think about involvement: National Principles for Public Engagement <a href="http://www.participationcymru.org.uk">www.participationcymru.org.uk</a></i><br/> <i>National Participation Standards for Children and Young People: <a href="http://www.childreninwales.org.uk/">http://www.childreninwales.org.uk/</a></i></p> <p>The required membership of Regional Partnership Boards does have a cross section of stakeholders, including third sector, citizen and carer representation. Joint</p>   |

|  |   |
|--|---|
|  | commissioning arrangements for care home placements allows for alignment of 'support' functions, such as information provision, available service funding, and commissioning experience to allow a common approach to outcomes, and a constant and equitable service offer across the Gwent region. |
|--|---|

| <b>Section 2) Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).</b>   |   |  |
|--|---|--|
| <b>Description of the Well-being goals</b>   | <b>How will your project / activity deliver benefits to our communities under the national well-being goals?</b>  | <b>Is there anyway to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?</b> |
| <p><b>A prosperous Wales</b><br/>An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p> | Putting in place statutory joint commissioning and pooled budget arrangements is expected to allow for better joint use of resources across health and social care, including workforce support and development in a critical part of the care sector.  | No negative impacts expected   |
| <p><b>A resilient Wales</b><br/>A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>   | <i>No direct impact to biodiversity and ecological resilience, but jointly commissioning care home placements for older people across health and social care does allow for reduced environmental impact if there is a focus on the right care at the right time and in the right place – not least in aiding families to be close to where care support is arranged.</i> | No negative impacts expected.  |
| <p><b>A healthier Wales</b><br/>A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>   | Joint commissioning arrangements for care homes, including consistency as to information provision, choice and assessment, are all measures to impact positively on overall health and wellbeing.   | No negative impacts expected.  |
| <p><b>A more equal Wales</b><br/>A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>   | The Social Services and Wellbeing Act links closely with preceding Disability and Equality legislation, and any new specific service developments (of care homes) will need to go through Equality Impact assessment (EIA), noting that care homes and  | No negative impacts expected on statutory partners   |

|  |  |  |
|--|--|--|
|  | pooled arrangements, are focused to the older adult age group. |  |
|--|--|--|

|  |   |                               |
|--|---|-------------------------------|
| <b>A Wales of cohesive communities</b><br>Attractive, viable, safe and well-connected communities.   | Regional Partnership Board arrangements, allied to joint statements of Strategic Intent, and planning for care closer to home, are all measures to allow for greater involvement of citizens in the planning and delivery of services to meet their wellbeing outcomes. | No negative impacts expected. |
| <b>A Wales of vibrant culture and thriving Welsh language</b><br>A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.                             | Publication of information in the public domain will need to comply with Welsh Language measures, in line with all other information developed by local authorities and local health boards   | No negative impacts expected  |
| <b>A globally responsible Wales</b><br>A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being. | Regional Partnership Board arrangements, allied to joint statements of Strategic Intent, and planning for care closer to home, have strong potential to improve overall well being in the region, although the focus is on those citizens in need of care and support.  | No negative impacts expected  |

| <b>Section 3) Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts.</b> |   |   |  |
|---|---|---|--|
| <b>Protected characteristics</b>  | <b>Will your project / activity have any positive impacts on those with a protected characteristic?</b> | <b>Will your project / activity have any negative impacts on those with a protected characteristic?</b> | <b>Is there any way to maximise any positive impacts or minimise any negative impacts?</b> |
| Age   | Yes   | No  | Better integrated planning across health and social care                                   |
| Disability  | Yes   | No  | Better integrated planning across health and social care                                   |
| Gender  | Yes   | No  | Better integrated planning across health and social care                                   |
| Gender reassignment   | No  | No  | Planning is neutral – no change to expectations on statutory partners                      |
| Marriage and civil partnership  | No  | No  | Planning is neutral – no change to expectations on statutory partners                      |
| Pregnancy and maternity   | No  | No  | Planning is neutral – no change to expectations  |

|                    |    |    |   |
|--------------------|----|----|---|
|                    |    |    | on statutory partners   |
| Race               | No | No | Planning is neutral – no change to expectations on statutory partners |
| Religion or Belief | No | No | Planning is neutral – no change to expectations                       |

|   |    |                       |   |
|---|----|-----------------------|---|
| Sexual orientation  | No | No                    | Planning is neutral – no change to expectations on statutory partners |
| <b>Section 4) Identify decision meetings for project/ activity e.g. Cabinet, Council or delegated decisions taken by Executive Members and / or Chief Officers.</b>   |    |                       |   |
| Decisions are as set out in Cabinet report, to approve statutory arrangements under Social Services and Wellbeing Act, and high level priorities across Health and Social Care as set out in Joint statements of Strategic Intent |    |                       |   |
| <b>Officer Name and Job Title:</b> David Williams<br>Theme Lead, Regional Transformation Team   |    | <b>Date:</b> May 2017 |   |

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## COUNCIL – 17TH APRIL 2018

**SUBJECT: CORPORATE PLAN INCLUDING WELL-BEING OBJECTIVES  
2018 - 2023**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151  
OFFICER**

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1.1 The attached report is due to be considered by Cabinet on 11th April 2018. The recommendations of Cabinet will be reported verbally to Council on 17th April 2018.

1.2 Members will be asked to consider the recommendations of Cabinet.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix Report to Cabinet on 11th April 2018 - Agenda Item 4



## CABINET 11TH APRIL 2018

**SUBJECT: CORPORATE PLAN INCLUDING WELL-BEING OBJECTIVES  
2018 - 2023**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

### 1. PURPOSE OF REPORT

- 1.1 To present to Cabinet the local authority's Corporate Plan (the Plan) with Well-being Objectives for 2018 - 2023 and to seek the views and approval of Cabinet prior to its presentation to Council on 17<sup>th</sup> April 2018.
- 1.2 The Local Government Measure 2009 requires all local authorities in Wales to set and publish a set of priorities called Improvement Objectives as soon as is 'practicably possible' in the new financial year. However, the introduction of the Well-being of Future Generations (Wales) Act 2015 (WBFGA) also places a legal requirement for 'public bodies' to set and publish Well-being Objectives.
- 1.3 As there is a cross over between the two pieces of legislation, authorities are treating the two requirements as one outcome, to publish one set of Well-being Objectives, the Wales Audit Office and Welsh Local Government Association (WLGA) have endorsed this approach.

### 2. SUMMARY

- 2.1 The Plan introduces the local authority's new set of Well-being Objectives to run for five years; 2018-2023. The WBFGA statutory guidance states that "*public bodies may decide they want to change one or more of their well-being objectives. There is no deadline or fixed point in time where this should happen*". However we would aim to review them on a yearly basis in line with reporting progress on performance of the Objectives to the public.

### 3. LINKS TO STRATEGY

- 3.1 The Council's Well-being Objectives contribute to Public Services Board (PSB) Well-being Plan and all of the Well-being Goals in the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

## 4.0 THE REPORT

- 4.1 The WBFGA came into effect in April 2016 and required public bodies to publish their Well-being Objectives by 31st March 2017. This presented conflicting timing requirements, due to the local government elections in May 2017 and the Public Services Board's (PSB) Well-being Plan not due to be finalised until May 2018. The advice received from the Welsh Local Government Association and the Wales Audit Office was to set objectives prior to 31st March 2017 to meet the legislation, and then review them after local elections. This would also take into account any emerging priorities from the PSB Well-being Assessment.
- 4.2 Therefore officers have reviewed the 2017/18 objectives and began by assessing the feedback from citizens that arose from the PSB Well-being Assessment. This was an extensive engagement process and included analysing both data and qualitative information to arrive at areas that citizens thought were important. Areas of concern were around jobs and having the right skills or transport connections to get a job, education for young people but in a broader sense of helping provide life opportunities such as skills into employment, travel and to be able to afford a home. There were wide ranging areas around health also. Some areas of concern were not within the authority's area of influence such as improved access to GPs, whilst other areas such as volunteering and apprenticeships required a collaborative response and are being addressed by the PSB Well-being Plan, "The Caerphilly We Want".
- 4.3 It is proposed that Objectives are set over a five year period. Setting the Objectives over a longer period has some real benefits. A yearly cycle is quite short and if done correctly can be a time consuming process. By the time the Objectives are consulted on, reviewed and set it is nearly time to reset them again. A five year cycle also allows for greater consideration of what is needed with more time to take action and to evaluate their successes. This is also in keeping with the requirement of the five ways of working (long term impacts) and also aligns with the medium term financial plan and the life of an administration. The draft Corporate Plan 2018-23 replaces the previous Corporate Plan 2016/17 and Well-being Objectives 2017/18.
- 4.4 The Well-being Objectives proposed for 2018-2023 included in the Plan are:

| Objective                                  | Outcomes  |
|--|---|
| 1. Improve education opportunities for all | <ul style="list-style-type: none"> <li>• Aim to reduce the impact of poverty within early years.</li> <li>• Raise standards of attainment.</li> <li>• Reduce impact of poverty on attainment for both vocational and non-vocational qualifications to provide equality of opportunity.</li> <li>• Help those who are not able to follow a traditional attainment path.</li> <li>• Support learning that enables young and adult employment opportunities including a focus on 'future skills'</li> <li>• Improve 'Digital Skills' for all ages.</li> <li>• Improve the learning environment.</li> <li>• Safeguard all children and young people in order to create a climate for learning, particularly for those most vulnerable.</li> </ul> |

|   |   |
|---|---|
| <p>2. Enabling employment</p>   | <ul style="list-style-type: none"> <li>• Aim to reduce the impact of poverty by supporting people into better employment prospects.</li> <li>• Meet the targets of the European Social Fund programmes of getting people skilled and into work.</li> <li>• The Council will use the value of its third party spend to bring greater social and economic regeneration to the communities we serve.</li> <li>• Use investment in the housing stock to increase the number of skilled, qualified workers and tackle worklessness by providing apprenticeship, training and work placements with our in-house workforce and building contractors.</li> <li>• Ensuring local delivery of work programmes aligns and maximises opportunities from the Cardiff Capital Region 'City Deal'.</li> </ul>  |
| <p>3. Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's well-being</p> | <ul style="list-style-type: none"> <li>• All council housing is improved to meet the Welsh Housing Quality Standard by 2020.</li> <li>• Provide support to improve housing conditions in the owner-occupied sector.</li> <li>• Increase the provision of new, affordable, social housing that meet the 'Lifetime Homes' principles and identified needs, whilst supporting the governments' innovative housing programme.</li> <li>• Deliver adaptations to support the health and well-being of people in their homes and maximise the delivery and appropriate use of accessible homes.</li> <li>• Increase the supply of housing by supporting opportunities to bring long-term, empty homes back into use.</li> <li>• Promote the development of a healthy and vibrant private rented sector as a viable housing option.</li> <li>• Prevent homelessness and tackle rough sleeping.</li> <li>• Prevent tenancies from failing by providing a range of housing related support (including those affected by financial hardship, mental health issues or physical disabilities).</li> <li>• Help reduce fuel poverty by making homes more energy efficient and providing people with advice on how best to heat their homes.</li> </ul> |
| <p>4. Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the</p>   | <ul style="list-style-type: none"> <li>• Work with the delivery of the South East Wales Metro, aiming for the Valley Lines Electrification programme as part of the delivery of the wider South East Wales Metro scheme</li> <li>• Develop the CCBC Regeneration Strategy and Delivery Plan with connectivity at its heart, promoting accessibility,</li> </ul>   |

|  |  |
|--|--|
| adverse impacts on the environment                                     | <p>the Metro and digital and Broadband improvements that support innovation and improves accessibility for all.</p> <ul style="list-style-type: none"> <li>• Promote the reinstatement of passenger services to the Nelson to Ystrad rail line under the Metro programme</li> <li>• Promote the reinstatement of the Caerphilly to Newport rail line as part of the Metro programme.</li> <li>• Promote a sustainable bus network that supports accessibility and connectivity both locally and regionally through a road network that encourages efficient bus operation.</li> <li>• Maximise transport connectivity within and between modes by integrating the delivery of the CCB Active Travel Plan with the Metro to improve bus, rail, walking and cycling provision to increase accessibility and add value to the Metro proposals.</li> </ul> |
| 5. Creating a county borough that supports a healthy lifestyle         | <ul style="list-style-type: none"> <li>• Aim to reduce inequalities in health across the county borough.</li> <li>• Creating a place that supports a healthy lifestyle<br/>Including: <ul style="list-style-type: none"> <li>➢ Contributing towards the Welsh Government target to reduce smoking prevalence rates to 16% by 2020</li> <li>➢ Reducing the overweight and obesity rates in children</li> </ul> </li> </ul> <p>Understand and address what helps to encourage people to become more physically active</p>  |
| 6. Support citizens to remain independent and improve their well-being | <ul style="list-style-type: none"> <li>• Support people to 'help themselves' by providing comprehensive advice and information including signposting to other services.</li> <li>• Have 'meaningful conversations' to help people identify 'what matters' to them to inform 'outcome focused' planning.</li> <li>• Provide support to reduce the need for higher tier statutory interventions.</li> <li>• Identify and support carers.</li> <li>• Improve the recruitment of foster carers and Shared Lives carers.</li> <li>• Continue to identify opportunities to work collaboratively wherever appropriate.</li> </ul>   |

4.5 The WBFGA legislation states that when public bodies produce their Well-being Objectives they must explain the following:

- Why the public body considers that its well-being objectives will contribute to the achievement of the well-being goals;
- Why the public body considers that its well-being objectives have been set in accordance with the sustainable development principle (the five ways of working);
- The steps to be taken to meet the well-being objectives in accordance with the sustainable development principle;
- How each public body will govern itself to meet its well-being objectives;

- How each public body will keep the steps it takes to meet its well-being objectives under review;
- How each public body will ensure that resources, including financial, are allocated annually for the purpose of taking steps to meet its objectives;
- When each public body expects to meet its well-being objectives;
- Any other relevant information about their well-being objectives that they consider relevant.

Therefore the Plan provides narrative under each of these headings.

4.6 Setting objectives is not new to the authority. Priorities and objectives have been set for many years. However the intent of the legislation has changed to place more of an emphasis on getting real knowledge to understand cause and effect in order to put in place the right solutions. With that in mind, the Corporate Plan with the Well-being Objectives (2018-2023) aims to be realistic in delivery yet provide greater aspiration, to be alive to innovation and new technologies and take a more forward and longer term thinking approach. The publication has a greater emphasis on making better connections in both understanding the issues and in collaborating with those who can help us achieve our objectives. In particular, we show strong connections and commitment to the Cardiff Capital Region and the City Deal and how these innovative and emerging activities can help over the long term, and improve the well-being and quality of life for our citizens.

4.8 The Corporate Plan also introduces 7 Cabinet 'Commitments'. The Cabinet carried out considerable work to agree a set of principles and values as to how the Executive wants to carry out its business. The Plan introduces the commitments, as shown on page 3 on Appendix 1.

4.9 The Council has also reviewed its principles for helping to guide financial management and decisions and the new 'Medium Term Financial Plan Principles' are shown on page 4 of Appendix 1.

## **5.0 WELL-BEING OF FUTURE GENERATIONS**

5.1 The proposed Well-being Objectives are integrated across the Well-being Goals as set out in para 3.1. Each objective explains how it was set within the sustainable development principle in the WBFGA and how it focuses on long term solutions with an emphasis on prevention and shows how it takes a longer term approach. Changing the time frame of the objectives to a five year plan is part of the longer term alignment to other business processes.

## **6.0 EQUALITIES IMPLICATIONS**

6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified; therefore a full EIA has not been carried out. The Well-being Objectives however will benefit different groups of citizens if achieved and each objective is assessed against its contribution to the national goals, which includes 'A More Equal Wales'.

## **7.0 FINANCIAL IMPLICATIONS**

7.1 There are no direct financial implications at this time, but the Well-being Statement must explain how the Council will ensure that resources, including financial, are allocated annually for the purpose of taking steps to meet its objectives.

## **8.0 PERSONNEL IMPLICATIONS**

8.1 There are no personnel implications from this report.

## **9.0 CONSULTATIONS**

9.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

## **10.0 RECOMMENDATIONS**

10.1 That Cabinet provide any views and endorse the proposal to present the draft Corporate Plan with Well-being Objectives to Council for approval on June 2018.

## **11.0 REASONS FOR THE RECOMMENDATIONS**

11.1 For the reasons set out in the report, Cabinet endorse the Corporate Plan and Well-being Objectives in meeting our statutory duty of the Well-being of Future Generations (Wales) Act 2015 and the Local Government Measure 2009

## **12.0 STATUTORY POWER**

12.1 Well-being of Future Generations (Wales) Act 2015 & Local Government Measure 2009.

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Consultees: Christina HARRY, Interim Chief Executive  
Dave Street, Corporate Director, Social Services  
Steve Harris, Interim Head of Corporate Finance  
Mark.S.Williams, Interim Head of Communities Directorate  
Cllr Barbara Jones, Deputy Leader/Cabinet Member for Finance Performance and Governance  
Keri Cole, Chief Education Officer  
Gareth Jenkins, Assistant Director, Children's Services  
Jo Williams, Assistant Director, Adults Services  
Sue Richards, Interim Head of Education Service, Education Planning and Strategy  
Shaun Couzens, Chief Housing Officer  
Rhian Kyte, Team Leader, Strategic Planning  
Mark Jennings, Housing Officer  
Rob Hartshorn, Head of Policy and Public Protection  
Kathryn Peters, Corporate Policy Manager  
Anwen Cullinane, Senior Equalities Officer, Equalities  
Paul Cooke, Senior Policy Officer  
Shaun Watkins, Principal Personnel Officer, Social Services  
Dave Roberts, Principal Finance Officer  
Lisa Lane Corporate Solicitor

Appendix 1: Corporate Plan and Well-being Objectives 2018-2023

Background papers: Report to Council 7<sup>th</sup> June 2016 'Caerphilly County Borough Council, draft 2017/17 Corporate Plan (Well-being Objectives)';  
Report to Council 7<sup>th</sup> March 2017 'Well-being Objectives'.





## Corporate Plan 2018-2023

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| <b>4</b>     | Details of the Framework  | <b>6-8</b>   |
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| <b>5.2</b>   | Well-being Objective 2 – Enabling employment  | <b>23-33</b> |
| <b>5.3</b>   | Well-being Objective 3 – Address the supply, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people’s health and well-being | <b>34-46</b> |
| <b>5.4</b>   | Well-being Objective 4 – Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment               | <b>47-54</b> |
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| <b>8</b>     | Contact us  | <b>77</b>    |

## Foreword from the Leader of Council - Cllr David Poole

Caerphilly County Borough Council has embarked upon an exciting but challenging journey of improvement and change.

As Leader of the Council it is my responsibility to ensure the organisation is capable of rising to these challenges and is prepared to respond effectively and efficiently. In order to achieve this it is clear that we will need to do things differently and we must be willing to adapt and respond to change.

This Council wants to ensure our communities remain sustainable during these challenging times. We need to ensure we are equipped to deliver effective and purposeful services to our communities and where we are not best placed to deliver them directly; we enable others to do so on our behalf. We are acutely aware of the declining line on our budget sheet over the next few years and this, balanced against increasing pressures in areas such as social care, can; if not approached with a methodical and innovative mind-set, create the “perfect storm”.

Working closely with my Cabinet colleagues we are collectively focussed upon bringing a new sense of purpose and direction to the organisation.

Within this Corporate Plan, we have defined an over-arching vision, supported with clear objectives and priorities, so that everyone is clear about the direction of travel and what we are aiming to achieve and most importantly, the role that each and everyone of us has to play in shaping it

The **Well-being Objectives** are a critical part of this process as they will help us shape services, target our resources and prioritise our efforts over the next 5 years.

All this is set against the wider regional context of change which is rapidly moving ahead – particularly in terms of the Cardiff Capital Region City Deal. This £1.2billion programme will bring new jobs, opportunities and economic growth to South East Wales and we are one of 10 councils in the region which lead this exciting new partnership.

It goes without saying that I am determined to make sure that all our communities across the county borough reap the full benefits from this deal, thereby ensuring that the county borough remains a place of choice, to live, work and enjoy.

I hope you find this document useful and it provides you with an insight into the journey that lies ahead and our ambition to shape it, as we aim to not only survive these challenging times, but thrive within them!



**Cllr Dave Poole**

## 1. Our Cabinet



Introducing our Cabinet from left to right: Cllr Eluned Stenner, Cllr Nigel George, Cllr Barbara Jones, Cllr Carl Cuss, Leader Cllr David Poole, Cllr Colin Gordon, Cllr Sean Morgan, Cllr Lisa Phipps, Cllr Philippa Marsden.

### **Our Cabinet Commitments**

The Leader of Council and his Cabinet have agreed seven Key Commitments which underpin the overarching vision and priorities of Caerphilly County Borough Council (CCBC): They are:

1. We will always do our best to protect jobs and services within the current challenging financial climate.
2. We will build on CCBC's reputation as an innovative, high performing local authority.
3. We will ensure we have an engaged and motivated workforce.
4. We will always strive to ensure CCBC delivers value for money in everything it does.
5. We will help protect the most vulnerable people in our society and make safeguarding a key priority.
6. We will always welcome feedback and consider the views of residents, staff and other key stakeholders.
7. We will be open, honest & transparent in everything we do.

*These will be our guiding principles in all that we do.*

## 2. Our Medium Term Financial Plan Principles 2018

Over the course of the last four years we set principles that would guide our financial decision making. As part of the challenging environment we still find ourselves in we thought it was a good time to review our financial principles in line with our new Cabinet commitments and the Council's values and vision.

Following that review we have revised our Medium Term Financial Principles and they are set out below:

- ❖ We will seek to protect services for the most vulnerable whilst continuing to evaluate all other services.
- ❖ We will limit the impact of cuts on front-line services where we can whilst continuing to reduce expenditure and explore opportunities to generate new sources of income.
- ❖ We will adopt a longer-term approach to financial planning that considers the impact on future generations.
- ❖ We will need to accept that we will not be able to maintain existing levels of service but will introduce more innovative ways of working through the use of emerging technologies.
- ❖ We will engage with our communities to understand their needs and explore options to deliver some services through collaboration, partnerships, community trusts etc. to ensure that communities remain resilient and sustainable in the longer-term.

These principles will help to steer our financial decision making during the next few years and will be routinely reviewed to ensure they stay relevant for the coming years.

Although this is a five year Plan, the Resources Section within each objective may be subject to changes beyond our control. We will keep these under review and update the public as part of our public performance reporting.

### 3. How our Plans fit together

As a large organisation different aspects of our planning and frameworks can seem complex and it can be difficult to see how different activities come together or contribute to one another. The diagram below shows how our activities such as our planning – what we want to do, and our values – how we want to do something; all contribute towards the end goal and to the delivery of the Well-being Objectives. There is no one section more important than the other, the values and behaviours wrap around all we do. There is further detail on the next page to explain the various elements:

#### Planning and Improvement Framework 2018-2023





## Describing the Framework

### 1. Our Cabinet Commitments

The political leadership of the Council are called the Cabinet and they have carried out work to decide on a set of commitments they want to make to the public and to staff. These are the standards you can expect from our leaders and how they want to be held to account. These are shown in the diagram as wrapping around all that we do and the way in which we will conduct business.

### 2. Vision and Values

This is the vision for the Council that we as an organisation want to aspire too and the values that we want to jointly share and build upon. In brief the vision is what we want to achieve and the values are how we would go about doing it. It is important to have both as there are many ways to realise a vision but it must be done in the right way. Our vision and values are being formed and will be consulted on with staff as it is critical that values belong to all and are not led from the top down. The only way to ensure this is in full consultation with our staff. When they are set we will publish them in our annual performance report.

### 3. Medium Term Financial Principles

These are the principles we will use to help make decisions with financial implications. As the financial situation becomes more difficult, the principles will guide us (page 5) and we will use them in making decisions. For example one of our principles is to “limit the impact of cuts on front-line services where we can whilst continuing to reduce expenditure and explore opportunities to generate new sources of income”. Any decisions will look at this in the first instance and not ‘simply cut’ but to take a more considered approach in finding other ways to do something. This will go hand in hand with the sustainable development principles of the Well-being of Future Generations (Wales) Act 2015.

### 4. Business Improvement Portfolio Board

We (Local Government) are at a crossroads. The reduction in funding during the austerity programme over the next five years is widely felt to be more than just a reduction in budgets: it is a ‘tipping point’ where we have to fundamentally redefine what we do; what services we provide and how we provide them. It will require a new relationship and understanding with our communities as to why we exist and what our residents can expect. To cope with this challenge we need to have a clear picture of where we are going and how we are going to get there - not one that is simply swept along by events. Therefore we created a ‘Business Improvement Portfolio’ (BIP) Board to lead a portfolio of change across the organisation to transform a range of areas. The Authority has already made considerable savings totalling

£82.17m, however it has been estimated in a recent Cabinet report that further savings requirements of circa £34m will be needed over the next 3 years (19/20, 20/21 and 21/22) in order to deliver a balanced budget. As such, the BIP programme will help with the process of delivering a balanced budget by ensuring that services are delivered as efficiently and effectively as possible and also to ensure that services are redesigned, where necessary, and 'future proofed' to meet the demands and expectations of our communities. There are three specific programmes that form the BIP noted below:

**Improving Leadership** - The local government landscape is changing and managers are going to have to manage in a different context than they have been used to. This will involve working more closely with partners and with communities and this will require us to consider new options as to how we provide services. This programme will identify the core management competencies required by our managers, at all levels, and ensure that we have an adequate range of support for managers to help them develop their skills in these areas. We will have fewer staff so we will need more flexibility in roles and responsibilities.

**Improving engagement** – We value the workforce and know the importance of effective engagement and internal communications. In the wider context, Local Government is changing so in order to secure its ongoing success, it is important that we work to improve current workforce practices, and where necessary, develop new ways of working. To be successful, requires the commitment and engagement of our entire workforce because engaged employees perform better. They know better than anyone where we can eradicate unnecessary waste and become more efficient. This will require improved communication and engagement across the whole organisation to ensure that appropriate communication channels are in place for feedback and suggestions to reach the right people at the right time.

**Improving Services** – if the other two programmes are about getting the foundations right these programmes are about making a difference with challenges in some areas that are quite significant. Initially this began with the identification and introduction of a series of projects. The intention of the programme was to bring structure to the work already underway in a number of areas. Following a review we themed the projects into the following areas

- ❖ Digital Theme – Digital Strategy; Customer Service Review, and Agile Working.
- ❖ Collaboration Theme – I.T. Collaboration.
- ❖ Alternative Service Delivery Theme – Tourism Facilities.
- ❖ Major Projects Theme – Band A 21st Century Schools; Band B 21st Century Schools; WHQS Delivery; Post 16 Education; Library Review; Youth Service Review; Children's Centre; Leisure Review; Waste Review, Community Centres Review, Street Lighting, and Civil Parking Enforcement.
- ❖ Income Generation – projects to be finalised.
- ❖ Green Energy/Carbon Reduction – projects to be finalised.

The BIP is a long term strategic programme that will run over a number of years and we will tell you about our successes and areas for improvement with these projects through our annual performance reports.

## **5. Service Planning and Staff Development**

We have a process of evaluating our services to learn what is working well and what needs to improve. This process of 'learning' means we can take a position on what needs to improve and build the outcomes into our service planning.

We have changed our planning cycles to align with each other from 2018-2023 however they will be periodically reviewed to allow for emerging issues and activities. We will continue to look at the best way to carry out corporate planning. Processes may change over time but the principle of planning to improve will remain part of our performance arrangements. Our annual Personal Development Review process is being reviewed to ensure it is fit for purpose linked into the core competencies and behaviours of the organisation. Delivery is carried out by 'people' so there must be a clear line of sight between people development, planning and delivery of effective actions.

## **6. Corporate Plan and Well-being Objectives**

This document is our 'Corporate Plan' and includes our six Well-being Objectives. We have a statutory duty to set Well-being Objectives using the five sustainable development principles under the Well-being of Future Generations (Wales) Act 2015. Setting objectives is not new, we have set priorities in a range of ways for a long time; however this is the first time we have set objectives over a five year planning period. We will review the objectives routinely as circumstances can change and will consult with the public to make sure they remain relevant. It is important to note that this is not all that we do, there are many more activities that are carried out, however these objectives are what you told us (or that the data showed) where we could make a real difference to the well-being of the county borough. Section 4 details what our Well-being Objectives are.

## **7. Public Services Board Well-being Plan**

The Well-being of Future Generations (Wales) Act 2015 required the setting up of a statutory board called a Public Services Board (PSB) made up of the Local Authority, the Fire Service, Natural Resources Wales and the Aneurin Bevan University Health Board with other invited members, including Gwent Police and Public Health Wales. The purpose of PSB is to improve the economic, social, environmental and cultural Well-being in its area by strengthening joint working across all public services in Wales. To do this the PSB carried out a well-being assessment of the area and in response to the findings set objectives in a Well-being Plan.

The PSB Plan is due to be published in May 2018 and will be delivered through a Well-being delivery plan, which has five action areas and four enablers (these are things that need to happen to make the other things possible such as sharing of public sector assets). The Councils own Well-being Objectives are designed to contribute towards the high level Well-being Plan rather than replicate its delivery.



## 4. Well-being Objectives 2018-2023

### Introduction

We set our Well-being Objectives by using intelligence and data from the Well-being Assessment that was carried out to inform the PSB Well-being Plan. This told us about the concerns people had and the areas they would like to see improve.

The objectives were also informed by our duty to deliver sustainability which is described within the five ways of working in each objective. We also looked at how we could build on strengths that support improvement in our action planning (and not just areas to improve).

We also show how our objectives contribute towards the seven national Well-being Goals and a description of those goals can be found on page 76. The areas below are not all that we do, indeed it is not possible to cover everything the Council does but we have set these six objectives as they are critical to improving citizens' well-being both in the long and short term. These objectives will be reviewed periodically and we will consult on any changes with our citizens.

| Number      | Description   |            |
|-------------|---|------------|
| Objective 1 | Improve education opportunities for all   | Page 10-22 |
| Objective 2 | Enabling employment   | Page 23-33 |
| Objective 3 | Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's well-being | Page 34-46 |
| Objective 4 | Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment          | Page 47-54 |
| Objective 5 | Create a county borough that supports a healthy lifestyle   | Page 55-56 |
| Objective 6 | Support citizens to remain independent and improve their well-being   | Page 68-74 |

**“Education is not preparation for life;  
education is life itself.”**

~ John Dewey~

## **1. Improve education opportunities for all**

### **Outcomes**

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1. Aim to reduce the impact of poverty within early years.
2. Raise standards of attainment.
3. Reduce the impact of poverty on attainment for both vocational and non-vocational qualifications to provide equality of opportunity.
4. Help those who are not able to follow a traditional attainment path.
5. Support learning that enables young and adult employment opportunities including a focus on ‘future skills’
6. Improve ‘Digital Skills’ for all ages.
7. Improve the learning environment.
8. Safeguard all children and young people in order to create a climate for learning, particularly for those most vulnerable.

## **1. Improve education opportunities for all**

### **Well-being Statement**

Over the last few years we have focused on improving young people's outcomes and non-vocational qualifications to provide more opportunities for further education or employment. This is still a priority outcome; however we have decided there is a greater need to take a more holistic view of education such as understanding issues in children's early years and aspects like poverty and how they can affect attainment. Much has been done to develop a multi-agency approach and learn from relevant research, such as work on 'Adverse Childhood Experiences' (ACES).

We also want to look at how we can help those who are more vulnerable and unable to access a traditional pathway, as well as provide learning for young people and support for adults, whether that is to provide more skills or opportunities into employment. This objective is about preventing longer term problems for future generations that are associated with low skills and lack of learning opportunities.

### **Early Years**

Attendance is a critical factor to attaining good academic results. Research has shown how important early years are in a child's life, particularly the first 1000 days. Whilst emphasis is often upon secondary attendance and truancy, the Charlie Taylor Report (2012) highlights that 'truancy' is only one dimension. This distracts attention from the cause of these problems, which is non-attendance in the early years when approved by parents. This soon becomes a pattern and establishes poor attitudes towards school.

The research explains a clear link between children from disadvantaged backgrounds, attendance and school attainment at the Level 2+ indicator at GCSE. Only 3% of pupils who miss more than 50% of school achieve 5A\*-C as opposed to 73% achieving 5A\*-C who have 95% attendance.

Children with low attendance in early years are more likely to come from poorer backgrounds and are likely to start school already behind their peers, especially in language acquisition and social development. Poor attendance can be a sign that there are more serious issues going on in the child's life. Without the opportunity to receive good quality learning every day from the start of their education, the most disadvantaged pupils are unlikely to narrow the gap

The evidence shows that children with poor attendance are unlikely to succeed academically and are more likely not to be in education, employment or training (NEET) when they leave school.

Our Welsh Government funded Flying Start programme provides support for early years (0-4 years of age) and aims to establish positive behaviours in children and families, through healthy lifestyles, positive parenting, attendance and raising aspirations. The Flying Start programme offers a range of support at each age and is critical in establishing positive parent and child behaviours, in readiness for the child's education, to give them the best opportunity for later life chances. Research shows that parents' qualifications and work experience are likely to lead

to improved attendance for their children. This is why some of the Flying Start programme helps to build confidence in parents and promote aspiration.

Families First is a Welsh Government programme designed to improve outcomes for children, young people and families. It has an emphasis on prevention and helping families as early as possible to prevent any issues getting worse. There are a range of programmes that mirror 'Flying Start' particularly for those living in poverty outside of Flying Start areas; also Families First is available to all ages and areas. Some of the programmes that support this objective range from 'Families Learning Together' to help parents learn how to best support their child's learning with literacy and numeracy to 'Little Voices / Tiny Talkers' which is a collaborative contract to target children with speech and language delays.

## **Attainment**

Attainment is still the aspect we are judged on nationally and we recognise that education attainment contributes towards this overall 'readiness' and capacity for opportunities. Each year we rank around 19th to 20th in our educational attainment results at Key Stage 4 (15-16 years of age), and whilst we improve year on year we stay low down in this rating compared to other authorities' improvement journeys. Standards in Caerphilly are improving but not at a sufficient rate compared to similar authorities across Wales. However our ranking in primary settings (by teacher assessment) is ranked 6<sup>th</sup> and 7<sup>th</sup>, so there is work to do in preventing declining results in later years.

There are many factors which increase levels of vulnerability in learners, one of which is poverty and deprivation. The measure that is commonly used to measure deprivation is a pupil's eligibility to receive Free School Meals (FSM). Sixteen of the 110 areas in Caerphilly are in the 10% most deprived areas in Wales, although our eligible pupils perform well against those who are not eligible in exam results. Reducing the gap in performance between eFSM and non-eFSM pupils at Key Stage 4, Level 2+ as well as raising standards for all is very important as this measure can affect the life chances of learners. Achieving this indicator at the age of 16, opens up further education, employment and training opportunities. The use of the Pupil Development Grant (PDG) enables schools to create a deeper level of support for those eFSM learners. The Local Authority is part of a regional school improvement consortium called the Education Achievement Service (EAS). The EAS deliver school improvement services on our behalf and monitor the PDG robustly to ensure the resources go to the right place.

At a discussion held with Caerphilly Business Forum and the Welsh Innovation Centre for Enterprise (ICE), the following issues emerged as important around educational matters where gaining a good level education was seen as key in getting young people work ready.

## **Helping those who do not follow a traditional path**

Not all pupils can stay in a mainstream school environment until the age of 16. Some young people are fragile or vulnerable and require specialist provision. Other young people require a flexible, blended, approach and two of our services support pupils specifically in this way, Education Other Than At School (EOTAS) and the Youth Service.

The EOTAS service provides alternative educational pathways for those pupils who may be unable to continue in full time mainstream education for a variety of reasons. The focus of the educational opportunities available to pupils who are within this aspect of the education system is to maintain standards of attainment and to develop strategies which will support an individual managing their own behaviours more effectively into adulthood through developing resilience and coping strategies.

We work with a range of stakeholders to deliver an appropriate educational pathway including the Youth Service, so that learners have opportunities to succeed in formal, non-formal and informal learning experiences. Whilst providing informal educational support for all young people 11-25, the Youth Service is proactive in supporting those who may not always achieve via formal educational pathways, such as GCSEs. Young people of school age are supported both in school time, for example, by providing an alternative curriculum, and outside of school hours, so as to provide holistic, integrated and wrap around support for those most in need of it. In this way educational targets for attainment, attendance and behaviour are significantly supported.

Welsh Government guidance, together with current policy direction, consistently recognises the role of youth work in all its forms with regard to ensuring the engagement by young people in society, including the positive influence on their education, health, behaviours and their work prospects – in these ways, Youth Service activity mirrors the intent across all well-being themes. Frequently, the Youth Service can engage positively with young people, particularly in areas of poverty, where others cannot, ensuring that all young people have contact with adults that can enable them to live positive and fulfilling lives and contribute to their communities. The unique relationship that youth workers have with young people helps to accomplish this, combined with the reach of the Youth Service, which goes far beyond that of schools, social services and many others, many of whom rely on the Youth Service to deliver key messages to young people. Our participation commitments are largely fulfilled by the Youth Service, for whom the involvement of and collaboration with young people to influence their lives and their communities is central to the provision of youth work. The long term support provided to young people, supports the transition from childhood to adulthood, enabling significant prevention work to be undertaken and is a unique feature of services in Education and beyond. Other types of support include a Families First run project called Targeted Youth and Family Engagement which aims to develop personal and social skills particularly around behaviours and boundaries, raise confidence and build self-esteem. The project also provides one to one and group support for young parents.

At the age of 16 schools work successfully with colleges to ensure that, where pupils choose a vocational route as a next step, transition processes are effective.

### **Enabling Employability**

When we carried out the local assessment of well-being, the assessment made the connection between a lack of opportunity and the role of education and training in helping to provide opportunities for jobs. One of the significant areas to emerge from our assessment exercise was the need to ‘provide training, apprenticeships, employment and opportunities that are appropriate for all sectors of the community’.

The overall picture is that **31.4%** of the county borough residents have no qualifications compared with a figure of 26% for Wales as a whole. This came through as a concern from the communities we spoke with. A strong local economy was identified as essential for lifting local people out of poverty and attainment for young people was linked to longer term quality of life.

The Public Services Board want to address this as part of their new Well-being Plan. Our contribution towards improving this picture is three employability programmes we run within a regional partnership and we are considering a fourth which has the potential to begin in early 2018.

The programmes are **Inspire 2 Work** is a six county regional operation led by Blaenau Gwent. This provides support for young people aged 16-24 who are not in education, employment or training and have no means of engaging with formal or informal education, training or employment. Participants, who must live in a non-Community First area, are offered a tailored package of one to one support to help them return to education, enter work or gain a qualification required to access voluntary opportunities.

**Bridges into Work 2** is a five county regional operation led by Torfaen Council. This provides tailored support for participants who are 25+ who are economically inactive (figures are quite high in the county borough) or long term unemployed (living in non-Communities First areas).

**Working skills for Adults 2** provides support for employed or self employed aged 16+ with a view to gain further qualifications to upskill into better opportunities. The potential new programme is called Nurture, Equip and Thrive (NET). This would provide advice and guidance to those people in employment who are suffering in work poverty due to under employment in order to get additional hours or a second income. It could provide support to get those with long term sickness back into employment. This is under consideration as we would have to match the available European funding. All the programmes are due to run to at least 2022 and have measurable targets for getting people engaged, qualified or entering into employment.

We recognise Communities First funding contributes towards employment but this pot of funding is being changed as Welsh Government have reviewed the programme and now want to target the money in a different way and more information on this is on page **24** under our Enabling employability Objective.

The Council follows the national **Engagement and Progression Framework**. This has involved the recruitment of a co-ordinator within the Youth Service, whose role is to work closely with children and young people who have been identified by schools and others as being at risk of not going into employment, education or training (NEET). Following the identification, the co-ordinator will provide a wide and varied programme of support such as regular mentoring meetings with youth workers, accompanied visits to colleges and other establishments, visits to and from employers to develop their knowledge, understanding, motivation and access to events which give young people the chance to view and apply for a variety of opportunities linked to education, employment and training.

Our **Emphasis** project offers support to young people aged 13-19 who are likely or at risk of becoming homeless. Often these young people are NEET. The Emphasis worker will work

with the young person to improve their well-being and help them better engage with school. Supporting People workers often attend well-being events at colleges to promote services like housing related support that help keep young people in education and access training opportunities.

At a regional level the **Cardiff Capital Region City Deal (CCRCD)** is looking at allocating a development fund for a pilot to develop a business case of the feasibility of a 'Skills for the Future' project. This will provide region wide school engagement support for business and a skills investment fund to deliver over 10,000 apprenticeships, graduate internships and upskilling employees in the private sector. More on this can be found in our Enabling employment Objective however it is worth recognising the connection here between skills, education and employment.

The lack of consistent advice and guidance for young people combined with the under supply of young people interested in doing apprenticeships in the areas that priority sectors need, has the potential to make the mismatch of skills available, to skills needed even greater. Uncertainty around what skills are needed following Brexit, the growth in automation and the increasing importance of digital skills means it is important we support a joint regional approach to deliver an 'employer led skill system' in the Cardiff Capital Region. In other words we need to better match the skills being taught to the skills employers need. Fewer children and students are studying Science, Technology, Engineering, Maths (known as STEM) and digital skills at a regional level. Part of addressing this under the 'Skills For The Future' project is the CCRCD aim to invest in good quality careers advice in schools from year 8 onwards (as part of a much wider programme) to work with schools in delivering a more informed learner employment choice and ensure young people are better equipped to pursue more lucrative career options and earning potential.

**Automation and Artificial Intelligence (AI)** has implications for business in the near future and this means implications for the types of knowledge and skills that our children need, to make sure they can benefit from the opportunities that AI can bring. There are also concerns. It has been widely reported that by 2030 one in four jobs could be lost in Wales (estimated at 112,000 jobs) to automation and AI unless skills change. We need to ensure our young people are trained today for tomorrow's skills.

## **Digital Strategy and Competency**

**Digital Competency** - We recognise in the new digital era that having access to technology and facilities to study, for example, online study, is one way that can help people with the quality of their life. This is why we will have a strong focus on ways to roll out more high speed and quality broadband and look to provide digital opportunities. We are taking part in The Learning in a Digital Wales programme to provide high speed broadband for schools (funded by Welsh Government). Welsh Government officials are working with local authorities and British Telecom (BT) to start ordering and implementing more services this year. In schools, as part of the new curriculum a new Digital Competence Framework is being introduced.

*"\*Digital competence is the set of skills, knowledge and attitudes that enable the confident, creative and critical use of technologies and systems. It is essential for learners if they are to be informed, capable and have the potential to be successful in today's society"*

\*<http://learning.gov.wales/docs/learningwales/publications/160831-dcf-guidance-en-v2.pdf>

Several of our schools are leading on this with some becoming centres of excellence to share good practice. The Digital Competency Framework has been developed to be inclusive of all learners aged 3 to 16-plus. It covers the development of skills from the earliest stages that very young children need to learn.

Another part of our digital agenda is the work that is being done within our libraries. The library service are working with families and toddlers to develop basic coding skills and encourage literacy, counting, socialising, problem solving and teamwork through use of the Fisher Price Code-a-Pillar toy where parts of the body control different aspects, such as movement, sound and lights. These parts can be rearranged to make the caterpillar move in different directions. The project takes place in the main 4 libraries, Caerphilly, Blackwood (where the project was piloted), Bargoed and Risca and is badged as a school readiness programme to support the digital curriculum. Our Families First programme brings families into library's to take part in their 'Families Learning Together' project improving literacy and numeracy,

For our 7-12 year olds, this age group focuses on online coding and using Raspberry Pi and BBC Microbit Kits. They are taught a basic coding language called Scratch. More advanced children are able to learn coding using advanced coding languages such as HTML and Python. This project takes groups of children over several weeks to give them time to develop their skills.

A third strand will focus on older children and adults and libraries are currently working with older pupils from Coleg Gwent to gather evidence and work out how this project can work to give the pupils technological employability skills they need post education. Libraries are currently having a conversation with Adult Education Services around employability skills and this may be a future development.

Each library has its own improvement plan (LIP) in which they show their contribution to 4 skills areas; School Readiness, Health, Life and Employability.

Other library workshops available include 'Information Skills' focusing on age 11, (year 6) to engage with children before comprehensive school. Our Community Librarians show groups of pupils how libraries work and support them in developing critical thinking skills, using search engines to get the best results, and learning how to use text based resources effectively including use of contents and index pages. They also engage with the children on E- safety with topics such as cyber bullying, sexting and talk about the effects these can have on the children and their friends. Adult Education also deliver a range of digital learning courses across the county borough as does the Supporting People programmes in assisting with basic computer skills and activities such as 'digital Fridays'.

We want to take an innovative approach to digital connectivity and be alive to the opportunities in the region that can benefit our community, which is why we are committed to the development of a **Digital Strategy** as part of the Cardiff City Region City Deal. This comprises a range of proposals which depend upon a well developed infrastructure using a 'dark fibre' network. This means instead of using traditional cabling, data is transported over unused optical fibre. A dark fibre network is optical fibre infrastructure that is not in use. Exploration of the use of 'dark fibre' would result in faster and wider connection at a global, regional and community level. This would also support the next generation of digital mobile



access of 5G which has greater down load speeds and capacity for a larger numbers of devices. For example, the difference between the speed of 4G and 5G would be the ability to down load a film in less than 10 seconds on a 5G network, compared to 10 minutes on a 4G network. This kind of access and speed will provide extensive support to schools and colleges on their digital journeys. There are a wide range of proposals within the strategy and being aware of how the digital future will impact our young people will be critical to the skills that are needed, for example in jobs that may be automated in the future.

### **21st Century Schools Programme**

The Welsh Government (WG) 21st Century Schools programme 2014-2019 has resulted in an investment of £56.5m in education within the county borough. This has been funded 50% by WG and 50% by the Authority. There were 5 projects identified as part of the programme. Two are now complete, Islwyn High School which opened in July 2017, and Y Gwindy Welsh Medium Secondary School which is an expansion of Ysgol Gyfun Cwm Rhymni in the Caerphilly Basin and also incorporated a new primary school Ysgol Gynradd Gymraeg Caerffili. The Abertysswg/Pontlottyn Primary School Building, which is part of the Rhymney age 3 to 18 school which opened January 2018 and was named the 'Idris Davies' primary school. These are state of the art 21st Century School developments. The extension of Newbridge School has recently started with completion scheduled for September 2018 and the final scheme invested £2M into a refurbishment project at Blackwood Comprehensive.

The Authority has recently submitted to WG their bid in relation to the 21st Century schools Band B programme which will run from 2019 for a 5 year period and will focus on the improvement of the condition of school buildings and maximising community usage.

### **How we used the '5 ways of working' to set this Well-being objective?**

**Involvement** – There are many people involved in achieving this objective, from schools, parents, health services, libraries, builders (for school improvements), colleges and employment organisations. One of our biggest partners in helping young people and schools to better levels of achievement and attainment is the Education Achievement Service (EAS) who deliver school improvement on our behalf. There are too many partners to list but we will continue to promote partnership working and sharing resource with the old saying in the forefront of our minds that "it takes a village to raise a child".

**Long term** - The objective is over 4-5 years but the benefits for children and young people will be over a 25 year period from birth to adulthood. The objective covers actions and the importance of early years on learning through to support for young adults into employment programmes and the recognition that digital learning plays an important skill in the present and the future.

**Collaborate** – The EAS and our schools are our main partners for academic improvements and we work closely with them to improve attainment. We have a range of different collaborations which will form part of our detailed action plans. Many of the projects delivering to this Well-being Objective are delivered through collaborative partnerships between health, local authority, statutory and voluntary sector partners.

**Integration** –We are aware that aspirations are linked with the family and therefore Flying Start, Families First, Supporting People and other key agencies, working with families will also be key partners. In addition, studies have shown that raising aspirations and improving attitudes to learning is wider than just educational barriers. Therefore, we may require the support of services such as leisure, parks and countryside, the voluntary sector and health services as a way of engaging with children and young people and their families.

**Prevention** – We are taking a long term approach by understanding the effect of children’s early years on their readiness and experience of school, connected to attendance through to the skills and exam levels they achieve at school. We are taking a preventative approach for those who cannot follow a traditional path through a range of support and one to one work. We recognise the importance of growth in digital skills needed for work of the future but also promoting vocational work and making sure those young people that don’t have a traditional path in education are valued and supported. The success of this objective has a big impact on quality of life, as it is recognised that skills that enable employment are one of the main paths out of poverty.

**What steps will we take to achieve this goal?**

There will be a detailed action plan to aid the delivery of this objective over the next 4-5 years. In the meantime below we highlight some of the main actions that we will take over this time:

| <b>Outcomes</b>  | <b>Timeframe</b>          |
|--|---------------------------|
| <b>1. Aim to reduce the impact of poverty within early years</b>   |                           |
| Continued delivery of the Flying Start programme to help improve access, take up and attendance.   | 2017-2021                 |
| Continued delivery of the Families First programme to help improve access, take up and attendance.   | 2017-2021                 |
| Increase the number of eligible working families accessing the free Childcare Offer.   | Sept 2017-2021            |
| <b>2. Raise standards of attainment</b>  |                           |
| Reduce variation between schools so that all schools make improvements by working closely with the Education Achievement Service to continue to sharpen processes and intervene effectively.   | 2017 ongoing              |
| Reduce the rate of fixed term exclusions particularly at targeted primary and secondary schools by revising the behaviour strategy and developing specialist fit for purpose provision.  | November 2017 – June 2018 |
| Further develop the STRIVE (System, Tracking, Reporting, Identifying, Vulnerability Education) to include data on young people who are currently Not in Education Training and Employment (NEET) in order to identify destinations and support young people into further training or employment. | December 2017 - 2018      |
| <b>3: Reduce impact of poverty on attainment for both vocational and non vocational qualifications to provide equality of opportunity</b>  |                           |
| More effectively track progress of vulnerable groups and monitor impact of interventions on outcomes.  | July 2017 onwards         |
| Develop the role of person centred practice (PCP) champion and embed person  | Sept 2016 –               |

| <b>Outcomes</b>  | <b>Timeframe</b>                              |
|--|---|
| centred practice in targeted schools.  | Aug 2018                                      |
| Increase engagement and support for young people who are at risk of or are currently NEET to secure destinations and realise their potential.  | 2016 - 2019                                   |
| Reconfigure the core Youth Service to ensure that young people with the most need are supported to achieve, whether by formal or non-formal means.   | Apr 2018-<br>Sept 2019                        |
| <b>4: Support those who are not able to follow a traditional attainment path</b>   |   |
| Improve the consistency of what is delivered for all (Education other than at school) learners with providers currently on the EOTAS Framework.  | Jan 2018                                      |
| Develop the transition plan in relation to Team Teach with schools arranging their own training.   | July 2017                                     |
| Work with Local Authorities involved in the Flexibilities Funding pilots in preparation for implementation from April 2019 to maximise the reach of grant funded programmes for vulnerable families.   | Apr 2018-<br>2021                             |
| Review Additional Learning Needs (ALN) in mainstream Schools including Additional Support and Community Tuition, and Education Other than at School settings.<br>The purpose is to: <ul style="list-style-type: none"> <li>ensure that all schools are aware of and compliant with responsibilities in line with the existing Special Education Needs Code and developments in relation to the 'Additional Learning Needs' reform</li> <li>ensure effective targeting of resources to meet needs</li> <li>ensure a consistent approach for EOTAS learners</li> <li>ensure appropriate pathways are established for EOTAS learners</li> </ul> | Jan 2017 –<br>Sept 2019                       |
| <b>5: Support learning that enables young and adult employment opportunities</b>   |   |
| Deliver Adult Community Learning and European Social Fund operations to improve the level of skills and provide opportunities to gain qualifications (formal and non-formal) and move people towards employment.   | 2017-2023                                     |
| Continue the 'Inspire to Work' programmes, support for those aged 16-24 who are not in education, employment or training and have no means of engaging with education, employment or training. The Project is currently approved.  | Delivery started<br>June 2017 –<br>June 2019. |
| Continue to expand the Progress Traineeship Scheme which targets care leavers age 16 to 18. The scheme will focus on the local authority providing the young person with an excellent programme of work experience to enable them to develop and gain a meaningful qualification in collaboration with Social Services.  | 2017 - 2018                                   |
| The CCRC will support the allocation of development funding to pilot a 'Skills For The Future' project to test out the concept and develop a business case.  | 2018/19                                       |
| <b>6: Improve digital skills for all ages</b>  |   |
| Introduction of literacy, numeracy and digital competence expected of all teachers and pupils. Caerphilly schools are working with Welsh Government to become centres of excellence in sharing good practice in digital competency.  | Sept 2017 -<br>ongoing                        |
| Develop support for Adult Education to deliver digital literacy skills, supporting the three employability programs.   | 2017-2022                                     |

| Outcomes  | Timeframe |
|---|-----------|
| Support the development of Cardiff Capital Region City Deal Digital Strategy  | 2018-2023 |
| <b>7. Improve the learning environment</b>  |           |
| Agree the 21 <sup>st</sup> Century schools Band B programme which is planned to run from 2019.                                      | 2018      |
| Ensure robust procedures are in place to ensure timely submission of Business Cases to Welsh Government.                            | 2018      |
| Ensure all requirements of the School Organisations Code are met when implementing the programme.                                   | 2018-2023 |
| Effectively manage the procurement and planning of projects to ensure value for money and best use of resources                     | 2018-2023 |
| Effectively manage our Capital resources to ensure it is targeted at areas of most need.  | 2018-2023 |
| Ensure the right schools are in the right places to meet current and future demand.   | 2018-2023 |
| <b>8: Safeguard all children and young people in order to create a climate for learning, particularly for those most vulnerable</b> |           |
| Develop a Well-being Strategy and a model policy for schools  | 2018      |
| Develop a sustainable delivery system of sufficient safeguarding training for all staff to create safety for all learners           | 2018-2022 |

### **Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals**

A **Prosperous Wales** develops a skilled and well educated population; we need our young people to have greater vocational or non-vocational skills in order to have better paid jobs and job satisfaction that contribute to the community and a better quality of life.

Achieving our Well-being Objective is essential to contribute to this national goal.

This work is about helping all young people (and adults) reach their potential and so underpins a more **Equal Wales**. Literacy, play, speech and all the programmes designed to help improve reading and writing through the life course maximise contribution to A Wales of **Vibrant Culture and Thriving Welsh Language**

Recognition of the way health and well-being contributes to Education attainment means that healthier young people would enable a **Healthier Wales**

Digital competence and the networks behind them contributes to a **Globally Responsible Wales**

Success of this objective would also contribute to:

- Welsh Government Goal 2 - Improve education outcomes for all and reduce the gap in outcomes for different groups
- Arts Council of Wales - REACH – Developing the creativity of children and young people
- Public Health Wales – Give our children the best start in life including opportunities to grow, play and learn in a healthy and safe environment

- Aneurin Bevan University Health Board - Support every parent expecting a child and give every child in Gwent support to ensure the best start in life.

## How we will resource this Well-being Objective

- ✚ Digital programmes are funded by Welsh Government, although we contribute towards aspects like line rental.
- ✚ The Flying Start Programme is funded by Welsh Government grant £5,214,300, however funding for this programme is due to reduce by 1.8% in 2018/19.\*
- ✚ Families First Project is funded by Welsh Government grant £2,747,197 but from 2018/19 there will be a 1.8% reduction for 2018/2019.\*
- ✚ Supporting People Programme is funded by Welsh Government grant £6,232,790.\*
- ✚ There is no specific funding for our libraries coding work however, as it is being embedded into everyday to make it sustainable, there will only be a cost to maintain and purchase any further equipment in the future.
- ✚ Band B 21<sup>st</sup> Century Schools Programme will be 50% funded by Welsh Government and 50% funded by the Local Authority.
- ✚ Inspire 2 Work – provides up to £755k of European Grant Funding, with a match funding commitment from the Local Authority. The project runs up to June 2019.
- ✚ Bridges into Work 2 provides up to £1.6m European Grant Funding, with a match funding commitment from the Local Authority. Current project end date is April 2020.
- ✚ Working Skills for Adults 2 – provides up to £542k European Grant Funding, with a match funding commitment from the Local Authority up to the project end date of April 2020.
- ✚ Working with the EAS to ensure Pupil Development Grant and Education Improvement Grant is appropriately targeted and monitored, currently at £13,406,723.
- ✚ Youth Strategy grant is funded by Welsh Government, currently £159,630.
- ✚ Adult Community Learning grant is funded by Welsh Government, currently £304,785.
- ✚ The Cardiff City Region City Deal to agree allocation of £120k for scoping of a digital strategy.
- ✚ \*The funding for the various programmes of Families First, Supporting People and Flying start will be changed as it is Welsh Government (WG) intention to put these and 7 other grants into one funding stream, called 'Flexible Funding' pulling together 10 different grants. The implications of this are not fully known yet however WG guidance will be produced about the grants in June 2018.

## When will the objective be completed?

This journey will be ongoing as we will always consider that improving children and young people's life chances, and enabling employment opportunities are important. However, as this objective is set for the next 5 years we will consider that we have made significant improvement when we rise above the Welsh average in the indicators below

| Outcome | Measure   |
|---------|---|
| 1       | Cumulative number of children accessing the Flying Start programme annually is above the cap number of 2483 |
| 1       | Increased number of eligible working parents accessing the Childcare Offer funded places                    |
| 1       | Number of individual families benefitting from the Families First Programme                                 |

|       |  |
|-------|--|
| 1     | Number and % of participants who report improved emotional/mental Well-being (following the programme they participated in). |
| 2     | % of year 11 pupils achieving Level 2 including Maths and English  |
| 2     | % of year 11 pupils achieving Level 1 threshold  |
| 2     | % of Primary School Attendance   |
| 2     | % of Secondary School Attendance   |
| 2     | % of Fixed Term Exclusions per 1000 pupils at Primary and Secondary Schools  |
| 7     | % of Primary and Secondary school surplus places   |
| 4     | % of Year 11 leavers from schools known to be not in education, employment or training (NEET)                                |
| 2     | % of pupils achieving the expected outcomes at the end of key stage 2  |
| 2     | % of pupils achieving the expected outcomes at the end of key stage 3  |
|       | % of pupils achieving the expected outcome at the end of the Foundation Phase  |
| 4,5&8 | Number of care leavers (16-18) engaged in the Progress Traineeship Scheme increases  |
| 5     | Number of young people engaged in the Live Vacancy Events (2 per year)   |
| 5     | Meet or exceed employability targets (as given for the BIW and Inspire programme)  |
| 6     | The roll out of digital competency framework within our schools  |

For context we will also review the National indicators for Wales below as part of this overall objective:

| General Well-being Indicators-               | Source of Data           |
|--|--------------------------|
| Measurement of development of young children | Foundation phase profile |

### Other relevant information

We recognise there are many other factors that help young people with education and wider life skills such as the ability to cook meals or to have good self-esteem. For example recent research (University of Strathclyde and Dundee) found intensive exercise improves the academic performance of teenagers. Whilst we cannot prioritise all these aspects programmes like our healthy schools and exercise programmes recognise these other aspects and are included in objective 3 and 5.

Information on schools and their performance within the county borough can be found at [www.mylowschool.com](http://www.mylowschool.com)



## 2. Enabling employment

### Outcomes

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1. Aim to reduce the impact of poverty by supporting people into better employment prospects.
2. Meet the targets of the European Social Fund programmes of getting people skilled and into work.
3. The Council will use the value of its third party spend to bring greater social and economic regeneration to the communities we serve.
4. Use investment in the housing stock to increase the number of skilled, qualified workers and tackle worklessness by providing apprenticeship, training and work placements with our in-house workforce and building contractors.
5. Ensuring local delivery of work programmes aligns and maximises opportunities from the Cardiff Capital Region City Deal.

## 2. Enabling employment

### Well-being Statement

This objective is about enabling people to be ready for jobs and to help prevent longer term problems that are associated with low skills and lack of employability. We want to contribute towards overall issues that affect employment within the local economy.

Before employment there are many related support programmes that help to get people in a position in order to be work ready, low level mental health needs, low motivation, lack of confidence and several other factors play a part in getting a person to a position where they are ready to train or write a CV or attend an interview. Several of our Families First, Flying Start and Supporting People projects (whilst not specific to employment) help to grow people's confidence and to give them a voice that puts them in a better state of mind to start looking at employment needs and opportunities.

It must be recognised that we cannot, as a Local Authority, solve unemployment issues as national economic growth is one of the key determinants in the availability of jobs. What we can do is help equip people with the skills and experience to provide the best chances for work. We can ensure our planning factors in support for business growth and that we understand and act on wider determinants of employment such as travel and accessibility to jobs.

Employment is still seen as one of the main routes out of poverty so it is important that we look at ways we can equip people for 'sustainable' and 'well paid' employment. Education is a key factor in this and we have outcomes to improve our standards of attainment within our Education objective.

During the course of our conversations with the public we met many citizens who told us a key area of concern was being able to have skills and access to employment. The local assessment of well-being told us that within the county borough we have 70% of males aged 16-74 years who are economically active and nearly 60% of females 16-74 who are economically active. This means we have 30% of males aged 16-74 who are economically inactive and approximately 40% of women 16-74 years of age who are classed as economically inactive.

*(The economically inactive are defined as people who are not in employment or unemployed. There are many reasons why an individual may be inactive, for example, they might be studying, looking after family or long-term sick)*

The proportion of males aged 16-74 years who were long-term sick or disabled was 8.6% in the county borough against the Wales average of 6.5%. The proportion of females aged 16-74 years who were long-term sick or disabled was slightly less at 7.8% against a Wales average of 6.0%.

Unemployment across many parts of the county borough is characterised by long term generational 'worklessness', most notably in those communities which may have been affected by widespread redundancy following past industrial closures. There also exists a growing issue of workless households, whereby cycles of negative attitudes towards employment are perpetuated throughout families, with significant impact upon the attitudes and prospects of future generations. For example the Upper Rhymney Valley community area contains a large proportion of the more deprived areas within the county borough, where unemployment is a



major issue, with generations of families where no-one has ever worked. Data shows that rates of unemployment by ward for males aged 16-74 years in Rhymney were significantly higher than the county borough average (6.6%) and the Wales average (5.5%) in most of the wards. People living within these communities will often experience numerous complex barriers to employment, including transport (the geography of the county borough makes this a particular problem for some areas), childcare, poor physical and mental health, low confidence, low skills, lack of education/qualifications, essential skills, poor motivation, domestic abuse and substance misuse. There is more detail on the data within our 'Caerphilly County Borough Area Assessment of Local Well-being' March 2017 which can be accessed online at <https://your.caerphilly.gov.uk/publicservicesboard/>.




The Office for National Statistics data (Jul 2016 – Jun 2017) shows that the number of people unemployed in the county borough (5.3%) is higher than the Wales (4.7%) and UK (4.6%) averages. The percentage of workless households is also higher. Being unemployed is known to have a detrimental effect on health and well-being, and is also linked to deprivation and poverty. Helping people into work will enable them to live independently, lift them out of poverty and help to promote good health and well-being.

Developing skills and achieving qualifications to take young people into employment is covered in our Education Objective and is critical to the achievement of this objective as **31.4%** of our adult residents do not hold any qualifications. Access to jobs by sustainable transport is addressed in our objective on transport.

### **Enabling Employability**

The Well-being Assessment involved talking with many citizens who made the connection between lack of opportunity, in particular job prospects and the link between education and training in helping to provide opportunities for jobs.

Within Caerphilly, a range of employability programmes are run, funded by both the European Social Fund (ESF) and Welsh Government, which are designed to improve employability across a variety of customer groups. Our **Education Objective** specifically provides actions for the programmes below which contribute to this objective and is summarised below:

-  **Inspire 2 Work** – links directly to our work with young people aged 16-24 who are not in education, employment or training and have no means of engaging with formal or informal education, training or employment.
-  **Bridges 2 Work** - tailored support for participants who are 25 + who are economically inactive, working in non-priority areas (this is not part of the programmes known as Communities for Work which operates in areas classed as deprived).
-  **Working skills for Adults 2** provides support for employed or self-employed aged 16+ with a view to gain further qualifications to upskill into better opportunities.

Central to the successful co-ordination of these programmes is a '**triage**' process, which forms part of the Communities for Work programme and provides a central point of referral, whereby customers seeking employment or skills can be referred in to designated triage staff who will then determine their eligibility for any one of the available employability programmes and refer them as appropriate. This approach ensures effective partnership working and a lack of duplication across the different employability programmes enabling the provision of a holistic employment service across the whole county borough, which is able to support all customers regardless of their individual eligibility criteria.

**Communities for Work** provide intensive mentoring support for unemployed customers within the most deprived areas (known as Communities First areas) of the county borough. The programme is funded by ESF and comprises a partnership between ourselves and the Department of Work and Pensions (DWP), whereby Employment Mentors based within the Council and Employment Advisers, based within DWP work together in cluster teams to provide intensive employability support to address the many complex barriers to employment which customers may experience.

The Communities First funding programme is changing and moving in a greater way towards employment. Following a review by Welsh Government, a decision was taken to phase out the Communities First programme; however the employability support which was previously provided as part of the programme will now be provided by the new Welsh Government funded **Communities for Work Plus** programme, which is due to commence formally in April 2018. This new programme will “fill the gaps” by providing mentoring-based employability support for customers who do not meet the formal eligibility criteria of the existing ESF funded programmes. We will report more on this scheme and its successes over the course of the objective

### **Childcare Offer for Wales**

The New Welsh Government Childcare Offer is now available across the county borough and could bring huge financial savings for eligible parents earning the equivalent of 16 hours **or more** per week. From the term following their 3rd birthday, children could be entitled to 20 hours of government funded childcare. This is in addition to the 10 hours already provided by the part-time Foundation Phase and up to 30 hours of childcare during the school holidays. The Welsh Government funded childcare within the county borough at the moment could be instrumental in helping parents back into employment knowing their child care needs may be met.

### **Welsh Housing Quality Scheme (WHQS) Investment Programme**

We are committed to delivering the WHQS across all our 10,805 homes by 2020. We are also committed to delivering an ambitious transformation programme which will see a £200 million WHQS investment act as a catalyst to transform not only homes but also lives and communities throughout the area. We recognise that investment on this scale presents a unique opportunity to deliver added social, economic and environmental benefits to the people that live in homes and within our communities.

The investment programme provides an opportunity to link housing and regeneration outcomes through ensuring greater alignment between key strategic and operational programmes; through securing external funding to add to the existing investment programme; through engaging people and communities that may have previously been deemed ‘hard to reach’ and; through doing different things and doing them in a different way.

The procurement strategy and contract structure adopted has been designed specifically to drive the achievement of greater added value through community benefits. The structure seeks to maximise the Welsh pound, deliver greater social, economic and environmental benefits and impact, and provide the market with greater assurance and confidence by moving away from ‘might be’ framework contracts to ‘will be’ long term commitment contracts.

In order to achieve this ambition, we have included targeted recruitment and training requirements into WHQS internal works and supply partner contracts (this means we ask that our contractors to recruit and train people who are unemployed as part of the contract) we ask them to take a flexible approach to a suite of community benefits which includes a request to consider implementing the living wage, the creation of a fund to support local community groups, and activities to help facilitate the transfer of knowledge and experience within, and between, the private sector and local schools and colleges.

To date, 106 new full time job opportunities have been created across Caerphilly Homes (The Council's housing department) and a further 71 as a result of the work awarded to our WHQS internal works contractors and supply partner. The opportunities created, particularly by the Council, have directly benefited the local economy as approximately 80% of the workforce employed reside within the county borough and therefore spend their salary locally.

A total of 43 apprenticeship opportunities have also been created within the Caerphilly Homes team to support the delivery of the WHQS programme. An additional 15 have been created by the Council's internal works contractors and the supply partner.

In an attempt to ensure that the most disadvantaged people within the county borough are able to take advantage of the opportunities presented by the programme, we and our delivery partners have made available a number of work placement opportunities for people aged 16+ and who have been engaged via the Welsh Government's tackling poverty programme called Lift. 17 individuals from workless households have benefited from the integration of the WHQS programme with the delivery of 'Lift'.

Work placement opportunities have been created by our internal works contractors and sub contractors, together with Robert Price, the Council's WHQS supply partner, and E-On who are undertaking an extensive external wall insulation and energy efficiency programme on behalf of Caerphilly Homes, funded by Welsh Government and ourselves in Lansbury Park.

A commitment of £50,000 per annum for a period of 5 years was made at the outset of the programme to assist those deemed furthest from the labour market to overcome barriers to employment. To date the funding has been used to add value to the employment support work undertaken by the Community Regeneration Team and the delivery of 'Lift'. Moving forward, the funding will complement the delivery of the new employment support programmes recently announced by Welsh Government (Legacy, Communities 4 Work and Communities 4 Work Plus) and support the most vulnerable tenants on their journey towards employment.

## **Procurement**

We spend around £170m per annum on third party expenditure which provides opportunities for making better links with what we can do to support the local economy. We are committed to ensuring we achieve value for money from our third party procurement expenditure. So we recognise the value of using purchasing to support wider cultural, social, economic and environmental objectives, in ways that offer real long-term benefits to the community. Our 'Programme for Procurement' will be a living strategy, flexible, adaptable and alive to the changing environment will detail specific actions to bring this about.

Our Objective has a mixture of practical and short to mid term actions such as providing skills that help people to get ready for employment, however there are also wider determinants and

longer term actions that need to take place, in the shape of our draft **Regeneration Strategy – ‘A Foundation for Success’ 2018-2023**. Caerphilly County Borough and the wider Cardiff Capital Region is entering a period of transformative change, the need for a strategy to coordinate a wide range of initiatives and make best use of funding streams is urgent in order to maximise the potential benefits to the county borough.

Whilst there are different routes to transformation the strategy recognises how important our Foundational Economy is. The ‘Foundational Economy’ is an official name for business activities that we use every day and see all around us, such as shops, social and child care and food industries, energy and housing. It is important this is not overlooked in partnership plans to regenerate the area because these sectors generally represent 40% of the labour market across the UK and make a substantial contribution to South Wales and Caerphilly county borough. The ‘Foundational Economy’ provides essential services whose loss would be felt and affect the well-being of our citizens whether it’s the loss of a village shop or the closure of a care home. The other benefits of this type of business is that it is relatively stable, so offers some protection against external economic shocks and is relatively evenly spread across Wales.

The Strategy has a wide range of priorities from creating employment, promoting digital connectivity, increasing entrepreneurship and improving access to employment. ‘A Foundation for Success’ identifies a series of actions that are required to deliver improvement and growth and this will form the basis of the Delivery Plan. The Strategy will be supported by a set of plans, one of which is the ‘Caerphilly Basin Master Plan’. Along with aspects such as tourism and transport Caerphilly has the potential to be a key metro hub due to its central location in the region and the Master Plan sets out how this opportunity can be carried out. The area of Caerphilly and Ystrad Mynach has been identified as a Strategic Hub by the Welsh Government Valleys Task Force as an area where public money can be focused to provide opportunities for the private sector to invest and create new jobs. The Strategy provides the opportunity for the Council to coordinate its own activities but equally important is that it involves a multi agency approach and a commitment from partners to coordinate activity in order to achieve cost effectiveness, reduce duplication and maximise the benefits to the county borough.

### **Regional ‘Skills for the Future’ CCRC project**

A significant growth in skills shortage vacancies is forecast in key sectors (for example manufacturing, financial and construction) and in digital skills in almost all sectors. Furthermore employer surveys have cited untapped recruitment potential in the private sector, particularly amongst small and medium term enterprises, (SME’s) and reasons are wide ranging. SME’s are particularly significant to the regional economy as they make up about 95% of companies and are the biggest creator of jobs but at this time many face skills gaps and are experiencing recruitment issues. Increasing the number of apprenticeships and graduates is perceived as a challenge. There is also a lack of awareness of what is on offer and as we noted in our Education Objective, there are less students studying in areas such as engineering and digital skills. Surveys of SME’s showed 71% would be interested in hiring apprentices with some additional support.

Evaluations from other parts of the country that carried out school engagement and support for SME apprenticeships (Leeds City Region) estimated the long –term economic value of each apprenticeship was 22 times the initial cost of implementing apprenticeships. Graduate migration patterns routinely show low pay as a factor that causes graduates to leave Wales and cite the lack of opportunity to get well paid jobs in the private sector, which is causing

an over reliance on the public sector. The 'Skills for the Future' project looks to pilot a range of activities (building on existing practice) to include: a business and skills brokerage service, school engagement, access to apprenticeship and graduate internships, plus additional support and incentives for SME's, to increase the number and range of employment opportunities and greater alignment between the skills of the labour market and the skills needed by industry.

The Growth and Competitiveness Commission made recommendations that the Learning Skills and Innovation Partnership known as LSKIP (of which we are a member) under the umbrella of the proposed Employment and Skills Board could look to co-ordinate the current funding streams to invest in skills that support people from all ages into work. This is important because existing workforces need upskilling so workers of today are included in future proofing the economy. The Bevan Foundation, Joseph Rowntree Foundation and Growth and Competitiveness Commission all note that a targeted approach to careers advice could also help reduce poverty – which costs the Cardiff Capital Region an estimated £2.2bn a year. This presents an exciting opportunity to make wide sweeping changes for the quality of life for people living, studying and working in the region.

## **How we used the '5 ways of working' to set this Well-being Objective?**

**Involvement** – Those that are involved in the achievement of this objective are many and diverse, from our WHQS contractors, to the Job Centre and the Department of Work and Pensions who refer people to us for our 'triage service' so we can find the best programme of help. We have an Education and Training Forum and a European Social Funding steering group that meets regularly to bring all the key partners together. An area for development in achieving our objectives would be to enable greater involvement within the private sector to meet their needs in order to help people into sustainable jobs.

**Long Term** - The objective is over 4-5 years but the benefits for upskilling and enabling people into sustainable and well paid jobs has a clear link to improving quality of life and lifting people out of poverty. This begins with education such as literacy and numeracy and moves on through a range of experiences and skills to become work ready. An area that presents a barrier to the long term planning is the life cycle of grant funding which is funded on a yearly basis. This means it can be unclear if the funding will be available after that time and often learning and training needs to take place over a longer period (2-3 years). Changes to the period of government funding would enable better planning to take place to support this way of working.

**Collaborate** – This objective cannot be achieved in isolation as it deals with the complexity of human nature, quality of life and wider economic determinants from a national and local level. The City Deal is a multi partnership programme which has a learning and skills sub group that aims to make sure the local current employment programmes connect to the wider needs which are recognised as 'growth areas' in business. In other words if there is growth in the economy, example in financial services, then the skills and training need to recognise and reflect this so they align. Regeneration actions cannot be carried out in isolation, this objective is built on the principle of collaborating.

**Integration** – In identifying this objective we have considered how this would support other organisations objectives and we found there is a significant benefit to other organisations objectives, such as the Job Centre and DWP whose purpose is to enable people into employment. At a local level if there is more money going into the economy this supports local

business. From a health perspective a satisfactory job and contribution to society have been shown to provide positive benefits in improving and sustaining good mental health which can reduce the need for mental health services.

**Prevention** – The complexity of the problem we are trying to solve requires a long term and multi partnership approach, from helping young people in early years to education attainment and skills for adults such as digital skills, using our purchasing power and business contracts to promote apprenticeships, understanding the issues of planning at a town and county borough level to stimulate business growth, and to make sure we are joining up with relevant programmes like the Cardiff Capital Region City Deal.

The potential Housing Investment Fund under the City Deal for example, looks at stimulating the SME sector by providing loan development funding and a Custom Build scheme to release smaller pots of public sector land. This can safeguard and create new jobs by increasing the level of spend across the construction sector, it also makes connections by supporting SME’s through good quality housing and the ability to attract skilled workers so we connect what we do with what is needed to make the most of these transformative agendas.

### What steps will we take to achieve this Well-being Objective?

There will be a detailed action plan to aid the delivery of this objective over the next 4-5 years. In the meantime below we highlight some of the main actions that we will take over this time:

| Outcomes  | By When<br>(2018-2023) |
|---|------------------------|
| <b>1: Aim to reduce the impact of poverty by supporting people into better employment prospects</b>   |                        |
| <b>2. Meet the targets of the European Social Fund programmes of getting people skilled and into work</b>   |                        |
| Develop the Communities First and Communities First Plus programme to meet the targets of sustainable employment.   | 2018-2019              |
| Develop the Delivery Plan for the Foundation for Success Strategy which will identify actions from small scale projects through to major complex programmes.  | 2018-2023              |
| Develop (following consultation) the Caerphilly Basin Master Plan.  | 2018-2023              |
| <b>3: The Council will use the value of its third party spend to bring greater social and economic regeneration to the communities we serve</b>   |                        |
| Develop the Councils Programme for Procurement.   | 2018                   |
| Develop appropriate guidance to assist suppliers on how to identify social and economic benefits.   | 2018/19                |
| Develop an effective mechanism to record social and economic regeneration.  | 2019                   |
| <b>4. Use investment in the housing stock to increase the number of skilled, qualified workers and tackle worklessness by providing apprenticeship, training and work placements with our in-house workforce and building contractors</b> |                        |
| ○ Create apprenticeships and work placements in the Housing Repair Operations team linked to succession planning and skill gap practices  | Annually               |

| Outcomes  | By When<br>(2018-2023)      |
|---|-----------------------------|
| <ul style="list-style-type: none"> <li>○ Create apprenticeships, employment opportunities and work placements as part of the WHQS investment programme</li> </ul>   | recurring from 2017 onwards |
| <b>5. Ensuring local delivery of work programmes aligns and maximises opportunities from the 'City Deal'.</b>   |                             |
| To agree to the principle of<br>a) Creation of regional Housing Investment Fund that will help to support work for the small and medium size building sector.<br>b) Agree the principle of a Custom Build scheme, Plot Shop.<br>Once principles are agreed full business cases and governance arrangements would then be implemented. | 2018-19                     |
| To agree as part of the CCRC partnership the allocation of development funding to pilot a range of proposals for the 'Skills for Future' fund.  | 2018                        |

### Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals





**A Prosperous** Wales develops a skilled and well educated population. We need our young people and adults to have greater vocational or non vocational skills in order to have better paid jobs and job satisfaction that contribute to the community leading to a better quality of life. This connects to our objective on transport and accessibility. An important part of employment is good transport infrastructure and links to provide easier access to well paid and sustainable jobs. This work is about helping all young people (and adults) reach their potential and so underpins a more **Equal** and **Healthier** Wales. Employment both locally and as part of the regional plans through a wide range of support maximises contribution towards a **Globally Responsible** Wales

Success in this goal is fundamental to supporting a range of other public bodies, for example the Department of Work and Pensions has five objectives, two of which are to:

1. Support economic growth and improved productivity by ensuring work always pays and people are supported to find and progress in work
2. Help reduce the disadvantages faced by disabled people and people with health conditions through the welfare system and labour market.

This is aligned with our own Regeneration Strategy and the goals of the City Deal.

### How we will resource this Well-being Objective

-  The Adult Education European Social Fund grant is currently £755,058 to April 2019 and match funded with Welsh Government direct grant to improve NEETS.
-  European Social Fund grant, currently £344,216 to April 2020. Match funded with Welsh Government direct grant to upskill low skilled and paid workforce throughout Caerphilly.
-  Communities for Work (ESF), £1,298.672, currently to December 2020.
-  Communities for Work Plus, currently £856,754 to April 2018-2019. (WG commitment to April 2020).

- ✚ The Cardiff Capital Region City Deal is a £1.2 billion programme which has a range of allocations towards the various potential projects. The Skills for the Future project has a provisional development allocation of £2,247, 882 if agreed in principle.

### When will the objective be completed?

This objective will be ongoing as part of a whole county borough partnership approach. Many of the wider regeneration actions are based on projects that are judged at this time by completion of milestones and the effectiveness of them will need to be evaluated. However we will consider success when:

- We have virtually all pupils in education, employment or training.
- Employability targets (as given for the Bridges2 work and Inspire programme in the Education Objective are met or exceeded).
- Employability targets for the Communities for Work programme are met or exceeded

| Outcome        | Measure  |
|----------------|--|
| <b>1&amp;2</b> | Priority 1 (Adults aged 25+)<br>Target 2018/19 Engagements <b>240</b> , Job Entries <b>24</b>  |
| <b>1&amp;2</b> | Priority 1 (Adults aged 25+)<br>Target for 2019/2020 Engagements <b>240</b> , Job Entries <b>48</b>  |
| <b>1&amp;2</b> | Priority 3 (Young People/NEETS aged 16-24)<br>Target 2018/2019 Engagements <b>96</b> , Job Entries <b>96</b>   |
|                | Priority 3 (Young People/NEETS aged 16-24)<br>Target 2019/2020 Engagements <b>48</b> , Job Entries <b>48</b>   |
| <b>1&amp;2</b> | Employability aims for the new Communities for Work Plus programme are met or exceeded (actual targets are not yet confirmed)  |
| <b>3</b>       | We will develop new Performance Measures as part of our developing 'Programme for Procurement'   |
| <b>4</b>       | The number of apprenticeships, work placements and employment opportunities provided   |
| <b>4</b>       | WHQS - The number of apprenticeships, work placements and employment opportunities provided  |
| <b>5</b>       | The Supporting People programme has 11 outcome measures one of which relates to people being engaged in employment or voluntary work – these are reported twice a year to Welsh Government |



For context we will also review the National indicators for Wales below as part of this overall objective

| General Well-being Indicators-  | Source of Data                             |
|---|--|
| Percentage of people in employment.   | Annual Population Survey                   |
| Percentage of people in education, employment or training, measured for different age groups  | Welsh Government Measures of Participation |
| Percentage of people living in households in material deprivation.  | National Survey of Wales                   |
| Percentage of people living in households in income poverty relative to the UK median, measured for children, working age and those of pension age. | DWP  |

### Other relevant information

A ‘Valleys Taskforce’ was set up by the Welsh Government to look at how investment in the Valleys will be delivered over the next five years. In particular the Taskforce will address uncertainties around investment funding, such as that previously received from the EU. The Taskforce will work closely with the Cardiff Capital Region to harness the potential of new initiatives such as the Metro, and to enhance the valleys’ unique and diverse landscape as a tourism destination.

The main priorities for the Valleys Taskforce will be: eradicating poverty and, creating work and improving quality of life. Looking to the future the Taskforce will seek to create a sense of aspiration, vibrancy, and confidence in the future.

As such a high level plan has been set up ‘Our Valleys, Our Future’, which is supported by £100 million of Welsh Government investment over 10 years. The Valleys Task Force Vision is to close the employment gap between the South Wales Valleys and the rest of Wales by helping an additional 7,000 people into work.



**3. Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people’s well-being.**

## **Outcomes**

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1. All council housing is improved to meet the Welsh Housing Quality Standard by 2020.
  2. Provide support to improve housing conditions in the owner-occupied sector.
  3. Increase the provision of new, affordable, social housing that meet the ‘Lifetime Homes’ principles and identified needs, whilst supporting the governments’ innovative housing programme.
  4. Deliver adaptations to support the health and well-being of people in their homes and maximise the delivery and appropriate use of accessible homes.
  5. Increase the supply of housing by supporting opportunities to bring long-term, empty homes back into use.
  6. Promote the development of a healthy and vibrant private rented sector as a viable housing option.
  7. Prevent homelessness and tackle rough sleeping.
  8. Prevent tenancies from failing by providing a range of housing related support (including those affected by financial hardship, mental health issues or physical disabilities).
  9. Help reduce fuel poverty by making homes more energy efficient and providing people with advice on how best to heat their homes.
-

### **3. Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's Well-being**

#### **Well-being Statement**

All statistical information in this paragraph has been accessed from Info Base Cymru and relates to Caerphilly county borough, unless specified otherwise. There are 78,714 dwellings in the county borough (Mar 2016) – 13.8% local authority, 4.9% housing association 71.1% owner-occupied and 10.3% privately rented. 36% of housing is terraced, which is above the all Wales average. Average house prices have increased by £9,506 since September 2016 to £130,651 in September 2017. The average weekly gross pay for full time workers is £488.80, below the all Wales average of £505.90. The percentage of working age people who are benefit claimants is 17.3%, higher than the all Wales average of 14.4%. Life expectancy for males (77.8) and females (81.2) is below the all Wales average (males 78.4 and females 82.3). In 2016, there were 10.0 deaths per 1,000 residents, compared with 10.6 for Wales. The percentage of adults reported in the Welsh Health Survey as being currently treated for a mental illness was 16%, compared to 13% for Wales.

The issues we are trying to address through this objective are complex and multifaceted and cannot be addressed through one single action. In this next section we outline, in turn, why we have chosen each outcome to realise the objective:

#### **1. All council housing is improved to meet the Welsh Housing Quality Standard (WHQS) by 2020**

Research has consistently demonstrated a strong link between housing, health and well-being. Investment in the housing stock will allow the council to contribute to the health and well-being of the tenants, whilst fulfilling its statutory requirements. The council has a housing stock of 10,805 properties comprising approximately 13,000 tenants and is investing approximately £220m in bringing all homes up to the Welsh Housing Quality Standard by 2020. The investment in the stock will contribute to our aim of improving homes, lives and communities.

#### **2. Provide support to improve housing conditions in the owner-occupied sector**

Nearly 70% of all housing in the county borough is owner-occupied. The type and quality of the housing in the sector varies from traditional terraced housing to new private developments. Many households do not have sufficient income to maintain their home when it falls into disrepair and could be living in conditions, which are detrimental to their safety, health and well-being. Housing in disrepair can also have a negative visual and anti-social impact on communities in which they are situated. Various support measures are required to provide owners with affordable options for improving their properties.

#### **3. Increase the provision of new, affordable, social housing to meet identified needs whilst also supporting the government's innovative housing programme**

Our most recent assessment of the housing market (2015) showed a requirement for affordable housing in the county borough by property type and size and area. It showed that by far the largest requirement was for general needs, single person accommodation. Over 5,000

households are currently on the common housing register waiting to be rehoused. The overall demand for affordable housing currently outstrips supply. Funding from Welsh Government allows us to partially address identified needs, in partnership with the housing associations, through the housing development programme. Welsh Government has acknowledged the need to increase the number of affordable homes built in Wales to meet housing needs and has a target of 20,000 over its term of office. It has ring-fenced funding under the innovative housing programme to develop homes for the future that are cheaper to heat, more environmentally friendly and capable of responding to demographic change.

The funding allows house builders, housing associations and local authorities to explore new ways of working to build homes more quickly and more sustainable. To date, two housing associations have received innovative housing funding to develop one scheme each in the county borough. Welsh Government have also made funding available under the Shared Ownership / Rent to Own model as well as Health and Housing model, designed to address the needs of older persons, children with complex needs, carers, persons with learning difficulties and dementia.

Lifetime Homes is a set of standards that are required by Welsh Government when homes are built. They are designed within the principles of inclusivity, accessibility, adaptability, sustainability and good value. This means for example wider doorways, sockets at wheel chair height and particular attention to the way movement would circulate in hallways and stairs. It is based on a principle of 'cradle to grave' so homes can adapt to accommodate changing needs which means people do not have to be moved when life changes occur.

In the longer term the Cardiff Capital Region Joint Cabinet (CCRJC) are looking at agreeing a set of principles for a potential 'Regional Housing Investment Fund'. The CCRJC recognise that across the region we need more homes to be built and that finance can be a barrier particularly for small and medium term builders. A flexible fund could support builders ranging from housing sites that may have stalled, to funding development of brownfield sites as this could help make builds more viable.

If the principles of a 'flexible fund' are agreed, the CCRJC would explore working with Welsh Government and the Development Bank for Wales for ways to progress a 'Housing Investment Fund'. As a new idea and a long term aspiration this could come to fruition out of the time frames of this plan, however in adopting a greater forward thinking approach we recognise the power of this regional approach in supporting achievement of this outcome.

#### **4. Deliver adaptations to support the health and well-being of people in their homes and maximise the delivery and appropriate use of accessible homes**

Adaptations are provided to enable a disabled person to live safely and independently in their own home. A suitable home also promotes good health and well-being. Providing adaptations can reduce costs associated with social and health care. Meeting the needs of disabled people complies with the council's duties under the Equality Act 2010. Welsh Government estimates show that for every £1 spent on housing adaptations a £7.50 saving is created for health and social services. There is a lack of suitable housing in the county borough to meet the needs of disabled people and, as a result, disabled people may live in unsuitable accommodation.

Accessible housing contributes to the health and well-being of the disabled person and their carers and promotes independence. It also can reduce costs associated with social care for

example through timely housing adaptation which can reduce admissions to residential care. Accessible housing is not only being created within new housing developments, but also as a result of significant investment in adaptations to existing properties across all tenures to ensure that these properties are best used for those in need.

### **5. Increase the supply of housing by supporting opportunities to bring long-term, empty homes back into use**

There are over 900 privately owned properties in the county borough that, for a variety of reasons, have been empty for longer than 6 months. Whilst a healthy functioning housing market will include a proportion of vacant dwellings, empty properties are a wasted resource for both the owner and households seeking housing. If left vacant and unmaintained the physical condition can deteriorate and the property may become a nuisance for people living in the locality. Returning long-term empty properties into use can increase the supply of housing and lift the visual appearance of an area. Welsh Government has a target of returning 5,000 long-term empty properties in the private sector back into beneficial use during its current term in office.

### **6. Promote the development of a healthy and vibrant private rented sector as a viable housing option**

The size of the private rented sector in the county borough has doubled between the last two Censuses (from 4.3% to 10.7%). The sector provides homes for many people and is predicted to grow larger than the social rented sector by 2020. The condition of housing and the quality of management in the sector varies considerably, something which is being addressed by the introduction of new legislation, Rent Smart Wales and the council's statutory enforcement function. The development of a vibrant private rented sector provides options to meet people's housing needs and contributes towards the successful delivery of council's homelessness prevention function. Good quality housing also contributes to good health and Well-being.

### **7. Prevent homelessness and tackle rough sleeping**

Homelessness is detrimental to both physical and mental health. Being homeless can increase a person's chances of taking drugs or experiencing physical or mental health problems. The law on homelessness changed in April 2015 requiring local authorities to adopt a more preventative approach. Since this change the number of people in the county borough requiring assistance with their homelessness situation or known to be sleeping rough has increased, despite the additional services we have put in place. Relieving homelessness and the need to sleep rough will reduce costs to the council, the criminal justice system and the health service.

### **8. Prevent tenancies from failing by providing a range of housing related support (including those affected by financial hardship, mental health issues or physical disabilities)**

Research has shown that the incidence of poor mental health is higher for social housing tenants than homeowners. Social landlords in the county borough have noted an increasing number of new tenants with a mental health condition requiring support to maintain their tenancy. Providing housing related support can help promote health and well-being, and prevent the tenancy from failing, which could result in homelessness or admission to hospital. This could reduce costs associated with void properties, homelessness, social care and health.

The Welfare Reform Act 2012 brought about wholesale reform of the benefits system. Reforms include capping the amount of benefits households may receive, the so-called 'bedroom tax' affecting social housing tenants and Universal Credit, which combines several benefits into one payment, paid monthly. The effects of the reform have been that many households have had their income reduced and may be struggling to pay their bills, eat healthily or adequately heat their homes. A very high percentage of council housing tenants are benefit dependent and have been affected by the changes. Providing support to tenants to mitigate the impact by helping to maximise income and budget effectively will help to sustain tenancies and contribute to the health and well-being of those affected by the reforms. The Supporting People programme currently supports approx. 5000 people to help them remain independent and in their own home with support on a range of areas such as budgeting, maximising income, access to services and finding work.

### **9. Help reduce fuel poverty by making homes more energy efficient and providing people with advice on how best to heat their homes**

Fuel poverty affects people on low incomes who are unable to adequately afford to heat their homes. People in fuel poverty will be more susceptible to poor health and well-being. Rising energy costs mean that more people will be at risk of fuel poverty. Many households in the county borough are on low incomes and may be struggling to adequately heat their homes. Providing advice to people on how best to heat their homes, making homes more energy efficient, including the development of new energy efficient homes, and the use of new technologies can help to reduce the overall level of fuel poverty in the county borough.

#### **How we used the '5 ways of working' to set this Well-being objective**

**Involvement** – Given that a range of outcomes make up this objective, it is likely that there will be different groups associated with different outcomes. In order to ensure the outcomes are successful we will involve a wide range of people including homeowners, private rented sector and council tenants, tenants and residents associations, Caerphilly Homes Task Group, private sector landlords, public sector bodies, housing associations and third sector organisations. The Supporting People programme commissions over 36 providers (such as Gofal, GAVO and Llamau) and runs approximately 86 projects and schemes. This involves many partners in helping people with a wide range of needs.

**Collaborate** – In order to facilitate successful outcomes, we will collaborate with a range of different organisations and people. These include Welsh Government, Rent Smart Wales, internally with other departments, regionally with other local authorities, building contractors, housing associations, third sector organisations, local churches, private sector landlords, empty property owners and Credit Unions. We acknowledge that the constraint on public sector finances means that this is an area we will want to do more of to share resources and achieve joint outcomes. For example we commission the Citizens Advice Bureau to help people to become 'confident with cash' which support the long term for their quality of life and acknowledges the early prevention element of managing debt.

**Long term** – Housing is a long-term social need and therefore, the housing and services we provide are set within this context. The outcomes we are attempting to achieve in the short to medium term will ensure that housing is sustainable (cost, quantity, quality, condition and

suitability) for people to occupy over the longer term, whilst minimising the effects on the environment and contributing to the health and well-being of our communities. Support for longer term solutions may be in part come from the City Deal and in particular the potential ‘Housing Investment Fund’.

**Integration** – Given that the provision of good quality housing is central to the good health and Well-being of the population, it is likely that this objective will impact on the successful outcome of other bodies’ objectives. The provision of good quality housing is, therefore, likely to have a positive impact on the budgets and priorities of other public bodies such as the local health board.

**Prevention** – Preventing people from becoming homeless by providing access to good quality accommodation and related services, creating communities that are sustainable and resilient, all impact positively on health and well-being. The part of the objective that concentrates on improving homes (WHQS) will also help to tackle local unemployment and is detailed in our Employment Objective. Lifetime Homes takes a ‘cradle to grave’ look at design of homes so is ‘prevention in action’.

The aim of improving lives and communities with an improved look and feel of the environment can help to prevent anti-social behaviour when people have pride in where they live. The provision of specialist accommodation and adaptations for disabled people links closely to Health Services prevention agenda by reducing the need for hospital admissions / residential care placements.

We run a Welsh Government funded ‘Supporting People’ programme which was introduced in 2003. This service supports everyone to prevent homelessness and provides a wide range of housing related support for anyone who is homeless or potentially homeless. Every service that is offered is based on the principle of prevention, from money advice to helping complete benefit forms, to providing support for women fleeing domestic violence to name just a few. Our Emphasis programme offers support to young people (aged 13-19) who are likely to or risk becoming homeless in order to prevent the homelessness occurring.

**What steps will we take to achieve this Well-being Objective?**

| Outcomes   | By When                    |
|--|----------------------------|
| <b>1. All council housing is improved to meet the WHQS by 2020</b>   |                            |
| Develop a WHQS housing strategy.   | 2018                       |
| <ul style="list-style-type: none"> <li>○ Deliver the annual capital investment programme for both internal and external works.</li> <li>○ Ensure compliance with Charter for Trust standards.</li> <li>○ Comply with Part 6 of the WHQS by undertaking environmental improvements to make communities attractive and safe.</li> <li>○ Comply with Part 7 of WHQS by undertaking adaptations where a need is identified.</li> </ul> | Annually recurring to 2020 |
| <ul style="list-style-type: none"> <li>○ Agree a planned maintenance programme to ensure the WHQ Standard is maintained for the future post 2020.</li> </ul>   | Post 2020                  |

|   |                            |
|---|----------------------------|
| <b>2. Provide support to improve housing conditions in the owner-occupied sector</b>  |                            |
| <ul style="list-style-type: none"> <li>○ Administering assistance to home owners via loans and grant aid.</li> <li>○ Working in partnership with credit unions to ensure loans for homeowners are affordable.</li> <li>○ Provide assistance and raise awareness of homeowners as to the availability of financial assistance, via the Arbed scheme and other grant funded. Opportunities, to install external wall insulation and associated measures, boiler replacement and loft insulation if required.</li> </ul> | Annually recurring         |
| <b>3. Increase the provision of new, affordable, social housing that meet the 'Lifetime Homes' principles and identified needs, whilst supporting the governments' innovative housing programme.</b>  |                            |
| Produce a Housing Strategy which provides a framework for the provision of housing and related support.   | 2018/19                    |
| Complete the Local Housing Market Assessment which will identify the number, type and location of homes required and will help look at solutions.   | 2017/18 then every 2 years |
| Produce and submit quarterly to Welsh Government the programme delivery plan, based on the evidence of housing need.  | Every Year                 |
| Obtain a decision by the Council in support of the development of new affordable homes.   | 2018                       |
| Review designation of council accommodation for smaller households in light of changing demands.  | 2018/19                    |
| Submit a bid to Welsh Government for Rent to Own/ Shared Ownership funding.   | 2018/19                    |
| Housing associations to complete bid for innovative housing programme Phase 1 and submit planning applications.   | 2018                       |
| Housing associations complete bid for innovative housing programme Phase 2<br>To submit planning application, Development to start on site - Phase 1.   | 2018/19                    |
| Start on site for innovative housing programme – Phase 2: <ul style="list-style-type: none"> <li>○ Develop 38 units to Passivhaus standard at the former Caerphilly Magistrate's Court (Linc Cymru)</li> <li>○ Develop 17 units to Passivhaus standard at the former Cwm Ifor primary school (United Welsh)</li> </ul>  | 2021/22                    |
| Complete an evaluation of the Passivhaus and Beattie Passive schemes.   | 2021/22                    |
| Review quantity and quality of sheltered housing schemes and consider implementing remodelling options that better meet the needs and aspirations of older people. Complete options appraisal on remodelling of the 6 sheltered housing schemes.  | 2021/22                    |



|  |                         |
|--|-------------------------|
| <b>4. Deliver adaptations to support the health and well-being of people in their homes and maximise the delivery and appropriate use of accessible homes</b>  |                         |
| <ul style="list-style-type: none"> <li>○ Provision of appropriate minor works of adaptation across all tenures by expenditure of the available Social Services budget.</li> <li>○ Provision of appropriate major works of adaptation in public and private sector housing via the spending of available capital funding and Welsh Government ENABLE funding.</li> <li>○ The provision of discretionary relocation grants in cases where the existing property is not suitable to adapt to meet the needs of the disabled resident.</li> <li>○ Continued partnership working with Care and Repair enabling the elderly and infirm to receive additional assistance via a range of initiatives including the Rapid Response Adaptations Programme and Independent Living Grant.</li> <li>○ Complete the ongoing categorisation exercise to identify accessibility levels of the social housing stock owned by the council and its partner landlords.</li> <li>○ Develop enhancements to the common housing register in relation to the medical coding of properties available for social rent via both our own stock and that belonging to our partner landlords.</li> <li>○ Improve accessibility of current stock that lends itself to meeting demand for accessible housing.</li> <li>○ Work with housing association partners and the occupational therapist (housing) to deliver accessible housing.</li> </ul> | 2018 - 2023             |
| <b>5. Increase the supply of housing by bringing long-term, empty homes back into use</b>  |                         |
| <ul style="list-style-type: none"> <li>○ Providing assistance to support bringing long-term empty homes in the private sector back into beneficial, use including loans.</li> <li>○ Providing grant assistance to convert non-residential properties into residential properties in certain circumstances.</li> <li>○ Demolition of empty homes in the private sector where the renovation of the property is no longer the most appropriate course of action.</li> <li>○ Engagement and enforcement action against owners of long-term empty homes in the private sector, where appropriate, in order to return them into beneficial use.</li> <li>○ Targeting the owners of empty properties with ad hoc initiatives such as letter drops and private sector leasing.</li> </ul>   | As and when need arises |
| <b>6. Promote the development of a healthy and vibrant private rented sector as a viable housing option</b>  |                         |
| Provide assistance to and raise awareness of private sector landlords as to the availability of assistance, via the Arbed scheme and other grant funded energy initiatives, to install external wall insulation and associated measures, boiler replacement and loft insulation if required.   | 2018/19                 |

|  |                    |
|--|--------------------|
| <ul style="list-style-type: none"> <li>○ Administering financial assistance to landlords via loans and conversion grants.</li> <li>○ Enforcement of housing legislation to ensure minimum standards are met in the private rented sector both in properties in single and multiple occupations, including repair, prohibition and demolition, where appropriate.</li> <li>○ Working in partnership with Rent Smart Wales to drive up standards in the private rented sector.</li> </ul>  | Annually recurring |
| <b>7. Prevent homelessness and tackle rough sleeping</b>   |                    |
| Work in partnership with local authorities in the region to produce a Regional Homelessness Strategy and local action plan.  | 2018/19            |
| Pilot a shared housing project for single people under 35 and evaluate its success.  | 2018/19            |
| Provide tenants with floating support to assist with tenancy sustainment.  | Ongoing            |
| To undertake a Church's night shelter project between (December to March) each year to help tackle rough sleeping.   | 2018-2023          |
| Work in partnership with the Rough Sleepers Coordinating group to provide support for rough sleepers through tackling underlying needs e.g. substance misuse.  | Annually recurring |
| Run the Emphasis and Family Safety/ Emphasis projects which focuses on elements of housing outcomes of both family support and preventing 13-19 year olds becoming homeless.   | 2017-2020          |
| <b>8. Prevent tenancies from failing by providing a range of housing related support (including those affected by financial hardship and mental health issues or physical disabilities)</b>  |                    |
| Provide training for all frontline housing staff in mental health training and to support people sustaining their tenancies.   | 2018/19            |
| As part of the review our housing management policies and procedures take into consideration of mental health issues.  | 2018/19            |
| <ul style="list-style-type: none"> <li>○ Work with mental health organisations to review signposting arrangements.</li> <li>○ Work closely with the Supporting People Team to identify additional support services.</li> <li>○ Coordinate advice offered to ensure that there is no duplication or gaps.</li> <li>○ Review the information we provide on our website to ensure it is up-to-date.</li> <li>○ Provide help to tenants to enable them to budget effectively, to claim the correct welfare benefits and to mitigate the consequences of welfare reforms.</li> <li>○ Refer tenants in need of money and debt advice to the right agencies.</li> <li>○ Provide advice to tenants on energy usage and other measures to help save money.</li> </ul> | Annually recurring |
| Run the 'Confident with Cash' project (provided by Citizen's Advice) to provide finance / debt management and welfare benefit to families who have disabilities or are part of 'team around the family' projects. Run similar projects to support those families with housing related needs.   | 2018-2020          |

|  |              |
|--|--------------|
| Explore potential model of 'Housing First' to reduce the level of homelessness for people who are unable to maintain tenancies due to mental health, substance misuse or chaotic lifestyles. | 2018/19      |
| Continue to commission specific agencies to assist those with benefit claims and appeals including Employment Support Allowance and Personal Independence Payment.                           | 2018-2023    |
| <b>9. Help reduce fuel poverty by making homes more energy efficient and providing people with advice on how best to heat their homes</b>  |              |
| Submit bids to the Welsh Government under Arbed or other energy efficiency initiative funding to carry out energy efficiency improvements in the private and public sector.                  | 2017/18      |
| Provide advice to tenants on energy saving measures and energy usage and installations   | Upon request |

### **Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals**

This objective is wide ranging and multifaceted. We know that the provision of good quality housing and related services has positive health and well-being outcomes, provides a safe and secure place to live, promotes vibrant and sustainable communities, provides employment and training opportunities and minimises the impact on the environment.

Achievement of this objective supports education improvement because good homes and neighbourhood conditions can help young people to achieve. Reduced exposure to traffic, noise and air pollution and designing homes with minimum energy needs (water, fuel) contributes to a healthier Wales and one of cohesive communities.

Housing can be designed so people can be physically active in their homes and research shows there are links between housing issues and physical and mental well-being, particularly linked to poverty, which is recognised within the Welsh Government's 'Prosperity for All' National Strategy 2017 as housing is one of the strategy's priority areas.

We have identified that the successful accomplishment of this objective maximises contribution to all the 7 National Well-being Goals.

### **How we will resource this Well-being Objective**

We will resource our actions using a range of different funding sources some of which are noted below:

- ✚ WHQS investment programme using rent paid by our tenants, monies from Welsh Government (Major Repairs Allowance), prudential borrowing and any other income we may receive.
- ✚ Providing apprenticeship places, employment opportunities and work placements using the Housing Revenue Account and WHQS funding.
- ✚ Affordable housing development using Social Housing Grant funding from Welsh Government (capital and revenue) and private funding accessed by the housing associations.

- ✚ Piloting the build of energy efficient, sustainable homes using Innovative Housing Programme funding bids from Welsh Government and private funding accessed by housing associations.
- ✚ Providing adaptations using Welsh Government and Council funding (General Fund and Housing Revenue Account).
- ✚ Improving conditions in the private rented and owner-occupied sectors using funding from Welsh Government and the Council (General Fund).
- ✚ Supporting the return to use of long-term empty properties in the private rented sector using funding from Welsh Government and the Council (General Fund).
- ✚ Preventing homelessness and tackling rough sleeping using transitional funding from Welsh Government and Council funding (General Fund).
- ✚ Supporting People Programme is funded by Welsh Government grant £6,232,790 (please see comment on page 22 about changes to the way these programmes are funded).
- ✚ Providing support to tenants using funding from the Housing Revenue Account and the Supporting People programme.
- ✚ Training will be provided to existing staff on safeguarding, mental health, energy efficiency and financial management
- ✚ Support will be provided to residents by using existing staff including tenant liaison officers, tenant support officers, liaison officers and estate management officers.
- ✚ Reducing fuel poverty by raising awareness of and using energy efficiency grant funding from Welsh Government, WHQS funding and external sources of funding, for example energy companies.

There are a number of challenges, varying in size and complexity, which may affect the successful outcome of this objective. For many of these challenges the Council has little or no influence over.

The main challenges include national economic, welfare and housing policy frameworks (Welsh and UK Government), demographic changes, staff capacity to priorities existing tasks and take on new tasks, the requirement to satisfy the Council's Medium Term Financial Plan priorities and in-house expertise to make best use of exploring new and emerging technologies.

### **When will the objective be completed?**

Developing sustainable housing and housing related services is an ongoing journey and, although, methods and government policy may change, the cause and effect on well-being within housing does not have an end date. However, over the next 5 years we will have made significant progress when the following actions have been successfully completed:

| Objective Success   | Date    |
|---|---------|
| We have completed the Local Housing Market Assessment (which will provide an evidence base for our Housing Strategy) going forward.         | 2017/18 |
| We have a completed Housing and Regional Homeless strategy which we are delivering on.  | 2018/19 |
| The WHQS investment programme for Caerphilly Homes is completed   | 2020/21 |
| We have completed the Local Housing Market Assessment (evidence base for Housing Strategy) which will complete with the Gypsy and Traveller | 2020/21 |

|   |                |
|---|----------------|
| Accommodation Assessment.   |                |
| We have completed a review of our common housing register to ensure it is effective.                                | 2018/19        |
| We have successfully worked in collaboration with our housing association partners to provide new affordable homes. | 2018-23        |
| We have provided a homelessness prevention service.   | 2018-23        |
| We have contributed to bringing long-term empty homes back into use.  | 2018-23        |
| Innovative Housing Programme phases 1 & 2 are completed   | 2020/21        |
| All homes provided by social landlords have been categorised using the accessibility coding system.                 | 2019/20        |
| We have increased the supply of accessible homes  | 2018-2023      |
| We have provided adaptations to support tenants / residents to remain in their homes.                               | Where required |

In addition to monitoring success of projects we will use the following performance indicators to measure how we are performing. For some of the indicators we are unable to set targets as performance is linked to the demand or use of a service.

We will regularly monitor performance to ensure that we stay on course to meet the desired outcomes.

| Outcome        | Measure  |
|----------------|--|
| <b>1</b>       | No. of homes compliant with WHQS (fully, external and internal elements)   |
| <b>1</b>       | The percentage of tenants whose homes have been improved internally who are satisfied with completed WHQS works  |
| <b>1</b>       | The percentage of tenants whose homes have been improved externally who are satisfied with completed WHQS works  |
| <b>2,7,8</b>   | 11 Outcome measures from the Supporting People programme based on wider determinants of homelessness prevention.   |
| <b>3</b>       | Increased number/size/type of new, affordable homes delivered through the housing associations or the Council, including how the home was delivered - e.g. via IHP etc.            |
| <b>3</b>       | Completion of the sheltered housing options appraisal and the number of sheltered housing schemes where the outcome has been implemented   |
| <b>3</b>       | The number of homes delivered through the Innovative Housing Programme   |
| <b>4</b>       | Increase the percentage of social housing stock that has an accessibility code   |
| <b>4</b>       | Increased number of accessible, social homes provided.   |
| <b>4</b>       | The number of adaptations provided (Enable, major and minor works)   |
| <b>5&amp;6</b> | The number of grants/loans provided to improve housing in the private sector (e.g. Houses into Homes, Home Improvement loans, conversion grants, Home Repair grants and HMO loans) |
| <b>5</b>       | Increase the number of long-term private sector empty homes brought back into beneficial use   |
| <b>7</b>       | The number of homelessness cases by outcome (sections 66, 73 & 75)   |
| <b>7</b>       | The number of homelessness instances prevented through successful mediation  |
| <b>8</b>       | The number of mortgage rescue cases completed  |

|   |  |
|---|--|
| 8 | Number of tenants visited and provided with support and advice to help mitigate the effects of welfare reform                  |
| 8 | Number of council tenants supported to access the benefits they are entitled to  |
| 8 | Value of financial savings (£) generated for council tenants as a direct result of support                                     |
| 9 | Number of council tenants visited and provided with advice regarding energy saving measures and energy use                     |
| 9 | Number of council properties provided with energy efficiency measures as a result of external grant funding by type of measure |
| 9 | The amount of external funding (£) accessed by the council for home energy efficiency improvements                             |
| 9 | The number of residents referred to the Nest scheme for energy efficiency advice   |

For context we will also review the National indicators for Wales below as part of this overall objective

| General Well-being Indicators-                      |  |
|---|--|
| General Well-being Indicators-                      | Source of Data                                       |
| Percentage of dwellings which are free from hazards | Annual Housing Hazards and Licences data collection. |



#### **4. Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment**

##### **Outcomes**

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1. Work with the delivery of the South East Wales Metro, aiming for the Valley Lines Electrification programme as part of the delivery of the wider South East Wales Metro scheme.
2. Develop the CCBC Regeneration Strategy and Delivery Plan with connectivity at its heart, promoting accessibility, the Metro and digital and Broadband improvements that support innovation and improves accessibility for all.
3. Promote the reinstatement of passenger services to the Nelson to Ystrad rail line under the Metro programme.
4. Promote the reinstatement of the Caerphilly to Newport rail line as part of the Metro programme.
5. Promote a sustainable bus network that supports accessibility and connectivity both locally and regionally through a road network that encourages efficient bus operation.
6. Maximise transport connectivity within and between modes by integrating the delivery of the CCB Active Travel Plan with the Metro to improve bus, rail, walking and cycling provision to increase accessibility and add value to the Metro proposals.

#### **4. Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimise the adverse impacts on the environment**

##### **Well-being Statement**

*“The current infrastructure is not coping. There’s too much traffic congestion. The infrastructure (roads, trains, shops) needs developing before new developments start” (Participant at the Viewpoint Panel event 11th July 2016)*

In 2015 there were 39,100 commuting trips outside of the county borough on a daily basis whilst there were 18,900 commuting trips into the county borough. Overall, there is net out-commute of 20,200 to jobs outside of the county borough, with the most popular destinations being Cardiff and Newport, whilst Rhondda Cynon Taff is the origin of the most in-commuting trips, closely followed by Cardiff and Blaenau Gwent. This shows that whilst the strongest commuting flows are between the county borough and Cardiff, there is also significant commuting in the Cardiff Capital Region and across the Valleys. Feedback, that came up on many occasions from community engagement events for both the Local Development Plan and the Local Well-being Assessment, was that there was a perception of limited public transport opportunities for moving from east to west within or outside the county borough, and therefore it is possible to assume that the majority of lateral journeys are undertaken by car.

Travel distance to job and training opportunities is an important factor in determining access to employment. Barriers raised by our residents in relation to public transport availability and the associated costs could exacerbate the need to use the car as the primary means of travel for employment.

The Cardiff Capital Region City Deal will provide the most important funding opportunity in South Wales’ history. City Deal aims to stimulate the local economy, and that of the wider South East Wales region, for current and future generations. The £1.2bn City Deal formally signed on 15th March 2016 by the ten constituent local authorities, Welsh Government and the Westminster Government sets out the intention to deliver 25,000 new jobs leveraging in £4 billion of private sector investment across the region.

The City Deal consists of a £500m loan from UK Government, with a similar contribution from the Welsh Government, and the remainder coming from the ten constituent local authorities in the region, including Caerphilly County Borough Council. The constituent local authorities have set up the Cardiff Capital Region Joint Cabinet, which will take the lead and will be the decision making body tasked with delivering the City Deal.

The City Deal will provide local partners with the powers and the resources to unlock significant economic growth across the Cardiff Capital Region. It is a deal that builds on the region’s sectoral strengths, its high skill base and three successful universities. The City Deal provides an opportunity to continue tackling the area’s barriers to economic growth and its aims are:

- Improving transport connectivity;
- Increasing skill levels still further;
- Supporting people into work;
- Giving business the support they need to innovate and grow;



In further detail this will include:

- **£1.2 billion investment in the Cardiff Capital Region's infrastructure** – a key priority for investment will be the delivery of the Metro, including the Valley Lines Electrification Programme.
- **Connecting the region** – the Cardiff Capital Region has established a new non-statutory **Regional Transport Authority** to coordinate transport planning and investment, in partnership with the Welsh Government.
- **Support for innovation and improving the digital network** – to develop the capabilities in compound Semiconductor applications the UK Government will invest £50 million to establish a new Catapult Centre in Wales. The Cardiff Capital Region will also prioritise investment in research and development and provide support for high value innovative businesses.
- **Developing a skilled workforce and tackling unemployment** – the Cardiff Capital Region Skills and Employment Board will be created (building on existing arrangements) to ensure skills and employment provision is responsive to the needs of local businesses and communities. The Cardiff Capital Region and the Welsh Government will work with the Department for Work and Pensions to co-design the future employment support from 2017, for people with a health condition or disability and/or the long term unemployed.
- **Supporting enterprise and business growth** – a Cardiff Capital Region Business Organisation will be established to ensure that there is a single voice for business to work with local authority leaders.
- **Housing development and regeneration** – the Welsh Government and the Cardiff Capital Region commit to a new partnership approach to strategic planning. This will ensure the delivery of sustainable communities, through the use and re-use of property and sites.

A key factor in achieving City Deal's ambitious economic growth objectives is increasing accessibility and connectivity throughout the City Region, linking the population to employment opportunities. The largest proportion of the City Deal budget will be used to fund the Metro, the regional public transport proposals that aim to increase connectivity throughout the region and other parts of the country and to reduce journey times, particularly to Cardiff.

At the time of publishing the Joint Cabinet of the City Region agreed to invest £40m of funding towards a new Cardiff Central railway station. As the electrification of the valley lines will see far more frequent train journeys up and down the valleys, the capacity of Cardiff Central station is crucial to the smooth running of the region and the capital city on a national basis.

The vision of the Metro is

*"Metro is a new transport system that will transform the way we travel around the Cardiff Capital Region. It will provide faster, more frequent and joined-up services using trains, buses and light rail. Metro will bring benefits to passengers, link communities together and help transform the economy. It will have a positive social, economic and environmental effect. It will also shape our region's identity."*

The Metro seeks to deliver a minimum of 4 services per hour across the whole of the network through integration between trains, buses and, potentially, light rail. The Metro will integrate

ticketing to provide a single ticket system and will link with the active transport network to increase connectivity to employment and other facilities and services

We recognise the important role of the bus in achieving our aspirations for a reduced carbon footprint, improved local and regional accessibility and helping to reduce congestion. Congestion is one of the main barriers to the provision of efficient and reliable bus services and we need to address local congestion hotspots and work on a regional basis to reduce the impact that congestion has on key route corridors into key destinations to achieve faster, more direct bus services that offer a real alternative to travelling by car. The Council is taking a lead role in the installation and management of new generation ticket machines for smaller operators throughout Wales on behalf of the Welsh Government, which will provide smaller bus operators opportunities to support digital ticketing systems, contactless payment and real time information provision. This will complement the recent investment in similar infrastructure made by the larger bus operators and provide the platform that will promote integrated ticketing and information systems.

Journey time is an important factor in determining accessibility to employment by public transport. The concerns raised by our residents in relation to the provision and cost of public transport will only reinforce the use of the car as the primary mode for employment based trips. Caerphilly County Borough Council supports the Capital Region's commitment to a low carbon future, which has a transport network and mobility culture that positively contributes to a thriving economy and the health and well-being of its citizens, and where sustainable travel is the option of choice.

Good transport is crucial in improving access to job opportunities and enhancing general Well-being for local people. In order to deliver City Deal it is essential that the region is served by a fast and efficient transport system that can link its people to employment opportunities, and services and facilities throughout the region. As a result, the Metro, the programme aimed at delivering this transport system, is included as part of the City Deal.

An essential part of the delivery of the network is its expansion, using the re-instatement of former transport routes and the creation of new ones, to provide an expanded and connected transport infrastructure for the Region. We want to protect disused rail lines from any adverse development or incompatible uses to ensure their future use for transport purposes is not comprised for future generations. We are actively pursuing the reinstatement of passenger services on two former passenger lines, the Cwmbargoed rail line between Ystrad Mynach and Bedlinog and the Machen line between Caerphilly and Newport.

The Cwmbargoed line, whilst operating as a freight line for the Ffos-Y-Fran mineral extraction works, remains as the last significant rail line within the county borough that does not have passenger services. The Cwmbargoed line links Nelson to Ystrad Mynach and the services on the Rhymney Valley line. Reinstatement of this line for passenger services would facilitate movements to and from Nelson, particularly for the proposed employment uses at Ty Du. Whilst the line is identified in the Metro Phase 3, the reinstatement of this line is dependent upon the use of the line for freight as there is no appropriate provision for the passing of passenger and freight trains.

The Machen line originally ran from the eastern side of Caerphilly, through Machen to Newport Station. There were concerns regarding its reinstatement but, as part of its rail review in 2013 SEWTA, the South-East Wales Transport Authority, undertook a desktop feasibility study for the

line and found that it was possible for the line to be brought back for passenger services. The reinstatement of this line is critical as it would be the first line to link east to Newport, rather than south to Cardiff, and would open the transport network wider across the region.

Our Active Travel Plan which addresses walking and cycling, is important in promoting healthier lifestyles and reducing the negative impacts of traffic upon our neighbourhoods and communities. It is Welsh Government policy to seek to maximise the use of active travel for short distance trips and improvements to walking and cycling networks should increase local accessibility to facilitate this change.

The Wales and Border rail franchise is due to be renewed in 2018 and is currently the subject of a bidding process for potential operators. As well as being responsible for delivering the rail services set out in the franchise, the successful bidder will also be responsible for delivering the rail/light rail/tram elements of the Metro. As a result the successful bidder for the franchise will have a significant input into the direction and nature of the Metro improvements. Key issues, such as whether the main element of the system will be rail or light rail/tram or even bus, are still to be determined and the necessary certainty for planning Metro improvements will not be possible until the successful bidder has been identified.

At the relevant time within the process (as noted above) we will be promoting integrated train lines and ticketing. The ability for customers to travel and pay for a ticket for their whole journey irrespective of different travel companies (such as bus and rail) would provide a seamless service for travellers and has worked well in other cities.

The Capital Region suffers from increasing levels of congestion that adds significant costs onto the economy of the region and is one of the most significant barriers to efficient and reliable bus operation. Further to this the public transport network is not fit for the purpose of connecting people to employment, health, recreation and leisure services throughout the region. City Deal and the key elements in addressing these issues, increasing connectivity and accessibility, particularly to employment opportunities, which itself is a key element in tackling social disadvantage. The provision of access to employment opportunities is, therefore, a fundamental element in improving the future prospects for the county borough residents

### **How we used the '5 ways of working' to set this Well-being objective?**

**Involve** - The delivery of a modern, integrated and sustainable transport system will involve the collaboration of a large number of bodies, including the 10 Capital-Region local authorities, both regionally and individually, the private and third sectors. Delivering a transport system that improves accessibility to employment and other services will require the involvement of a wide range of disciplines, from a wide range of bodies

**Collaborate** - This is multi collaborative approach as noted above between public and private sector including the successful rail franchise and bus operators along with both Welsh and Westminster Governments. Although this objective focuses on the Metro and transport it is in the wider sense about accessibility so we will be involved in the collaboration around the digital strategy as part of the Cardiff Capital Region City Deal, which is an exciting aim to become part of a world class digital connectivity which would support businesses, employment, schools at a regional and local level and has the potential to change the way we live and work. At a regional level a strategic 'dark fibre network' (DFN) which is an 'untapped resource' could be in part

owned as a public asset. To be able to become an ‘open city region’ commonly called the ‘internet of things’ such as wearable technology and driverless cars would depend on the future development of the DFN.

**Long term** - Transport improvements will continue for at least 10 years as the City Deal is set over a 10 year period and regional planning has a 20 year framework so the objective will be framed over the long term. It may be 2-3 years before any actions are to take place but the long term benefits, if realised, will significantly affect travel, carbon emissions and employment opportunities. The Metro is envisaged as evolving and expanding transport system that will require continual investment and improvement beyond these periods to fully realise its objectives.

**Integrate** - The Strategic Regional Strategy will look at how the whole region can benefit from a range of ‘joined up’ activity including how transport can help with economic growth and be part of wider planning of well-being benefits which will help the objectives of a wide range of public service bodies, such as Health Services. Future internet network cabling could be installed by default on all public sector infrastructure projects including the Metro which would contribute to the Welsh Government’s aspirations to progress towards world class digital connectivity.

**Prevention** - People have told us in our range of consultations that lack of accessible transport is a real barrier to employment opportunities. The provision of an affordable, efficient and low carbon based transport system that seeks to minimise journey times and increase connectivity and accessibility will also help support residents in accessing better employment opportunities, contributing towards the City Deal objectives of economic growth.

### What steps will we take to achieve this objective?

|   | By When  |
|---|--|
| Delivery of the South East Wales Metro, including the Valley Lines Electrification programme. Delivery of the wider South East Wales Metro scheme   | Phase 1 – setting up completed<br>Phase 2 – 2017-23<br>Phase 3 – post 2023 |
| A new non statutory Regional Transport Authority will co-ordinate transport planning and investment, in partnership with the Welsh Government.      | 1st board meeting held on 25/01/18.  |
| Place Making Project, building up ‘station hubs’ near metro (transport hubs) for connecting jobs to places. This is a wider regional action.        | Transport for Wales 2023   |
| At a local level Implement our vision for a new / high quality integrated transport hub that replaces the current bus and rail facilities           | 2018-2023  |
| Sign off the Regional Transport Authority Strategic Business Plan.  | Signed by March 2018   |
| Produce Integrated Network Maps for Active Travel routes. This is a 15-year plan for improving walking and cycling routes across the county borough | Approval from Welsh Government in 2018                                     |

|   | By When  |
|---|--|
| Develop a CCBC Regeneration Strategy to support connectivity of transport, Metro, digital and broadband services  | Summer 2018  |
| Protect the routes of former rail lines from development that could prejudice their future transport use and actively promote reinstatement of former passenger services, particularly on the Cwmbargoed and Newport-Caerphilly (Machen) rail lines through the Metro programme.  | Protection of routes is ongoing.<br>Reinstatement possibly towards the end of the 15yr programme.  |
| Improve and expand station facilities through the provision of improved Park & Ride facilities and walking and cycling links to make train services more accessible. Reduce congestion and carbon emissions from existing and new rail station by increasing parking at Ystrad Mynach Station; significant new parking provision at the proposed Llanbradach Parkway Station on the Rhymney line and a new car park to complement the proposals for a new station at Crumlin on the Ebbw Valley line. | Ongoing schemes determined by bid/funding availability   |
| Delivery of new ticket machine infrastructure based on GPS technology for the smaller bus operators in Wales. Implementation throughout Wales planned during the first half of 2018. Will provide a wider platform for real time, vehicle tracking and integrated ticket solutions (including contactless transactions) in future.  | 2018 for installation of basic ticketing platform. Further development dependent on funding  |
| Develop and deliver a programme of bus priority corridors in partnership with the bus operators through measures that address the main congestion hotspots to improve reliability and reduce journey times  | Phase 1: 2017/18 list of priority corridors confirmed through CCRTA; Phase 2 – 2018 – 2023 feasibility, design and delivery through CCRTA and Metro. |

### **Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals**

A **Prosperous** Wales and a more **Resilient** Wales would be supported by this objective as it will generate employment opportunities within a low carbon environment.

A more **Equal** Wales where everyone can get around and access employment or other opportunities will improve. The Metro, supported by local active travel proposals, will increase accessibility and connectivity to vital destinations such as employment opportunities and other services and facilities, which will all contribute significantly to increasing prosperity through economic growth. The Welsh Government in their 'Prosperity for All' national strategy have made skills and employability one of their priority areas, travel and access is an important way to enable the connection between jobs and people. The Welsh Government is seeking to increase the number of shorter, more local trips, that are undertaken by walking and cycling (including the use of mobility scooters), termed active travel. Active travel trips will include journeys to school, to work, to the shops or to local services such as health or leisure centres. Increasing active

travel will have the important additional benefits of promoting healthier lifestyles and reducing the negative impacts of traffic upon our neighbourhoods and communities. This contributes to a **Healthier Wales**, because the Metro programme will have a low carbon, fast and efficient transport system that increases accessibility and connectivity, linking people to employment opportunities and realised benefits of the City Deal maximises our contribution to a **Globally Responsible Wales**. **A Wales of Cohesive Communities** would benefit as this objective will ensure better connected communities through integrated transport at a local and regional level.

### **How we will resource this Well-being objective**

This City Deal reconfirms the continued shared ambition of both Government's and the Cardiff Capital Region to deliver the first 2 phases of the wider Metro scheme. £325 million of the £1.2 billion Investment Fund has already been committed to the delivery of this scheme (£125 million from the UK Government, £94 million from the Welsh Government and £106 million from the European Regional Development Fund).

The delivery of further phases of the Metro scheme means that the Welsh Government will pre-allocate over £400m further funding from the Investment Fund for its delivery, with the necessary design work ongoing. As part of this City Deal the Welsh Government commits to involving the Cardiff Capital Region in the co-design of the wider Metro scheme and in the procurement of a delivery organisation.

Wider Investment Priorities - The remaining element of the Investment Fund will be used to take forward a wide range of projects and schemes that support economic growth across the Cardiff Capital Region. Decisions on the prioritisation of these schemes will be taken by the Cardiff Capital Region Cabinet. Schemes taken forward could include: further phases of the Metro; investment to unlock housing and employment sites; and development of research and innovation facilities. Integrated ticketing for Caerphilly and Flintshire Council has been grant funded by Welsh Government.

Local Authorities have produced an Integrated Network Map (INM) which is a statutory duty and provides an aspirational map that sets out Caerphilly CBC's Active Travel proposals for the next 15 years. The development and delivery of the routes shown on the INM will be dependent on the availability of funding for Active Travel schemes.

### **When will this objective be completed?**

The City Deal programme is over a ten year period but the benefits if realised will be generational (25 years) or longer with a range of milestones along the way. Most of the measures for this objective are project based and measured at this time on milestones. This means specific measures on the success of the objective will be developed as the programmes develop or linked to other measures in other objectives such as the 'Enabling employment' Objective.



## 5. Creating a county borough that supports a healthy lifestyle

### Outcomes

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1. Aim to reduce inequalities in health across the county borough
2. Creating a place that supports a healthy lifestyle.  
Including -
  - Contributing towards the Welsh Government target to reduce smoking prevalence rates to 16% by 2020
  - Reducing the overweight and obesity rates in children
  - Understand and address what helps to encourage people to become more physically active

## 5. Creating a county borough that supports a healthy lifestyle

### Well-being Statement

Our data shows that residents living in areas of higher deprivation have statistically higher levels of ill health and live more years in poor health compared to those who live in the least deprived areas.

Life expectancy varies considerably according to where people live within the county borough. Data between 2005 and 2009 evidences the gap for healthy life expectancy, between those residents living in our most and least deprived communities, was 18.6 years for males and 16.2 years for females. More recent data, between 2010 and 2014, shows that this gap has been reduced to 13 years for males and 14.6 years for females, but it remains significant.

Unhealthy lifestyles arise, at least in part, due to the inequalities in the circumstances in which people are born, grow up, live and work. There is still much work to be done to reduce these inequalities.

A significant amount of partnership working has taken place over recent years and has contributed towards this improvement in health inequalities. However it is important to note that there have been recent changes that have altered the operational focus of this work. This brings with it both challenges and opportunities i.e. changes to Communities First, Flying Start and continuing budget reductions, so we have to look at different ways to support improved health and influence where we can.

An individual's lifestyle behaviour can affect their risk of ill-health and premature death.

**Smoking** is currently the largest single preventable cause of ill health and death in Wales. It directly contributes to health inequalities as nearly a third of residents in our most deprived areas smoke (29%) compared to 11% in our least deprived areas. 18% of adults in Caerphilly county borough report being a smoker (2016/17). This has reduced from 23% in 2010/11 and is slightly under the Welsh average of 19%, and mirrors the national downward trend.

**Obesity** – By 2050 it is predicted that 60% of **adult** men and 50% of **adult** women will be obese and 25% of children under 16 will be obese. The percentage of adults who are overweight or obese within Caerphilly county borough was the highest in Gwent (63%) in 2014/15 and higher than the Wales average of 59% (2014/15). Rates of obesity in Gwent are rising faster than Wales as a whole. Health conditions associated with obesity include Type II diabetes, coronary heart disease, high blood pressure, stroke and cancers.

Wider impacts include less contribution to family life and community; reduced employment opportunities; less income; reduced productivity and absenteeism; poor school performance and poor mental well-being. Over a quarter (2014/15) 27% of children aged 4/5 in Caerphilly county borough are overweight or obese. This is higher than both the Gwent and Wales average and alarmingly higher than any English region.

Obesity harms **children** in the short term, but as up to 80% of children go on to become obese adults, childhood obesity also harms life chances.



Public Health Wales also found that overweight and obesity amongst 4-5 years olds increases as deprivation increases. This means there is a strong economic case for investing in the early years of life as early years programmes are often less expensive than the services needed to address the physical, mental, behavioural and socio-economic consequences of poor early child development in addition to improving quality of life. Evidence shows that children with high levels of physical fitness have higher academic grades and those with lower levels of fitness have lower academic grades (*source: Journal of Paediatrics*) and that children need at least 1 hour of physical activity a day. Studies by Public Health Wales (Nov 14) supported key findings that pupils with better health and well-being were more likely to achieve better academically and that a positive association exists between academic attainment and physical activity levels. The University of Strathclyde and Dundee's (2012) research suggested that physical activity particularly benefited girls' performance in science and that children who carried out regular exercise, not only did better academically at 11 but also at 13 and in their exams at 16.

Building on this we introduced an initiative called 'The Daily Mile' with one simple aim - to help children get fit by walking or running for 15 minutes a day. This will improve the physical, emotional and social health and well-being of our children regardless of age or personal circumstances. It encourages children to be more active and helps them understand the benefits of physical and mental health and well-being and is gaining momentum across our schools and the Gwent region.

We have a statutory duty to produce a 'Play Sufficiency Assessment' every 3 years for the county borough in recognition of the value of play and open spaces in relation to health and well-being. We use a toolkit and map the types of places we have against recognised standards in a range of areas such as places of supervised and unsupervised play and how we and our partners aim to offer play opportunities that are inclusive and encourage all children to play and meet together. The assessment includes recognition of play in open spaces and we have developed our own open space standards in accordance with the advice and requirements of planning regulations.

Other wider factors like travel to parks and costs are considered in assessing play and exercise. We can evidence strengths from completing this toolkit collaboratively and have identified actions to take such as the 'Large Scale Change' which is promoting physical activity in the Heads of the Valleys area for women aged 14-40. This is supplemented by work ongoing on 'Active Gwent'.

Overall, there has been year on year increases for participation and over half of all children have taken part in 5 x 60 minute activities at least once. Participation rates in extra-curricular Dragon Multi-skills, designed to offer 7-11 year olds fun and enjoyable sporting opportunities, are also increasing each year. There is a significant increase in clubs being run within primary schools and sporting communities to ensure there is a sporting pathway in place. There has also been an increase in opportunities for children aged 3-6 years due to the physical literacy programme. This provides tots with sessions such as football, netball, rugby and cricket and involves the carers. A free swimming initiative on a Friday at all leisure centres is currently running and participation rates have increased year on year. We also offered free swimming during public swimming times for children participating in swimming lessons, and to meet demand, additional free swim structured sessions have been put on over the school holidays.

The Welsh Network of **Healthy School Schemes** was launched in 1999 to encourage the development of local healthy school schemes. The Welsh Government and Public Health Wales provided funding and guidance to help health and education services in partnership to set up and run local healthy school schemes in all 22 local authorities across Wales. Since it was established in 2001 the Caerphilly Healthy Schools Scheme has grown rapidly and we now have all schools actively engaged. Our aim is to support schools to develop a whole school approach to health through 7 key areas:

- Food and Fitness
- Mental and Emotional Health and Well-being
- Personal Development and Relationships
- Environment
- Substance use and misuse
- Safety
- Hygiene

Since 2010 schools have the chance to be awarded with a national final accreditation for outstanding practice with the Welsh Governments National Quality Award. We are working with our schools to achieve the award as this will show they have not only reached this standard but maintained it for 9 years or longer.

The **Caerphilly Healthy Early Years (HEY)** Scheme was initiated in 2008 to further support early years and childcare settings to promote the health and wellbeing of the whole community, including children, parents/ carers, and staff members. Since 2004, early years and childcare settings within the borough have been participating in the Caerphilly Gold Standard Healthy Snack Award scheme with the majority of settings successfully achieving the award, thus setting the scene for the introduction of the HEY scheme.

The HEY scheme extends the work of 'The Caerphilly Healthy Schools Scheme' that forms part of the Welsh Assembly Government's 'Welsh Network of Healthy Schools Scheme'. Since all Primary and Secondary schools in Caerphilly are working towards becoming a healthy school, a focus on health related activities and policy in early years and childcare settings offers continuity for children as they move onto statutory education, as well as enhancing their development during their pre- school years. The HEY scheme encompasses best practice to engage children and enabling healthy attitudes and behaviours to be developed at a young age and continued throughout later life. It links closely with the Obesity Prevention programme by encouraging parents to be more active with their children and by promoting the 10 Steps to a Healthy Lifestyle.

The scheme trains in a range of activities such as '3 Sticky Fingers' cooking sessions, Ffa La La (physical literacy and movement through the medium of Welsh), Brilliant Babies, Traumatic Situations and Mindfulness training, for Mindful Families. We are also running a Fire Safety course and a fourth Internet Safety session. All of this training is in addition to Busy Feet (exercise about Nutrition and Oral Health) and Design to Smile. This is a successful scheme with a high number of our early years and child care providers taking part over ten years. We provide sporting opportunities for adults and young people with **disabilities**. Working closely with Disability Sport Wales we provide access to Leisure Centres, community clubs, school holiday schemes and the InSport programme. The Sport and Leisure Team were accredited with the InSport Ribbon Award, which recognises all that we do to create inclusive

sporting opportunities for disabled people. Our school holiday programme provides young people with the opportunity to try new and exciting sporting activities delivered by our specialist coaches and volunteers. The holiday programme can be tailored to that individual's needs and requirements.

In relation to physical activity, the percentage of **adults** in Caerphilly county borough who reported meeting exercise/physical activity guidelines in the previous week in 2014-15 was 26%. This compares with a figure of 28% in Gwent and 31% for Wales as a whole. The science on the benefits of physical activity is clear as to the profound benefits and effects it can have on health and wider moderate mental health and Well-being.

**Active Gwent** is a regional collaboration across Gwent whose vision is to improve physical literacy, promote a positive future and tackle inequality in communities through sport. In a variety of ways the partnership is aiming to get 75% of people 'hooked on sport' by 2027 with the 2018 milestone target at 55%. The partnership has looked at priority sports that are common across the five local authorities that help to meet the underlying demand. Under the theme of 'tackling inequalities', children and young people from deprived communities and living in poverty are being supported through a social inclusion programme called 'Positive Futures' using sport to engage these young people. In Caerphilly momentum has continued from 6,778 attendances in 2015/16 to over 9,000 attendances in 2017.

Increasing girls and women's participation is important for health and other benefits so in 2016 the collaboration launched a 'Lets Go Girls' initiative which allows activity providers and females who are interested in taking part in activity to connect. There has been some success with helping mums with post natal depression with our 'mams with prams' initiative with others taking part in netball sessions. Within Caerphilly and within the region we will continue to focus on girls and women taking part in activity as tackling inequalities is one of our priorities.

One of the ways we contribute to a healthier environment and promote our tourism facilities is the **Caerphilly 10K** run which is now in its sixth year and is set to return in 2018 on Sunday 20th May along with the Caerphilly 2k which is attractive for younger runners. With 2,500 runners of all abilities expected to descend on Caerphilly from across the country to enjoy the event, we are looking to the 2018 event to be bigger and better. Set in the shadow of the spectacular Caerphilly Castle, the Bryn Meadows Caerphilly 10k gives runners both experienced and beginners, the opportunity to run on a relatively flat course with some undulating points against an historic backdrop. Further details are at [www.caerphilly10k.co.uk](http://www.caerphilly10k.co.uk)

Using exercise to improve health **The National Exercise Referral Scheme (NERS)** is a Public Health Wales (PHW) funded scheme which has been in development since 2007. The Scheme targets clients aged 16 and over who have, or are at risk of developing, a chronic disease. The scheme is centrally coordinated by Welsh local Government Association and has secured funding until March 31st 2019. NERS is an evidence-based health intervention incorporating physical activity and behavioural change techniques to support referred clients to make lifestyle changes to improve their health and Well-being. The main aims of the Scheme which we run are:

- To offer a high quality National Exercise Referral Scheme across Wales
- To increase the long term adherence of clients to physical activity
- To improve the physical and mental health of clients

- To determine the effectiveness of the intervention in increasing clients' activity levels and improving their health

Currently we have between 1000 and 1200 people a year participating and our referrals are increasing as the scheme is helping to improve participants quality of life.

### **Outdoors, Parks and Countryside**

It is important we understand a range of activities that contribute towards creating a place where people can enjoy a healthier lifestyle (rather than just focus on sport). We also want to build on our strengths, for example we are fortunate in the amount of green space that is available and can be used to promote well-being. Some 80% of the county borough is classed as rural and these areas contain a variety of landscapes including accessible uplands and significant water bodies, over 800km of public rights of way, five main country parks, a National Nature Reserve and a number of other areas and facilities that can be used as part of promoting healthier lifestyles.

Caerphilly Adventures also use our great outdoors to work with young people and their families to improve family relations, parenting, confidence and self esteem through the medium of outdoor activities and pursuits. It also provides opportunities for adults and young people to take part in Outdoor Activities such as Hill Walking Canoeing, Rock Climbing Caving and Stand Up Paddle boarding by running a range of courses. Caerphilly Adventures also provides training in hill walking and first aid to enable adults to lead groups in the outdoors safely. The Duke of Edinburgh's Award delivers the well being objectives through its different sections: volunteering, physical activity, skills and expedition. Caerphilly Adventures also supports CAG which is a network of volunteers that organises outdoor activities for its members.

Various Welsh Government initiatives aim to promote the use of green infrastructure to meet the desired outcomes prescribed in the Well-being of Future Generations and Environment Acts. Underpinning these is the principle of the sustainable management of natural resources, being championed by Natural Resources Wales but applicable to and supported by ourselves. The 'services' provided by our natural resources do play a significant role in our health and have the capacity to be increased. An important initiative to promote this increase, through greater use of green infrastructure, is the development of a regional 'Valleys Landscape Park' which is being driven by Welsh Government but will be largely implemented through the actions of partner agencies. We are developing a Green Infrastructure Strategy to support this.

In 2015 we reviewed our Outdoor Recreation Provision looking at Equipped Play Provision; Sports Pitches; Allotments and our Green Spaces. From this we mapped what areas needed more facilities and what areas had enough. Reviewing what we have means we can identify gaps in provision and this enables us to target those gaps when money becomes available from different funding streams. Our review also looked at quality and accessibility and actions arose that we are still working on, for example sports pitches within the county borough have been affected by poor standards of drainage, which affects both the ability of the pitch during the playing season and the standard of the playing surface. We have put in place a drainage programme to improve this. Adventurous Outdoor Play, particularly to provide safe adventurous play areas suitable for young people to encourage use of outdoor spaces, was identified as one of the Youth Forum's priorities for 2017 following a vote at their Annual Conference. This is made up of young people from 11 to 25 years across the county borough.

Part of creating a healthy environment includes our **'Tree Strategy'** as we have approximately 250,000 trees across the county borough and there are many benefits to well managed trees. They are an important public resource which produce oxygen, absorb carbon dioxide, absorb pollutants, provide home and shelter for food and wildlife and can provide buffer to noise pollution to name a few things, they are known to relieve stress of modern lives and provide share and shelter to mitigate effects.

### **Keeping the environment clean**

We know from the Council's household survey and Viewpoint Panel that cleanliness remains a concern within our communities and our objectives continue to keep the streets and public highways as clean and free from litter and graffiti as far as is reasonably practical. In relation to physical activity many people prefer to walk their dogs, cycle or walk to work for example, and prefer use of the outdoor environment than attending leisure centres or taking part in a sport. An environment with litter, broken glass, fly tipping or dog fouling for example, can be a barrier that prevents people enjoying their regular outdoor space.

Most of our street scene cleaning and enforcement activities (such as fining people who do not abide by the law) is very much business as usual, however we do carry out a range of initiatives such as our 'Enough is Enough' environmental awareness campaign, where we have implemented a series of new measures such as placing a Public Spaces Protection Order (PSPO) in the park in Ystrad Mynach. This PSPO aims to tackle irresponsible dog ownership and dog fouling through enhancing the council's ability to take enforcement action.

The Welsh Government introduced the Unauthorised Deposit of Waste Fixed Penalties (Wales) Regulations 2017 on the 25<sup>th</sup> October 2017 which gives Councils greater powers to fine 'first time offenders' in relation to fly tipping with a fixed penalty notice pre-empting the need to go to court in the first instance but fixed at an amount that is not an incentive to continue enviro crime behaviours. We will use a range of performance measures around cleanliness and enforcement to make better connections with creating a space that supports a healthier lifestyle.

Health and Well-being needs to be an integral part of our everyday life and as the largest employer in the county borough, we recognise that improving the health and well-being of our staff is in all of our interests. Small and often simple lifestyle changes can help prevent illnesses such as strokes, cancer, diabetes and heart disease. In light of this we have established a **Health and Well-being group** with the aim of providing employees with easy access to information regarding the improvement of their general health and well-being.

As approximately 75% of our employees live in the county borough any lifestyle improvements that employees share with their families and friends will benefit our communities more widely. Preventing ill health across the population is generally more effective at reducing health inequalities than medical or clinical involvement and requires many partners to work together. Success in this area would lead to long-term savings by reducing the risk of health and social problems and improve education, training and employment prospects.

The nationally recognised (Public Health Wales) five healthy lifestyle behaviours include – remaining smoke free, drinking alcohol sensibly, and maintaining a healthy body weight, regular physical activity and a balanced diet. The above factors are best tackled in a

partnership across many organisations in the public, voluntary and private sectors as no one agency can carry this alone.

Indeed our Public Services Board are looking at how we can build in resilience across the course of a life to prevent poor quality of life through poor health and have set an action area in the draft Well-being Plan (published June 2018) for 'Good Health and Well-being'. Action areas will set delivery plans to take specific activities to improve this and we will fully contribute to this improvement area.

## **How we used the 5 ways of working to set this Well-being Objective?**

**Involvement** – This objective could never be delivered in isolation and the individual and many partners have to be involved to improve individual quality of life. The main involvement needs to be with citizens using the principles of 'co-production' (which starts from the idea that no one group or person is more important than anyone else and everyone has skills, abilities and time to contribute). Specifically we work with and involve a range of partners such as Public Health Wales, schools and parents (for initiatives like the Daily Mile initiative). The nature of preventing ill health requires the involvement of the individual as well as health services, GP's, Health Visitors, the voluntary sector and local groups such as walking groups. For example the 'Healthy Hearts' Walking Initiative with the NHS, has 3000 participants in Caerphilly. Another initiative is the South Eastern Caerphilly Landscape Partnership which involves developing the recreation potential of the south eastern Caerphilly urban fringe and countryside, an initiative being led by the communities and should have particular benefits to Lansbury Park, our most deprived area.

**Long term** – The objective is framed in the long term from a generational life course to deal with the long term implications of poor health which affects the quality of life and the wider economy if we do not improve on the current position. This objective starts from pre-pregnancy and 0-3 within the Flying Start programme through to healthy places for adults and children. Opportunities for health improvements with the development of the Valleys Landscape Park is a long term generational commitment and will probably run for the next 25 years.

**Collaborate** – As noted under involvement we must collaborate to improve this aspect, there are too many partners to list here but staff from the Aneurin Bevan University Health Board, Public Health Wales, Sport Wales all carry out activities in partnership. National Resource Wales (NRW) have a passion and willingness to allow the public use of their sites for outdoor recreation and the South Wales Countryside Officers group collaborate to ensure both local and region initiatives are developed and implemented that promote benefits to health, particularly through the Sustainable Management of Natural Resources.

**Integration** – Good Health underpins all the other Well-being objectives as without good health many other objectives such as maintaining sustainable employment, making the most of education and general quality of life opportunities is simply not possible. Success of this objective will meet the goals of the other organisations listed here as we all want the same outcomes.

**Prevention** - This objective in its totality is about preventing poor health and building more resilience in our citizens over the life course to enable a better quality of life. There are many

contributions to this area that are not always instantly obvious, for example we have a capital programme to improve drainage on playing fields which will allow fixtures to be played during periods of bad weather, improved drainage will maximise the use of pitches and therefore prevent cancellations and for sports to continue. At the heart of people's ability to work, learn and enjoy a good quality of life, good health and well-being is the starting point for all other opportunities. Demand on already stretched services such as social care, primary and secondary health care, can be reduced by supporting residents to have a healthy and independent life for as long as possible.

### What steps will we take to achieve this objective?

There will be a detailed action plan developed for the next 4-5 years. Below we detail some of the main actions that we will take over this time:

| Outcomes   | When (Time Frame)   |
|--|---------------------|
| <b>Outcome 1: Aim to reduce inequalities in Health</b>   |                     |
| Continue to increase the 'Daily Mile' programme in schools across the county borough.  | 2018-2023           |
| Continuation of the Healthy Hearts programme in partnership with Aneurin Bevan Health Board.   |                     |
| Continue to run our Flying Start programme which provides a wide range of support 0-3 years and their families for improving life in early years. This includes activities such as: <ul style="list-style-type: none"> <li>• Get Cooking - recipes and cookery sessions for family foods.</li> <li>• Henry (Healthy Exercise and Nutrition for the Really Young) - nutrition and exercise course for parents to know the most up-to-date information on the best foods and exercise for their child's development.</li> <li>• Healthy Start scheme - Healthy Start vouchers for fresh fruit and vegetables and vitamins</li> </ul> | 2017-2021           |
| Run our health outreach (shared contract) 'On the Move and On to Food' (to support parents with solid feeding and nutrition moving onto HENRY (Health Exercise Nutrition for the Really Young)).   | 2017-2021           |
| Promote the Healthy Schools programme (a Welsh Government, Public Health and Education Programme) to provide specific actions to improve child health.   | 2018/19             |
| Disability in Sport – providing sporting opportunities for individuals with disabilities.  | 2018-2023           |
| Participation in 'large scale change' collaborative programme: Let's Go Girls (Campaign to get more girls and women aged 14-40 more active, more often through different forms of engagement through physical activity).   | 2018/19             |
| Supporting greater physical activity through continued delivery of targeted programmes on a local and regional basis such as ' <b>Positive Futures</b> ', which is a sport based social inclusion programme that uses sport as a tool to engage young people in local community facilities, and through a referral process from a range of partnership agencies.   | Ongoing (2018-2023) |

| <b>Outcomes</b>   | <b>When (Time Frame)</b> |
|---|--------------------------|
| Sporting Pathways – a targeted approach to helping clubs develop their playing, coaching and volunteer base.  | 2018-2020                |
| Complete a Play Sufficiency Assessment to assess gaps in provision and identify improvement actions   | March 2019               |
| <b>Outcome 2: Creating a place that supports a healthy lifestyle.</b>   |                          |
| Implement a county borough wide Sport and Leisure Strategy to establish a vision and specific actions to sustain  | Summer 2018              |
| Set up a Health and Well-being employee group to provide lifestyle improvements that can benefit the wider communities.   | 2018/19                  |
| Promote and run the Elite Caerphilly Scheme 2018<br>(This aims to reduce the financial burden of training costs for talented athletes, many of whom aspire to represent both Wales and/or Great Britain in their respective sports on the international stage.  | 2018-2023                |
| Promoting access and use of our parks and countryside (Rural Development Programmes), through cycling and walking and events such as the 'Caerphilly Challenge'.  | Ongoing (2018-2023)      |
| By 2020 aim towards Welsh Government target to reduce the smoking rate to 16% <ul style="list-style-type: none"> <li>• Trader education/awareness on 18 age limit for purchases of tobacco products, No Proof No Sale packs issued to traders which include guidance for traders, shop display items and information for employees.</li> <li>• Promote and facilitate take up of Proof of Age cards to young people 16 to 18 via schools and colleges.</li> </ul> |                          |
| Delivering on our Tree Strategy Actions   | 2018-2023                |

### **Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals**

A **Prosperous** Wales – Research suggests that young people who are healthier are more likely to perform better at school and less likely to be unemployed, receiving benefits or involved in crime. Any age of people who have their health have more potential for enjoying paid or unpaid work. Good health and personal reliance will support residents, of all ages, to fully be part of the labour market and help contribute towards a prosperous county borough. Giving every child the best start in life will ensure that they have the support they need to reach their full educational potential, that they are able to secure rewarding and meaningful employment and that they becomes productive members of society. Our environment and green spaces can provide employment and other benefits such as inward investment and tourism.

A **Healthier** Wales – Creating a supportive environment that enables our residents to manage their own physical, mental and well-being needs is an important part of ill health prevention. Demand on already stretched services can be reduced by supporting residents to have a



healthy and independent life for as long as possible. Providing support to the child and family in the early years reduces the risk of the individual engaging in health harming behaviours and of developing diseases such as cancer, heart disease, diabetes and poor mental health. Communities with attractive public open space help residents to be more active and more engaged and support better mental and physical health.

A **More Equal** Wales - All the Sporting programmes at their core are about ‘tackling inequalities’ whether that is to help women and girls back into exercise or sport, young people who need help or those who have disabilities and this supports greater inclusivity. Residents living in areas of deprivation are at greater risk of poor health. Supporting residents to adopt healthy behaviours will help them to take responsibility and manage their own physical health, mental health and well-being. Lifestyle choices are a key cause of health inequalities and can have a major impact on healthy life expectancy. The need to reduce our health inequalities is unquestionable. Every individual deserves the opportunity to fulfil their potential, regardless of their socio-economic characteristics, background or circumstances.

A **Resilient** Wales – Improvement with regard to enviro crime as proposals to prevent fly tipping will contribute to a cleaner, safer environment by removing the likelihood of fly tipping and associated environmental issues. Supporting residents to have good health and ensuring our children have the best start in life will develop skill sets that enable residents to respond positively to the constantly changing world that we all live in and enable them and their families to be more resilient and adapt to change in the future. Regular participation in sport, for both children and adults, is associated with good mental health. A network of healthy, green, well-functioning, well-connected and sustainable communities can deliver multiple benefits for environmental, social, economic and cultural well-being.

Supporting residents to have the best start in life will help reduce youth offending, anti-social behaviour and other crime levels leading to safer communities within the county borough. Attractive country parks and opportunities to walk and cycle and allow all to experience places to enjoy activities is very much a part of providing ‘A Wales of **Cohesive Communities**’.

Opportunities for taking part in community and sporting activities will help to reduce feelings of isolation and loneliness. In the same way creating a county borough where people can participate in sport and recreation and where they feel healthy and empowered to be engaged citizens, all supports a Wales of **Vibrant Culture**; for example whilst the Caerphilly 10k run helps people partake in exercise within a supportive environment, it also encourages tourism as people come to visit the area.

A **Globally Responsible** Wales – Enabling behaviour change towards a more preventative and sustainable approach will have a huge impact on the local and global environment. Positive early intervention and improving residents’ health can prevent higher healthcare costs in adulthood. By encouraging residents to protect and look after their local environment and natural resources we strive towards our global obligations.

### **How we will resource this Well-being objective**

Resources in this area have been significantly reduced over the past few years. This is impacting our availability to deliver a range of programmes so it is important that we pool our

expertise and resources to set this within the way of working that involves other people in the delivery of this objective.

### When will the objective be completed?

Improved health data is a long term measurement and can rarely be measured on a year to year basis. As this objective is about making a difference at an early age and to promote more physical activity there cannot be a specific 'completion date' therefore we will look at completion dates regarding actions and changes.

Measures of progress are noted below:

| Outcome | Measure  |
|---------|--|
| 1       | Increase the number of schools participating in the 'daily mile'.  |
| 1       | Increase the number of schools achieving Welsh Governments National Quality Award for Healthy Schools.         |
| 1       | Number and % of participant parents benefitting from an evidence-based parenting programmes.                   |
| 1       | Number of clubs signed up to be part of the 'Lets Go Girls' campaign.  |
| 1       | Engage with a minimum of 5 new settings in promoting the Healthy and Sustainable Preschool Scheme (Hey Scheme) |
| 2       | Reduce smoking rates.  |
| 2       | % of children age 4/5 who are overweight or obese.   |
| 2       | Percentage of children at 11 years who can swim 25 meters.   |
| 2       | Increase the number of visits to our parks and countryside.  |
| 2       | 'Increase numbers participating in a broadened 'Healthy Hearts' initiative.                                    |
| 2       | Number of people participating in the Health Referral scheme.  |
| 2       | Adopt a 'Valleys Landscape Park strategy'.   |
| 2       | Street Scene Cleanliness Index LEAMS Score for the whole of the county borough (STS005a)                       |
| 2       | % of highways & relevant land inspected of a high or acceptable standard of cleanliness (STS005b).             |
| 2       | % of reported fly tipping incidents cleared within 5 working days (STS006).                                    |
| 2       | The percentage of reported fly tipping incidents which lead to enforcement activity.                           |
| 2       | Number of enforcement actions issued for Dog Fouling.  |

**2** The percentage of reported fly tipping incidents which lead to enforcement activity.

For context we will also review the National indicators for Wales below as part of this overall objective

| General Well-being Indicators-   | Source of Data                            |
|--|---|
| Percentage of adults who have fewer than two healthy lifestyle behaviours (not smoking, healthy weight, eat five fruit or vegetables a day, not drinking above guidelines and meet the physical activity guidelines) | National Survey of Wales                  |
| Percentage of Children who have fewer than two healthy lifestyles as above   | School Aged Children Survey, New analysis |
| Healthy life expectancy at birth including the gap between the least and most deprive.   | ONS and Public Health Wales               |
| Percentage of people feeling safe at home, walking in the local area, and when travelling.   | National Survey of Wales                  |
| Mean mental Well-being score for people  | National Survey of Wales                  |

**Additional Information**

As a wider consideration of creating a ‘healthy place’, part of our tree strategy is to develop scope on council allotments for potential small scale ‘allotment forestry’ as a partnership between council and tenants called the Allotment Forum Initiative.

Ideally this would involve the planting of useful trees in positions which would not affect the site’s primary function as a place to grow vegetables. We will encourage tenants to plant appropriate fruit trees where they will not significantly interfere with vegetable production.

Besides fruit trees, there is also the potential for the planting of small coppice areas if it was supported by tenants. These could be planted on plots that, because of shading, or say waterlogged conditions, are less suitable for vegetable growing.

Coppicing of species such as hazel, willow, or sweet chestnut would produce valuable products such as bean poles, pea sticks, or fencing materials, which could be harvested communally and would represent a sustainable use of these plots while maintaining wildlife value.



## 6. Support citizens to remain independent and improve their well-being

### Outcomes

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1. Support people to 'help themselves' by providing comprehensive advice and information including signposting to other services.
2. Have 'meaningful conversations' to help people identify 'what matters' to them to inform 'outcome focused' planning.
3. Provide support to reduce the need for higher tier statutory interventions.
4. Identify and support carers.
5. Improve the recruitment of Foster Carers and Shared Lives carers.
6. Continue to identify opportunities to work collaboratively wherever appropriate.

## **6. Support citizens to remain independent and improve their well-being**

### **Well-being Statement**

2016/17 saw the implementation of the Social Services and Well-being (Wales) Act 2014 across Wales. This is possibly the most wide ranging and radical change in legislation impacting on the delivery of Social Care for generations.

The Legislation is underpinned by a series of key principles and the Local Authority is charged with delivering services to enable these to be achieved. The principles are:

- Provide support at the lowest level to reduce the need for statutory services or interventions.
- Provide information and advice aimed at helping people to help themselves.
- Signposting people to community based and third sector services wherever appropriate to do so.
- Facilitate 'what matters' conversations with people referred for support to ensure services are aware of what the individual actually wants and would benefit from
- Identify personal outcomes and provide services to enable people to achieve these outcomes.
- Only provide 'Care and Support' to those people whose needs 'can and can only' be met through the provision of Social Care services
- Continue to safeguard and protect those most vulnerable people

As part of the newly implemented Social Services and Well-being (Wales) Act 2014, the Information, Advice and Assistance (IAA) team, has been established in Caerphilly. IAA acts as the first point of contact for all referrals into both statutory and preventative services. An assessment is undertaken to identify if the family needs, require 'Care and Support'.

On occasion, a person or family's needs may not be eligible for a Care and Support Plan and can instead be met through preventative well-being services. The Welsh Government funded Tackling Poverty Programmes - Families First, Flying Start, Supporting People and Communities First - all work at an early intervention and prevention level.

Providing low level support to families and individuals should reduce the need for statutory and specialist services, whilst providing timely support for families which will enable them to improve their well-being. Early intervention should enable families to establish positive behaviour, increase their parenting capacity and help prevent abuse or neglect.

Within Caerphilly, the Families First programme offers targeted, time-limited interventions to ensure that families get the right support and the right time. Support is provided for a wide range of needs including parenting and behaviour, well-being and mental health, advocacy, financial support, young carers, literacy and numeracy support, youth engagement, support for families affected by domestic abuse, pre and post natal support, emerging developmental delays in pre-school children and community engagement. In addition, the Team Around the Family (TAF) model in Caerphilly, locally known as Supporting Family Change, co-ordinates support for families with multiple needs.

## How we used the '5 ways of working' to set this Well-being Objective?

**Involvement** - Using the principles of the Social Services and Well-being Act, service users should be fully involved in identifying their needs and personal outcomes and planning their Care and Support requirements. Supporting People and Families First programmes involve hundreds of projects and providers and partners. Service users are involved in their own care through having the 'what matters to you' conversation.

**Long Term** - Our long term aspiration is to ensure citizens are supported to remain independent in their own homes and communities for as long as possible. Being independent gives people a feeling of purpose and self-worth and for some older people moving to residential accommodation can be distressing as home is often where people are happiest. This is important to well-being.

**Collaboration** - This Well-being Objective is reliant on all partner agencies collaborating and co-operating to provide early intervention support to prevent the need for statutory intervention. Much of the preventative work undertaken by the Tackling Poverty programmes is tendered out to third sector organisations working within the Caerphilly county borough. This allows for greater partnership and multi-agency working across all organisations.

**Integration** - The Information, Advice and Assistance Service and Supporting People are already integrated across Adults and Children's Services. Opportunities for further integration across wider partner agencies will be developed as and when they arise. This objective if successful would contribute to a wide range of health, third sector and other public bodies outcomes including the Social Services Gwent Area Plan, by helping people (where they can be) to become more resilient.

**Prevention** - The foundation of the Social Services and Well-being Act is the concept of early intervention and prevention support services that enable citizens to access services to help themselves.

## What steps will we take to achieve this objective?

| Outcome   | When<br>(2018-2023) |
|---|---------------------|
| <p><b>1. Support people to 'help themselves' by providing comprehensive advice and information including signposting to other services.</b></p> <p><b>2. Have 'meaningful conversations' to help people identify 'what matters' to them to inform 'outcome focused' planning.</b></p> |                     |
| Provision of an effective Information, Advice and Assistance (IAA) Service to ensure compliance with the Social Services and Well-being (Wales) Act 2014  | 2017 – 2022         |
| Support staff to undertake meaningful conversations with citizens to identify what matters to them and identify the outcomes that they want to achieve  | 2017 – 2022         |
| Implement and support further development of the 'DEWIS' web base to ensure it becomes the 'go to' site for people to access information in order to 'help themselves'.   | 2018                |
| <p><b>3: Provide support to reduce the need for higher tier statutory interventions</b></p>   |                     |
| Work in partnership with Aneurin Bevan University Health Board to prevent unnecessary admissions to hospital and facilitate timely discharges.  | 2018-2022           |
| Continue to support the work of Families First and the Welsh Government Tackling Poverty programmes to provide support to families at a preventative and early intervention level   | 2017 – 2021         |
| Support individuals in hospital with housing related support (including those who may be homeless at point of discharge).   | 2018-2019           |
| Maximise the use of Welsh Government Grant funding to enhance and expand the 'edge of care' service for children and young people.  | 2018 – 2019         |
| Expansion of the Supporting People programme, ensuring effective processes are in place to increasing referrals to the programme.   | 2018-2020           |
| <p><b>4: Identify and support carers</b></p>  |                     |
| Improve the support provided to carers including young carers, through development of information, improved identification and enhanced services to improve the well-being of carers and enable them to continue to undertake their caring roles.                                     | 2017 – 2022         |

| Outcome  | When<br>(2018-2023) |
|--|---------------------|
| <b>5: Improve the recruitment of Foster Carers and Shared Lives carers.</b>  |                     |
| Increased recruitment activity and improved follow up rates to ensure additional paid carers i.e. Foster Carers and Shared Lives carers, are recruited with the overall aim of achieving a net increase in the number of carers. | 2017 – 2019         |
| Gain political support for the continuation of a radio advertising campaign for foster carers.   | 2017                |
| <b>6: Continue to identify opportunities to work collaboratively wherever appropriate</b>  |                     |
| Continue to engage in regional partnerships and collaborations to ensure Caerphilly are represented and able to influence the direction of travel.   | 2017 – 2022         |
| Caerphilly to lead on the delivery of a regional Children’s Advocacy Service for Gwent Local Authorities and the Aneurin Bevan University Health Board.  | 2018 onwards        |
| Development of a regional Learning Disabilities Strategy.  | 2018 – 2019         |
| Work with the Gwent Children & Families Partnership Board to develop enhanced services for children with complex and challenging needs and for those young people leaving care.  | 2018 – 2020         |

### **Why we consider that our Well-being Objective will maximise our contribution to the National Well-being goals**

The Well-being Objective maximises contribution to two key national Well-being goals:  
**A Healthier Wales:** Social Care services support the promotion of good physical and emotional health in order to support individuals to remain independent for as long as is possible.

**A more Equal Wales** Irrespective of background or circumstance, if an individual require the Care and Support of Social Care Services then the appropriate level of support is provided.

This also contributes to Welsh Governments ‘Prosperity for All National strategy particularly The Healthy and Active theme which promotes the following:

- ❖ Deliver quality health and care service fit for the future
- ❖ Promote good health and well-being for everyone
- ❖ Build healthier communities and better environments

### **How will we resource this Well-being Objective**

Most of the actions identified in Section 4 require little by way of additional funding but do require staff and partner time to be committed to achieve. However, the action in relation to



'edge of care' services requires that we protect the current Welsh Government grant funding when it becomes part of the Revenue Support Grant from 2018 onwards. The action relating to the Gwent Children & Families Partnership is also reliant upon the allocation of Intermediate Care Funding (ICF). In 2018-2019 the funding for the Supporting People Programme and the Families First Programme is changing to merge into a Flexible Funding pot with a pilot called the 'Early Intervention, Prevention and Support Grant. This may affect how these activities are funded in the future and we will update you on in future updates.

### When will the objective be completed?

A few of the outcomes have already been completed or are in the process of being completed. For several others, it is the case that the actions identified will be continually reviewed and amended in order to remain current. However, targets are able to be set in relation to the following:

| Outcome        | Measure   |
|----------------|---|
| <b>1&amp;2</b> | Relevant staff will receive 'meaningful conversations' training by the end of 2018  |
| <b>1&amp;2</b> | The DEWIS website will be fully operational by April 2019   |
| <b>3</b>       | Undertake a review of all ICF investments to maximise the effectiveness of the grant funding by September 2018  |
| <b>3</b>       | Children's Services Intensive Support Team to be fully operational from April 2018  |
| <b>4</b>       | Numbers of carers (including young carers) supported  |
| <b>4</b>       | Levels of respite support provided  |
| <b>5</b>       | Achieve an increase in the overall number of carers recruited – this will be monitored quarterly and annually   |
| <b>1-5</b>     | The Families First programme has 14 outcome measures that are reported yearly to Welsh Government, we will use the relevant measures to support progress with this objective. |

For context we will also review the National indicators for Wales below as part of this overall objective:

| General Well-being Indicators-   | Source of Data            |
|--|---------------------------|
| Percentage of people who are lonely  | National Survey for Wales |
| Percentage of people agreeing that they belong to the areas; that people from different backgrounds get on well together; and that people treat each other with respect. | National Survey for Wales |

### **Any other additional Information**

The Welsh Government is currently reviewing the Performance Indicator data sets that measure the Social Services Well-being Act and it is likely that this will change the data we collect. We will have to update our measures above when the new sets of performance measurement framework has been agreed.

It is recognised that Social Care is unable to achieve all these actions alone and acknowledges the vital role that partners, both internal and external to the Council, will play in completing them.

## 6. Reviewing our Objectives

### How we will govern ourselves to meet our Well-being Objectives;

*The process for each Well-being Objective will be the same so here are the main ways that we will govern ourselves in the meeting of our objectives*

- ✚ We will have an Action Plan for each Objective.
- ✚ We will use an electronic (Ffynnon) scorecard to measure our performance where appropriate.
- ✚ The actions will be linked to individual Service Plan's so it is part of service delivery and not separate from it.
- ✚ Progress and emerging risks will be reported to our Corporate Management Team reporting.
- ✚ We will consult with the public to ensure our objectives are still relevant to them. We may use existing consultation methods from services rather than always run a separate engagement exercise simply for objectives. For example we ask the public what is important to them when we are consulting on our budgets and these existing mechanisms can play a greater more integrated part in assessment.
- ✚ We will use the monitoring for the Well-being Plan as our review as they will contribute towards the Public Services Board Plan.
- ✚ Our auditors and the Future Generations Commissioner will assist us in providing good practice in how we can best meet our objectives.

### The steps we will take to keep our objectives under a review

- ✚ Our reporting structure will include frequent reporting to our Corporate Management Team working within our medium term financial planning to ensure resourcing plays an integrated role in the delivery of objectives.
- ✚ We will assess at a point in time whether we are unsuccessful, partially successful or fully successful and invite our reporting bodies and any relevant partners to challenge our self-assessments.
- ✚ Reporting to Cabinet (the Executive) on our progress.
- ✚ Reporting to our Future Generations Advisory Panel which is a member led panel.
- ✚ Reporting to relevant member scrutiny committees for challenge and scrutiny twice a year.
- ✚ Reporting to any relevant partners as part of any collaboration set up to deliver on our objectives.
- ✚ Report at least yearly to the public on our progress and review of our objectives as part of our performance management arrangements.

## 7. Well-being Goals

| Goal  | Description of the goal   |
|---|---|
| <b>A prosperous Wales</b>                                     | An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work. |
| <b>A resilient Wales</b>                                      | A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).  |
| <b>A healthier Wales</b>                                      | A society in which people's physical and mental Well-being is maximised and in which choices and behaviours that benefit future health are understood.  |
| <b>A more equal Wales</b>                                     | A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).   |
| <b>A Wales of cohesive communities</b>                        | Attractive, viable, safe and well-connected communities.  |
| <b>A Wales of vibrant culture and thriving Welsh language</b> | A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.   |
| <b>A globally responsible Wales</b>                           | A globally responsible Wales. A nation which, when doing anything to improve the economic, social, environmental and cultural Well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global Well-being.   |

More information about the Well-being of Future Generations Act (Wales) 2015 and what that means for public bodies can be found at the site below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

## 8. Contact us

Your views and opinions on the content of our plans and the priorities are important to us. We welcome your input so that we can continue to provide meaningful information that helps inform you of the service focus, ensuring that we are working on the things that are important to making a difference to you, our citizens and our communities.

Please contact us by: Email: [PMU@caerphilly.gov.uk](mailto:PMU@caerphilly.gov.uk) OR by

Web-link: [Council Performance](#) and follow the instructions on screen:

**Alternatively, please contact:**

**Ros Roberts**

Performance Manager

Corporate Performance Management Unit

Caerphilly County Borough Council

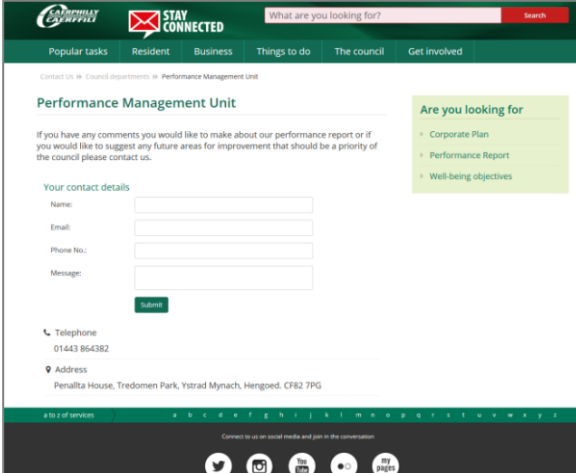
Penallta House

Ystrad Mynach

Hengoed CF82 7PG

**Tel:** 01443 864238

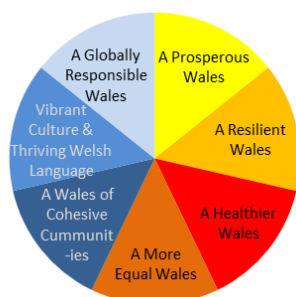
**E-mail:** [roberr@caerphilly.gov.uk](mailto:roberr@caerphilly.gov.uk)



The screenshot shows the 'Performance Management Unit' contact page on the Caerphilly Council website. The page has a green header with the council logo and navigation tabs: 'Popular tasks', 'Resident', 'Business', 'Things to do', 'The council', and 'Get involved'. A search bar is in the top right. The main content area is titled 'Performance Management Unit' and includes a brief introduction: 'If you have any comments you would like to make about our performance report or if you would like to suggest any future areas for improvement that should be a priority of the council please contact us.' Below this is a 'Your contact details' section with input fields for Name, Email, Phone No., and Message, followed by a 'Submit' button. To the right, a 'Are you looking for' sidebar lists 'Corporate Plan', 'Performance Report', and 'Well-being objectives'. At the bottom, contact information is provided: Telephone: 01443 864238 and Address: Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG. Social media icons for Twitter, Facebook, YouTube, and Instagram are at the very bottom.

This document is also available in different languages and formats upon request.

Further information can also be found on our website: [www.caerphilly.gov](http://www.caerphilly.gov).



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## COUNCIL – 17TH APRIL 2018

**SUBJECT: IMPLEMENTATION OF WELSH GOVERNMENT LAND DRAINAGE BYELAWS**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

- 
- 1.1 The attached report was presented to the Regeneration and Environment Scrutiny Committee on 27th March 2018 and updated Members regarding the Welsh Government (WG) approved standard land drainage byelaws. The report also sought comments from the Scrutiny Committee regarding the implementation of these byelaws prior to presentation to Council for approval.
  - 1.2 Members were advised that under the Flood and Water Management Act 2010, local authorities in Wales were given additional powers and responsibilities for managing flooding from surface water, groundwater and ordinary watercourse. As part of the new powers, the responsibility for issuing ordinary watercourse consents passed from Natural Resources Wales to the Lead Local Flood Authorities in 2012.
  - 1.3 Since taking on these duties and functions, local authorities have noted that powers under current legislation are limited and certain activities which are not currently consented could potentially increase the risk of flooding, especially in more built up areas. To address this issue WG has recently ratified the updated set of its Ordinary Watercourse Byelaws created under Section 66 of the Land Drainage Act 1991. These Byelaws will enable local authorities to supplement existing powers and help with their land drainage and flood risk management functions. All local authorities are being encouraged to adopt the model byelaws (appended to the report) to ensure consistency across Wales and comply with statutory objectives.
  - 1.4 The Scrutiny Committee noted that Caerphilly CBC carried out a 6-week public consultation exercise in October 2017 which incorporated a questionnaire seeking views on the proposed implementation of the Land Drainage Byelaws. In total 34 responses were received (with a summary of the analysis appended to the report) and based on the results, there was a large amount of positive support for the implementation of the proposed Byelaws.
  - 1.5 Reference was made to the low response rate and it was explained that this had been anticipated as the proposed Byelaws will have little impact upon the majority of individuals. Officers confirmed that there were no responses submitted on behalf of companies and that the individual comments received and the responses prepared are available to view on the Council's website. Discussion took place regarding responsibility for watercourses across private land and liability in the event of flooding, particularly if caused by other parties. It was explained that the landowner has overall responsibility for watercourses on their land and that the proposed Byelaws will give the Council powers to intervene, investigate and take action in cases where there could be a drainage issue or flooding risk. It was also confirmed that the new Byelaws can be delivered within existing staff resources and that Officers are not anticipating an increase in land drainage issues as a result of the new legislation.

- 1.6 Following consideration of the report the Regeneration and Environment Scrutiny Committee unanimously recommended to Council that for the reasons contained therein, the implementation of the Land Drainage Byelaws as recommended by WG be approved.
- 1.7 Members are asked to consider the recommendation.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix Report to Regeneration and Environment Scrutiny Committee on 27th March 2018 – Agenda Item 10





## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 27TH MARCH 2018

**SUBJECT: IMPLEMENTATION OF WELSH GOVERNMENT LAND DRAINAGE BYELAWS**

**REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES**

### 1. PURPOSE OF REPORT

- 1.1 To update members regarding the Welsh Government (WG) approved standard land drainage byelaws, and to seek comments from Scrutiny in regard to implementing the land drainage byelaws prior to its presentation to Council for consideration for approval.

### 2. SUMMARY

- 2.1 Under the Flood and Water Management Act 2010 (FWMA) Local Authorities in Wales were given additional powers and responsibilities for managing flooding from surface water, groundwater and ordinary watercourse. As part of the new powers, the responsibility for issuing ordinary watercourse consents under Section 23 Land Drainage Act 1991 passed from Natural Resources Wales (NRW) to the Lead Local Flood Authorities (LLFAs) in 2012.
- 2.2 Since taking on this consenting duty and wider flood risk management function, Local Authorities have noted that powers under current legislation are limited and certain activities which are not currently consented could potentially increase the risk of flooding especially in more built up areas.
- 2.3 To address this issue WG has recently ratified the updated set of its Ordinary Watercourse Byelaws created under Section 66 of the Land Drainage Act 1991.
- 2.4 These Byelaws have been created to enable LLFAs adopting them to supplement existing powers and help with their land drainage and flood risk management (FRM) functions.

### 3. LINKS TO STRATEGY

- 3.1 Land drainage byelaws contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:
- A prosperous Wales
  - A resilient Wales
  - A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities, and
  - A globally responsible Wales.

- 3.2 The Land Drainage Byelaws link to the authority's draft Well Being Objective 4: Promote modern, integrated and sustainable transport system that increase opportunity, promotes prosperity and minimises the adverse impacts on the environment.
- 3.3 There are further links to the Engineering Services Division Objectives:
  - 3.3.1 To provide safe and efficient transport and land drainage infrastructure through quality service delivered by means of cost effective management, maintenance and improvement of the networks.
  - 3.3.2 To develop engineering solutions and methods which have regard to the value of the natural and built environment and to the principle of sustainable development.
- 3.4 The report supports the Prosperous, Safer and Greener themes of the 'Caerphilly Delivers' in the single integrated plan.
- 3.5 Effective regulation and Management of flooding/flood risk promotes sustainable development, which does not exacerbate flooding. This links to the Caerphilly County Borough Council (CCBC) Flood Risk Management Strategy and Plan.

#### **4. THE REPORT**

- 4.1 CCBC is currently designated a LLFA, as created by the FWMA.
- 4.2 CCBC has statutory powers provided by the Land Drainage Act 1991, to consent activities on ordinary watercourses.
- 4.3 Since taking on this consenting duty and wider flood risk management function, LA's have noted that powers under the current legislation are limited, and certain activities which are not currently consented could potentially increase the risk of flooding especially in more built up areas e.g. vegetation tipping, building over culverted watercourses.
- 4.4 It was therefore decided by WG/Welsh Local Government Association (WLGA) in 2013 to set up a Task and Finish Group to oversee a review of the current byelaws with the aim of creating a new set of byelaws to help LLFAs in Wales manage more effectively and consistently activities along ordinary watercourses.
- 4.5 The FWMA identifies 10 bodies with specific responsibilities for managing flood risk, these are known as Risk Management Authorities (RMA). In Wales these consist of Local Authorities, Highway Authorities, Natural Resources Wales (NRW) and water companies. The updated Byelaws ensure better alignment of work between RMAs. NRW has already adopted the updated Land Drainage Byelaws for all areas and watercourses under their control.
- 4.6 The primary function of the new Land Drainage Byelaws is to help LLFAs manage the risk of flooding where it is the highest, through better regulation. However, through careful revised wording and a wide range of activities being covered these byelaws can also benefit the wider environment. By doing so, they will benefit other functions within local Government and help with the delivery of other legislation including the Water Framework Directive and Habitat Directive.
- 4.7 Ultimately, this holistic approach to flood risk management through the use of Land Drainage Byelaws will be in line with the principles of the Well-Being of Future Generations Act and help LLFAs deliver its goals.
- 4.8 These byelaws have been designed by experienced Flood Risk Management (FRM) practitioners following extensive consultation with various local authorities' departments and NRW.

- 4.9 WG and WLGA are encouraging Local Authorities to adopt the model byelaws without any modification to ensure consistency across Wales and avoid potential legal hurdles and a lengthy approval process.
- 4.10 The proposed model byelaws are included within Appendix A.
- 4.11 **Public Consultation**
- 4.12 On the 14<sup>th</sup> Oct 2017 the draft Land Drainage Byelaws were published on the CCBC webpage to allow members of the public to review and all Risk Management Partners e.g. community and town councils and adjacent local authorities etc. to be consulted and give their comments on the Proposed Land Drainage Byelaws. The closing date for the consultation was the 15<sup>th</sup> Nov 2017.
- 4.13 Paper copies of the proposed Land Drainage Byelaws and questionnaires were also placed in the local libraries within the county borough. In total 34 responses were received and a summary of their analysis is given in Appendix B.
- 4.14 The councils Flood Risk Management Team has reviewed all the comments received, and a table has been prepared of all the comments together with a response from the team in order to feedback to respondents. The table of responses has recently been published on the Caerphilly County Borough Councils webpage. Based on the survey results there was a large amount of positive support for the implementation of the proposed Land Drainage Byelaws.
- 4.15 It is proposed that CCBC adopt the standard model and seek approval to proceed with the implementation of the Land Drainage Byelaws.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above (3.5). The effective regulation of flooding/and managing flood risk links to the following Well-being Goals, within the Well-being of Future Generations Act (Wales) 2015:

- **A resilient Wales**

Byelaws will lead to the better regulation of flood risk activities, thereby reducing flooding from privately owned land drainage features. By regulating development of watercourses the effects of climate change can be more effectively managed. The implications of flooding can be significant on local businesses so flood prevention enables our businesses and communities to be more resilient in the long term.

- **A prosperous Wales**

Byelaws will lead to the better regulation of flood risk activities, thereby reducing flooding from privately owned land drainage features leading to a reduction in incidents of flooding and their associated social, economic and environmental cost. The implications of flooding can be significant on local businesses so flood prevention enables our businesses and communities to be more prosperous by ensuring that any possible future flooding instances are prevented where possible.

- **A healthier Wales**

A clean, green environment where water is seen as a resource, with access to open space, clean air and water are key elements of health and well-being. Caerphilly works hard to integrate across services within the authority to maximise efforts. For instance by working closely with Caerphilly's Planning and Countryside departments and local developers and regulating flood risk activities we can help reduce damage to land drainage features and promote nature based solutions which is a key element of health and well-being.

- **A more equal Wales**

Some of our poorest environmental quality is associated with our most deprived areas. Ensuring that everyone across the county borough has equal access to a clean, green and an attractive environment is a core element of our work, and is supported by the proposed Byelaws. Collaborative networks have been set up with NRW, Welsh Water and other local authorities to ensure an integrated and consistent approach in the application of the byelaws.

- **A Wales of cohesive communities**

By managing flood risk and engaging to maintain a clean community reflects positively on our residents. This demonstrates that we promote communities to be caring and environmentally conscious. This in turn helps to create a tidier, more attractive place for residents, visitors and potential inward investors. Increasing focus, effort and resources will be targeted at preventing flooding risk by involving all key stakeholders when considering solutions.

- **Globally Responsible Wales**

One of Caerphilly's corporate objectives is to reduce carbon emissions and to reduce our contribution to global warming. By managing flood risk activities this will have many biodiversity benefits and will also reduce carbon emissions in the long term.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.
- 6.2 The adoption of these Byelaws will enable the Council, which is a designated LLFA, to supplement existing powers and assist with land drainage and flood risk management (FRM) functions. This in turn will have a positive impact on the local environment, minimising the risks to the public.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The consultation and statutory approvals will be financed via the Environmental and Sustainable Development Single Revenue Grant provided by Welsh Government.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 None. This can be delivered within existing staff resources.

## **9. CONSULTATIONS**

- 9.1 All comments received have been incorporated into the report.
- 9.2 External consultations were also undertaken as identified in section 4 of this report.

## **10. RECOMMENDATIONS**

- 10.1 It is proposed that members consider supporting the implementation of the Land Drainage Byelaws as recommended by WG prior to reporting to Council for final approval.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To allow CCBC as the LLFA to better manage flooding and flood risk within its area and to comply with the measures outlined in CCBC Flood Risk Management Strategy and Plan. To ensure that the council is compliant with its statutory obligations, and follows a consistent path as recommended by WG/WLGA and neighbouring authorities.

## **12. STATUTORY POWER**

- 12.1 Land Drainage Act 1991.
- 12.2 Flood and Water Management Act 2010.

Author: Michelle Johnson, Senior Engineer

Consultees: Councillor Sean Morgan, Deputy Leader and Cabinet Member for Economy, Infrastructure, Sustainability and Wellbeing and Future Generations Champion  
Councillor D T Davies, Chair Regeneration and Environment Scrutiny Committee  
Councillor C Forehead, Vice Chair Regeneration and Environment Scrutiny Committee  
Christina Harry, Interim Chief Executive  
David Street, Corporate Director – Social Services  
Mark S Williams, Interim Corporate Director of Communities  
Stephen Harris – Interim Head of Corporate Finance  
Marcus Lloyd, Acting Head of Engineering Services  
Richard Harris, Internal Audit Manager  
Richard Crane, Senior Solicitor  
Mike Eedy, Finance Manager  
Anwen Cullinane, Senior Policy Officer (Equalities & Welsh Language)  
Shaun Watkins, Principal Personnel Officer  
Clive Campbell, Transportation Engineering Manager  
Kevin Kinsey, Acting Engineering Project Group Manager  
Chris Adams, Acting Highway Operations Group Manager  
Gareth Richards, Highways Maintenance Manager  
Rhodri Powell, Senior Assistant Engineer

Appendices:  
Appendix A – The Proposed Model Byelaws  
Appendix B – Results of the Online Survey

## **Appendix A**

### **The proposed model byelaws**

# ***Land drainage (Wales) Byelaws***

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## ***Land Drainage (Wales) Byelaws***

**[Name of Local Authority]** under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for [one or more of] the following purposes:

- a) securing the efficient working of a drainage system in the Council's area,
- b) regulating the effects on the environment in the Council's area of a drainage system,
- c) securing the effectiveness of flood risk management work within the meaning of section 14A of that Act, or
- d) securing the effectiveness of works done in reliance on section 38 or 39 of the Flood and Water Management Act 2010 (incidental flooding or coastal erosion),

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### **Chapter I - Administrative**

#### **1. Citation and commencement**

These Byelaws have been approved by the Cabinet Secretary for Environment and Rural Affairs Lesley Griffiths and may be cited as **[Name of Local Authority]** Land Drainage Byelaws [2017] and they shall commence on [date].

#### **2. Application of Byelaws**

These Byelaws apply to ordinary watercourses situated within the area in Wales of the local authority [or: under the control of the Internal Drainage Board] making these byelaws.

#### **3. Definition and Interpretation**

In these byelaws, unless defined below or the context otherwise requires, the terms and expressions to which meanings are assigned by the Water Resources Act 1991, the Land Drainage Act 1991, the Environment (Wales) Act 2016 and the Interpretation Act 1978 shall have the same meanings in these byelaws.

In these byelaws:

The expressions "bank", "drainage", "drainage body", "Internal Drainage Board", "land", "local authority", "ordinary watercourse" have the same meaning as defined in the Land Drainage Act 1991.

**"the Act"** means the Land Drainage Act 1991

**"Animal"** means any animal including birds, any horse, cattle, sheep, deer, goat, swine, goose or poultry; but excluding fish and human beings;

**"Byelaws distance"** means any land lying landward within the following distances measuring horizontally from any watercourse bank:

- (i) if it includes a wall or embankment 8 metres from its landward extent; or



(ii) in other cases 8 metres from the top of the watercourse bank; or

(iii) any land lying 8 metres horizontally from the outer perimeter of a culvert measured from the widest part of the culvert.

**“Building or structure”** means any structure or erection, and any part of a building so defined, but does not include plant or machinery comprised in a building; It also includes a fence, post, pylon, wall, wharf, bridge, loading stage, piling, groyne, pontoon, revetment, and an engine or any mechanical contrivance; any formwork, falsework, scaffold or other structure designed or used to provide support or means of access during construction work, and any reference to a structure includes part of a structure.

**“Consent of the authority”** means the prior written agreement, either by email or formal documentation, of any person authorised on behalf of the Authority, and which may include any conditions/restrictions as deemed necessary by the Authority.

**"Culvert"** means an enclosed channel pipe or conduit for the carrying of a watercourse and any other structure forming part of a culvert including headwall, outlet and trash screen.

**"Embankment"** means a natural or artificial mound or other raised defence.

**"Flood Defence works "** means tidal, fluvial or pluvial flood defence structures and works including walls, gates, embankments or bypasses constructed or used for these purposes as well as man-made or natural sand dunes and earth retaining structures or structures constructed or used as a defence against inundation of any land by raising water levels.

**“Flood warning system”** means any apparatus used by the Authority for obtaining or providing information in relation to and warnings of flood.

**"Land liable to flooding"** means all land over which watercourse water flows in times of flood, including areas where that water is stored in times of flood.

**“Nets”** includes

(a) a stake net, bag net or keep net;

(b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;

(c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

**"Occupier"** means any tenant, licensee or other person either in occupation of any land or entitled to its occupation.

**“Objects or matters”** means natural or man-made liquid or solid matters or objects or materials including trees, roots of trees, branches, timber, tins, bottles, boxes, tyres, bricks, stones, soil, wire, rubbish.

**"Owner"** means the owner of a legal estate, and when the owner is not in immediate occupation shall include an occupier.

**"Person"** includes where appropriate, reference to more than one person, including a body of persons corporate or non-corporate.

**"Sea defence"** means any artificial or natural defence against sea water or tidal water including natural or artificial high ground (including sand dunes and cliffs) and any works constructed or used as a defence against inundation of any land by sea or tidal waters, or for

securing adequate watercourse outfalls provided it shall not include any sea defence works which are vested in or under the control of a Coast Protection Authority, a local authority or any Navigation Harbour or Conservancy Authority.

**"Tidal control works"** means any floodgate, lock, sluice or other structure or appliance provided or constructed for the purpose of defence against sea or tidal water.

**"Vegetation"** means trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetation growths;

**"Vessel"** means any ship, boat, or any other waterborne craft, including hovercraft and any remains of any vessel.

**"Watercourse"** means any river, stream, ditch, channel or other passage through which water flows including the channel of any watercourse that is for the time being dry but excluding public sewers within the meaning of the Water Industry Act 1991.

**"Watercourse bank"** means any bank, wall, revetment or embankment adjoining or confining any watercourse from the top to the bottom of the sloping or upright part.

**"Watercourse bed"** means land forming any part of a watercourse over which water normally flows.

**"Water control structure"** means a structure or appliance for introducing water into any watercourse and for controlling or regulating or affecting flow, and includes any sluice, slacker, floodgate, lock, weir, pump or pumping machinery;

#### **4. Causing or knowingly permitting**

Where by or under these byelaws the doing of any act is prohibited or restricted the same prohibition or restriction shall extend to causing or knowingly permitting the act or restriction to be done.

---

## **Chapter II - Control of introduction of water and increase in flow or volume of water**

### **5. Control of the introduction of water, altering flow and volume of water**

- (1) Without prejudice to sections 23 and 25 of the Land Drainage Act 1991 no person shall without the consent of the authority take any action to:
- (a) stop up any watercourse; or
  - (b) divert; or
  - (c) impede; or
  - (d) alter

the level of or direction of the flow of water in, into or out of any watercourse.

- (2) In this byelaw 'alter' includes creating or extending a watercourse and introducing water which directly or indirectly increases the flow or volume of water in any watercourse within the local authority's area.

(3) In this byelaw impede includes blocking off or infilling of any watercourse channel, and obstruction of any arch of any bridge or causeway designed of, or which permits the passage of water in any watercourse or land liable to flooding.

## **6. Interference with sluices, flood and tidal defences**

(1) No person shall without consent of the authority operate or interfere with any sluice, flood gate, flood or tidal defence or other water control structure or appliance or flood warning or monitoring system used for controlling, regulating or monitoring the flow of water in, into or out of an ordinary watercourse.

(2) In this byelaw “interfere” includes removing, damaging or disturbing materials forming part of a flood or tidal defence.

## **7. Operation of watercourse or tidal control works**

Any person having control of

- (a) any sluice or flood gate; or
- (b) any water control structure or appliance for controlling or regulating or affecting the flow of water in, into or out of a watercourse

shall use and maintain such structure or appliance in a proper state of repair and efficiency with a view to:

- (a) the prevention of flooding or of any shortage in the flow or supply of water and
- (b) the efficient working of the drainage system in the area of the (local authority/ internal drainage board)

## **8. Tidal Outfalls**

No person shall place or abandon upon the foreshore any object or matter or vegetation which, whether immediately or as a result of subsequent tidal action, may

- (a) impede or be likely to impede the flow of water through the sluices, flood gate, or outfall pipes through the tidal banks or through the watercourses on such foreshore; or
- (b) impede or be likely to impede the operation of such sluices, flood gate, or outfall pipes; or
- (c) cause or be likely to cause damage to such sluices, flood gate, or outfall pipes.

## **Chapter III - Potential to cause impediment or obstruction to flow**

### **9. Maintenance of land liable to flooding and watercourse banks**

- (1) No person shall without the consent of the authority plant any tree, deposit or store objects or matters, light a fire or interfere with a watercourse bed or bank within the byelaw distance in such a manner as is likely to:
- (a) cause flooding,
  - (b) impede the flow, or
  - (c) cause or be likely to cause damage to, or
  - (d) endanger the stability of, or
  - (e) affect the efficiency of

a culvert, watercourse bank, watercourse control work, flood defence, tidal control work or sea defence.

- (2) In this byelaw:

“interfere” includes to dredge, remove, damage or disturb materials forming part of a flood or tidal defence or of a watercourse bank or bed; and to make any excavation or do anything in, to or upon any land like to damage a watercourse bank or bed.

“light a fire” includes committing any action liable to cause any fire to be lit on any land adjoining any watercourse where such action is liable to set on fire any peat land forming the banks of the watercourse or any vegetation growing on land forming the banks of the watercourse.

“store objects or matters” includes depositing or stacking or keeping objects and solid or liquid matters including vegetation and vegetation cuttings.

“objects” include vessels.

### **10. Building of structures, pipes, etc. on land liable to flooding**

- (1) No person shall without the consent of the authority:

- (a) erect or construct any building or structure

(i) in, on, under or over any watercourse or in or on any bank of a watercourse;

(ii) within the byelaws distance;

(iii) on any watercourse control work, flood defence, tidal control work or sea defence; or

(iv) over any part of a culvert, or within the byelaws distance on either side of it; or

- (b) make or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;

in such a manner or for such length of time as to cause damage to the watercourse bed or banks; or obstruct the flow of water in, into or out of such watercourse.

**(2)** This byelaw does not apply to any temporary work executed in an emergency.

**(3)** In this byelaw:

“Emergency” means causing immediate danger to life or property.

### **11. Repairs to buildings and structures**

The person having control of any building, fence or structure in, on, under or over any watercourse, culvert, watercourse bank, flood defence works, tidal control works, tidal or sea defence shall maintain such building, fence or structure in a proper state of repair and efficiency with a view to preventing such building, fence or structure from:

- (a) impeding the flow of water in into or out of any watercourse;
- (b) damaging any watercourse bank, flood protection works, tidal control works or sea defence; or
- (c) creating danger or obstruction to the carrying out of flood defence works by the (local authority/internal drainage board)

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## **Chapter IV - Ensuring the condition of the banks of a watercourse**

### **12. Vegetation**

The owner or occupier of any land through which any watercourse flows or on which any sea defence is situated or any adjoining land over which the local authority [/internal drainage board] needs access to get to such land shall maintain all vegetation situated within the byelaws distance and shall remove such vegetation from the watercourse or bank immediately after such cutting so that it does not impede the flow of the watercourse.

### **13. Driving of animals and vehicles**

No person shall use or drive any cart or vehicle of any kind on, over or along any bank of a watercourse control work, flood protection work, tidal control work, or sea defence in such manner as to cause damage to such bank, control work, flood protection work, tidal control work, or sea defence.

### **14. Damage by grazing animals**

No person shall graze, keep or water any animal on any watercourse, watercourse bed or bank, flood protection work or sea defence without:

- (a) taking all such steps as are necessary to prevent the watercourse, the watercourse bed or bank, flood protection work or sea defence from being damaged by such use and
- (b) reporting to the local authority [/internal drainage board] any damage caused to the watercourse, the watercourse bed or bank, flood protection work or sea defence by

the grazing, keeping or watering of animals, as soon as practicable following the occurrence of such damage.

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## **Chapter V – Incidental provisions**

### **15. Control of animals**

The owner or occupier of any land through which any watercourse flows or on which any sea defence is situated or any adjoining land over which the local authority [/internal drainage board] needs access to get to such land to carry out any work or inspection, shall ensure that, during the progress of any work or any inspection animals on such land are kept under proper control and supervision or, if such control and supervision is not possible, are not kept on such land.

### **16. Interference with local authority [/internal drainage board]'s functions**

No person shall interfere with:

- (a) access required to any land by the local authority [/internal drainage board] or of their agents to carry out their flood management functions; or
- (b) the carrying out of their functions.

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## **Chapter VI – Exemptions**

### **17. Emergency works**

These Byelaws shall not apply to any work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Council in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Council may give with regard thereto.

### **18. General Permitted Developments**

These byelaws shall not apply to any development by a drainage body in, on or under any watercourse or land drainage works and required in connection with the improvement, maintenance or repair of that watercourse or those works.

### **19. Ladders and scaffold towers**

- (1) These Byelaws shall not apply to any work requiring the temporary erection and use of ladders and scaffold towers (“equipment”).
- (2) For the purposes of this paragraph, the specific conditions are—
  - (a) the suitability of river conditions is reviewed by the operator each working day;
  - (b) the equipment is erected on each working day on which it is required; and
  - (c) the equipment is removed at the end of each working day and is stored outside the river and its banks.

## Chapter VII – Miscellaneous

### **20. Penalty**

By section 66(6) of the Act every person who acts in contravention of, or fails to comply with, any of the foregoing Byelaws, is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 (£5,000) on the standard scale referred to in section 37 of the Criminal Justice Act 1982 and a further fine not exceeding forty pounds for every day on which the contravention or failure is continued after conviction.

By section 66(7) of the Act if any person acts in contravention of, or fails to comply with any of these Byelaws the Council may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

**Appendix B**  
**Results from the Online Survey**



Analysis is summarised below, based upon the questions asked during consultation:

#### Question

1. From the analysis **94% agreed** and 6% disagreed that in addition to powers already held by Caerphilly Council, that no person should undertake works which will stop up, divert, impede (block) or alter without the approval of the council.
2. When asked about works affecting a structure controlling the flow within a watercourse, **97% agreed** and 3% disagreed that no person should be able to interfere with a flow controlling structure without the approval of the Council.
3. **97% agreed** and 3% disagreed that any person owning or having control of a flow control structure must maintain it in a proper state of repair for the purpose of preventing flooding and management of the drainage network.
4. A total of **97% agreed** and 3% disagreed that certain activities that can cause flooding should be restricted.
5. From the analysis **94% agreed** and 6% disagreed that building over/near a culvert/watercourse should be restricted.
6. A total of **97% agreed** and 3% disagreed that any person owning or having control of a building, fence or structure on, under or over a watercourse/ culvert should maintain it in a proper state of repairs for the purpose of preventing flooding and management of the drainage network.
7. **85% agreed** and 15% disagreed that a person owning or occupying land where there is a watercourse, that they should be responsible for the maintenance and removal of vegetation causing restriction in flow.
8. From the analysis **91% agreed** and 9% disagreed that in certain circumstances animals should be restricted from damaging watercourse bed and banks.
9. **94% agreed** and 6% disagreed that in certain circumstance animals and vehicles should be prevented from trafficking through a watercourse, for the purpose of preventing damage.
10. A total of **94% agreed** and 6% disagreed that when the Council is undertaking its duties on land, that animals should be controlled/ supervised and access should not be interfered with.

In order to gauge overall satisfaction on flood risk management within Caerphilly County Borough.

11. 68% agreed and **32% disagreed** that the Council does all it can to manage flooding in the area.

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## COUNCIL – 17TH APRIL 2018

**SUBJECT: INDEPENDENT REMUNERATION PANEL ANNUAL REPORT 2018/19**

**REPORT BY: CORPORATE DIRECTOR OF SOCIAL SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To report the Independent Remuneration Panel for Wales' (the Panel) final determinations relating to councillors and co-opted members for 2018/19.
- 1.2 To seek decisions on certain aspects of the Members remuneration scheme for 2018/19.

### **2. SUMMARY**

- 2.1 The Panel is a statutory body established by Welsh Government in January 2008 to determine the scope and salaries, allowances and expenses payable to Councillors and Co-opted Members. The Local Government (Wales) Measure 2011 gave the Independent Remuneration Panel for Wales, additional powers to prescribe Members' remuneration. This was a significant change to the well-established practice of Members determining their own scheme of allowances within the maximum sums prescribed by the Panel. This report reflects the Panel's determinations for 2018/19. A copy of the Panel's Annual Report is attached as Appendix 1.
- 2.2 The Panel subsequently received further powers following the introduction of the Local Government (Democracy) (Wales) Act 2013, including the ability to make recommendations about the pay of heads of paid service for county and county borough councils and fire and rescue authorities.
- 2.3 The proposed basic salary in 2018/19 for elected members of principal councils shall be £13,600. This is an increase of £200 per member which is equivalent to 1.49% and is effective from April 2018.
- 2.4 The Panel have also proposed that the previous option to select salary levels to be removed and have set the salaries at the previous higher level, plus the £200 basic salary uplift. Therefore in that Caerphilly County Borough Council previously determined the senior salaries would be set at the lower band, there will be increased expenditure for senior salaries in 2018/19.

### **3. LINKS TO STRATEGY**

- 3.1 Elected Members establish strategic direction and decide upon all policies and strategies so that the Council can achieve all of its objectives, as well as monitoring performance against those objectives. Members are entitled to receive remuneration prescribed by the Independent Remuneration Panel for Wales ("the Panel").

3.2 The Independent Remuneration Panel for Wales' determinations relating to councillors and co-opted members for 2018/19 contributes to the Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by ensuring that Members are remunerated and supported to carry out their role. The determinations include a basic allowance for all councillors, support for carers, and family absence arrangements with the aim to encourage a broader spectrum of people, and thereby contribute to the following goals:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities

#### 4. THE REPORT

4.1 The Independent Remuneration Panel for Wales is suggesting a small increase in basic salary payments made to Councillors for 2018/19 and have also removed the option to set different salary levels in respect of senior salaries. The Panel recognises that there is an unpaid public service contribution in respect of the work of elected members.

##### Basic Salary

4.2 **Determination 1** - The proposed basic salary in 2018/19 for elected members of principal councils shall be £13,600. This is an increase of £200 per member which is equivalent to 1.49% and is effective from April 2018. This will mean an overall increased cost of £14,600 to the local authority.

4.3 All Members are entitled to receive the Basic Salary. The Panel originally determined in 2009 that the payment of the basic salary would be aligned to the median gross earnings of all fulltime employees resident in Wales as reported in the Annual Survey of Hourly Earnings. They state in their report that although they are unable to maintain this alignment due to continued pressures on public sector funding, however the Panel consider that a modest increase in the basic salary is justified in order to help limit further the erosion of relative levels of remuneration.

##### Senior Salaries

4.4 The Panel have stated that they intend to retain the limit on the number of senior salaries for 2018/19. The 'cap' for Caerphilly County Borough Council will continue to be set at 18. The Panel have also determined that the previous option to select salary levels from two different levels (level 1 or 2) has been removed and have set the salaries at the higher level, plus the £200 basic salary uplift. Therefore in that Caerphilly County Borough Council previously determined the senior salaries would be set at the lower band, there will be increased expenditure for senior salaries in 2018/19.

4.5 Where there are two deputy leaders the Panel state that the difference between the cabinet member salary and the deputy leader salary should be divided by two and added to the cabinet member salary (£33,800 - £29,300 = £4500/2 = £2,250 + £29,300 = £31550). Therefore the proposed senior salaries for 2018/19 will be as follows:

##### Determination 2

| Role                 | 2017/18<br>Salary per post | Proposed Senior<br>Salary for 2018/19 | Difference +/- |
|----------------------|----------------------------|---------------------------------------|----------------|
| Leader               | £48,100                    | £48,300                               | £200           |
| Deputy Leaders x 2   | £29,900                    | £31,550                               | £3,300         |
| Cabinet Members x 6  | £26,200                    | £29,300                               | £18,600        |
| Committee Chairs x 7 | £20,100                    | £22,300                               | £15,400        |
| Leader of Opposition | £22,100                    | £22,300                               | £200           |
| Total = 17           |                            |                                       | £37,700        |

## Civic Salaries

- 4.6 Payments made to the Mayor and Deputy Mayor are also under the remit of the Panel but are not included as part of the Council's 18 Senior Salary posts. Civic Salaries are paid inclusive of the Basic Salary. The Panel has determined in its report that there will be no increase in civic salaries aside from the increase in basic salary. In accordance with previous years civic salaries can be determined by individual local authorities from the following salary levels:

### Determination 3

| Salary Levels | Mayor   | Deputy Mayor |
|---------------|---------|--------------|
| Level 1       | £24,300 | £18,300      |
| Level 2       | £21,800 | £16,300      |
| Level 3       | £19,300 | £14,300      |

- 4.7 Last year and the year before, the Council determined to pay Civic Office holders Level 2. The Panel is proposing to continue to allow local determination for Civic Salaries as activity and responsibilities of the Civic Office holders vary greatly across the country. The Panel have not changed their determination (Determination 4), in respect of Presiding Members who would be entitled to a band 3 level 1 senior salary of £22,300, this would however count towards the cap of 18 senior salaries. The post of deputy presiding member would not be remunerated (Determination 5).

### Number of Senior Roles

- 4.8 The Panel have reiterated that an elected member must not be remunerated for more than one senior post within his or her authority (separate guidance on Joint Overview and Scrutiny Committee). In addition an elected member cannot be paid a senior salary and a civic salary and Members in receipt of a Band 1 or 2 senior salary (Leader, Deputy Leaders and Cabinet) cannot receive a salary from any National Park Authority or Fire and Rescue Authority to which they have been appointed nor any Community or Town Council of which they are a member.

### Support for Members

- 4.9 **Determination 6** - The Panel has reaffirmed in its report that each authority, through its Democratic Services Committee must ensure that all its members are given as much support as it necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.
- 4.10 **Determination 7** - The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from member's salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.
- 4.11 The Panel state that Democratic Services Committee would be expected to review the level of support and bring forward proposals as to what it considers as reasonable, taking into account the Panels determinations (see 6 & 7 above). The Council has also committed resources to ensure that Members have options regarding IT support at home. The Council also provides Members with group rooms, meeting rooms and office equipment at Penallta House. Members will also be aware that the Council has invested in and implemented the Modern.Gov system to provide easier electronic access for Members and members of the public to all committee documents.
- 4.12 The Panel expects every Member 'to undertake such training and personal development opportunities as are required to properly discharge the duties for which they are remunerated'.

Members will be aware of the extensive training programme, which was agreed by Council and of the WLGA Charter for Member Development. This is in addition to the Annual training needs analysis and individual training requests, which are considered. The Council has committed valuable resources in this area to ensure that members receive suitable and appropriate training. A system of personal development reviews has also been introduced.

- 4.13 The Council has also made specific arrangements for any Members that have additional needs that may be linked to exceptional circumstances or for Members covered by the Equality Act 2010. This is in line with the Panel's recommendation that the support provided should take account of the specific needs of individual members. No deductions have been made from Member's salaries by the Council to fund this support. A specific budget is allocated to the Democratic Services functions and an annual report is presented to the Democratic Services Committee detailing the support provided.

#### **Specific or Additional Senior Salaries**

- 4.14 **Determination 8** - The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current remuneration framework. In this regard some local authorities have raised the possibility of operating some senior salaries on a 'job share' arrangement, the Panel have been supportive of this principle. There are specific arrangements in respect of any job share arrangements, whereby the statutory maximum for cabinet cannot be exceeded and both job sharers would count towards the maximum.
- 4.15 The Panel has set out its principles whereby the number of senior salaries cannot exceed 50% of the membership, and applications must be approved by the authority as a whole and clear evidence must be provided that the additional posts have additional responsibility and also include a timescale for a formal review of the role, by the authority as a whole.

#### **Joint Overview and Scrutiny Committees (JOSC)**

- 4.16 The Panel has set out its determinations in respect of payments to Chairs and Vice Chairs of Joint Overview and Scrutiny Committees, Sub Committees and Task and Finish Groups, although it has been recognised that to date no council has made use of these arrangements. These are set out in the report on page 21 and range from **Determination 9 to 16**.

#### **Pension Provision for Elected Members of Principal Councils**

- 4.17 **Determination 17** – The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

#### **Entitlement to Family Absence**

- 4.18 The regulations relating to family absence for elected members of principal councils were approved in 2013 and include maternity, new born, adoption and parental absences from official business. The determinations for 2018/19 are set out below:
- 4.19 **Determination 18** - An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
- 4.20 **Determination 19** - When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.

#### **Substitution**

- 4.21 **Determination 20** - It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

- 4.22 **Determination 21** - If the paid substitution results in the authority exceeding the maximum number of senior salaries (18 senior salaries), an addition to the maximum will be allowed for the duration of the substitution.
- 4.23 **Determination 22** - When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
- 4.24 **Determination 23** - The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

### Payments to Co-opted Members

- 4.25 The Panel is not proposing to make changes to their determinations in respect of payments to co-opted members. The Council must make payments to co-opted members with voting rights. Payments to co-opted members remain as a daily fee (with provision for a ½ day payment) and are set at the rates paid to members of Welsh Government Band 2 sponsored bodies. Fees for co-opted members (with voting rights) are, as follows:

### Determination 38

|   |   |
|---|---|
| Chairs of standards, and audit committees   | £256 (4 hours and over)<br>£128 (up to 4 hours)           |
| Ordinary members of standards committees who also chair standards committees for community and town councils                      | £226 daily fee (4 hours and over)<br>£113 (up to 4 hours) |
| Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee | £198 (4 hours and over)<br>£99 (up to 4 hours)            |
| Community and Town Councillors sitting on principal council standards committees  | £198 (4 hours and over)<br>£99 (up to 4 hours)            |

- 4.26 The Council must determine the maximum number of meetings co-opted members can be paid. To date the Council has determined that co-opted members can be paid for a maximum of 10 days per annum. There are co-opted members with voting rights on the following committees:
- Audit Committee - met on four occasions in 2017/18.
  - Education for Life Scrutiny Committee - met on eight occasions in 2017/18.
  - Standards Committee - met on two occasions in 2017/18.
- 4.27 **Determinations 39 & 40** – Reasonable time for pre-meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting. Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members up to the maximum of the daily rate).
- 4.28 **Determination 41** – The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- 4.29 It has previously been agreed at Caerphilly that the appropriate officer would be as follows:
- The Monitoring Officer continues to act as the 'appropriate officer' for co-opted members serving on the Standards Committee.
  - The Internal Audit Manager continues to act as the 'appropriate officer' for co-opted members serving on the Audit Committee.

- The Head of Democratic Services to act as the 'appropriate officer' for members serving on the Education for Life Scrutiny Committee.

4.30 **Determination 42** – Meetings eligible for the payment of fees includes other committees and working groups (including task and finish groups), pre-meetings with offices, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend,

#### **Reimbursement of Care Costs**

4.31 The Panel is keen to encourage the promotion of the reimbursement of the costs of care. This relates to dependent children below the age of 15 where costs are incurred in providing care while members or co-opted members are engaged on Council business and, to a dependent over the age of 15 years who requires care while members or co-opted members are away from their home on Council business.

4.32 **Determination 43** - For 2018/19 the Panels determination states that all authorities must provide for the reimbursement of the necessary costs of dependent children and adults (provided by informal and formal carers) and for personal assistance needs up to a maximum of £403 per month.

4.33 This relates to dependent children below the age of 15 where costs are incurred in providing care while members or co-opted members are engaged on Council business and, to a dependent over the age of 15 years who requires care while members or co-opted members are away from their home on Council business. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Care expenses are only payable for actual and receipted costs. The monthly maximum is considered a reimbursement of care expenses and cannot be annualised.

4.34 The Panel is keen to encourage the promotion of the reimbursement of the costs of care. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense and has therefore set out two options:-

- The details of the amounts reimbursed to named members; or
- The total amount reimbursed by the authority during the year but not attributed to any named member.

#### **Sickness Absence for Senior Salary Holders**

4.35 The Panel have reiterated previous concerns about long term sickness of senior salary holders and the perceived unfairness when compared with the arrangements for family absence. Previously councils were faced with the dilemma of either operating without the individual member but still paying the senior salary or replacing the member, who therefore loses the salary. Therefore the Panel provided a framework with specific arrangements for long term sickness.

4.36 Long term sickness is defined as certified absences in excess of 4 weeks, with a maximum length of 26 weeks, or until the term of office ends (whichever is sooner). Within these parameters a senior salary holder on long term sickness, can, if the authority decides, continue to receive their senior salary. The authority can appoint a substitute member who will also be eligible to receive the senior salary, and if the substitution exceeds the maximum number of senior salaries an addition will be permitted subject to the Panel being informed within 14 days of the decision and the Schedule of Remuneration must be amended. This does not apply to basic salary holders who can continue to receive their basic salary for 6 months irrespective of attendance with any extension beyond this a matter for the authority.



## **Travel Expenses and Subsistence**

- 4.37 The Panel is not making changes to their determinations in respect of claims for travel and subsistence rates, which will remain the same as 2017/18 and are detailed on page 38 of the annual report. In 2012 the Panel introduced an additional definition of 'official business' to allow for the reimbursement of travel claims for Members undertaking constituency business (official business is defined as 'a duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of local authority functions'). Allowing travel claims for journeys made within Members wards is a matter for local determination, to date the Council has made the decision not to allow such travel claims.
- 4.38 All other claims for travel such as bus/train/taxi fares must be accompanied by appropriate receipts showing the actual expense. Members should always be mindful of choosing the most cost effective method of travel. Members should also be aware that tickets for public transport particularly for longer distances can be organised by Democratic Services staff.

## **FOREGOING PAYMENTS**

- 4.39 The Panel's determinations and recommendations contained in this report will take effect on April 2018. Individual Members or Co-opted Members may forego any part of their remuneration entitlement for the year ahead, by giving notice in writing to the Chief Executive.

## **SALARIES OF HEADS OF PAID SERVICE OF PRINCIPAL COUNCILS AND CHIEF OFFICERS OF PRINCIPAL COUNCILS**

- 4.40 Section 63 of the Local Government (Democracy) (Wales) Act 2013 section 143A enables the IRP to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the chief executive). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils.
- 4.41 If a principal council intends to change the salary of the head of paid service or chief officer, it must consult the Panel and have regard to the recommendation(s) of the Panel when reaching its decision.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This Panel report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act to encourage more diverse representation among Councillors and Co-opted Members. A more representative group should be better able to take into account the Wellbeing Goals when reviewing services and policies and consider the positive and negative impacts upon future generations, long term community resilience and economic, environmental and social capital.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EqIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out. In addition, the Panel consider equality implications as part of their determinations

## 7. FINANCIAL IMPLICATIONS

7.1 There will be the following financial implications for the local authority in respect of the proposals outlined in the IRP report:

7.2 The increase to the basic salary will be £200 per member which is equivalent to 1.49%, this will give a basic salary of £13,600. Therefore an overall increased cost of £10,800 for the 54 members in receipt of the basic salary.

7.3 The council has for the past two years agreed to select the lower senior salary level to calculate the salary for deputy leaders, and applied the lower level for cabinet members, and committee chairs. The panel has proposed to remove the choice for 2018/19 and has set the senior salaries at the previous higher level. Therefore this will result in the following increases for senior salaries, which also includes the £200 basic salary uplift:

| Role                 | 2017/18 Salaries       | Proposed Senior Salary for 2018/19 | Increased cost |
|----------------------|------------------------|------------------------------------|----------------|
| Leader               | £48,100                | £48,300                            | £200           |
| Deputy Leaders x 2   | £29,900 x 2 = £59,800  | £31,550 x 2 = £63,100              | £3,300         |
| Cabinet Members x 6  | £26,200 x 6 = £157,200 | £29,300 x 6 = £175,800             | £18,600        |
| Committee Chairs x 7 | £20,100 x 7 = £140,700 | £22,300 x 7 = £156,100             | £15,400        |
| Leader of Opposition | £22,100                | £22,300                            | £200           |
| Total = 17           |                        |                                    | £37,700        |

7.4 The level for Mayor and Deputy Mayor Salaries are also subject to council approval and in previous years these have been set at level 2 as detailed in the table below (in bold). There is no increase proposed for 2018/19, aside from the £200 basic salary uplift. Therefore the financial implications will depend on which salary level is agreed by full council.

| Salary Levels  | Mayor          |                | Cost difference | Deputy Mayor   |                | Cost difference |
|----------------|----------------|----------------|-----------------|----------------|----------------|-----------------|
|                | 2017/18        | 2018/19        |                 | 2017/18        | 2018/19        |                 |
| Level 1        | £24,100        | £24,300        | £2700           | £18,100        | £18,300        | £2200           |
| <b>Level 2</b> | <b>£21,600</b> | <b>£21,800</b> | <b>£200</b>     | <b>£16,100</b> | <b>£16,300</b> | <b>£200</b>     |
| Level 3        | £19,100        | £19,300        | (£2300)         | £14,100        | £14,300        | (£1800)         |

7.5 Therefore the overall additional costs for 2018/19 (should the civic salaries remain at the same level) would be £48,900.

## 8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications associated with this report.

## 9. CONSULTATIONS

9.1 There are no consultation responses that have not been reflected in the recommendations of this report.

## 10. RECOMMENDATIONS

10.1 It is recommended that;

10.2 The Council note and agree to implement the determinations of the Panel including, the basic salaries, Leader and Deputy Leader salaries, Cabinet Members and Committee Chairs, the reimbursement of care costs, travel and subsistence allowances and fee payments to Co-opted Members.

- 10.3 The Council will determine which salary levels it will set for Civic Salaries for 2018/19 as stated at paragraph 4.6.

| <b>Salary Levels</b> | <b>Mayor</b> | <b>Deputy Mayor</b> |
|----------------------|--------------|---------------------|
| Level 1              | £24,300      | £18,300             |
| Level 2              | £21,800      | £16,300             |
| Level 3              | £19,300      | £14,300             |

- 10.4 The Council agree that the maximum number of days payable to Co-opted Members of the Education for Life Scrutiny Committee, Co-opted (lay) Members of the Standards and Audit Committees, remains at 10 days per year as stated at paragraph 4.26.
- 10.5 The Council agree that officers listed at paragraph 4.29 continue to act as the 'appropriate officer' for Co-opted Members as indicated.
- 10.6 The Council determine whether to continue to not allow travel claims for journeys made within Members' wards as stated at paragraph 4.37.
- 10.7 The Council will determine one of the following options for publishing the costs of care expenses, there are two options:-

Option 1: The details of the amounts reimbursed to named members.

Option 2: The total amount reimbursed by the authority during the year but not attributed to any named member.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 In order for the Council to comply with the Local Government (Wales) Measure 2011.

## **12. STATUTORY POWER**

- 12.1 Local Government and Housing Act 1989, the Local Government Act 2000, Local Government Wales Measure 2011, Local Government (Democracy) (Wales) Act 2013 and Family Absence for Members of Local Authorities Wales Regulations 2013.

Author: Catherine Forbes-Thompson, Interim Head of Democratic Services  
 Consultees: Cllr David Poole, Leader of Council  
 Cllr Barbara Jones, Deputy Leader Finance, Performance and Governance  
 Cllr Colin Mann, Chair Democratic Services Committee  
 Christina Harrhy, Interim Chief Executive  
 David Street, Corporate Director Social Services  
 Lynne Donovan, Interim Head of Human Resources  
 Stephen Harris, Interim Head of Corporate Finance

### Background Papers:

Report to Council 18 May 2017 Independent Remuneration Panel for Wales Annual Report 2017/2018

Report to Democratic Services Committee 31 May 2017 Annual Report for Democratic Services

Report to Democratic Services Committee 28 September 2017 Members Training and Development Programme

Report to Democratic Services Committee 23 November 2017 Independent Remuneration Panel

Draft Annual Report 2018/19

### Appendices:

Appendix 1 Annual Report of the Independent Remuneration Panel for Wales 2018/19



# Independent Remuneration Panel for Wales

## Annual Report

February 2018

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

Page 154

## **ANNUAL REPORT 2018**

### **FOREWORD**

Elections to Principal Councils and Community & Town Councils took place in 2017 and as with our previous approach when new councils are formed the Panel visited all 22 of the unitary authorities. This provides us with an opportunity to discuss issues with a cross section of members and senior officers. In total we met with 142 executive members, 280 other elected members, 59 co-optees and 90 chief officers. The visits have helped us form the direction for future consideration. On behalf of my colleagues I wish to express our thanks to all councils for their engagement with the visits and the welcome and hospitality we received.

The visits and the resulting discussions assisted in continuing to ensure that we have a comprehensive understanding of the development of the role of a councillor and the workload pressures that appear to be increasing across the board.

The conclusions from our discussions have wherever possible been incorporated in our determinations and in particular our decision to provide a modest increase in the basic salary.

As a Panel we believe the overwhelming majority of the 1,254 elected members of the 22 councils are committed to serving their communities and put in many hours that the basic remuneration could not cover. Affordability is an issue for both the councils and tax payers and this restricts other than modest additional costs to the total payments to members. What we wish to prevent is further erosion of the link with the average Welsh earnings.

In our draft report we proposed several changes in respect of the remuneration of community & town councillors. We received a large number of responses in relation to these changes, most of which suggested that our draft proposals were a step too far. We have taken account of many of the points that were raised and modified the arrangements contained in the draft report. Our decisions can be found in Section 13 of this report. The Panel received several enquiries during the recent consultation on the draft report regarding tax queries for community and town councils. The question was raised as to whether the Panel could contact HMRC to see if they could receive a blanket dispensation for community councils. This issue is outside of the

Panel's remit and it is therefore a matter for each individual councillor or community council to resolve their own taxation issues.

My personal thanks to my fellow Panel members who constantly demonstrate the knowledge and enthusiasm to ensure we produce reports that are based on key information.

Also my appreciation of the work of our secretariat without which we could not function effectively.

**John Bader**  
**Chair**

### **Panel Membership**

John Bader – Chair  
Gregory Owens - Vice Chair  
Stephen Mulholland

Julie May  
Saz Willey  
Roger Symonds

Detailed information about the members can be found on the website:  
<http://gov.wales/irpwsb/home/?lang=en>

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## Introduction



This is the tenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the seventh published under the requirements of the Local Government (Wales) Measure 2011(as amended).

1. As with all the Panel's Annual Reports the determinations on member remuneration are underpinned by the principles set out in Section 1.
2. The Panel has consistently expressed its view that maintaining the democratic values of local governance cannot be cost-free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure appropriate value-for-money public services for local tax-payers through effective scrutiny. These are significant and considerable tasks for members of the relevant authorities within the Panel's remit. Payments to members are made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.
3. In determining the level of payments to members of local councils, the Panel seeks to meet the principle of '*acceptability*' by ensuring that these are not '*so great as to require a significant diversion of resources from key council priorities*'. But Section 142(8) of the Measure is more explicit on '*affordability*' when it states that "*when setting an amount<sup>1</sup> ...the Panel must take into account what it considers will be the likely financial impact of doing so on relevant authorities*". Meeting the requirement of the Measure in regard to affordability has been a challenge for the Panel, not least because of public interest in the payments made to members. The Panel acknowledges that the issue of affordability – in relation both to relevant authorities' service budgets and to the electorate's disposable incomes – is likely to impact on the public perception of any increases to members' payments.
4. As a charge on the public purse, payments to members for their time, worth and responsibility must be, and must be seen to be, fair to those undertaking the role but at the same time be affordable. The Panel's determinations in its 2009 Report aligned payments to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). The basic salary was set at three-fifths of the All Wales Median Salary and senior salaries were set at multiples of this annual median salary. In setting these salaries the Panel recognised that there was an unpaid public service contribution.

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<sup>1</sup> <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>.



5. 2017 was an election year for councils in Wales and we visited all 22 principal councils as soon as practicable following the elections to provide an opportunity for members and officers to comment on the Remuneration Framework and to put forward ideas for future consideration. We appreciate the welcome that we received from every council and the useful discussions that arose during our visits.
6. One of the observations that many members expressed was that when the basic salary is compared with a traditional paid employment – ‘a job’ - the salary is too low to attract younger people and to encourage diversity. They also pointed out the significant differences between remuneration and support available to elected members in other levels of government in Wales. They proposed that the level of the basic salary should therefore be raised significantly in recognition of the importance of the role of an elected member of a principal council. However, it is recognised that elected members of principal councils are not employees and are not remunerated as such.
7. The financial constraints on the public sector and particularly local authorities has meant that the link with average Welsh earnings has not been maintained. The Panel considers that this has undervalued the worth of elected members. To avoid further erosion in relation to average earnings the Panel has decided to increase the basic annual salary to £13,600 (an increase of 1.49%). No increase is proposed for senior salaries but these post holders will receive the increase in the basic salary element.
8. The Annual Report 2016 introduced two levels of salary for members of councils’ executives and committee chairs of principal authorities, Fire and Rescue Authorities (FRAs) and National Park Authorities (NPAs). This was to provide flexibility to enable authorities to reflect, in their schedules of remuneration, variations in the level of responsibility of portfolios and chairs. However as far as the payments to members of executives is concerned this flexibility has not been used other than in one case. Similarly it has not been taken on board in respect of chairs of committees. It was clear from the discussions that arose during the Panel’s visits that almost all councils took the view that this arrangement was contrary to the desire for the Panel to be prescriptive in its determinations. The Panel accepts this and has therefore removed the two tier arrangement for executive members and for committee chairs.
9. From the discussions during our visits to the principal councils it is clear that very few members are utilising the provision in the framework to reimburse the costs of care. It appears that some members are still reluctant to claim all that they are entitled to support them in their role, because of concerns about the adverse publicity this can attract (see Annex 4 for the publication options). We urge Democratic Services Committees to take steps to encourage and facilitate greater use of this element of our framework so that members concerned are not financially disadvantaged.

10. The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. To take this a step further the Panel has produced a leaflet for prospective candidates on the remuneration of members of councils. We are pleased that several councils have added this leaflet to their website.
11. We believe there are still major issues to be addressed with community and town councils which we will be raising with individual councils and their representative organisations. However as a start to this process we are proposing to introduce grouping councils according to the level of income or expenditure. However, we received many responses to the draft report expressing concern about the form of the groups and other proposals. As a result we have made amendments to take account of some of the responses but retained mandatory payments to senior members in those councils in the highest group and the reimbursement of costs of care for all councils. The determinations for community and town councils are in Section 13.
12. The Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting Section 143A. This requires that any principal council or fire and rescue authority that intends to change the salary of its Head of Paid Service must consult the Panel unless the change is in keeping with changes applied to other officers. Section 143A also enables the Panel to take a view on anything in the Pay Policy Statement of an authority that relates to the salary of the Head of Paid Service (normally the Chief Executive or Chief Fire Officer). The Local Government (Wales) Act 2015 extended this responsibility, on a temporary basis to Chief Officers of principal authorities. The Panel's approach to its use of these powers is set out in Section 15 of this Report and accords with the guidance issued to the Panel by the Welsh Government.
13. Since assuming the additional responsibility in respect of changes to the salaries of chief officers of principal councils the Panel has dealt with several submissions. The Panel's decisions are attached at Section 15.

# **1. The Panel's Framework: Principles of Members' Remuneration**

## **Upholding trust and confidence**

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

## **Simplicity**

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its determinations effectively to all those who are affected by, or who have an interest in its work.

## **Remuneration**

- 1.3 The Framework provides for payment to members of local authorities who carry a responsibility for serving their communities. The level of remuneration should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the salary. The Framework provides additional recompense for those who are given greater levels of responsibility.

## **Diversity**

- 1.4 Democracy is strengthened when the membership of local authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

## **Accountability**

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all principal councils to make information readily and appropriately available about the activities and remuneration of their members.

## **Fairness**

- 1.6 The framework will be capable of being applied consistently to members of all local authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

## **Quality**

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as are required to properly discharge the duties for which they are remunerated.

## **Transparency**

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

## **Remuneration of Officers**

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the paid officers of these authorities.

## 2. Annual Report Summary Page

| Type of Payment                                 | Type of Authority  |                           |                             |                             |
|---|--------------------|---------------------------|-----------------------------|-----------------------------|
|   | Principal Councils | National Park Authorities | Fire and Rescue Authorities | Community and Town Councils |
| Basic Salary                                    | page 11            | page 26                   | page 30                     | N/A <sup>2</sup>            |
| Senior Roles                                    | page 14            | page 26                   | page 30                     | page 41                     |
| Committee Chairs                                | page 14            | page 26                   | page 30                     | N/A                         |
| Opposition Groups                               | page 14            | N/A                       | N/A                         | N/A                         |
| Civic Heads and Deputies                        | page 15            | N/A                       | N/A                         | page 44                     |
| Presiding Members                               | page 17            | N/A                       | N/A                         | N/A                         |
| Mileage   | page 38            | page 38                   | page 38                     | page 43                     |
| Other Travel Costs                              | page 38            | page 38                   | page 38                     | page 43                     |
| Subsistence Costs                               | page 39            | page 39                   | page 39                     | page 43                     |
| Costs of Care                                   | page 35            | page 35                   | page 35                     | page 44                     |
| Family Absence                                  | page 24            | N/A                       | N/A                         | N/A                         |
| Sickness Absence                                | page 36            | page 36                   | page 36                     | N/A                         |
| Joint Overview and Scrutiny Committees          | page 21            | N/A                       | N/A                         | N/A                         |
| Pension   | page 23            | N/A                       | N/A                         | N/A                         |
| Co-optees                                       | page 33            | page 33                   | page 33                     | N/A                         |
| Specific or Additional Allowances               | page 19            | page 27                   | page 31                     | N/A                         |
| Payments to Community and Town Councillors      | N/A                | N/A                       | N/A                         | page 40                     |
| Financial Loss Allowance                        | N/A                | N/A                       | N/A                         | page 43                     |
| Statement of Payments                           | page 80            | page 80                   | page 80                     | Page 80                     |
| Schedule of Remuneration                        | Page 78            | Page 78                   | Page 78                     | N/A                         |
| Salaries of Chief Executives and Chief Officers | Page 47            | N/A                       | Page 47                     | N/A                         |

<sup>2</sup> Not Applicable

### **3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries**

#### **Basic salary for elected members of principal councils**

- 3.1 The Panel originally determined in its Annual Report 2009 that payment of the basic salary would be aligned to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). Given the pressures on public expenditure it has not been possible for this alignment to be maintained. If this alignment had continued the basic salary would currently be significantly higher than the current prescribed amount, (close to £15,000 pa). This is calculated on an assumption that the basic activity required of an elected member (i.e. without the additional work required for a senior salary) is equivalent to three days' work.
- 3.2 The Panel remains aware that the core activities required of an elected member of a principal council vary. Duties undertaken should enable all members to discharge their core non-executive responsibilities in the governance of their council and in representing those living in their ward. As an elected role, such posts are not readily treated in the same manner as employment with precisely quantified hours. The work that arises in representing ward residents is particularly varied because it is influenced by the very diverse socio-economic conditions, demographics, levels of urbanisation and different ratios of residents to councillors. These circumstances can vary significantly within individual authorities as well as in comparisons of local authorities throughout Wales. Elected positions carry an expectation of a level of personal commitment to community that goes beyond defined remunerated hours. Elected members commonly report time spent that is well in excess of the notional three days (extra time worked and previously defined by the Panel as a 'public service discount').
- 3.3 In 2017 Panel members continued the practice of visiting all Welsh principal councils to meet with elected members to inform and update understanding of their activities. The WLGA Exit Survey of members who stood down in 2017 has also been considered. The general view from members and officers is that the workload has increased and most claimed that it was far in excess of 3 days. In ongoing dialogue with members, the Panel has particularly wished to learn of any impact on basic councillor duties arising from public 'austerity' programmes of recent years and also any changes in expectations from elected members arising from increased electronic communications and social media.
- 3.4 When making financial determinations for this Annual Report, the Panel has considered the progression of a variety of benchmark figures for the period from 2010 to 2017. As well as the ASHE median gross earnings figures for

Wales, the Panel also considered the Retail Price Index, the Consumer Price Index, NJC Pay Scales and Living Wage figures. It is noted that these figures show clear increases in the cost of living and earnings during this period. It is obvious that the gap between the level of basic remuneration for elected members of principal councils and relevant indicators of rises in income and costs of living indicators has continued to grow. The Panel believes this merits action to narrow the gap and limit the rate of erosion. Any adjustments must be in keeping with the Panel's principle that its determinations should be publicly affordable and acceptable.

- 3.5 Although public sector funding continues to be constrained, the Panel therefore considers that an increase in the basic salary is justified. It has determined there shall be an increase of £200 p.a. (which equates to 1.49%) effective from April 2018 to the basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the basic duties expected of all elected members.

### **Senior salaries for elected members of principal councils**

- 3.6 The limit on the number of senior salaries payable ('the cap') will remain in place. In 2018/19 the maximum number of senior salaries payable within each council will not be altered (other than for the Isle of Anglesey Council. See note ii) and will be as set out in Table 1. The rate payable for senior salaries shall not be altered in 2018/19 except to reflect the increase in the basic salary.

**Determination 1: Basic salary in 2018/19 for elected members of principal councils shall be £13,600.**

### **Notes to Determination 1:**

- i. The responsibility element of senior salaries is not being increased but senior salary holders will receive the uplift to the basic salary.
- ii. The Cabinet Secretary for Finance and Local Government agreed in respect of the Isle of Anglesey Council to increase the number of posts that could be paid a senior salary beyond the fifty percent maximum contained in the Measure subject to a determination by the Panel. The Panel issued a Supplementary Report to give effect to this increase.

**Table 1:** Maximum numbers of council membership eligible for payment of a senior salary

| <b>Council</b>                                     | <b>Number of councillors</b> | <b>Number of senior salaries</b> |
|--|------------------------------|----------------------------------|
| <b>Group A</b> (populations over 200,000)          |                              |                                  |
| Cardiff  | 75                           | 19                               |
| Rhondda Cynon Taf                                  | 75                           | 19                               |
| Swansea  | 72                           | 19                               |
| <b>Group B</b> (populations of 100,000 to 200,000) |                              |                                  |
| Bridgend   | 54                           | 18                               |
| Caerphilly   | 73                           | 18                               |
| Carmarthenshire                                    | 74                           | 18                               |
| Conwy  | 59                           | 18                               |
| Flintshire   | 70                           | 18                               |
| Gwynedd  | 75                           | 18                               |
| Neath Port Talbot                                  | 64                           | 18                               |
| Newport  | 50                           | 18                               |
| Pembrokeshire                                      | 60                           | 18                               |
| Powys  | 73                           | 18                               |
| Vale of Glamorgan                                  | 47                           | 18                               |
| Wrexham  | 52                           | 18                               |
| <b>Group C</b> (populations of up to 100,000)      |                              |                                  |
| Blaenau Gwent                                      | 42                           | 17                               |
| Ceredigion   | 42                           | 17                               |
| Denbighshire                                       | 47                           | 17                               |
| Isle of Anglesey                                   | 30                           | 16                               |
| Merthyr Tydfil                                     | 33                           | 16                               |
| Monmouthshire                                      | 43                           | 17                               |
| Torfaen  | 44                           | 17                               |

### **Payments to members of the Executive, Chairs of committees and the Leader of the Opposition**

3.7 The Panel has not changed the previous decisions in respect of the senior salaries paid to these post holders.

(i) The Executive:

The visits to all principal councils by the Panel in 2009 produced the general conclusion that Executive members should be considered as working the equivalent of full time (up to 40 hours per week) but not necessarily nine to five. The recent visits and discussions with members and officers did not change this conclusion. In fact many executive members indicated that their workload has increased. There is still a variety of arrangements in both the structure and operation of cabinets dependent on the specific organisational requirements of each authority.



Many councils operate with a cabinet of 10, the statutory maximum, others choose to have smaller cabinets and therefore the range of individual portfolios is much greater. We have previously concluded that this should be able to be reflected in the remuneration framework. However, it is not the role of the Panel to determine the structure of cabinets of local authorities. The Panel's previous determinations contained flexibility for each council to decide the appropriate range of portfolios to meet local needs and adjust payments within the Executive to reflect responsibility. As a result of the strong views expressed during the visits that the Panel should be prescriptive in respect of the salaries of executive members this provision has been amended. Consequently there will be one salary level within each population group as set out in Table 2 (overleaf):

(ii) Chairs of Committees

The Panel has recognised the overwhelming support for its determinations to be prescriptive and therefore has removed the two tier arrangement for chairs of committees although we continue to take the view that the responsibility and function of chairing a committee is not generally influenced by population of the authority.

Where chairs of committees are paid, the remuneration is: £22,300.

## The Senior Salary Bands

**Determination 2: The Panel has determined that senior salary levels in 2018/19 for members of principal councils shall be as set out in table 2.**

**Table 2:** Basic salary and senior salaries payable to members of principal councils

| <b>Basic salary (payable to all elected members) £13,600</b>     |  |  |   |
|--|--|--|---|
|  | <b>Group A</b><br>(Cardiff,<br>Rhondda<br>Cynon Taf,<br>Swansea) | <b>Group B</b><br>(Bridgend,<br>Caerphilly,<br>Carmarthenshire,<br>Conwy, Flintshire,<br>Gwynedd, Newport,<br>Neath Port Talbot,<br>Pembrokeshire,<br>Powys,<br>Vale of Glamorgan,<br>Wrexham) | <b>Group C</b><br>(Blaenau Gwent,<br>Ceredigion,<br>Denbighshire,<br>Merthyr Tydfil,<br>Monmouthshire,<br>Torfaen, Isle of<br>Anglesey) |
| <b>Senior salaries (inclusive of basic salary)</b>               |  |  |   |
| <b>Band 1</b><br>Leader<br>Deputy leader                         | £53,300<br>£37,300   | £48,300<br>£33,800   | £43,300<br>£30,300  |
| <b>Band 2</b><br>Executive members                               | £32,300  | £29,300  | £26,300   |
| <b>Band 3</b><br>Committee chairs (if remunerated):              | Level 1  | £22,300  |   |
| <b>Band 4</b><br>Leader of largest opposition group <sup>3</sup> |  | £22,300  |   |
| <b>Band 5</b><br>Leader of other political groups                |  | £ 17,300   |   |

### Table 2 notes:

- a. The Panel considers that the leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability and that 'size of population' remains a major factor in influencing levels of responsibility and

<sup>3</sup> Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of "largest opposition group" and "other political group".

the use of the three population groups (A, B and C) has therefore been retained. For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- b. No increase is proposed for senior salaries but post holders will receive the uplift in the basic salary paid to all councillors.
- c. Committee chairs will be paid at Band 3, although an individual authority may determine not to pay particular chairs.
- d. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- e. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- f. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

See IRPW Regulations, Annex 2, Part 1(2) for a definition of “*largest opposition group*” and “*other political group*”.

### **Payments to Civic Heads and Deputies (Civic Salaries)**

- 3.8 The Panel maintains the view that it is appropriate for authorities to set remuneration levels which reflect activity and responsibility of civic heads and deputies rather than the local population. The Panel is aware but surprised that many councils have set the salaries for their civic heads and deputies to accord with the population groups rather than necessarily reflecting the specific responsibilities attached to the roles. For the removal of doubt, it should be noted that the three established groups of principal councils calculated by population are not required to be applied in relation to payments to civic heads and deputies.
- 3.9 The Panel has set three possible levels of civic salary - higher, mid and lower. Each authority must decide which level (if any) is to be paid for each of these roles according to local factors. For example, the civic head of a small council may be paid at the highest rate, whilst the civic head of a large council may be paid at the lowest rate, rates of payment to deputy civic heads may be similarly varied. This also allows for civic heads and their deputies in the same authority to be paid at different levels.
- 3.10 A council may decide not to apply any civic salary to the posts of civic head and/or deputy civic head.

**Determination 3: The Panel has determined that (where paid) civic salaries at the following levels are payable (Table 3) and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.**

**Table 3:** Civic salaries (where paid) shall be payable as follows to members of principal councils

| <b>Remuneration of civic heads and deputy civic heads</b> <i>(inclusive of basic salaries)</i> |             |                    |
|--|-------------|--------------------|
| Responsibility Level   | Civic heads | Deputy civic heads |
| Level 1  | £24,300     | £18,300            |
| Level 2  | £21,800     | £16,300            |
| Level 3  | £19,300     | £14,300            |

**Table 3 notes:**

- a. The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).
  - b. The Panel's requirement that members should not have to pay for the cost of the support (see determination 7) that is needed to carry out their duties applies also in respect of civic heads. The Panel recognises the range of provision made for civic heads in respect of transport, secretarial support, charitable giving and clothing.
- 3.11 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authority's 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. This requires the post holder to exemplify and promote good citizenship.
  - 3.12 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
  - 3.13 The level of support given, the personal financial outlay and the level of activity during the year of office varies considerably between authorities and the size of authority does not necessarily relate to the commitment required, or given by, civic heads.
  - 3.14 All principal councils have a number of community councils within their areas and many also include town councils. Where a community council has a particularly active civic head this may have some impact on the workload of the principal council's civic head.

- 3.15 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

### **Payments to Presiding Members**

**Determination 4: The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.**

**Determination 5: The Panel has determined that the post of deputy presiding member will not be remunerated.**

### **Key factors underpinning the Panel's determinations:**

- 3.16 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance for the time equivalent of three days a week. Any time commitment beyond three days is an unpaid public service contribution.
- 3.17 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to forego all or any element of the payment. It is fundamental that there is transparency in this process so any possible suggestion that members are put under pressure to forego some of the salaries is avoided.

The following must be applied:

- a) An elected member must not be remunerated for more than one senior post within his or her authority (but see section 4 on JOSCs).
- b) An elected member must not be paid a senior salary and a civic salary.
- c) All senior and civic salaries are paid inclusive of basic salary.
- d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.
- e) Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed.

- f) Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a Community or Town Council of which they are a member other than travel and subsistence expenses and reimbursement of costs of care.

### **Supporting the work of local authority elected members**

- 3.18 Following the local elections in 2017 Panel members undertook visits to all principal authorities in Wales. These visits provided valuable opportunities for members and officers to discuss the variations that occur and to share and understand the benefits gained by properly supporting the ability of members to discharge their basic duties effectively.
- 3.19 The Panel expects the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. Any proposals should be made with due regard to Determinations 6 and 7 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties as a ward member, committee member or cabinet member.
- 3.20 The Panel considers it is necessary for each elected member to have ready use of e-mail services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties as a ward member, committee member or cabinet member. This comprises the necessary provision for a member to be in proper contact with council services and to maintain contact with those they represent. Many councils in Wales are committed to 'paperless working' and without electronic access a member would be significantly limited in his or her ability to discharge their duties. It is not appropriate for facilities required by members to be available only within council offices within office hours.
- 3.21 The responsibility of each council through its Democratic Services Committee to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.

For co-opted members the support should be appropriate and proportionate.

**Determination 6: The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to**

appropriate information.

**Determination 7: The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.**

### **Specific or additional senior salaries**

3.22 The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a “job share” arrangement. The Panel is supportive of this principle and the process is set out in Paragraph 3.24.

**Determination 8: The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

3.23 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:

- a. The total number of senior salaries cannot exceed fifty percent<sup>4</sup> of the membership.
- b. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
- c. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

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<sup>4</sup> Local Government (Wales) Measure 2011 Section 142 (5) The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Ministers has been obtained.

### 3.24 Job Sharing Arrangements

For members of an executive: Each “sharer” will be paid 50% of the appropriate salary of the Population Group.

The statutory maximum for cabinets cannot be exceeded so both job sharers will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council’s membership.

The Panel must be informed of the details of any job share arrangements.

**The Panel’s determinations on Travel and Subsistence, Reimbursement of Costs of Care and Family Absence are now set out in separate sections of this Annual Report.**



## 4. Joint Overview and Scrutiny Committees (JOSC)

4.1 Although to date no council has made use of these arrangements the Regulations are still in force. The Panel retains the arrangements for the remuneration of chairs of Joint Overview and Scrutiny Committees and Sub-committees<sup>5</sup>. The payments align with those of chairs of committees of principal councils set out in Section 3. In future they may be the basis for governance in respect of regional working.

The following determinations apply:

**Determination 9: The chair of a Joint Overview and Scrutiny Committee is eligible for an additional payment of £6,700.**

**Determination 10: In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the additional payment will be £3,350.**

**Determination 11: The chair of a sub committee of a JOSC is eligible for an additional payment of £1,675.**

**Determination 12: In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the additional payment will be £837.**

**Determination 13: Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.**

**Determination 14: Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).**

**Determination 15: A deputy chair of a JOSC or sub committee is not eligible for payment.**

**Determination 16: Co-optees to a JOSC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.**

<sup>5</sup> [http://www.assembly.wales/Laid%20Documents/SUB-LD9311%20-%20The%20Local%20Authorities%20\(Joint%20Overview%20and%20Scrutiny%20Committees\)%20\(Wales\)%20Regulations%202013-02052013-245903/sub-ld9311-e-English.pdf](http://www.assembly.wales/Laid%20Documents/SUB-LD9311%20-%20The%20Local%20Authorities%20(Joint%20Overview%20and%20Scrutiny%20Committees)%20(Wales)%20Regulations%202013-02052013-245903/sub-ld9311-e-English.pdf)

- 4.2 The remuneration of chairs of JOSCs (or a sub-committee of JOSCs) is not prescribed and is a matter for the constituent councils to decide whether such a post will be paid. However, if a senior salary is paid, it must be at the level set out in section 4 of this report.

## **5. Pension Provision for Elected Members of Principal Councils**

- 5.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

**Determination 17: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.**

## 6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013<sup>6</sup> and cover maternity, new born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

**Determination 18: An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.**

**Determination 19: When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.**

**Determination 20: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.**

**Determination 21: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.**

**Determination 22: When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.**

**Determination 23: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.**

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<sup>6</sup> [http://www.legislation.gov.uk/wsi/2013/2901/pdfs/wsi\\_20132901\\_mi.pdf](http://www.legislation.gov.uk/wsi/2013/2901/pdfs/wsi_20132901_mi.pdf)

## 7. Payments to Members of National Park Authorities

### Structure of National Park Authorities

- 7.1 The 3 National Parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of the 3 corresponding National Park Authorities (NPAs). In managing the National Park, the Authority has 3 main purposes:
- to protect the natural beauty of the Park;
  - to help visitors enjoy and understand it; and
  - to foster the wellbeing of local people.
- 7.2 National Park Authorities have a committee of Members who are either elected members nominated by the Principal Councils within the National Park area or are members appointed by the Welsh Government through the Public Appointments Process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.
- 7.3 The structure of the Members' Committee at each of the 3 national parks is set out in Table 4.

**Table 4: Membership of Welsh National Park Authorities**

| National Park Authority    | Total Membership | Principal Council Members  | Welsh Government appointed Members |
|----------------------------|------------------|--|------------------------------------|
| <b>Brecon Beacons</b>      | 24               | 16:<br>Blaenau Gwent County Borough Council – 1<br>Carmarthenshire County Council – 2<br>Merthyr Tydfil County Borough Council – 1<br>Monmouthshire County Council – 2<br>Powys County Council – 8<br>Rhondda Cynon Taf County Borough Council - 1<br>Torfaen County Borough Council - 1 | 8                                  |
| <b>Pembrokeshire Coast</b> | 18               | 12:<br>Pembrokeshire County Council - 12   | 6                                  |
| <b>Snowdonia</b>           | 18               | 12:<br>Conwy County Borough Council – 3<br>Gwynedd Council – 9   | 6                                  |

- 7.4 In addition, Standards Committees of NPAs have Independent Co-opted members whose remuneration is included in the framework as set out in Section 9.

- 7.5 In considering remuneration of members of NPAs, the Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development/Management/Planning Committee, and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection panels.
  - There is an expectation that members will participate in training and development.
  - The chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and AMs with whom they have regular meetings. The role requires a high level of commitment and time.

### **Basic and senior salaries**

- 7.6 The Panel has previously determined that the role of ordinary members of an NPA should be aligned to the basic salary of a member of a principal council, and that the time commitment required is a notional 42 days per year. This remains the basis of the Panel's determinations.
- 7.7 Although public sector funding continues to be constrained the Panel considers that a modest increase in the basic salary is justified and has determined there shall be an increase of £200 (which equates to 1.49%) from 1 April 2018 in the level of basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the duties expected of members.
- 7.8 Therefore, there is a corresponding increase of £50 (rounded) on the basic salary for members of NPAs from 1 April 2018.
- 7.9 The Panel has also previously determined that the remuneration of an NPA chair should be aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal council.
- 7.10 The Panel has provided local flexibility so that an NPA can decide at which of two levels the roles of deputy chair and up to 2 other committee chairs can be remunerated. An NPA may choose to pay its deputy chair and/or committee chairs a salary of either £7,375 or £6,075, commensurate with the significant and sustained duties to be discharged in a particular role.
- 7.11 During 2016, the Panel met with members and officers of the 3 NPAs. Feedback was received during the Panel's visits about the importance of members' attendance at meetings and the impact non-attendance can have.

## **Additional Senior Salaries**

- 7.12 Feedback was also received during the Panel's visits to NPAs that its determination that up to two NPA Committee Chairs could receive a senior salary could be restrictive in the NPAs discharging their governance requirements.
- 7.13 The Panel allows principal councils greater flexibility to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework. The Panel is extending this provision to NPAs as reflected in the following principles:
- a. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
  - b. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
  - c. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.
- 7.14 The Panel has made the following determinations:

**Determination 24: The basic salary for NPA ordinary members shall be £3,675.**

**Determination 25: The senior salary of the chair of an NPA shall be £12,375.**

**Determination 26: An NPA senior salary can be paid to a Deputy Chair and up to two committee chairs where there is significant and sustained responsibility. This can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility: £6,075 or £7,375.**

**Determination 27: The Panel has determined to include a provision for NPAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

**Determination 28: Members must not receive more than one NPA senior salary.**

**Determination 29: An NPA senior salary is paid inclusive of the NPA basic salary and must reflect significant and sustained responsibility.**

**Determination 30: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.**

**The Panel's determinations on Travel and Subsistence, Reimbursements of Costs of Care and Family Absence are now set out in separate sections of this Annual Report.**



## 8. Payments to Members of Welsh Fire and Rescue Authorities

### Structure of Fire and Rescue Authorities

- 8.1 The 3 Fire and Rescue Services in Wales: Mid and West Wales, North Wales and South Wales and Fire and Rescue Authorities (FRAs) were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise of elected members who are nominated by the Principal Councils within the Fire and Rescue Service area.
- 8.3 The structure of the each of the 3 FRAs is set out in Table 5.

**Table 5: Membership of Fire and Rescue Authorities**

| <b>Name of Fire and Rescue Authority</b> | <b>Number of Local Authority Members</b>   |
|--|--|
| Mid and West Wales                       | 25:<br>Carmarthenshire County Council – 5<br>Ceredigion County Council – 2<br>Neath Port Talbot County Borough Council – 4<br>Pembrokeshire County Council – 3<br>Powys County Council – 4<br>Swansea City and County Council – 7  |
| North Wales                              | 28:<br>Conwy County Borough Council – 5<br>Denbighshire County Council – 4<br>Flintshire County Council – 6<br>Gwynedd Council – 5<br>Isle of Anglesey County Council – 3<br>Wrexham County Borough Council – 5  |
| South Wales                              | 24:<br>Bridgend County Borough Council – 2<br>Blaenau Gwent County Borough Council – 1<br>Caerphilly County Borough Council – 3<br>Cardiff City Council – 5<br>Merthyr Tydfil County Borough Council – 1<br>Monmouthshire County Council – 2<br>Newport City Council - 2<br>Rhondda Cynon Taf County Borough Council - 4<br>Torfaen County Borough Council – 2<br>Vale of Glamorgan Council -2 |

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the framework as set out in Section 9.

- 8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:
- The chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
  - There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
  - Training sessions often follow on from authority meetings to make the training accessible.

### **Basic and Senior Salaries**

- 8.6 The Panel has previously determined the remuneration of ordinary members of an FRA should be aligned to the basic salary of a member of a principal council and the time commitment required is a notional 20 days per year. This remains the basis of the Panel's determinations.
- 8.7 Although public sector funding continues to be constrained the Panel considers that a modest increase in the basic annual salary of elected members is justified and has determined there shall be an increase of £200 (which equates to 1.49%) from the date of the authority's Annual General Meeting in the level of basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the duties expected of members.
- 8.8 Therefore, there is a corresponding increase of £30 (rounded) on the basic salary for members of FRAs from the date of the authority's Annual General Meeting.
- 8.9 The Panel determined that the remuneration of an FRA chair should be aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal council.
- 8.10 The Panel determined that the remuneration of an FRA deputy chair where there is significant and sustained senior responsibility will be aligned with the Band 5 senior salary.
- 8.11 The Panel has determined that up to two FRA committee chairs where there is significant and sustained responsibility can be remunerated.

8.12 During 2016, the Panel met with members and officers of the 3 FRAs. Feedback was received about the importance of members' attendance at meetings and the impact non-attendance can have.

### **Additional Senior Salaries**

8.13 The Panel allows principal councils greater flexibility to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework. The Panel is extending this provision to FRAs as reflected in the following principles.

- a. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
- b. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- c. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

### **Local Pension Boards**

8.14 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 33 or 34 cannot be used exclusively for this role.

8.15 The Panel has made the following determinations:

|   |
|---|
| <b>Determination 31: The basic salary for FRA ordinary members shall be £1,745.</b> |
|---|

|   |
|---|
| <b>Determination 32: The senior salary of the chair of an FRA shall be £10,445.</b> |
|---|

|   |
|---|
| <b>Determination 33: An FRA senior salary can be paid to the deputy chair and up to two chairs of committees where there is significant and sustained responsibility. This shall be paid at £5,445.</b> |
|---|

|   |
|---|
| <b>Determination 34: The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.</b> |
|---|

**Determination 35: Members must not receive more than one FRA senior salary.**

**Determination 36: An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility**

**Determination 37: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.**

**The Panel's determinations on Travel and Subsistence, Reimbursement of Costs of Care and Family Absence are now set out in separate sections of this Annual Report.**

## 9. Payments to co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities <sup>7</sup>

- 9.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights (this includes the co-opted member from a Town or Community council). The level of payments is equivalent to the current daily rates for chairs and members of the Welsh Government's Band 2 sponsored bodies. The Panel notes there has been no uplift in these payment levels across such bodies since 2010.
- 9.2 Principal councils, NPAs and FRAs can decide on the maximum number of days in any one year for which co-opted members may be paid.
- 9.3 The determinations are set out below:

**Determination 38: Principal councils, NPAs and FRAs must pay the following fees to co-opted members (Table 6) (who have voting rights).**

**Table 6:** Fees for co-opted members (with voting rights)

|   |  |
|---|--|
| Chairs of standards, and audit committees   | £256<br>(4 hours and over)<br>£128 (up to 4 hours)           |
| Ordinary members of standards committees who also chair standards committees for community and town councils                      | £226 daily fee<br>(4 hours and over)<br>£113 (up to 4 hours) |
| Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee | £198<br>(4 hours and over)<br>£99 (up to 4 hours)            |
| Community and town councillors sitting on principal council standards committees  | £198<br>(4 hours and over)<br>£99 (up to 4 hours)            |

**Determination 39: Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.**

**Determination 40: Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).**

<sup>7</sup> This section does not apply to co-opted members to community and town councils.

**Determination 41: The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.**

**Determination 42: Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.**

**The Panel's determinations on Travel and Subsistence, Reimbursement of costs of care and Family Absence are now set out in separate sections of this Annual Report.**

## 10. Reimbursement of Costs of Care

- 10.1 This section applies to members of principal councils, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. The same provision for Community and Town Councils is given in section 13.
- 10.2 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter people from becoming and remaining a member of an authority or limit their ability to carry out the role.
- 10.3 The Panel recognises the issues relating to the publication of this legitimate expense. This is reflected in the options for publication as set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the reimbursement of costs of care.

**Determination 43: All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.**

## 11. Sickness Absence for Senior Salary Holders

- 11.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.
- 11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying him/her the senior salary.
  - Replacing the member who therefore loses the senior salary (but retains the basic salary).
- 11.3 The Panel has considered this and is amending the Framework to provide specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
  - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
  - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides continue to receive remuneration for the post held.
  - d) It is a decision of the authority whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post.
  - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
  - f) When an authority agrees a paid substitution the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authority's Schedule of Remuneration must be amended accordingly.
  - g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least



six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4 This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members.

## 12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1 This section applies to members of principal authorities, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. (Similar provision for Community and Town Councils is contained in section 13 as there is a different approach to such members, principally that the provision is permissive.)
- 12.2 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official duties. Expenses reimbursed to members by their local authority are exempt from Income Tax and employee NICs.
- 12.3 The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.4 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

### Reimbursement of mileage costs

|              |   |
|--------------|---|
| 45p per mile | Up to 10,000 miles in a year by car         |
| 25p per mile | Over 10,000 miles in a year by car          |
| 5p per mile  | Per passenger carried on authority business |
| 24p per mile | Motor cycles                                |
| 20p per mile | Bicycles                                    |

- 12.5 Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

### Reimbursement of other travel costs

- 12.6 All other claims for travel must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

## Reimbursement of subsistence costs

|                |  |
|----------------|--|
| £28 per day    | Day allowance for meals, including breakfast, where not provided in the overnight charge |
| £200 per night | London   |
| £95 per night  | Elsewhere  |
| £30 per night  | Staying with friends and/or family   |

- 12.7 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.8 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 12.9 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.10 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

## 13. Payments to Members of Community and Town Councils

- 13.1 The Panel has had responsibility for the remuneration of community and town councils since the Measure of 2011 and its first determinations for such members came into effect in the financial year 2013/2014. Subsequent Annual Reports have developed ideas for remuneration of community and town councillors, allowing flexibility to meet appropriate responsibilities.
- 13.2 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities.
- 13.3 Since producing its last report, the Panel met with 104 Councillors and Clerks representing 68 Community and Town Councils in 4 meetings it held across Wales. The discussions confirmed the widely held view that the roles individual councils undertake varied significantly. Subsequent research the Panel undertook into councils' income and expenditure and councillor to population ratios further supported the wide variation.
- 13.4 The Panel is of the view that in accordance with this wide variation, the responsibilities and accountabilities of councillors must also vary. Councillors managing income or expenditure of £1m and those delivering significant services, including some that might have been delegated from principal councils, are operating in a much more complex environment than a council with an annual budget of less than £30,000.
- 13.5 Therefore the Panel is proposing to form groups of Community and Town Councils to reflect these differences. The Panel examined a range of measures they could use as the basis for any groupings and it considers that 3 groups based on the level of income *or* expenditure, whichever is the highest, in the previous financial year, is most appropriate. Using income *or* expenditure figures better reflects the activity levels of a council than population ratios which the Panel found did not correlate to income or expenditure. It is also easy for councils to understand which group they belong to.
- 13.6 In the draft report the Panel proposed a range of mandatory payments for councils. As part of the consultation on the draft report, the Panel received some helpful feedback from councils with income or expenditure of less than £30,000 which outlined the disproportionate impact this would have on their precept and administrative costs. The Panel has considered this and adjusted its groupings as set out in table 7 below.

In creating these three groups it has reflected that councils with income or expenditure in excess of £200,000 are subject to section 40 of the Wellbeing of Future Generations Act; approximately 50% have income or expenditure

below £30,000; and those councils with income or expenditure of between £30,000 and £200,000 are likely to have a greater range of responsibilities.

The Panel has reflected different payment requirements for councils in each of these three groups as set out in the remainder of this report. The Panel will be considering further differentiations based on the groups in the future.

**Table 7: Community and Town Council Groupings**

| <b>Community and Town Council Group</b> | <b>Income or Expenditure in 2017-18 of:</b> |
|---|---|
| A                                       | £200,000 and above                          |
| B                                       | £30,000 - £199,999                          |
| C                                       | Below £30,000                               |

- 13.7 The Panel is of the view that Community and Town Councillors are not volunteers because further to the democratic process they have accepted formal responsibilities and all face some degree of liability, in respect of the Council functions they are running. Also, the Panel wants any member who has personal support needs and / or caring responsibilities to be able to fulfil their role. To reflect this, the Panel is mandating payment of a contribution to costs and expenses for members of councils in Groups A and B; and authorising payment of a contribution to costs and expenses to be made available for members of councils in Group C as set out in determinations 44 and 45. The Panel is also mandating reimbursement of cost of care for all members of Community and Town Councils as set out in determination 51.
- 13.8 The Panel is also of the view that Councils in Group A are likely to have a greater number of committees reflecting its level of activity; and therefore is additionally mandating the payment for senior roles as set out in Determination 46.
- 13.9 Where not mandated, each determination requires a formal decision by each of these community or town councils annually. A Council can adopt any or all of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.10 In all cases, any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.
- 13.11 In the event of a member of the council standing down during the year, it is a matter for the council to decide whether or not to reclaim any payments made.
- 13.12 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any Community or Town Council, other than travel and subsistence expenses and reimbursement of costs of care. However, this does not preclude them from holding a senior role.

## Payments towards costs and expenses

13.13 The Panel is mandating payment of a contribution to costs and expenses for members of councils in Groups A and B; and authorising payment of a contribution to costs and expenses to be made available for members of councils in Group C. Receipts are not required for these payments.

**Determination 44: Community and town councils in Groups A and B must make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.**

**Determination 45: Community and town councils in Group C are authorised to make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.**

## Senior roles

13.14 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore determined that councils in Group A must make available a payment for a minimum of one senior role and a maximum of five senior roles. Councils in Groups B and C are authorised to pay up to five responsibility payments for specified roles.

**Determination 46: Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.**

**Determination 47: Community and town councils in Groups B or C are authorised to make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses if that is claimed.**

## Reimbursement of travel costs and subsistence costs

13.15 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially

where the council area is geographically large and/or when engaging in duties outside this area.

**Determination 48: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties.<sup>8</sup> Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:**

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

**Determination 49: If a community or town council resolves that a particular duty requires an overnight stay, it may authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:**

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

### **Compensation for financial loss**

13.16 The Panel has retained the facility which councils may pay as compensation to their members where they suffer financial loss when attending approved duties.

**Determination 50: Community and town councils are authorised to pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:**

- Up to £34.00 for each period not exceeding 4 hours:
- Up to £68.00 for each period exceeding 4 hours but not exceeding 24

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<sup>8</sup> Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

hours.

### Reimbursement of the costs of care

13.17 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that the additional costs of care required to carry out approved duties should not deter people from becoming and remaining a member of an authority or limit their ability to carry out the role.

13.18 The Panel recognises the issues relating to the publication of this legitimate expense. This is reflected in the options for publication as set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the reimbursement of costs of care.

**Determination 51: All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.**

### Civic Head / Deputy Civic Head Honoraria

13.19 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils should be authorised to pay an honorarium for these roles. In previous annual reports the Panel did not determine a maximum level of payment to mayors/chairs and their deputies.

13.20 The Panel's consultation meetings this year, confirmed that the majority of community and town councils make no or very modest payments to their civic leaders and that some of them are reporting the budget allocated for civic functions and civic expenditure rather than the amount paid as personal senior salary to the individual.

13.21 The Panel is concerned only with the amount paid to the mayors/chairs as an honorarium to be used or retained at their discretion. This is separate from a budget for mayoral/chair activities. The Panel has determined that the maximum amount to be paid to a chair/mayor of a community or town council in this way shall be £1,500. The maximum amount to be paid to a deputy mayor/chair in this way shall be £500.



**Determination 52: Community and town councils are authorised to provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.**

**Determination 53: Community and town councils are authorised to provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum amount of £500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.**

### **Publicity requirements**

13.22 There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments. This information must be published on council noticeboards and/or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the year to which the payments relate. The Panel draws attention to the requirements stipulated at Annex 4. The Panel is concerned that a significant number of councils are in breach of this requirement.

## 14. Compliance with Panel Requirements

### The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority<sup>9</sup> to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

### Monitoring compliance

- 14.3 The Panel will monitor the compliance with the determinations in this Annual Report by relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
  - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
  - (iii) Any amendments to the Schedule made during the year must be conveyed to the Panel as soon as possible after the amendment is made.

**Note: The above requirements do not apply to community and town councils at this time. The following applies to all authorities including community and town councils.**

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements) as soon as practicable and no later than 30 September following the close of the year to which it relates. It must be submitted to the Panel no later than that date.

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<sup>9</sup> Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

## 15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the chief executive or chief fire officer). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at <http://gov.wales/docs/dsijg/publications/localgov/160212-irp-guide-salaries-en-v2.pdf>. This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 In essence the functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service or chief officer, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
  - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
  - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
  - d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so.
  - e) The Panel's recommendation(s) could indicate:
    - approval of the authority's proposal
    - express concerns about the proposal
    - recommend variations to the proposal
- as long as these comply with any guidance issued by the Welsh Government.
- 15.4 The Panel also has a general power to review the Pay Policy Statements of authorities so far as they relate to the heads of paid service (and chief officers

until 2020).

- 15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.
- 15.6 The Panel is very aware that this additional function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it will ensure that it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision making on such matters. This will enable the Panel to respond in a timely manner.

### **Pay Policy Statements**

- 15.7 Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities Pay Policy Statements. The Panel has considered this in the context of its resources and has decided that these limit the time that could be applied to this open power. So it will examine changes from year to year of the salaries of Chief Executives and Chief Officers to ensure that these comply with the requirements of the legislation.



Reuben Bergman  
Head of Human Resources  
Vale of Glamorgan Council

[rbergman@valeofglamorgan.gov.uk](mailto:rbergman@valeofglamorgan.gov.uk)

30 January 2017

Dear Mr Bergman

### **Reduction in Salary for a Chief Officer Post**

Your email dated 25<sup>th</sup> January has been considered by the Independent Remuneration Panel for Wales. All members of the Panel expressed their views on the proposal, and as you requested to receive the Panel's comments on this proposal prior to 9<sup>th</sup> February, this was done by email.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposal for a reduction to the salary of your Director of Social Services as submitted.

Yours sincerely

John Bader  
Chair



Nick Jarman  
Director of Social Services, Health and Housing  
Neath Port Talbot County Borough Council

[n.jarman@npt.gov.uk](mailto:n.jarman@npt.gov.uk)

27 February 2017

Dear Mr Jarman,

### **Honorarium Payment to the Head of Children and Young People's Services**

Your letter dated 15 February 2017, accompanying documentation and explanatory email was considered by the Independent Remuneration Panel for Wales at their meeting on 22 February. All members of the Panel were present and therefore the meeting was quorate. One member of the Panel declared a conflict of interest and took no part in the discussion.

The Panel considered whether an honorarium paid to a chief officer fell within the Panel's remit. It consulted the *Amended Guidance to the Independent Remuneration Panel for Wales under Section 43A of the Local Government (Wales) Measure 2011 and Section 39 of the Local Government (Wales) Act 2015*, issued by the Welsh Government. The guidance does not define salary, so the Panel applied the ordinary meaning of the word, namely remuneration in return for services under a contract of employment. The Panel is satisfied that its remit covers all such payments, including those termed honoraria, temporary promotion allowances, bonuses or any other term which distinguishes them from the basic salary. The Panel also considered the Honorarium Policy of Neath Port Talbot council and note that it excludes chief officers. The Panel concluded that making an additional payment to a chief officer in recognition of his or her additional duties is an alteration to the salary that does fall within the Panel's remit.

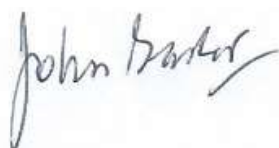
Given that the initial addition to the salary was effective from March 2016 it is clear therefore that Neath Port Talbot council were in breach of their duty under the legislation to consult the Panel.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Having examined the submission from your authority in respect of the continuation of the additional payment, it is the decision of the Panel to approve the proposal as submitted. The Panel however is concerned that the council's failure to consult the Panel is an indication that the council has not been as transparent as it might have been in deciding to alter the salary of this particular chief officer. Your letter is clear that this honorarium payment will cease on the 31<sup>st</sup> August 2017, either because of the appointment of a Head of Adult Services or because of the introduction of a new management structure. If a new management structure is introduced and results in changes to the salaries (including additions/honoraria) of chief officers of the council the Panel expects that it will be consulted in a timely manner and full disclosure of the justification for the changes will be provided.

Yours sincerely

A handwritten signature in black ink that reads "John Bader". The signature is written in a cursive style with a long, sweeping underline.

John Bader

Chair



Carys Edwards MA FCIPD  
Penaeth Proffesiwn AD – Head of Profession HR  
Cyngor Sir Ynys Mon County Council  
Council Officer  
Llangefni  
Ynys Mon  
LL77 7TW

26 July 2017

Dear Ms Edwards,

**Head of Children’s Service – Increase in Salary Level**

Your emails dated 29 June, 5<sup>th</sup> July and 13 July and the enclosed report from your Chief Executive have been considered by the Independent Remuneration Panel for Wales at its meeting on 19<sup>th</sup> July. All members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposal to increase the current salary level of the vacant Head of Children’s Service of £59,757 – £65,933 to a maximum of £74,000.

Yours sincerely

John Bader

Chair





Nick Jarman  
Director of Social Services, Health and Housing  
Neath Port Talbot County Borough Council

[n.jarman@npt.gov.uk](mailto:n.jarman@npt.gov.uk)

26 July 2017

Dear Mr Jarman

Your letter dated 5 July with its proposal to extend the honorarium payment to the Head of Children and Young People's Services until 31<sup>st</sup> December 2017 was considered by the Panel at its meeting on the 19 July. All members of the Panel were present and therefore the meeting was quorate. One member of the Panel declared a conflict of interest and took no part in the discussion.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposal to extend the honorarium payment until 31<sup>st</sup> December 2017. The Panel expect this to be a final extension and to see any relevant proposals for the restructuring of the Senior Management Team in due course.

Yours sincerely

John Bader

Chair



Will Godfrey  
Chief Executive  
Newport City Council

20 September 2017

Dear Mr Godfrey

### **Decrease of Chief Education Officer Salary**

The email sent on your behalf by Rachael Davies dated 6 September 2017 with the enclosed report *Review of the Chief Education Officer Salary at Newport City Council September 2017* has been considered by the Independent Remuneration Panel for Wales at its meeting on 13 September. All members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposal to decrease the current salary level of the Chief Education Officer from Band 1 (£82,261 - £90,923) to Band 2 (£73,841 - £79,514) following your revision of the job description for the Chief Education Officer with the accountability for the regional focus being removed.

Yours sincerely

John Bader  
Chair

CLlr Thompson-Hill  
Chair of Senior Remuneration Panel  
Denbighshire County Council

C/o

[sophie.vaughan@denbighshire.gov.uk](mailto:sophie.vaughan@denbighshire.gov.uk)



24 November 2017

Dear CLlr Thompson-Hill

Your submission sent on the 7 November with its proposed salary package for the replacement chief executive officer to be recruited by 1 April 2018 was considered by the Panel at its meeting on the 15 November. All members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposal to remove the Performance Related Pay element of up to 12% of the annual salary and for the top point of the proposed three point incremental grade to be £127,513, the same amount as the current chief executive's salary.

Yours sincerely

John Bader

Chair

Carys Edwards MA FCIPD  
Penaeth Proffesiwn AD  
Head of Profession HR  
Cyngor Sir Ynys Mon – Isle of Anglesey  
County Council  
Council Offices  
Llangefni  
Ynys Mon  
LL77 7TW



14 December 2017

Dear Ms Edwards

### **Head of Learning – increased salary range**

Your email dated 24 November 2017 with the enclosed *Report to the Independent Remuneration Panel* has been considered by the Independent Remuneration Panel for Wales at its meeting on 13 December. Five out of the six members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority, in the light of the particular issues in relation to Education, it is the decision of the Panel to approve the proposal to increase the salary of the Head of Learning from the current spot point salary of £72,114 to a range of £72,810 - £82,293

Yours sincerely

John Bader

Chair

## Annex 1: The Panel's Determinations for 2018/19

| <b>Principal Councils</b>                     |  |
|---|--|
| 1.  | Basic salary in 2018/19 for elected members of principal councils shall be £13,600.  |
| 2.  | The Panel has determined that senior salary levels in 2018/19 for members of principal councils shall be as set out in Table 2.  |
| 3.  | The Panel has determined that (where paid) civic salaries at the levels as set out in Table 3 and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.   |
| 4.  | The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.   |
| 5.  | The Panel has determined that the post of deputy presiding member will not be remunerated.   |
| 6.  | The Panel has determined that each authority, through its Democratic Services Committee, must ensure all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information. |
| 7.  | The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.   |
| <b>Specific or Additional Senior Salaries</b> |  |
| 8.  | The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.   |
| <b>Joint Overview and Scrutiny Committees</b> |  |
| 9.  | The chair of a Joint Overview and Scrutiny Committee is eligible for an additional payment of £6,700.  |
| 10.   | In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the additional payment will be £3,350.   |
| 11.   | The chair of a sub committee of a JOSOC is eligible for an additional payment of £1,675.   |

|  |   |
|--|---|
| 12.                                    | In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the additional payment will be £837.   |
| 13.                                    | Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.   |
| 14.                                    | Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).   |
| 15.                                    | A deputy chair of a JOSC or sub committee is not eligible for payment.  |
| 16.                                    | Co-optees to a JOSC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.   |
| <b>Local Government Pension Scheme</b> |   |
| 17.                                    | The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.   |
| <b>Family Absence</b>                  |   |
| 18.                                    | An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.   |
| 19.                                    | When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.   |
| 20.                                    | It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.  |
| 21.                                    | If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances. |
| 22.                                    | When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.  |

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| 23.                                | The Council's schedule of remuneration must be amended to reflect the implication of the family absence.  |
| <b>National Park Authorities</b>   |   |
| 24.                                | The basic salary for NPA ordinary members shall be £3,675.  |
| 25.                                | The senior salary of the chair of an NPA shall be £12,375.  |
| 26.                                | An NPA senior salary can be paid to a Deputy Chair and up to two committee chairs where there is significant and sustained responsibility. This can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility: £6,075 or £7,375. |
| 27.                                | The Panel has determined to include a provision for NPAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.  |
| 28.                                | Members must not receive more than one NPA senior salary.   |
| 29.                                | An NPA senior salary is paid inclusive of the NPA basic salary and must reflect significant and sustained responsibility.   |
| 30.                                | Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.   |
| <b>Fire and Rescue Authorities</b> |   |
| 31.                                | The basic salary for FRA ordinary members shall be £1,745.  |
| 32.                                | The senior salary of the chair of an FRA shall be £10,445.  |
| 33.                                | An FRA senior salary can be paid to the deputy chair and up to two chairs of committees where there is significant and sustained responsibility. This shall be paid at £5,445.  |
| 34.                                | The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.  |
| 35.                                | Members must not receive more than one FRA senior salary.   |
| 36.                                | An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.   |
| 37.                                | Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.   |
| <b>Co-opted Members</b>            |   |

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| 38.                                   | Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in Table 6.  |
| 39.                                   | Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.  |
| 40.                                   | Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).  |
| 41.                                   | The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.   |
| 42.                                   | Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.  |
| <b>Reimbursement of Costs of Care</b> |  |
| 43.                                   | All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer. |
| <b>Community and Town Councils</b>    |  |
| 44.                                   | Community and town councils in Groups A and B must make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.   |
| 45.                                   | Community and town councils in Group C are authorised to make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.   |
| 46.                                   | Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.  |
| 47.                                   | Community and town councils in Groups B or C are authorised to make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses if that is claimed.  |



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| 48. | <p>Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties.<sup>10</sup> Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> <li>• 45p per mile up to 10,000 miles in the year.</li> <li>• 25p per mile over 10,000 miles.</li> <li>• 5p per mile per passenger carried on authority business.</li> <li>• 24p per mile for private motor cycles.</li> <li>• 20p per mile for bicycles.</li> </ul> |
| 49. | <p>If a community or town council resolves that a particular duty requires an overnight stay, it may authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> <li>• £28 per 24-hour period allowance for meals, including breakfast where not provided.</li> <li>• £200 – London overnight.</li> <li>• £95 – elsewhere overnight.</li> <li>• £30 – staying with friends and/or family overnight.</li> </ul>  |
| 50. | <p>Community and town councils are authorised to pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> <li>• Up to £34.00 for each period not exceeding 4 hours.</li> <li>• Up to £68.00 for each period exceeding 4 hours but not exceeding 24 hours.</li> </ul>  |
| 51. | <p>Community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.</p>  |
| 52. | <p>Community and town councils are authorised to provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses if that is made.</p>   |

<sup>10</sup> Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

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| 53. | Community and town councils are authorised to provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum amount of £500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed. |
|-----|---|

## **Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:**

- a) for the remuneration of members and co-opted members of relevant authorities**
- b) for functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**
- c) Chief officers of Principal Councils**

### **Introduction**

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Allowances for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1<sup>st</sup> April 2013.

### **Part 1**

#### **General**

1. a. The short title of these Regulations is: "IRPW Regulations".

- b. The IRPW Regulations came into force on 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.
- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31<sup>st</sup> July each year, for submission to the Panel and publication (see paragraph 46).

## Interpretation

### 2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Allowance” means the actual or maximum amount which may be reimbursed to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Attendance Allowance” in relation to community or town councils has the meaning set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure, and includes a local authority (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal authority has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure, representations on which must be taken into account by the Panel.
- “Constituent authority” – for national park authorities this is a local authority falling within the area of a national park authority; for Welsh fire and rescue authorities it is a local authority falling within the area of a fire and rescue authority.
- “Controlling group” means a political group in a local authority where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the purview of the committee on which they serve.
- “Co-opted Member fee” has the same meaning as set out in paragraph 19 of these Regulations.
- “Costs of Care” has the same meaning as set out in paragraph 21 of these Regulations.
- “Democratic Services Committee” means the local authority committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and contained in the Regulations relating thereto.
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or sub committee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Local authority” means a county or county borough council.
- “Member” means in respect of a local authority or a community or town council a person who has been elected to serve as a councillor for that authority; for a national park authority means a member appointed by a constituent authority and also a person appointed by Welsh Ministers; for Welsh fire and rescue authorities means a member appointed by a constituent authority.
- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.
- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the payment of allowances for care, travel and subsistence as reimbursement of expenses necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
  - a. Attending a meeting of the authority or any committee of the authority or any body to which the authority makes appointments or nominations or of any committee of such a body.
  - b. Attending a meeting of any association of authorities of which the authority is a member.
  - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
  - d. Attending any training or development event approved by the authority or its executive.
  - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
  - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
  - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
  - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of local authority functions.
  - i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.

- “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
- “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
- “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
- “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
- “Principal council” means a county or county borough council.
- “Proper officer” has the same meaning as in section 270(3) of the 1972 Act.
- “Public body” means a body as defined in section 67(b) of the 2013 Act.
- “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
- “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
- “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a local authority/principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
- “Relevant matters” are as defined in Section 142(2) of the Measure.
- “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
- “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Local Authority/Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
- “Sickness absence” means the arrangements as set out in the Annual Report.
- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence allowance” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:

“financial year” – the period of twelve months ending 31 March;

“calendar year” – the period of twelve months ending 31 December;

“municipal year” – the year commencing on the date of the annual meeting of the local authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

## **Part 2: Schedule of member/co-opted member remuneration**

### **Commencement of term of office**

3. The term of office of:

- A member of a local authority or community or town council begins 4 days following the election subject to making the declaration of acceptance of that office under section 83(1) of the 1972 Act.
- A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on the date of election by that authority to that office.
- A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
- A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

### **Schedule of member remuneration (the Schedule) (does not apply to community or town councils – see Part 5)**

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

### **Amendment to the Schedule**

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel’s determinations for that year.

### **Basic salary**



6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
  - The amount the authority must pay to a member of the authority.
  - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

### **Senior salary**

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
  - The categories of members eligible for the payment of a senior salary which may not be the same for all authorities or categories of authorities.
  - The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:

- The amount that a relevant authority must pay to a member of the authority.
  - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
  15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
  - 15(a). For principal councils, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
  - 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
  16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of a local authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
  - 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.
  17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
  18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make

payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary.

### **Co-opted member payment**

19. A relevant authority must provide for the payment of a fee to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

### **Allowances**

### **Costs of Care**

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
  - In respect of any child over the age of fifteen years or dependant unless the member/co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
  - To more than one member/co-opted member of the authority in relation to the care of the same child or dependant.
  - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member/co-opted member has to make separate arrangements for the care of different children or dependants.
22. The maximum amount of the cost of care payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member/co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the reimbursement of the cost of care payable to that member/co-opted member in receipt of the responsibilities or duties from

which that member/co-opted member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

24. An authority's Schedule must stipulate the maximum amount of the reimbursement of costs of care payable each month and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

### **Travel and subsistence allowances**

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence allowances at rates determined by the Panel in its Annual or Supplementary Reports. Such allowances are in respect of expenditure incurred by a member or co-opted member in the performance of the official business of the authority.

### **(Paragraphs 26 & 27 apply only to principal councils)**

26. Payment of a subsistence allowance to a local authority member for the performance of official business within the boundaries of a county or county borough where s/he is a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a local authority who live outside that authority.
27. A local authority may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence allowances payable to that member/co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

## **Part 3: Further provisions**

### **Pensions**

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for local authority members in its Annual or Supplementary Reports. Such determinations may:
  - Describe the description of members for whom a local authority will be required to pay a pension.

- Describe the relevant matters in respect of which a local authority will be required to pay a pension.
- Make different decisions for different principal councils.

### **Allowances to support the function of a local authority member**

30. A local authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

### **Payment of expenses for official and courtesy visits**

31. The arrangements contained in Section 176 of the Local Government Act 1972 will continue to apply but no payment may be made to a person under that arrangement when a payment has been made to that person pursuant to any payment made under these Regulations.

### **Arrangements in relation to family absence**

32. Part 2 of the Measure sets out the rights of local authority members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to the payment of salaries and allowances by principal councils in this respect in its Annual or Supplementary Reports.

### **Sickness Absence**

- 32(a) Arrangements in respect of the long term sickness absence of senior salary holders of principal authorities, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

## **Part 4: Salaries, allowances or fees**

### **Repayment of salaries, allowances or fees**

33. An authority must require that such part of a salary, allowance or fee be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- is suspended or partially suspended from that member's/co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
  - ceases to be a member or co-opted member of the authority.

- or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

### **Forgoing salaries, allowances or fees**

34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a salary, allowance or fee under the determination of the Panel for that particular year (as relating to the authority).

## **Part 5: Specific provisions relating to community and town councils (“the council”)**

### **Interpretation**

35. For the purposes of this Part the term member means both an elected member and a co-opted member.

### **Allowances**

36. Allowances:
- a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
  - b) The council can if it so decides make payments to members in respect of costs of travel for attending approved duties inside or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
  - c) The council can if it so decides reimburse subsistence expenses to its members when attending approved duties inside or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
  - d) The council can if it so decides pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties outside the area of the council. The Allowances will be set out in the Annual or Supplementary Report of the Panel.
  - e) The council can if it so decides pay an allowance to the chair or mayor of the council for the purposes of undertaking the role of that office. The allowance will be set out in the Annual or Supplementary Report of the Panel.
  - f) The Annual Report or a Supplementary Report determines the arrangements to pay a responsibility allowance to members of a council and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the costs of care to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to an allowance under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
  - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
  - iii. Attendance at a meeting of any association of councils of which the council is a member.
  - iv. Attendance at any training or development event approved by the council.
  - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

## **Part 6: Miscellaneous**

### **Arrangements for payments**

40. The Schedule of an authority must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

### **Claims**

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence allowance arises during which a claim for those allowances must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling or subsistence allowance in accordance with these Regulations (excluding claims for travel by private motor vehicle) shall be accompanied by appropriate receipts proving actual expenses.

### **Avoidance of duplication**

43. A claim for a payment of travelling allowance or subsistence allowance must include, or be accompanied by, a statement signed by the member or co-opted member that the member/co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

### **Records of salaries, allowances and fees**

44. An authority must keep a record of the payments made in accordance with these Regulations. Such record must:
- Specify the name of the recipient and the amount and nature of each payment.
  - Be available, at all reasonable times, for inspection (without charge) by any local government elector (within the meaning of section 270(1) of the 1972 Act) for the area of the authority.
  - Allow a person who is entitled to inspect the record to make a copy of any part of it upon payment of such reasonable fee as the authority may require.

### **Publicity requirements**

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, make arrangements for the Schedule's publication within the authority's area. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of a year an authority must make arrangements for the publication within the authority's area, the total sum paid by it to each member/co-opted member in respect of basic salary, senior salary, co-opted member fee, reimbursement of costs of care, travel and subsistence allowances. **(This section applies to all relevant authorities).**
47. In the same timescale and in the same manner, a local authority must make arrangements for the publication of any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**



### **Publicising the reports of the Panel**

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members/co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

### **Monitoring compliance with the Panel's determinations**

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

## **Annex 3: Schedule of member remuneration**

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
  - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
  - c. Named members who are to receive a senior salary as deputy chair of a committee and the amount to be paid.
  - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
  3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim travel, subsistence and reimbursement of care costs.
6. Principal councils must declare in the Schedule whether:
  - A statement of the basic responsibility of a councillor is in place.
  - Role descriptors of senior salary office holders are in place.
  - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.

## Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Measure the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members (including chairs of JOSCs or sub-committees of JOSCs). This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the year to which the payments relate and in the same timescale also provided to the Panel. The following information must be provided:
  - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member/co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
  - b. The payments made by community and town councils to named members as:
    - Payments in respect of telephone usage, information technology, consumables etc.
    - Responsibility payments
    - Allowances made to a mayor/chair and deputy mayor/deputy chair
    - Compensation for Financial Loss
    - Costs incurred in respect of travel and subsistence
    - Reimbursement of the costs of care (see paragraph f below)
  - c. All travel and subsistence expenses, reimbursement of the costs of care (see paragraph f below) and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
  - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
    - a local health board
    - a police and crime panel
    - a relevant authority
    - a body designated as a public body in an order made by the Welsh Ministers.
  - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.

- f. In respect of the publication of the reimbursement of the costs of care, the Panel has decided to provide relevant authorities with two options.
- 1) The details of the amounts reimbursed to named members; or
  - 2) The total amount reimbursed by the authority during the year but not attributed to any named member.

It is a matter for each authority to decide which of these options for publication it considers appropriate.

It is also the responsibility of each authority to establish its own position on how to respond to any Freedom of Information requests it receives with regards to reimbursement of costs of care.

2. Nil returns are required to be published and provided to the Panel by 30 September.

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## COUNCIL – 17TH APRIL 2018

**SUBJECT: UPDATE ON COUNCIL'S CONSTITUTION – TERMS OF REFERENCE OF SCRUTINY COMMITTEES**

**REPORT BY: INTERIM MONITORING OFFICER**

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### 1. PURPOSE OF REPORT

- 1.1 To note and endorse the changes to the Council's Constitution as attached at Appendix 1 and marked in italics to give effect to the changes to the scrutiny committees terms of references as a result of changes to Directorate responsibilities on an interim basis.
- 1.2 Subject to Council endorsing the changes in paragraph 1.1 above to delegate authority to the Interim Monitoring Officer to amend the Constitution to incorporate the changes set out in Appendix 1.

### 2. SUMMARY

- 2.1 This report sets out details of the required changes to the Council's Constitution to give effect to the changes to the scrutiny committees terms of references, as a result of changes to Directorate responsibilities on an interim basis

### 3. LINKS TO STRATEGY

- 3.1 The requirement to establish and maintain the Council's Constitution is set out in the Local Government Act 2000 and contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015 as it sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. It sets the framework for the decision making roles and responsibilities which will impact on future generations.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales.

### 4. THE REPORT

- 4.1 The Council's Constitution was formally adopted by the Council in May 2002. It sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that the decision making processes are efficient, transparent and available to local people. The Constitution is a 'living document' in that it is constantly being updated and revised to reflect new government legislation and improvements and changes in procedures gained in light of experience.

- 4.2 The Appendix 1 to this Report sets out details of the amendments required to the Council's Constitution to reflect the changes to the scrutiny committees terms of reference as a result of changes to directorate responsibilities.
- 4.3 All changes are shown in italics and bold on the relevant extracts of the Constitution attached at Appendix 1.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the Constitution sets out a clear framework for how the Council operates in particular the decision making responsibilities, which will consider the positive and negative impacts on future generations, long term resilience, economic, environmental and social capital.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EqIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are none arising from the contents of the Report.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are none arising from the contents of the Report.

## **9. CONSULTATIONS**

- 9.1 There are no consultations that have not been included in the report.

## **10. RECOMMENDATIONS**

- 10.1 It is recommended that Council note and endorses the changes to the terms of reference for the scrutiny committees as shown in italics and bold on the relevant extracts of the Constitution attached at Appendix 1.
- 10.2 To delegate authority to the Council's Interim Monitoring Officer to amend the Constitution to incorporate the changes set out in Appendix 1.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To comply with the relevant legislation and the Council's Constitution.

## **12. STATUTORY POWER**

- 12.1 Local Government Act 2000.



Author: Catherine Forbes-Thompson, Interim Head of Democratic Services  
Consultees: Christina Harry, Interim Chief Executive  
David Street, Corporate Director Social Services  
Mark. S. Williams, Interim Corporate Director Communities  
Rob Hartshorn, Head of Policy and Public Protection  
Lisa Lane, Interim Monitoring Officer

Appendices:

Appendix 1 - Changes to Constitution (shown in bold and italics)

# Article 1 – The Constitution

## References:

*Section 37, Local Government Act 2000*

*Chapter 8, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

*The Local Government Act 2000 (Local Authority Constitutions) (Wales) Direction 2001*

### 1.01 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

### 1.02 The Constitution

This Constitution, and all its appendices, is the Constitution of the Caerphilly County Borough Council.

The purpose of the Constitution is to:

1. enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
2. support the active involvement of citizens in the process of local authority decision-making;
3. help councillors represent their constituents more effectively;
4. enable decisions to be taken efficiently and effectively;
5. create a powerful and effective means of holding decision-makers to public account;
6. ensure that no one will review or scrutinise a decision in which they were directly involved;
7. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
8. provide a means of improving the delivery of services to the community through the most effective and co-ordinated use of the Council's services and the Council's decision-making processes.

### 1.03 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution as set out in Article 15.

# Article 2 – Members of The Council

## References:

*Part I, Part VA and Section 79, Local Government Act 1972*

*Chapter 2, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

*Section 18, Local Government and Housing Act 1989 and regulations made under this Act*

*Section 7, Superannuation Act 1972 and regulations made under the Act.*

## 2.01 Composition and eligibility

- (a) **Composition.** The Council will comprise 73 members, otherwise called councillors. These councillors will be elected by the voters of each electoral division in accordance with a scheme drawn up by the Boundary Commission in Wales and approved by the National Assembly.
- (b) **Eligibility.** Only registered voters of the county borough council or those living or working in the area will be eligible to hold the office of councillor.

## 2.02 Election and terms of councillors

The regular election of councillors will be held on the first Thursday in May every four years beginning in 2004. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

## 2.03 Roles and functions of all councillors

- (a) **Key roles.** All councillors will:
  - (i) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions including representing the Council on other bodies;
  - (ii) contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making by the council and its partnerships;
  - (iii) effectively represent the interests of their electoral division and of individual constituents;
  - (iv) respond to constituents' enquiries and representations, fairly and impartially;
  - (v) participate in the governance and management of the Council;
  - (vi) maintain the highest standards of conduct and ethics;

- (vii) where appropriate refer a local Crime & Disorder matter (as defined by S.19 of the Police & Justice Act 2006) to the Policy & Resources Scrutiny Committee as an Agenda item for discussion at a meeting of the Committee;
  - (viii) lead on proposals relating to best interests and the wellbeing of the local community and future generations in accordance with the principles of the Wellbeing of Future Generations Act 2015.
- (b) **Rights and duties**
- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
  - (ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.
  - (iii) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 4 of this Constitution.

## **2.04 Conduct**

Councillors will at all times observe the Members' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

## **2.05 Allowances**

Councillors will be entitled to receive salaries, expenses and allowances as set out in the Councillors' Salaries, Expenses and Allowances Payments document in Part 6 of this Constitution as determined by the Independent Remuneration Panel (Part 8 Section 141-160 and Schedules 2 and 3 of the Local Government (Wales) Measure 2011).

## **2.06 Family Absence for Members of Local Authorities**

Members will observe the Family Absence for Members of Local Authorities Protocol set out in Part 5 of this Constitution.

## **2.07 Member Training and Development**

Members will observe the Members Training and Development Protocol set out in Part 5 of this Constitution.

# Article 3 – Citizens and The Council

## 3.01 Citizens' rights

Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

### (a) Voting and petitions.

Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution.

### (b) Information.

Citizens have the right to:

- (i) attend meetings of the Council, the Executive and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) find out from the forward work programme what decisions will be taken by the executive or Council and which issues the overview and scrutiny committees will be considering, and when these matters will be discussed;
- (iii) see reports and background papers, and any records of decisions made by the Council and the executive; and
- (iv) inspect the Council's accounts in accordance with provisions made in Acts of Parliament and make their views known to the external auditor.

### (c) Complaints.

Citizens have the right to complain :

- (i) to the Council itself under its Corporate Complaints Procedure (leaflets are available describing this);
- (ii) to the Ombudsman about any injustice they have suffered as a result of maladministration, but they are encouraged to use the Council's own complaints scheme first;
- (iii) to the Ombudsman where they believe a member or co-opted member of the council has breached the Member's Code of Conduct.

### (d) Welsh Language

Under the Council's Welsh Language Scheme, citizens have the right to:-

- (i) receive council services through the Welsh language;

- (ii) receive the same standard of service in Welsh as they would expect to receive in English;
- (iii) have their language preference respected, whether that preference is English or Welsh.

### **3.02 Citizens' responsibilities**

Citizens must not be violent, abusive or threatening to councillors or officers and must not wilfully harm things owned by the council, councillors or officers.

# Article 4 - The Full Council

## References:

*The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales ) Regulations 2001*  
*Chapters 2,3 and 4, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

## 4.01 Meanings

### (a) Policy Framework.

The policy framework means the following plans and strategies for the county borough together with decisions taken from time to time by the Council on matters affecting policy.

- The Caerphilly Delivers Single Integrated Plan 2013-2017
- Improvement Plan
- Policy Agreements
- Regeneration Framework Policy
- Living Environment Strategy
- Local Development Plan
- Older Persons Strategy
- Sustainable Development Strategy
- Corporate Plan
- Local Wellbeing Plan (required from 1<sup>st</sup> April 2018 under the Wellbeing of Future Generations Act 2015)\*

The Council on the 9 January 2007 approved new arrangements for approval of plans in three categories. The first category (listed above) forms the Council's Policy Framework.

\*This document is produced by the Caerphilly Public Services Board taking account of the Council's Well Being Objectives.

### (b) Budget.

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

### (c) Housing Land Transfer.

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

#### **4.02 Functions of the full Council**

Only the Council may exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework, the budget and any application to the National Assembly for Wales in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (d) appointing the leader and the Cabinet portfolios (not the Cabinet members);
- (e) agreeing and/or amending the terms of reference for committees, sub-committees, panels and boards, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council;
- (g) adopting or amending an allowances scheme;
- (h) changing the name of the area, conferring the title of honorary alderman or freedom of the county borough ;
- (i) making or confirming the appointment of the head of paid service;
- (j) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (k) all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the executive; and
- (l) all other matters which, by law, must be reserved to Council.

#### **4.03 Council meetings**

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings



and they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

#### **4.04 Responsibility for functions**

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the executive.

# Article 5 - Chairing The Council

*References:*

*Sections 22, 23; Schedule 12; Local Government Act 1972  
Schedule 3, Local Government Act 2000*

## **5.01 Role and function of the chair of the council**

The Mayor of council and in their absence, the Deputy Mayor will have the following roles and functions:

The Mayor will be elected by the Council annually. The Mayor will have the following responsibilities:

1. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
2. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the executive and committee chairs can be held to account;
4. to promote public involvement in the Council's activities;
5. to be the conscience of the Council; and
6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate
7. to carry out duties as required under The Family Absence for Members of Local Authorities (Wales) Regulations 2013 in accordance with the Family Absence for Members Protocol set out in Part 5 of this Constitution

## Article 6 - Overview and Scrutiny Committees

The overview and scrutiny function is central to new constitutions. The Assembly Guidance makes clear that overview and scrutiny committees should be powerful committees which meet in public to discuss and make recommendations on the improvement and development of policies and hold the executive and officers exercising delegated powers to account for their actions. They will also have a key role in considering other matters of local concern.

### 6.01 Terms of reference

The Council will appoint the overview and scrutiny committees set out in the left hand column of the table below to oversee and scrutinise the discharge of the functions conferred by section 21 of the Local Government Act 2000 in relation to the matters set out in the right hand column of the same table, whether these cover one or more service area responsibilities and will include certain delegated power decisions, as listed in Article 13.

#### References:

Section 21 and Schedule 1 (Paragraphs 7,8,10 and 11), Local Government Act 2000  
Chapter 4 and 6, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001

The Police & Justice Act 2006 required Local Authorities to establish a Crime & Disorder Committee which was brought into effect in Wales on 1st October 2009. The Council's Policy & Resources Scrutiny Committee has the additional function conferred by the Police & Justice Act 2006.

The Wellbeing of Future Generations (Wales) Act 2015 requires the Council to formally collaborate with the Local Health Board, South Wales Fire & Rescue Authority and Natural Resources Wales as a Public Services Board for the geographical area of the Council and to use the sustainable development principle to meet the wellbeing duty/goals under the Act. The Act requires the Council to designate a Scrutiny Committee to scrutinize the work of the Public Services Board. The Council agreed on 12th May 2016 to re-designate the Council's Policy & Resources Committee (sitting as the Crime & Disorder Committee) as the Partnerships Scrutiny Committee to take on the additional responsibilities to scrutinize the Public Services Board. The Partnerships Scrutiny Committee will continue to scrutinize the work of the Safer Caerphilly Committee Partnership as required under the Police & Justice Act 2006.

In considering membership of such committees, due regard will be paid to the potential contribution of community stakeholders outside the council. Overview and scrutiny committees for education functions will comply with the provisions of paragraphs 8, 9, 10 and 11 of schedule 1 to the Local Government act 2000 (i.e. include church and governor and parent governor representatives as voting appointed members of committees with education as all or part of their remit).

**Terms of Reference: Policy and Resources Scrutiny Committee (also the Council's Partnerships Scrutiny Committee)**

|  |   |
|--|---|
| <p>The Caerphilly Delivers Single Integrated Plan 2013-2017 Responsibilities</p> | <p>“Caerphilly Delivers” is the Local Service Board (LSB) Single Integrated Plan for 2013-17, which replaces the following strategic plans:-</p> <ul style="list-style-type: none"> <li>• Community Strategy</li> <li>• Health, Social Care and Wellbeing Strategy</li> <li>• Children and Young People’s Plan</li> <li>• Community Safety Strategy</li> </ul> <p>The Single Integrated Plan is the shared strategic vision for the county borough developed by the LSB and its partners, including CCBC.</p> <p>It identifies that this vision will be achieved by the delivery of 5 inter-dependent and inter-related Outcomes, namely:</p> <ul style="list-style-type: none"> <li>• Prosperous Caerphilly</li> <li>• Safer Caerphilly</li> <li>• Learning Caerphilly</li> <li>• Healthier Caerphilly</li> <li>• Greener Caerphilly</li> </ul> <p>Under each of these Outcomes a range of Priorities have been identified for action.</p> |
| <p>Corporate Plan</p>  | <p>Details the Council’s specific strategic contributions towards delivery of the Single Integrated Plan</p>  |
| <p>Improvement Objectives</p>  | <p>Details in accordance with the Local Government (Wales) Measure 2009 the specific areas for improvement identified by the Council</p>  |
| <p>Corporate Services <b>and Education</b> Directorate Responsibilities</p>      | <p>To act as general overview and scrutiny committee for the Council</p> <p>The proper financial planning budgeting and control of the Authority’s resources</p> <p>Council’s Policies</p> <p>The development and implementation of the Council’s corporate policies and themes and the development and co-ordination of the Single Integrated Plan</p> <p>The delivery of service to achieve the Council’s strategic objectives</p> <p>The implementation of Wales Programme for Improvement across the Authority in accordance with the provisions of the Local Government (Wales) Measure 2009</p>   |

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|   | Information Communication, Technology & Customer Services  |
|   | Human Resources  |
|   | Corporate Finance  |
|   | Electoral Services   |
|   | Legal Services   |
|   | Internal Audit Services  |
|   | Procurement Services   |
|   | Democratic Services  |
|   | <b><i>Equalities and Welsh Language</i></b>  |
|   | Corporate Health and Safety including liaison with the Health and Safety Executive   |
|   | Property Services  |
|   | Corporate Asset Management   |
|   | Performance Management   |
|   | <del>Housing Strategy</del>  |
|   | <del>Private Sector Housing</del>  |
|   | <del>Public Sector Housing</del>   |
|   | <del>Delivery of Welsh Housing Quality Standards</del>   |
|   | <del>Housing Repair Operations</del>   |
|   | Overview of all policy and finance issues considered by the Executive  |
|   | Any other matter or topic which properly falls to an Overview & Scrutiny Committee function but not allocated specifically to any other of the Council's named Scrutiny Committees |
| <b><i>Directorate of the Social Services Responsibilities</i></b>         | <b><i>Housing Strategy</i></b>   |
|   | <b><i>Private Sector Housing</i></b>   |
|   | <b><i>Public Sector Housing</i></b>  |
|   | <b><i>Public Sector Housing</i></b>  |
|   | <b><i>Delivery of Welsh Housing Quality Standards</i></b>  |
|   | <b><i>Housing Repair Operations</i></b>  |
| Directorate of the <b><i>Environment Communities</i></b> Responsibilities | Emergency Planning<br><b><i>Equalities and Welsh Language</i></b>  |
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| <p><b><u>The Policy &amp; Resources Scrutiny Committee has the following specific terms of reference when acting as the Partnerships Scrutiny Committee</u></b></p> | <p><b>Partnerships Scrutiny Committee</b></p> <p>The Committee is responsible for the scrutiny of the Public Services Board as set out in the Wellbeing of Future Generations (Wales) Act 2015. The Committee will also be responsible for the scrutiny of the Safer Caerphilly Community Safety Partnership (SCCSP) as required under the Police and Justice Act 2006.</p> <p><b>Membership of Committee</b></p> <p>The Committee will be comprised of the following Members:</p> <ul style="list-style-type: none"> <li>• Policy &amp; Resources Scrutiny Committee Members</li> </ul>   |
|   | <ul style="list-style-type: none"> <li>• Co-Opted Members</li> </ul> <p>The Committee will <b><i>include invite</i></b> co-opted representatives from each of the statutory partner agencies:</p> <p>1 non-executive, non-Councillor representative of Aneurin Bevan University Health Board</p> <p>1 non-executive representative from the Natural Resources Wales Board</p> <p>1 non-executive representative from the South Wales Fire &amp; Rescue Authority</p> <p>1 additional co-opted member from each of the following:-</p> <ul style="list-style-type: none"> <li>An equalities/<b><i>Welsh Language</i></b> organisation</li> <li>A disability organisation</li> <li>The Youth Council</li> </ul> <p>Giving a Committee membership of 16 Councillors, 6 co-opted members (3 statutory partner agencies and 3 others as listed above). In addition up to 6 Invited Representatives as outlined below.</p> <p><b>Invited Representatives</b></p> <p>In order to ensure that the Scrutiny Committee has the benefit of additional expert knowledge and expertise, a</p> |

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|  | <p>standing invitation will be extended to the following organisations seeking a representative who is not a Public Services Board member.</p> <p>Gwent Association Voluntary Organisation</p> <p>Office of the Police and Crime Commissioner</p> <p>Aneurin Bevan Community Health Council</p> <p>Wales Community Rehabilitation Company</p> <p>Wales National Probation Service</p> <p>Welsh Government.</p> <p><b>Witnesses</b></p> <p>In order to carry out its role the committee will need to consider evidence to fulfil its statutory scrutiny function. The committee can seek additional information and invite expert witnesses. The following organisations will be invited to give evidence, alongside other witnesses identified by the committee.</p> <p>Public Services Board Scrutiny</p> <p>Chair and Executives of Public Services Board</p> <p>PSB Partner Organisations Lead Officers</p> <p>Crime &amp; Disorder Scrutiny</p> <p>Chair of the Safer Caerphilly Community Safety Partnership</p> <p>SCCSP Partnership Organisations Lead Officer</p> <p><b>Terms of Reference</b></p> <p>The Terms of Reference for the Partnership Scrutiny Committee are as follows:</p> <p>Public Service Board</p> <ul style="list-style-type: none"> <li>• To provide a ‘critical friend’ challenge to the Public Services Board.</li> <li>• To scrutinise and evaluate the decisions and actions of the Public Services Board.</li> <li>• To review the governance arrangements of the Public Services Board.</li> </ul> |
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|  | <ul style="list-style-type: none"> <li>• To submit reports to the Public Services Board (as appropriate) in respect of its functions or governance arrangements and make recommendations for consideration and adoption.</li> <li>• To consider matters relating to the Board as the Welsh Ministers may refer to it and report to Welsh Ministers accordingly.</li> <li>• Carry out other functions in relation to the Board that are imposed on it by the Act.</li> </ul> <p><b>Crime &amp; Disorder</b></p> <p>To scrutinise the work of the SCCSP and the partners (“responsible authorities”) who comprise it ‘insofar as their activities relate to the partnership itself’. In other words, Members’ scrutiny role relates only to the work done by the SCCSP. The Crime &amp; Disorder Scrutiny Committee does not have statutory powers to scrutinize SCCSP partners beyond their role within the partnership.</p> <p>The role includes:</p> <ul style="list-style-type: none"> <li>• To consider actions taken by the responsible authorities on the SCCSP.</li> <li>• To consider Councillor Calls for Action.</li> <li>• To make reports or recommendations to the Council and or others and monitor those recommendations.</li> </ul> |
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**Cabinet Members Reporting to Policy and Resources Scrutiny Committee:**

**Relevant Cabinet Member(s). For more information in relation to the portfolios of Cabinet posts please see Article 7.**

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| <b>Terms of Reference: Education For Life Scrutiny Committee</b>                 |   |
| <b>The Caerphilly Delivers Single Integrated Plan 2013-2017 Responsibilities</b> | <p>“Caerphilly Delivers” is the LSB Single Integrated Plan for 2013-17, which replaces the following strategic plans:</p> <ul style="list-style-type: none"> <li>• Community Strategy</li> <li>• Health, Social Care and Wellbeing Strategy</li> <li>• Children and Young People’s Plan</li> <li>• Community Safety Strategy</li> </ul> |



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|  | <p>The Single Integrated Plan is the shared strategic vision for the county borough developed by the LSB and its partners, including CCBC.</p> <p>It identifies that this vision will be achieved by the delivery of 5 inter-dependent and inter-related Outcomes, namely:</p> <ul style="list-style-type: none"> <li>• Prosperous Caerphilly</li> <li>• Safer Caerphilly</li> <li>• Learning Caerphilly</li> <li>• Healthier Caerphilly</li> <li>• Greener Caerphilly</li> </ul> <p>Under each of these Outcomes a range of Priorities have been identified for action.</p> <p>The Priorities for the Learning Caerphilly Outcome are:<br/> <b>L1:</b> Improve the level of basic skills and the number of achieved qualifications (formal and non-formal) to improve the life opportunities for families<br/> <b>L2:</b> Develop a multi-agency approach to address the impact of poverty on pupil attainment<br/> <b>L3:</b> Children, young people and families have the skills and resources to access job opportunities</p>  |
| <p>Directorate of Education and<br/> <b>Corporate Services</b><br/> Lifelong Learning Responsibilities</p> | <p>The discharge of the Council's obligations as Local Education Authority under statute and regulation.</p> <p>The preparation and scrutiny of statutory education and lifelong learning strategic plans and Wales Programme for Improvement performance plans.</p> <p>To monitor the performance of the Education Achievement Service in relation to the delivery of the Raising Standards Agenda including monitoring, support and challenge in inverse proportion to success, delivered by the EAS on behalf of the Authority *.</p> <p>*Local Management of Schools and Fair Funding.</p> <p>Forward planning re. school places, , school admissions and student awards.</p> <p>Inclusion Services which involve Learning Support Services, educational psychology, education welfare, behavioural support and managing pupil exclusions.</p> <p>*Governor support and training.</p> <p>*Welsh Language Education.</p> <p>*Agreed RE Syllabus.<br/> SACRE<br/> * means delivered by the EAS with statutory duty retained by the Council</p> <p>Joint Services via Gwent VI Service.</p> <p>Partnership working through the Single Integrated Plan Learning Area Network.</p> <p>National Grid for Learning Cymru.</p> |

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| <b>Directorate of<br/>Communities<br/>Responsibilities</b> | Adult Community Learning Partnership        |
|  | Lifelong learning, and community education. |
|  | Public Library Service.                     |
|  | Music Service.                              |
|  | <b>Community Centres</b>                    |
|  | Securing grants.                            |
|  | Youth Service                               |
|  | <b>Education Transport</b>                  |

**Cabinet Members Reporting to Education For Life Scrutiny Committee:**

**Relevant Cabinet Member(s).** For more information in relation to the portfolios of Cabinet posts please see Article 7.

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| <b>Terms of Reference: Health, Social Care and Well-Being Scrutiny Committee</b> |   |
| <b>The Caerphilly Delivers Single Integrated Plan 2013-2017 Responsibilities</b> | <p>“Caerphilly Delivers” is the LSB Single Integrated Plan for 2013-17, which replaces the following strategic plans:</p> <ul style="list-style-type: none"> <li>• Community Strategy</li> <li>• Health, Social Care and Wellbeing Strategy</li> <li>• Children and Young People’s Plan</li> <li>• Community Safety Strategy</li> </ul> <p>The Single Integrated Plan is the shared strategic vision for the county borough developed by the LSB and its partners, including CCBC.</p> <p>It identifies that this vision will be achieved by the delivery of 5 inter-dependent and inter-related Outcomes, namely:</p> <ul style="list-style-type: none"> <li>• Prosperous Caerphilly</li> <li>• Safer Caerphilly</li> <li>• Learning Caerphilly</li> <li>• Healthier Caerphilly</li> <li>• Greener Caerphilly</li> </ul> <p>Under each of these Outcomes a range of Priorities have been identified for action.</p> <p>The Priorities for the Healthier Outcome are:-</p> <p><b>H1:</b> Address the inequities in the rate of low birth weight babies across the county borough.</p> |

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|   | <p><b>H2:</b> Improve lifestyles of the population in the county borough so that people recognise and take responsibility for their own health and well-being, and make use of the opportunities and support available to them.</p> <p><b>H3:</b> Reduce the variation in healthy life expectancy in the county borough so that the health and well-being of individuals experiencing disadvantage improves to the levels found among the advantaged</p> <p><b>H4:</b> Improve the education, information, early intervention, prevention and harm reduction in relation to substance misuse in the county borough</p> <p><b>H5:</b> Ensure people are supported to live in their own communities to lead safe, fulfilled and independent lives</p> <p>The priority for the Safer Caerphilly Outcome is<br/> <b>S4:</b> Ensure people are supported to live in their own homes and communities in safety</p> |
| <p>Directorate of <b>the Social Services Responsibilities</b></p>         | <p>Provision of Children’s &amp; Adults Social Care under statute</p> <p>Provision of advice, guidance and support.</p> <p>The assessment, care planning and reviewing of all support packages for service users meeting the defined eligibility thresholds in line with current legislation regulation and statutory guidance</p> <p>Commissioning and contracting for Social Services</p>  |
| <p>Directorate of <b>the Environment Communities Responsibilities</b></p> | <p><b><i>Public Health (including infectious diseases and health promotion/education)</i></b></p> <p><b><i>Food Safety Enforcement</i></b></p> <p><b><i>Pollution Control (including noise, litter and illicit tipping, air and water quality, contaminated land)</i></b></p> <p><b><i>Public Health (statutory nuisance and sewer/drains)</i></b></p> <p><b><i>Trading Standards</i></b></p> <p><b><i>Health and Safety of commercial premises</i></b></p> <p><b><i>Community Safety, CCTV &amp; Community Safety Wardens</i></b></p> <p><b><i>Pest Control, Dog Warden, Animal Trespassing Services</i></b></p> <p><b><i>Animal Health and Welfare Enforcement</i></b></p> <p><b><i>Licensing</i></b></p> <p><b><i>Registrar of Births, Deaths, Marriages/Civil Partnerships</i></b></p> <p><b><i>Building Cleaning</i></b></p> <p><b><i>Education &amp; Social Services Transport Operations</i></b></p>  |

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|  | <b><i>Catering</i></b> |
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**Cabinet Members Reporting to Health, Social Care and Well-Being Scrutiny Committee:**

**Relevant Cabinet Member(s). For more information in relation to the portfolios of Cabinet posts please see Article 7.**

**Terms of Reference: The Regeneration & Environment Scrutiny Committee**

**The Caerphilly  
Delivers Single  
Integrated Plan 2013-  
2017  
Responsibilities**

“Caerphilly Delivers” is the LSB Single Integrated Plan for 2013-17, which replaces the following strategic plans:-

- Community Strategy
- Health, Social Care and Wellbeing Strategy
- Children and Young People’s Plan
- Community Safety Strategy

The Single Integrated Plan is the shared strategic vision for the county borough developed by the LSB and its partners, including CCBC.

It identifies that this vision will be achieved by the delivery of 5 inter-dependent and inter-related Outcomes, namely:

- Prosperous Caerphilly
- Safer Caerphilly
- Learning Caerphilly
- Healthier Caerphilly
- Greener Caerphilly

Under each of these Outcomes a range of Priorities have been identified for action.

The Priorities for the Prosperous Caerphilly Outcome are:-

**P1:** Improve local employment opportunities including access to opportunities across a wider geographical area

**P2:** Improve standards of housing and communities, giving appropriate access to services across the county borough

**P3:** Provide support to enable local people to compete for all employment opportunities

The Priorities for the Greener Caerphilly Outcome are:-

**G1:** Improve local environmental quality

**G2:** Reduce the causes of and adapt to the effects of climate change

**G3:** Maximise the use of the environment for health benefits

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| Directorate of <b><i>the Environment Communities</i></b><br>Responsibilities | Waste Collection, Waste Treatment & Disposal and Street Cleansing   |
|  | Burials, Cemeteries and Bereavement Services  |
|  | Highways Maintenance  |
|  | Street Lighting   |
|  | Engineering Services  |
|  | Land Drainage   |
|  | Fleet Management & Maintenance  |
|  | Parks & Outdoor Spaces Facilities   |
|  | Leisure & Sports Development  |
|  | Public Conveniences   |
|  | Planning – Strategic & Development Plan Policy  |
|  | Planning – Urban Renewal & Town Centre Management   |
|  | Planning – Development & Building Control (excluding those matters set out in the Terms of Reference of the Planning Committee) |
|  | Planning – Countryside & Landscape Services   |
|  | Economic Development & European Programme Funding   |
|  | Arts Development  |
|  | Public Transport  |
|  | Land Reclamation & Tips   |
|  | Road Safety   |
|  | Traffic Management (including Traffic Regulation Orders & Notices)  |
|  | Highway Development Control   |
|  | Car Parking   |
|  | Civil Engineering Design & Procurement  |
|  | Structures  |
|  | Transportation & Planning Improvements  |
|  | Tourism <b><i>and Heritage</i></b>  |
|  | <b><i>Public Health (including infectious diseases and health promotion/education)</i></b>                                      |
|  | <b><i>Food Safety Enforcement</i></b>   |
|  | <b><i>Pollution Control (including noise, litter and illicit tipping, air and water quality, contaminated land)</i></b>         |
|  | <b><i>Public Health (statutory nuisance and sewer/drains)</i></b>   |
|  | <b><i>Trading Standards</i></b>   |
|  | <b><i>Health and Safety of commercial premises</i></b>  |
|  | <b><i>CCTV &amp; Community Safety Wardens</i></b>   |
|  | <b><i>Pest Control, Dog Warden, Animal Trespassing Services</i></b>   |
|  | <b><i>Animal Health and Welfare Enforcement</i></b>   |
|  | <b><i>Licensing</i></b>   |

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|  | <b><i>Registrar of Births, Deaths, Marriages/Civil Partnerships</i></b> |
|  | <b><i>Building Cleaning</i></b>   |
|  | <b><i>Catering</i></b>  |
|  | <b><i>Community Centres</i></b>   |

**Cabinet Member Reporting to The Regeneration & Environment Scrutiny Committee:**

**Relevant Cabinet Member(s). For more information in relation to the portfolios of Cabinet posts please see Article 7.**

**6.02 General role** (which may be discharged by the Committee itself or by appointing task and finish groups to examine an issue and report to the Committee for decision).

- (a) Within their terms of reference, overview and scrutiny committees will:
- i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
  - ii) make reports and/or recommendations to the full Council and/or the executive and/or any joint committee in connection with the discharge of any functions;
  - iii) consider any matter affecting the area or its inhabitants; and
  - iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive.
  - v) monitor the operation and performance of individual services, the Council's services and appropriate external bodies, including joint committees.
  - vi) comment on draft budgets
  - vii) examine performance monitoring information.
  - viii) consider relevant Councillor Calls for Action
- (b) With their terms of reference, overview and scrutiny committees may:
- i) assist the Council and the executive in the development of its budget and policy framework by in-depth analysis of policy issues;
  - ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
  - iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
  - iv) question members of the executive and/or officers about their views on issues and proposals affecting the area;
  - v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
  - vi) question and gather evidence from any person (with their consent).
- (c) **Finance.** Overview and scrutiny committees may exercise overall responsibility for the finances made available to them.

- (d) **Annual report.** Overview and scrutiny committees must report annually to full Council on their workings and report future work programmes and amended working methods if appropriate.
- (e) **Officers.** Overview and scrutiny committees may exercise overall responsibility for the work programme of the officers employed to support their work.

### **6.03 Proceedings of overview and scrutiny committees**

Overview and scrutiny committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

### **6.04 Delegated powers**

- a) Each Overview and Scrutiny Committee has delegated to it all those matters falling within that Committee's terms of reference;
- b) Those powers delegated to an Overview and Scrutiny Committee may also be exercised by the Chief Executive or a Director or a Head of Service after consultation with the Chair or Vice-Chair of the appropriate Committee.



# Article 7 – The Executive

## THE ROLE OF THE EXECUTIVE

The Rules of Procedure in Part 4 of this constitution set out how the executive will operate. These include arrangements for meetings, scheme of delegation and sub-delegation of functions.

*References:*

*Section 11 and Schedule 1, paragraphs 1,2,3, Local Government Act 2000*  
*Chapter 4 and 6, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*  
*Wellbeing of Future Generations Act 2015*

### 7.01 Role

The executive will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution, and will have a collective responsibility for the wellbeing of the local community and future generations.

### 7.02 Form and composition

The executive will consist of the executive leader appointed by the Council together with nine councillors appointed to the executive by the executive leader and holding the following portfolios:

1. Deputy Leader Finance Performance & Governance (to include the role of Older Persons Champion)
2. Deputy Leader Economy, Infrastructure and Sustainability (to include the role of Future Generations Champion)
3. Cabinet Member Social Care **and** Wellbeing
4. Cabinet Member Education **and** Achievement
5. Cabinet Member Environment **and Public** Protection
6. Cabinet Member Neighbourhood Services
7. Cabinet Member Homes and Places
8. Cabinet Member Corporate Services

**Finance Performance & Governance Portfolio includes (this list is not exhaustive),** the following:-

- The proper financial budgeting and control of the Authority
- Legal Services
- Electoral Services
- Internal Audit Services
- Policy & Performance including equalities, Welsh language and anti-poverty strategy
- Executive link to Democratic Services including Member training
- Corporate Governance

***Economy Infrastructure & Sustainability Portfolio includes (this list is not exhaustive), the following:-***

- Deputy representative on City Deal Joint Cabinet
- Economic Development and Regeneration
- Sustainability/Wellbeing of Future Generations
- Tourism & Cultural Facilities
- Strategic Highways and Maintenance
- Integrated Transport Plan – Highways, Rail, Metro and other forms of transport
- Member of regional transport authority
- Flood and water management including land drainage
- Street lighting
- Transport including Education and Social Services transport operations
- Land reclamation and tips
- Traffic management including car parking, traffic regulation orders and notices
- Digital infrastructure

***Social Care & Wellbeing Portfolio includes (this list is not exhaustive) the following:-***

- All aspects of the provision of adult social care and services
- All aspects of the provision of children's social care and services
- Integration with health services

***Education & Achievement Portfolio includes (this list is not exhaustive), the following:-***

- The discharge of the Council's statutory obligations as Local Education including (but not limited to) preparation and scrutiny of strategic education plans, forward planning, re: school places and admission, local management of schools and fair funding and learning support services
- Executive link to EAS
- Public library service
- Youth service
- Adult learning (including community education)
- Youth engagement/liaison with youth forum

***Environment & Public Protection Portfolio includes (this list is not exhaustive), the following:-***

- Planning – the proper operation of development services and building control (excluding applications to the authority)
- Public protection
- Environmental health
- Licensing
- Community safety
- Emergency planning
- Registration services
- Catering services

**Neighbourhood Services Portfolio includes (this list is not exhaustive), the following:-**

- Waste & recycling
- Cleansing
- Sport & leisure services
- Parks, recreation and outdoor sports facilities
- Country parks and countryside services
- Community centres
- Building cleansing
- Fleet management and vehicle maintenance
- Burial, cemeteries and bereavement services

**Homes & Places Portfolio includes (this list is not exhaustive), the following:-**

- Public sector housing
- Delivery of Welsh housing quality standards
- Private housing including enforcement issues
- Homelessness
- Executive link with Housing Quality Task group issues
- Corporate assessment management
- Property services

**Corporate Services Portfolio includes (this list is not exhaustive), the following:-**

- All aspects of the Council's functions as an employer (other than the appointment of staff) including the oversight of recruitment, terms and condition of employment, conduct and disciplines, structural review and consequences thereof
- Oversight of HR
- Council business management
- Information and Technology services
- Customer services
- Procurement services
- Corporate health and safety
- Communications

### **7.03 Leader**

The leader will be a councillor elected to the position of leader by the Council. The leader will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
- (c) he/she is no longer a councillor; or

- (d) he/she is removed from office by resolution of the Council

#### **7.04 Other executive members**

Only councillors may be appointed to the executive. Neither co-optees nor substitutes for executive members is permitted. Although the Assembly Guidance notes that local authorities are free to have deputy cabinet members, it also points out that they are unable to substitute for a member of the executive at a cabinet meeting nor vote on behalf of the cabinet member for whom they deputise. Neither the chair nor vice chair of the Council may be appointed to the executive and members of the executive (including the leader) may not be members of an overview and scrutiny committee.

Other executive members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- (c) they are no longer councillors; or
- (d) they are removed from office by the leader who must give written notice of any removal to the Council's Chief Executive. The removal will take effect two working days after receipt of the notice by the Chief Executive.

#### **7.05 Deputy cabinet members**

The Council has decided that there will be no post of deputy cabinet members other than two deputy leaders.

#### **7.06 Proceedings of the executive**

Proceedings of the executive shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.

#### **7.07 Responsibility for functions**

The leader will maintain a list setting out which individual members of the executive, committees of the executive, officers or joint arrangements are responsible for the exercise of particular executive functions as set out in Part 3 of this Constitution.

(Note: the Council has decided that there will not be a delegation of powers to individual Cabinet members).

## **Article 8 – Regulatory & Other Committees**

Planning and licensing are not executive or board functions. Councils will therefore need to create committees to undertake these functions under powers delegated from full Council. These are called "regulatory committees". The Council has also established

- (1) an Audit Committee
- (2) a Democratic Services Committee

### **8.01 Regulatory and other committees**

The Council appoints the following committees with the Terms of Reference and delegated powers to the Committees and to officers, as set out on the following pages:-

**a) PLANNING COMMITTEE**

**Terms of Reference**

To discharge the functions of the Caerphilly County Borough Council in relation to all aspects of the following:

1. To exercise the functions of the Council as local planning authority
2. Without prejudice to the generality of the foregoing to discharge the following:
  - a) Development management and all aspects of planning enforcement
  - b) Advertisement Control
  - c) Building Preservation Notices
  - d) Tree Preservation, Felling Licences
  - e) Building Regulations
  - f) Dangerous structures and derelict sites.
  - g) Listed Building Control.
  - h) Access for disabled people
  - i) Street naming and numbering.
  - j) Minerals Planning - Policy control and enforcement
3. The institution of legal proceedings or the defence of legal proceedings in respect of infringements of legislation common law or procedures falling within the Terms of Reference of this Committee.
4. Power to take any action on behalf of the Council in relation to any matter within this Committee's Terms of Reference, where such action is necessary to protect the Council's interests and delay would significantly prejudice the attainment of the object in view.
5. Contracts and other expenditure within the Committee's Terms of Reference, where there is an existing relevant expenditure approved by the Council and subject to the Council's Standing Orders and Financial Regulations.
6. Power to authorise appropriate officers, in consultation with the Chairman and Vice Chairman, and if deemed necessary after seeking the views of appropriate members, to discharge any of this Committee's functions on behalf of the Committee.

PROVIDED THAT:

- (a) All matters relating to policy where there is no existing relevant policy decision of the Council shall be referred to the Cabinet for recommendation to the Council;
  - (b) All matters relating to financial expenditure where there is no existing relevant expenditure approved by the Council shall be referred to the Cabinet for recommendation to the Council.
  - (c) In the event that it appears to the Committee that a matter under consideration is also within the jurisdiction of another committee of this Council then the matter shall be referred to the Cabinet for a determination as to which committee shall determine the matter.
  - (d) Proposed variations within the revenue budgets agreed by the Council in excess of the sum fixed from time to time by the Council must be referred to the Cabinet for recommendation to the Council.
  - (e) Where the Head of Regeneration & Planning or the Development Control Manager is prevented from supporting at a Public Inquiry the Committee's reasons for refusal then the member or members who promoted the decision will, if called upon to do so by the Head of Legal Services, appear as one of the Council's witnesses.
7. The Council at its meeting held on 8th May, 2014 agreed that the current restrictions within Standing Orders, which prohibits a meeting for sitting longer than four hours be removed from the Planning Committee, subject to a requirement on the Committee to take appropriate breaks, so as to ensure the comfort of those participating in the meeting.

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above within the Committee's Terms of Reference subject to the Challenge Procedure.

POWERS DELEGATED TO THE COUNCIL'S OFFICERS

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| <p>1. The determination by the Head of Regeneration &amp; Planning or the Development Control Manager of all enforcement matters under the Town and Country Planning Act 1990 and associated legislation, other than (a) any case that any Member requests in writing to the Head of Regeneration &amp; Planning within 21 days of the publication of the weekly list containing the latest cases shall be determined only after consultation with the Chair and Vice-chair of the Planning Committee and local</p> | <p>Head of Regeneration &amp; Planning or Development Control Manager</p> |
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| <p>Member(s)</p> <p>(b) any case where it is recommended that it is not expedient to take enforcement action but the resulting development would be contrary to the Council's planning policies shall be determined only after consultation with the Chair and Vice-chair of the Planning Committee and local Member(s)</p> <p>(c) cases which in the opinion of the officers are likely to be controversial or of significant public interest or should in any event be determined only after consultation with the Chair and Vice-chair of the Planning Committee and local Member(s)</p> <p>(d) cases where the decision would conflict with an objection received from a statutory consultee shall be determined only after consultation with the Chair and Vice-chair of the Planning Committee and local Member(s)</p> |   |
| <p>2. Emergency action on behalf of the Council in relation to any matter within the Committee's Terms of Reference where such action is necessary to protect the Council's interests and delay in bringing the matter before the Committee would significantly prejudice the attainment of the object in view</p>   | <p>The Director or the Head of Regeneration &amp; Planning or the Development Control Manager in consultation with the Chairman and the Vice Chairman of the Committee</p>                                      |
| <p>3. The institution of legal proceedings in respect of any matter within the Committee's Terms of Reference and the defence of legal proceedings instituted against the Council</p>  | <p>Head of Legal Services or any Principal Solicitor or the Head of Regeneration &amp; Planning or the Development Control Manager in consultation with the Head of Legal Services or any Senior Solicitor.</p> |
| <p>4. Service of Building Preservation Notices</p>   | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p>   |
| <p>5. Approval or refusal of plans under Building Regulations</p>  | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p>   |
| <p>6. Completion certificates for guarantee purposes</p>   | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p>   |
| <p>7. Enforcement action under Building Regulations, dangerous structures and ruinous and dilapidated property</p>   | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p>   |



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| 8.  | Determination of dates upon which duly authorised enforcement notices take effect   | Head of Regeneration & Planning or the Development Control Manager  |
| 9.  | Approval of minor amendments to approved plans or relaxation of Building Regulations  | Head of Regeneration & Planning or the Development Services Manager |
| 10. | Receipt of planning applications, determination of fees, extension of time for determination of planning applications   | Head of Regeneration & Planning or the Development Control Manager  |
| 11  | Any action under the terms of a confirmed Tree Preservation Order, or any issue relating to Tree Felling Licences below 10 hectares.  | Head of Regeneration & Planning or the Development Control Manager. |
| 12. | Signing on behalf of the Council all notices required in accordance with decisions, determinations and enforcements within the Terms of Reference of this Committee   | Head of Regeneration & Planning or the Development Control Manager  |
| 13. | Any steps required in connection with the progressing of appeals to the Secretary of State against the decision of the local planning authority.  | Head of Regeneration & Planning or the Development Control Manager  |
| 14. | Serving of notices for the proper maintenance of waste land.  | Head of Regeneration & Planning or the Development Control Manager  |
| 15. | Making any necessary determinations under Regulations 5,6,7,10 and 25 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 or any amendment thereto.                 | Head of Regeneration & Planning or the Development Control Manager  |
| 16. | Conservation Area consent including demolition of buildings or extension thereto.   | Head of Regeneration & Planning or the Development Control Manager  |
| 17. | In consultation with the Chairman and Vice-Chairman of the committee to correct or amend consents to take account of errors or omissions or minor amendments not considered at the committee which do not significantly | Head of Regeneration & Planning or the Development Control Manager  |

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|---|---|
| <p>affect the nature of the decision taken for the consent granted.</p>   |   |
| <p>18. The determination of all applications for planning permission, reserved matters, listed building consent, conservation area consent, tree preservation order consent, advertisement consent and all other matters submitted for the determination, formal application or comment of the local planning authority under the relevant Town and Country Planning Act and associated legislation,<br/><b>OTHER THAN:-</b></p> <p>(a) any application which any member requests in writing to the Head of Regeneration &amp; Planning within 21 days of the publication of the weekly list containing the application, should be considered by the Planning Committee.</p> <p>(b) any application where it is recommended that permission be granted contrary to the Council's planning policies.</p> <p>(c) any application which in the opinion of the C Head of Regeneration &amp; Planning or the Development Control Manager are likely to be controversial or of significant public interest or should in any event be determined by the Planning Committee.</p> <p>(d) applications where the decision would conflict with an objection received from a statutory consultee.</p> | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p> |
| <p>19. Discharging all other day to day aspects of the functions listed within the Committee's Terms of Reference which power shall be exercised by the appropriate Director or Head of Regeneration &amp; Planning or the Development Control Manager after consultation with the Chairman and Vice Chairman of the Committee</p>  | <p>Head of Regeneration &amp; Planning or the Development Control Manager</p> |

## CHALLENGE PROCEDURE

1. This Procedure is only available in respect of development control and associated matters where this Committee has delegated powers.
2. This Procedure is only available to any member not a member of the Planning Committee who is unable to attend the meeting of the Planning Committee at which the particular matter the subject of the challenge is to be considered for the first time.
3. Any Challenge should wherever possible be submitted within 21 days of the appearance of the matter in the Council's weekly list of applications but in any event no later than 48 hours before the time appointed for the meeting at which the matter is to be considered.
4. The Challenge shall:
  - (a) be in writing and
  - (b) be sent to the Chief Executive to be received by him no later than 48 hours before the date fixed for the meeting and
  - (c) shall be in the following form:

***"I am of the opinion that permission should be granted/refused/granted subject to the following conditions: .....for the following reason(s): ..... If the Planning Committee does not resolve accordingly, I require its decision to be deferred to the next meeting of the Planning Committee"***

## **GUIDELINES FOR SITE VISITS**

### **Purpose of site inspections**

- 1 Site inspections are fact-finding exercises to allow members to make a more informed decision than would be possible from reading the officer's report and considering the views expressed at the Planning Committee meeting.
- 2 The sole purpose of site inspections is to allow the chairperson and vice-chairperson and other members to look at the site and its surroundings. In conducting the site visit, the members will not formally debate the application, express a prior opinion, lobby for any particular decision or come to any decision.

### **Requests for Committee site inspections**

- 3 If Members wish an application to be reported to Planning Committee and be the subject of a site visit, they should advise the case officer or in his/her absence any other officer of the Development Management Team in writing (including email) within 21 days of receiving the weekly list of planning applications.
- 4 Site visits should be allowed on the basis of a request from either the chairperson or vice-chairperson, or from any local member including an adjoining ward Councillor whether or not a member of the committee. It is expected that local members will already be familiar with the site. Members are encouraged to go to the sites themselves, discuss proposals with officers, and look at the presentation that officers now email to Planning Committee Members before Committee.
- 5 Site visits may also be arranged, at the behest of the Head of Planning and Regeneration or Development Control Manager when they consider that there are particular site issues that members should be aware of prior to the determination of the application.

### **Criteria for agreeing to hold site inspections**

- 6 Any request for a formal site visit will have to comply with the following criteria:-
  - Illustrative material is insufficient to convey the issues;
  - A judgement is required on visual impact;
  - The setting and surroundings are relevant to the determination of the application;
  - The site has not been visited recently by the Planning Committee in relation to another planning application.
- 7 Requests for formal site visits made at Planning Committee will only be allowed in exceptional circumstances, e.g. where a Councillor is incapable of notifying officers of the need for a site visit when the application for planning permission was first publicised.

Examples where a site visit would not normally be appropriate include where:

- The member simply disagrees with the conclusion reached in the report.
- The member wishes to consider boundary or neighbour disputes.
- Loss of property values
- Any issues that are not material planning considerations.
- Where councillors have already visited the site within the last 12 months, except in exceptional circumstances.

Where there is any dispute about the need for a site visit, the final decision will be taken by the Chair and/or Vice-Chair of the Planning Committee in consultation with the Head of Planning and Regeneration and/or the Development Control Manager.

### **Notification of site visits**

- 8 All site visits will take place on the Monday before Planning Committee for applications being reported to that Committee. Where it is impractical to undertake all approved site visits on the Monday before the Planning Committee, the visit/s may take place on any day subject to the visit/s taking place before the Planning Committee to which the application/s is/are being reported. All Members (subject to declarations of interests) will be entitled to attend the site visits, and all Planning Committee Members will be encouraged to attend.

Committee Services will arrange the site visits, but will not attend to take minutes. A brief note will be prepared by Planning Officers and will be presented to the Planning Committee, confirming that a site visit has taken place and providing a summary of any additional information received or matters arising from the site visit.

### **Attendance At Site Inspections**

- 9 Site visits will normally be attended by the chairperson and vice-chairperson of Planning Committee, ward members and appropriate officers. All Members (subject to declarations of interest) will be encouraged to attend the site visits and all Planning Committee Members will be encouraged to attend.
- 10 Members may through the chairperson ask questions of officers to clarify factual matters relevant to the site inspection.
- 11 If a request is received from a third party to inspect the site from a different location, the members, as a group, should take the view whether to do so. Unless there are good reasons not to do so, such a request should normally be acceded to but only if all participants at the site inspection are extended the same invitation.
- 12 Members may only enter onto the site with the permission of the site owner who has the right of attendance at the site inspection.
- 13 The public does not have a right of access to a site but may attend and view the site by way of public vantage points or on site with the consent of the owner.

- 14 Applicants, their agents and members of the public, will not be allowed to speak at the site visits apart from providing matters of information or clarification; the informal meeting with the public that has become the part of the customer practice of the Council will end so that the site visits are undertaken in a more formal manner.
- 15 If a member finds it necessary to visit a site alone, he or she shall view it from public vantage points only, seek to avoid discussion with interested parties and, if dialogue occurs, make it clear that a decision will be taken when the Planning Committee has discussed it after the site inspection.
- 16 Members are reminded that the rules of declarations of interest apply to site visits, and that if a member has an interest that would require the member to withdraw from a Planning Committee, the member is not entitled to attend the site meeting.**

#### **Conduct at site inspections**

- 17 The inspection will be chaired by the chairperson or vice chair of the Planning Committee who will ensure that it is conducted as a single meeting and in an orderly fashion.
- 18 The planning officer will give a brief summary of the application and the site inspection issues at the beginning of each site visit.
- 19 Members of the Planning Committee attending the site inspection shall not make comments that would create an impression that they have already formed a view on the merits of the application.
- 20 Members of the Planning Committee shall not discuss the application, other than to clarify issues of fact, and shall not make a decision while on site.
- 21 Non-Committee members may address their colleagues on issues of fact pertaining to the site context.

## LICENSING AND GAMBLING COMMITTEE

### Terms of Reference

1. To discharge the functions of a licensing committee as required by the Licensing Act 2003 and the Gambling Act 2005 and to authorise, approve or determine any enforcement matters under the Acts;

### POWERS DELEGATED TO THE COMMITTEE

All those matters referred to in paragraph 1 above, including a power to delegate to a sub-committee the power to determine matters within the Committee's Terms of Reference.

### POWERS DELEGATED TO OFFICERS

| POWER   | DELEGATED TO   |
|---|--|
| All matters arising from the exercise of the Committee's terms of reference (to include the power to issue licences and permits), with the power to establish one or more sub-committees in accordance with Section 9 of the Licensing Act 2003, and powers under the Gambling Act 2005 and power to delegate its functions under the Licensing Act 2003, and under the Gambling Act 2005 to a sub-committee or to an officer of the authority. | The Chief Executive or a Director or a relevant Head of Service or any of the following officers:-<br>Licensing Manager & Assistant Licensing Manager, Senior Licensing Administrator, Licensing Administrator<br>Trading Standards, Licensing & Registrars Manager<br>Environmental Health Manager<br>*Senior Trading Standards Officer<br>*Senior Environmental Health Officer<br>*Trading Standards Officer<br>*Senior Fair Trading Officer<br>* Environmental Health Officer<br>*Senior Commercial Safety Officer<br>*Commercial Safety Officer<br>*Fair Trading Officer<br>*Enforcement Officer (Officers marked * where appropriate are appointed under Section 19(1) of the Health and Safety at Work Act 1974 or any statutory amendment thereto)] |
| The following officers are designated as authorised for the purposes of the Licensing Act 2003, and of the Gambling Act 2005 and are given delegated powers to act in that capacity.  | Head of Public Protection<br>Environmental Health Manager<br>Trading Standards Licensing & Registrars Manager<br>Licensing Manager<br>Assistant Licensing Manager<br>Senior Environmental Health Officer<br>Environmental Health Officer<br>Senior Trading Standards Officer<br>Trading Standards Officer<br>Senior Fair Trading Officer   |

|  |  |
|--|--|
|  | Fair Trading Officer<br>Scientific Officer<br>Senior Commercial Safety Officer<br>Commercial Safety Officer<br>Community Safety Wardens<br>Enforcement Officer |
|--|--|

The Council on the 24<sup>th</sup> January 2017 approved the following procedural matters in relation to the Licensing and Gambling Committee and the Licensing and Gambling sub-committee, including a procedural change to the Council's Standing Orders, as follows: -

- (a) the quorum for the Licensing and Gambling sub-committee is two. Every effort will be made to maintain the sub-committee at three members present when dealing with an application but there will inevitably be some circumstances where a member is unable to attend at the last minute and a substitute cannot be found or a member part way through needs to declare an interest and withdraw from the hearing. In accordance with our Standing Orders, the chairman will have a casting vote.
- (b) that members serving on the Licensing and Gambling sub-committee will be drawn in rotation from the whole of the Licensing and Gambling Committee. This will allow each member an equal opportunity to contribute to the work of the Committee and will hopefully ensure a fairness to members in the demands being made on them to sit;
- (c) that the chair and vice-chair of the Licensing and Gambling Committee are not automatically on the Licensing and Gambling sub-committee but will be part of the normal rotation;
- (d) that the current restriction within Standing Orders which prohibits a meeting sitting for longer than four hours be removed from applying to the Licensing and Gambling Committees or its sub-committee, subject to a requirement on the committee to take appropriate breaks so as to ensure the comfort of those participating in the meeting.



## TAXI AND GENERAL COMMITTEE

### Terms of Reference

1. To discharge on behalf of the Council all matters relating to the grant, refusal, issue, revocation, cancellation and suspension of licences or permits and without prejudice to the generality of the foregoing to discharge these functions in respect of:
  - a) Private Hire Operators.
  - b) Private Hire and Hackney Carriage Drivers.
  - c) Private Hire Vehicles.
  - d) Hackney Carriage
  - e) Hypnotism
  - f) Lottery Registrations
  - g) Street Collections.
  - h) House-to-House Collections.
  - i) Street Trading.
  - j) Sex Shops & Sexual Entertainment Venues.
  - k) Burials in Public Cemeteries.
  - l) Reservoirs.
  - m) Dangerous Wild Animals.
  - n) Animal Boarding Establishments.
  - o) Guard Dogs.
  - p) Acupuncture\Cosmetic\Piercing\Electrolysis\Tattooing\Semi Permanent Skin Colouring.
  - q) Performing Animals.
  - r) Pet Shops.
  - s) Zoos.
  - t) Camping Sites.
  - u) Caravan Sites.
  - v) Pleasure Boats.
  - w) Filling Materials.
  - x) Riding Establishments.
  - y) Charities for Disabled Persons and War Charities.
  - z) Explosives.
  - aa) Fireworks.
  - bb) Petroleum.
  - cc) Marriage & Civil Partnerships.
  - dd) Those matters set out in Part B of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 in so far as they are not governed by the Licensing Act 2003 and/or the Gambling Act 2005 or delegated separately under Part 3 of the Council's Constitution.
  - ee) Such other matters as may from time to time under statute or practice fall to be considered by the Council in a quasi-judicial manner, other than employment appeals or grievances in so far as they are not governed by the Licensing Act 2003 and/or the Gambling Act 2005 or delegated separately under Part 3 of the Council's Constitution.

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above, including a power to delegate to a sub-committee the power to determine matters within the Committee's Terms of Reference.

POWERS DELEGATED TO OFFICERS

| POWER   | DELEGATED TO   |
|---|--|
| All matters arising from the exercise of the Committee's terms of reference (to include the power to issue licences and permits), | The Chief Executive or a Director or a relevant Head of Service or any of the following officers:-<br>Licensing Manager & Assistant Licensing Manager, Senior Licensing Administrator, Licensing Administrator<br>Trading Standards, Licensing & Registrars Manager<br>Environmental Health Manager<br>*Senior Trading Standards Officer<br>*Senior Environmental Health Officer<br>*Trading Standards Officer<br>*Senior Fair Trading Officer<br>* Environmental Health Officer<br>*Senior Commercial Safety Officer<br>*Commercial Safety Officer<br>*Fair Trading Officer<br>*Enforcement Officer<br>Acting Parks Manager<br>(Officers marked * <i>where appropriate</i> are appointed under Section 19(1) of the Health and Safety at Work Act 1974 or any statutory amendment thereto)] |
|   |  |

The Council on the 24<sup>th</sup> January 2017 approved the following procedural matters in relation to the Taxi and General Committee and the Taxi and General sub-committee, including a procedural change to the Council's Standing Orders, as follows: -

- (a) the quorum for the Taxi and General sub-committee is two. Every effort will be made to maintain the sub-committee at three members present when dealing with an application but there will inevitably be some circumstances where a member is unable to attend at the last minute and a substitute cannot be found or a member part way through needs to declare an interest and withdraw from the hearing. In accordance with our Standing Orders, the chairman will have a casting vote.
- (b) that members serving on the Taxi and General sub-committee will be drawn in rotation from the whole of the Taxi and General Committee. This will allow each member an equal opportunity to contribute to the work of the Committee and will hopefully ensure a fairness to members in the demands being made on them to sit;

- (c) that the chair and vice-chair of the Taxi and General Committee are not automatically on the Taxi and General sub-committee but will be part of the normal rotation;
- (d) that the current restriction within Standing Orders which prohibits a meeting sitting for longer than four hours be removed from applying to the Taxi and General Committee or its sub-committee, subject to a requirement on the committee to take appropriate breaks so as to ensure the comfort of those participating in the meeting.

**c) RIGHTS OF WAY COMMITTEE**

**The functions of the (Council) Rights of Way Committee ceased to exist on the 16 February 2007 by virtue of changes in legislation. The function is now carried out by a committee of the Cabinet - see the entry in Part 3 of this Constitution.**

## **d) AUDIT COMMITTEE**

### **Terms of Reference**

#### **1. MEMBERSHIP**

- 1.1 The Audit Committee will have a membership of thirteen individuals, twelve shall be elected members being representative of all parties and independents and one lay co-opted member to be appointed by the Committee. Members of the executive will not be eligible to be members of this Committee.
- 1.2 The co-opted member, not being a member of the Council, to be recruited for skills appropriate to the Audit Committee's work, and shall be appointed by the Councillor members of the Audit Committee for a fixed term to be determined by them when the appointment is made.
- 1.3 As and when necessary the appointment of a lay member to the Committee shall be undertaken by an appointment panel consisting of three Audit Committee members, to include the Chairperson. The panel will be responsible for considering all applications for the vacancy, short listing and interviewing prospective candidates. The panel will report their recommendations to the Audit Committee for confirmation/agreement prior to approval by Council.
- 1.4 The Audit Committee will appoint its chairperson who will not be a member of any of the groups represented on the Executive except when all groups are represented on the Executive (and could be a co-opted member).
- 1.5 All members of the Audit Committee shall have a vote.

#### **2. MEETINGS**

- 2.1 The Committee will meet at least 4 times a year. Additional meetings may be convened as the chair deems necessary or when the Authority as a whole resolves that it should.
- 2.2 A quorum for the meeting will be one quarter of the whole membership.
- 2.3 The Committee shall be advised by the Director of Corporate Services, the Section 151 Officer, the Head of Corporate Finance, the Head of Performance and Property and both the external and internal auditors. They may additionally, within an approved budget, seek independent advice from outside the authority
- 2.4 The Committee shall meet with the Council's external auditor on an informal basis as deemed necessary by the Committee to discuss and exchange information.
- 2.5 The Section 151 Officer, the Manager of Internal Audit and the representative of the External Auditor will have free and confidential access to the Chair of the Committee.

- 2.6 The external and internal auditors of the council shall have the right to request the chair of the audit committee to consider any matter which the auditors believe should be brought to the attention of the council
- 2.7 The Committee may ask any other officers to attend to assist it with its discussions on any particular matter.

### **3. TERMS OF REFERENCE**

- 3.1 To review and scrutinise the Authority's financial affairs, to make reports and recommendations in relation to the Authority's financial affairs and to review and consider the financial statements prepared by the Authority or its external auditors.
- 3.1.1 to review the authority's accounting policies and procedures with a view to appropriateness and compliance.
- 3.1.2 to provide direction concerning accounting records and control systems as may be required by the Accounts and Audit Regulations (Wales) 2005.
- 3.1.3 to consider the external auditors report to those charged with governance on issues arising from the audit of the financial statements.
- 3.1.4 to review and consider the effectiveness on the Council's policy for the prevention of fraud and corruption.
- 3.2 Review and assess the risk management, internal control and corporate governance arrangements and to report and make recommendations on the adequacy and effectiveness of those arrangements:
- 3.2.1 To ensure that the authority has a sound system of internal control which facilitates the effective exercise of functions and which includes arrangements for the management of risk and adequate and effective financial management. To review the effectiveness of internal control at least once a year and approve an annual governance statement for inclusion with the authority's statement of accounts.
- 3.2.2 In reviewing corporate governance, risk management or internal control issues any member or officer of the authority may be required to attend before the committee to explain in relation to matters within their remit e.g. compliance or otherwise with council procedures, compliance or otherwise with established corporate governance standards and the degree to which risk has been considered and addressed.
- 3.2.3 to oversee and monitor the compliance and assurance requirements and to satisfy itself as to the adequacy of the structures, processes and responsibilities for identifying and managing key risks facing the organisation.

- 3.2.4 to review the councils corporate governance framework.
  - 3.2.5 to receive, review and approve the annual governance statement and the resultant action plans.
  - 3.2.6 to develop and keep under review a risk management strategy for the council including methodology for assessing risks in all functions of the council.
  - 3.2.7 to oversee and monitor Council activities that are subject to the RIPA regulations.
  - 3.2.8 to oversee and monitor the outcomes of complaints received by the Authority under the Council's Corporate Complaints Policy and to review the policy on an annual basis and to make comments on the adequacy and effectiveness of the policy.
- 3.3 Oversee the internal and external audit arrangements of the Council
- 3.3.1 to liaise with the Wales Audit Office over the appointment of external auditors
  - 3.3.2 to consider the external auditors proposed audit plan
  - 3.3.3 to consider the external auditors Annual letter
  - 3.3.4 to approve, on behalf of the Council, a statement of aims and objectives of the internal audit function
  - 3.3.5 to consider the annual audit plan as to the allocation of internal audit resources against different categories of work
  - 3.3.6 to ensure that the internal audit function is adequately resourced and has appropriate standing within the organisation
  - 3.3.7 to consider the Head of Internal audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the council's internal control environment

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above within the Committee's terms of reference.

POWERS DELEGATED TO OFFICERS

| POWER  | DELEGATED TO  |
|--|---|
| All matters arising from the exercise of the Committee's terms of reference. | The Chief Executive or a Director or the Head of Corporate Finance after consultation with the Chair or Vice Chair of the Committee. Any officer mentioned above may authorise in writing that any delegated function given to him/her may be exercised by any officer named in that authorisation. |



**(e) Democratic Services Committee**

**Terms of Reference**

9.1 The Democratic Services Committee shall have the following requirements and functions:

(a)

(i) Each Member of the Democratic Services Committee shall be a Member of the Council; and

No more than one Member of the committee shall be a Member of the executive which executive member must not be the Leader.

(ii) Each Member of the Democratic Services Committee shall be appointed by full Council.

(iii) The Chair of the Democratic Services Committee shall be appointed by full Council.

(b) The Democratic Services Committee is a body to which Section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies.

(c) The Chair of the Democratic Services Committee must not be a member of the 'Executive group'.

(d) The Democratic Services Committee may appoint one or more sub-committees, and may arrange for the discharge of any of its functions by such a sub-committee.

(e) Any sub-committee of the Democratic Services Committee may not discharge functions other than those conferred on it.

(f) The Democratic Services Committee is to appoint the person who is to chair any sub-committee of such a Committee.

(g) All Members of the Democratic Services Committee, or of a sub-committee of the committee, may vote on any question that falls to be decided by the Committee.

(h) The Democratic Services Committee may require members and officers of the Council to attend before it to answer questions such members and officers having a duty to comply with but are not obliged to answer any questions which they would be entitled to refuse to answer in court proceedings in England and Wales. The Democratic Services Committee may invite other persons to attend meetings of the committee.

(i) The Democratic Services Committee must meet at least once in every calendar year.

(j) The Democratic Services Committee must meet if the Council resolves it should meet.

- (k) At least one third of the members of the Democratic Services Committee may requisition a meeting by giving notice in writing to the chair of the committee.
- (l) The Chair of the Democratic Services Committee must secure that meetings are held in accordance with the requirements stated in paragraph (i) - (k) above.
- (m)
  - (i) Designating one of the Council's Officers to be the Head of Democratic Services (who may not be the Head of Paid Service, Monitoring Officer or Chief Finance Officer (as defined in the Local Government and Housing Act 1989). The Head of Democratic Services shall exercise the functions as set out in Section 9(1) of the Measure;
  - (ii) review the adequacy of provision by the Council of staff, accommodation and other resources to discharge Democratic Services functions; and
  - (iii) make reports and recommendations to the Council in relation to such provision.
- (n) To determine how it exercises its functions listed under paragraphs (m)(i)(ii)(iii) above and not exercise any functions other than those set out in these Terms of Reference.
- (o) To make reports and recommendations on Member induction activities following local elections.
- (p) To secure a programme of reasonable training and development opportunities for Councillors and co-opted members and make reports and recommendations to full Council as necessary.
- (q) To monitor the quality and value of Members' training and development.
- (r) To monitor the Council's membership of the WLGA Wales Charter for Member Support and Development.
- (s) To nominate a Member Development Champion from the Committee's membership.
- (t) To be consulted on reports published by the Independent Remuneration Panel for Wales (or other bodies) in respect of Member's salaries, expenses and allowances.
- (u) To make reports and recommendations on the support and advice provided for any other Member support service.
- (v) To assist the Council's Monitoring Officer to review and make recommendations about the Council's Constitution.
- (w) To review and make recommendations about Members role descriptions.
- (x) To review and make recommendations about Members Annual Reports.
- (y) To review and make recommendations about Webcasting and Remote Attendance.

- (z) To review and make recommendations about the Council's programme and timing of Council meetings.
- (aa) To review and make recommendations about the Council's Members' ICT Policy and provision.
- (bb) To review and make recommendations about Members Family absence policy.
- (cc) To review and make recommendations about the Youth Champion.
- (dd) To review and make recommendations to promote public engagement in Council business.
- (ee) To be consulted on reports published by the Welsh Government, Local Government Boundary Commission and Electoral Commission (or other bodies) in respect of ward boundaries, local authority boundaries and electoral arrangements.
- (ff) To consider any report or recommendation sent to its members prepared by the Head of Democratic Services under Section 9(1)(h) of the Measure at a meeting held not more than three months after copies of the report are first sent to members of the committee.
- (gg) As soon as practicable after it has prepared a report or made a recommendation under paragraph (ff) above arrange for a copy of it to be sent to each Member of the Council who is not a Member of the Committee.
- (hh) The Council must consider any report or recommendation at a meeting held not more than three months after copies of the report or recommendation are first sent to the Members of the Council.
- (ii) To have regard to formal guidance issued by The Welsh Ministers.
- (jj) An Executive Member sitting on the Democratic Services Committee should have within his/her portfolio Member Development and Training
- (kk) To oversee the Council's Constitution.

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above within the Committee's terms of reference.

POWERS DELEGATED TO OFFICERS

| POWER  | DELEGATED TO  |
|--|---|
| All matters arising from the exercise of the Committee's terms of reference. | The Head of Democratic Services in consultation with the Chair or Vice Chair of the Committee |

# Article 9 – The Standards Committee

*References:*

*Sections 53-55 and Sections 81(5), Local Government Act 2000  
The Standards Committees (Wales) Regulations 2001 as amended (“the Regulations”)  
Local Government (Democracy) (Wales) Act 2013*

## 9.01 Standards Committee

- (a) The Council will establish a Standards Committee with the Terms of Reference and delegated powers to the Committee, and officers, as set out below:

Note: Two or more Councils may establish a Joint Standards Committee.

## 9.02 Composition

- (a) **Membership.** The Standards Committee will be composed of eight members. Its membership will include:

- i. Five ‘independent’ members, who are not either a councillor or an officer or the spouse of a councillor or an officer of this council or any other relevant authority as defined by the Act, appointed in accordance with the procedure set out in the Standards Committees (Wales) Regulations 2001 (the Council’s appointment criteria exclude someone who is an active member of a political party);
- ii. two councillors excluding any member of the Executive;
- iii. one member of a community council wholly or mainly in the Council’s area (a ‘community council member’).

- (b) **Term of office.**

- i. Independent members are appointed for a period of not less four years and may be re-appointed for one further consecutive term of up to four years only.
- ii. Members of the local authority who are members of the standards committee will have a term of office of no longer than the period until the next ordinary Local Government Elections following the Members appointment to the Committee. They may be reappointed for one further consecutive term.
- iii. A Member of the Standards Committee who is a Community Council Member will have a term of office of no longer than the period until the next ordinary elections for the Community Council following his or her appointment to the Standards Committee. They may be reappointed for one further consecutive term.

- (c) **Quorum.** A meeting of the standards committee shall only be quorate when:
- i. at least three members, including the chair, are present, and
  - ii. at least half the members present (including the chair) are independent members

(Note: See (f) below as to who can act as chair of the meeting)

- (d) **Voting.** Independent members and community council members will be entitled to vote at meetings;

- (e) **Community council members.** A community council member shall not take part in the proceedings of the standards committee when any matter relating to their community council is being considered;

- (f) **Chairing the Committee.**

- i. The Chair and Vice-Chair of the Standards Committee must be independent members
- ii. The Chair and Vice-Chair will be elected by the members of the Standards Committee for the duration of the period of that person's appointment as an independent member by the Council
- iii. For the purpose of deciding whether the committee is quorate, "the Chair" means the Chair of the Standards Committee or in the absence of that person the Vice-Chair and in the absence of both of those persons an independent member present at the meeting chosen by members of the committee present at the meeting to preside for that meeting.

### 9.03 Terms of Reference

1. To promote and maintain high standards of conduct by the members and co-opted members of the authority.
2. To assist members and co-opted members of the authority to observe the authority's code of conduct.
3. To advise the Council on the adoption or revision of a code of conduct.
4. To monitor the operation of the Council's adopted Code of Conduct throughout the Authority.
5. To train councillors and advise on conduct matters generally.
6. Where statutes so permit, to arrange dispensation to speak and/or vote where a councillor has an interest.

7. To receive and implement advice from the Public Services Ombudsman For Wales or Standards Board or recommendation from the Adjudication Panel or case tribunals.
  8. Where statute permits to receive reports and complaints in relation to councillors, to conduct or oversee appropriate investigations and to make appropriate recommendations to the Council.
  9. To receive and hear complaints referred to the Committee under the Council's Local Resolution Protocol set out in Part 5 of the Council's Constitution.
  10. To receive reports on the outcome of disciplinary matters.
  11. To oversee the whistleblowing régime.
  12. (a) To receive Public Services Ombudsman For Wales reports in relation to allegations of maladministration or allegations of breach of a code of conduct and make appropriate recommendations.  
  
(b) To consider referring a report from the Public Services Ombudsman for Wales to the appropriate Scrutiny Committee, where in the opinion of the Standards Committee there has been a serious failure in service delivery that would benefit from further consideration by the appropriate Scrutiny Committee. A report setting out the reason for referral will be presented to the relevant Scrutiny Committee along with the report from the Ombudsman. The Chair of Standards Committee (or a nominee) will be invited to attend the respective Scrutiny Committee when the report is presented.
  13. To exercise such powers or duties as may be given to or imposed on Standards Committees from time to time by legislation.
  14. To exercise in relation to community councils and their members within the County Borough area such of the foregoing matters as are covered by Section 56 of the Local Government Act 2000.
  15. To consider referrals by the Head of Democratic Services of member(s) who refuse to attend the mandatory training or do not have good reason for being unable to attend mandatory training as set out in the Member Training and Development Protocol set out in Part 5 of this Constitution.
- Note: Provision is made under the Regulations to enable the Standards Committee or a monitoring officer with the prior written agreement of the Chairperson of the Standards Committee to
- (a) refer a report of a misconduct investigation to another authority's Standards Committee for determination and/or
  - (b) To refer a dispensation application to another authority's Standards Committee for determination.

## POWERS DELEGATED TO THE COMMITTEE

Delegated powers in relation to any matter within the terms of reference of the committee except where this involves expenditure where there is no approved budget.

## POWERS DELEGATED TO OFFICERS

| POWER   | DELEGATED TO   |
|---|--|
| All matters arising from the exercise of any of the Committee's terms of reference. | The Monitoring Officer, Head of Legal Services, Chief Executive, or any Director or Head of Service after consultation with the Chair or Vice-Chair of the Committee |

The following procedure shall apply

- (a) that applications for dispensation from county borough or community or town council members must be unless this is impracticable be made in writing and must state:-
  - (i) the name of the member;
  - (ii) the nature of the interest;
  - (iii) the grounds for application.
- (b) the Monitoring Officer will report the application to the Standards Committee or where this is not possible with the Chair or the Vice-Chair of the committee and with one other independent member and will determine the application under delegated powers taking account of comments made in that consultation and the result notified in writing to the councillor involved;
- (c) that all applications and their results determined under delegated powers be reported to the Standards Committee for information.

The statutory grounds on which a Standards Committee can grant dispensation are as follows:-

- (i) No fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- (ii) No fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (iv) or (v) also applies;
- (iii) In the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

- (iv) The nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (v) The interest is common to the member and a significant proportion of the general public;
- (vi) The participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (vii) The business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (viii) The business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (ix) It appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed; or
- (x) It appears to the Committee to be otherwise appropriate to grant a dispensation.

Note: A dispensation granted by the Standards Committee on the grounds set out in paragraph (x) above and which remains in effect must be reviewed by the Standards Committee once in every 12 month period from the date on which the dispensation is first granted.

When considering a review the Standards Committee must determine whether the dispensation should continue to have effect.



# Article 10 - Area Forums & Community Partnerships

*Reference:*

*Local Government Act Part I*

## **10.01 Community strategy and community planning**

The Council is under a legal duty to co-ordinate the production of a community strategy to improve social, economic and environmental well-being in the county borough, via a community planning process. As well as involving all parts of the local authority the process must also engage partner agencies in the public, private and voluntary sectors and local communities. Agencies are being drawn together in a bi-annual meeting of the Caerphilly Standing Conference and a variety of partnership working groups. Communities are being engaged through area forums and local community partnerships.

## **10.02 Area forums**

As well as making the process community planning process more meaningful to local communities, area forums have been established to introduce a semi-strategic level between the Standing Conference and the local community partnerships. The area forums can therefore (i) set a framework within which local developments can be fostered in ways consistent with county borough-wide objectives whilst also (ii) providing a local 'sounding board' for the development of those county borough wide strategies.

The county borough has been divided into geographical areas, with an area forum for each as follows, meeting twice a year (or more frequently if required):

- Upper Rhymney Valley
- Mid Valleys West
- Mid Valleys East
- Caerphilly Basin
- Lower Islwyn

## **10.03 Membership of area forums**

In the initial period of the area forums, membership was restricted largely to agency representatives (police, health, council) and key individuals who can represent wider interests, including elected members (in their 'community leadership role') from the county borough and community councils and nominated individuals from within the voluntary sector and via the Caerphilly Business Forum and Trades Council. One Cabinet Member and one member of the Corporate Management Team have been assigned to each area. Now that community partnerships have become established, representatives from those partnerships are also attending.

#### **10.04 Terms of reference of area forums**

Council has agreed the following terms of reference for the area forums:

- To meet at least two to three times a year to provide a 'sounding board' and source of feedback for Standing Conference partners on issues affecting the area
- To receive and consider the local implications of draft plans in preparation by the partners. These plans will include individual and multi-agency plans, brought together into under a single Community Strategy over time. This will embrace strategic plans with local implications, associated extracts of capital expenditure plans and monitoring of implementation
- To put forward ideas and issues for consideration by the partners in relation to their plans
- To receive and consider reports on major development proposals for their area and on their progress
- To offer advice on community consultation arrangements and consider/comment on feedback from local consultation exercises
- To comment on and provide input into successive drafts of the Community Strategy
- To represent, by mutual agreement, the interests of other groups not on the forum but active in the area.

Now that more localised community partnerships have become established, an additional role is to provide a forum where their work can be assimilated and where good practice and other information can be exchanged.

#### **10.05 Community partnerships**

Beneath the area forums, local community partnerships have been established, again with representatives drawn from the public, private and voluntary and community sectors. These partnerships are encouraged to nominate representatives to attend the relevant area forum. Their purpose is to develop a local action plan for their area, consult with the wider public on its content, seek agency support and other external funding for implementation and monitor progress over time.

#### **10.06 Powers and budget**

Neither the area forums nor the community partnerships have decision-making powers in relation to the Council or any other partner agency. However, they can exert a powerful influence as a source of ideas, advice and feedback. The forums can take decisions about their own style of operation. Initially, to provide accountability, forum meetings have been chaired by Council Members. However, the forums and partnerships can influence not only on the chairing of meetings, but also matters such as the content, the venues, frequency and format of meetings.

The Council has allocated a small budget to the area forums/community partnerships and this is an option available to other partner agencies. The Council reserves the right to set the framework within which this money is spent by the forums/community partnerships. Over time, other partner agencies may choose to allocate funds to the area forums and the pooling of budgets will be encouraged.

#### **10.07 Review**

The community planning process is an evolving one and all of the above details (including the numbers of area forums and community partnerships, their membership, frequency of meetings etc) will be reviewed periodically to ensure that they deliver required outcomes. The success of the forums in terms of outcomes will also be reviewed.

# Article 11 - Joint Arrangements

## References:

*Sections 2, 19, 20 Local Government Act 2000*

*The Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2001 (No. 2287)*

*The Local Authorities (Executive Arrangements) (Discharge of Functions) (Amendment) (Wales) Regulations 2002 (No. 2941)*

*The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001*

*Chapter 4, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

## 11.01 Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not executive functions – in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The executive may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) The executive may appoint executive or non-executive members to a joint committee and those members need not reflect the political composition of the local authority as a whole.
- (d) The executive may appoint members to a joint committee from outside the executive where the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the executive may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area. The political balance requirements do not apply to such appointments.
- (e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

## 11.02 Access to information

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the executive.

- (c) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### **11.03 Delegation to and from other local authorities**

- (a) The Council may delegate functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept a delegation from another local authority shall be reserved to the Council meeting.

### **11.04 Contracting out**

The Council may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

## Article 12 - Officers

Contracts for all officers will be with the authority rather than, in executive constitutions, the executive. All officers will be subject to the same code of conduct as part of their conditions of service.

The use of the word "officers" means all employees and staff engaged by the council to carry out its functions. This word has also been used instead of "employees" to cover those engaged under short term, agency or other non employed situations.

*References:*

*Chapter 2 and 4, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

### 12.01

- (a) **General.** The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. There are statutory obligations (e.g. Health & Safety) which apply to all of the Authority's officers.

| Post   | Functions and areas of responsibility   |
|--|---|
| Chief Executive (and Head of Paid Service) Including Director of Environment responsibilities included below | <ul style="list-style-type: none"> <li>• Overall corporate management and operational responsibility (including overall management responsibility for all officers);</li> <li>• The provision of professional and impartial advice to all parties in the decision making process the executive, overview and scrutiny committees, the full council and other committees;</li> <li>• Together with the monitoring officer, responsibility for a system of record keeping for all the authority's decisions (executive or otherwise);</li> <li>• Representing the authority on partnership and external bodies (as required by statute or the council); and</li> <li>• Service to the whole council, on a politically neutral basis.</li> </ul> |
| Deputy Chief Executive & Director of Corporate Services  | To support the Chief Executive and manage agreed directorate services including Audit, Corporate Finance, I.T., Legal, Personnel, Property Services, Corporate Asset Management, Performance, oversight of Policy & Central Services function, Monitoring Officer and Procurement functions, Public and Private Housing. To deputise for the Chief Executive in his absence in respect of all directorate   |

| Post  | Functions and areas of responsibility   |
|---|---|
|   | services/activities.  |
| Director of the Environment                         | <ul style="list-style-type: none"> <li>• Highways, Transportation Engineering, Planning (management and strategic) Catering &amp; Cleaning</li> <li>• Registrars Births Deaths &amp; Marriages &amp; Civil Partnerships</li> <li>• Emergency Planning</li> <li>• Burials Cemeteries &amp; Bereavement Services</li> <li>• Environmental &amp; Community Health &amp; Trading Standards</li> <li>• Licensing</li> <li>• Community Safety</li> <li>• Oversight of Economic Development</li> <li>• Leisure &amp; Community Facilities</li> </ul> |
| Corporate Director of Education & Lifelong Learning | <ul style="list-style-type: none"> <li>• Education, community education, and libraries, Youth Service &amp; Community Centres</li> </ul>  |
| Corporate Director of Social Services               | <ul style="list-style-type: none"> <li>• Social and welfare services for children and adults.</li> </ul>  |

- (b) **Head of paid service, monitoring officer and chief financial officer (S151 Officer).** The Council will designate the following posts as shown:

| Post                        | Designation               |
|-----------------------------|---------------------------|
| Chief Executive             | Head of Paid Service      |
| Monitoring Officer          | Monitoring Officer        |
| Head of Corporate Finance   | S151 Officer              |
| Head of Democratic Services | Deputy Monitoring Officer |

Such posts will have the functions described in Article 12.02–12.04 below.

- (c) **Structure.** The head of paid service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

## 12.02 Functions of the head of paid service

*References:*

*Sections 4 and 5, Local Government and Housing Act 1989*

- (a) **Discharge of functions by the Council.** The head of paid service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

- (b) **Restrictions on functions.** The head of paid service may not be the monitoring officer but may hold the post of chief finance officer if a qualified accountant.

### 12.03 Functions of the monitoring officer

#### *References:*

*Section 5, Local Government and Housing Act 1989*

*Sections 68 – 73; 78 - 80, Local Government Act 2000*

*Chapter 2, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001*

- (a) **Maintaining the Constitution.** The monitoring officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the head of paid service and chief finance officer, the monitoring officer will report to the full Council [or to the executive in relation to an executive function] if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Supporting the Standards Committee.** The monitoring officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) **Receiving reports.** The monitoring officer will receive and act on reports made by the Ombudsman and decisions of the case tribunals.
- (e) **Conducting investigations.** The monitoring officer will conduct investigations into matters referred by the Ombudsman and make reports or recommendations in respect of them to the Standards Committee.
- (f) **Proper officer for access to information.** The monitoring officer will ensure that executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether decisions of the executive are within the budget and policy framework.** The monitoring officer will advise whether decisions of the executive are in accordance with the budget and policy framework.
- (h) **Providing advice.** The monitoring officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.



- (i) **Restrictions on posts.** The monitoring officer cannot be the chief finance officer or the head of paid service.

#### **12.04 Functions of the chief finance officer (S151 Officer)**

*Reference:*

*S.151 Local Government Act 1972.*

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the head of paid service and the monitoring officer, the chief finance officer will report to the full Council or to the executive in relation to an executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The chief finance officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The chief finance officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice.** The chief finance officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and officers in their respective roles.
- (e) **Give financial information.** The chief finance officer will provide financial information to the media, members of the public and the community.

#### **12.05 Duty to provide sufficient resources to the monitoring officer and chief finance officer**

The Council will provide the monitoring officer and chief finance officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

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

- (a) To discharge the responsibilities contained in Section 9 of the Local Government (Wales) Measure 2011.
- (b) To review the adequacy of provision by the Authority of staff, accommodation and other resources to discharge democratic services functions.
- (c) To make reports and recommendations to the Authority in relation to such provision.

- (d) To carry out duties as required under the Family Absence For Members of Local Authorities (Wales) Regulations 2013.

The Head of Democratic Services must not be:

- (a) the Head of the Authority's Paid Service, the Monitoring Officer or the Chief Finance Officer.

### **12.07 Conduct**

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

### **12.08 Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

# Article 13 - Decision Making

New constitutions established under the Local Government Act 2000 change the basis of decision making in local authorities fundamentally. They require the Council to record and keep up to date details of who has responsibility for which decisions, and to make this available to the public. They also change the way in which information about forthcoming decisions are publicised and the ways in which decisions of the executive are recorded.

## 13.01 Responsibility for decision-making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.

## 13.02 Principles of decision-making

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights;
- (d) a presumption in favour of openness;
- (e) clarity of aims and desired outcomes; and
- (f) decisions are made in accordance with the policy framework, particularly with respect to Sustainable Development and Equal Opportunities.

## 13.03 Decisions reserved to full Council

Decisions relating to the functions listed in Article 4.02 will be made by the full Council and not delegated.

## 13.04 Decision making by the full Council

Subject to Article 13.07, the Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.

## 13.05 Decision making by the executive

Subject to Article 13.07, the executive will follow the Executive Procedures Rules set out in Part 4 of this Constitution when considering any matter.

### **13.06 Decision making by overview and scrutiny committees**

Overview and scrutiny committees will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

### **13.07 Decision making by Council bodies acting as tribunals**

Many of the licensing and enforcement functions of ordinary committees will entail them acting in a "quasi judicial" capacity.

The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Note: The principles set out above also apply where the powers are exercised by officers under their delegated powers.

### **13.08 Scrutiny of officer delegated power decisions**

Decisions taken under an officer's delegated powers in the following categories will be recorded in writing and notified to members by way of an Information Bulletin. These may be subject to scrutiny in accordance with Article 6.

- (a) Matters which are not within approved budgets or within the Council's approved policies;
- (b) Matters relating to the development of policy or budgets for the Authority;
- (c) Something which materially impacts upon the delivery of a service in respect of which a decision has been taken.
- (d) Matters which on consultation have produced responses which are contrary to the decision taken by the officer;
- (e) The sale, purchase or lease or other disposal of land or property which the Protocol for Disposal of Property requires a report.

Matters falling within categories (a) (b) and (c) will be referred automatically to the appropriate Scrutiny Committee.

Matters falling within categories (d) and (e) will be reported on the Information Bulletin and may be brought before a Scrutiny Committee in accordance with Article 6.

# Article 14 - Finance, Contracts And Legal Matters

## *References:*

*Sections 135, 151, 223 & 234, Local Government Act 1972  
Part VIII, Local Government Finance Act 1988*

### **14.01 Financial management**

The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in Part 4 of this Constitution.

### **14.02 Contracts**

Every contract made by the Council will comply with the Contracts Procedure Rules set out in Part 4 of this Constitution.

### **14.03 Legal proceedings**

The Head of Legal Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Legal Services considers that such action is necessary to protect the Council's interests.

### **14.04 Authentication of documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Head of Legal Services or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

### **14.05 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Head of Legal Services. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Head of Legal Services should be sealed. The affixing of the Common Seal will be attested by the Head of Legal Services or the Chief Executive or some other person authorised by the Council.

# Article 15 - Review And Revision Of The Constitution

## *References:*

*Sections 30 and 37, Local Government Act 2000*

Chapter 7 and 8, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001

### **15.01 Duty to monitor and review the constitution**

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

### **15.02 Protocol for monitoring and review of constitution by monitoring officer**

A key role for the monitoring officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the monitoring officer may:

- (a) observe meetings of different parts of the member and officer structure;
- (b) undertake an audit trail of a sample of decisions;
- (c) record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
- (d) compare practices in this authority with those in other comparable authorities, or national examples of good practice.

### **15.03 Change where there is a Cabinet form of Executive.**

Changes to the constitution will only be approved by the full Council after consideration of the proposal by the Monitoring Officer.

### **15.04 Change within a mayoral form of executive.**

Unless the change relates only to the operation of overview and scrutiny committees, any resolution of the full Council to approve a change will have no effect without the written consent of the mayor.

**15.05 Change from a mayoral form of executive to another form of executive or to alternative arrangements, or from alternative arrangements to a mayoral form of executive.**

The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and must hold a binding referendum. The change will not take effect until the end of the mayor's term of office.

**15.06 Change from a leader and cabinet form of executive to alternative arrangements, or vice versa.**

The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.

Note that: Significant changes will require the consent of the National Assembly (in accordance with Regulations and guidance in force from time to time).

# Article 16 – Suspension, Interpretation and Publication of the Constitution

## 16.01 Suspension of the Constitution

This Article ensures that the articles of the Constitution may not be suspended. This provides certainty and stability to the fundamental aspects of the Council's governance. However, it does provide for rules of procedure to be suspended provided this is to achieve an effect consistent with the purposes of the Constitution set out in Article 1. This might apply, for example, to rules of debate in Council where particular circumstances arise.

(a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules of Procedure may be suspended by the full Council to the extent permitted within those Rules and the law.

(b) **Procedure to suspend.** This is set out in the Council's Procedure rules in Part 4.

## 16.02 Interpretation

The ruling of the Chairman of the council as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

## 16.03 Publication

- (a) The Chief Executive will give a printed copy of this Constitution to each member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council.
- (b) The Chief Executive will ensure that copies are available for inspection at council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.
- (c) The Monitoring Officer will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.



# Schedule 1: Description of Executive Arrangements

The following parts of this Constitution constitute the executive arrangements:

1. Article 6 of Part 2 (Overview and Scrutiny committees) and the Overview and Scrutiny Procedure Rules;
2. Article 7 of Part 2 (The Executive) and the Executive Procedure Rules;
3. Article 13 of Part 2 (Decision making) and the Access to Information Procedure Rules;
4. Part 3 (Responsibility for Functions).

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## COUNCIL – 17TH APRIL 2018

**SUBJECT: CONTRACT ARRANGEMENTS OF THE INTERIM CHIEF EXECUTIVE**

**REPORT BY: CORPORATE DIRECTOR – SOCIAL SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 The Council is required by law to have in place a Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive.
- 1.2 On 5 December 2017, Council appointed Christina Harry to the post of Interim Chief Executive for a period of 6 months ending 30 June 2018. This report seeks a decision from Council to further extend this interim contract arrangement.
- 1.3 Members will be aware that as a consequence of this interim appointment, there is now also an interim arrangement in place for the post of Corporate Director, Communities. This report also requests that Council delegates the decision to extend the interim contract arrangements for the Corporate Director, Communities to the Interim Chief Executive in consultation with the Leader and the two Deputy Leaders.

### **2. SUMMARY**

- 2.1 Interim arrangements have been in place for the positions of Chief Executive and Corporate Director, Communities as outlined in section 1 of this report, which now need to be reviewed by Council and a decision made with regards to their continuation.

### **3. LINKS TO STRATEGY**

- 3.1 The recommendations set out in this report contribute to the following Well-being goals within the Well-being of Future Generations Act (Wales) 2015:
  - A more equal Wales
- 3.2 To achieve the Council's strategic aims, provide services as planned and to fulfil its statutory duties, including the duty to make arrangements to secure continuous improvement.

### **4. THE REPORT**

- 4.1 Members will be aware of the interim arrangements that have been in place within the Authority since the suspension of the substantive Chief Executive in March 2013.
- 4.2 As stated, the Council is required by law to have in place a Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive, who also undertakes the required statutory roles of Proper Officer for the registration of births, marriages and deaths and the Returning Officer.

- 4.3 Following the decision of the former Interim Chief Executive to not extend his interim contract beyond the end of December 2017, expressions of interest were invited from the three Corporate Directors on the Council's Corporate Management Team. Christina Harrhy indicated her willingness to undertake the post of Interim Chief Executive and at its meeting on 5 December 2017 Council confirmed Mrs Harrhy's interim appointment to this post for a period of six months effective from January 2018.
- 4.4 This interim contract is therefore due to end on 30 June 2018.
- 4.5 Members will be aware that allegations in relation to the Chief Executive have been referred to a Designated Independent Person (DIP) to undertake a comprehensive investigation in accordance with the Disciplinary Proceedings for Statutory Officers. The DIP has indicated that it is likely to take until the end of the calendar year to conclude the investigation.
- 4.6 Consequently, it is necessary to consider the contract of the current Interim Chief Executive and whether or not this should be extended beyond 30 June 2018.
- 4.7 Currently, the Authority is engaged in a number of significant projects, including City Deal, Twenty First Century Schools, management of the Medium-Term Financial Plan (MTFP) and the collaboration agenda. In order to provide ongoing continuity for the organisation, it is proposed to extend the Interim Chief Executive's contract until 30 June 2019, at which time it would be reviewed again.
- 4.8 This timeframe takes account of the estimated period for the investigation as outlined in 4.5 and allows the Council to progress the recommendation of the DIP, whilst maintaining stability for the organisation. Should circumstances change, this interim contract can be reviewed quickly.
- 4.9 If Council agrees to the extension of the fixed-term contract, the Interim Chief Executive will be employed on the agreed salary and terms and conditions as published in the Council's Pay Policy Statement.
- 4.10 For completeness, Members are advised that the Interim Chief Executive has indicated her agreement to an extension of the interim contract until 30 June 2019, subject to Council approval.
- 4.11 Members are asked to note that Welsh Government have been notified that Council are being asked to consider an extension to this interim appointment.
- 4.12 Members will be aware that as a consequence of Mrs Harrhy's appointment to the post of Interim Chief Executive, an interim appointment has been made to her substantive post i.e. Corporate Director, Communities.
- 4.13 Due to the circumstances outlined within this report which is requesting Council's agreement to consider an extension to the contract of employment for the Interim Chief Executive, Members are also asked to delegate authority to the Interim Chief Executive to extend this Interim Corporate Director appointment in consultation with the Leader and the two Deputy Leaders.
- 4.14 Should circumstances change, this interim contract can be reviewed quickly.
- 5. WELL-BEING OF FUTURE GENERATIONS**
- 5.1 Having considered the five ways of working, they will not be affected by the contents of this report.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 No equality impact assessment has been undertaken on this report as it essentially covers an extension to arrangements already agreed.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are revenue budgets established for the posts of Chief Executive and Corporate Director, Communities and the postholders currently fulfilling these duties on an interim basis are funded from these revenue budgets.
- 7.2 Additional costs associated with the Senior Officer investigation have been funded from a provision established using General Fund reserves as approved by Council. A separate report is included on this evening's agenda regarding the need to establish a further financial provision.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 The personnel implications are included in this report.

## **9. CONSULTATIONS**

- 9.1 All consultation responses have been incorporated in the report.

## **10. RECOMMENDATIONS**

- 10.1 Council is asked to agree to extend the contract of the current Interim Chief Executive until 30 June 2019.
- 10.2 Council is asked to delegate the decision to extend the interim contract arrangements for the Corporate Director, Communities to the Interim Chief Executive in consultation with the Leader and the two Deputy Leaders.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To ensure the Council complies with its statutory requirements to have in place a Head of Paid Service.
- 11.2 To ensure the Council has effective leadership to provide ongoing continuity for the organisation to deliver services to the residents of the County Borough.

## **12. STATUTORY POWER**

- 12.1 Local Government Acts 1972 and 2000.  
Local Government and Housing Act 1989.  
Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014.  
Local Government (Wales) Bill 2015.

Author: Lynne Donovan, Acting Head of Human Resources and Organisational Development

Consultees: Cllr David Poole, Leader of the Council  
Cllr Barbara Jones, Deputy Leader  
Cllr Sean Morgan, Deputy Leader  
Cllr Colin Gordon, Cabinet Member for Corporate Services  
David Street, Corporate Director, Social Services  
Stephen Harris, Interim Head of Corporate Finance and Acting S151 Officer  
David Marr, Legal Advisor

Background papers: Council report 22 July 2014 'Recruitment of Interim Chief Executive'  
Council report 9 June 2015 'Contract arrangements of Interim Chief Executive'  
Council report 19 April 2016 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'  
Council report 31 July 2017 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'  
Council report 31 October 2017 'Potential Settlement Agreements'  
Council report 21 November 2017 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'  
Council report 5 December 2017 'Designation of Interim Head of paid Service'  
Council report 17 April 2018 'Internal investigation of Senior Officer – additional financial provision'



## COUNCIL – 17TH APRIL 2018

**SUBJECT: INTERNAL INVESTIGATION OF SENIOR OFFICER – ADDITIONAL FINANCIAL PROVISION**

**REPORT BY: INTERIM HEAD OF CORPORATE FINANCE & ACTING SECTION 151 OFFICER**

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### 1. PURPOSE OF REPORT

1.1 To seek Council approval of additional financial provisions in relation to the ongoing internal investigation of a Senior Officer.

### 2. SUMMARY

2.1 The report sets out the need for further financial provisions to ensure that sufficient funding is set aside to meet costs associated with the ongoing internal investigation of a Senior Officer.

### 3. LINKS TO STRATEGY

3.1 As a part of prudent financial management the Council is required to set aside funding to meet its liabilities.

### 4. THE REPORT

4.1 Members will be aware of the interim arrangements previously in place within the Authority arising from the internal investigation of three Senior Officers.

4.2 At a Special Council meeting held on the 31<sup>st</sup> October 2017, settlement agreements were approved in respect of two of the Senior Officers and these settlements drew matters to a close for those two individuals. However, Council was informed that it would be necessary to engage a Designated Independent Person (DIP) in respect of the allegations that require formal investigation in respect of the remaining Senior Officer.

4.3 Council was presented with a further report on the 21<sup>st</sup> November 2017 setting out the need to establish a further financial provision to meet the costs of the ongoing investigation in respect of the remaining Senior Officer. Based on financial estimates included in the report presented to Council on the 31<sup>st</sup> October 2017, it was anticipated that the costs of undertaking the formal investigation would be as follows:-

|                                     | £000s      |
|-------------------------------------|------------|
| Designated Independent Person (DIP) | 60         |
| Legal Costs                         | 187        |
| <b>Total: -</b>                     | <b>247</b> |

- 4.4 In addition to the above it was also necessary to establish a financial provision to meet the ongoing salary costs of the remaining Senior Officer during the formal investigation process. The report presented to Council on the 21<sup>st</sup> November 2017 recommended that this provision should cover the six month period from the 1<sup>st</sup> January 2018 to the 30<sup>th</sup> June 2018, totalling £93k. The salary costs of the Senior Officer for November and December 2017 were already covered by previously approved provisions.
- 4.5 These additional estimated costs totalling £340k were partially offset by a balance of £190k that remained from provisions previously approved by Council, resulting in a further provision of £150k being approved.
- 4.6 A Designated Independent Person (DIP) has now been engaged to undertake the formal investigation and the DIP has indicated that it is likely to take until the end of the calendar year to conclude the process. As a result, it will now be necessary to establish a further financial provision of £94k to meet the salary costs of the Senior Officer for the six month period from the 1<sup>st</sup> July 2018 to the 31<sup>st</sup> December 2018.
- 4.7 It is currently anticipated that the previously approved provision of £60k for the DIP will be sufficient. However, based on actual expenditure in recent months and the balance remaining on previously approved provisions it is anticipated that a further provision of £99k will be required in respect of legal costs.

## 5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 Having considered the five ways of working they will not be affected by the contents of this report.

## 6. EQUALITIES IMPLICATIONS

- 6.1 No equality impact assessment has been undertaken on this report as it essentially seeks approval for an extension of financial arrangements previously agreed.

## 7. FINANCIAL IMPLICATIONS

- 7.1 It is proposed that an additional financial provision of £193k should be established as follows:-

|   | <b>£000s</b> |
|---|--------------|
| Senior Officer Salary (1 <sup>st</sup> July 2018 to 31 <sup>st</sup> December 2018) | 94           |
| Legal Costs   | 99           |
| <b>Additional Provision Required: -</b>   | <b>193</b>   |

- 7.2 Previous provisions in respect of the internal investigation have been funded through the General Fund Reserve. However, Members will recall that the 2018/19 Budget Proposals approved by Council on the 22<sup>nd</sup> February 2018 included details of a projected General Fund balance of £10m as at the 31<sup>st</sup> March 2018. This is the minimum balance recommended by the Section 151 Officer so on this occasion it is recommended that the additional provision of £193k should be funded from the following reserves: -

- Corporate Services Retained Underspend Reserve - £94k (for salary costs).
- Counsel Fees Reserve - £99k (for legal costs).

- 7.3 The financial provision for the salary of the Senior Officer will need to be reviewed again in December 2018 if the investigation process has not been concluded at that time. Furthermore, if the costs of the DIP and/or legal costs are higher than currently anticipated then an earlier report to Council will be required. If matters are concluded at an earlier date than is currently anticipated, then any remaining financial provisions will be returned to the General Fund Reserve.



## **8. PERSONNEL IMPLICATIONS**

8.1 The personnel implications are included in the report.

## **9. CONSULTATIONS**

9.1 All consultation responses are included in the report.

## **10. RECOMMENDATIONS**

10.1 It is recommended that Council approves the establishment of a further financial provision of £193k to be funded from the Corporate Services Retained Underspend Reserve (£94k) and the Counsel Fees Reserve (£99k).

## **11. REASONS FOR THE RECOMMENDATIONS**

11.1 To ensure that sufficient funding is set aside to meet the anticipated costs of the ongoing investigation process.

## **12. STATUTORY POWER**

12.1 Local Government Acts 1972 and 2000.  
Local Authorities (Standing Orders) (Wales) Regulations 2006.  
Local Government and Housing Act 1989.

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Consultees: Christina Harray, Interim Chief Executive  
Dave Street, Corporate Director, Social Services  
Lynne Donovan, Acting Head of Human Resources and Organisational Development  
Cllr David Poole, Leader of the Council  
Cllr Barbara Jones, Deputy Leader and Cabinet Member for Finance, Performance and Governance  
David Marr, Legal Advisor

Background Papers: -

Cabinet 23/07/13 – Provisional Outturn for 2012/13.

Council 26/02/14 – Budget Proposals 2014/15 and Medium-Term Financial Strategy 2014/2017.

Cabinet 02/04/14 – Interim Arrangements – Head of Legal Services.

Council 25/02/15 – Budget Proposals 2015/16 and Medium-Term Financial Strategy 2015/2018.

Council 09/06/15 – Contract Arrangements of Interim Chief Executive.

Council 19/07/16 – Internal Investigation of Senior Officers – Additional Financial Provision.

Council 22/11/16 – Internal Investigation of Senior Officers – Additional Financial Provision for Legal Costs.

Council 07/03/17 – Internal Investigation of Senior Officers – Additional Financial Provision.

Council 13/06/17 – Internal Investigation of Senior Officers – Additional Financial Provision.

Council 31/10/17 – Potential Settlement Agreement.

Council 21/11/17 – Internal Investigation of Senior Officer – Additional Financial Provision.

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## COUNCIL – 17TH APRIL 2018

**SUBJECT: QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(2)**

**REPORT BY: INTERIM MONITORING OFFICER**

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### 1. LEISURE STRATEGY REVIEW

To the Cabinet Member for Neighbourhood Services Councillor Nigel George from Councillor Kevin Etheridge.

To ask the Cabinet Member for Neighbourhood Services after reading the Cabinet Forward Work Programme for the 11<sup>th</sup> July 2018 meeting which lists the future of Pontllanfraith Leisure Centre in the context of the Leisure Review would he please define what criteria, scoring mechanisms, consultation methods will be used when evaluating each premises in regard the forthcoming Leisure Review and to confirm each location will have equal status.

Also can he please confirm the estimated timescale in this regard and when the matter will be brought before Full Council for a discussion in the interests of openness and transparency.

### 2. GREEN LIGHT FOR PROJECTS ACROSS CAERPHILLY COUNTY BOROUGH – PRESS RELEASE, FRIDAY 30TH MARCH 2018

To the Cabinet Member for Homes and Places Councillor Lisa Phipps from Councillor Graham Simmonds.

1. Given the above press release, which claims projects throughout Caerphilly CBC have been given the green light. Will the cabinet member please make clear what action has been taken to explain to the press Caerphilly CBC is not just the Rhymney Valley, but also includes the old Islwyn Constituency council area?
2. Will the Cabinet Member please make clear the projects itemised in the Islwyn Area identified under the WHQS environmental improvement programme?
3. Will the projects identified to benefit from the ten million pounds be distributed evenly on a percentage of population basis?
4. Given the absolute fact that “The environmental standard is a key element of the WHQS and the council is committed to helping create communities’ tenants feel proud of and want to live in. Engaging communities and partner agencies is vital in ensuring projects are sustainable and meet the needs of local people”. Can the residents of Islwyn be assured projects committed to Islwyn will be in accord with the WQHS environmental improvement programme, to the benefit of the communities of Islwyn?

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