

# Pecyn Dogfennau Cyhoeddus



The following reports are Information Items for the Policy and Resources Scrutiny Committee.

- 1. Corporate Services and Miscellaneous Finance Revenue Budgets 2018-19.**
- 2. Corporate Services and Miscellaneous Finance Revenue Grants 2018-19.**
- 3. Information Governance Update 2017-2018.**
- 4. Write-Off of Debts - 01 April 2017-31 March 2018.**



## **POLICY AND RESOURCES SCRUTINY COMMITTEE – FOR INFORMATION**

**SUBJECT: CORPORATE SERVICES AND MISCELLANEOUS FINANCE REVENUE  
BUDGETS 2018-19**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION & CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

1.1 To provide Members with details of the 2018/19 revenue budgets for Corporate Services and Miscellaneous Finance.

### **2. SUMMARY**

2.1 The report provides details of the 2018/19 revenue budgets for Corporate Services and Miscellaneous Finance and briefly outlines the next steps to progress the budget strategy moving forward.

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

3.1 The contents of this report reflect the budget strategy agreed by Council at its meeting on the 22nd February 2017.

3.2 Effective financial planning and financial control contribute to the following Well-being Goals within 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. THE REPORT**

#### **4.1 2018/19 Revenue Budget**

4.1.1 The Welsh Government's Revenue Support Grant (RSG) for Caerphilly CBC for the 2018/19 financial year is a net cash increase of 1.8% i.e. a cash increase of £1.973m. However after adjusting for the transfer in of specific grants and new responsibilities this equated to a net cash reduction of £2.965m (1%) compared to 2017-18 financial year.

4.1.2 Members will recall that as a consequence of the financial settlement a revised package of savings totalling £6.736m was agreed to enable the Council to deliver a balanced budget for the 2018/19 financial year. Savings for Corporate Services and Miscellaneous Finance amount to £1.957m.

4.1.3 The approved 2018/19 budgets for Corporate Services and Miscellaneous Finance total £68.394m and full details are provided in Appendix 1.

## 4.2 Corporate Services

4.2.1 The 2018/19 budget for Corporate Services is £22.693m, which is net of agreed savings totalling £1.150m.

4.2.2 In line with the budget strategy agreed at Council on the 22nd February 2018 the Corporate Services base budget has been uplifted for inflation. An allowance of 2.2% has been made for pay (£450k), a 0.28% allowance for Superannuation costs (£46k), living Wage (£15K) and 2% for non-pay (£187k).

4.2.3 The main budget increases due to new responsibilities/budget-virements are:-

- Corporate Premises - £291k
- Homelessness Prevention - £282k

4.2.4 The budget also includes the agreed use of reserves to fund staff in the following areas:-

- Legal Services
- Human Resources
- Trade Union

## 4.3 Miscellaneous Finance

4.3.1 The 2018/19 budget for Miscellaneous Finance is £45.701m, which is net of agreed savings totalling £0.807m.

4.3.2 The main budget increases, in line with the budget strategy agreed at Council on the 22nd February 2018 are:-

- £150k for non-pay budgets headings (2%)
- £178k for City Deal.

4.3.3 The budget for the Council Tax Reduction Scheme has been reduced by £771.87k.

4.3.4 This also takes into account a transfer of £547k from Capital Financing to the delegated schools budget to fund the Teachers pay award.

## 4.4 Budget Strategy for 2019/2020 to 2021/2022

4.4.1 At its meeting on the 22<sup>nd</sup> February 2018 Council was presented with an updated Medium Term Financial Plan (MTFP) which showed an indicative savings requirement of £40.822m for the 5 year period 2018/19 to 2022/23.

4.4.2 Further detailed work is currently being carried out to identify a range of savings proposals to meet the significant financial challenges that lie ahead.

## 5. WELL-BEING OF FUTURE GENERATIONS

5.1 Effective financial management including the effective utilisation of external grant funding is a key element in ensuring that the Well-being Goals within the Well-Being and Future Generations (Wales) Act 2015 are met.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 This report is for information purposes so the Council's Equalities Impact Assessment (EqIA) process does not need to be applied.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 As identified throughout the report.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 The personnel implications of agreed savings will be carefully managed and where possible staff will be fully supported to identify appropriate redeployment opportunities.

## **9. CONSULTATIONS**

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

## **10. RECOMMENDATIONS**

- 10.1 That Scrutiny Committee notes the content of this report.

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

- 11.1 To ensure that the Scrutiny Committee is provided with full details of the 2017/18 revenue budgets for Corporate Services and Miscellaneous Finance.

## **12. STATUTORY POWER**

- 12.1 Local Government Acts 1972 and 2000.

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Consultees: Corporate Services Senior Management Team.

N. Scammell – Head of Corporate Finance & S151 Officer.

S. Harris – Deputy S151 Officer.

Southcombe – Finance Manager Corporate Services.

M. Eedy – Finance Manager.

Lesley Allen, Principal Accountant, Housing.

Shaun Couzens, Chief Housing Officer.

Rob Hartshorn, Head of Public Protection

Cllr B. Jones, Deputy Leader/Cabinet Member for Finance, Performance & Governance.

Cllr C. Gordon, Cabinet Member for Corporate Services.

Cllr L. Phipps, Cabinet Member for Homes & Places.

Background Papers:

- Report to Council 22/2/18 – Budget Proposals 2018/19 and Medium Term Financial Strategy 2018/2022
- Budget working papers – Accountancy Section

Appendices:

Appendix 1 2018/19 Revenue Budgets (Corporate Services and Miscellaneous Finance)

<i>CORPORATE SERVICES DIRECTORATE &amp; OTHER</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
<b>SUMMARY</b>			
<b>CHIEF EXECUTIVE AND SECRETARIAT</b>	249,967	249,967	255,465
<b>DEPUTY CHIEF EXECUTIVE/DIRECTOR CORPORATE SERVICES &amp; EDUCATION</b>	200,161	200,161	204,620
<b>CORPORATE FINANCE</b>			
Financial services & Internal Audit	2,069,794	2,103,458	2,124,090
	<b>2,069,794</b>	<b>2,103,458</b>	<b>2,124,090</b>
<b>PROCUREMENT &amp; CUSTOMER SERVICES</b>			
Procurement	438,467	390,108	314,726
Customer First	1,182,248	1,230,607	1,187,491
	<b>1,620,715</b>	<b>1,620,715</b>	<b>1,502,217</b>
<b>LEGAL &amp; GOVERNANCE SUPPORT</b>			
Legal & Democratic Services	1,032,569	1,032,569	1,090,282
Members Allowances	1,648,122	1,648,122	1,681,273
Electoral Services	315,411	315,411	323,524
	<b>2,996,102</b>	<b>2,996,102</b>	<b>3,095,079</b>
<b>INFORMATION AND TECHNOLOGY</b>			
IT Services	4,316,066	4,316,066	4,085,463
Central Services	386,915	386,915	403,398
	<b>4,702,981</b>	<b>4,702,981</b>	<b>4,488,861</b>
<b>CORPORATE PROPERTY SERVICES</b>			
Management	0	0	312,809
Energy		137,453	135,870
Estates	519,199	372,203	57,357
Non Operational Properties	0	127,500	130,051
Facilities	2,380,113	2,355,992	2,746,018
Maintenance	2,190,006	2,190,006	2,176,038
Building Consultancy	(57,146)	(57,146)	(201,931)
	<b>5,032,172</b>	<b>5,126,008</b>	<b>5,356,212</b>
<b>HUMAN RESOURCES, COMMUNICATIONS &amp; HEALTH &amp; SAFETY</b>			
Human Resources	1,563,174	1,563,174	1,505,946
Trade Union Facilities	26,122	26,122	88,151
Communications Unit	286,527	286,527	308,953
Health & Safety	943,894	943,894	902,518
	<b>2,819,717</b>	<b>2,819,717</b>	<b>2,805,568</b>
<b>TOTAL CORPORATE SERVICES</b>	<b>19,691,609</b>	<b>19,819,109</b>	<b>19,832,112</b>
<b>CORPORATE POLICY</b>			
Policy	671,173	671,173	648,395
Equalities	382,832	382,832	384,562
Performance Management Unit	207,917	207,917	223,534
Community Safety	127,926	127,926	82,093
	<b>1,389,848</b>	<b>1,389,848</b>	<b>1,338,584</b>
<b>HOUSING SERVICES</b>			
General Fund Housing	990,666	990,666	1,317,617
Private Housing	363,362	363,362	326,020
	<b>1,354,028</b>	<b>1,354,028</b>	<b>1,643,637</b>
<b>TOTAL NON-CORPORATE SERVICES</b>	<b>2,743,876</b>	<b>2,743,876</b>	<b>2,982,221</b>
<b>RESERVES</b>			
Social Services	0	0	(29,514)
Corporate Services	0	0	(91,492)
<b>TOTAL RESERVES</b>	<b>0</b>	<b>0</b>	<b>(121,006)</b>
<b>TOTAL SERVICES</b>	<b>22,435,485</b>	<b>22,562,985</b>	<b>22,693,327</b>

<i>MISCELLANEOUS FINANCE</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
<b>MISCELLANEOUS FINANCE</b>			
<b>Staff Related Costs</b>			
Pension Contribution - Former Authorities Ongoing	1,215,689	1,215,689	1,215,689
Recharge to Education - Former Authorities	(189,629)	(189,629)	(189,629)
	<b>1,026,060</b>	<b>1,026,060</b>	<b>1,026,060</b>
<b>Catering</b>			
Subsidy	56,313	56,313	0
	<b>56,313</b>	<b>56,313</b>	<b>0</b>
<b>Statutory Benefit Schemes</b>			
Council Tax Benefits	14,560,178	14,560,178	13,788,308
DHP Rent allowances		61,053	56,808
DHP Rent Rebates		549,472	511,276
DHP Income		(610,525)	(568,084)
General Rent Allowances	28,118,381	28,118,381	28,543,432
Rent Rebates	29,009,587	29,009,587	27,456,591
Rent Allowance War Widow Concessions	35,000	35,000	35,000
Housing Benefit Subsidy	(57,127,968)	(57,127,968)	(56,000,023)
	<b>14,595,178</b>	<b>14,595,178</b>	<b>13,823,308</b>
<b>Levies Upon the Council</b>			
Coroner	196,975	196,975	200,946
Archives	209,092	209,092	209,092
Fire Service Authority	8,378,145	8,378,145	8,475,706
	<b>8,784,212</b>	<b>8,784,212</b>	<b>8,885,744</b>
<b>Capital Financing</b>			
Debt Charges (Principal Repaid)	14,316,180	2,373,043	2,383,236
Debt Charges (Interest Payments)		8,708,589	8,977,172
Debt Charges (Debt Management Exp's)		44,519	42,285
Income from External Investments:		(400,000)	(600,000)
Rescheduling Discounts		(152,931)	(110,369)
Earmarked for specific funds/balances	259,960	812,891	846,498
CERA (Capital Expenditure funded from Revenue Account)	217,872	3,407,901	2,604,319
	<b>14,794,012</b>	<b>14,794,012</b>	<b>14,143,141</b>
<b>Corporate and Democratic Core Costs</b>			
Bank Charges	185,978	185,978	189,698
Income from HRA	(31,281)	(31,281)	(31,907)
Income from DLO/DSO	(13,353)	(13,353)	(13,620)
External Audit Fees	474,584	474,584	484,076
Income from HRA	(79,825)	(79,825)	(81,422)
Income from DLO/DSO	(34,074)	(34,074)	(34,755)
Subscriptions	110,736	110,736	110,736
	<b>612,765</b>	<b>612,765</b>	<b>622,806</b>

<i>MISCELLANEOUS FINANCE</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
<b>Grants to Voluntary sector</b>			
Assistance to Voluntary sector	175,817	175,817	179,333
	<b>175,817</b>	<b>175,817</b>	<b>179,333</b>
<b>Private Finance Initiative</b>			
PFI Schools	2,459,038	2,459,038	2,340,304
PFI SEW	4,043,023	4,043,023	3,960,234
	<b>6,502,061</b>	<b>6,502,061</b>	<b>6,300,538</b>
<b>Other</b>			
Budget Pressures	121,166	121,166	0
NNDR - Authority Empty Properties	130,608	130,608	130,608
Counsel Fees	330,720	330,720	330,720
Careline	35,900	35,900	35,900
Carbon Management Scheme	27,618	27,618	28,170
Carbon Energy Tax	221,856	221,856	229,884
IT Replacement Strategy	129,257	129,257	131,842
PV Panels Income	(40,600)	(40,600)	(40,600)
Risk Management Contribution	(456,511)	(456,511)	(456,511)
Class 1A NI	(60,000)	(60,000)	(60,000)
Welsh Language	52,115	52,115	53,157
City Deal	60,000	60,000	239,200
Matched Funding for Community Schemes	25,400	13,400	15,908
Targeted Rate Relief Scheme			77,000
Miscellaneous Items			4,631
	<b>577,529</b>	<b>565,529</b>	<b>719,909</b>
<b>TOTAL MISCELLANEOUS FINANCE</b>	<b>47,123,947</b>	<b>47,111,947</b>	<b>45,700,839</b>
<b>EXPENDITURE TO DIRECTORATE SUMMARY</b>	<b>69,559,432</b>	<b>69,674,932</b>	<b>68,394,166</b>



## **POLICY AND RESOURCES SCRUTINY COMMITTEE – FOR INFORMATION**

**SUBJECT: CORPORATE SERVICES AND MISCELLANEOUS FINANCE REVENUE  
GRANTS 2018-19**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION & CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

1.1 To provide information to Members relating to revenue grants for 2018/19 for Corporate Services and Miscellaneous Finance.

### **2. SUMMARY**

2.1 The report provides details of the 2018/19 revenue grant funding for Corporate Services and Miscellaneous Finance. The report excludes grant funded schemes where CCBC merely acts as banker for Partnership schemes. During the financial year further grants are often made available subject to new funding being identified and successful outcomes to bids.

2.2 The report is provided to ensure that Members are aware of grants and their intended purpose. Further details of individual grants can be made available to Members if requested.

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

3.1 The effective utilisation of grant funding will support the Authority in delivering its stated aims and objectives.

3.2 Effective financial planning and financial control contribute to the following Well-being Goals within 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.
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### **4. THE REPORT**

4.1 Appendix 1 provides a list of grants known at this point in time, along with a brief description of the use of the grant funding. Grant funding applies in the main to specific schemes and initiatives and is often time limited.



4.2 The current administration arrangements are such that each grant has an agreed set of terms and conditions. The grant funding body at year-end requests information to satisfy itself that the grant monies have been spent in accordance with its terms and conditions and for the majority of grants an external audit is required.

4.3 Where required, Auditors will assess expenditure against the terms and conditions of the grant. This assessment would normally comprise a random sample of spend, followed by an in-depth scrutiny of the sampled items. This could involve ensuring proper procurement processes have been adhered to and confirming spend complies with the conditions of the grant. Any issues identified will be investigated; this could lead to a need to review a larger sample of expenditure. The External Auditors produce a report annually summarising any issues that have come to light during their audit of the Authority's grants.

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

5.1 Effective financial management including the effective utilisation of external grant funding is a key element in ensuring that the Well-being Goals within the Well-Being and Future Generations (Wales) Act 2015 are met.

## **6. EQUALITIES IMPLICATIONS**

6.1 This report is for information purposes, so the Council's Equality Impact Assessment (EqLA) process does not need to be applied.

## **7. FINANCIAL IMPLICATIONS**

7.1 Grant funding levels can change leading to uncertainty of funding. The majority of grants are subject to external audit and the expenditure must comply with the grant terms and conditions. Failure to comply may result in a qualification of the grant by the External Auditors, which could result in the clawback of the grant funding.

## **8. PERSONNEL IMPLICATIONS**

8.1 Grant funded posts may be at risk if the funding is withdrawn. Wherever possible this risk is mitigated through fixed-term appointments to grant funded posts.

## **9. CONSULTATIONS**

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

## **10. RECOMMENDATIONS**

10.1 Members are requested to note the contents of the report.

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

11.1 To ensure that Members are aware of the revenue grants for Corporate Services and Miscellaneous Finance.

## 12. STATUTORY POWER

12.1 Local Government Act 1972 and 2003 and the Council's Financial Regulations.

Author: D. Roberts - Principal Group Accountant (Financial Advice and Support).

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Cllr C. Gordon, Cabinet Member for Corporate Services.

Cllr L. Phipps, Cabinet Member for Homes & Places.

Background Papers:

Grant Allocation Reports 2018/19

Appendices:

Appendix 1 Schedule of Corporate Services and Miscellaneous Finance Grants 2018-19

<i>CORPORATE SERVICES DIRECTORATE &amp; OTHER</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
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	<b>2,819,717</b>	<b>2,819,717</b>	<b>2,805,568</b>
<b>TOTAL CORPORATE SERVICES</b>	<b>19,691,609</b>	<b>19,819,109</b>	<b>19,832,112</b>
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	<b>1,354,028</b>	<b>1,354,028</b>	<b>1,643,637</b>
<b>TOTAL NON-CORPORATE SERVICES</b>	<b>2,743,876</b>	<b>2,743,876</b>	<b>2,982,221</b>
<b>RESERVES</b>			
Social Services	0	0	(29,514)
Corporate Services	0	0	(91,492)
<b>TOTAL RESERVES</b>	<b>0</b>	<b>0</b>	<b>(121,006)</b>
<b>TOTAL SERVICES</b>	<b>22,435,485</b>	<b>22,562,985</b>	<b>22,693,327</b>

<i>MISCELLANEOUS FINANCE</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
<b>MISCELLANEOUS FINANCE</b>			
<b>Staff Related Costs</b>			
Pension Contribution - Former Authorities Ongoing	1,215,689	1,215,689	1,215,689
Recharge to Education - Former Authorities	(189,629)	(189,629)	(189,629)
	<b>1,026,060</b>	<b>1,026,060</b>	<b>1,026,060</b>
<b>Catering</b>			
Subsidy	56,313	56,313	0
	<b>56,313</b>	<b>56,313</b>	<b>0</b>
<b>Statutory Benefit Schemes</b>			
Council Tax Benefits	14,560,178	14,560,178	13,788,308
DHP Rent allowances		61,053	56,808
DHP Rent Rebates		549,472	511,276
DHP Income		(610,525)	(568,084)
General Rent Allowances	28,118,381	28,118,381	28,543,432
Rent Rebates	29,009,587	29,009,587	27,456,591
Rent Allowance War Widow Concessions	35,000	35,000	35,000
Housing Benefit Subsidy	(57,127,968)	(57,127,968)	(56,000,023)
	<b>14,595,178</b>	<b>14,595,178</b>	<b>13,823,308</b>
<b>Levies Upon the Council</b>			
Coroner	196,975	196,975	200,946
Archives	209,092	209,092	209,092
Fire Service Authority	8,378,145	8,378,145	8,475,706
	<b>8,784,212</b>	<b>8,784,212</b>	<b>8,885,744</b>
<b>Capital Financing</b>			
Debt Charges (Principal Repaid)	14,316,180	2,373,043	2,383,236
Debt Charges (Interest Payments)		8,708,589	8,977,172
Debt Charges (Debt Management Exp's)		44,519	42,285
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Earmarked for specific funds/balances	259,960	812,891	846,498
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	<b>14,794,012</b>	<b>14,794,012</b>	<b>14,143,141</b>
<b>Corporate and Democratic Core Costs</b>			
Bank Charges	185,978	185,978	189,698
Income from HRA	(31,281)	(31,281)	(31,907)
Income from DLO/DSO	(13,353)	(13,353)	(13,620)
External Audit Fees	474,584	474,584	484,076
Income from HRA	(79,825)	(79,825)	(81,422)
Income from DLO/DSO	(34,074)	(34,074)	(34,755)
Subscriptions	110,736	110,736	110,736
	<b>612,765</b>	<b>612,765</b>	<b>622,806</b>

<i>MISCELLANEOUS FINANCE</i>	Estimate 2017/18	Revised Estimate 2017/2018	Estimate 2018/2019
<b>Grants to Voluntary sector</b>			
Assistance to Voluntary sector	175,817	175,817	179,333
	<b>175,817</b>	<b>175,817</b>	<b>179,333</b>
<b>Private Finance Initiative</b>			
PFI Schools	2,459,038	2,459,038	2,340,304
PFI SEW	4,043,023	4,043,023	3,960,234
	<b>6,502,061</b>	<b>6,502,061</b>	<b>6,300,538</b>
<b>Other</b>			
Budget Pressures	121,166	121,166	0
NNDR - Authority Empty Properties	130,608	130,608	130,608
Counsel Fees	330,720	330,720	330,720
Careline	35,900	35,900	35,900
Carbon Management Scheme	27,618	27,618	28,170
Carbon Energy Tax	221,856	221,856	229,884
IT Replacement Strategy	129,257	129,257	131,842
PV Panels Income	(40,600)	(40,600)	(40,600)
Risk Management Contribution	(456,511)	(456,511)	(456,511)
Class 1A NI	(60,000)	(60,000)	(60,000)
Welsh Language	52,115	52,115	53,157
City Deal	60,000	60,000	239,200
Matched Funding for Community Schemes	25,400	13,400	15,908
Targeted Rate Relief Scheme			77,000
Miscellaneous Items			4,631
	<b>577,529</b>	<b>565,529</b>	<b>719,909</b>
<b>TOTAL MISCELLANEOUS FINANCE</b>	<b>47,123,947</b>	<b>47,111,947</b>	<b>45,700,839</b>
<b>EXPENDITURE TO DIRECTORATE SUMMARY</b>	<b>69,559,432</b>	<b>69,674,932</b>	<b>68,394,166</b>



## **POLICY AND RESOURCES SCRUTINY COMMITTEE – FOR INFORMATION**

**SUBJECT: INFORMATION GOVERNANCE UPDATE 2017-2018**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION & CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To assure Members that governance of information across the Council is effective, particularly in light of data protection reform during May 2018.
- 1.2 To inform Members about requests for information received under the Freedom of Information Act 2000 (FOI) and associated legislation during 2017 calendar year.

### **2. SUMMARY**

- 2.1 As services become leaner and the Council engages more in multi-agency collaborations, there are opportunities to make better use of the Council's information assets to improve services.
- 2.2 The Council's Information Governance Work Programme aims to maximise knowledge and use of the Council's information assets, whilst mitigating increased information risks and addressing demands of information requests.

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

- 3.1 Effective governance of the Council's information underpins all Council activities. Using the Council's information assets to maximum effect in a secure, lawful manner will help service areas to achieve the Council's Wellbeing Objectives outlined in the Corporate Plan 2018-2023 and the seven Well-being Goals of the 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*
- 3.2 Information governance is a key part of the Council's corporate governance arrangements and is reflected in the Annual Governance Statement section of the Council's Statement of Accounts.

## 4. THE REPORT

### Legal, financial and operational context

- 4.1 25 May 2018 saw the most significant change to data protection law in a generation with introduction of the EU General Data Protection Regulation 2016 (GDPR). The UK Data Protection Act 2018 passed into law the same week, providing the UK with future-proofed data protection law in the event of Brexit, addressing those aspects of GDPR that the UK has control over ('derogations') and linking together aspects of the Digital Economy Act 2017 and national security provisions.
- 4.2 Data protection reform provides people with far greater control and rights over their own personal data, which is processed in vast quantities internationally in electronic and paper formats by commercial, governmental, political and social organisations. The new law extends the protection for personal information that was provided for by the Data Protection Act 1998, and increases the monetary penalties from £500,000 to the equivalent of €20 million or 4% of global annual turnover. Serious data breaches must now be reported within 72 hours to the Information Commissioner, and the Council must have a statutory Data Protection Officer to oversee and advise on data protection compliance across the Council.
- 4.3 Combined with the change in law, risk to the Council's information is greater as the ongoing financial context drives service areas to seek more efficient ways of working, including collaborations with other organisations. New technology, outsourcing functions and sharing information requires effective information governance. This will reduce risk of data breaches that could result in detriment to service users, reputational damage to the Council, and compensations claims/ monetary penalties.
- 4.4 However the legal and financial challenges also present an opportunity to make better use of the Council's information. Records need to be well managed so that officers can find reliable information quickly to make good quality decisions but also to comply with the Statutory Code of Practice under Section 46 of the Freedom of Information Act. Greater openness of non-confidential information across the organisation will encourage re-use of information assets to benefit other service areas and ultimately the citizen. There is a government drive to open up public sector information to the public to benefit the economy, and the City Deal's open data initiative is a good example of this in practice.
- 4.5 *Information Governance Stewards Council-wide are supporting their Head of Service (as Information Asset Owner) and the Council's Senior Information Risk Owner (SIRO) by following the Information Governance Work Programme. The Programme aims to develop better knowledge of the information held by services including how it is used, following appropriate retention periods so that information is disposed of appropriately at the correct time, mitigating information risks and encouraging greater use of information assets to support the business.*

### Information Governance Activities June 2017 to June 2018

#### **Preparation for Data Protection Reform:**

- 4.6 Preparation for this significant change has dominated the Information Governance Work Programme over the last year. This has been challenging as information requests and data protection queries have continued to increase, but we have worked with colleagues in other local authorities on South Wales Information Forum to share preparation where possible. The Committee has been kept updated at the following intervals:
- 6 June 2017 - information item covering information requests 2015-16 and GDPR preparation to date;
  - 3 October 2017 - report on GDPR preparation and updates to key policies, prior to Cabinet consideration on 18 October;

- 10 April 2018 - further updates to core policies, following Cabinet consideration on 28 March, and allocation of statutory Data Protection Officer, following Audit Committee consideration on 30 January and Cabinet consideration on 28 February.

Therefore this report will provide information on additional preparation, rather than repeat information for the Committee.

- 4.7 **Awareness raising** – staff have been kept informed about data protection reform, in particular the need to report suspected data breaches promptly and to undertake Data Protection Impact Assessments, via email/Gov.Delivery, intranet, pop-up stands, posters, as well as by Information Governance Stewards. Positive results were achieved from an exercise during Nov/Dec 2017 to make sure all staff had completed Protecting Information elearning, and in addition, twelve 45 minute briefings on data protection reform were delivered between Nov 2017 and May 2018 attended by 666 employees, school staff and community councillors, together with three mandatory 1.5 hour sessions for Elected Members.
- 4.8 **Privacy notices** – to address the GDPR requirement to inform people about what we will do with their data, a privacy notice template was developed that covered all mandatory aspects of privacy notices. However in recognition that many people will not seek out this level of detail, a summary template was also developed for use on standard forms, leaflets etc. Service Areas develop their privacy notices and CIGU quality-assure and arrange translation. Very little information is now processed on basis of consent in a public authority (except marketing) as more appropriate lawful basis are available under the new law, so any existing consent forms are being reviewed. Elected member concerns about the existing arrangement of seeking consent to act for a constituent have been investigated and proposals developed for using a risk-based approach to working on behalf of constituents.
- 4.9 **Contracts and information sharing agreements** – clauses on data protection, confidentiality and FOI in the Council's standard contracts have been updated. Where a supplier/partner processes information on behalf of the Council, a specific data processing agreement needs to be in place to establish responsibilities and protect the Council in the event of the supplier/partner causing data breach. The corporate template has been updated, and an exercise to vary contracts of approx. 550 existing data processors is ongoing. We are working closely with the national WASPI Board on updating the framework to comply with new data protection law and to include new templates to cover broader collaborations. The Council is also involved in implementation of the national Wales Community Care Information System to make sure information governance arrangements are suitable. Ad hoc requests for sharing information continue to be scrutinised by CIGU.
- 4.10 **Schools** – a Service Level Agreement has been established with all schools across the County Borough to provide information governance support to schools, who are separate Data Controllers in their own right. A dedicated IG Officer for schools has been recruited with a start date of early July, but in the meantime CIGU has supplied corporate templates to schools, guidance on next steps and developed a generic privacy notice for pupil records.
- 4.11 **Knowledge of information assets and records management** – service areas have completed information asset registers so that the organisation knows what information it holds, ready for the next steps of drilling down into the processing of personal data to make sure GDPR accountability requirements are covered, and publicising information assets internally so that they can be re-used by other services. Corporate records centres are experiencing a large demand for deposit of records, indicating that service areas are reviewing records in storage. Records Centres are continually disposing of records that are no longer required, data access software has been purchased that will identify 'stale' electronic data that can potentially be disposed of and plans for reducing emails held in Outlook/EAS are being progressed. Gwent and Glamorgan Archives Services are being promoted amongst all services and schools, to make sure records with historic value are maintained for future generations.



Requests for information during 2017

- 4.12 Statistics on information requests for the 2017 calendar year can be found in Appendices 1-7. The summary table below demonstrates that quantity of information requests during the previous three calendar years (2014–2016) reached a plateau with only a small variation in the numbers received. However in 2017 there was a 12% increase in the number of requests received compared to 2016, particularly in the first and final quarters of the year. It is possible that the increase in requests received in the first quarter of the year could be linked to the Council elections, and the increase in the final quarter is likely to be associated with growing public awareness of information rights caused by publicity around GDPR.

During 2017 we saw the number of Subject Access Requests (SARs) fall by 8%. With the removal of the legal ability to charge £10 for these requests from May 2018, together with growing public awareness of their information rights, it is anticipated that numbers could increase. The legal time limit for processing SARs has also been reduced from 40 calendar days to 1 month and bearing in mind that these requests can be particularly complicated and time consuming, an increase in number of SARs could have a detrimental effect on FOI/EIR compliance.

	2014	2015	2016	2015 to 2016 % difference	2017	2016 to 2017 % difference
FOI/EIR requests	1081	1071	1086	+1.5%	1219	12%
DPA Subject Access Requests (SAR)	96	74	90	-22%	83	-8%

- 4.13 Reducing the time taken to respond to FOI/EIR requests has been previously highlighted as an action in the Annual Governance Statement and despite the significant increase in the number of requests received during 2017, our compliance rate remained unchanged i.e. 83% in 2016 and 2017.

We did not meet our corporate target of 85% but this can be attributed to the significant increase in the number of requests received during the first and last quarters of 2017, putting considerable pressure on both the Corporate Information Governance Unit and Service Areas. Had these requests been spread more evenly across the year, we may have been able to achieve our target.

The Information Commissioner has revised her expectation of compliance with FOI/EIR requests from 85% to 90%. The measures previously introduced to improve compliance have worked well and while our focus during 2017 has been on preparing for data protection reform, staff are continually reminded that their FOI responsibilities have not gone away. A new database for logging information request casework has been introduced which reduces time taken to log, acknowledge and distribute requests, but there is more to do and our processes and procedures are constantly being reviewed to identify problems and streamline the process for everyone involved in FOI/EIR/SAR requests. Service areas are kept involved via nominated representatives who attend the Corporate Information Governance Team meetings and the FOI Representative Network. These meetings are also an opportunity for service areas to share good practice and discuss any queries/issues their service area may have.

	2014	2015	2016	2017
FOI/EIR information requests response compliance rate	76%	85%	83%	83%
DPA Subject Access Requests (SAR) response compliance rate	80%	69%	59%	72%

- 4.14 Despite the increase in the number of FOI/EIR, we not only improved our compliance rate for processing SARs, we exceeded our corporate target which is currently set at 70%. SARs can involve large quantities of information and as the information tends to be sensitive, for example containing personal information of third parties, time and care needs to be taken to process SARs to avoid an inadvertent data breach. Data protection reform increases rights of individuals, and together with more complaints about SAR responses, we anticipate the ICO will introduce targets for responding to SARs within statutory deadlines similar to FOI.
- 4.15 As in previous years, Corporate Finance, Public Protection and Social Services received the most FOI/EIR requests and this year there was a significant increase in the number of requests received by Planning & Regeneration, People Management and Education while Procurement and Performance and Property saw a reduction in the number of requests they received. As expected, Social Services and People Management were involved in most SAR requests. More detailed information can be found in Appendices 3 and 4.
- 4.16 In line with the previous year, all information was provided in response to 75% of the FOI/EIR requests received while the number of requests refused in full as the costs would exceed the appropriate limit more than doubled from 16 in 2016 to 39 in 2017. The number of requests refused as the information is 'accessible by other means' continues to increase as more information is made available on the Council's website and it is anticipated that the use of this exemption will continue to increase as more datasets/information is made publically available. CIGU are working closely with services to encourage identification of additional information that can be made publicly available.
- 4.17 The most commonly used exemption in 2017 was S21 – information accessible by other means which was applied to 81 of the requests received, while the number of times we refused to provide information as it would exceed the cost threshold increased from 43 in 2016 to 64 in 2017.
- 4.18 During 2017, the Council received 18 requests for internal appeal, 8 of which were subsequently withdrawn. Of the remaining 10 appeals, the original decision was upheld in 7 of the cases. Lessons learned from these appeals include the Council processing one request under EIR instead of FOI; one request was refused in full, whereas only part of it should have been refused under an exemption; and in one case the applicant complained about a lack of clarity in the response, which led to the Council apologising and submitting a clearer response on appeal. No requests were progressed to the ICO during 2017.
- 4.19 During 2017, the CIGU formally investigated 21 breaches of Data Protection law compared to 22 in 2016. The types of breaches included:
- loss or inappropriate sharing of personal data when off-site
  - letter/e-mail containing personal information sent to the wrong recipient, or wrong information attached to correspondence
  - personal information stored on network drive without the folder being protected
  - overwriting an existing document instead of using a blank template, resulting in 3<sup>rd</sup> party's personal data being disclosed in error
  - documents containing personal information left on printer and picked up by next user

Reminders have been relayed to staff via various methods as outlined in paragraph 4.7. Out of the 21 breaches investigated, 2 met the criteria for self reporting to the ICO and the cases are both currently open pending the ICO's decision.

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

- 5.1 The activities documented in this report contribute to the Well-being Goals and Objectives as set out in Links to Strategy above. They are also consistent with the five ways of working as defined within the sustainable development principle in the Act. Effective management of the

Council's information will ensure reliable, high quality information is held which can be shared with partner organisations to ensure a joined up approach to providing services and preventing problems. Reliable information also ensures that decisions are more robust now and in the long-term and preservation of the Council's historic record means that current and future generations can hold the Council to account for its decisions and learn from previous activities.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 There are no potential equalities implications of this report and its recommendations on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan. There is no requirement for an Equalities Impact Assessment Questionnaire to be completed for this report.
- 6.2 The Council provides FOI information in the format that the applicant requests and this combined with Welsh language responses to FOI requests made in Welsh contributes to compliance with the Council's Strategic Equality Objective 4 – Improving Communication Access and the Council's Welsh Language Standards Compliance Notice.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Monetary penalties can be levied for data breaches of up to the equivalent of €20 million or 4% of global annual turnover, in addition to compensation claims from people affected by data breaches.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 The Information Governance Work Programme has implications on the workloads of staff.

## **9. CONSULTATIONS**

- 9.1 All responses from consultations have been incorporated in the report.

## **10. RECOMMENDATIONS**

- 10.1 It is recommended that the contents of the report be noted.

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

- 11.1 To be advised of the ongoing work to assure information governance arrangements across the Council and of increasing demands being placed on the organisation to meet legal obligations to respond to information requests.

## **12. STATUTORY POWER**

- 12.1 Freedom of Information Act 2000.
- 12.2 Environmental Information Regulations 2004.
- 12.3 General Data Protection Regulations 2016.
- 12.4 Data Protection Act 2018.

Author: Joanne Jones, Corporate Information Governance Manager  
Bev Griffiths, Information Officer

Consultees: Paul Lewis, Acting Head of ICT and Central Services  
Cllr Colin Gordon, Cabinet Member for Corporate Services  
Mark S Williams, Interim Corporate Director Communities  
Ed Edmunds, Director of Education and Corporate Services  
Christina Harrhy, Interim Chief Executive  
Dave Street, Director Social Services  
Lisa Lane, Corporate Solicitor  
Lynne Donovan, Head of People Services  
Nicole Scammell, Head of Finance and S151 Officer

Background papers:

- 6 June 2017 – Policy and Resources Scrutiny Committee information item covering information requests 2015-16 and GDPR preparation to date;
- 3 October 2017 - Policy and Resources Scrutiny Committee report on GDPR preparation and updates to key policies, prior to Cabinet consideration on 18 October;
- 10 April 2018 - Policy and Resources Scrutiny Committee further updates to core policies, following Cabinet consideration on 28 March, and allocation of statutory Data Protection Officer, following Audit Committee consideration on 30 January and Cabinet consideration on 28 February.

Appendices:

- Appendix 1 FOI/EIR – Timeliness
- Appendix 2 DPA SAR – Timeliness
- Appendix 3 FOI/EIR requests by Directorate/Service Area
- Appendix 4 DPA SAR requests by Directorate/Service Area
- Appendix 5 FOI/EIR - Outcomes
- Appendix 6 FOI/EIR - Use of Exemptions (FOI) and Exceptions (EIR)
- Appendix 7 Information request appeals 2017

## Performance statistics in relation to the Freedom of Information Act and Environmental Information Regulations

<b>TIMELINESS</b>	<b>Total 2009</b>	<b>Total 2010</b>	<b>Total 2011</b>	<b>Total 2012</b>	<b>Total 2013</b>	<b>Total 2014</b>	<b>Total 2015</b>	<b>Total 2016</b>	<b>1<sup>st</sup> Qtr 2016</b>	<b>2<sup>nd</sup> Qtr 2016</b>	<b>3<sup>rd</sup> Qtr 2016</b>	<b>4<sup>th</sup> Qtr. 2016</b>	<b>Total 2017</b>	<b>1st Qtr. 2017</b>	<b>2<sup>nd</sup> Qtr. 2017</b>	<b>3<sup>rd</sup> Qtr. 2017</b>	<b>4<sup>th</sup> Qtr. 2017</b>
No of requests under FOI/EIR*	579	683	828	858	1057	1081	1071	1086	285	269	253	279	1,219	359	257	288	315
No fully or mostly falling under FOI	459	612	790	838	1039	1061	1055	1068	280	264	248	276	1,199	357	250	283	309
No fully or mostly falling under EIR	120	71	38	20	18	20	16	18	5	5	5	3	20	2	7	5	6
No of requests processed in full within compliance time i.e. 20 working days	452 (78%)	498 (74%)	689 (84%)	645 (77%)	750 (72%)	803 (76%)	878 (85%)	888 (83%)	231 (83%)	214 (80%)	218 (88%)	225 (82.5%)	979 (83%)	264 (76%)	212 (85%)	243 (87%)	260 (85%)
No of time extensions for Public Interest Test under FOI/EIR	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
No of requests on hold awaiting a response from applicant (fees or clarification**)	1	5	3	20	13	18	35	20	6	2	6	6	35	12	7	8	8
No of requests processed outside 20 working days	126 (22%)	180 (26%)	136 (16%)	196 (23%)	294 (28%)	259 (24%)	158 (15%)	178 (17%)	48 (17%)	53 (20%)	29 (12%)	48 (17.5%)	205 (17%)	83 (24%)	38 (15%)	37 (13%)	47 (15%)

\* excludes requests which were subsequently withdrawn

\*\* requests out for clarification have not been included in the compliance calculation as they are currently "on hold" and therefore the clock has stopped ticking.

## Performance statistics in relation Subject Access Requests – Data Protection Act.

<b>TIMELINESS</b>	<b>Total 2009</b>	<b>Total 2010</b>	<b>Total 2011</b>	<b>Total 2012</b>	<b>Total 2013</b>	<b>Total 2014</b>	<b>Total 2015</b>	<b>Total 2016</b>	<b>1<sup>st</sup> Qtr 2016</b>	<b>2<sup>nd</sup> Qtr 2016</b>	<b>3<sup>rd</sup> Qtr 2016</b>	<b>4<sup>th</sup> Qtr 2016</b>	<b>Total 2017</b>	<b>1<sup>st</sup> Qtr 2017</b>	<b>2<sup>nd</sup> Qtr 2017</b>	<b>3<sup>rd</sup> Qtr 2017</b>	<b>4<sup>th</sup> Qtr 2017</b>
No of Subject Access Requests – Data Protection Act 1998	44	43	63	60	85	96	74	90	31	22	22	15	83	22	14	24	23
No of requests processed in full within compliance time i.e. 40 calendar days	29 (66%)	34 (79%)	55 (87%)	42 (70%)	53 (62%)	77 (80%)	54 (69%)	53 (59%)	15 (48%)	16 (73%)	10 (45%)	12 (80%)	60 (72%)	17 (77%)	10 (71%)	18 (75%)	15 (65%)
No of requests processed outside calendar days	15 (34%)	9 (21%)	8 (13%)	18 (30%)	32 (38%)	19 (20%)	22 (31%)	37 (41%)	16 (52%)	6 (27%)	12 (55%)	3 (20%)	23 (28%)	5 (23%)	4 (29%)	6 (25%)	8 (35%)

In addition to the SARs recorded above, the Information Unit dealt with many other applicants who do not go on to submit the paperwork required to make a formal SAR.

## (FOI) and (EIR) by Directorate/Service Area Involvement – single Service Area

	Total 2011	Total 2012	Total 2013	Total 2014	Total 2015	Total 2016	1 <sup>st</sup> Qtr. 2016	2 <sup>nd</sup> Qtr. 2016	3 <sup>rd</sup> Qtr. 2016	4 <sup>th</sup> Qtr. 2016	Total 2017	1 <sup>st</sup> Qtr. 2017	2 <sup>nd</sup> Qtr. 2017	3 <sup>rd</sup> Qtr. 2017	4 <sup>th</sup> Qtr. 2017
All Directorates											0	0	0	0	0
Chief Executive	4	2	5	4	1	0	0	0	0	0	0	0	0	0	0
Deputy Chief Executive	1	1	9	2	0	0	0	0	0	0	0	0	0	0	0
Engineering & Transport	44	49	73	62	85	94	27	19	22	26	85	26	19	23	17
Planning & Regeneration	52	68	48	55	58	64	15	12	20	17	96	12	19	20	45
Public Protection	78	82	76	99	93	121	29	34	25	33	137	38	26	37	36
Community & Leisure	42	46	51	68	57	71	17	20	17	17	67	19	10	19	19
Corporate Finance	102	106	131	167	162	111	27	27	29	28	152	60	32	27	33
Housing	21	42	41	31	48	43	13	6	5	19	56	11	17	12	16
ICT	77	41	68	83	68	62	16	19	6	21	52	15	11	15	11
Legal & Governance	43	45	64	50	31	23	7	5	7	4	26	12	3	5	6
People Management	79	105	95	70	80	65	20	16	18	11	84	31	11	16	26
Performance & Property	22	17	15	20	28	26	7	7	7	5	16	5	3	4	4
Education	55	75	66	54	75	70	13	22	17	18	106	32	18	23	33
Social Services	61	107	110	113	91	122	39	18	33	32	128	47	24	32	25
Procurement	Not previously recorded separately			14	29	34	7	10	11	6	11	3	4	2	2
H&S	Not previously recorded separately			2	2	9	2	0	3	4	3	2	1	0	0
Comms	Not previously recorded separately				2	4	1	1	0	2	4	3	0	0	1
Customer 1st	Not previously recorded separately				0	6	1	3	1	1	2	1	0	1	0

\*Due to restructuring, Service Areas have been re-aligned.

**Note:** Education and Social Services have designated staff that co-ordinate requests for the whole of their Directorates. Requests attributed to these departments may have been handled by different Service Areas within the respective Directorates.

**(FOI) and (EIR) by Directorate/Service Area Involvement – crosses Service Areas**

	Total 2011	Total 2012	Total 2013	Total 2014	Total 2015	Total 2016	1 <sup>st</sup> Qtr. 2016	2 <sup>nd</sup> Qtr. 2016	3 <sup>rd</sup> Qtr. 2016	4 <sup>th</sup> Qtr. 2016	Total 2017	1 <sup>st</sup> Qtr. 2017	2 <sup>nd</sup> Qtr. 2017	3 <sup>rd</sup> Qtr. 2017	4 <sup>th</sup> Qtr. 2017
All Directorates											1	0	0	1	0
Chief Executive	12	5	17	0	3	1	0	1	0	0	2	1	0	0	1
Deputy Chief Executive	8	4	10	3	1	1	0	1	0	0	0	0	0	0	0
Engineering & Transport	40	22	28	40	41	39	11	14	8	6	25	9	8	4	4
Planning & Regeneration	42	24	60	54	59	52	17	17	10	8	50	9	26	10	5
Public Protection	30	19	43	29	36	51	12	16	10	13	44	8	14	15	7
Community & Leisure	54	41	50	47	45	29	5	11	5	8	44	14	15	9	6
Corporate Finance	82	38	68	61	42	55	15	17	10	13	46	10	17	10	9
Housing	30	27	44	50	34	42	16	6	10	10	50	12	17	14	7
ICT	39	21	22	36	42	24	7	7	2	8	16	9	2	1	4
Legal & Governance	69	32	52	48	27	33	8	9	5	11	23	5	9	5	4
People Management	49	31	63	44	31	44	14	10	4	16	39	8	7	12	12
Performance & Property	40	19	27	40	39	30	12	6	6	6	34	9	12	5	8
Education	67	23	49	41	34	38	11	12	6	9	38	10	6	13	9
Social Services	87	44	61	42	35	47	14	10	10	13	45	11	8	12	14
Procurement	Not previously recorded separately			16	40	29	10	6	6	7	15	6	1	2	6
H&S	Not previously recorded separately			12	17	11	3	3	2	3	11	3	2	5	1
Comms	Not previously recorded separately				2	12	5	1	5	1	14	6	4	1	3
Customer 1st	Not previously recorded separately				3	7	2	2	2	1	5	2	0	1	2

\*Due to restructuring, Service Areas have been re-aligned.

**Note:** Education and Social Services have designated staff that co-ordinate requests for the whole of their Directorates. Requests attributed to these departments may have been handled by different Service Areas within the respective Directorates.



<b>Data Protection by Directorate/Service Area Involvement</b>																	
Note that a single request can involve more than one Directorate/Service Area																	
	Total 2009	Total 2010	Total 2011	Total 2012	Total 2013	Total 2014	Total 2015	Total 2016	1 <sup>st</sup> Qtr. 2016	2 <sup>nd</sup> Qtr. 2016	3 <sup>rd</sup> Qtr. 2016	4 <sup>th</sup> Qtr. 2016	Total 2017	1 <sup>st</sup> Qtr. 2017	2 <sup>nd</sup> Qtr. 2017	3 <sup>rd</sup> Qtr. 2017	4 <sup>th</sup> Qtr. 2017
All	0	1	0	1	0			0	0	0	0	0	0	0	0	0	0
Chief Executive	2	1	0	1	0	2	1	2	1	1	0	0	0	0	0	0	0
Deputy Chief Executive	0	0	0	0	5	2	0	0	0	0	0	0	0	0	0	0	0
Social Services	34	22	28	25	30	44	29	32	12	6	9	5	26	7	3	6	10
Housing	3	4	3	6	2	2	2	5	2	2	0	1	5	0	1	3	1
Education	5	7	5	6	6	8	4	14	9	3	1	1	9	3	1	2	3
Public Protection	1	1	3	4	9	6	4	11	3	3	4	1	7	3	2	2	0
Community & Leisure (Public Services)	0	0	0	0	5	4	0	1	0	1	0	0	1	0	1	0	0
Engineering & Transport	0	0	2	2	2	6	1	1	1	0	0	0	0	0	0	0	0
Planning & Regeneration	0	7	9	8	15	10	6	6	2	1	3	0	8	2	2	3	1
ICT	0	0	0	0	2	1	2	1	0	1	0	0	0	0	0	0	0
Corporate Finance	1	5	2	5	2	2	0	2	0	1	0	1	4	0	2	2	0
Legal & Governance	1	1	4	4	1	8	2	2	2	0	0	0	0	0	0	0	0
People Management	2	5	15	19	15	19	19	28	7	9	5	7	27	7	5	7	8
Performance & Property	0	0	0	1	0	12	1	1	0	0	0	1	3	1	1	1	0
H&S	Not previously recorded separately					10	11	10	6	3	1	0	0	0	0	0	0
Procurement	Not previously recorded separately					2	0	0	0	0	0	0	1	0	0	1	0

**Note:** Education and Social Services have designated staff that co-ordinate requests for the whole of their Directorates. Different service areas within the respective Directorates may have handled requests attributed to these departments.

OUTCOMES (FOI / EIR)	Total 2009	Total 2010	Total 2011	Total 2012	Total 2013	Total 2014	Total 2015	Total 2016	1 <sup>st</sup> Qtr 2016	2 <sup>nd</sup> Qtr 2016	3 <sup>rd</sup> Qtr 2016	4 <sup>th</sup> Qtr 2016	Total 2017	1 <sup>st</sup> Qtr 2017	2 <sup>nd</sup> Qtr 2017	3 <sup>rd</sup> Qtr 2017	4 <sup>th</sup> Qtr 2017
No of requests where all information has been provided	441	506	624	559	784	823	803	821	212	215	194	200	896	249	207	213	227
No of requests where part of the information has been provided (includes requests where part of the information was refused as the costs would exceed the appropriate limit)	59	78	103	122	83	87	91	82	28	17	18	19	95	38	14	24	19
No of requests where the applicant has been informed that the information is not held (advice and assistance provided)	17	10	19	22	38	23	15	25	7	6	2	10	38	10	3	6	19
No of requests withdrawn by applicant	14	19	16	20	11	11	7	4	0	4	0	0	9	4	2	2	1
No of requests refused as they were considered vexatious	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
No of requests refused as they were considered repeated	0	0	0	2	1	2	0	0	0	0	0	0	0	0	0	0	0
No of requests refused in full as the costs would exceed the appropriate limit (see above*)	2	14	34	51	33	30	21	16	0	5	5	6	39	18	4	5	12
No of requests refused in full	40	36	70	118	100	69	98	108	22	26	31	29	118	37	22	27	32
No of request on hold at time of compiling statistics awaiting response from applicant (clarification)	Info. not included in previous reports			17	13	18	35	20	6	2	6	6	35	12	7	8	8
No of requests outstanding at time of compiling statistics				17	38	59	29	30	10	3	2	15	37	13	4	10	10



Reg. 3(a) - Exempt personal data	12	1	1	0	0	0	0	0	0	0	0	0	3	0	1	2	0
Reg. 4(a) – Do not hold	0	2	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Reg. 4(b) - Manifestly unreasonable	0	1	0	0	0	1	1	1	0	0	1	0	1	0	1	0	0
Reg. 4(c) - Too general	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reg. 4(d) - Work in progress / incomplete data	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Reg. 4(e) - Internal communications	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reg. 5(e) - Impinges on confidentiality of commercial or industrial information	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Reg. 5(f) - Adverse effect on interests of person who provided the information	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Reg. 5(g) - Adverse effect on protection of environment to which information relates	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Reg.6(1)(b) Access by other means	0	0	0	0	0	1	2	1	0	0	0	1	6	0	2	3	1

Note: the following exemptions have not been used to date by the Council:

<b>FOI:</b>	<b>EIR:</b>
S.(23) - Information supplied by, or relating to, bodies dealing with security matters	Reg. 5(a) - Adverse effect on international relations, defence, national security or public safety
S.(24) - National security	Reg. 5(b) - Adverse effect on course of justice or conduct of inquiries
S.(26) – Defence	Reg. 5(c) - Adverse effect on intellectual property rights
S.(27) - International relations	Reg. 5(d) - Impinges on confidentiality of a public authority's work
S.(28) - Relations within the United Kingdom	
S.(29) - The economy	
S.(33) - Audit functions	

S.(34) - Parliamentary privilege	
S.(35) - Formulation of government policy, etc	
S.(37) - Communications with Her Majesty, etc. and honours	

<b>Internal Appeals:</b>			
<b>Quarter 1 (01/01/17 - 31/03/17)</b>	<b>Quarter 2 (01/04/17 - 30/06/17)</b>	<b>Quarter 3 (01/07/17 - 30/09/17)</b>	<b>Quarter 4 (01/10/17 - 31/12/17)</b>
13 received (6 withdrawn):	3 received (1 withdrawn):	1 received (1 withdrawn)	1 received:
<p><b>FOI 16/0975 (3)</b>  <u>Outcome of request:</u>                      Applicant doesn't believe we have provided the information requested.</p> <p><u>Outcome of appeal:</u>                      Original response upheld – the applicant was looking for data that they hadn't originally requested.</p>	<p><b>FOI 17/0573</b>  <u>Outcome of request:</u>                      S40 – personal information exemption applied.</p> <p><u>Outcome of appeal:</u>                      CCBC were correct to apply S40 legal professional privilege exemption</p>	<p><b>FOI 17/1094</b>  <u>Outcome of request</u>                      S21 – accessible by other means.</p> <p><u>Outcome of appeal</u>                      Withdrawn</p>	<p><b>FOI 17/1192A</b>  <u>Outcome of request:</u>                      Some information not held. Disputed by the applicant.</p> <p><u>Outcome of appeal:</u>                      Original response upheld.</p>
<p><b>FOI 16/1325</b>  <u>Outcome of request:</u>                      S40 personal information exemption applied.</p> <p><u>Outcome of appeal:</u>                      Ongoing</p>	<p><b>FOI 15/0587</b>  <u>Outcome of request</u>                      Reg. 12(4)(b) – manifestly unreasonable exception applied.</p> <p><u>Outcome of appeal</u>                      Withdrawn</p>		
<p><b>FOI 16/1332</b>  <u>Outcome of request:</u>                      S40 applied to part of the information requested</p> <p><u>Outcome of appeal:</u>                      CCBC were correct to apply the S40 exemption</p>	<p><b>FOI 17/0725</b>  <u>Outcome of request:</u>                      Information provided, but the applicant feels it is too vague and ambiguous.</p> <p><u>Outcome of appeal:</u>                      Upheld – CCBC's response was unclear.</p>		

<p><b>FOI 17/0138</b>  <u>Outcome of request:</u>  Refused S21 – accessible by other means to part of the request.</p> <p><u>Outcome of appeal:</u>  Ongoing</p>			
<p><b>FOI 17/0161</b>  <u>Outcome of request:</u>  Refused S21 - accessible by other means.</p> <p><u>Outcome of appeal:</u>  Not upheld – although the request should have been processed under EIR and the equivalent exception, Reg 6(1)(b) should have been applied.</p>			
<p><b>FOI 17/0177</b>  <u>Outcome of request:</u>  S21 – accessible by other means applied to some of the information.</p> <p><u>Outcome of appeal:</u>  Withdrawn</p>			
<p><b>FOI 17/0178</b>  <u>Outcome of request</u>  S21 – accessible by other means applied to some of the information.</p> <p><u>Outcome of appeal</u>  Withdrawn</p>			

<p><b>FOI 17/0187</b>  <u>Outcome of request</u>  Fees refusal</p> <p><u>Outcome of appeal</u>  Not upheld but found that 2 of the questions could have been answered and the information was provided.</p>			
<p><b>FOI 17/0212</b>  <u>Outcome of request</u>  All information provided but applicant not happy with response.</p> <p><u>Outcome of appeal</u>  Withdrawn</p>			
<p><b>FOI 17/0265</b>  <u>Outcome of request</u>  §40 – personal information applied to part of the request</p> <p><u>Outcome of appeal</u>  Withdrawn</p>			
<p><b>FOI 17/0286</b>  <u>Outcome of request</u>  S21 – accessible by other means</p> <p><u>Outcome of appeal</u>  Withdrawn</p>			
<p><b>FOI 17/0317 – 0326 &amp; 17/0334</b>  <u>Outcome of request</u>  Requests were aggregated and a fees refusal was applied.</p> <p><u>Outcome of appeal</u>  Withdrawn</p>			



<b>FOI 17/0381</b> <u>Outcome of request</u> Information not held.  <u>Outcome of appeal</u> Information not held			
<b>ICO appeals 2017:</b>			
<b>Quarter 1 (01/03/17 - 31/03/17)</b>	<b>Quarter 2 (01/04/17 - 30/06/17)</b>	<b>Quarter 3 (01/07/17 - 30/09/17)</b>	<b>Quarter 4 (01/10/17 - 31/12/17)</b>
None received	None received	None received:	None received



## **POLICY AND RESOURCES SCRUTINY COMMITTEE – FOR INFORMATION**

**SUBJECT: WRITE-OFF OF DEBTS – 01/04/17 – 31/03/18**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION & CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To provide Members with a summary of outstanding debts which have been written-off in accordance with the policy previously agreed by Cabinet.

### **2. SUMMARY**

- 2.1 The report provides details of debts written-off for Council Tax, Business Rates, Council House Rents, Sundry Debtors and Housing Benefits overpayments.

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

- 3.1 To comply with Financial Regulations.
- 3.2 The writing-off of unrecoverable debts is an important element of prudent financial management. Effective financial management contributes 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
  - A Wales of vibrant culture and thriving Welsh language
  - A globally responsible Wales

### **4. THE REPORT**

- 4.1 The Council collects very large sums of money from residents and local businesses each year and inevitably there are instances of non-payment. A 'firm but fair' approach has always been adopted and all legal means are pursued to recover monies owed.
- 4.2 The regular writing-off of uncollectable debts is an important financial discipline. The Council would be criticised by External Audit if debts remained in the accounts when there is little likelihood of recovery. The table below provides a summary of debts written-off for the financial year 01/04/17 to 31/03/18.

	Total Amounts Written Off 2017/18	Total Budgeted Income/Grant 2017/18	% of Total Income/Grant Written-off 2017/18	% of Total Income/Grant Written-off 2016/17
	(£)	(£m)	(%)	(%)
Council Tax	170,079	66.5	0.26	0.35
Business Rates	345,969	37.4	0.93	0.86
Council House Rents	277,736	52m	0.52	0.50
Sundry Debtors	298,553	40.9m	0.73	1.23

4.3 Whilst the sums shown above are significant it is important to put them into context. The column entitled "% of Total Income/Grant Written-off 2017/18" shows the write-offs expressed as a percentage of the "Total Budgeted Income/Grant 2017/18", i.e. monies due to the Council. For comparison purposes the Full-Year percentages for 2016/17 are also included in the table.

4.4 In addition to the table in paragraph 4.2, £27,897.50 has also been written-off in the period 01.04.17 to 31.03.18 in relation to the invoices raised for overpayments of Housing Benefits (total invoices raised during the period £1,463,669.60).

## 5. WELL-BEING OF FUTURE GENERATIONS

5.1 Effective financial management is a key element in ensuring that the Well-being Goals in the Well-being of Future Generations Act (Wales) 2015 are met. The process of writing-off unrecoverable debts ensures that financial liabilities are recognised as they occur and are not deferred as potential future liabilities.

## 6. EQUALITIES IMPLICATIONS

6.1 This report is for information purposes, so the Council's Equalities Impact Assessment (EqIA) process does not need to be applied.

## 7. FINANCIAL IMPLICATIONS

7.1 As detailed in the report.

## 8. PERSONNEL IMPLICATIONS

8.1 There are no direct personnel implications arising from this report.

## 9. CONSULTATIONS

9.1 There are no consultations that have not been included in the report

## 10. RECOMMENDATIONS

10.1 Members are asked to note the contents of this report.

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

11.1 To ensure that Members are informed of sums written-off during the 2016/17 financial year.

## **12. STATUTORY POWER**

12.1 Local Government Act 1972 and 2000.

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Amanda Main, Housing & Council Tax Benefits Manager  
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