

Pecyn Dogfennau Cyhoeddus

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG

Ty Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG



www.caerphilly.gov.uk
www.caerffili.gov.uk

Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Charlotte Evans
(Rhif Ffôn: 01443 864210 Ebst: evansca1@caerphilly.gov.uk)

Dyddiad: Dydd Mercher, 21 Hydref 2020

Annwyl Syr/Fadam,

Bydd cyfarfod digidol o'r **Cabinet** yn cael ei gynnal trwy Microsoft Teams ar **Dydd Mercher, 28ain Hydref, 2020 am 10.30 am**. i ystyried materion a gynhwysir yn yr agenda canlynol. Mae croeso i chi ddefnyddio'r iaith Gymraeg yn y cyfarfod, a dylid rhoi cyfnod rhybudd o 3 diwrnod gwaith os ydych yn dymuno gwneud hynny.

Bydd y cyfarfod hwn yn cael ei recordio a bydd ar gael i'w weld trwy wefan y Cyngor, ac eithrio trafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig. Felly, bydd delweddau/sain yr unigolion sy'n bresennol ac/neu sy'n siarad yn ystod y Cabinet ar gael i'r cyhoedd trwy'r recordiad ar wefan y Cyngor: www.caerffili.gov.uk

Yr eiddoch yn gywir,

Christina Harrhy
PRIF WEITHREDWR

A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cyngorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cyngorwyr a Swyddogion.

A greener place Man gwyrddach



Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat

I gymeradwyo a llofnodi'r cofnodion canlynol:-

3	Cynhaliwyd y Cabinet ar 14eg Hydref 2020.	1 - 8
Nodi- Blaenraglen Waith y Cabinet.		
4	Blaenraglen Waith y Cabinet.	9 - 10
I dderbyn ac ystyried yr adroddiad(au) canlynol y mae angen penderfyniadau gweithredol arnynt:-		
5	Gweithdrefnau Recriwtio Mwy Diogel a Pholisïau'r Gwasanaeth Datgelu a Gwahardd (DBS).	11 - 54
6	Rhyddid y Fwrdeistref - y Lleng Brydeinig Frenhinol.	55 - 60
7	Trosglwyddo Asedau Cymunedol - Polisi a Phroses Drafft.	61 - 112
8	Trwyddedau "Caffis Stryd".	113 - 118
9	Adroddiad Perfformiad Blynyddol 2019/20.	119 - 154

Cylchrediad:

Cynghorwyr

S. Cook, N. George, C.J. Gordon, P.A. Marsden, S. Morgan, L. Phipps, J. Ridgewell, Mrs E. Stenner a R. Whiting,

A Swyddogion Priodol.

SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar www.caerffili.gov.uk. ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu.

Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r [Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn](#) ar ein gwefan neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio griffd2@caerffili.gov.uk neu ffoniwch 01443 863028.



Y CABINET

COFNODION Y CYFARFOD O BELL A GYNHALIWDYD AR MICROSOFT TEAMS DDYDD MERCHER 14 HYDREF 2020 AM 10.30 A.M.

YN BRESENNOL:

Y Cynghorydd P. Marsden (Arweinydd) – Cadeirydd

Y Cynghorwyr:

S. Cook (Gofal Cymdeithasol), N. George (Gwastraff a Diogelwch y Cyhoedd), C.J. Gordon (Gwasanaethau Corfforaethol), S. Morgan (Economi a Menter), L. Phipps (Tai ac Eiddo), J. Ridgewell (Yr Amgylchedd ac Isadeiledd), E. Stenner (Perfformiad a Gwasanaethau i Gwsmeriaid) ac R. Whiting (Dysgu a Chyflawniad).

Ynghyd â:

C. Harrhy (Prif Weithredwr), R. Edmunds (Cyfarwyddwr Corfforaethol – Addysg a Gwasanaethau Corfforaethol), D. Street (Cyfarwyddwr Corfforaethol – Gwasanaethau Cymdeithasol a Thai) ac M.S. Williams (Cyfarwyddwr Corfforaethol Dros Dro – Cymunedau).

Hefyd yn bresennol:

A. Cullinane (Uwch Swyddog Polisi - Cydraddoldeb, y Gymraeg ac Ymgynghori), L. Donovan (Pennaeth Gwasanaethau Pobl), S. Harris (Pennaeth Gwasanaethau Cyllid a Swyddog Adran 151), S. Isaacs (Rheolwr Rhenti), M. Lloyd (Pennaeth Isadeiledd), L. Lucas (Pennaeth Gwasanaethau i Gwsmeriaid a Digidol), S. Richards (Pennaeth Cynllunio a Strategaeth Addysg), R. Tranter (Pennaeth Gwasanaethau Cyfreithiol a Swyddog Monitro), C. Evans (Swyddog y Gwasanaethau Pwyllgorau), K. Peters, Rheolwr Polisi Corfforaethol

1. YMDDIHEURIADAU AM ABSENOLDEB

Ni chafwyd yr un ymddiheuriad am absenoldeb.

2. DATGANIADAU O FUDDIANT

Ni wnaed unrhyw ddatganiadau ar ddechrau'r cyfarfod nac yn ystod y cyfarfod.

3. CABINET – 30 MEDI 2020

PENDERFYNWYD cymeradwyo bod cofnodion y cyfarfod a gynhaliwyd ar 30 Medi 2020 yn gofnod cywir.

4. BLAENRAGLEN WAITH Y CABINET – I'W NODI

Darparwyd Blaenraglen Waith y Cabinet i'r Cabinet, a oedd yn manylu ar yr adroddiadau rheolaidd rhwng 9 Medi 2020 a 28 Medi 2020. Atgoffwyd yr Aelodau fod Blaenraglen Waith y Cabinet yn ddogfen weithio ac felly'n destun newid.

Yn dilyn ystyriaeth a thrafodaeth, cynigiwyd ac eiliwyd bod y Flaenraglen Waith yn cael ei nodi. Trwy godi dwylo, cytunwyd yn unfrydol ar hyn.

PENDERFYNWYD y dylid nodi Blaenraglen Waith y Cabinet.

5. CYNLLUN CYDRADDOLDEB STRATEGOL – ADRODDIAD MONITRO A GWELLA BLYNYDDOL 2018-2019

Roedd yr adroddiad yn rhoi gwybod i'r Cabinet am y cynnydd a wnaed yn ystod blwyddyn ariannol 2018-2019 mewn perthynas â'r targedau yng Nghynllun Cydraddoldeb Strategol cyfredol y Cyngor, er mwyn i'r Cabinet gymeradwyo ei gyflwyno i'r Comisiwn Cydraddoldeb a Hawliau Dynol a'i gyhoeddi ar-lein.

Nododd y Cabinet fod gan y Cyngor ddyletswydd statudol o dan y ddeddfwriaeth gyfredol i lunio adroddiad monitro blynyddol ar faterion yn ymwneud â Chydraddoldeb. Roedd y gofynion yn fanwl iawn o ran pa wybodaeth berthnasol yr oedd yn rhaid ei chynnwys yn yr adroddiad monitro a gwella blynyddol (ynghlwm fel atodiad i'r adroddiad).

Nodwyd bod angen cyflwyno'r wybodaeth hon felly er mwyn sicrhau bod y corff rheoleiddio dan sylw (y Comisiwn Cydraddoldeb a Hawliau Dynol) yn cael tystiolaeth lawn o gydymffurfriad ac ymrwymiad y Cyngor o ran y dyletswyddau statudol hynny.

Roedd yn rhaid i'r Cynllun Cydraddoldeb Strategol – Adroddiad Monitro a Gwella Blynyddol, gael ei gyhoeddi erbyn 31 Mawrth y flwyddyn ganlynol. Ym mis Mawrth eleni, ysgrifennodd y Comisiwn Cydraddoldeb a Hawliau Dynol at bob awdurdod lleol i roi gwybod ei fod wedi penderfynu gohirio ei waith o wirio cydymffurfedd o ran cyhoeddi adroddiadau blynyddol a Chynlluniau Cydraddoldeb Strategol tan fis Hydref. Gwnaed y penderfyniad hwn i gydnabod yr amgylchiadau eithriadol o anodd yr oedd cyrff rhestredig yn gweithredu ynddynt oherwydd pandemig COVID-19. Am y rheswm hwn, er bod y dyddiad cau, sef 31 Mawrth 2020 wedi mynd heibio, disgwyliad y byddai'r Comisiwn Cydraddoldeb a Hawliau Dynol yn oddefgar ynglŷn â'r oedi.

Diolchodd y Cabinet i'r Swyddog am yr adroddiad a chafwyd trafodaeth.

Gofynnodd un o Aelodau'r Cabinet am ragor o wybodaeth ynghylch y cynnydd sydyn yn nifer yr achosion o fwlio yr adroddwyd amdanynt, a mynegodd bryderon gan yr ymddangosai fod hiliaeth yn cael ei normaleiddio, tua gwanwyn 2018, a holodd a allai hynny fod yn gysylltiedig â Refferendwm yr Undeb Ewropeaidd. Esboniodd y swyddogion fod yna duedd a oedd yn awgrymu hynny, ac ymddangosai fod y cynnydd sydyn wedi parhau yn dilyn yr ymgyrch 'Mae Bywydau Du o Bwys'; fodd bynnag, sicrhawyd yr Aelodau fod yna nifer o raglenni ar waith i liniaru hyn a, gan ei bod yn Fis Hanes Pobl Dduon, fod yna nifer sylweddol o brosiectau a digwyddiadau ar y gweill mewn ysgolion a ledled y Fwrdeistref Sirol i feithrin ymwybyddiaeth.

Gofynnodd un o Aelodau'r Cabinet am ragor o wybodaeth am y data o ran y bwlch cyflog rhwng y rhywiau, a mynegodd bryder arbennig, yng ngoleuni effaith economaidd COVID-19 a'r goblygiadau ariannol i fenywod a oedd mewn rolau gofalu a chynorthwyol, ac ymdrechion i sicrhau cydraddoldeb yn hynny o beth. Esboniodd y swyddogion fod y data wedi cael eu darparu gan yr adran adnoddau dynol; fodd bynnag roedd gwaith ar y gweill i gael dealltwriaeth well o'r effaith yr oedd y Pandemig wedi'i chael ar y farchnad swyddi, a fyddai'n dod yn amlwg wrth i'r cynllun ffyrlo ddod i ben ddiwedd y mis. O ystyried tueddiadau blaenorol, fodd bynnag, byddai'r Cyngor yn sicrhau ei fod yn trin staff yn gyfartal, gan sicrhau bod swyddi ar gael i bawb, waeth beth fo'u rhyw. Yn draddodiadol, roedd menywod yn tueddu i gymryd y rolau rhan-amser, er mwyn iddynt gyd-fynd ag ymrwymadau eraill yn eu bywydau gartref, ond sicrhawyd yr Aelodau

nad oedd y rolau hyn yn cael eu targedu'n benodol at fenywod. Fodd bynnag, roedd gwaith ar y gweill i ystyried sut y gallai'r Cyngor wneud pethau'n wahanol, a byddai ystyriaeth yn cael ei rhoi i nifer o ffactorau, er enghraifft, adolygu'r modd yr oedd swydd ddisgrifiadau'n cael eu hysgrifennu.

Gofynnodd un o Aelodau'r Cabinet am ragor o wybodaeth mewn perthynas ag oriau gwaith swyddi rhan amser. Esboniodd y swyddogion fod y rolau'n aml yn fwy o adlewyrchiad o gymdeithas, lle'r oedd menywod yn dewis swyddi rhan amser, gan weithio weithiau mewn mwy nag un swydd, a oedd yn cynnig yr oriau a oedd yn addas i'w bywydau personol. Teimlid bod hyn yn gyfle cadarnhaol i'r Cyngor ac yn cynnig swyddi hyblyg i'r gymuned. Sicrhawyd yr Aelodau bod y data'n adlewyrchu'r bwlch cyflog rhwng y rhywiau, ac nad mater o ran cyflog cyfartal mohono. Ychwanegodd y Prif Weithredwr fod yr Adroddiad ar Weithio'n Hyblyg i'w ystyried yn nes ymlaen ar yr agenda, a phe byddai'r Cabinet am ystyried ei gymeradwyo, byddai'n helpu nifer o bobl i gael mynediad at fwy o swyddi, a chyflog llawn amser neu gyflog uwch o bosibl, oherwydd y cynnig i wneud rolau'n fwy hyblyg, a hynny er mwyn cynorthwyo o ran y cydbwysedd rhwng bywyd a gwaith.

Gofynnodd un o Aelodau'r Cabinet am ragor o wybodaeth am y gwefannau dwyieithog, gan nodi nad oedd llawer o'r microwefannau'n ddwyieithog o hyd. Esboniodd y swyddogion fod yna raglen waith yn weithredol i ddatgomiynu'r gwefannau hyn yn raddol, gan eu symud i wefannau mwy hygyrch a dwyieithog, a fyddai'n sicrhau cydymffurfedd. Sicrhawyd yr Aelodau, fodd bynnag, fod gwefan Cyngor Caerffili ar gael yn ddwyieithog. Cytunwyd y dylid darparu manylion y rhaglen waith ar gyfer y microwefannau i'r Cabinet.

Yn dilyn ystyriaeth a thrafodaeth, cynigiwyd ac eiliwyd bod yr adroddiad yn cael ei gymeradwyo. Trwy godi dwylo, cytunwyd yn unfrydol ar hyn.

PENDERFYNWYD, am y rhesymau a oedd wedi'u cynnwys yn Adroddiad y Swyddogion, y dylid cymeradwyo'r adroddiad monitro a gwella blynyddol i'w gyflwyno i'r Comisiynydd Cydraddoldeb a Hawliau Dynol a'i gyhoeddi ar-lein.

6. GWEITHIO'N HYBLYG

Roedd yr adroddiad, a ystyriwyd gan y Pwyllgor Craffu ar Bolisi ac Adnoddau ar 29 Medi 2020, yn gofyn am gymeradwyaeth y Cabinet ar gyfer dull mwy ffurfiol o weithio'n hyblyg, a fyddai'n adeiladu ar y cynnydd a wnaed mewn perthynas â gweithio mewn modd hyblyg trwy gydol y cyfyngiadau symud.

Nododd y Cabinet, oherwydd cyflymder a natur cyfyngiadau symud COVID-19, y bu'n ofynnol i'r Cyngor ddarparu'r cyfarpar angenrheidiol, yn ogystal â hyfforddi cyfran sylweddol o'i weithlu, i weithio ac i ddarparu gwasanaethau i ffwrdd o'u gweithleoedd arferol ac, mewn llawer o achosion, gartref.

Er bod y trawsnewidiad i'r model newydd hwn o ddarparu gwasanaethau wedi digwydd ar gyflymder sylweddol, roedd y llwyfannau technoleg a oedd wedi ffurfio'r sylfeini ar gyfer gweithio o bell wedi profi i fod yn reddfodol ac yn sefydlog.

Roedd rhai adrannau o'r gweithlu wedi bod yn gweithredu o bell ac mewn modd effeithiol iawn ers dechrau'r cyfyngiadau symud a, dros amser, roedd gwasanaethau pellach wedi cael eu galluogi a'u cyflwyno'n ôl ar-lein, a hynny gyda llawer llai o ddibyniaeth ar adeiladau, safleoedd a theithio.

Nododd y Cabinet fod hwn wedi ei gwneud yn bosibl i lawer o wasanaethau i'r cyhoedd gael eu darparu'n ddiogel ac yn barhaus, ac i weithwyr y Cyngor reoli sawl agwedd ar eu bywydau proffesiynol a phersonol mewn ffordd a oedd wedi sicrhau cydbwysedd llawer mwy nag a oedd yn bosibl o'r blaen.

Fodd bynnag, nodwyd nad oedd pawb wedi gweld natur ynysig gweithio o bell yn brofiad cadarnhaol, ac roedd canlyniadau'r arolwg Gweithio'n Hyblyg yn rhoi rhybudd iach. Byddai'n rhaid i beth bynnag y byddai'r Cyngor yn ei wneud o hynny ymlaen fod yn wirioneddol hyblyg a diwallu anghenion gwahanol ei weithwyr, yn ogystal â lleihau unrhyw gostau gweithredu a oedd yn gysylltiedig â darparu gwasanaethau.

Diolchodd y Cabinet i'r Swyddog am yr adroddiad a chafwyd trafodaeth.

Roedd y Cyfarwyddwr Corfforaethol yn dymuno diolch i'r Swyddogion a'r Undebau Llafur am eu hymdrechion niferus wrth symud yr agenda hwn yn ei blaen, ac amlinellodd fuddion sylweddol y cynnig.

Wrth ddiolch i'r Swyddogion am y gwaith a wnaed, nid yn unig wrth goladu'r adroddiad ond ledled yr Awdurdod, gofynnodd un o Aelodau'r Cabinet am ragor o wybodaeth am y cymorth a oedd ar waith ar gyfer aelodau staff a oedd yn ei chael yn anodd gweithio gartref, neu a fyddai'n ei chael yn anodd gwneud hynny. Esboniodd y swyddogion fod y Rheolwyr wedi cael eu cynghori i gadw mewn cysylltiad rheolaidd â staff, a bod y neges hon hefyd yn cael ei hailadrodd yn rheolaidd gan y Prif Weithredwr mewn negeseuon wythnosol. Fodd bynnag, nodwyd bod hon yn broses ddwyffordd, a bod 'My Time/My Time Plus' wedi'i lansio yn ddiweddar, a oedd yn annog staff a rheolwyr i gael sgwrs am eu llwythi gwaith, eu llesiant ac unrhyw faterion a allai fod ganddynt. Yn ogystal, esboniodd y Swyddogion y byddai hyfforddiant yn cael ei ddarparu i Reolwyr ynghylch gweithio ystwyth a rheoli eu timau yn y modd hwn. Roedd yr Undebau Llafur yn rhan allweddol o'r broses hon hefyd.

Roedd un o Aelodau'r Cabinet yn dymuno iddo gael ei nodi bod llesiant staff yn sylfaenol i weithlu effeithiol, ac felly roedd cyswllt rheolaidd yn hanfodol, ond y dylid hefyd sicrhau nad oedd y staff yn gweithio y tu hwnt i'w horiau gwaith arferol, gan beryglu'r cydbwysedd a oedd ganddynt rhwng bywyd a gwaith.

Yn ogystal, mynegodd un o Aelodau'r Cabinet pa mor bwysig oedd iechyd meddwl a llesiant wrth weithio gartref/weithio'n ystwyth ac, wrth nodi'r adroddiad, mynegodd ei hyder yn y mesurau a oedd ar waith a'r systemau cymorth, a bod y buddion yn gorbwysu'r elfennau negyddol.

Ychwanegodd y Prif Weithredwr, o ganlyniad i bandemig byd-eang COVID-19, fod dysgu carlam wedi digwydd a bod yr awdurdod wedi'i droi ben i waered, gyda'r mwyafrif o staff yn gweithio gartref. Roedd wedi rhoi anogaeth i fwrw ymlaen â'r cynnig o ran gweithio hyblyg; fodd bynnag, gellid gweld, ar ôl COVID-19, na fyddai 100% o'r staff yn gweithio gartref na 100% o'r staff yn gweithio mewn adeiladau, ond y byddai yna system hybrid ar waith, gyda phrosesau ar gyfer rheoli perfformiad, llesiant a chanlyniadau. Fodd bynnag, sicrhawyd yr Aelodau, er bod yr agenda rhesymoli asedau wedi'i chrybwyll yn yr adroddiad, nad oedd hyn yn flaenoriaeth uniongyrchol ond yn gyfle ar gyfer dyddiad diweddarach.

Atgoffwyd y Cabinet bod yna gymorth sylweddol wedi cael ei gynnig i'r staff hefyd trwy'r Gwasanaeth Care First, a bod tudalennau cymorth wedi'u darparu ar y fewnwyd yn ogystal. Sicrhawyd yr Aelodau hefyd fod y Prif Weithredwr wedi mynd i'r afael â materion o ran gweithio oriau gormodol, ac y gofynnwyd i staff godi hyn gyda'u rheolwr llinell pe bai angen.

Ategodd yr Arweinydd sylwadau'r Cabinet a'r Swyddogion o ran y newidiadau a wnaed mewn cyfnod byr i weithio mewn ffordd ystwyth er mwyn cadw'r staff yn ddiogel, ond atgoffodd yr Aelodau hefyd i beidio ag anghofio'r cyfle yr oedd hyn wedi'i gyflwyno i foderneiddio'r sefydliad. Fodd bynnag, roedd yn bwysig bod y staff yn cael eu cynnwys ar y daith, ac roedd yn amlwg o'r arolwg staff nad oedd yna un dull o weithredu a oedd yn gweddu i bawb. Roedd y cynigion gweithio hyblyg yn cefnogi'r agenda drawsnewid, ac atgoffwyd yr Aelodau bod 'gwaith yn rhywbeth yr ydym yn ei wneud ac nid yn lle yr ydym yn mynd iddo'. Roedd y cynigion o ran gweithio'n hyblyg yn annog ac yn galluogi pobl i reoli'r cydbwysedd a oedd ganddynt rhwng bywyd a gwaith, ac yn creu cyfleoedd ar gyfer cyflogaeth. Dull cyfunol yw'r ffordd ymlaen.

Yn dilyn ystyriaeth a thrafodaeth, cynigiwyd ac eiliwyd bod yr argymhelliad yn yr adroddiad yn cael ei gymeradwyo. Trwy godi dwylo, cytunwyd yn unfrydol ar hyn.

PENDERFYNWYD am y rhesymau a oedd wedi'u cynnwys yn Adroddiad y Swyddog a'r argymhelliad ychwanegol o'r Pwyllgor Craffu ar Bolisi ac Adnoddau (ix): -

- i) Cydnabod buddion y trefniadau gweithio'n hyblyg a oedd wedi cefnogi'r broses o ddarparu gwasanaethau ledled y Cyngor ers Mawrth 2020.
- ii) Mabwysiadu'r egwyddorion gweithio'n hyblyg a nodir yn Atodiad 1 yr adroddiad i'r Pwyllgor Craffu ar Bolisi ac Adnoddau, a hynny fel egwyddor graidd ar gyfer cefnogi'r broses o ddarparu gwasanaethau.
- iii) Dirprwyo i Bennaeth Gwasanaeth Cyflogedig, mewn ymgynghoriad â'r Aelod Cabinet perthnasol, yr awdurdod i benderfynu ar y dull gorau o ymdrin â gofynion gweithio'n hyblyg a lleoliadau gweithio, a hynny ar sail pob gwasanaeth yn unigol;
- iv) Rhoi ystyriaeth i'r system hyblyg gyfredol, a'r modd y gellid ei halinio ag egwyddorion gweithio'n hyblyg, a'u cynorthwyo, trwy drafodaethau parhaus ag undebau llafur;
- v) Mewn perthynas â chyfarpar TG a dodrefn, nodi'r buddsoddiad posibl a oedd yn gysylltiedig â defnyddio trefniadau gweithio hyblyg, ynghyd ag arbedion posibl y gellid eu cynhyrchu trwy resymoli adeiladau a thrwy ostyngiadau mewn gwariant gweithredu arall;
- vi) Derbyn adroddiadau ychwanegol, yn ôl yr angen, i gytuno ar gyllid ac unrhyw newidiadau cysylltiedig i bolisiâu Adnoddau Dynol a TG a allai fod yn ofynnol;
- vii) Cymeradwyo'r cynnig i neilltuo swm cychwynnol untro o £500,000 i'w ariannu o gronfeydd cyfalaf wrth gefn a glustnodwyd, er mwyn sicrhau y gallai'r Cyngor ymateb mewn modd rhagweithiol yn y tymor byr i ddechrau cyflwyno ffyrdd hyblyg o weithio;
- viii) Cymeradwyo'r broses o ddatblygu rhaglen hyfforddi a datblygu briodol ar gyfer rheolwyr a staff, i sicrhau bod buddion gweithio'n hyblyg yn cael eu cynyddu i'r eithaf;
- ix) Cynnal cyfarfod arbennig o'r Pwyllgor Craffu Polisi ac Adnoddau er mwyn ystyried yn fanwl egwyddorion gweithio'n hyblyg a'i effaith ar staff, defnyddwyr gwasanaethau a chymunedau.

7. TRIN ARIAN PAROD

Roedd yr adroddiad, a ystyriwyd gan y Pwyllgor Craffu Polisi ac Adnoddau ar 29 Medi 2020, yn rhoi diweddariad i'r Cabinet ar effaith pandemig COVID-19 ar daliadau arian parod, ac roedd hefyd yn gofyn i'r Cabinet ystyried y camau yr oedd yn ofynnol eu cymryd yn y tymor byr, a'r tymor canolig i'r tymor hir, i sicrhau parhad y lefelau incwm.

Nododd y Cabinet fod COVID-19 wedi cael effaith sylweddol ar lefelau incwm y Cyngor am nifer o resymau. Roedd y rhain yn cynnwys gorfod mynd ati i gau gwasanaethau sy'n cynhyrchu incwm, cau swyddfeydd arian parod dros dro, ac effaith economaidd y pandemig ar drigolion a busnesau.

Roedd Adran 5.2 yr adroddiad yn darparu manylion y gweithgarwch allweddol a oedd yn cael ei gyflawni ar y pryd yn y meysydd lle yr oedd taliadau arian parod yn draddodiadol wedi bod o werth ariannol sylweddol. Tynnwyd sylw arbennig at y gwasanaeth casglu arian parod wrth stepen y drws a oedd yn cael ei ddarparu gan Adran Tai Caerffili, ac a dynnwyd yn ôl dros dro ym mis Mawrth 2020 pan gyhoeddwyd y cyfyngiadau symud.

Dywedwyd wrth y Cabinet fod y Tîm Rhenti wedi cysylltu â'r holl denantiaid a oedd yn defnyddio'r gwasanaeth, y dywedwyd wrthynt na ellid darparu'r gwasanaeth yn y tymor byr, ac y cawsant eu cynorthwyo i wneud taliadau yn swyddfa'r post neu drwy daliadau dros y ffôn i'r ganolfan gyswllt. Sicrhawyd yr Aelodau y byddai'r ymgynghoriad arfaethedig a amlinellid yn yr adroddiad, ar gyfer y tymor hir, yn sicrhau bod pob tenant yn cael ei glywed ac yn cael ymateb priodol.

Nododd y Cabinet yr arferai'r casglwr rhenti, cyn y cyfyngiadau symud, dreulio llawer o amser yn teithio ledled y Fwrdeistref Sirol yn casglu taliadau bob pythefnos. Amlinellodd y swyddogion fod y dull hwn yn costio £6.75 fesul trafodiad i'r Awdurdod. Trwy newid i dalu naill ai yn swyddfa'r post neu dros y ffôn, gallai'r tenantiaid dalu'n wythnosol, a hynny pan fyddai'n gyfleus iddynt.

Nodwyd, pe byddai'r gwasanaeth casglu wrth stepen y drws yn dod i ben yn barhaol, y byddai'r casglwr rhenti yn cael ei drosglwyddo i'r tîm cymorth tenantiaeth, a allai gynorthwyo unrhyw denantiaid a oedd yn wynebu anhawster.

Nododd y Cabinet hefyd, o ran taliadau ehangach, nad oedd yna unrhyw fwiad ar y pryd i ailagor y swyddfeydd arian parod, ac y cafodd y potensial i gynnig gwasanaeth talu arian parod cyfyngedig yn Nhŷ Penallta ei ystyried cyn i'r cyfyngiadau symud diweddar gael eu gweithredu. Fodd bynnag, ar ôl pwyso a mesur, daethpwyd i'r casgliad bod y manteision posibl o ailagor y desgiau arian parod yn Nhŷ Penallta yn cael eu gorbwyso gan yr anfanteision.

Diolchodd y Cabinet i'r Swyddog am yr adroddiad a chafwyd trafodaeth.

Roedd yr Aelod Cabinet dros Dai yn dymuno mynegi ei diolch diffuant i aelodau'r Tîm Rhenti am eu gwaith caled a'u hymdrechion yn cysylltu â thenantiaid, a'u cefnogi a'u cynorthwyo i wneud taliadau mewn ffyrdd eraill yn ystod dyddiau cynnar y pandemig.

Roedd y Cabinet yn falch o nodi'r adroddiad a'r gwaith helaeth a wnaed gan y tîm rhenti o ran gwneud casgliadau a chynnig cymorth i'r tenantiaid sy'n agored i niwed, ynghyd â chynorthwyo i gynyddu nifer yr ymwelwyr â'r swyddfeydd post.

Yn dilyn ystyriaeth a thrafodaeth, cynigiwyd ac eiliwyd bod yr argymhelliad yn yr adroddiad yn cael ei gymeradwyo. Trwy godi dwylo, cytunwyd yn unfrydol ar hyn.

PENDERFYNWYD, am y rhesymau a oedd wedi'u cynnwys yn adroddiad y Swyddog:

-

- i) Y dylid ymgynghori â defnyddwyr y gwasanaethau cyfredol ynghylch terfynu'r gwasanaeth casglu wrth stepen y drws ar gyfer rhenti tai a threth y Cyngor;
- ii) Ar yr amod bod canlyniad yr ymgynghoriad yn gefnogol i'r penderfyniad i derfynu'r gwasanaeth casglu wrth stepen y drws, y dylid ei ddirprwyo i'r Prif Swyddog Tai a'r Aelod Cabinet;
- iii) Na ddylid mynd ar drywydd yr opsiwn o ailagor y desgiau arian parod yn Nhŷ Penallta ar y pryd, gan fod yr anfanteision yn gorbwyso'r buddion posibl. Fel arall, cynigiwyd ein bod yn parhau i adeiladu ar y gwaith da a wnaed yn ystod y misoedd diwethaf i hyrwyddo newid pellach yn ein sianel fel ein sefyllfa ddiodyn bresennol;

- iv) Y dylai'r cynnig tymor canolig i'r tymor hir o ran y gwasanaeth gael ei bennu gan yr adolygiad arfaethedig o'r gwasanaethau i gwsmeriaid, ynghyd â'r adolygiadau ehangach a fyddai'n cael eu cynnal yn rhan o'r adroddiad Cryfhau Tîm Caerffili a gymeradwywyd gan y Cabinet ar 22 Gorffennaf 2020.

8. SYSTEM ARLWYO DDI-ARIAN– YSGOLION

Roedd yr adroddiad, a ystyriwyd gan y Pwyllgor Craffu Polisi ac Adnoddau ar 29 Medi 2020, yn rhoi diweddariad ar y sefyllfa gyfredol o ran system ddi-arian y Cyngor ar gyfer arlwyo mewn ysgolion, ac yn gofyn i'r Cabinet gytuno ar arian pellach er mwyn ehangu'r ddarpariaeth.

Nodwyd bod darpariaeth arlwyo ddi-arian yn galluogi disgyblion a rhieni i dalu am giniawau ysgol trwy system dalu ar-lein, gan arwain at ostyngiad sylweddol yn yr angen i drin arian parod a'r broses weinyddol gysylltiedig mewn ysgolion.

Ar y pryd, roedd system arlwyo ddi-arian ar waith mewn naw o'r ysgolion uwchradd, yr oedd angen ei diweddaru oherwydd datblygiadau TG, a 10 o ysgolion cynradd (a oedd yn gweithredu fel rhan o beilot), ac nad oedd gan 65 o leoliadau cynradd unrhyw ddarpariaeth arlwyo ddi-arian.

Roedd proses gaffael wedi cael ei rhoi ar waith, a byddai'n cael ei chwblhau pe byddai'r cyllid yn cael ei gymeradwyo.

Oherwydd digwyddiadau diweddar COVID-19, nodwyd ei bod wedi dod yn ofyniad brys i ysgolion leihau swm yr arian a oedd yn cael ei drin. Byddai gweithredu'r system arlwyo ddi-arian yn galluogi'r gwasanaeth i sicrhau gostyngiadau sylweddol yn nifer y taliadau arian parod am brydau ysgol ac am weithgareddau eraill mewn ysgolion. Byddai'r system hefyd yn cynorthwyo athrawon a staff i gadw disgyblion mewn ystafelloedd dosbarth unigol.

Nododd y Cabinet y byddai'r system hefyd yn galluogi ysgolion i atal unrhyw wahaniaethu rhwng disgyblion a oedd yn talu am brydau ysgol a'r rheiny a oedd yn cael prydau ysgol am ddim.

Byddai swyddogion gweinyddol pob ysgol unigol yn gallu cynorthwyo rhieni a oedd heb fynediad i'r we. Byddai'r cymorth hwn yn golygu bod tîm gweinyddol yr ysgol yn creu cyfrif ar-lein ar ran y rhiant.

Byddai'r system hefyd yn darparu nodweddion ychwanegol i alluogi rhieni i dalu am wisgoedd ysgol, tripiâu a gweithgareddau, ffotograffau, eitemau o siop ffrwythau'r ysgol, ac ati.

Byddai'r system hefyd yn golygu y byddai modd cyfrifo a gweinyddu taliadau ar gyfer ymwelwyr a phrydau bwyd staff heb fod angen taliadau arian parod.

Rhagwelid arbedion eraill hefyd, er enghraifft lleihau/dileu'r angen am wasanaeth casglu arian parod diogel.

Diolchodd y Cabinet i'r Swyddog am yr adroddiad a chafwyd trafodaeth.

Nododd y Cabinet fod yna ofyniad brys i ddiweddaru'r seilwaith TG mewn ysgolion. Byddai'r gwaith uwchraddio a oedd yn cael ei wneud mewn ysgolion, yn rhan o'r Rhaglen Technoleg mewn Addysg, yn golygu y byddai modd buddsoddi mewn ardaloedd ffreutur, moderneiddio cyfleusterau, a sicrhau cydraddoldeb i staff.

Gofynnodd un o Aelodau'r Cabinet, wrth nodi'r cyfleuster gorddrafft a oedd ar waith ar gyfer un pryd bwyd, a allai hyn fod ychydig yn fwy hael. Esboniodd y swyddogion fod yr hyblygrwydd ar gyfer hyn yn bodoli, ac y byddai yn ôl disgrisiwn yr ysgol i'w weithredu.

Holwyd ynglŷn â chostau cynnal a chadw'r system, a gofynnodd yr Aelodau am sicrwydd bod yr ysgolion yn barod i ariannu'r costau hyn. Esboniodd y swyddogion y byddai'r Awdurdod Lleol yn talu am holl gostau'r system, y gwaith gosod a'r gwaith gweinyddol, a oedd bron yn £500,000, ac felly sicrhawyd yr Aelodau bod yr ysgolion yn awyddus i ddefnyddio'r system ac y byddent yn hapus i dalu'r ffioedd cynnal a chadw parhaus o'r ail flwyddyn ymlaen.

Yn dilyn ystyriaeth a thrafodaeth, cynigiwyd ac eiliwyd bod yr argymhelliad yn yr adroddiad yn cael ei gymeradwyo. Trwy godi dwylo, cytunwyd yn unfrydol ar hyn.

PENDERFYNWYD, am y rhesymau a oedd wedi'u cynnwys yn Adroddiad y Swyddogion: -

- i) Cytuno ar y cynnig i fwrw ymlaen a phrynu'r system arlwyo ddi-arian ar gyfer 84 o leoliadau ysgolion;
- ii) Talu'r gofyniad cyllid gweddilliol, sef £246,500 o Gronfeydd Wrth Gefn Addysg a Gwasanaethau Corfforaethol.

Daeth y cyfarfod i ben am 11.53am.

Wedi'i gymeradwyo a'i lofnodi'n gofnod cywir yn amodol ar unrhyw gywiriadau a fydd yn cael eu gwneud yn y cyfarfod ar 28 Hydref 2020.

CADEIRYDD

Dyddiad Cabinet	Teitl	Materion Allweddol	Awdur	Aelod Cabinet
11/11/2020 10:30	Caerffili yn Gofalu	Cytuno ar sefydlu gwasanaeth Caerffili yn Gofalu fel parhad i'r cynllun cyfeillio a'r gronfa waddol i'w lleoli yn y Gyfadran Gwasanaethau Cymdeithasol.	Street, Dave;	Y Cynghorydd Stenner, Eluned; Y Cynghorydd Cook, Shayne;
11/11/2020 10:30	Y Bwrdd Prosiect Adfywio - Cynigion Prosiect	Argymhell dyrannu hyd at £509 mil o Gronfeydd Datblygu'r Bwrdd Prosiect Adfywio tuag at nifer o brosiectau a gymeradwywyd ac a werthuswyd yn ddiweddar ym Mwrdeistref Sirol Caerffili. Ceisio cymeradwyaeth am broses gymeradwyo symlach ar gyfer y Rhaglen Grantiau Thematig Targedu Buddsoddiad mewn Adfywio ac addasu'r cronfeydd y cytunwyd arnyn nhw o'r blaen ar gyfer Llwyfandir 2 a 4 Parc Busnes Oakdale tuag at dir sy'n eiddo i'r Cyngor ym Mharc Busnes Caerffili	Kyte, Rhian;	Y Cynghorydd Morgan, Sean;
11/11/2020 10:30	Seilwaith Gwefru Cerbydau Trydan	Ceisio cymeradwyaeth y cabinet ar gyfer arian i osod seilwaith gwefru cerbydau trydan fel rhan o'r cam cyntaf o weithredoedd i gyflwyno cerbydau trydan i fflyd yr Awdurdod.	Cooke, Paul;Richards, Sue;	Y Cynghorydd George, Nigel; Y Cynghorydd Morgan, Sean;
25/11/2020 10:30	Strategaeth Seilwaith Gwyrdd	Cydnabyddir bod seilwaith gwyrdd yn ganolog i'r modd y mae egwyddorion cynaliadwyedd yn cael eu rhoi ar waith a'u cynnal. Cydnabyddir buddion cymdeithasol ac amgylcheddol seilwaith gwyrdd yn dda; mae'r buddion economaidd ehangach o fudd cynyddol. Mae'r weledigaeth ar gyfer y Strategaeth Seilwaith Gwyrdd yn adlewyrchu'r llwyddiant dros yr 20 blynedd diwethaf o ran gweithredu a datblygu'r cynllun cefn gwlad y bydd yn ei disodli.	Hartshorn, Robert;	Y Cynghorydd Ridgewell, John;

25/11/2020 10:30	Strategaeth Datgarboneiddio a Chynllun Gweithredu	Ceisio cymeradwyaeth y Cabinet am strategaeth datgarboneiddio, prosbectws ynni a'r cynllun gweithredu cysylltiedig ar gyfer yr awdurdod i gefnogi'r argyfwng hinsawdd a ddatganwyd yn gynharach eleni.	Kyte, Rhian;Dallimore, Allan;	Y Cynghorydd Ridgewell, John;
25/11/2020 10:30	Siarter Teithio Cynaliadwy Gwent	Ceisio barn ar gofrestru ar gyfer Siarter Teithio Cynaliadwy Gwent - ymrwymiad traws-sector cyhoeddus i gefnogi staff i deithio i'r gwaith a theithio wrth weithio yn fwy cynaliadwy	Richards, Sue;Peters, Kathryn;Cooke, Paul;	



CABINET – 28TH OCTOBER 2020

SUBJECT: SAFER RECRUITMENT PROCEDURE AND DISCLOSURE AND BARRING SERVICE (DBS) POLICIES

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

- 1.1 The attached draft Safer Recruitment Procedure and Disclosure and Barring Service (DBS) Policies was considered by the Policy and Resources Scrutiny Committee on 25th February 2020. Members were asked to consider and comment on the report contents prior to it being considered by Cabinet on 25th March 2020.
- 1.2 The scrutiny committee were advised that Caerphilly County Borough Council's current Recruitment and Selection Procedure was last reviewed in 2004. That approval is now being sought from Cabinet to introduce a revised procedure that is reflective of current safe recruitment practice and equal opportunity.
- 1.3 The focus of the proposed Safer Recruitment Procedure is on that which is static, i.e. equal opportunities and safer recruitment practice, both of which are non-negotiable requirements in recruitment practice. In this format, it provides a set of guidelines which ensure a fair and objective process is followed in recruitment, which takes account of employment and equalities legislation together with Safeguarding best practice when recruiting to a post and/or engaging agency staff/ volunteers to work across the Council. This Committee heard how the proposed procedure reflects the Council's current safe operational practice and the statutory guidance and best practice principles of the South East Wales Safeguarding Children Board (SEWCSB); the Gwent Wide Adult Safeguarding Board (GWASB) and Care Inspectorate Wales (CIW) where awareness and good practice is promoted.
- 1.4 The DBS issued guidance in Autumn 2018 i.e. 'A Guide to School Governors and Elected Councillor Roles in Wales'. This guidance now gives the Council the opportunity to review its current operational practice to ensure that it is consistently robust and safe. In response to this guidance, Committee Services; HR; Education and Social Services colleagues responsible for safeguarding seek to extend the operational DBS checking process to include Elected Members and School Governors as outlined in the DBS Policy and Procedure documents attached at Appendices 2 and 3.
- 1.5 Juan- Antonia Garcia, Unison Branch Chairperson stated to the scrutiny committee that he welcomed the policy review but that Unison did have concerns about the current safeguarding training and access to professional development opportunities or supervision for agency workers. Mr Garcia agreed to share and explain his concerns regarding agency practices with HR outside of this meeting. He reiterated that Unison welcomed the policy review.
- 1.6 One Member asked for clarification with regard to the cost of enhanced level DBS checks for Elected Members who serve as School Governors. Officers advised that there was no cost to the School Governor as the role met the DBS definition of an unpaid volunteer, but there would be an administrative charge of £2.50, which is the current fee for processing

DBS Checks via E-Bulk in each case, which would be met by the Council.

- 1.7 Following consideration and discussion the Policy and Resources Scrutiny Committee unanimously recommend to Cabinet that:
- (i) The Safer Recruitment Procedure attached at Appendix 1 be approved. This will replace the current 2004 Recruitment and Selection Procedure.
 - (ii) The DBS Policy attached at Appendix 2 be approved. This Policy will be published on the Council's website.
 - (iii) The DBS Policy relating to School Governors attached at Appendix 3 be approved. This Policy will then be circulated to Schools for recommended adoption.
- 1.8 Cabinet are asked to consider the report and the above recommendations from the Policy and Resources Scrutiny Committee.

Author: Mark Jacques, Scrutiny Officer – jacqu@caerphilly.gov.uk

Appendices:

Appendix Report to Policy and Resources Scrutiny Committee 25th February 2020 Agenda Item 9



POLICY & RESOURCES SCRUTINY COMMITTEE – 25TH FEBRUARY 2020

SUBJECT: SAFER RECRUITMENT PROCEDURE AND DISCLOSURE AND BARRING SERVICE (DBS) POLICIES

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to consult with Policy & Resources Scrutiny Committee in relation to the Safer Recruitment Procedure and Disclosure and Barring Service (DBS) Policies attached as appendices 1, 2 and 3 to this report prior to consideration by Cabinet.

2. SUMMARY

- 2.1 Caerphilly County Borough Council's current Recruitment and Selection Procedure was last reviewed in 2004. Approval is now being sought from Cabinet to introduce a revised procedure that is reflective of current safe recruitment practice and equal opportunity.
- 2.2 The proposed Safer Recruitment Procedure attached (Appendix 1) complements the current vacancy management process and guidance that is available for recruiting managers on the Council's intranet, i.e. the process and guidance that requires regular review and update in accordance with Council operational priorities and legislative updates.
- 2.3 The focus of this proposed Safer Recruitment Procedure is based on equal opportunities and safer recruitment practice, both of which are non-negotiable requirements in recruitment to posts within the Council. It provides a set of guidelines which ensure a fair and objective process is followed in recruitment, which takes account of employment and equalities legislation together with Safeguarding best practice when recruiting to a post and / or engaging agency staff / volunteers to work across the Council. It reflects the statutory guidance and best practice principles of the South East Wales Safeguarding Children Board (SEWCSB), the Gwent Wide Adult Safeguarding Board (GWASB) and Care Inspectorate Wales (CIW) where awareness and good practice is promoted.

- 2.4 Integral to Safer Recruitment practice is the Council's position on Disclosure and Barring Service (DBS) checks and it is an expectation of the DBS that the Council's position is clearly reflected in written policy. The Council has consistently followed DBS Policy and Procedure in its operational practice but it has not yet published its own written policy position. This Policy is now attached at Appendix 2.
- 2.5 The DBS issued guidance in Autumn 2018 entitled 'A Guide to School Governors and Elected Councillor Roles in Wales (Attached at Appendix 4)'. This guidance now gives the Council the opportunity to review its current operational practice to ensure that it is consistently robust and safe. In response to this guidance, Committee Services, HR, Education and Social Services colleagues responsible for / involved with safeguarding seek to extend the operational DBS checking process to include Elected Members and School Governors as outlined in the DBS Policy and Procedure documents attached at Appendices 2 and 3.

3. RECOMMENDATIONS

- 3.1 It is recommended that Policy and Resources Scrutiny Committee note the contents of the report and recommend:
- 3.1.1 The Safer Recruitment Procedure attached at Appendix 1 to Cabinet for approval. This will replace the current 2004 Recruitment and Selection Procedure.
- 3.1.2 The DBS Policy attached at Appendix 2 to Cabinet for approval. This Policy will be published on the Council's website.
- 3.1.3 The DBS Policy relating to School Governors attached at Appendix 3 to Cabinet for approval. This Policy will then be circulated to Schools for recommended adoption.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Caerphilly County Borough Council is committed to safeguarding children and vulnerable adults who access the services it provides and consistently utilises the services offered by the DBS to assist in the protection of children and vulnerable adults from persons who may wish to harm them. The Council's safe recruitment practice and DBS practice is not accurately captured and presented in a current written policy, which does not truly reflect operational practice
- 4.2 The DBS decision to circulate guidance on checks relating to Elected Members and School Governors in Autumn 2018, highlighted that individuals holding these positions are eligible to be asked to apply for enhanced level DBS checks in the child or adult workforce, but without relevant barred list checks. Following a review of this guidance the preference of consultees was to include these groups in the Council's DBS checking process as appropriate.

5. THE REPORT

Safer Recruitment Procedure

- 5.1 The Council's current Recruitment Policy was written from a corporate process perspective, is 43 pages long and dates back to 2004. This policy is long overdue for review and the process information contained therein is largely out of date.

- 5.1.1 Whilst the Council can demonstrate that current operational process promotes safe practice in recruitment, our current procedure does not indicate that the safety and wellbeing of our children, young people and vulnerable adults are a Council priority, nor that we take all reasonable and sensible measures in recruitment to keep them safe from those who may wish to harm them.
- 5.1.2 Nowhere within the Council's current Recruitment and Selection Procedure are the words 'child'; 'children', or 'vulnerable adult' written. The current operational practice has moved on to incorporate safeguarding requirements, however, the procedure is not reflective of the safer operational practice of the Council.
- 5.1.3 In direct contrast to the current policy, the proposed Safer Recruitment Procedure in terms of title and content complements our Corporate Safeguarding Policy which emphasises that:
- The Council ensures that everyone working with or on behalf of children and vulnerable adults are competent to do so.
 - The Council promotes safer recruitment policy and practice.
 - Safeguarding responsibilities for all employees are emphasised from the point of recruitment and throughout their employment.
 - All Heads of Service / Chief Officers must ensure that safe recruitment practices are adopted.
- 5.1.4 The proposed Safer Recruitment Procedure furthermore complements the Council's voluntary pledge to support the Armed Forces in that, the recruiter must always be prepared to ensure that applicants who have identified themselves as members of the Armed Forces, and who meet the essential criteria of the person specification, are guaranteed an interview. Members of the Armed Forces include:
- Service Leavers
 - Veterans
 - Reservists
 - Spouse
- 5.1.5 The proposed Safer Recruitment Procedure was shared with HR Strategy Group colleagues and consequently Directorate feedback was received. The Procedure was updated accordingly and shared with our Corporate and Education Trade Union colleagues on the 30th August 2019. Their feedback was requested and received at the Education Joint Consultative Committee (JCC) meeting held on the 25th September 2019. The Safer Recruitment Procedure was positively received and no amendments to the procedure were requested.

DBS Policy and Procedure

- 5.1.6 Scrutiny Members will be aware that the DBS service allows organisations to make safer recruitment decisions by providing access to criminal records for posts which are deemed to require a criminal records check. The Council is committed to safeguarding children and vulnerable adults who access the services it provides and consistently utilises the services offered by the DBS to assist in the protection of these groups from persons who may wish to harm them.

5.1.7 The Council's position on DBS checks is integral to Safer Recruitment practice and it is an expectation of the DBS that this position is clearly reflected in written policy.

5.1.8 The DBS Policy attached at Appendix 2 outlines the Council's current practice and clarifies that in addition to DBS checks that are undertaken for employees who qualify for a DBS check and who are subject to a 3 year renewal check:

- DBS checks will equally apply to Agency workers who undertake duties within the Council which have been identified as requiring a DBS check. The Agency worker must have a valid DBS certificate which has been issued within the last 12 months i.e. in line with current operational practice.
- The Council will carry out checks for Elected Members who serve on committees which involve the delivery of services for Children and Adults relating to Education or Social Services. Other specified roles which involve the Elected Member serving on committees or as a designated person will also require a DBS check. N.B. Committee Services have engaged Elected Members in this capacity in recent months.
- Volunteers whose roles are eligible for a DBS check and which meet the DBS definition of a volunteer will be required to have the relevant level of DBS check in place prior to commencing their volunteering role' i.e. in line with current operational practice.
- The Council will also recommend to Schools that Governors are DBS checked as they are incorporated into the definition of "work with children" thus making them eligible for an enhanced level DBS check for the child workforce. N.B. This is a proposed position that with Cabinet agreement will be recommended to Schools for adoption as highlighted in Appendix 3.

5.1.9 The 'Guide to School Governor and Elected Councillor Roles in Wales' 2018 as referred to in 2.5 above is an undated document which helpfully clarifies the legislative position that supports the DBS to undertake an enhanced DBS check (no barred list check) at the request of the employer for:

- School Governors including member or clerk to the governing body of an educational establishment and/or a person appointed by the governing body of a maintained school to serve on a committee.
- Elected Councillors if they are appointed as a member of a committee or sub-committee involved in the delivery of services for children relating to education or social services and/or the delivery of services for adults relating to social services.

Under the position of 'legislation', the guidance states:

- *'These roles used to be included in the original definition of regulated activity with children and adults, as set out in the Safeguarding Vulnerable Groups Act (SVGA) 2006. Following changes to this definition by the Protection of Freedoms Act 2012, School Governors were removed. This means that the roles were no longer classed as being regulated activity and therefore not eligible for a barred list check'.*

- The Police Act 1997 (Criminal Records) Regulations 2002 were amended in 2012 for School Governors and in 2013 for Elected Members to incorporate these roles into the new definition of 'work with children' and 'work with adults'. This made the individuals holding these positions eligible to be asked to apply for enhanced level DBS checks in the child or adult workforce, but without relevant barred list checks.

5.1.10 Following the DBS' circulation of 'A Guide to School Governor and Elected Councillor roles in Wales' in Autumn 2018:

- The Committee Services Team have worked with relevant Elected Councillors to undertake enhanced DBS checks as deemed appropriate.
- HR have engaged with colleagues responsible for Education and Safeguarding in the Council, Headteachers in cluster group meetings and Trade Unions through the JCC forum to seek their views on whether some or all governors should be asked to apply for an enhanced level DBS check (no barred list).

5.1.11 With regard to School Governors specifically, it was the preference of all consultees to recommend to Schools that all Governors be asked to apply for an enhanced level DBS check (without a barred list check). This recommendation is reflected in the DBS Policy relating to School Governors document attached at Appendix 3.

5.1.12 Trade Union colleagues on the 25th September 2019 at JCC supported the recommendation to Schools that all School Governors should be asked to apply for an enhanced level DBS check (without a barred list check).

5.2 **Conclusion**

5.2.1 The Council's clear commitment to ensuring safe operational practice is not expressed in written policy. The proposed Safer Recruitment Procedure and recommended DBS Policies that have been referred to in this report for adoption and publication on the Council's website, will rectify this.

5.2.2 The adoption of the Safer Recruitment Procedure and the DBS Policy clearly outlines the Council's commitment to safe recruitment and DBS practice and officer accountability to ensure this.

5.2.3 In supporting the recommendation of a DBS Policy to our Schools relating to School Governors specifically, Scrutiny members will show their commitment to ensuring robust DBS practice within Schools.

6. **ASSUMPTIONS**

6.1 There are no assumptions made within this report.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

7.1 The proposed procedures and policies link to the Corporate Safeguarding Policy and the People Management Strategy and therefore to all other strategies, including all equality strategies, policies and procedures, that rely on employees to deliver the strategy and service provision.

7.2 Corporate Plan 2018-2023.

The proposed procedure and policies support Objective 1. i.e.: *Improve education opportunities for all, Outcome 8 - Safeguard all children and young people in order to create a climate for learning, particularly for those most vulnerable.* Safe recruitment practice and relevant DBS checks are integral to ensuring a safe learning environment. These are fundamental principles that underpin the delivery and development of sufficient and sustainable safeguarding training.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 Having considered the five ways of working, they will not be affected by the contents of this report.

9. EQUALITIES IMPLICATIONS

9.1 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. It should be noted that DBS certificates cannot be printed in Welsh due to procedures laid down in Part V of the Police Act 1997.

10. FINANCIAL IMPLICATIONS

10.1 There will be additional costs incurred as a result of the extension of DBS checks to include School Governors. It is the intention to progress the DBS check of every School Governor through the E-Bulk process, which will incur a £2.50 administrative charge in each case. The actual DBS check itself will be free of charge on the premise that School Governors are unpaid volunteers.

10.2 The DBS recently reviewed its charges as follows with effect from 1st October 2019:

- Basic DBS check - £23.00 (previously £25)
- Standard DBS check - £23.00 (previously £26)
- Enhanced DBS check - £40.00 (previously £44)

10.3 The reduction in cost of the DBS check could offset the £2.50 administrative charge that the Council will incur as we progress to using E Bulk for the vast majority of checks that we undertake which are enhanced checks.

11. PERSONNEL IMPLICATIONS

11.1 There is likely to be some support requirements on the part of some governors in completing the online application. HR will produce guidance documents to support this process and will support Schools to progress these checks.

12. CONSULTATIONS

12.1 All consultation responses have been incorporated in the report.

13. STATUTORY POWER

13.1 Local Government Act 1972
Protection of Freedoms Act 2012

Author: Lynne Donovan, Head of People Services

Consultees: Lisa Downey, HR Service Manager
Shaun Watkins, HR Service Manager
Corporate management Team
Robert Tranter, Head of Legal Services & Monitoring Officer
Stephen Harris, Interim Head of Business Improvement & S151 Officer
HR Strategy Group
Headteachers
Joint Consultative Committee Members

Appendices:

Appendix 1 Proposed Safer Recruitment Procedure
Appendix 2 Proposed DBS Policy and Procedure
Appendix 3 Proposed DBS Policy and Procedure relating to School Governors
Appendix 4 DBS Guidance 'A Guide to School Governor and Elected Councillor roles in Wales' 2018

Background Papers:

Recruitment and Selection Procedure 2004

SAFER RECRUITMENT PROCEDURE

Version of Policy	Version 1
Policy Ratified By:	
Date Ratified:	
Effective Date of Policy:	March 2020
Review Date:	31 March 2021
Applicable To:	All Caerphilly employees including school based employees where the School Governing Body has adopted the Procedure.
Equalities Issues:	All Equalities considerations have been taken into account when drafting this Policy. This Policy is available in Welsh



INDEX

SECTION	PAGE NUMBER
Introduction	3
Equal Opportunities	3
Assessing Welsh Language Requirements	3
English Language Requirements for Public Sector Workers	4
Safer Recruitment Practice	4
The Recruitment Process:	5
Planning	5
The Applicant Information Pack	5
A well-written job description	5
The person specification	5
Scrutinising and Shortlisting	5
The Interview Panel	6
A face to face interview	6
Invitations to Interview	7
Professional and character references	7
Conditional offer of appointment	8
Agency Staff and Volunteers – Safe Engagement:	8
Agency Staff	8
Volunteers	9
Post Appointment – Maintaining a safe culture	9
Monitoring of the Procedure	10
Interpretation of the Procedure	10
Review of the Procedure	10

INTRODUCTION

1. The purpose of this Safer Recruitment Procedure is to provide a set of guidelines which ensure a fair and objective process is followed which takes account of employment and equalities legislation together with Safeguarding best practice when recruiting to a post and/or engaging agency staff/ volunteers to work across the Council.

EQUAL OPPORTUNITIES

2. In the application of this procedure no employee or applicant will be unlawfully disadvantaged on the grounds of race, colour, nationality, ethnic or national origins, language, disability, religion, age, gender reassignment, sexual orientation, parental, marital or civil status. The Council's Safer Recruitment Procedure aims to ensure that appointments to posts at all levels in the organisation are made in accordance with sound principles of equality of opportunity and safer recruitment. This will enable the Council to attract applicants from a wide range of diverse backgrounds who have the skills, experience and attributes to complement our workforce, enhance our performance and provide safe, quality services to the community of Caerphilly County Borough.
3. The recruiter must always be prepared to make 'reasonable adjustments' to ensure that workplace requirements or practices do not disadvantage employees or potential employees with a disability. All applicants who are registered disabled and who meet the essential criteria of the person specification must be offered an interview.
4. In support of the Council's voluntary pledge to support the Armed Forces, the recruiter must always be prepared to ensure that applicants who have identified themselves as members of the Armed Forces, and who meet the essential criteria of the person specification, are guaranteed an interview. Members of the Armed Forces include:
 - Service Leavers
 - Veterans,
 - Reservists
 - Spouse
5. The recruiter may offer training and encouragement to any underrepresented groups. Examples include pre-application assistance for those who do not have English as their first language, or management development training for women where they are under-represented in management grades.
6. Job advertisements may also state that the employer encourages applications from those groups that are under- represented in the Council.

ASSESSING WELSH LANGUAGE REQUIREMENTS

7. The Welsh Language Standards are a set of legally binding requirements that aim to allow people in Wales the ability to receive services in the Welsh language. The Standards clearly set out what our responsibilities are in terms of providing bilingual services, ensuring the Welsh language is not treated less favourably than the English language. One of the requirements of the Welsh Language Standards is the need to

assess each post for linguistic requirements. The assessment must be written and available for audit by the Welsh Commissioner. No post will progress to advertisement without this assessment.

8. Further guidance is available on the HR Support Portal.

ENGLISH LANGUAGE REQUIREMENTS FOR PUBLIC SECTOR WORKERS

9. The UK Government has introduced, under Part 7 of the Asylum and Immigration Act, a requirement for all public facing public sector employees to be able to communicate fluently in English (or Welsh in Wales where the role is identified as requiring a Welsh speaker) to ensure the safe and high quality delivery of public services. All posts must be assessed to identify whether they are public facing so that the fluency duty can be met.
10. Further advice on undertaking this assessment, together with examples of posts that are not covered by the legislation, is available on the HR Support Portal.

SAFER RECRUITMENT PRACTICE

11. It is vital that all of the Council's establishments and Schools adopt recruitment and selection procedures, and other HR management processes that help to prevent, identify and reject people who might abuse children, young people and/or vulnerable adults, or, are otherwise unsuited to work with them.
12. The Council is committed to ensuring that everyone living within the Borough is safe and protected and that our statutory responsibilities to safeguard and protect children, young people and vulnerable adults are effectively met. The Council expects all staff/ agency staff and volunteers to share this commitment.
13. The Council's commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults must be clearly communicated at every stage of the recruitment process, i.e. in the advertisement, the job description and recruitment literature.
14. Where the post is to work with children/young people and/or vulnerable adults, the Council's commitment to safeguarding these vulnerable groups must be tested in the recruitment exercise and in reference requests.
15. Safeguarding is everyone's responsibility and CCBC in its Corporate Safeguarding policy reminds all Council employees, Agency workers, volunteers, Elected Members and contractors of their legal duty to take action if they are concerned about the wellbeing of any child, young person or vulnerable adult. It therefore follows that safe recruitment practices must apply to all posts.
16. This Procedure is not intended to provide a comprehensive guide to recruitment and selection or employment issues. Managers, Headteachers and those responsible for recruiting will need appropriate training as well as support and advice from HR to ensure their practice satisfies the requirements of employment law. This procedure provides procedural guidance to promote safer recruitment only. This Procedure does not replace or override:

- Any Care Inspectorate Wales (CIW) practices or other professional body practices relating to recruitment that must be followed and made available for reference;
- The vacancy management process that will be in operation in the Council and as a process subject to regular review. The vacancy management process is available on the HR Portal and must be followed before any post can be advertised/recruited to.

THE RECRUITMENT PROCESS

17. **Planning** is vital to successful recruitment. The recruitment literature relevant to the post must explain clearly the combination of qualities, qualifications and experience a successful applicant will need to demonstrate, alongside any particular matters that need to be mentioned in the advertisement and corresponding paperwork to prevent unwanted applications.
18. **The Applicant Information Pack** should include:
 - The application form (and any accompanying explanatory note).
 - The job description and Person Specification
 - Relevant information about the Council and the recruitment process
 - The Council's Equal Opportunities Policy Statement
 - The Corporate and/or School's Recommended Safeguarding Policy
19. **A well-written job description** is essential to attracting the right candidate for the job. It should clearly state the main duties and responsibilities of the post and where relevant to the post, the individual's responsibility for promoting and safeguarding the welfare of children, young people and/or vulnerable adults.
20. To maintain the integrity of the evaluated grading structure in the Council, the Council's template job description that is available on the HR Portal must be used for all* posts. The Council is confident that all employees are paid on an objective and consistent assessment of the key factors of their job. The Council's pay structure was developed to eliminate bias and discrimination by showing that all jobs have been treated in the same way and to ensure that employees are paid fairly and equally for equal work. N.B 'all posts' in this circumstance does not apply to teacher job descriptions. Template teacher job descriptions can be obtained from HR.
21. **The person specification** must include the qualifications and experience, and all other requirements needed to perform the role. It must describe the competences and qualities that the successful applicant should be able to demonstrate and explain that these requirements will be tested and assessed during the selection process. The Council's template personnel specification accompanies the template job description that is available on the HR Portal.
22. **Scrutinising and Shortlisting** - All information required from applicants must be obtained and scrutinised. Any and all discrepancies/anomalies identified through the scrutiny process must be satisfactorily resolved before the applications progress. For example:
 - Any anomalies or discrepancies or gaps in employment identified by the scrutiny should be considered and noted as to why the application is progressing or not.

- Any history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply or temporary work should be considered and noted as to why the application is progressing or not.
23. All candidates must be assessed equally against the criteria contained in the person specification without exception or variation.
24. **The Interview Panel** – should consist of two or more recruiters. One recruiter only is not advisable. The members of the panel must:
- have the necessary authority to make decisions about appointment;
 - meet before the interviews to reach a consensus about the required standard for the job to which they are appointing;
 - consider the issues to be explored with each candidate and agree who on the panel will ask about those;
 - agree a set of questions relating to the requirements of the post avoiding closed and hypothetical questions wherever possible.
 - seek to agree competence based questions that ask a candidate how they have responded to, or dealt with an actual situation, how they will deal with a specific situation and test the applicant's attitudes and understanding of issues.
 - agree assessment criteria in accordance with the person specification
 - At least one recruiter on the Interview Panel must be appropriately trained.
25. When setting questions, the panel must be mindful of Equalities Legislation and construct each question carefully to ensure never in breach of equalities issues.
26. When setting tests, the panel must be mindful of Equalities Legislation and ensure that no test / question places any candidate at a disadvantage
27. Interviewees should always be required to:
- explain satisfactorily any gaps in employment;
 - explain satisfactorily any anomalies or discrepancies in the information available to the recruiter;
 - declare and discuss any information that is likely to appear on a criminal record disclosure;
 - demonstrate their attitude towards safeguarding and promoting the welfare of children, young people and/or vulnerable adults where applicable;
 - demonstrate their ability to support the Council's commitment to safeguarding and promoting the welfare of children, young people and/or vulnerable adults as stated the Council's Corporate Safeguarding Policy where applicable.
28. **A face to face interview** is good practice in order to explore the candidate's suitability to work in the post applied for.
29. For people who will be required to work with children, young people and/or vulnerable adults, the face to face interview is a must.
30. The recruiter must always be mindful to consider accessibility issues and reasonable adjustments in their planning for and invites to the interview.

31. It is often viewed as good practice to involve children, young people and/or vulnerable adults in the pre interview or interview process where appropriate to the post applied for.
32. When arranging venues for interviews, equalities legislation must be considered in relevance to accessibility issues and ensuring that no person is placed at a disadvantage in any capacity.
33. **Invitations to Interview** - The Interview Invite aside from the obvious need to identify where, when, how and by whom the interview will be conducted should also where appropriate provide a reminder that:
 - The interview will explore the individual's suitability to work with children, young people and/or vulnerable adults.
 - The identity of the successful candidate will be checked thoroughly to ensure they are who they claim to be
 - That where a DBS check is required for the post, the person who the panel are seeking to appoint will be required to complete an application for a DBS Disclosure, receive and share the DBS certificate with the Council before appointment can be confirmed.
 - That original documents and/or certified copies of educational and professional qualifications that are required for the post must be available to the Recruiter/ to the Council to view before appointment can be confirmed. In the absence of either, written confirmation of the applicant's qualifications must be obtained from the awarding body.
34. **Professional and character references** that address specific questions to help assess an applicant's suitability to work must be obtained prior to offering an appointment in any capacity. The Council provides a template reference pro-forma for this purpose.
35. Recruiters must not rely on open references and testimonials such as 'To whom it may concern'.
36. Where the post involves working with children, young people and/or vulnerable adults, the reference must include questions to assess the applicant's suitability to work with these groups. It is the safer recruitment letter request and reference template that should be followed for these appointments. This takes into account the requirements of the relevant regulatory bodies.
37. All returned references must be carefully scrutinised to ensure that all questions have been answered and that the answers support the applicant's suitability for the post applied for. This will be the responsibility of the recruiting manager. Some references will require follow up calls by the recruiting manager in accordance with relevant regulatory requirements.
38. If there are unanswered questions in the reference or the answers are vague or unspecific, the recruiting manager must contact the referee to provide answers or clarification as appropriate. The information attained must be recorded and compared with the application form to ensure consistency. Any discrepancy in the information provided must be taken up with the applicant.

39. **Conditional Offer of appointment** – Recruitment records maintained by HR must demonstrate that:

- An Identity check has been undertaken;
- A qualification check has been undertaken (original certificates received);
- Right to work in the UK has been established. The Council is legally required to establish this under the Immigration, Asylum and Nationality Act 2006;
- Two references have been received, one from current or most recent employer in every case where this is available along with a written record of any telephone conversation with a referee from the recruiting manager;
- That where a DBS check is required for the post, the person who the panel are seeking to appoint has completed an application for a DBS Disclosure, received and shared the DBS certificate with the Council.
- Where required, registration status relevant to the post that has been applied for has been satisfied, for example, Education Workforce Council (EWC), Care Inspectorate Wales (CIW);
- The Council's Occupational Health Department has confirmed the applicant has the health & physical capacity to undertake the post;
- Where required an overseas criminal record check documentation has been received and reviewed where appropriate.
- Gaps in employment and/or education have been accounted for by the recruiting manager.

AGENCY STAFF AND VOLUNTEERS - SAFE RECRUITMENT / ENGAGEMENT PRACTICE

Agency Staff

40. Under the Conduct of Employment Agencies and Employment Businesses Regulations 2003, employment agencies and employment businesses are not allowed to introduce or supply a work seeker to a hirer unless they have made checks to ensure that both the work seeker and hirer are aware of any legal or professional body requirements, which either of them must satisfy to enable the work seeker to work for the hirer. This should include:

- The agency/business checking that any supply staff have the qualifications and/or registration status and/or DBS status required for the post the hirer is seeking to fill.
- The agency/business carrying out the same pre-employment checks as we do for our staff (see point 38 above).
- Agencies being able to confirm that they consistently implement these checks and have carried out the checks for every individual they might/will supply to the hirer.
- That they are only going to present a work seeker that has passed the **safer recruitment process** if the post involves working with children, young people and/or vulnerable adults.

41. The Agency/business must be prepared to commit to regular quality assurance checks with the hirer to satisfy themselves that safe recruitment practice has not

lapsed. Evidence of the quality assurance check must be available for audit purposes.

Volunteers

42. Volunteers are seen by children and vulnerable adults alike as safe and trustworthy adults, and if the Council/ the School is actively seeking volunteers, and is considering candidates about whom it has little or no recent knowledge, it should adopt the same recruitment measures as it would for paid staff.
43. Where an establishment/School approaches a person who is well known to them to take on particular role, a shorter procedure could be adopted, but it should still include obtaining **references**, conducting an informal interview to be clear about the person's suitability, and obtaining a DBS check where the role requires it. The completion of a risk assessment as a matter of good practice is recommended in such cases.
44. All those requested to work closely and regularly with children and young people and/or vulnerable adults in an unsupervised capacity, must have an enhanced DBS check.

POST APPOINTMENT – MAINTAINING A SAFER CULTURE

45. It is important that all staff in an establishment have appropriate training and induction so that they understand their safeguarding roles and responsibilities and are confident about carrying them out.
46. The content and nature of the induction process will vary according to the role and previous experience of the new member of staff or volunteer, but should:
 - Ensure adherence to any induction framework that is relevant to the post including promoting the understanding of any professional body status expectations of the post.
 - Include safe practice and the standards of conduct and behaviour expected of staff in the establishment, e.g. anti-bullying, anti-racism.
 - Identify how and with whom any concerns about those issues should be raised
 - Include other relevant HR procedures, such as disciplinary, capability and whistle blowing procedures.
47. If the post includes safeguarding and promoting the welfare of children, young people and/or vulnerable adults, the induction programme should also include information about, and written statements of:
 - policies and procedures in relation to safeguarding and promoting welfare e.g. safeguarding, child protection, adult protection, physical intervention or restraint, intimate care, internet safety and any local child/adult protection and safeguarding procedures
48. The induction should also include attendance at training appropriate to the individual's role.

49. Provide opportunities for the new member of staff / Agency staff or volunteer to discuss any issues or concerns about their role and responsibilities.
50. Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.
51. Monitoring of both the recruitment process and induction arrangements will help better inform future recruitment practices. This monitoring should cover staff turnover and reasons for leaving, exit interviews and the attendance of new recruits at relevant training.

MONITORING OF THE PROCEDURE

52. Good partnership working between Education, Children and Adult Services ensures that policies and procedures are effectively implemented and reflect the statutory guidance of the South East Wales Safeguarding Children Board (SEWCBS) and the Gwent Wide Adult Safeguarding Board (GWASB). Awareness and good practice is promoted through these Boards. The safe recruitment procedure will be reviewed annually to ensure consistent with Statutory Guidance and good reflective practice.

INTERPRETATION OF THE PROCEDURE

53. In the event of a dispute relating to the interpretation of this procedure, the Head of People Services and a Head of Service unconnected to the appointment/engagement will make the final decision on interpretation.

REVIEW OF THE PROCEDURE

54. A review of this procedure will take place annually in line with the Council's safeguarding and equal opportunities policies. The procedure will be updated appropriately to reflect any changes in legislation and guidance. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the procedure will be amended and reissued.

MARCH 2020

Disclosure and Barring Service (DBS) Policy

<i>Version of Policy</i>	Version 1
<i>Policy Ratified By:</i>	
<i>Date Ratified:</i>	
<i>Effective Date of Policy:</i>	March 2020
<i>Review Date:</i>	March 2021
<i>Applicable To:</i>	All Caerphilly employees including employees directly employed by Schools, Agency Workers, Volunteers, Elected Members and School Governors.
<i>Equalities Issues:</i>	All Equalities considerations have been taken into account when drafting this Policy. This Policy is available in Welsh



INDEX

SECTION	Page Number
Definitions	2
Introduction	3
Detail Of The Policy	3
Interpretation of the Policy	5
Review Of The Policy	6

DEFINITIONS

DBS – The Disclosure *and* Barring Service is an Executive Agency of the Home Office which was set up to undertake disclosure and barring functions which include processing requests for criminal record checks and to maintain the Children’s and Adult’s barred lists.

INTRODUCTION

1. The DBS service allows organisations to make safer recruitment decisions by providing access to criminal records for posts which are deemed to require a criminal records check.
2. Caerphilly County Borough Council is committed to safeguarding children and adults who access the services it provides and will utilise the services offered by the DBS to assist in the protection of children and adults from persons who may wish to harm them.
3. The provisions of this Policy, which must be read in conjunction with other relevant Council policies and procedures (e.g. Recruitment and Selection Procedure), will enable Managers/Heads of Service to ensure that employees, agency workers and volunteers are suitable to work with vulnerable groups.
4. Copies of this and related policies are available on the HR Support Portal or from Line Managers.

DETAIL OF THE POLICY

5. Posts Eligible for a DBS Check

The Council will only apply for checks to posts which have been identified as being eligible for a DBS check and are contained in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 or the Police Act 1997 (Criminal Records).

Managers will have the responsibility of ensuring that an up to date list is kept of posts eligible for a DBS check in their service area and is stored against the post on the HR database.

Counter signatories must satisfy themselves that the post stated on the DBS application is eligible under current legislation before they countersign the form.

DBS checks will equally apply to agency workers who undertake duties within the Council which have been identified as requiring a DBS check. The agency worker must have a valid DBS certificate which has been issued within the last 12 months.

The Council will carry out checks for Elected Members who serve on committees which involve the delivery of services for Children and Adults relating to Education or Social Services. Other specified roles which involve the Elected Member serving on committees or as a designated person will also require a DBS check.

The Council will also recommend to Schools that Governors are DBS checked as they are incorporated into the definition of "work with children" thus making them eligible for an enhanced level DBS check for the child workforce.

Volunteers whose role is eligible for a DBS check and which meets the DBS definition of a volunteer will be required to have the relevant level of DBS check in place prior to commencing their volunteering role.

6. Levels of criminal record check

There are 4 different levels of checks that can be requested

Basic Certificate

Standard check

Enhanced check

Enhanced check with Children's and/or Adults barred list check

The appropriate level of check will be dependant upon the post that the individual undertakes/due to undertake in the council. Full details are available on the DBS website <https://www.gov.uk/government/organisations/disclosure-and-barring-service>.

Advice can also be sought from the HR Department.

N.B. The application process will ask the Counter signatory to specify the type of workforce the applicant will be working with i.e:

- Adult workforce
- Children's workforce
- Adult and Children's workforce
- Other workforce (e.g. when considering applications for licences for Taxi drivers, Gambling premises, etc)

7. When to check?

There are a number of occasions when it would be appropriate to request that a person undertakes a relevant DBS check, these include:

- Recruitment - both internal and external
- Person changing role within the Council
- Staff being transferred into the council.
- Volunteers carrying out voluntary work for the Council.

8. Renewal of DBS certificate

The Councils policy is to carry out a 3 year recheck of all persons requiring a DBS certificate as a condition of their employment. The council will fund the renewal checks.

9. Secure handling of disclosure Information and Data protection.

9.1 General principles

Caerphilly County Borough Council utilises the DBS to help assess the suitability of applicants for relevant posts and complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. It also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificate information and has a written policy on these matters, which is available to those who wish to see if on request.

9.2 Storage and access

Disclosure information should be kept securely, in lockable, non-portable, storage containers and with access strictly controlled and limited to those who are entitled to see it as part of their duties.

9.3 Handling

In accordance with Section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

9.4 Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

9.5 Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so.

Throughout this time, the conditions regarding the safe storage and strictly controlled access will prevail.

Services which are inspected by the Care Inspectorate Wales and by Estyn may be legally entitled to retain the certificate for the purposes of inspection.

9.6 Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, e.g. by shredding. While awaiting destruction, Disclosure information will not be kept in any receptacle that is not secure (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the Disclosure or any copy of representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

10. Transgender applications

There is a confidential DBS process specifically for transgender applicants, who should contact the DBS sensitive applications line on 0151 676 1452 or email sensitiver@dbs.gsi.gov.uk for further advice about completing the form.

11. Acting as an umbrella body

Before acting as an umbrella body (an umbrella body being a registered body which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations), we will take all reasonable steps to satisfy ourselves that the organisation will handle, use, store, retain and dispose of certificate information in full compliance with the Code of Practice and in full accordance with this policy.

We will also ensure that any body or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

INTERPRETATION OF THE POLICY

12. In the event of a dispute relating to the interpretation of this policy the Head of People

Services or the Human Resources Service Manager will make the final decision on interpretation.

REVIEW OF THE POLICY

- 13.** A review of this policy will take place when appropriate. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the policy will be amended and reissued.

MARCH 2020

Disclosure and Barring Service (DBS) Policy relating to School Governors (Recommended to Schools)

<i>Version of Policy</i>	Version 1
<i>Policy Ratified By:</i>	
<i>Date Ratified:</i>	
<i>Effective Date of Policy:</i>	March 2020
<i>Review Date:</i>	31 July 2021
<i>Applicable To:</i>	School Governors
<i>Equalities Issues:</i>	All Equalities considerations have been taken into account when drafting this Policy. This Policy is available in Welsh



INDEX

SECTION	Page Number
Definitions	2
Introduction	3
Detail Of The Policy	3
Interpretation of the Policy	5
Review Of The Policy	6

DEFINITIONS

DBS – The Disclosure and Barring Service is an Executive Agency of the Home Office which was set up to undertake disclosure and barring functions which include processing requests for criminal record checks and to maintain the Children’s and Adult’s barred lists.

INTRODUCTION

1. The DBS service allows organisations to make safer recruitment decisions by providing access to criminal records for posts which are deemed to require a criminal records check.
2. Caerphilly County Borough Council is committed to safeguarding children and adults who access the services it provides and will utilise the services offered by the DBS to assist in the protection of children and adults from persons who may wish to harm them.
3. The provisions of this Policy, which must be read in conjunction with the Council's recommended 'Safer Recruitment' policy and the School's Safeguarding/Child Protection policy, will enable Headteachers to ensure that School governors are suitable for the roles attributed to them in this capacity.
4. Copies of this and related policies are available on the HR Support Portal.

DETAIL OF THE POLICY

5. Posts Eligible for a DBS Check

- 5.1 Headteachers' have the responsibility for ensuring that an up to date list is kept of posts eligible for a DBS check in their School and Counter Signatories must satisfy themselves that the post stated on the DBS application is eligible under current legislation before they counter sign the form.
- 5.2 Headteachers are used to determining if a person's employment or engagement entitles them to a DBS check. In most cases this involves working out whether the person will be engaging in 'regulated activity' and where it is determined that this will be the case, the relevant enhanced DBS check is undertaken with access to barred lists. The vast majority of School governors however will never engage in activity that clearly meets the definition of 'regulated activity'.
- 5.3 The role of School Governor used to be included in the original definition of regulated activity with children, as set out in the Safeguarding Vulnerable Groups Act (SVGA) 2006. Following changes to this definition by the Protection of Freedoms Act 2012 however, School Governors were removed. This means that the roles are no longer classed as being regulated activity and therefore not eligible for a barred list check. This does not however prevent School Governors from being asked to apply for a relevant DBS check.
- 5.4 The Police Act 1997 (Criminal Records) Regulations 2002 were amended in 2012 to incorporate the role of School Governor into the new definition of 'work with children'. This made individuals holding these positions eligible to be asked to apply for enhanced level DBS checks in the child workforce, but without a children's barred list check.
- 5.5 The Disclosure and Barring Service in 2018 circulated guidance to all Local Authorities in Wales referring to School Governors and Elected Members of the Council specifically. This guidance clarified that:
 - ALL School governors are eligible to be asked to apply for enhanced level DBS check (no barred list)
- 5.6. Following a review of the Council's Recruitment and Selection Procedure in terms of safer recruitment practice and in consideration of the Council's safeguarding commitment to ensure that our statutory responsibilities to safeguard and protect children, young people and vulnerable adults are effectively met, it is a recommendation of this policy that:

- ALL School Governors are asked to apply for an enhanced DBS check (no barred list).

6. Levels of DBS check

6.1 All School Governors are eligible to be asked to apply for an enhanced level DBS check (without a children's barred list check).

6.2 NB The application process will ask the Counter signatory to specify the type of workforce the applicant will be working with. For School Governors this will be:

Children's workforce
or
Adult and Children's workforce

7. When to undertake the check?

7.1 The occasions when it would be appropriate under this Policy to request that a School Governor undertakes the relevant DBS check include:

- Following the School Governing Body's adoption of this Policy.
- Following election to the Governing Body of the School.

8. Renewal of DBS certificate

8.1 The Council's policy is to carry out a 3 year recheck of all persons requiring a DBS certificate as a condition of their employment. It is recommended under this policy that School Governors also commit to a 3 year recheck if they remain a School Governor at the point of each recheck.

9. Secure handling of disclosure Information and Data protection.

9.1 General principles

Caerphilly County Borough Council utilises the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for relevant posts/roles and complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. It also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

9.2 Storage and access

Disclosure information should be kept securely, in lockable, non-portable, storage containers and with access strictly controlled and limited to those who are entitled to see it as part of their duties.

9.3 Handling

In accordance with Section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

9.4 Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

9.5 Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so.

Throughout this time, the conditions regarding the safe storage and strictly controlled access will prevail.

As part of their inspection system by Estyn, Schools may be legally entitled to retain the certificate for the purposes of inspection.

9.6 Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, e.g. by shredding. While awaiting destruction, Disclosure information will not be kept in any receptacle that is not secure (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the Disclosure or any copy of representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

10 Transgender applications

There is a confidential DBS process specifically for transgender applicants, who should contact the DBS sensitive applications line on 0151 676 1452 or email sensitiver@dbs.qsi.gov.uk for further advice about completing the form.

11 Acting as an umbrella body

Before acting as an umbrella body (an umbrella body being a registered body which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations), we will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of certificate information in full compliance with the [code of practice](#) and in full accordance with this policy.

We will also ensure that any body or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

INTERPRETATION OF THE POLICY

- 12.** In the event of a dispute relating to the interpretation of this policy the Head of People Services or the Human Resources Service Manager will make the final decision on interpretation.

REVIEW OF THE POLICY

- 13.** A review of this policy will take place when appropriate. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the policy will be amended and reissued.

MARCH 2020



Disclosure &
Barring Service

A Guide to School Governor and Elected Councillor Roles in Wales





Disclaimer: This is not legal advice. If you need help with making sure you are complying with the law, you should speak to a legal advisor.



School Governors

Including:

- Member of or clerk to the governing body of an educational establishment
- A person appointed by the governing body of a maintained school to serve on a committee

Type of check

Anyone holding any of the positions above is eligible to be asked to apply for an enhanced level DBS check in the child workforce, but without a children’s barred list check.

The legislation:

These roles used to be included in the original definition of regulated activity with children, as set out in the Safeguarding Vulnerable Groups Act (SVGA) 2006. However, following changes to this definition by the Protection of Freedoms Act 2012 they were removed. This means that the roles are no longer classed as being regulated activity and are therefore not eligible for a barred list check.

Committee/Sub-committee Members

Individuals appointed as local authority committee and sub-committee members can be eligible to be asked to apply for an enhanced level DBS check in the child and/or adult workforce, depending on which of the groups the committee is involved with. There is no eligibility for a check against either the children's or adults' barred lists in these circumstances.

The legislation:

These roles used to be included in the original definition of regulated activity with children and adults, as set out in the Safeguarding Vulnerable Groups Act (SVGA) 2006. However, following changes to this definition by the Protection of Freedoms Act 2012 they were removed. This means that the roles are no longer classed as being regulated activity and are therefore not eligible for a barred list check.

The Police Act 1997 (Criminal Records) Regulations 2002 were amended in 2013 to incorporate these roles into the new definitions of 'work with children' and 'work with adults'. This made the individuals holding these positions eligible to be asked to apply for enhanced level DBS checks in the child or adult workforce, but without relevant barred list checks.



Type of check

Committee and sub-committee members can be eligible to be asked to apply for an enhanced level DBS check in the **child** workforce if:

- the local authority carries out any education functions, or social services functions **and**
- the committee relates to any of the above matters.

Committee and sub-committee members can be eligible to be asked to apply for an enhanced level DBS check in the **adult** workforce if:

- the committee relates to any social services functions that relate wholly or mainly to adults who receive a health or social care service within the meaning of Appendix A **or** a specified provision within the meaning of Appendix B.

Appendix A

For a committee to provide social service functions for adults, the adults must receive one of the health or social care services listed below.

- a) residential accommodation provided for an adult in connection with any care or nursing he requires
- b) accommodation provided for an adult who is or has been a pupil attending a residential special school, where that school is –
 - i. a special school
 - ii. an independent school which is in Wales
 - iii. an independent school which provides places for children with special educational needs

- iv. an institution within the further education section which provides accommodation for children
- v. a 16 to 19 Academy which provides accommodation for children
- c) sheltered housing
- d) care of any description or assistance provided to an adult by reason of his age, health or any disability he has, which is provided to the adult in the place where he is, for the time being, living, whether provided continuously or not
- e) any form of health care, including treatment, therapy or palliative care of any description
- f) support, assistance or advice for the purpose of developing an adult's capacity to live independently in accommodation, or sustaining their capacity to do so
- g) any service provided specifically for adults because of their age, any disability, physical or mental illness, excluding a service provided specifically for an adult, with one or more of the following disabilities (unless that person has another disability) –
 - i. dyslexia
 - ii. dyscalculia
 - iii. dyspraxia
 - iv. Irlen syndrome
 - v. Alexia
 - vi. auditory processing disorder
 - vii. dysgraphia
- h) any service provided specifically to an expectant or nursing mother in receipt of residential accommodation pursuant to arrangements made under section 21(1)(aa) of the National Assistance Act 1948 or care pursuant to paragraph 1 of Schedule 20 to the National Health Service Act 2006.

This list is taken from The Police Act 1997 (Criminal Records) Regulations 2002 – Regulation 5B Work with adults, paragraph 9. More details about the legislation relating to the positions can be found in the Adult Workforce Guide on the DBS website.

Appendix B

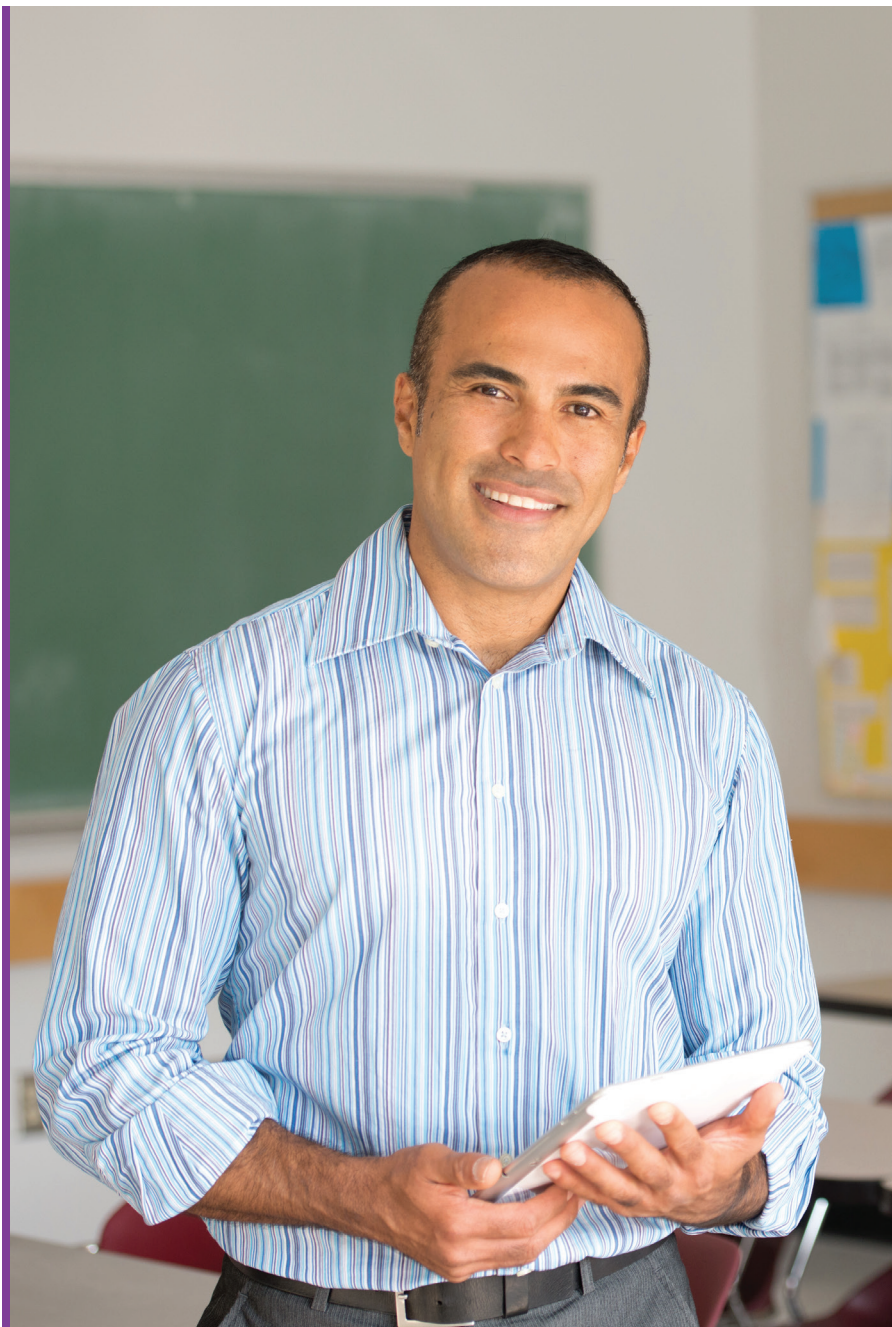
For a committee to provide social service functions for adults, the adults must be in receipt of one of the provisions listed below.

- a) the detention of an adult in lawful custody in a prison, a remand centre, young offender institution or a secure training centre or an attendance centre
- b) the detention of a detained person who is detained in a removal centre or short-term holding facility or in pursuance of escort arrangements made under section 156 of the Immigration and Asylum Act 1999
- c) the supervision of an adult by virtue of an order of a court by a person exercising functions for the purposes of Part 1 of the Criminal Justice and Court Services Act 2000
- d) the supervision of an adult by a person acting for the purposes mentioned in section 1(1) of the Offender Management Act 2007
- e) the provision to an adult of assistance with the conduct of their affairs in situations where –
 - i. a lasting power of attorney is created in respect of the adult in accordance with section 9 of the Mental Capacity Act 2005 or an application is made under paragraph 4 of Schedule 1 to that Act for the registration of an instrument intended to create a lasting power of attorney in respect of the adult
 - ii. an enduring power of attorney (within the meaning of Schedule 4 to that Act) in respect of the adult is registered

in accordance with that Schedule or an application is made under that Schedule for the registration of an enduring power of attorney in respect of the adult

- iii. an order under section 16 of that Act has been made by the Court of Protection in relation to the making of decisions on the adult's behalf, or such an order has been applied for
 - iv. an independent mental capacity advocate is or is to be appointed in respect of the adult in pursuance of arrangements under section 35 of that Act
 - v. independent advocacy services (within the meaning of section 187 of the National Health Service (Wales) Act 2006) are or are to be provided in respect of the adult
 - vi. a representative is or is to be appointed to receive payments on the adult's behalf in pursuance of regulations made under the Social Security Administration Act 1992
- f) payments are made to the adult or to another person on the adult's behalf under arrangements made under section 57 of the Health and Social Care Act 2001
- g) payments are made to the adult or to another person on the adult's behalf under section 12A(1) or under regulations made under section 12A(a) of the National Health Service Act 2006 or under regulations made under section 12A(4) of that Act

This list is taken from The Police Act 1997 (Criminal Records) Regulations 2002 – Regulation 5B Work with adults, paragraph 10.



Page 50

Further Information

Further information on eligibility can be found on our website www.gov.uk/dbs.

By clicking the Eligibility Guidance heading, you will be able to access:

- DBS eligibility tool which may help you establish whether a role is eligible for any level of DBS check.
- DBS workforce guides
- Department for Education guidance on regulated activity with children
- Department of Health guidance on regulated activity with adults
- Statutory guidance from the Department for Education on supervision

It is important to make sure that the law allows you to submit a DBS application. You are legally responsible for making sure you can submit applications and should be aware of the legislation that supports each application in case we need further clarification.





Disclosure & Barring Service

Contact

General enquiries: customerservices@db.s.gsi.gov.uk

Corporate relations: communications@db.s.gsi.gov.uk

Telephone: 03000 200 190

Welsh Language: 0300 200 191

Minicom: 03000 200 192

International: +44 151 676 9390

Website: www.gov.uk/db.s

Gadewir y dudalen hon yn wag yn fwriadol



CABINET – 28TH OCTOBER 2020

SUBJECT: FREEDOM OF BOROUGH – ROYAL BRITISH LEGION

REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 This report is to seek a decision on whether the Cabinet wishes to recommend that Council admit as Honorary Freeman of the Borough the Royal British Legion in recognition of their 100th Year Anniversary on 15th May 2021 and to honour the charitable work of the organisation supporting ex-service men and women and their families.

2. SUMMARY

- 2.1 Under Section 249(5) of the Local Government Act 1972 a Borough Council can grant the Freedom of the Borough to "persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough". In order to grant the Freedom of the Borough, a resolution must be passed by not less than two thirds of the members voting at a meeting of the Council specially convened for the purpose

3. RECOMMENDATIONS

- 3.1 Cabinet are asked to recommend to Council the following:
- 3.2 In pursuance of Section 249 (as amended) of the Local Government Act 1972 the Council confers upon the Royal British Legion in 2021, the Freedom of the County Borough of Caerphilly.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To give public recognition to the recipient as an expression of the high esteem in which they are held by Caerphilly County Borough Council and the people of the County Borough on the occasion of the 100th Anniversary of the Royal British Legion.

5. THE REPORT

- 5.1 The tradition of Boroughs conferring the Freedom goes back to ancient times when the Royal Charter Boroughs were almost, if not entirely, self governing. Originally,

such conferment conveyed special privileges of various kinds upon the recipient that could involve the right to vote, property and local taxation benefits.

- 5.2 Over the years, and especially since the passing of the Reform Act 1983 and the Municipal Corporations Act 1835, successive Acts of Parliament have sought amongst other things severely to curtail the extent of the privileges so that, today, the conferment is purely honorary. Today's Freemen have no special rights.
- 5.3 However, the tradition is maintained as a means whereby public recognition may be given to the recipients as an expression of the high esteem in which, they are held by the Council and people of the Borough.
- 5.4 Council agreed at the meeting dated 29th January 2008 to award Freedom of the Borough and Cabinet subsequently agreed the nomination criteria at the meeting dated 3rd March 2009. These criteria are set out below:

Nomination criteria

(a) Nominations must show that the nominee is a 'person/s of distinction and/or a person/s who has rendered eminent services to the County Borough'.

(b) In keeping with special nature of the award conferment should be strictly limited to those who have made a very significant contribution to the locality either on the national or international scene. It should be noted that the Council already has an annual award scheme for the Voluntary Sector Achievement Awards, (which also encompasses the Mayoral Civic Awards) to recognise those who have made an important contribution to the local community especially in a voluntary capacity.

Nomination procedure

(a) Nominations may be received from councillors, officers, MPs, outside organisations in the borough, and members of the public who are on the Electoral Register;

(b) Nominations must be made using the Nomination for Honorary Freedom of the County Borough form (appendix 1) and they must set out the reason why the Honour should be conferred;

(c) Nominations must be submitted to the Cabinet via the Chief Executive, who will consult the leaders of the opposition groups to ensure there is sufficient support before, any nomination can be considered by the Cabinet. All discussions with the leaders of the opposition groups and potential recipients are to remain confidential at all times;

(d) Cabinet will make a recommendation to the council if it considers that the Honorary Freeman of the County Borough would be an appropriate honour to confer;

(e) The Full Council then has to make a separate decision at a specially convened council meeting to confer the Honorary Freedom of the County Borough;

(f) The actual ceremony itself will take place at a later date, with the mutual agreement of the recipients, when invited guests as well as the council members will be present;

(g) The award will take the form of the presentation of a suitably worded scroll and

casket and a declaration by the honoured person will be made followed by a reception.

- 5.5 Councillor Andrew Whitcombe the former Armed Forces Champion submitted the attached nomination form (appendix 1), which has been endorsed by the current Armed Forces Champion Councillor Alan Higgs. The nomination specifically outlines the reasons for consideration of the Royal British Legion on the occasion of the 100th Anniversary which will be achieved on 21st May 2021.

5.6 **Conclusion**

Cabinet are asked to consider the nomination against the criteria outlined in this report as set out in 5.4 and make a recommendation to Council.

6. **ASSUMPTIONS**

- 6.1 The recommendation as set out in this report assumes that Members will wish to recognise and support conferring the Freedom of the Borough upon the Royal British Legion upon the occasion of their 100th Anniversary.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

- 7.1 Council has previously agreed the procedure and criteria for nominations for Freedom of the Borough which is a Civic and Ceremonial function.

7.2 **Corporate Plan 2018-2023.**

The procedure and criteria for nominations for Freedom of the Borough which is a Civic and Ceremonial function.

8. **WELL-BEING OF FUTURE GENERATIONS**

- 8.1 By conferring the Freedom of the Borough, Caerphilly County Borough Council gives an opportunity to recognise the achievements and work of individuals and organisations within its community. The Wellbeing of Future Generations Act asks public bodies to work towards achieving a Wales of cohesive communities. Therefore, by recognising the charitable work of the Royal British Legion the Council can publicly thank the RBL and also the wide range of people in the county borough who raise funds every year to support the RBL.

9. **EQUALITIES IMPLICATIONS**

- 9.1 There are no equalities implications in this report.

10. **FINANCIAL IMPLICATIONS**

- 10.1 The Local Government, Planning and Land Act 1980 provides that the Authority may spend such reasonable sum as they think fit for the purpose of presenting an address or a casket containing an address to any person admitted to be an honorary freeman.
- 10.2 The ceremonial presentation and reception for each nominee shall be funded from the Mayoral office funds in consultation with the Chief Executive and Leader of the Council.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications.

12. CONSULTATIONS

12.1 There are no consultation responses not included within this report.

13. STATUTORY POWER

13.1 The Local Government Act 1972, (as amended) and The Local Government, Planning and Land Act 1980.

Author: Catherine Forbes-Thompson, Scrutiny Manager, forbec1@caerphilly.gov.uk

Consultees: Christina Harray Chief Executive,
Richard Edmunds, Corporate Director Education and Corporate Services,
Robert Tranter Head of legal and Monitoring Officer
Lisa Lane Deputy Monitoring Officer and Head of Democratic Services
Cllr P Marsden, Council Leader
Cllr C Mann, Plaid Cymru Group Leader
Cllr G Simmonds, Independents Group Leader

Background Papers:

Council report 29th January 2008.

Appendices:

Appendix 1 Nomination Form Freedom of the Borough, Royal British Legion



NOMINATION FORM FOR FREEDOM OF THE COUNTY BOROUGH

Please send the following information to the email or post to the address at the bottom of the page:

About the person you wish to nominate

Name of person suggested by you:

Royal British Legion (To be received by Anthony Metcalfe Area Manager RBL in Wales)

Their address (please include postcode):

The Royal British Legion, 18/19 High Street, Cardiff, CF10 1PT

Please tell us why you think they should receive recognition, giving as much details as possible, but keeping the statement to a maximum of 250 words:

I formally request that, on behalf of the people of Caerphilly County Borough and elected members of the council, we proceed to recognise and acknowledge the incredible work of the Royal British Legion on the 100th anniversary of its formation. Formed on 15 May 1921, bringing together four national organisations of ex-Servicemen that had established themselves after the First World War:

Over six million men had served in the war. Of those who came back, 1.75 million had suffered some kind of disability and half of these were permanently disabled. Then there were those who depended on those who had gone to war – the wives and children, widows, and orphans, as well as the parents who had lost sons in the war, on whom they were often financially dependent.

The Legion was established to care for those who had suffered as a result of service during the First World War. And they have been helping the Armed Forces community and their families ever since.

The Legion provide lifelong support to serving members of the Royal Navy, British Army, Royal Air Force, veterans and their families. Their wide ranging activities include support through debt and emergency situations, employment, dementia care and supporting the towns and villages of the borough for remembrance parades and services.

The Royal British Legion have continued to support the people of Caerphilly Borough and has been an active member of the Armed Forces Forum and are at the forefront of the care offered to the Armed Forces Community.

Do they do this activity as part of an organisation or charity?

YES

If yes, what is the name of this organisation or charity?

Royal British Legion

If yes, when did they begin this work?

This will be the 100 year anniversary.

Your name (please print):

Councillor Andrew Whitcombe, Former Armed Forces Champion
Councillor Alan Higgs, Armed Forces Champion

Your address (please print)

C/o Regional Armed Forces Covenant Liaison Officer, Policy Unit, Ty Penalta, Tredomen,
CF82 7PG

Your email address:

AndrewWhitcombe@caerphilly.gov.uk
AlanHiggs@caerphilly.gov.uk

What connection do you have with this person?

Former Armed Forces Champion & Current Armed Forces Champion

Signature _____

Date _____

Please return to:

Christina Harray
Chief Executive
Caerphilly County Borough Council
Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed,
CF82 7PG



CABINET – 28TH OCTOBER 2020

SUBJECT: COMMUNITY ASSET TRANSFER – DRAFT POLICY AND PROCESS

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

- 1.1 The report was considered by the Environment and Sustainability Scrutiny Committee on 11th February 2020 and the Community Council Liaison Sub Committee on the 11th March 2020 as part of the consultation process.
- 1.2 The Liaison Sub Committee noted the comments of the Scrutiny Committee and its recommendation to Cabinet that the sentence *“Those assets which have the potential to generate significant capital receipts are not likely to be considered as suitable for transfer”* as set out in the “Guiding Principles used by the Local Authority” section of the draft Policy, the Community Asset Transfer – Policy and Process be removed.
- 1.3 Members expressed their concern that asset transfers would only be considered for the least desirable assets, those which the Council wanted to dispose of or could no longer afford to run. Assurances were provided that this was not a root to surplus asset disposal but a mechanism that would enable a community to retain something that has a community value, whether that was to continue an existing service provision or provide a new service to the community.
- 1.4 Members also expressed concern that Town and Community Councils had with reluctance taken on assets, like public toilets, rather than lose them and saw this as a way for the Council to make further budget cuts and would provide additional pressures to Town and Community Councils. The Officer advised that the policy would provide a common understanding with regard to community asset transfers, which could be easily understood, transparent and robust and confirmed that this document was based on Welsh Government guidance and addressed the need for Caerphilly County Borough Council to have a policy in place. The policy was not related to any budgetary considerations and sought only to provide options that would allow community asset transfers to take place.
- 1.5 Cabinet are asked to consider the recommendation from the Environment and Sustainability Scrutiny Committee and the comments of the Community Council Liaison Sub Committee and subject to the aforementioned amendment endorse the draft Community Asset Transfer Policy and Process.

Author: Emma Sullivan (Senior Committee Officer) – sullie@caerphilly.gov.uk

Appendices:

Appendix 1 Covering Report to Community Council Liaison Sub-Committee 11th March 2020 and Environment and Sustainability Scrutiny Committee Report 11th February 2020.

Gadewir y dudalen hon yn wag yn fwriadol



COMMUNITY COUNCIL LIAISON SUB-COMMITTEE – 11TH MARCH 2020

SUBJECT: COMMUNITY ASSET TRANSFER – DRAFT POLICY AND PROCESS

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

- 1.1 The attached report outlined a draft policy and process for Community Asset Transfer (CAT), the contents encompass the views of stakeholders consulted at the time of initial scrutiny committee consideration. This report was considered by the Environment and Sustainability Scrutiny Committee on 11th February 2020. Views were sought on its content, prior to further consultation with the Community Council Liaison Sub Committee on 11th March 2020 and referral to Cabinet for a decision on 25th March 2020.
- 1.2 Members were advised that publically funded assets could be transferred if they had the potential to add social value to communities, but that CAT is not a route to surplus asset disposal and cost saving.
- 1.3 Officers outlined how the draft policy is written to provide a robust but flexible staged process with an informal discussion preceding an Expression of Interest stage, followed by a full Business Case. Also, that the draft policy had been developed using Welsh Government guidance in order to provide a consistent, transparent and easily understood process that can be used to support community organisations and guide the decision-making of the Council.
- 1.4 During the course of the ensuing debate, a Member asked for examples of successful and unsuccessful CAT case studies. The Old Library in Morgan Jones Park in Caerphilly was put forward as an example of best practice, as the community café had proved very successful. As the Council does not approve business cases that do not meet certain principles, no unsuccessful examples from the county borough were provided. An example was given of an arts centre in a neighbouring authority which had failed as a CAT and was passed back to that authority due to challenges including the age of the building and subsequent liabilities. It was emphasised to Members that there needs to be a robust process in place to avoid CATs failing and the asset being transferred back to the local authority.
- 1.5 A query was raised on covenants and whether or not the site of a former school in Cwmcarn could only be used for educational purposes. Officers advised that currently in general terms the value of covenants were not as conclusive as in previous times, and that in the future each case would be judged on merits such as adding social value to local communities.
- 1.6 A Member sought clarification on the state of assets prior to being transferred to community organisations, and whether or not the Council ensured that each asset was handed over in a good condition. When Officers advised that this is not always the case but that statutory obligations are met, the Member questioned the validity of this current practice as it was deemed unfair to pass on an asset in poor condition to a community organisation which would soon be faced with considerable liability costs. Officers highlighted that under the draft

policy and process each business case would be considered on its individual merits, in this situation it would be possible in certain cases to ensure condition standards prior to transfer but it would be dependent on the business case put forward. Members were also advised that the Council will work with community groups to enable grant funding for building improvements.

- 1.7 One Member referred to the need for CATs to enable community empowerment, and as a result expressed disagreement with a sentence in the 'Guiding Principles used by the Local Authority' section of the draft Policy and Process for Community Asset Transfer as appended to the report, which stated "*Those assets which have the potential to generate significant capital receipts are not likely to be considered as suitable for transfer*". Officers advised that this has been taken from the Welsh Government's Assets Cymru Guide to Community Asset Transfer 2019, and that CAT is a local authority led process. The Member moved an additional recommendation to Cabinet in that this sentence be removed from the final version of the Council's Community Asset Transfer – Policy and Process. This was seconded and by a show of hands (and in noting there were four against and two abstentions) was agreed by the majority present.
- 1.8 Following consideration and discussion, and incorporating the aforementioned addition, the Environment and Sustainability Scrutiny Committee, by the majority present (and in noting there was one against), recommended to Cabinet that subject to the removal of the sentence "*Those assets which have the potential to generate significant capital receipts are not likely to be considered as suitable for transfer*" as set out in the "Guiding Principles used by the Local Authority" section of the draft Policy, the Community Asset Transfer – Policy and Process be adopted.
- 1.9 The Community Council Liaison Sub-Committee are asked to consider the attached report and note the above recommendations prior to submission to Cabinet on 25th March 2020.

Author: Mark Jacques, Scrutiny Officer – jacqum@caerphilly.gov.uk

Appendices:

Appendix Report to Environment and Sustainability Scrutiny Committee Report 11th February 2020 – Agenda Item 8



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 11TH FEBRUARY 2020

SUBJECT: COMMUNITY ASSET TRANSFER - DRAFT POLICY AND PROCESS

REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 This report introduces a draft policy and process for Community Asset Transfer and seeks the views of the Scrutiny Committee on its content. The policy has been consulted upon internally, and with the voluntary sector. The version appended to this report encompasses the views of stakeholders to date. Further consultation will take place with Community Council Liaison Committee on the 11th March 2020. The draft policy will be referred to Cabinet for decision on the 25th of March 2020.

2. SUMMARY

- 2.1 Community Asset Transfer (CAT) is the transfer of assets previously provided via public sector funds to the management and control of community organisations. CAT can be used where the asset may have a community benefit as an alternative to disposal. The disposal of assets will usually be on a commercial basis to achieve best value; however there will be circumstances where the Council may decide that the asset would be better managed by a community organisation. Community organisations may be able to use the asset in a more sustainable way; reflecting the needs of the community, making use of volunteer expertise and time, and accessing funding streams not open to the local authority. CAT is not a route to surplus asset disposal and cost saving, when undertaken it should be used to bring benefits to communities through collaboration and release of assets for community use.
- 2.2 The Council has transferred assets in the past; however, the process has not been codified into a set of guiding principles. Welsh Government, through Estadau Cymru (Assets Cymru), promote the adoption of a CAT process that can be readily understood by community organisations and provide a consistent assessment process for the authority. The draft policy is based on the latest set of Estadau Cymru guidance.
- 2.3 The draft CAT policy is intended to be an umbrella policy that states the high level aims and approach. It is recognised that CAT will be different for each asset under consideration.
- 2.4 The views of Environment and Sustainability Scrutiny Committee are sought on the draft policy, to inform a version to be consulted upon with the Community Council

Liaison Committee, and prior to a Cabinet decision.

3. RECOMMENDATIONS

- 3.1 The views of Environment and Sustainability Committee are sought prior to further consultation, and to inform a version of the draft 'Community Asset Transfer Policy and Process' to be determined by Cabinet

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow the adoption of a consistent, transparent and easily communicated mechanism to support Community Asset Transfer, working with communities to ensure the continued sustainability of publically funded assets that have been identified for asset transfer due to having the potential to add social value to communities

5. THE REPORT

- 5.1 Community Asset Transfer (CAT) occurs when a public body passes on the management and/or ownership of a property asset to a third 'non-public sector' party; a community organisation. For the purposes of the draft policy it is envisaged that community organisations could be a community council, a third sector organisation or a properly constituted community group.

- 5.2 CAT is not a route to surplus asset disposal; it is about the Council working with communities to consider what assets might be suitable for transfer with a view to protecting that asset for community use in the future, but under a different management/ownership arrangement.

- 5.3 There may be circumstances where an asset can be better run by a community organisation that may be able to utilise skills and resources that are not available to the Council. Community organisations can access funding and support from external organisations that the Council can't, potentially allowing assets to be run more sustainably and securing their use for future generations. An asset could be repurposed to meet a new community need.

- 5.4 The routes to CAT may be that the Council identifies an asset, or a community organisation may approach the Council with a proposal. However, it should be remembered that the opinion of the Council is the important deciding factor as to whether an asset is suitable for CAT. There is no requirement placed on the Council to follow a CAT route, there will be circumstances where an asset is identified for disposal that has the potential to generate significant capital receipt that would help to sustain other services. Other assets are specifically excluded:

- Residential properties, including gardens, outbuildings and associated land
- Assets held on Charitable Trusts; such assets can, and must, be used only to further the charity's aims
- Caravan sites
- Operational land of statutory undertakers
- Assets whose recent or current use does not meet the definition of community value

- Agricultural land and buildings

5.5 The draft policy hyperlinks to many successful examples of CAT where valuable community services have been created from assets previously under the control and management of Councils;

[Welsh Government Community Asset Transfer Case Studies](#)

However, there are other examples where a CAT has failed and the asset has passed back into Council control with loss of reputation for the community organisation involved and a potentially greater liability for the Council than at transfer.

5.6 The draft policy is written to provide a robust but flexible staged process with an informal discussion preceding an Expression of Interest stage, followed by a full Business Case. This is intended to allow time for proper consideration and support and a negotiation between the Council and the community organisation. In seeking external funding streams the community organisation may require an outline approval and sufficient time to apply to external funders. The Council may require additional time to properly consider the applicants business case, including an assessment of financial sustainability, and signpost to organisations that can provide support to strengthen the application and ensure the sustainability of the CAT (Appendix 1 of the draft policy). The timeline for CAT will vary and will be dependent on the asset, the ability of the community organisation to provide the required assurances, and the ability of the Council to prepare an asset for CAT and make all relevant decisions. Best practice in other Councils suggests 6 to 10 months from Expression of Interest to Cabinet decision.

5.7 Any assets under consideration must be based on the continued use of the asset for the whole of the community and not a defined group of people for a specified purpose, proposed use should therefore be as wide as possible and should be focussed on wider community well-being. Equality related issues such as disabled access will be part of the consideration. If an associated service will be delivered from the asset an evaluation of the ability of the community organisation to provide the service bilingually will be part of the assessment

5.8 The majority of Councils in Wales already have in place a policy and process to support Community Asset Transfer. Caerphilly County Borough Council has adopted a set of principles for the transfer of playing fields to community organisations. This process will remain unchanged and is not dissimilar to the draft process appended to this report, which is intended to become the umbrella policy for all CAT.

5.9 Developing the draft policy does not reflect a need to dispose of assets not previously identified through the Corporate Asset Management Plan; there is no additional list of identified assets associated with its development.

5.10 The Committee should note that this policy is intended to operate alongside the previously agreed process for the community asset transfer of sports pitches where there are very specific and bespoke considerations.

5.11 Conclusion

In order to provide a consistent, transparent and easily understood process that can be used to support community organisations and guide the decision-making of the Council the appended draft policy has been developed using the Estadau Cymru

guidance and best practice examples from other Councils in Wales. The views of Committee are sought prior to consultation with Town and Community Councils.

6. ASSUMPTIONS

6.1 No assumptions have been made in this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 The following Council policies are relevant to the decision being requested:

7.2 Corporate Plan 2018-2023.

Community Asset Transfer has the potential to contribute to well-being in communities and support the Corporate Well-being Objectives as follows;

Objective 1 - Improve education opportunities for all- dependent on the proposed asset use. Examples in other Councils have included educational and cultural use of assets

Objective 2 - Enabling employment- CAT business cases are expected to be financially self-sustaining and could involve the employment of local people in delivering a service from the asset. Volunteering at community facilities is a supportive route into employment for economically inactive people.

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015- community facilities are often set up to support sporting and cultural activities that are not statutory local authority provision and so provide additionality.

7.3 Community Asset Transfer is one of the actions on the **Team Caerphilly-Better Together** transformation strategy as part of enhancing the relationship with communities and supporting community resilience.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 Community Asset Transfer has the potential to contribute to the following Well-being Goals :-

- A prosperous Wales- through employment and volunteering opportunities.
- A healthier Wales- connectedness and community activity supports mental well-being.
- A more equal Wales- retaining community services where the asset may otherwise be subject to disposal.
- A Wales of cohesive communities- involvement in community facilities supports community cohesiveness.
- A Wales of vibrant culture and thriving Welsh Language.
- A globally responsible Wales- assessment considers the use of the asset in a sustainable manner.

Community Asset Transfer is consistent with the sustainable development principle, otherwise known as the five ways of working:

- Long Term – CAT has the potential to secure assets for community use in the long term supporting the well-being of future generations.
- Prevention – CAT may prevent non-statutory services from being withdrawn in communities.
- Integration – Communities often have a better grass-roots understanding of the needs of communities and what will support well-being.
- Collaboration – Collaborating with communities and enhancing relationships with them is part **Team Caerphilly-Better Together** strategy.
- Involvement – Involving communities in the management of asset previously managed by the Council will directly involve them in providing the services they want promoting community resilience.

9. EQUALITIES IMPLICATIONS

- 9.1 An Equalities 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.
- 9.2 The assessment process for a Community Asset Transfer asks the applicant how they will continue to make the asset useable by people with one or more protected characteristics.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications associated with this report. However, should an asset be identified for transfer, either through promotion/advertising of its suitability by the Council, or in response to an approach by a community organisation there will be associated costs in providing a property information pack, preparing the asset for transfer (to a sufficient standard), engaging with and signposting the applicant organisations able to provide help and support, senior officer time in assessing the Expression of Interest and Business Case, and the costs of completing the legal transfer.
- 10.2 There is no associated programme for Community Asset Transfer, or an identified list of assets, that accompanies the draft policy and so at the current time it is envisaged that these costs will be met from within service budgets and offset against any potential savings that may be made when running costs transfer to the community organisation.

11. PERSONNEL IMPLICATIONS

- 11.1 There are no personnel implications associated with this report.

12. CONSULTATIONS

12.1 This report reflects the views of all consultees.

13. STATUTORY POWER

13.1 Local Government Acts.
Well Being of Future Generations (Wales) Act 2015.

Author: Kathryn Peters, Corporate Policy Manager, peterk@caerphilly.gov.uk
Consultees: Councillor Lisa Phipps, Cabinet Member for Homes, Places and Tourism
Councillor D. Tudor Davies, Chair Scrutiny Committee
Councillor Adrian Hussey, Vice-chair Scrutiny Committee
Mark S Williams, Interim Corporate Director- Communities
Mark Williams, Interim Head of Property
Rob Hartshorn, Head of Public Protection, Community and Leisure Services
Sue Richards, Head of Education Planning, Strategy and Finance
Stephen Harris, Head of Business Improvement and Interim 151 Officer
Tim Broadhurst, Estates Manager, Property Services
John Ollman, Leisure Services
Lynne Donovan, Head of People Services
Michael Eedy, Finance Manager
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)

Background Papers:

Estadau Cymru- advice on Community Asset Transfer

<https://gov.wales/community-asset-transfer-cat-guidance-applicants>

Appendices:

Appendix 1 Community Asset Transfer- Draft Policy and Process

APPENDIX 1

Community Asset Transfer Guide – Draft Policy & Process

Based on Welsh Government's Assets Cymru/Estadau Cymru Guide to Community Asset Transfer 2019

Context/Leader Introduction

The Council is committed to its values and delivering services with a 'social heart', to do this we need to work in collaboration to safeguard those services of value to our communities; finding better ways to use our buildings and land is part of this. We need to work collaboratively and openly with both the voluntary sector and communities to look for innovative ways to help us ensure that communities have the services they need. The strengths of the community and voluntary sector are an untapped resource that may, in some cases, be better at delivering some of the services the Council currently provides.

Community Asset Transfer can empower communities to secure the services that are important to them by transferring local authority assets to the management and control of community groups and voluntary organisations. However, there may be challenges that recipients have to face and overcome. A commitment and drive is needed from all partners to achieve a successful and sustainable outcome. Harnessing the combined expertise and skill of the public, third sector and community and social organisations, who are often directly engaged with the communities served by our public sector assets, provides us with new perspectives. Working in an integrated way means we can engage with local people in the development and sustainability of a thriving and diverse county borough.

Leader Signature

Introduction

There are many successful cases of Community Asset Transfer (CAT), [Welsh Government Community Asset Transfer Case Studies](#) where the community are managing and running assets previously in the control of the local council. However, there are equally examples where factors such as lack of experience, or insufficient research or preparatory work have turned an asset into a liability and damaged the reputation of the local authority and the applicant badly.

This Guide is meant to inform the process and minimise the risks to all parties, including the community, who have a vested interest in public sector assets and how they can be used to maximum benefit.

It is essential that there is clarity around the process of transfer and that those communities which wish to, are supported to take on assets and develop a thriving

and sustainable long-term plan for property and services transferred to the community. As public spending is under increasing pressure, the authority is concentrating on efficiencies and cost savings; for community and town councils, community-based organisations, social enterprises and voluntary organisations, this may create opportunities to take on some control/management/ownership of facilities (including their maintenance and ongoing costs). In so doing they will create strong foundations for future growth by bringing local skills and understanding, a grass roots understanding of communities, and the opportunity to access external support and grant funding that is not available to the local authority.

Our approach to CAT is based on mutual benefit with the aim of creating a joined up vision for shared goals for our communities.

Well-being of Future Generations (Wales) Act 2015

The Act is about securing the economic, environmental, social and cultural well-being of future generations. The local authority must work with its partners to achieve this, through working in collaboration with communities and thinking about what actions will secure the best outcomes for the county borough in the long term. Solving problems together and securing well-being for the long-term are key strands of the legislation.

The Caerphilly Public Services Board comprises public sector partners, sitting alongside the Gwent Association of Voluntary Organisations. Our partners include the Police, Health Board, Police and Crime Commissioner, Fire Service, Natural Resources Wales, Probation bodies, Public Health Wales, Town and Community Councils, and Welsh Government. Public sector budgets are decreasing and many of our partners are seeking to divest themselves of assets to reduce liabilities. We are committed to working in collaboration with our partners to seek the best outcomes for our communities.

Assets Cymru (Estadau Cymru), formerly the National Assets Working Group, recognise that CAT is a key part of improving the delivery of public services in Wales for future generations. This policy is based on advice from Welsh Government who are encouraging public sector bodies to develop a process for Community Asset Transfer.

The Framework

Local authorities have the power to dispose of assets and land in various ways, although such disposals must be appropriately handled and accounted for. The disposal of assets will usually be on a commercial basis to achieve best price. However, there will be circumstances when a below market value disposal can be considered under certain directives, such as the *Local 'General Disposal Consent' (Wales) December 2003 circular*, where it can benefit the community through the 'promotion or improvement' of the economic, social or environmental well-being of the area. The authority can, therefore, demonstrate best value while not necessarily obtaining the best capital receipt.

Community groups may proactively approach the authority if they have an interest which might lead to a business proposition. For example, through highlighting an interest in a specific asset; by being made aware of the likelihood of disposal through the local authority website; or through social media. Community groups are encouraged to come forward with initial expressions of interest. Support and information will then be prioritised to develop the idea and links will be made with organisations in a position to offer support packages.

What is a Community Asset Transfer?

A CAT occurs where the local authority passes on the management and/or ownership of a property asset to a community council or third sector/community group. Often, but not always, this can include the delivery of an associated service. CAT is definitely not a route to surplus asset disposal – the ultimate aim is community empowerment – ensuring that land, buildings or services are retained or transferred and then operated for public benefit through community asset ownership and management. The spectrum of transfer options is wide, but can include community control, or ownership, with some form of registerable title, occupation agreement and/or management arrangements created in favour of the new asset holder.

For a CAT to proceed, the asset must be identified as having ‘community value’, defined as follows:

The main current use of the asset furthers the social wellbeing and interests of the local community. (The term ‘social interests’ includes in particular, though not exclusively, cultural interests, recreational interests and sporting interests) and it is realistic to think that it can continue to do so¹.

Where an asset is not currently in use in a way that meets this definition, it must have been so in the last 2 years and it is realistic to think that it could be within the next 2 years.

The following are specifically excluded from being considered as community assets:

- ↳ Residential properties, including gardens, outbuildings and associated land
- ↳ Assets held on Charitable Trusts; such assets can, and must, be used only to further the charity’s aims
- ↳ Caravan sites
- ↳ Operational land of statutory undertakers
- ↳ Assets whose recent or current use does not meet the definition of community value, *even if the intended use by a community purchaser would be of community value.*
- ↳ Agricultural land and buildings.

¹ Localism Act 2011 s88 (not yet enacted in Wales)

Who Can Apply?

- Community and Town Councils represent populations in Aber Valley; Argoed, Bargoed; Bedwas, Trethomas and Machen; Blackwood; Caerphilly; Darren Valley; Draethen, Waterloo and Rudry; Gelligaer; Llanbradach and Pwll-y-pant; Maesycwmmmer; Nelson; New Tredegar; Penyrheol, Trecenydd and Energlyn; Rhymney; Risca East; Risca West; and Van. Community and Town Councils are accountable to local people and have a duty to represent the interests of different parts of the community equally. One Voice Wales is able to offer support to Town and Community Councils on CAT.
- Third sector groups which are value driven, independent, non-government organisations motivated by social, cultural or environmental objectives, not profit. Surpluses are reinvested to benefit the people and communities they serve. Organisations have a myriad of different legal structures. The Gwent Association of Voluntary Organisations can offer support on the development of third sector organisations.
- Community based groups. However, these should be properly constituted with a proper governance structure, constitution or memorandum of association. Risk and liability should be clearly understood and capacity to commit in the long-term with necessary skills and abilities must be secured. Again, the Gwent Association of Voluntary Organisations can provide guidance.

Eligible groups may proactively approach the authority if they have an interest which might lead to a business proposition, for example, through highlighting an interest in a specific asset. Alternatively, groups may be made aware of the likelihood of disposal through the council's marketing activity. Community groups are encouraged to come forward with initial expressions of interest. Support and information will then be prioritised to develop the idea and links will be made with organisations in a position to offer support packages.

In all cases governance, legal and sustainability criteria must be met (please see associated application forms). New organisations will be considered subject to meeting due diligence considerations.

Additional support and guidance is available from the organisations listed in Appendix 1.

The Process

Application

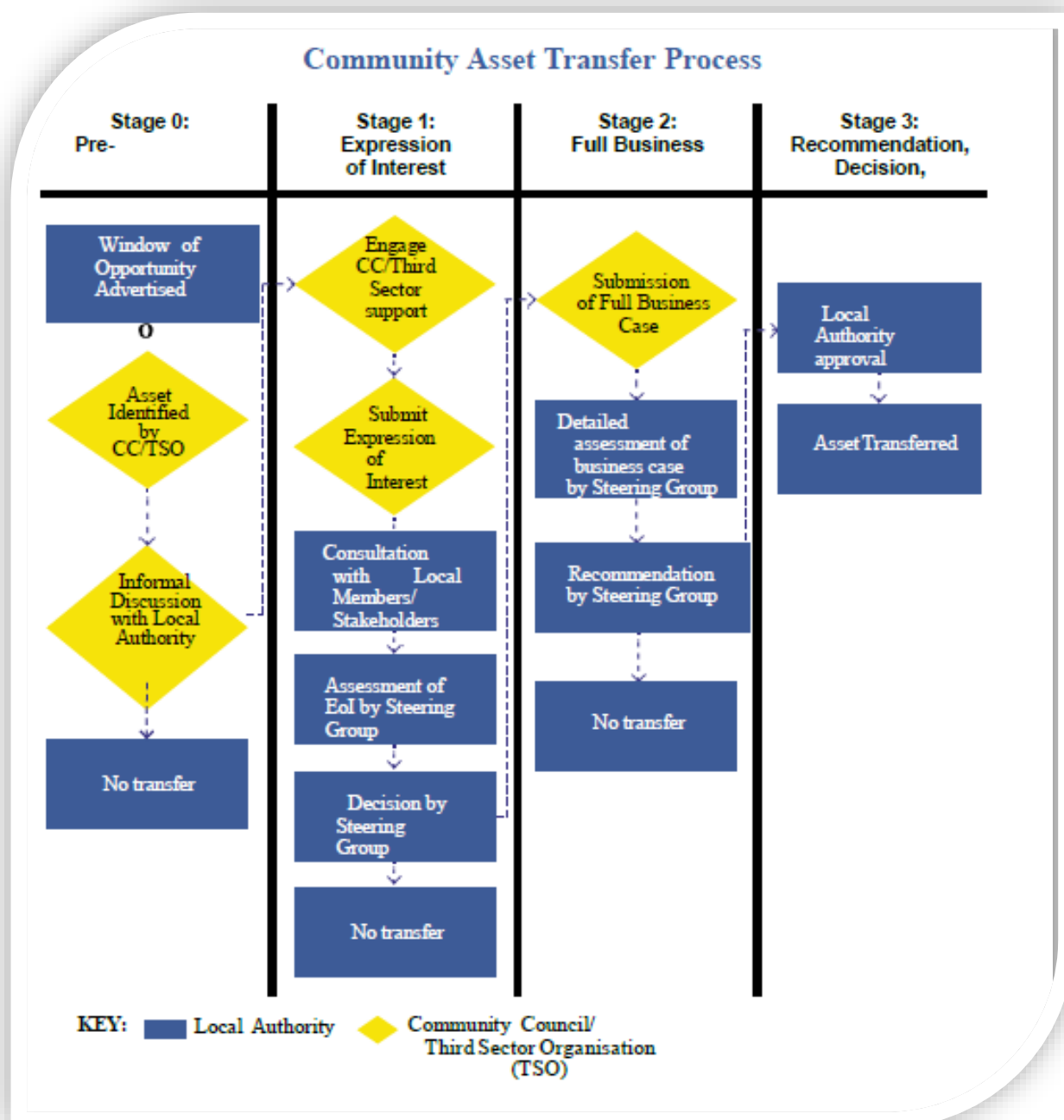
A two-stage application process will ensure that valuable resources are not spent in developing and assessing a full business case until basic consideration criteria are met. Early areas of weakness can be identified and supported to improve the

chances of a full business case succeeding. **Pre-application discussion is encouraged to discuss options and scope.**

The first stage is the submission of an Expression of Interest (EOI) to provide the authority with enough information to consider the application. The EOI form is attached at Appendix 3.

The second stage is a more detailed business case. The business case form is attached at Appendix 5.

Timescales



Sufficient time will be given to develop business cases. Best practice suggests six to ten months from initial EOI to Cabinet decisions by the Council. However, this will not be achievable in all circumstances, especially where the applicant organisation needs to carry out some development activity, scope funding with providers or consider the implications of TUPE arrangements for staff. We recognise that large transfers can take 12-24 months to complete. Please see Appendix 2 for indicative timescales.

Decision Making

The authority will ensure that its decision-making is transparent and against set criteria that are understood by all parties. Steering Group members will comprise the Head of Property, Head of Legal Services, Head of Finance, Head of Business Improvement, Gwent Association of Voluntary Organisations, and Head of Organisational Development (where TUPE may apply), along with the Cabinet Member for Homes and Places as appropriate. Steering Group membership will vary at each stage as set out in Appendix 2.

In assessing a Stage 1 EOI the Steering Group will have regard to:-

- Benefits for the community, the applicant and how they relate to delivering Council priorities.
- Governance, structure and history of the organisation.
- Potential loss of capital receipts, existing income, or other opportunity cost including reinvestment in other services.
- Potential benefits in terms of community value and social, economic, environmental and external benefits.
- Possible risks to the future sustainability of the asset both for the community and the applicant organisation.
- Proposed level of asset discount and terms of transfer.
- Any legal issues arising such as restrictive covenants and title restrictions.
- Ability to provide services through the medium of Welsh.

Decisions will be communicated to the applicant in a timely manner and if there are clear reasons not to proceed to Stage 2 they will be explained fully and clearly.

The Stage 2 Detailed Business Plan will also be assessed by the Steering Group, with a recommendation made on whether to proceed with the transfer or not. In addition to the information prioritised in the EOI this will include:-

- Detailed risks in relation to financial and organisational capacity, governance and an assessment of the ability to manage the asset sustainably for the long-term.
- Track record of delivering similar community services, projects and enterprises.
- How far the proposed use will serve the whole of the community including people with protected characteristics under equalities legislation.
- How opportunities to ensure sustainability will be maximised e.g. income generation.
- Financial management arrangements.
- On larger and other transfers (which would include income generating schemes) there should be advice from people/bodies with a business background to help deliver the proposal.
- Compliance with State Aid, Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and EU Procurement rules (if applicable).
- Any legal restrictions to be imposed e.g. restrictive covenants and clawback provision.

- Monitoring and evaluation arrangements e.g. Service Level Agreements.
- Proposed terms of transfer.

Guiding Principles used by the Local Authority

- The approach of the authority will be robust but flexible. Community assets have been funded and sustained by public sector funds for the benefit of the whole community. As guardians of these assets the authority will aim to support continued community use. **However, there will be circumstances where alternative disposal, possibly through commercial sale, will be in the best interests of the county borough as a whole, including ensuring the sustainability of essential services that can only be delivered by the authority. Those assets which have the potential to generate significant capital receipts are not likely to be considered as suitable for transfer.**
- Assets held on Charitable Trusts cannot be considered; such assets can only be used to further the charity's aims.
- Assets that are required for the delivery of essential services, or are generating an income stream for the council, will not be considered. In particular, assets in the industrial portfolio which have a key role in generating rental income and supporting the economic development of the area will not be considered.
- The authority will notify the community at an early stage which public sector assets are available for Expression of Interest. This will be via the authority's website.
- The authority will consider applications in accordance with its Corporate Asset Management Plan.
- If the asset is one which cannot be transferred this will be communicated at the earliest opportunity.
- The Welsh Language Standards dictate that the authority must consider the effects of a decision on the ability for people to use the Welsh language. Decisions taken must have no adverse effects on the language. The authority is required to provide services that support Welsh and will seek to ensure that applicants pay due regard, depending on their size and capacity, to the language and the rights of people in Wales to access services in English or Welsh equally.
- Recognising the particular needs of groups with protected characteristics and how they will be able to continue to use the asset when it transfers out of the control of the council, who are bound by the Equality Act 2010.
- A risk assessment will be conducted to see if a CAT is the right process for managing an asset and what might happen if the applicant body were to cease to exist in the future.

- Is there proven support from the community for the proposal and how would the wider community benefit?
- Whether the CAT could impact on future opportunities to use adjoining local authority assets.
- Whether the applicant body is relevant, coherent and sustainable in order to provide some assessment of the ability to manage the asset after transfer, recognising that:
 - Running costs may be less for the applicant e.g. ability to use volunteers.
 - Applicants will need to be provided with information on running costs, a condition survey, future maintenance needs, energy rating and consumption data.
 - Repair responsibilities, planning conditions, covenants, access requirements, and ongoing liabilities will need to be understood.
- EOI's will be assessed by the Steering Group within expected timescales.
- Written documentation will be assessed, including a thorough understanding of financial and legal liabilities e.g. business rates, maintenance, insurances, staff payments, pension requirements, on-costs, TUPE obligations (including future pension obligations), utility bills, crime/vandalism risks and mitigation, statutory compliance and building safety. This will be done in a way which is relevant and proportionate to the size of the applicant organisation and the asset being transferred.
- Whether the financial plan is robust and not solely reliant on upfront grant funding.
- Share all legal restrictions and covenants with applicants upfront to avoid time and effort being committed by both parties that cannot bear fruit.
- Consider adding clawbacks and restrictions to protect the authority and the asset for use by the community in the future. However, this will be mindful of the ability of the applicant to secure loans or funding where excessively restrictive stipulations will be detrimental to the success of achieving the necessary funding e.g.
 - Covenants that restrict disposal in the event of default.
 - Recovery of capital where the asset transfers back to the local authority.
 - Minimum lease terms to secure funding.
- Identify and deal with any staff matters such as TUPE, redundancy, management of change.
- Taking a consistent approach with all applications commensurate with the size of the asset being transferred.

- Ensure that all legal risks and liabilities are understood by the applicant, including the use of assets where personal injury/death by users is more likely to happen e.g. sports facilities.
- For assets connected with services there will be additional ongoing considerations. How will services be modernised in time, can the service be facilitated in another way, will a service transfer secure savings for the local authority, will a minimum acceptable level of service be provided into the future?

Guidance for Applicants

- Applicants should familiarise themselves with the issues the authority will be considering and any upskilling that may be needed before making an Expression of Interest.
- Applicants should be mindful of the scale of commitment required in managing the asset and any associated services. This will obviously vary depending on the size of the asset, but the authority will want to support the applicant and collaborate to make the transfer succeed.
- The effort involved in maintaining the asset post transfer, sustainably and with a commitment to the long term should not be underestimated. Initial enthusiasm based on an honest desire to provide the asset for community use can be an engine for success. However, there have been many cases where enthusiasm has waned, CAT's have failed and been transferred back or sold for capital receipt at less value, thereby resulting in a bad deal for residents of local authorities. Particularly where a better capital receipt at the outset could have helped sustain local authority services. The authority will signpost the applicant to help and support available to ensure every opportunity is taken for successful transfer. Applicant 'burn out' in the medium term must be avoided.
- The applicant must be a Community or Town Council, a third sector organisation or a community body. It must be legally constituted and provide limited liability for the stakeholders involved, such as a not-for-profit company limited by guarantee, a charitable incorporated organisation (CIO) or a Community Interest Company (CIC). It must have powers to enable the management and ownership of buildings for trading and the provision of services.
- Applicants should demonstrate good governance through open and accountable processes, with appropriate financial and audit controls.
- Applicants should demonstrate engagement with the community and users of the asset, demonstrating an inclusive approach to all users and potential users.
- Applicants should demonstrate the skills, abilities and capacity, or evidence access to them, to enable them to effectively deliver services and manage the asset.

- Applicants will provide and maintain all necessary governance documentation beyond the initial application assessment.
- Applications for multi-use and co-location of other services are preferred. Single use applications (e.g. use by clubs with only a few members, or for a single defined activity) will only be supported by a significant business case, and may be viewed less favourably. Assets must be open to as many community users as possible.
- Consideration will be given as to whether the proposed activity is already being met elsewhere i.e. is there sufficient business to make the CAT sustainable?
- Is there enough space in the asset or is the space, and hence the liability, too large for the applicant to handle successfully?
- A robust business plan and financial plan is required (please see Appendix 4 and 5 for suggested content). The due diligence process will be proportionate to the size of the asset under consideration.
- Where an Expression of Interest is received for an asset not already earmarked and advertised as available for disposal, its suitability will be offered to other organisations via the local authority website in the interests of fairness, openness and transparency.
- CAT usually involves a transfer at less than market value and the type of tenure could be:
 - Management agreement
 - Licence to occupy
 - Short lease
 - Long lease
 - Freehold transfer

However, the business case must show that community benefits justify the disposal at less than a market price. The authority recognises that lease length must be sufficient for the applicant to secure external or grant funding.

- Most CAT's will be transferred on full repairing, insurance and full liability terms. As the authority will no longer have management control it cannot be liable for legal and ongoing liability. However, there may be circumstances where some control is retained e.g. listed buildings or for the outside fabric of the building.
- The authority will aim to be as flexible as possible in its terms to allow the continued sustainability of CAT. However, it will need to be mindful of its duty to protect the public purse for the long term.
- Applicants are strongly encouraged to engage with national/local support organisations to prepare the EOI and full business plans. Specialist advice is likely to be needed. This will improve the quality of the application and likelihood

of success. Details of organisations providing support are detailed at Appendix 1. This list will be kept up to date on the local authority website.

- The support of local Elected Members is important. They will have links with local groups and evidence of community demand. However, they cannot be involved in any decision-making by the authority and may not be able to provide support due to conflict of interest if, for example, they are Members of relevant Scrutiny Committees, Members of Community Councils or on the board of voluntary/community organisations.
- If relevant the local Town or Community Council should be consulted and canvassed for support. The appropriate Town/Community Council will be consulted by the authority at the EOI stage.
- Consider what funding through grant, loans or funds from charitable organisations will be available in the short term at initial start-up, and in the longer term if necessary. Many grant funding streams will only make funds available for a project once and only in the initial pump priming stage. Is a source of income, or volunteer capacity, likely to sustain the project in the long term?

Appendices

Appendix 1

List of organisations that can provide additional support and funding

Appendix 2

Process Timeline

Appendix 3

Minimum Expression of Interest Template

Appendix 4

Suggested Financial Plan Template

Appendix 5

Suggested Business Plan Contents

Appendix 6

Composition of Steering Groups

Appendix 1- List of organisations that can provide additional support and funding

Organisation	Description	Contact Details
Gwent Association of Voluntary Organisations	Support for voluntary and community groups in the county borough. First point of contact for Expressions of Interest and support regarding funding, governance and volunteering	Ty Derwen , Church Road, Newport NP19 7EJ www.gavo.org.uk 01633 241550
Caerphilly County Borough Council	Details about the asset and Property Information Pack	Property Services, Caerphilly County Borough Council property@caerphilly.gov.uk 01443 863333
Wales Cooperative Centre	Free help and business advice to social enterprises and co-operatives in Wales	info@wales.coop Wales.coop 0300 111 5050
Social Firms Wales	Works alongside social firms UK to create employment opportunities for disadvantaged people	members@socialfirmswales.co.uk www.socialfirmswales.co.uk 07799 345 940
One Voice Wales	Supporting town and community councils in Wales – legal advice, advice on service delivery, training, and policy matters	www.onevoicewales.org.uk 01269 595400

Health and Safety	Legal advice and guidance for managing health and safety	www.hse.gov.uk 0845 345 055
Development Trusts Association Wales	National body for community base regeneration work. Provides a useful guide to asset development covering planning and implementation, community involvement, securing finance and handling legal issues	Dtawales.org.uk 02920 190260
Wales Council for Voluntary Action	Support and representation for the third sector, including support to access funding.	www.wcva.org.uk 0300 111 0124
My Community Rights	Specific advice for community asset transfers, offers advice and guidance on identifying an asset, developing a business case and identifying professional help	mycommunity.org.uk
Planning Aid Wales	Community engagement in the local authority planning process	http://www.planningaidwales.org.uk/
Business in the Community	Helping businesses deliver social, environmental and economic sustainability through responsible business practices	https://www.bitc.org.uk/wales

Appendix 2- Process Timeline

Stage	Requirement	Decision-Maker
<u>Stage 0</u> Discussion of ideas Preparation of Property Information Pack	Initial interest stage. The local authority will be happy to discuss your ideas with you before the submission of an EOI	Relevant Head of Service
<u>Stage 1</u> Expression of Interest (EOI) Further advice and assistance can be provided if necessary throughout the EOI and business plan stages through the organisations in Appendix 1. In the interests of openness, an EOI submitted in relation to a specific asset <i>not put forward, but accepted as a possible transfer, by the authority</i> will automatically trigger its advertisement to the whole community for a period of 4 weeks . Invitations will be submitted to acceptable organisations to proceed to Stage 2	Forms an outline business case. Submit within 21 days of EOI. Appendix 3 <ul style="list-style-type: none"> • Background of the applicant • Ability and experience • Proposed use of the asset • Benefits to the community • Organisational health check • Support from community, partners and stakeholders Where already available a property information pack will be provided at this stage.	Steering Group Head of Property Head of Legal Services Head of Business Improvement Head of People Services (where TUPE may apply) Cabinet Member for Economy, Infrastructure, Sustainability and Well-being of Future Generations If rejected the applicant will be advised of the reasons by the authority and offered sources of further advice and support by GAVO and the organisations in Appendix 1.
Marketing and Submission of Eo1: 7 weeks		
Evaluation and Invitation to Stage 2: 4 weeks		
Stage 1 indicative timescale: 11 weeks		
<u>Stage 2</u> Submission of Business Case Property Information Pack will be provided	Detailed Business and Financial Plan. Appendices 4 and 5 Specific attention to: <ul style="list-style-type: none"> • Needs analysis and projected utilisation • Type of transfer sought and why 	Steering Group <ul style="list-style-type: none"> • Head of Property • Head of Legal Services • Head of Business Improvement • Head of Finance • Head of (relevant service)

	<ul style="list-style-type: none"> • Planned outcomes and benefits and how they might be monitored/ measured • Details of any proposed partnership/ collaborative working • Track record of delivering services/ managing property • Benefits for the community • Risks (financial and organisational) and ability to manage them • Details of the community's views • Ability and experience of organisation in providing services to the public through the Welsh language 	<ul style="list-style-type: none"> • Cabinet Member for Economy, Infrastructure, Sustainability and Well-being of Future Generations • Head of People Services (where TUPE may apply) • GAVO <p>As appropriate and for the required advice, Head of Regeneration and relevant Head of Service</p>
Submission of Detailed Business Plan and Financial Plan: 7 weeks		
Evaluation and Preparation of Report: 7 weeks		
Stage 2 indicative timescale: 14 weeks		
<u>Stage 3</u> Recommendation, decision and completion	Approval by report to Cabinet and Welsh Government if necessary, considering: <ul style="list-style-type: none"> ↳ Protocol for the Disposal of Property ↳ State Aid 	Report by: <ul style="list-style-type: none"> Cabinet Member for Homes and Places Head of Property Head of Legal Services Head of Organisational Development (if TUPE applies)
Stage 3 indicative timescale: No more than 15 weeks		
TOTAL INDICATIVE TIMESCALE 40 weeks		

Note:

The timescale will provide sufficient time to prepare any required documentation including property information packs, business plans and financial plans. However, flexibility is important as timescales may also link to external dependencies such as decisions on funding applications. It is acknowledged that large or complex transfers can take some time to resolve complicated issues and ensure sustainable services for future generations.

Appendix 3 – Minimum Expression of Interest Template

Please complete this form, attach any relevant additional information, and send for appraisal, in the first instance, to Property Services, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG. Tel no: 01443 863333.
E Mail: property@caerphilly.gov.uk

The form must be completed in full. We will be unable to assess any forms that are not complete. If you require advice at any stage please contact the number above.

If your interest is considered viable we will contact you for further details. You will be given an explanation if we are unable to proceed.

PRIVACY NOTICE – General Data Protection Regulations

We require the information requested in this form to allow us to process your application. All information provided in support of an application, including personal details, will be held in a database. You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

<https://www.caerphilly.gov.uk/CaerphillyDocs/FOI/PrivacyNotices/Corporate-Property.aspx>

A. ABOUT YOUR ORGANISATION

Name of organisation:

1. Contact Details

Main contact for this application – this must be someone who knows about your project

Title:	First Name:	Surname:
Position held in organisation:		
Address for correspondence:		
Postcode:		
Is the above your:	Organisation address: <input type="checkbox"/>	Home address: <input type="checkbox"/>
Telephone Number:		Mobile Telephone Number:
Email address:		Fax Number:

2. Status of your Organisation

What type of organisation / group are you? Tick/fill in whichever boxes apply

Charity <input type="checkbox"/>	If registered, please give registration number
Community group/club/society <input type="checkbox"/>	Town/Community Council <input type="checkbox"/>
Company Limited by Guarantee <input type="checkbox"/>	Company Reg. Number
Community Interest Company <input type="checkbox"/>	Other, please give details

When was your organisation set up?	Year
---	------

3. Governance

Does your organisation have a written constitution, governing document or set of rules?

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Comments
------------------------------	-----------------------------	----------

If "Yes", have you appended a copy

How many people are involved in your organisation?

Management committee		Paid staff full-time	
Paid staff part-time		Volunteers	

Please indicate which of the following insurance cover your organisation holds (or plans to put in place) and provide levels?

Type of insurance:	Holds:	Plans:	Level of cover:
Public Liability	<input type="checkbox"/>	<input type="checkbox"/>	
Employer Liability	<input type="checkbox"/>	<input type="checkbox"/>	
Professional Indemnity	<input type="checkbox"/>	<input type="checkbox"/>	

4. What is the purpose and main aims of your organisation?

(Please also provide any relevant background documents)

B. ABOUT YOUR PROPOSAL

5. Title of Project (please keep this short):

6. Please provide details of the asset (building or land) in which you are interested (name, address etc).

It is essential that you clearly identify the asset – if you have plans or drawings please forward copies.

Please state the length of lease required:	Years	
---	-------	--

Please consider whether this meets the likely requirements of current or future grant funder(s).

7. Please provide a brief description of your proposal, including the reason why you are applying for a council asset and what the intended use will be:

8. Please outline how the amenity or facility will be maintained after the project has been completed / land has been transferred:

9. How will the community benefit from the proposal?

Please attach any supporting documentation or further notes, if applicable.

COMMUNITY BENEFITS	Y/N	IF 'YES', PLEASE GIVE FURTHER DETAILS
Will your proposal enable access by all members of the community?		
Will your proposal maintain an existing service or activity in the local community?		
Will your proposal create a new service or activity in the local community?		
Will your proposal have wider community benefits?		
Will your proposal create opportunities for local organisations to work together?		
Will your proposal bring additional financial investment into the area (e.g. through grants unavailable to the Council)?		
Will your proposal create opportunities for developing local enterprise or additional employment?		

10. Will the project present a conflict/overlap with other similar facilities in the locality?

Consider whether there are any similar facilities already in the vicinity and whether this project may have a negative impact on these.

--

11. What is your evidence of need for your project and with whom have you consulted?

C. ATTESTATION

I confirm that, to the best of my knowledge and belief, all the details in this application are accurate. I understand that the council may ask for additional information at any stage of the application process and that you may check this with other sources.

I also understand that this application refers to asset transfer only and is not an application for financial assistance.

Signed:

Name:

Date:

Please return completed form to:
Property Services
Penallta House
Tredomen Park
Ystrad Mynach
CF82 7PG
Email: property@caerphilly.gov.uk
Phone: (01443) 863333

Appendix 4 – Suggested Financial Plan Template

Income and expenditure forecast Years 1-5. The authority recognises that new organisations, or those embarking on CAT for the first time, may have difficulty forecasting forward 5 years. However, the more information that can be provided the more the authority can be assured of the sustainability of the proposal.

We recognise that some information may need to be developed over time and that funding bids may be subject to an agreement from the authority. In addition, further information may be required from the authority on building costs and maintenance requirements. Support and guidance will be available from the authority and its third sector partners.

The row headings below are examples only and a plan can be populated with information you will have thought about for your proposed use of the asset. We would expect to see as much detail as you are able to provide.

		Phase 1	Phase 2		Phase 3		
		Current	Year 1	Year 2	Year 3	Year 4	Year 5
No	INCOME						
1	Grant aid						
2	External funding						
3	Rent and room hire						
	Room 1						
	Room 2						
4	Other income						
	Café/shop						
	Other sales						
5	Volunteer time in kind						
6	Ongoing fundraising						
	TOTAL						
	EXPENDITURE	Current	Year 1	Year 2	Year 3	Year 4	Year 5
7	Salaries and on costs						
	Manager						
	Caretaker						
	Cleaner						
8	Volunteer support costs						
9	Building management costs						
	Cleaning materials						
	Commercial waste						
	Security						
10	Utilities						
	Water						
	Electricity						
	Gas						
	Telephone/Internet						
11	Rates						
12	Repairs and maintenance						
13	Transport and travel						
14	Centre supplies						
	Tools and materials						
	Equipment hire						
	Furniture and IT						
	PPE						
15	Centre promotion						
	Printing publicity						

		Phase 1	Phase 2		Phase 3		
		Current	Year 1	Year 2	Year 3	Year 4	Year 5
	Advertising						
16	Insurances and professional fees						
	Property insurance						
	Public liability						
	DBS checks						
	Performing Rights Society						
	Accountancy fees						
	Legal fees						
	Architects fees						
	Other consultancy						
17	Other sundries and miscellaneous finance						
TOTAL							
SURPLUS/DEFICIT							
ACCUMULATED RESERVES							

Appendix 5 – Minimum Business Plan Contents

Below are suggestions for what your business plan might contain. The list is not exhaustive and will vary from organisation to organisation, the size of the asset proposed for transfer and the proposed use of the asset. Advice and guidance can be sought from those organisations listed in Appendix 1.

Project / Proposal Details

Property Name:	
Name of organisation	
Contact name	
Position held in organisation	
Address	
Telephone number	
Email address	
Title of project/business name	
Location of Project:	
Date of application:	
Company / Charity number	
Purchase or lease amount	

Signature	
Name	
Designation	
Date	

PRIVACY NOTICE –General Data Protection Regulations

We require the information requested in this form to allow us to process your application. All information provided in support of an application, including personal details, will be held in a database. You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

<https://www.caerphilly.gov.uk/CaerphillyDocs/FOI/PrivacyNotices/Corporate-Property.aspx>

If you are not completing this document electronically, please continue each section on additional paper if necessary and annotate accordingly.

Please ensure any additional information is included with your submission and are recorded as appendices.

Introduction	Score
Management and Operations	

<u>The Market</u>	
<u>Key Outcomes and Success criteria/benefits</u>	

Affordability	
Stakeholder Engagement	

Risks	
Dependencies / Critical Success Factors	

<u>Community Engagement, Equalities and Accessibility to Services</u>	
<u>Physical Outputs of the Proposal / Project</u>	

Timescales	
Sustainable Development	

Well being	
Planning Considerations	

Purchase Details	
Additional Information	

Appendices	

Section	Description
Introduction	<p>This section should;</p> <ul style="list-style-type: none"> ▪ State the aim and purpose of the business/project. ▪ Explain the fundamentals of the proposal and what you want to achieve. ▪ Detail your key objectives. ▪ Include your mission statement. ▪ Explain current issues and why the proposal is needed. This could include evidence of market research, evidence of need and any one you have consulted with. ▪ Summarise any events, work or other projects that are either dependent on the outcome of this or that the proposal is dependent on.
Management and Operations	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Explain the status of the business e.g. commercial or community focussed and describe your legal form of ownership e.g. Sole proprietor, Partnership, Company Limited by Guarantee, Charitable organisation, Community Group, Community Interest Company etc. ▪ Describe how the organisation will be structured and levels of decision-making. ▪ Describe the organisation structure and when it was established. ▪ Describe any opportunities for collaboration and building partnerships ▪ Detail the number of employees/volunteers. ▪ Include a copy your written constitution if applicable. ▪ Provide details of any relevant policies and procedures.
The Market	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Describe in depth your products or services and how you will deliver these day to day. ▪ Explain what factors give you the advantage or disadvantage against alternative service provision e.g. consider if the proposal will conflict/overlap with

	<p>similar facilities in the area.</p> <ul style="list-style-type: none"> ▪ Identify your client/customer base or the community you want to serve. ▪ Describe your existing and target markets. ▪ Describe how you will build and maintain your profile and identify any potential opportunities for expansion.
<p>Key outcomes and success criteria/benefits</p>	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Highlight the expected immediate and long-term benefits of the proposal. Think about your business development strategy over the next 5-years. ▪ Summarise the main benefits; who is responsible for them and how will they be realised. Wherever possible try and give them a value so that they can be properly quantified. This will make it easier to measure whether they have been realised. Where there are significant elements that cannot be valued in money terms e.g. they are social rather than financial, these still need to be brought out in your assessment. You should take into account, if possible, all the tangible and intangible benefits that you believe will accrue.
<p>Affordability</p>	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Explain what resource will be required, including staff resources and where this resource will come from. ▪ Establish the set up costs and identify whether there is sufficient capital available. ▪ Include a Financial Plan providing projected income over 1-5 years, your expenditure profile, income generating activities and projections and your fundraising plans. This information should provide a reasonable estimate of the proposal's financial future. ▪ Specify whether potential funding sources been identified if required and detail the timescales involved with any funding applications. <p>There will be many expenses before the business/project begins to operate. It is important to estimate these expenses accurately and then to plan for sufficient capital. No business/project should go forward without</p>

	<p>adequate understanding of resourcing requirements.</p> <p><i>Administration, Capital and Programme expenditure should be shown separately for each financial year of the project. The draft Financial Plan at Appendix 4 should help you.</i></p> <p><i>Administration costs should include the costs of managing the project.</i></p> <p><i>If it is helpful, show separately a sheet identifying the costs vs. the benefits gained in each financial year. This can be discounted to show the “present value” of the entire project.</i></p>
Stakeholder engagement	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Detail any discussions that have taken place if funding is required to take the proposal forward. ▪ Confirm those responsible for providing resources have indicated that they approve of the undertaking.
Risks	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Summarise the key risks and how they might be managed. Remember to identify opportunities and how you will exploit them as well as things that may go wrong. ▪ Explain how you intend to mitigate any risk you have identified.
Dependencies / Critical success factors	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Identify any events or work that are either dependent on the outcome of this proposal or that the proposal will depend on. ▪ Outline the things that must go right to ensure the success of the proposal. For example, does it need to deliver all its objectives and benefits to be successful?
Community engagement, equalities and accessibility to services	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Provide evidence of how this proposal would result in wider community engagement. ▪ Detail how it aims to improve access, facilities or opportunities for less able or marginalised groups. ▪ Explain how all individuals will have an equal opportunity to access the proposed business/service,

	irrespective of colour, ethnic origin, sex, age, marital status, sexual orientation, disability, religion/faith, gender re-assignment, language or nationality.
Physical outputs of the project	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Detail the outputs of the proposal e.g. number of jobs created, develop local enterprise, create opportunities for local organisations to work together, improve the building or area of land. ▪ Explain if the proposal will create a new service or activity in the local community, whether there will be any wider community benefits and whether the proposal will bring additional financial investment into the area (e.g. through grants unavailable to the council).
Timescales	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Explain anticipated timescales for business/project start-up. Consider timescales involved with funding applications and/ or building refurbishment.
Sustainable development	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Describe what features will be utilised to ensure the proposal works in a sustainable manner e.g. energy saving measures, waste recycling, renewable materials, reduction in the need to travel by improving or adding local facilities, ensuring easy access by public transport, and by walking or cycling.
Well being	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Describe how the business/project will help to improve access to health and social care facilities, make the community feel safer, increase employment opportunities and support the local economy.
Planning Considerations	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Identify whether any planning consents are necessary e.g. change of use application and detail what the implications would be.
Purchase details	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Detail what works you intend to undertake/ ▪ Specify your preference for lease or purchase and if applicable, length of lease required.
Additional Information	<p>This section should;</p> <ul style="list-style-type: none"> ▪ Include other details you may need to include in

	support of your proposal.
Appendices	<p>This section should;</p> <ul style="list-style-type: none">▪ List any additional documents you have included in support of your application, ensuring that they are correctly annotated and included with your submission.

Appendix 6: Composition of Steering Groups

Steering Group – Stage 1

Head of Property

Head of Legal Services

Head of Business Improvement

Head of (relevant Service)

Cabinet Member for Homes and Places

Head of Community Regeneration

Head of People Services (where TUPE may apply)

Steering Group – Stage 2

Head of Property

Head of Legal Services

Head of Business Improvement

Head of (relevant Service)

Section 151 Officer

Cabinet Member for Homes and Places

Head of Community Regeneration

Head of People Services (where TUPE may apply)

GAVO

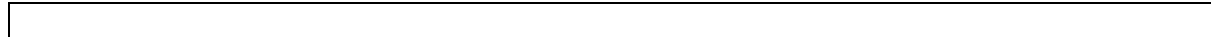
Gadewir y dudalen hon yn wag yn fwriadol



CABINET – 28TH OCTOBER 2020

SUBJECT: “STREET CAFÉ” LICENCES

REPORT BY: INTERIM CORPORATE DIRECTOR OF COMMUNITIES



1. PURPOSE OF REPORT

- 1.1 To update Cabinet on changes required to the process for the granting of “street café” licences and to seek Cabinet approval to implement those changes.

2. SUMMARY

- 2.1 Many businesses within the County Borough have faced significant challenges as a result of Covid-19 and the lockdown requirements that have resulted. This includes many town centre businesses and particularly the town centre hospitality sector.
- 2.2 All Local Authorities in Wales have been encouraged by Welsh Government to support such businesses in their efforts to recover from the Covid-19 economic damage and in doing so to reduce any bureaucracy and/or ensure a degree of flexibility in stimulating and maintaining a trading environment and re-purposing space to allow this to happen. In doing so CCBC has positively encouraged a “street café” approach and has assisted with some physical interventions in certain town centres.
- 2.3 Caerphilly County Borough Council supports and encourages the provision of street cafes in the town centres, as they make a positive contribution by adding vitality, colour, life and interest to the street scene. They can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live and work in the Borough. Creating a “street café” culture can also assist in the longer term re-purposing of town centres as they strive to survive in tough economic conditions and pressure from the move to online shopping.
- 2.4 Whilst the provision of street cafes is encouraged, it is important that they are properly administered and managed to ensure that they meet the high standards expected in the town centres. They should not obstruct the highway or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.
- 2.5 The process for seeking and obtaining permission to trade on the footway within the County Borough is no longer fit for purpose i.e. it is a lengthy, bureaucratic process that does not offer the flexibility demanded by modern town centres that need to react to changing economic climates.

- 2.6 This report therefore seeks to “modernise” this process via the introduction of a new process for cafes looking to trade on the highway. This revised process would cover the use of café trading space on the footway and will be in addition to the Council street trading policy which covers all other aspects of trading on the footway.

3. RECOMMENDATIONS

- 3.1 That Cabinet notes the need to “modernise” the process for providing permission to trade on the highway.
- 3.2 That Cabinet agrees:-
- i). A “modernisation” of the street cafe licence process and delegates Authority to the Interim Corporate Director (Communities) in consultation with the relevant Cabinet member and Head of Legal Services to finalise the application documentation and accompanying guidance notes.
 - ii). To waive any fees associated with trading externally until 30th September 2021 (subject to further review) to allow businesses time to recover from Covid-19 and to take advantage of the 2021 spring and summer period.
 - iii). To adopt the alternative process outlined in 5.5 for the initial 28 day consultation period.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To support local town centres in a very challenging economic climate.

5. THE REPORT

- 5.1 As stated above the current process for obtaining the relevant licence in accordance with the Highways Act is somewhat bureaucratic and lengthy and involves up front fees.
- 5.2 In Wales, the rules regarding the placement of tables and chairs on roads and pavements remain the same as we currently operate under Section 115E of the Highways Act, where proprietors may apply to the Local Authority for a licence to place tables and chairs on the highway and the Local Authority may grant a licence for such period and with such conditions as it considers suitable. CCBC’s guidance document sets out the conditions which the Council would at present be likely to apply.
- 5.3 As to conditions, the Council’s powers are broad and the legislation in essence states that the Council can impose such conditions on the grant of a licence as it considers fit. As a minimum the Council will consider imposing conditions around operation hours, the type of activities which may be carried on (e.g. the service of food and drink for customers seated at tables, and maybe prohibiting the sale of alcohol only or “vertical drinking), the requirement for businesses to have Public Liability insurance to indemnify the Council against any claim arising from the use of the highway by the café in question and conditions aimed at preventing negative effects for local residents, such as ensuring that the footway remains clear and the clearing

of litter/provision of bins etc. These detailed matters will be included in new guidance for applicant.

- 5.4 There are 2 key issues that hinder flexibility and can be counter productive to supporting businesses to recover from the Covid influenced economic downturn when opportunities arise. These include the up-front fees and the 28 day consultation period after an application has been made.
- 5.5 In terms of consultation, where there is a proposal to place furniture on the street, the Local Authority is required to publish a notice of this and state a period for representations to be made, which must not be less than 28 days. The Local Authority must not grant the permission until it has considered all representations, which means that there is no completely lawful means of avoiding the 28 day notice period. Swansea Council has developed a “workaround” to this, by granting a form of permission which they refer to as a Memorandum of Agreement/Understanding rather than a licence immediately and stating that it will be revoked if any valid objection is received within the 28 days. Clearly, there is some risk that the Council could be challenged if it adopted this approach but officers consider that this is a manageable risk with the supporting business benefits outweighing the risks of challenge. It is therefore suggested that the Authority adopts the process employed by Swansea Council as described above for the 28 day consultation period.
- 5.6 It is therefore the view of officers that the waiving of fees for a designated period of time (to allow cafes to take advantage of the next spring and summer period) combined with the approach outlined above in respect of the 28 day consultation period should be adopted as part of the drive to support our town centre businesses.

6. ASSUMPTIONS

- 6.1 The report has assumed that the challenging economic climate for town centre businesses will last into 2021 (and possibly beyond).

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The report links to a number of corporate well-being objectives, namely.
- Objective 2 – Enabling employment.
 - Objective 4 – Promote a modern integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment.
 - Objective 5 –Creating a County Borough that supports a healthy lifestyle in accordance with the sustainable development principle within the Wellbeing of Future Generations (Wales) Act 2015.
 - Objective 5 – Support citizens to remain independent and improve their well being.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 Economic Recovery contributes to the Well-being objectives as set out above. It is consistent with the five ways of working as defined within the sustainable

development principle in the Act and it is aimed at improving the economic, environmental, social and cultural well-being and recovery of the area.

8.2 As such it aligns with the following well-being goals:

- A Prosperous Wales – Providing more jobs and housing in the area will create more wealth for the local population.
- A Resilient Wales – Providing additional and more diverse employment will make the area more resilient to external economic factors.
- A Wales of Cohesive Communities – providing local employment and more diverse will help to stabilise and develop local communities and prevent outmigration.

8.3 The report recommendations are consistent with the five ways of working as defined within the sustainable development principle in the Act. The five ways of working of the sustainable development principle, listed in the Act are:

- Long Term – The importance of balancing short-term needs with the need to safeguard the ability of future generations to meet their long-term needs;
- Prevention - How acting to prevent problems getting worse, may help public bodies meet their objectives;
- Integration – Considering how the public body’s well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies;
- Collaboration – Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives;
- Involvement – The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.

9. EQUALITIES IMPLICATIONS

9.1 The revised policy and applicant guidance will provide for an Equalities Impact Assessment to be considered in relation to the granting of each individual application for the use of the pedestrian footway for “street café” purposes.

10. FINANCIAL IMPLICATIONS

10.1 The annual income from the granting of pavement licences is negligible (circa £200 per annum) and there are consequently no significant financial implications that result from the waiving of fees for the period up to 30th September 2021.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications associated with this report.

12. CONSULTATIONS

12.1 The report reflects the views of the consultees listed below.

13. STATUTORY POWER

13.1 Highways Act 1980
Local Government Acts

13.2 This is a Cabinet function.

Author: Mark S Williams, Interim Corporate Director of Communities

Consultees: Councillor Sean Morgan, Cabinet Member for Economy & Enterprise
Councillor John Ridgewell, Cabinet Member for Environment & Infrastructure
Robert Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris, Interim Head of Business Improvement Services & S.151
Officer
Marcus Lloyd, Head of Infrastructure
Rhian Kyte, Head of Regeneration and Planning
Allan Dallimore, Regeneration Service Manager
Paul Hudson, Business Enterprise Renewal Team Leader
Mike Wallbank, Senior Solicitor

Background Papers:

- Caerphilly CBC "Street Trading Policy" updated September 2018.

Gadewir y dudalen hon yn wag yn fwriadol



CABINET - 28TH OCTOBER 2020

SUBJECT: ANNUAL PERFORMANCE REPORT 2019/20

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

--

1. PURPOSE OF REPORT - PURPOSE OF REPORT

1.1 The purpose of this report is to seek Cabinet's approval of the Annual Performance Report for 2019/20 prior to its onward submission for noting by full Council.

2. SUMMARY

2.1 The Annual Performance Report is a statutory requirement under the Local Government (Wales) Measure 2009 and forms an important part of the Council's performance framework.

2.2 The Council is required to assess its own performance and provide the public with a balanced picture of that performance. The Council must also report progress against the six Well-being Objectives set out within the Corporate Plan 2018-2023. This report covers the second year of the Corporate Plan.

2.3 The response to the COVID pandemic has brought a refinement to the prior year approach with the report being provided in a shorter, more accessible format focused on highlighting the key impacts.

2.4 Welsh Government suspended the need to provide certain data sets this year and consequently no Public Accountability Measures have been collected across Wales by the Welsh Local Government Association. As a result, there are no national comparators or rankings available for this years report.

2.5 The Wales Audit Office is required to check whether an authority has complied with the statutory duty and to issue a 'certificate of compliance' in response. The Annual Performance Report demonstrates to the Wales Audit Office how the Council has met this duty.

3. RECOMMENDATIONS

3.1 It is recommended that Cabinet:

- 1) approve the Annual Performance Report 2019/20 as set out in Appendix 1.

- 2) It is recommended that Cabinet endorse the relevance and continuation of the Well-being Objectives at this third year of the five year Corporate Plan.
- 3) Agree to the onward submission of the Annual Performance Report to full Council in November

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The Council has a statutory duty to publish its Annual Performance Report by the 31st October each year.

5. THE REPORT

- 5.1 Cabinet endorsed the Council's Corporate Plan (2018-2023) in April 2018. The Plan was reviewed a year later in June 2019 to ensure its continued relevance. There are six long term Well-being Objectives within the Plan that Cabinet have set for the life of the administration.

- 5.2 Each of the six Well-being Objectives has a series of outcomes which sets out what the Council hopes to achieve on behalf of citizens. This Annual Performance Report sets out the progress made against those six objectives during the 2019-2020 financial year.

- 5.3 The Annual Performance Report is set out in full at Appendix 1. As part of the self-evaluation process that underpins the Report the Council is required to:

- publish its performance against a range of measures within each Well-being Objective;
- provide narrative that identifies what has gone well and where improvements can be made;
- publish a summative judgement on the progress made against each Well-being Objective

- 5.4 The summative judgements for each of the Well-being Measures for the 2019/2020 financial year are set out below:

	Well-being Objective	Summative Judgement
1	Improve education opportunities for all	Good Progress
2	Enabling employment	Good Progress
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	Partially Successful
4	Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimizes the adverse impacts on the Environment	Good Progress
5	Creating a county borough that supports a healthy lifestyle	Partially Successful

6	Support citizens to remain independent and improve their Well-being	Good Progress
---	---	---------------

5.9 Conclusion

At the end of 2019/20 the Council can demonstrate that its has made progress against each objective. The self-evaluation has also provided a platform to celebrate the activity that has gone well, reflect on the areas that need to be improved and to identify new approaches and interventions to support future progress.

6. ASSUMPTIONS

- 6.1 Unless a specific objective is judged as delivered in its entirety, or assessment of data and public consultation responses change direction significantly, it is assumed these Well-being Objectives will continue throughout the course of the remaining three years of the Corporate Plan.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 Corporate Plan 2018-2023.

The current Corporate Plan 2018-2023 is available on the Council's website via the following link:

https://www.caerphilly.gov.uk/CaerphillyDocs/Council-and-democracy/Corporate_Plan_2018-2023.aspx

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 The Well-being of Future Generations (Wales) Act 2015 requires a public body to set Well-being Objectives in order to maximise contribution to the social, economic, environmental and cultural well-being of an area. The Corporate Plan 2018-2023 is the vehicle which sets out our Well-being Objectives and how they contribute towards the national well-being goals.
- 8.2 The Council is required to use the sustainable development principle in setting its well-being objectives and in delivering them. The Corporate Plan shows how the principle has been used in selecting the objectives. They have been chosen to consider the prevention of issues that may detrimentally affect well-being, each are considering the long-term factors that may improve or reduce well-being, the community view was used in setting the issues that local residents felt were important, the Corporate Plan considers how we act in collaboration with other bodies and how we integrate our activity across the authority and with partners.

9. EQUALITIES IMPLICATIONS

- 9.1 No specific Equalities Impact Assessment has been undertaken on this report; however, the Local Government (Wales) Measure 2009 cites fairness and accessibility as part of the definition of what 'improvement' means. Page 26 of the Annual Performance Report provides a brief update on equalities work. Delivery of the Well-being Objectives maximises our contribution to all the national well-being goals including 'A More Equal Wales'.

If you require advice please contact Anwen Cullinane, Ext. 4404 or email equalities@caerphilly.gov.uk

10. FINANCIAL IMPLICATIONS

- 10.1 Each Well-being Objective has a section identifying the resources needed to support delivery of the objective within the corporate plan.
- 10.2 The resources to deliver the Well-being Objectives are assessed within the context of the current Medium Term Financial Plan.
- 10.3 Page 22 in the Annual Performance Report provides a Financial Summary for 2019/20

11. PERSONNEL IMPLICATIONS

- 11.1 There are no personnel implications arising from this report.

12. CONSULTATIONS

- 12.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report incorporated into the recommendation then why not.

13. STATUTORY POWER

- 13.1 Local Government Measure 2009.

Author: Ros Roberts, Business Improvement Manager roberr@caerphilly.gov.uk

Consultees: Christina Harrhy, Chief Executive
Cllr Eluned Stenner, Cabinet Member for Performance & Customer Services
Richard Edmunds, Corporate Director, Education & Corporate Services
Mark S Williams, Interim Corporate Director, Communities
Dave Street, Corporate Director, Social Services
Steve Harris, Head of Business Improvement and Section 151 Officer
Sue Richards, Head of Education Planning and Strategy
Rob Tranter, Head of Legal Services
Keri Cole, Chief Education Officer
Rhian Kyte, Head of Regeneration and Planning
Shaun Couzens, Chief Housing Officer

Background Papers:

CCBC Corporate Plan

Appendices:

Appendix 1 Annual Performance Report 2019/2020

Team Caerphilly

BETTER TOGETHER

Annual Performance Report 2019/20



Contents:

Section 1: A reflection on 2019/20 from the Leader of the Council & the Chief Executive	2
Section 2: Introduction to our Well-being Objectives 2019/20	5
Section 3: Progress on our Well-being Objectives 2019/20	
WBO 1: Improve education opportunities for all	6
WBO 2: Enabling employment	9
WBO 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	11
WBO 4: Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment	14
WBO 5: Creating a County Borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015	16
WBO 6: Support citizens to remain independent and improve their well-being	19
Section 4: Managing your money 2019/20	21
Section 5: What our regulators told us	25
Section 6: Equalities, Welsh Language and the Future Generations legislation	26
Section 7: How to contact us and how you can be involved	28

Os bydd angen yr adroddiad hwn mewn fformat gwahanol - er enghraifft PDF hygyrch, print bras, fersiwn hawdd ei ddeall, recordiad sain neu braille - cysylltwch â ni ar cydraddoldeb@caerffili.gov.uk

If you need this report in a different format - like accessible PDF, large print, easy read, audio recording or braille - please contact us at equalities@caerphilly.gov.uk

Further information can also be found on our website: www.caerphilly.gov.uk

Section 1:

A reflection on 2019/20

from the Leader of the Council & the Chief Executive

2019/20 was a significant 12 months for the council - and for the world - as the coronavirus pandemic emerged on the global stage.

Change, innovation and adaptation have been key features of our lives over the past few months as the authority has been required to reshape and reconfigure in order to respond to the pressures of the virus.

Providing an update like this is an opportunity for us to pause and reflect on the events of recent months, but it is also an opportunity for us to recognise the amazing achievements of staff across the organisation throughout the pandemic.

The coronavirus outbreak has brought the very best out of Team Caerphilly and we are proud of each and every one of our employees who have worked so hard to support residents and protect our community.

Right at the start of the outbreak, we mobilised an army of staff in a very short timeframe to provide a co-ordinated community response to ensure that the most vulnerable people in our society were supported during very uncertain and worrying times.

Whilst coronavirus has dominated our lives over recent months, it is important that we do not let it overshadow the many achievements and success stories that we delivered in 2019/20. These include:

- Unveiling ambitious plans to increase the supply of council housing in the Caerphilly county borough. The plans were included in a report entitled 'Building Together' which has been proudly endorsed by Cabinet.
- We launched our ambitious 'Team Caerphilly - Better Together' transformation programme that will completely reshape and re-energise the way we do things in the future.



- We received a Gold Award under the Defence Employer Recognition Scheme which recognises this council as one of the best organisations in the UK for the support it offers to the Armed Forces community.
- We welcomed His Royal Highness the Prince of Wales to New Tredegar to celebrate our healthy schools programme.
- The Planning Committee resolved to give outline planning consent for a flagship housing development in Pontllanfraith. Chartist Garden Village is an exciting collaboration between the council and the Pobl Group which will result in an attractive development comprising of up to 125 homes - of these approximately two thirds will be affordable.
- We agreed a £1.2million investment boost for social services that will bring significant benefits to a range of projects across the county borough
- A package of improvements have been delivered at our flagship visitor destination at Cwmcarn Forest, including a new adventure hub play area, six new luxury lodges and improved biking trails.
- Free feminine hygiene products are being provided in all schools and community settings, along with the launch of two short films, as part of our excellent Period Dignity initiative.
- £2.4million investment was announced to improve local roads through our widescale resurfacing programme
- We joined other Gwent local authorities to encourage green transport and deliver new electric vehicle charge points in council owned car parks across the region.
- A new website was launched, to coincide with the publication of A Level results, to help young people in the county borough plan their next steps. The excellent Caerphilly Pathways website has been developed to show the full range of opportunities available to our young people.
- Over the past year the Tenancy Support Service generated over £1 million additional income for council tenants.
- Welsh Government endorsed our plans to improve air quality at Hafodyrnys. Work is now progressing to complete the compulsory purchase and demolition of the affected properties.
- Cabinet approved a review of post 16 education. As part of the review, existing partnerships between schools in Upper Rhymney Valley and Caerphilly Basin areas have been strengthened to provide students with access to a broader curriculum and improve outcomes at post 16.





- We hosted many successful events last year including the Caerphilly 10k, the Big Cheese and our festive programme of activities.
- Investment in our schools continues and we recently agreed the first phase of a £78 million school improvement programme through Band B of the 21st Century Schools project.

We hope this provides a flavour of the many successes of this council and Team Caerphilly in 2019/20. There are many more positive examples that we could provide, but it would be impossible to cover everything in such a limited space.

As we move forward, the significant economic impact of coronavirus is becoming clearer. We are now starting to see the full picture in terms of lost income and additional costs associated with the outbreak.

Working within the wider national context of Brexit, Climate change, economic challenges, as well as the ongoing pandemic, we need to carefully consider what can realistically be achieved over the next few years and this will be influenced by an ambitious 'place shaping plan' that we are currently developing.

We are also undertaking a number of key corporate reviews which will help reshape the way we operate as a Council and how we will deliver many of our services in future.

We will continue to work together for the good of all and further instil our amazing Team Caerphilly ethos in everything we do.

Thank You



Philippa Marsden
Leader of the Council



Christina Harry
Chief Executive



- We battled the effects of Storm Dennis and Storm Ciara when residents across the county borough were impacted by flooding and high winds. Once again staff went that extra mile in atrocious conditions to support our community.
- We launched a new sport and leisure app which has become one of the main ways customers now book classes and sessions and find out new information relating to the service.

Section 2:

Introduction to our Well-being Objectives 2019/20

In 2018 we published our Corporate Plan for 2018-2023 with new longer-term Well-being Objectives, further details of which can be found on the Council's website;

www.caerphilly.gov.uk/CaerphillyDocs/Council-and-democracy/Corporate_Plan_2018-2023.aspx

It is important to tell you that due to the COVID pandemic we have not been able to provide the full and detailed report that we usually do, so we have instead picked out the key highlights to demonstrate the impact of our work. We hope this will still give you a good flavour of our progress in a visual and user-friendly way.

We are unable to provide the data results for the 2019/20 Public Accountability Measures. This is a set of Performance Indicators that are measured across Wales and used to compare our performance with other Authorities. Due to the COVID pandemic Councils in Wales were not required to collect and submit year end data, so there are limited comparators this year.

However, our own assessment over the next few pages will tell you how we have performed against our objectives for 2019/20 under the following headings:

- **What went well**
- **What did not go as planned**
- **Where we are now and where we would like to improve**

The Sustainable Development Principle was used to set our objectives and is included in our action planning. Known as the five ways of working, we consider the long term, understand causes to prevent problems occurring, collaborate and integrate with our partners and, importantly, involve our communities.

How these principles were used to set each Well-being Objective can be found in Council's Corporate Plan 2018-2023 and the relevant Scrutiny Reports for 2019.

WBO 1 Improve education opportunities for all.

WBO 2 Enabling employment.

WBO 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.

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

WBO 5 Creating a County Borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015.

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

Well-being Objective 1:

Improve education opportunities for all

What went well:



2229 participants reported improved emotional and mental well-being after participating in Families First programmes.



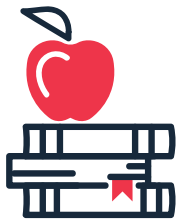
35 care leavers (aged 16-18) engaged in the Progress Traineeship Scheme. There were only 4 last year, so this is a big improvement.



15.3% of Key Stage 4 pupils achieved 5 A* to A, this is better than last years figure of 12.1%. The Welsh average is 18.1%.



669 young people engaged in the Live Vacancy Events (2 per year) for employment opportunities.



Secondary School attendance was 94%, an improvement of 0.6% on the previous year. We are now 7th in the Local Authority rankings in Wales.



We significantly exceeded our employability target with Bridges into Work helping 39 people into work.



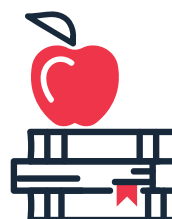
Fixed Term Exclusions (per 1000 pupils) at Secondary Schools improved to 82.3 compared to 114 last year. Lower is better with this measure.



We exceeded our employability target for the Inspire 2 Work programme helping 39 people.



95% of our participants reported improved emotional/mental well-being after they took part in our programmes. This was a 3% increase on last year.



Key Stage 4 Capped 9 Point Score (new for 2019) was 337.3, this is slightly below the Welsh average of 353.3 points.



Welsh Baccalaureate Skills Challenge Certificate (new for 2019) performed well at 36.4 points. This is Caerphilly's most successful Education performance indicator directly in line with the Welsh Average.



Surplus places at Secondary school reduced to 17.3% from 19.5%. Lower is better, so this is a significant improvement.



Within the National Library Standards ranking we have moved up from 7th to 5th in Wales. This is a diverse set of comparator performance standards.



Primary School attendance increased to 94.7% which is better than last year.

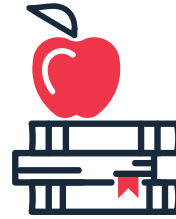
Well-being Objective 1:

Improve education opportunities for all

What did not go as planned:



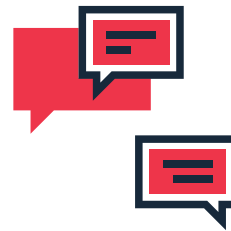
The number of individual families benefitting from the Families First Programme was 3447, which is slightly less than 2018/19.



2439 children accessed the Flying Start programme (0-3 years of age), this is slightly less than last year due to a drop in birth rates.



The % of Fixed Term Exclusions per 1000 pupils at Primary Schools was 18.4% which is not quite as good as last year when our figure was 18%. Lower is better for this measure.



984 eligible working parents accessed the Childcare Offer funded places. This is slightly less than 2018/19, however the way the data is counted has been changed, meaning this is not a direct comparison with last year.



Primary school surplus places increased to 15.7% this year from 14.6% last year. The Live Birth Data is indicating a decrease in pupils which would create more surplus places. Lower is better for this measure.



The number of pupils not achieving a qualification was Caerphilly's worst performing indicator at 1.7% (compared to the Welsh average of 0.9%). 1.7% equates to 34 pupils out of 1972 pupils in total.



2.4% of Year 11 leavers from schools were known to be not in education, employment or training (NEET). This is 47 pupils out of 1937. Of the 47 pupils 27 were unable to take part due to health or medical issues. This is slightly less than last year (40 out of 1853).

Well-being Objective 1:

Improve education opportunities for all

Where we are now and what we would like to improve:

At the end of the second year of this objective, we believe we have made good progress towards meeting the outcomes we set ourselves.

The Shared Ambitions Strategy emphasised the importance of improving attendance as well as attainment and achievement across our school settings. The Strategy is beginning to deliver results with attendance at secondary and primary improving, gains being made in terms of attainment at Key Stage 4 and the progress of our FSM learners is particularly pleasing.

While gains have been made across secondary schools in terms of reducing the percentage of fixed term exclusions, further work is required across both primary and secondary schools to reduce the numbers further.

While surplus places have reduced at Secondary and increased slightly at Primary, the progression of the 21st Century Schools Band B programme over the medium to long term will improve the situation further across both sectors.

This year, the percentage of pupils not achieving a qualification dropped to 1.7% with additional resources allocated to the Engagement and Progression team to better monitor individual learners' progress and focus on early intervention.

Our performance against the national library standards has improved again with the Council now ranked 5th across Wales.

The impact of our core employability support programmes has again been strong with targets being exceeded.

The positive impact of children and family support through projects/initiatives such as Flying Start and Families First are again demonstrated although the numbers accessing the programmes has reduced in accordance with a drop in birth rates



GWELLA... CYFLAWNI... YSBRYDOLI
IMPROVING... ACHIEVING... INSPRING

Well-being Objective 2:

Enabling employment

What went well:



In 2019/20 Communities for Work supported 42 adults into employment. This significantly exceeded our target of 24.



We successfully helped 67 young / NEET people aged 16-24 into employment in 2019/20.



In 2019/20 Communities for Work Plus supported a total of 199 people into employment, this exceeded our target.



59% of our engagements with people were converted into job entries. This figure is considered high when compared with the rest of Wales.



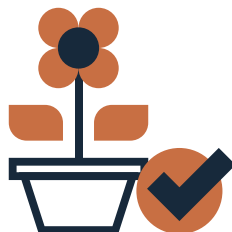
All three housing contractors purchased 100% of their materials with Caerphilly based suppliers, further supporting the local economy.



We have an excellent working relationship with companies Transcend and Peter's Pies which led to 31 participants going into employment across both organisations during 2019/20.



Three of the suppliers working on our Housing and WHQS programme retained 17 jobs and created 41 new full time employment opportunities within 3 businesses. 17 apprenticeships were also secured.



An innovative approach by the Council's Procurement Department, working with local small and medium sized businesses, resulted in refurbishment works to Rhymney Youth Centre and Windy Ridge (a horticultural project for adults with learning disabilities).



A new relationship with working partners Williams Medical led to a significant recruitment drive in March 2020 resulting in jobs being offered to 12 participants.



We were also able to support community initiatives with sponsorship of local rugby and sports teams and donations to CCBC Armed Forces Day and the Christmas Food Bank appeal.

What did not go as planned:



Over the year engagements with our priority participants fell below target, especially with the most hard to engage group within Caerphilly and Wales in general. However, during the last quarter of the year we made a significant improvement, making it our most successful engagement quarter of the year.

Well-being Objective 2:

Enabling employment

Where we are now and what we would like to improve:

This objective is progressing successfully with most activities achieving or exceeding targets. Relationship building with some of the county borough's major employers has been excellent and resulted in the creation of important job opportunities as well as supporting local supply chains and community initiatives. Successes in employment support is largely attributed to a new key role which has provided a single point of contact for local employers, serving to engage businesses and providing a much-needed direct link to our employment programmes and the customers we support. Successful employment outcomes were also achieved within our Housing and WHQS programme, where the numbers of employment opportunities and apprenticeships with our suppliers also exceeded targets. Innovative approaches such as the procurement department's work with local businesses to refurbish facilities within the Borough brought community benefits.

However, engagement continues to prove more challenging in relation to Adults 25+ who are either long-term unemployed or economically inactive; and this is reflective of the picture on a Wales-wide basis, where participants within this group prove to be the most hard-to reach due to complex barriers compounded by a culture of long-term worklessness within deprived communities. In response the employment and anti-poverty programmes within CCBC will continue to work together to develop a co-ordinated approach for our most deprived communities. In the latter part of the year we focused our efforts on expanding our social media presence, which has increased engagement.

Unemployment is likely to be a significant and urgent priority in the coming year as the economic fallout of the Covid-19 pandemic becomes more apparent. To respond to these challenges we will work in partnership across the employment support programmes to develop creative methods of engagement and to work even more closely with other partners to further develop referral pathways. We will also work closely with anti-poverty programme partners in particular to identify means to address the many barriers faced by our customers. Engagement with local employers and dynamic responses to labour market demand will be essential in addressing the anticipated rise in redundancy and unemployment so we are already in the process of expanding our business liaison capacity as well as developing 'A Caerphilly Academy' pilot programme, which will see a co-ordinated and sustainable approach to placements and apprenticeships within the Council.



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

What went well:



9,975 of the 10,660 Council Homes in Caerphilly are now fully compliant both externally and internally with Welsh Housing Quality Standard (WHQS) requirements.



92% of Council tenants said they were satisfied with the internal WHQS works in their homes, an increase from 86% last year.



83% of Council tenants said they were satisfied with the external WHQS works completed on their homes, an increase on the previous year from 71%.



2,080 Tenants were visited and provided with advice and support, to help them mitigate the effects of welfare reform. An increase from the 2,035 in the previous year.



5,295 of Caerphilly's Council Homes have been categorised as compliant with 'accessibility standards' as outlined in guidance for people with physical disability and/or sensory impairment.



895 Tenants were supported to access the benefits they are entitled to, an increase above the 827 in the previous year.



A significant increase in financial savings of £1,048,168 was generated for Council Tenants through targeted support in 2019/20, an increase above the £628,218 identified in the previous year.



28 Residents were referred to the national Nest Scheme, for help, advice and support with energy efficiency packages and programmes, that may lower energy bills and improve health and wellbeing.



1,543 Homes in the borough received help with physical (disabled) adaptations and facilities, to enable their occupants to maintain some quality of life and independence.



447 Council Tenants were visited during the year and provided with energy savings advice and guidance.



123 affordable homes were delivered via Pobl and United Welsh Housing associations in 2019/20. We purchased 11 properties to add to our housing stock and reached an agreement to purchase 8 new build properties going forward.



Of the 1624 empty private sector homes in Caerphilly Borough we helped bring 36 (2.2%) back into beneficial use during 19/20, maintaining our figure from last year.



Working in partnership with Smart Money and the Credit Union we helped to provide 16 Owner Occupier loans and 57 Home Repair Grants at £700,711. A total of 77 grants and loans were provided in 2019/20.



76% of homelessness cases had positive outcomes in 2019/20, where their risk of homelessness was successfully relieved.



73.12 % of homelessness cases were prevented in 2019/20 with suitable accommodation.



1 mortgage rescue case was completed in 2019/20



The Sheltered Housing options appraisal is now complete and 1 new joint scheme with ABUHB will be developed once 3 schemes are demolished. Another will be improved under the WHQS and 2 more will be remodelled.



The Supporting People programme based on wider determinants of homelessness prevention helped an average of 3137 individuals manage their accommodation and an average of 3574 individuals to manage their money.

What did not go as planned:



During 2019/20, no properties received specific grant funded energy efficiency improvements through the Council. This is periodically determined by external funding streams such as Welsh Government and the large energy providers.



No properties were delivered via the Innovative Housing Programme in 2019/20. However, the redevelopment of the former Caerphilly Magistrates Court into 38 units to the Passivhaus standard is very near completion and the redevelopment of the former Cwm Ifor primary school to create 17 units is on-going.



22% of homelessness cases had their risk of homelessness relieved by providing suitable accommodation in 2019/20, 13% less than the previous year.

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

Where we are now and what we would like to improve:

At the end of the second year of this five year objective, we have been partially successful against the overall objective. The objective is to help improve people's well-being through a range of targeted housing-related interventions. National research shows that good quality housing, located in sustainable communities is known to have a positive impact of the health and well-being. We know from monitoring the provision of our service delivery throughout the year that it continues to make a positive impact on the lives of the people who access them, for example the WHQS programme and work in the private sector improves the quality and environment of tenants homes, the income maximisation work being undertaken by tenancy support officers to increase household income to sustain people's tenancies, the services provided to older persons and vulnerable tenants and the homelessness prevention activities, which have a positive impact on reducing rough sleeping. Our energy efficiency works to the housing stock has contributed towards addressing fuel poverty and reducing carbon emissions, our adaptations have helped disabled people to maintain independence in their homes. All of this contributes towards improved health and well-being.

We continue to strive to provide this varied range of housing services in a prolonged and challenging economic environment, but with the ongoing budget pressures facing local government and the requirement to satisfy the Council's medium term financial plan, this could impact on our ability to improve current standards of service delivery in some areas. We are also identifying additional resources to invest in new services to meet the changing needs and aspirations of our tenants. In addition, changes by the UK Government to the Welfare Benefits system to make it simpler and make sure people are better off in work than on benefits, has in some instances had a negative impact on household income, affecting tenancy sustainability with the potential to increase homelessness. This could ultimately impact our service delivery and this is why we have focused particularly on assisting tenants to maximise their income, providing energy efficiency advice, making referrals where required for specialist support, as well as other housing related support services.



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

What went well:



The Council's Regeneration Strategy for 2018-2023 "A Foundation for Success" was adopted in July 2018 and now feeds the development of core Town Centre Development Plans.



Transport for Wales (TfW) are progressing the detailed design for the Core Valley Lines (CVL) transformation programme.



First phase of the 200 Mid Valley area bus stop improvements has begun. £150k investment to deliver bus stop improvements in the Caerphilly Basin. £167k investment in the Mid Valleys corridor.



The £30m jointly funded investment package for Metro Plus schemes across the region has been progressed in 2019/20.



Since the Pwllpant highway improvements were completed there has been a significant reduction in congestion and queue lengths, improvements in journey time and accuracy of bus services.



The Regional Transport Authority (RTA) has secured £3.5m of the Local Transport Fund from Welsh Government.



7,500 homes in Risca have been connected to the Virgin broadband network with a 350Mb speed and capability for up to 500Mb. Additional works are being progressed in Caerphilly.



Nelson to Ystrad Mynach 'active travel route' has been completed, with funding secured for additional route improvements in Ystrad Mynach.

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

What did not go as planned:



Formalising 'governance and working relationships' within the Cardiff Capital Region City Deal Partnerships has been complex and has led to delays with some elements of progress.



Progress with formalising the working relationship with Welsh Government (WG) and Transport for Wales (TfW), particularly for the development, prioritisation and delivery of Metro Plus Scheme, has been slow.

Where we are now and what we would like to improve:

Good progress continues to be made in relation to most of the key outcomes related to this Well-being Objective. Progression has been made of further active travel plans and works. We have also progressed the schemes that have been agreed by the regeneration board including park and ride remodelling at Ystrad Mynach and Llanbradach including site investigations and / or feasibility.

Discussions with Transport for Wales in relation to longer term rail aspirations such as the Ystrad Mynach to Nelson link, Machen to Newport and remodelling of the park and ride at Newbridge have continued, along with consideration of improvements to the east/west mid valley corridor public transport links.

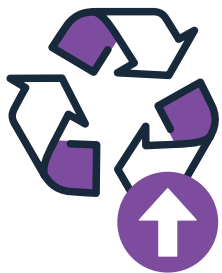
We have made improvements to bus stops in the Caerphilly basin, which have been substantially delivered throughout 2019/20. Design and construction of the first phase of 200 Mid Valley area bus stops is progressing well with the delivery of approximately 100 stops in 2019/20 with the remainder scheduled in 2020/21. Engagement with TfW has progressed in relation to consideration of improvements to the Caerphilly Interchange that will look to bring together a hub where rail, bus and active travel all come seamlessly together.



Well-being Objective 5:

Creating a County Borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015

What went well:



We received 1477 reports of fly tipping in 2019/20. Enforcement action was taken in 18 of the cases. This equates to 1.22% which is better than last year when 0.26% of incidents reported led to an enforcement activity.



1449 people participated in the Health Referral scheme, slightly more than the 1419 who participated last year.



In Families First, 60 parents participated in evidenced based parenting programmes. We had a further 662 parents benefit from other parenting interventions.



Our Street Scene Cleanliness Index LEAMS Score for the whole of the county borough has improved this year increasing to 66.92%, up from 65% reported last year.



This year 91 clubs signed up to be part of the 'Lets Go Girls' campaign compared to only 7 in 2018/19. The programme has been provided through secondary school intervention, but it is now currently on hold due to COVID.



43 schools continued to participate in the Daily Mile.



This year we issued more enforcement actions for Dog Fouling than in the previous year. We issued 32 enforcement actions compared to 19 last year, this also includes action taken for not having bags to pick up dog waste.



We engaged with 5 new settings to promote the Healthy and Sustainable Preschool Scheme (Hey Scheme).

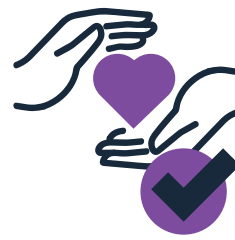
Well-being Objective 5:

Creating a County Borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015

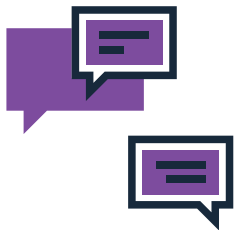
What did not go as planned:



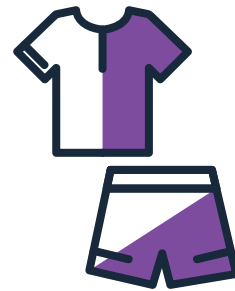
20 schools have achieved the Healthy Schools National Quality Award in 2019/20. This is less than last year when 23 schools achieved the award, but this is still considerably higher than the Public Health Wales national target of 10%.



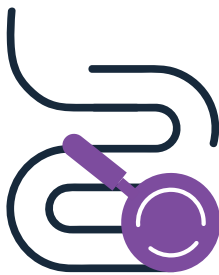
27.1 % of children age 4/5 are overweight or obese in Caerphilly County Borough (2013/14 – 2017/18 combined). This is higher than the Wales average of 26.4%.



20% of adults in Caerphilly County Borough reported that they currently smoked (2018/19 National Survey for Wales). The Wales target is 16% by 2020, and the national average is currently 17%.



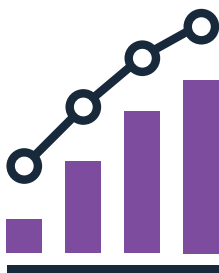
36.5% of children at age 11 years could swim 25 metres in the academic year 2019/20, this is less than the 46% we reported last year. The majority of lessons are carried out after Easter, therefore due to COVID-19 swimming lessons were cancelled.



96.15% of our highways and relevant land that we inspected was of a high or acceptable standard of cleanliness, which is not quite as good as last year when our figure was 96.5%.



The COVID-19 outbreak meant that we have been unable to collate the data accurately for the year, but based on our data from the first 6 months of the year we estimate that there were 1.28m visits to our parks and countryside. This is less than last year when we reported 1.5m visits, this could be due to poorer weather conditions.



The average number of days taken to clear fly-tipping incidents reported to the authority during the year was 4.1 days. This is not as good as last year when it took us 2.5 days to clear fly-tipping incidents.

Where we are now and what we would like to improve:

This objective is progressing well, but we judge it to be partly successful at this stage as we have not performed as well in some areas as we had hoped this year.

There were a number of notable successes in the year including developing services and investments in accordance with our adopted Sport and Active Recreation Strategy, such as encouraging use of the open countryside via a successful events programme, investing in our strategic leisure centre sites, delivering community sport programmes and developing a new leisure lifestyle phone app.

The Early Years Scheme has been enhanced by involving other partners such as Public Health Wales and neighbouring authorities.

Our Healthy Schools initiative continues to be successful. Although we had less schools achieving the Healthy Schools National Quality Award this year, it still exceeds national performance levels.

There are certain other areas where performance has dipped slightly including cleansing and speed of removal of fly tipping. However, these services had significant difficulties in the last quarter of the year with two major storm/flood events.

The percentage of children that could swim 25 metres dropped to 36.5% from 46% in the previous year. We measure this by academic year, therefore COVID restrictions have had an impact on the figure for 2019/20. Our Festival of Swimming event was cancelled, this is where over 100 children usually take part in swimming sessions and are assessed on key targets. Only a few schools take part in swimming sessions between September and February due to the cold weather, with most schools opting to take part after the Easter holidays. As the facilities were closed from the 1st March this meant that less children have been able to achieve 25 metres this year.

We have estimated that we have had fewer visits to our parks and countryside during 2019/20. In normal circumstances we collect data from around the borough and analyse it in the spring using specialist software. Due to lockdown we were unable to employ anyone to carry out this analysis, and therefore we have had to use the data from the first 6 months of the year to provide us with an estimated figure. The estimated figure of 1.28m visits is less than in the previous year when we reported 1.5m visits, this could be due to poorer weather conditions.

There are certain lifestyle indicators which are falling short of the Wales average for the population of the county borough - these include aged 4-5 childhood obesity and the % of adults that smoke. These are key population health indicators which must be a focus in 2020/21 and future years.

The COVID19 pandemic is likely to have an impact on 2020/21 performance as many of the services that contribute to this objective were either closed or provision reduced for a considerable period of 2020.



Well-being Objective 6:

Support citizens to remain independent and improve their well-being

What went well:



At the end of March 2020 we had supported 1303 adult carers and 144 young carers.



We reduced the number of adults receiving services aged 18 plus to 3369 compared to 4313 last year.



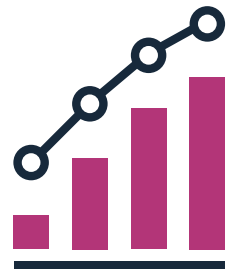
We provided 2226 nights of respite care; 1470 for adults and 756 for children.



We reduced the number of adults receiving services aged 65 plus to 2301 compared to 2775 last year.



Of 2055 people seen in the Gwent region 1064 people were discharged through 'Discharge to Access' (D2A). D2A has now been adopted as a discharge pathway, with dedicated staff from the Community Reablement Team attending daily hospital ward rounds to facilitate timely and safe discharges.



In the past 12 months we have seen a net increase of 10 Shared Lives Carers and 15 Foster Carers.



For adults aged 75 or over the numbers of delayed transfer of care (DTC) was 63 compared to 91 last year.



The percentage of children in care who had to move 3 or more times was 3.8% compared to 9.4% the previous year.

What did not go as planned:



85% of 537 child assessments were completed on time compared to 90.49% the previous year.

Well-being Objective 6:

Support citizens to remain independent and improve their well-being

Where we are now and what we would like to improve:

Performance of Well-being objective 6 has been overall very positive. Improvements in key areas such as the number of carers supported and the recruitment of shared lives and foster carers demonstrate progress in areas we have previously found difficult. Issues such as delayed transfers of care and the timely completion of child assessments are fundamental in supporting some of the most vulnerable people in the Borough and it is extremely pleasing to see performance in these areas improving.

Social Services have an effective Information, Advice and Assistance (IAA) Service in place that fully meets the requirements of the Social Services & Well Being (Wales) Act 2014. As a result, there is clear evidence that the Council has been supporting people to 'help themselves' by providing comprehensive advice and information including signposting to other services; and having 'meaningful conversations' to help people identify 'what matters' to them to inform 'outcome focused' planning. All staff have received 'what matters' training in line with a national programme supported by Social Care Wales and Welsh Government and a dedicated Officer has been appointed using Integrated Care Fund funding, to support the further development of the DEWIS website as the 'go to' site.

The Home First, Emergency Care at Home and Discharge to Assess Schemes in Adult Services and the Intensive Support Team in Children's Services are all aimed at providing support to improve independence and reduce the need for higher tier statutory interventions. A significantly enhanced range of support is now available to all carers including individual support, groups and leisure and social activities. These are all publicised through a regular newsletter.

Looking forward, we want to ensure we are compliant with the Welsh Government expectation that each of the collaborative regions deliver statutory advocacy services for children and young people with the Gwent region acknowledged to be leading the work in Wales. The Regional MyST (My Support Team) service, hosted by Caerphilly, continues to be rolled out across Gwent and the 'Children and Adolescent Mental Health Services' Transformation Programme is in the process of being implemented. However performance in terms of the number of children in care who have moves 3 or more times is still not where we would like it to be and will continue to need ongoing oversight.



Section 4:

Managing your money 2019/20



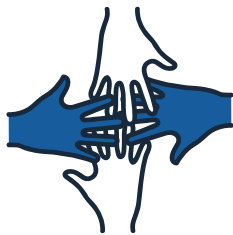
The Council is the largest employer in the area with 8533 staff including 3425 in schools.



10,717 council houses



We maintain 833 buildings, including 87 schools, 10 leisure centres, 18 libraries and 64 sports pavilions.



Providing approximately 800 services to our communities.



These vital public services are funded from the Council's Revenue and Capital budgets, which for 2019/20 totalled £440million.

The Council plans and approves its budgets on a 5-year financial planning cycle, which takes account of historical trends and spending patterns, national and local initiatives and access to multiple funding sources, some of which change year-on-year.



During the period 2008/09 to 2019/20 the Council has delivered savings of £103million to address reductions in funding and inescapable cost pressures.

Our Financial Management Principles are as follows:

- Seek to protect services for the most vulnerable whilst continuing to evaluate all other services.
- 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.
- Adopt a longer-term approach to financial planning that considers the impact on future generations.
- 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.
- 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.



In 2019/20 the Council received a small increase of 0.51% in the funding it receives from the Welsh Government.

However it also had to deal with a range of additional unavoidable cost and service pressures.



As a consequence of these pressures, the Council agreed savings totalling £13.921million for the 2019/20 financial year.

Section 4:

Managing your money 2019/20

Where does our money come from?

The majority of the money that the Council receives comes from the Welsh Government in the form of a Revenue Support Grant.

Added to this is the money we collect from our residents and businesses in the form of Council Tax and National Non-Domestic Rates (Business Rates).

The table below shows the income received for the 2019/20 Financial Year.

Income	2019 / 20		
	Budget £m	Actual £m	Actual %
Revenue Support Grant	211.11	211.11	62.46
Business Rates	57.51	57.51	17.01
Council Tax	68.08	68.34	20.22
Contribution from Reserves	1.05	1.05	0.31
Total	337.75	338.01	100.00

How do we spend our money?

Revenue	2019 / 20		
	Budget £m	Actual £m	Actual %
Corporate Services	67.00	63.22	19.01
Education & Lifelong Learning	130.40	132.31	39.79
Communities	39.79	49.32	14.83
Social Services	91.67	87.68	26.37
Total	337.75	325.83	100.00

The Council manages two main categories of expenditure i.e. revenue (every day running costs for services) and capital (specific costs for updating and maintaining key assets and implementing major new projects).

For the 2019/20 financial year the Council's revenue budget was £337.75million.

We have made anticipated savings requirements for future years. This prudent approach has resulted in a number of savings being achieved in advance and underspends therefore being higher than would normally be the case.



The reported revenue budget underspend for 2019/20 was £11.917million.

Section 4:

Managing your money 2019/20

Capital	Budget £m	Actual £m	Actual %
Education	5.62	4.70	6.16
Highways	8.91	9.48	12.43
Housing Stock (Public)	60.57	50.75	66.55
Private Housing	4.89	1.77	2.32
Social Services	3.53	0.79	1.04
Community & Leisure	2.36	1.95	2.56
Other	27.38	6.82	8.94
Total	113.26	76.26	100.00

This includes an underspend of £6.701million for the Housing Revenue Account (HRA) which is a separate statutory ring-fenced account representing the rent paid to the Council for its housing stock and the expenditure to fund the upkeep of these properties.

The HRA underspend will be carried forward into 2020/21 and used to partially fund the £260million investment being made by the Council to achieve the Welsh Housing Quality Standard (WHQS).

There was a £1.251million overspend for schools in 2019/20 which has been funded from accumulated school balances held from previous financial years.

Capital Expenditure varies year-on-year and budgets are allocated from specific funding sources. The table below provides a summary of capital budgets and capital expenditure for the period 2019/2020.

The 2019/20 capital underspend of £37m is mainly due to delays in progressing schemes and this funding has been carried forward into the 2020/21 financial year to enable schemes to be completed.

Future Financial Outlook

Caerphilly CBC's budget for the 2020/21 financial year was approved by Council on

the 20th February 2020 and this included further savings of £37m to ensure that financial commitments can be met and that a balanced budget can be achieved.

The Council has strived to limit the impact of savings on front-line services. However, due to the scale of the ongoing financial challenge this is becoming increasingly difficult and in recent years savings have been required in a number of areas that impact on the public.

The funding situation for Local Government is unlikely to improve for some time and this is now further exacerbated by the additional significant financial impact of the Covid-19 pandemic. The emergence of the Coronavirus has posed a significant and unprecedented challenge to our way of life and the way in which we provide services.

In response to the pandemic and lock-down the Council has refocussed, repurposed and reshaped its priorities and how it works within a very short timescale. This has ensured that we have been best placed and equipped to respond to the immediate needs of our communities.

The Council is incurring significant additional costs due to the pandemic and is also losing income in several areas.

The Welsh Government has provided a financial support package to help Local Authorities

Section 4:

Managing your money 2019/20

manage the financial impact of Covid-19 during the 2020/21 financial year. With the real possibility of further peaks in the virus during the autumn and winter months this investment provides Local Authorities with the confidence to prepare their budgets for a potential second wave.

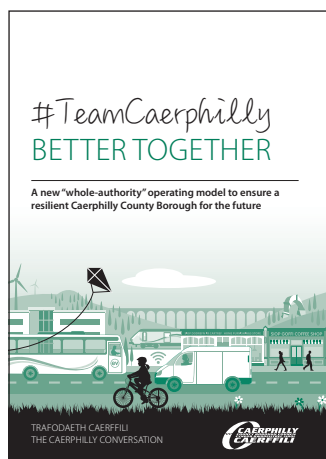
However, the position regarding financial support in the medium to longer-term remains unclear and therefore presents a significant financial risk. This creates a very difficult environment for Local Government where significant real-terms reductions in funding have been experienced over an extended period.

The financial challenges that we face are unprecedented and it is inevitable that some very difficult decisions will need to be made. Even before the emergence of Covid-19 it was widely accepted that the Council cannot continue as it is and an acknowledgement that we need to examine the way in which we use our resources to deliver the services required by our communities across the county borough.

At its meeting on the 12th June 2019 the Council's Cabinet approved the Future Caerphilly Transformation Strategy, which has been launched as **TeamCaerphilly - Better Together**.

This Strategy is a key strand in helping the Council to maintain financial resilience and will be integrated into our medium-term financial planning moving forward.

The Strategy sets out details of a major transformation programme to examine how services are prioritised, how they can become more business efficient, to explore



opportunities for greater customer focus and digital delivery, and to consider alternative delivery models and seek out commercial opportunities.

Furthermore, to enable the Council to continue providing high quality value for money services in an environment that will require new approaches and new skills, a new relationship will need to be built with staff and within our communities.

Good progress was made during the 2019/20 financial year in implementing the Strategic Action Plan that underpins the Transformation Strategy. The emergence of Covid-19 and the required response has accelerated the pace of change in some areas and we will now seek to build on this moving forward to ensure that we can offer cost effective, resilient services that meet the needs of our communities through these challenging times and in the medium to longer-term.

The learning that the Council has developed through its response to COVID-19 has helped reshape and expand the transformation programme. At its meeting of the 16th July 2020, Cabinet endorsed the inclusion of ten corporate reviews within the **Team Caerphilly - Better Together** programme, all of which expand on or embed further many of the positive changes implemented in response to Covid-19.

The ten corporate reviews are as follows: -

- Walk in Services Review.
- Remote Contact Review.
- Front Line Delivery Review.
- Support Services Review.
- Information, Insight and Intelligence Review
- Flexible Working Review.
- Sustainable Financial Planning Review
- Workforce Development Review.
- Corporate Volunteering & Community Partnership Review.
- Decision-Making Review

Section 5:

What our regulators told us

The Wales Audit Office provides us with an Annual Improvement Report (AIR) which details the work they have carried out in 2019/2020 and its outcomes.

The last AIR was published in July 2019 (based on 2018/19), and concluded "The Council is meeting its statutory requirements in relation to continuous improvement and is at a crucial pivotal point in its ambition to transform".

At the time of publishing the Council's Annual Performance Report we do not have an update for 2019/20. This is because for 2019/20 the Wales Audit Office has decided to summarise all financial and performance audit work that has been reported since the last Annual Improvement Report including the findings from the 2019-20 Audit of Account, as an Annual Audit Summary (AAS). These changes, alongside the additional COVID work, means there has been a slight delay to their publication by Wales Audit Office.

Any proposals for improvement and recommendations from the work carried out by our regulators is monitored twice a year by the Council's Audit Committee.

The last progress update was reported to Audit Committee January 2020. At that time we had 5 statutory recommendations, 10 proposals and 5 areas for improvement on the register totalling 20 altogether. The Committee agreed that 9 proposals and recommendations were complete and could be removed from the register. As of the 31st March there were 11 recommendations / proposals outstanding. The reports can be found on our website www.caerphilly.gov.uk

This is a list of the work carried out by Wales Audit Office for 2019/2020;

Improvement plan certification

5 August 2019

Assessment of performance certification

12 November 2019

Environmental Health follow up*

20 November 2019

WFG Examination - preventing hospital admissions*

21 November 2019

Assurance and Risk Assessment

2 March 2020

* Yet to be published on the WAO website

All Wales Audit Office Reports can be found at www.audit.wales/ along with a wide range of reports on the Public Sector:

Care Inspectorate Wales reports can be found at; <https://careinspectorate.wales/>

All Education Reports can be found on www.estyn.gov.wales/inspection/search

Section 6:

Equalities, Welsh Language and the Future Generations legislation

We report progress to the Equalities and Human Rights Commission a year behind activity so the highlights and impact below are for 2018/19.



Of those pupils who understand what bullying is in the 2018/19 School Bullying Survey, 523 pupils (68%) indicated that they had not been bullied, whilst 247 pupils (32%) indicated that they had been bullied in the last year.

Data was obtained from 804 pupils across Caerphilly County Borough from years 4, 5 and 6.



The Councils Youth Service runs a national award winning LGBTQ+ group called "Guys, Gals and Non-binary Pals" (GGNP) which supports young people (11 to 25 years) who identify as LGBTQ+ by providing support in areas such as a safe space, information, advice and advocacy.



During 2018/19 Gwent Police, via the All Wales School Liaison Core Programme (AWSLCP), delivered 1,050 lessons generating 28,045 pupil contacts.

372 lessons that addressed bullying, diversity, coercion and respect or lack of respect were delivered generating 10,148 pupil contacts.



The 2018 *Stonewalls' Education Equality Index ranked us as first in Wales for inclusive practice, we also improved our ranking in the UK to 19th.

**Stonewall's Education Equality Index is the only nationwide tool used to benchmark progress being made in this area and help identify gaps.*



£90,000 of funding was made available to support physical disability access improvement works in 2018/19 including:

Automatic doors, ramps, handrails and lift in schools - £66,000

Improved internal and external access in Social services - £19,000

Improvements to reception facilities in Leisure centres - £2,000

Improvements to the accessibility of main entrances in Youth centres - £3,000



There are currently 284 subscribers to the Welsh Language version of the Gov Delivery email bulletins.



Of the 14,700 people who left the UK Regular Armed Forces in 2018, 3000 are estimated to have settled in Wales. We were one of the first local authorities in Wales to sign the Armed Forces Covenant to honour the pledge to support the Armed Forces Community.

Section 6:

Equalities, Welsh Language and the Future Generations legislation



All 18 libraries participate in the 'Reading Well for Dementia in Wales' project, making information and advice available for people living with dementia and have developed 20 Memory bags to loan to customers.



The CCBC website is 100% bilingual in terms of webpage content.



We received the Silver Award in recognition of our commitment to the Defence and Armed Forces community, and were pleased to become a shortlisted finalist for the Welsh Veterans Awards in the category of Employer of the Year 2019.



We offered thirty seven 30 Week training sessions in Welsh.



3295 employees undertook 'Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) awareness raising training, this equates to 42% of the workforce.



The number of staff who speak Welsh has grown from 4.6% in 2017 to 18.53% (1,581) in 2019.



In total, 820 members of staff attended specific equalities related courses, some of which included British Sign Language, Awareness of Dementia and Human Trafficking training.



In 2018-2019, we received 4 complaints relating to the use of the Welsh Language.

Useful Resources

To view the full statement regarding the Gender pay gap position, go to; **CCBC Gender Pay Gap Statement 2018**.

The current website was checked by the Digital Accessibility Centre (<https://digitalaccessibilitycentre.org/>) in order to achieve Website Content Accessibility Guidelines (WCAG) 2.0 Level AA Compliance.

An **Armed Forces Directory of Support Gwent** has been compiled and has been distributed to frontline staff, GP surgeries and job centres. The document is hosted on our website for public access.

The Public Services Board (PSB) Well-being of Future Generation Annual Performance Report 2019/29 can be found at <https://your.caerphilly.gov.uk/publicservicesboard/content/well-being-plan>

This provides an update of the progress we are making against our plan to improve the well-being of the community.

Section 7:

How to contact us and how you can be involved

Your views and opinions on the content of our performance reports and the priorities that we set each year 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.

You can contact us by:
Email: **PMU@caerphilly.gov.uk**
or via the Council Performance webpage and follow the instructions on screen.

Alternatively, please contact:

ROS ROBERTS
Business Improvement 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



Section 7:

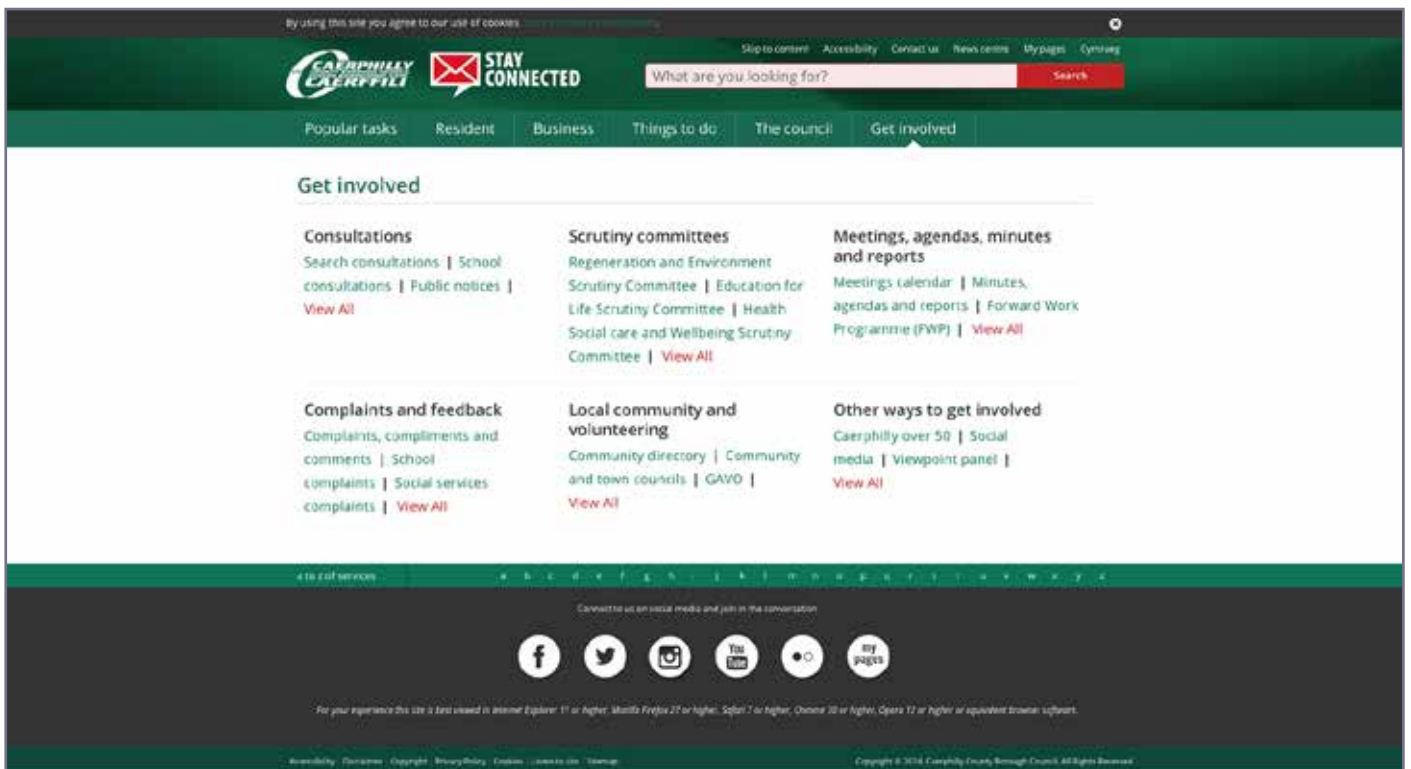
How to contact us and how you can be involved

You can contact us via social media.



You can get involved in many ways.
Please have a look at our website.

www.caerphilly.gov.uk



For more information, please contact:

LIZ SHARMA

Consultation & Public Engagement Officer

Penallta House, Ystrad Mynach, Hengoed. CF82 7PG

Tel: 01443 864354

Email: sharme@caerphilly.gov.uk

