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For all enquiries relating to this agenda please contact Charlotte Evans
(Tel: 01443 864210 Email: evansca1@caerphilly.gov.uk)

Date: 17th March 2021

Dear Sir/Madam,

A digital meeting of the **Cabinet** will be held via Microsoft Teams on **Wednesday, 24th March, 2021** at **10.00 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Cabinet will be publicly available to all via the recording on the Council website at www.caerphilly.gov.uk

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy', enclosed in a large, loopy oval shape.

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

- | | Pages | |
|---|-----------------------------------|--|
| 1 | To receive apologies for absence. | |
| 2 | Declarations of Interest. | |

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

A greener place Man gwyrddach



To approve and sign the following minutes: -

- | | | |
|---|-------------------------------------|--------|
| 3 | Cabinet held on 17th February 2021. | 1 - 4 |
| 4 | Cabinet held on 24th February 2021. | 5 - 10 |

To note the Cabinet Forward Work Programme.

- | | | |
|---|---------------------------------|---------|
| 5 | Cabinet Forward Work Programme. | 11 - 14 |
|---|---------------------------------|---------|

Urgent Items – Not Subject to Call-In.

- | | | |
|---|---|---------|
| 6 | To receive and consider the following report which, in the opinion of the Proper Officer may be discussed when the meeting is not open to the public and first to consider whether the public interest requires that the meeting should be closed to the public for consideration of this item: | 15 - 16 |
| 7 | Welsh Government Strategic Sites Programme - Opportunities for Ness Tar, Caerphilly. | 17 - 44 |
| 8 | Welsh Government Retail, Leisure & Hospitality Rate Relief Scheme 2021/2022. | 45 - 54 |

To receive and consider the following reports on which executive decisions are required: -

- | | | |
|----|---|-----------|
| 9 | Strategic Equality Plan - Annual Monitoring and Improvement Report 2019-2020. | 55 - 108 |
| 10 | Review of Corporate Complaints Policy and Unacceptable Behaviour Policy. | 109 - 172 |
| 11 | White Paper on Re-balancing Care and Support - Presentation. | |
| 12 | Pen March Wind Farm - Memorandum of Understanding. | 173 - 184 |
| 13 | Car Parking Charges. | 185 - 188 |

Circulation:

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

And Appropriate Officers

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CABINET

MINUTES OF THE REMOTE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 17TH FEBRUARY 2021 AT 10.30 A.M.

PRESENT:

Councillor P. Marsden (Leader) - Chair

Councillors:

S. Cook (Social Care), N. George (Waste and Public Protection), C. Gordon (Corporate Services), S. Morgan (Economy and Enterprise), L. Phipps (Homes and Places), J. Ridgewell (Environment and Infrastructure), E. Stenner (Performance and Customer Services) and R. Whiting (Learning and Achievement).

Together with:

C. Harrhy (Chief Executive), D. Street (Corporate Director – Social Services and Housing) and M.S. Williams (Interim Corporate Director – Communities).

Also in Attendance:

S. Harris (Head of Financial Services and S151 Officer), R. Tranter (Head of Legal Services and Monitoring Officer), M. Harris (Committee Services Support Officer/ Chauffer), A. Dredge (Chief Executive's Support Officer) and C. Evans (Committee Services Officer).

RECORDING AND VOTING ARRANGEMENTS

The Leader reminded those present that the meeting was being filmed but would not be live streamed, however a recording would be available following the meeting via the Council's website – [Click Here To View](#). She advised that decisions would be made by Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from R. Edmunds (Corporate Director – Education and Corporate Services).

2. DECLARATIONS OF INTEREST

There were no declarations at the beginning or during the course of the meeting.

3. CABINET FORWARD WORK PROGRAMME – TO NOTE

Cabinet were provided with the Cabinet Forward Work Programme, which detailed the scheduled reports from 17th February 2021 to 24th March 2021. Members were reminded that the Cabinet Forward Work Programme is a working document and therefore subject to change.

Following consideration and discussion, it was moved and seconded that the Forward Work Programme be noted. By a show of hands this was unanimously agreed.

RESOLVED that the Cabinet Forward Work Programme be noted.

4. BUDGET PROPOSALS FOR 2021/22 AND MEDIUM-TERM FINANCIAL OUTLOOK

The report sought Cabinet endorsement of the 2021/22 budget proposals prior to final determination by Council on 24th February 2021 and provided an update on the Medium-Term Financial Plan (MTFP).

Cabinet were reminded that the 3.1% uplift in the Provisional Financial Settlement along with the proposed increase in Council Tax of 3.9% will mean that there will be no requirement for any new savings to be identified to balance the budget for the 2021/22 financial year. Furthermore, the proposals in the report will also maintain service provision across the Council, fund increasing demand and service pressures in key areas such as Social Services and Education, enable new community focussed investments in areas such as Caerphilly Cares and the proposed Community Empowerment Fund, provide the capacity and resilience required to drive forward the Team Caerphilly Transformation Programme and Place Shaping Plan and address legacy issues in respect of income shortfalls in a number of service areas.

Cabinet noted that details of the 2021/22 Final Local Government Financial Settlement will not be announced until 2nd March 2021, however it is anticipated that this will not vary significantly from the position set out in the Provisional Settlement.

The Council is on a journey of recovery, improvement and transformation and the proposals set out in the report provided a sound platform to move forward with its ambitious plans.

The Cabinet Member emphasised that the Financial Settlement does not cover the financial implications of the ongoing coronavirus pandemic, both in terms of the additional costs that are being incurred and income losses. These will continue to be funded through Welsh Government Grants and the position will be kept under close review as we move into the new financial year.

Cabinet were referred to Section 5.4 of the report and Appendix 2 which provided details of the projected movement on General Fund Balances. Cabinet were asked to note that in previous year the Council Tax surplus had been channelled through the General Fund each year to support the base budget in the following financial year. In normal years, this surplus is estimated to be circa £1.050m but Council Tax collection has been adversely impacted during 2020/21 due to Covid-19. Whilst the Welsh Government has provided some funding to mitigate this it would not be prudent at this stage to assume that a Council Tax surplus will be achieved in the current year to support the budget for 2021/22. For one year only, it is therefore recommended that the £1.050m required to support the 2021/22 budget should be funded through a call on the General Fund.

Cabinet were asked to note that after also allowing for the projected take to working balances from anticipated underspends on the 2020/21 revenue budget that the projected balance for the General Fund is £11.232m. This represents 3.05% of the proposed 2021/22 Net Revenue Budget which is marginally above the minimum level of 3% that is recommended by the Section 151 Officer.

It was noted that whilst the 3.1% uplift in the Financial Settlement is welcomed, the future funding situation for Local Government is likely to be challenging due to the unprecedented fiscal impact of Covid-19 and the strain that will put on public finances for years to come.

Cabinet were referred to Section 5.7 of the report which detailed the financial outlook for the four-year period 2022/23 to 2025/26 and it was clear that significant savings will be required moving forward. The Council is well placed to deal with this challenge and the Transformation Programme will be the key driver in ensuring that financial resilience is maintained in future years.

Cabinet thanked the Officer and Cabinet Member for the report and discussion ensued.

Members discussed the report at length and sought further information around the Council Tax for a Band D property in Caerphilly CBC in comparison to other Local Authorities and the number of households in the Borough in Bands A to C. The Cabinet Member explained that only Pembrokeshire County Council currently has a lower rate of Band D Council Tax within Wales, meaning that all neighbouring Authorities currently charge more than Caerphilly CBC. In addition, it was noted that 76.2% of the properties within the Borough fall within Bands A to C.

Discussions took place around the Council Tax Reduction Scheme and the number of households that currently benefit. The Cabinet Member explained that there are 16,800 households in receipt of support through the Council Tax Reduction Scheme, 10,584 of which receive a 100% reduction in their Council Tax.

Cabinet discussed the implications of Covid-19 on future budget arrangements and it was reiterated that additional costs and income losses directly attributable to the pandemic will continue to be funded through Welsh Government Grants in 2021/22, albeit that the sums currently allocated by the UK Government are far less than in the current financial year. Cabinet were also reminded of the key assumptions used in the updated Medium-Term Financial Plan and the indicative savings requirement of circa £21.1m for the four-year period 2022/23 to 2025/26.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By way of electronic voting this was unanimously agreed.

RESOLVED and recommended to Council that for the reasons contained in the Officer's Report: -

- i) The revenue budget proposals for 2021/22 of £368.227m be agreed as detailed throughout the report and summarised in Appendix 1;
- ii) The proposal to appoint four fixed-term Project Managers be approved for an initial period of 2 years to support the delivery of the Council's Transformation Programme and Place Shaping Plan, with the total costs of £368k being funded from the £1.8m reserve previously approved by Council to support the delivery of the MTFP (paragraph 5.3.37);
- iii) The movements on the General Fund in Appendix 2 be noted and the proposal that for one year only £1.050m of the General Fund balance be used to support the 2021/22 budget be agreed due to there being no assumed Council Tax surplus in the 2020/21 financial year;
- iv) The proposed Capital Programme for the period 2021/22 to 2023/24 as set out in Appendix 3 be agreed;
- v) The proposal to increase Council Tax by 3.9% for the 2021/22 financial year be agreed to ensure that a balanced budget is achieved (Council Tax Band D being set at £1,230.57);
- vi) The updated MTFP be noted as set out in Appendix 4 showing an indicative potential savings requirement of £21.1m for the four-year period 2022/23 to

2025/26.

The meeting closed at 11am

Approved and signed as a correct record subject to any corrections made at the meeting held on 24th March 2021.

CHAIR



CABINET

MINUTES OF THE REMOTE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 24TH FEBRUARY 2021 AT 10.30 A.M.

PRESENT:

Councillor P. Marsden (Leader) - Chair

Councillors:

S. Cook (Social Care), N. George (Waste and Public Protection), C. Gordon (Corporate Services), S. Morgan (Economy and Enterprise), L. Phipps (Homes and Places), J. Ridgewell (Environment and Infrastructure), E. Stenner (Performance and Customer Services) and R. Whiting (Learning and Achievement).

Together with:

C. Harryy (Chief Executive), R. Edmunds (Corporate Director – Education and Corporate Services), D. Street (Corporate Director – Social Services and Housing) and M.S. Williams (Interim Corporate Director – Communities).

Also in Attendance:

L. Donovan (Head of People Services), C. Forbes-Thompson (Scrutiny Manager), S. Harris (Head of Financial Services and S151 Officer), S. Richards (Head of Education Planning and Strategy), S. Pugh (Communications Manager), R. Tranter (Head of Legal Services and Monitoring Officer), M. Harris (Committee Services Support Officer/Chauffeur) and C. Evans (Committee Services Officer).

Councillors C. Mann, T. Parry, J. Pritchard and A. Whitcombe.

RECORDING AND VOTING ARRANGEMENTS

The Leader reminded those present that the meeting was being filmed but would not be live streamed, however a recording would be available following the meeting via the Council's website – [Click Here To View](#). She advised that decisions would be made by Microsoft Forms.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence but C. Harryy (Chief Executive) did not join the meeting until item 7 was discussed, due to a prior meeting commitment.

2. DECLARATIONS OF INTEREST

M.S. Williams (Interim Corporate Director – Communities) declared a personal interest in agenda item 5 – Carry Over of Annual Leave 2020 as he wished to carry over annual leave (which he had discussed with the Chief executive) and left the meeting during its consideration.

3. CABINET – 10TH JANUARY 2021

RESOLVED that the minutes of the meeting held on 10th January 2021 were approved as a correct record.

4. CABINET FORWARD WORK PROGRAMME – TO NOTE

Cabinet were provided with the Cabinet Forward Work Programme, which detailed the scheduled reports from 24th February 2021 to 24th March 2021. Members were reminded that the Cabinet Forward Work Programme is a working document and therefore subject to change.

Following consideration and discussion, it was moved and seconded that the Forward Work Programme be noted. By a show of hands this was unanimously agreed.

RESOLVED that the Cabinet Forward Work Programme be noted.

5. CARRY OVER ANNUAL LEAVE 2020

The report sought a Cabinet decision with regards to annual leave balances in excess of 5 days carry over for the year 2020.

It was noted that the Council's Annual Leave Policy states:

3. An employee's annual leave entitlement should be taken in the leave year in which it is accrued. Employees may carry over up to five days annual leave into the following leave year with the prior approval of their manager. Carried over leave should be used as soon as is reasonably possible in the new holiday year.

Cabinet noted that the pandemic has impacted on the availability of staff in some services, resulting in staff agreeing to work through periods of planned annual leave and therefore having balances in excess of the 5 days at the end of the leave year.

Cabinet were asked to acknowledge the commitment of the staff with these excess balances, as there would have been difficulties in providing services had they taken their leave. It would seem unreasonable and unfair for them to be penalised in such circumstances by losing any balance in excess of 5 days carry over.

Cabinet thanked the Officer and Cabinet Member for the report and discussion ensued.

A Cabinet Member in noting the efforts of staff to maintain service delivery sought further information on consultation undertaken with staff. Officers explained that consultation has been undertaken with Directors and Heads of Service, all of which were happy with the recommendations.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By way of electronic voting this was unanimously agreed.

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

- i) It be agreed that Heads of Service (or a more Senior Manager) discuss with staff that have annual leave balances in excess of 5 days carry over, whether they wish the excess annual leave to be paid up or added to their annual leave balance for 2021. Members of the Leadership team affected should not be offered the option of payment. For clarity, the Leadership team is Corporate Management Team and Heads of Service.

- ii) It be agreed that this is a one-off situation to address the impact of the pandemic on services in 2020 and is not a change to Policy.
- iii) It be agreed that where excess leave is paid up that the cost should be met from core service revenue budgets.

6. WHOLE-AUTHORITY REVENUE BUDGET MONITORING REPORT (PERIOD 9)

The report, which was considered by the Policy and Resources Scrutiny Committee on 23rd February 2021 provided details of the current position regarding funding received from Welsh Government (WG) in respect of additional costs incurred, and income lost as a direct consequence of the ongoing Covid-19 pandemic.

The report provided details of the 2020/21 projected revenue budget outturn position based on information available as at month 9 of the current financial year. Commentary was also provided throughout the report on the more significant variations against budget.

The report also included proposals for the use of reserves in specific areas.

Cabinet thanked the Officer and Cabinet Member for the report and discussion ensued.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By way of electronic voting this was unanimously agreed.

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

- i) The report be noted;
- ii) The proposed use of reserves totalling £648k be supported as detailed in Section 5.3 of the report.

7. CAERPHILLY WELLBEING AND PLACE SHAPING FRAMEWORK

Due to prior meeting commitments, C. Harry, Chief Executive joined the meeting for the consideration of this item.

The Leader introduced the report, which was considered by the Joint Scrutiny Committee on 22nd February 2021 and provided an update on some of the significant capital investments made over recent years across the Council's wellbeing objectives and proposed a suite of projects that will form the basis of a county borough wide Wellbeing and Place Shaping Framework.

The report set out a proposed community engagement mechanism that enables key stakeholders to have the opportunity to shape and refine the Wellbeing and Place Shaping Framework over future years.

It was noted that the Council has been developing a Wellbeing and Place Shaping Framework since the spring of 2020. The Framework has been built on the wide range of capital investments made across the county borough in recent years and has been developed to take into consideration:

- Existing long standing multi-annual investment programmes;
- Emerging and existing funding and investment opportunities;
- Corporate Plan priorities and objectives;
- Previously identified need;

- Collaborative project opportunities;
- Emerging Commercial opportunities;
- The Council's Strategic Recovery Framework;

The draft Wellbeing and Place Shaping Framework as set out in 5.8 contained a list of potential investments across Caerphilly in excess of £231m that align explicitly with the Council's adopted Wellbeing Objectives.

It was noted that this investment framework provides the opportunity to build, repair and renew key infrastructure and assets across the length and breadth of Caerphilly county borough, as well as explicitly further the aims and policy direction previously set within strategies such as the Council's Corporate plan, the Sport and Active Recreation Strategy (SARS), the Council's Regeneration Strategy "A Foundation for Success 2018-2023" as well as the exciting proposals set out within the 21st Century Schools Band B Programme.

This framework proposal is of paramount importance currently, as it offers an important element of the Council's Covid recovery plan, which aims to support communities as they begin to emerge from the Covid pandemic. Long-term investments in infrastructure such as that proposed within this Framework, hold the potential to rebalance the local economy, enhance productivity and create jobs and opportunities across Caerphilly, which is of great importance as support is provided to communities to rebuild a sustainable and resilient future post Covid. The opportunity exists to work together to create a better and more prosperous Caerphilly for everyone, further embedding the "TeamCaerphilly" collective community and civic leadership model of delivery.

It was noted that the projects and ideas within the Framework will need to be developed into propositions that will be shaped through community engagement and scrutiny prior to any decision to implement being reached.

In many cases, the investment to support these projects will be a combination of internal capital and external grant, with the latter also being subject to relevant external approval processes.

The ongoing engagement programme described in 5.9 of the report has been designed explicitly to ensure the Framework is continuously refined over coming years with opportunities for future Wellbeing and Place Shaping proposals to be added in and considered as they emerge.

The Scrutiny Manager was invited to the meeting and provided a detailed overview of the responses and comments made at the Joint Scrutiny Committee on 22nd February. It was noted that there was a long debate at the meeting and concerns raised around some project proposals within the report, however Scrutiny unanimously supported the recommendations within the report.

Cabinet thanked the Leader and Officers for the report and discussion ensued.

Cabinet discussed the report at length and welcomed the investments in key areas such as Education and 21st Century Schools, as well as Social Care such as respite provision. Each Cabinet Member was pleased to support the report and ambitious project proposals under their portfolios. There was emphasis on economic, social and environmental benefits such as increasing job opportunities and apprenticeships, carbon reduction projects and community based projects encouraging community engagement all of which provided financial benefits to the Local Authority, as detailed within the report.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By way of electronic voting this was unanimously agreed.

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

- i) The views and recommendations made at the meeting of all Scrutiny Committees on 22 February 2021 were considered;
- ii) The Wellbeing and Place Shaping investments, totalling in excess of £153m that have been undertaken between 2017 and 2020 be noted as set out in 5.6 of the report;
- iii) The Wellbeing and Place Shaping investments currently approved totalling over £129m for delivery be noted, as set out in 5.7 of the report;
- iv) It be agreed that the projects set out in 5.8 totalling in excess of £231m will form the initial Wellbeing and Place Shaping Framework for the Council from 2021 onwards, forming a sustainable and resilient route-map for our communities to emerge stronger from the Covid pandemic;
- v) It be agreed that the projects set out within 5.8 can be developed into business cases for consideration;
- vi) It be acknowledged that each proposal must go through the relevant consultation, scrutiny, funding approval and decision-making processes before implementation;
- vii) It be agreed that the proposed mechanisms for community engagement as set out within 5.9 of the report;
- viii) The funding approvals totalling £28.591m that have already been confirmed for the Place Shaping Framework as set out in Section 10 of the report be noted;
- ix) A recommendation that funding of £1.640m held in the 2020/21 Miscellaneous Finance Revenue Contribution to Capital Outlay (RCCO) budget should also be allocated to the Place Shaping Framework, which would increase the total funding available to £30.231m be approved;
- x) It be agreed that a Joint Meeting of all Scrutiny Committees be held twice yearly to consider the progress of the Wellbeing and Place Shaping Framework;
- xi) To agree to receive a separate report on the Community Empowerment Fund that will detail the mechanisms by which Elected Members can, alongside their communities, develop project ideas for consideration within the Framework.

The meeting closed at 11.11am

Approved and signed as a correct record subject to any corrections made at the meeting held on 24th March 2021.

CHAIR

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Cabinet Date	Title	Key Issues	Author	Cabinet Member
24/03/21 10:30	Pen March Wind Farm – Opportunity for Council Investment	The Council have been presented with an opportunity to take a commercial interest in a wind farm project being taken forward by RWE Renewables on land north of Rhymney. In order for RWE to explore partnership options in more detail, they want the Council to enter into a non-legally binding Memorandum of Understanding.	Dallimore, Allan; Kyte, Rhian;	Cllr. Morgan, Sean;
24/03/21 10:30	White Paper on Rebalancing Care and Support	To share the proposal of the Welsh Government White Paper on Rebalancing Care and Support and to seek Members views with regards to a consultation response.	Street, Dave;	Cllr. Cook, Shayne;
24/03/21 10:30	Annual Equalities Report 2019/20	To seek Cabinet approval of the statutory Annual Equalities Report 2019/20 which provides an update of the progress made during the financial year 2019/20 against targets in the Council's Strategic Equality Plan 2016-2020.	Cullinane, Anwen; Peters, Kathryn; Richards, Sue;	Cllr. Stenner, Eluned;
24/03/21 10:30	Car Parking Charges	To update Cabinet on the latest position with the Economic impact on town centres caused by the coronavirus pandemic and to recommend further free car parking to support the local economy.	Williams, Mark S;	Cllr. Ridgewell, John;
24/03/21 10:30	Ness Tar - Welsh Government Loan Agreement	To consider the WG loan requirements	Kyte, Rhian; Williams, Mark S;	Cllr. Morgan, Sean;
24/03/21 10:30	Welsh Government Retail, Leisure & Hospitality Rate Relief Scheme 2021/2022	For Cabinet to endorse the Retail, Leisure & Hospitality Rate Relief Scheme for 2021/2022 only	Harris, Stephen R;	Cllr. Stenner, Eluned;

<p>Review of Corporate Complaints Policy and Unacceptable Behaviour</p> <p>24/03/21 10:45 Policy</p>	<p>To review and endorse the new Concerns and Complaints Policy based on the model document issued by the Ombudsman together with a review of the existing Policy for dealing with Unacceptable Persistent or Unreasonable actions by Complainants.</p>	<p>Lane, Lisa;</p>	<p>Cllr. Stenner, Eluned;</p>
<p>Flexible Working Update Report</p> <p>07/04/21 10:30</p>	<p>For Cabinet to consider the proposals for the next stages of the Flexible Working Corporate Review workstreams</p>	<p>Lloyd, Marcus;Edmunds, Richard (Ed);</p>	<p>Cllr. Gordon, Colin J;</p>
<p>21st Century Schools and Education Band B Programme – Statutory Objection Report for Ysgol Gymraeg Cwm Gwyddon</p> <p>07/04/21 10:30</p>	<p>To consider the outcome of the Statutory Consultation process and recommendations in respect of the proposal to relocate and expand YGG Cwm Gwyddon</p>	<p>West, Andrea;</p>	<p>Cllr. Whiting, Ross;</p>
<p>21st Century Schools and Education Band B Programme – Statutory Objection Report for Trinity Fields School</p> <p>07/04/21 10:30</p>	<p>To consider the outcome of the Statutory Consultation process and recommendations in respect of the proposed expansion to Trinity Fields Special School</p>	<p>West, Andrea;</p>	<p>Cllr. Whiting, Ross;</p>
<p>Review of Waste Services - Contract Management Arrangements</p> <p>07/04/21 10:30</p>	<p>To consider proposals to strengthen contract management arrangements within Waste Services.</p>	<p>Harris, Stephen R;</p>	<p>Cllr. Ridgewell, John;</p>
<p>21st Century Schools and Colleges Band B Programme – Phase 2 Proposal for Plasyfelin Primary</p> <p>07/04/21 10:30</p>	<p>To seek members views on the next phase of the 21st Century Schools Band B projects in order to proceed to Business Case submission to Welsh Government.</p>	<p>West, Andrea;</p>	<p>Cllr. Whiting, Ross;</p>

07/04/21 10:30	21st Century Schools and Education Band B Programme – Phase 2 Llancaeath Junior School and Llanfabon Infants School	To seek members views on the next phase of the 21st Century Schools Band B projects in order to proceed to Business Case submission to Welsh Government.	West, Andrea;	Cllr. Whiting, Ross;
07/04/21 10:30	21st Century Schools and Education Band B Programme – Phase 2 Proposal For Centre For Vulnerable Learners	To seek members views on the next phase of the 21st Century Schools Band B projects in order to proceed to Business Case submission to Welsh Government.	West, Andrea;	Cllr. Whiting, Ross;
07/04/21 10:30	Fleet Review Update	To update Cabinet on the progress to date on the service review of the Councils fleet.	Cooke, Paul;Richards, Sue;	Cllr. Ridgewell, John;
21/04/21 10:30	EAS Business Plan 2021-22	The EAS is required to submit an annual overarching regional Business Plan on an annual basis. This report asks for members to consider the full contents of the draft EAS Business Plan as part of the regional consultation process.	Cole, Keri;	Cllr. Whiting, Ross;
21/04/21 10:30	Team Caerphilly Transformation Programme – 6 monthly update	To provide members with an update on progress against the Team Caerphilly Transformation Strategy	Richards, Sue;	Cllr. Stenner, Eluned;
21/04/21 10:30	Corporate Performance Assessment Quarter 1/Quarter 2	To provide Cabinet with a high level performance update of the Council (from April – September 2020) based on the information from the Directorate Performance Assessments (DPA) for the same period.	Roberts, Ros;Richards, Sue;	Cllr. Stenner, Eluned;

	<p>To recommend the allocation of up to £107k Regeneration Project Board Development Fund towards a recently endorsed and evaluated project and note the allocation of Licence to Innovate Funding for Coffi Vista, Caerphilly.</p> <p>To consider the allocation of additional funding for the Regeneration Project Board</p>	<p>Kyte, Rhian; Cllr. Morgan, Sean;</p>
<p>21/04/21 10:30 Regeneration Board Project Update</p>	<p>To consider a proposed collaborative approach with NRW to enable the reopening of the Forest drive</p>	<p>Hudson, Paul;Kyte, Rhian; Cllr. Morgan, Sean;</p>



CABINET – 24TH MARCH 2021

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PARAGRAPH 14 SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: WELSH GOVERNMENT STRATEGIC SITES PROGRAMME –
OPPORTUNITIES FOR NESS TAR, CAERPHILLY

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer: -

EXEMPTIONS APPLYING TO THE REPORT:

Paragraph 14 - Information relating to the financial or business affairs of any particular person.

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in regeneration proposals within the Caerphilly basin.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains information relating to the financial or business affairs of particular persons.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 14 should apply. I am mindful of the need to ensure the transparency and accountability of public authorities for decisions taken. However, disclosure of the information contained in the report could prejudice the individuals.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this stage. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On the basis set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed: 

Dated: 18th March 2021

Post: HEAD OF LEGAL SERVICES & MONITORING OFFICER

I accept/~~do not~~ the recommendation made above.

Signed: 

Proper Officer

Date: 18th March 2021

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Agenda Item 7

By virtue of paragraph(s) 12, 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 12, 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET – 24TH MARCH 2021

SUBJECT: WELSH GOVERNMENT RETAIL, LEISURE & HOSPITALITY RATE RELIEF SCHEME 2021/2022

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The Welsh Government (WG) has announced a new temporary business rate relief scheme, the 'Retail, Leisure and Hospitality Rate Relief Scheme' for the financial year 2021/22 only.
- 1.2 Relief granted by the Authority under this new scheme is to be reimbursed by WG by way of a specific cash-limited grant but, before any relief is awarded, the Authority must consider and adopt the new scheme.
- 1.3 This report recommends that the Council endorses the new relief scheme in accordance with the WG guidance set out in Appendix 1.

2. SUMMARY

- 2.1 The report provides details of the new 'Retail, Leisure and Hospitality Rate Relief Scheme' offered by WG for 2021/22 only.
- 2.2 Adoption of the new scheme as set out at Appendix 1 is obligatory because WG has prescribed the details for the scheme. The Authority must formally adopt the new scheme set out in the guidance at Appendix 1 in order to obtain the WG grant funding.

3. RECOMMENDATIONS

- 3.1 Cabinet is asked to:
 - 3.1.1 Endorse the 'Retail, Leisure and Hospitality Rate Relief Scheme 2021-22' (the 2021/22 Scheme), in accordance with the guidance set out at Appendix 1 and the provisions of section 47(1) (a) and section 47(3) of the Local Government Finance Act 1988.
 - 3.1.2 Note that the Head of Financial Services & S151 Officer will use delegated powers to award the relief.
 - 3.1.3 Support the proposal set out in paragraph 5.6 that in order to maximise take-up by ratepayers and minimise administration costs for the Authority, the rate relief will be applied directly to eligible ratepayers' bills based on records already held by the Council's Business Rates Team.
 - 3.1.4 Note that Officers of the Authority will make the business community aware of the 2021/22 Scheme through its usual channels, including its website and social media. In addition, Cabinet is asked to agree that where a business is not granted relief through the process set out in

paragraph 5.6, they will be asked to submit an email explaining how they satisfy the scheme criteria to enable the Business Rates Team to determine their eligibility or otherwise.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To ensure that the Authority complies with the grant conditions in order to obtain and fully utilise the grant funding in respect of any rate relief awarded under the WG Scheme as detailed in the guidance set out at Appendix 1.

5. THE REPORT

- 5.1 WG has announced the 'Retail, Leisure and Hospitality Rate Relief Scheme 2021/22' (the 2021/22 Scheme). It is intended that the relief under the 2021/22 Scheme will be made available subject to the Authority adopting the new Scheme as set out in the guidance at Appendix 1 and accepting the grant offer.
- 5.2 Appendix 1 of this report is a guidance document issued by WG which in effect prescribes the detailed criteria and conditions for the 2021/22 Scheme. The 2021/22 Scheme is aimed at businesses in Wales in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels.
- 5.3 The 2021/22 Scheme aims to provide support for eligible occupied properties by offering a discount of 100% on the non-domestic rates bill for a property, to all eligible premises. The scheme will apply to all eligible ratepayers with a rateable value of £500,000 or less.
- 5.4 As this is a temporary measure for 2021/22 only, WG will provide the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47.
- 5.5 WG will reimburse local authorities for the relief that is provided in line with the WG guidance via a grant under section 31 of the Local Government Act 2003 and section 58A of the Government of Wales Act 2006. WG has estimated the grant for Caerphilly CBC to be £8.9m and it is anticipated that the full cost of the scheme can be met through this allocation.
- 5.6 In order to qualify for this rate relief, the guidance states that it will be for local authorities to determine how they wish to administer the scheme. In order to maximise take-up by ratepayers and minimise administration costs for the Authority, it is proposed that rate relief is applied directly to eligible ratepayers' bills based on records already held by the Council's Business Rates Team.
- 5.7 Alongside this proposed approach, Officers will make the business community aware of the 2021/22 Scheme through its usual channels, including its website and social media. In addition, where a business is not granted relief through the process set out in paragraph 5.6, they will be asked to submit an email explaining how they satisfy the scheme criteria to enable the Business Rates Team to determine their eligibility or otherwise.
- 5.8 Full details of the Scheme, including the qualifying criteria, are included in the guidance set out at Appendix 1.

Conclusion

- 5.9 The report provides details of a new rate relief scheme offered by WG and attaches at Appendix 1 details of the new scheme. Adoption of the new scheme as set out at Appendix 1 is obligatory because WG has prescribed the details for the scheme.

- 5.10 The Authority must formally adopt the new scheme set out in the guidance at Appendix 1 in order to obtain the WG grant funding. In order to implement the new scheme, Cabinet is asked to endorse the recommendations set out in paragraphs 3.1.1 to 3.1.4 of this report.

6. ASSUMPTIONS

- 6.1 It is assumed that the recommendations in the report will maximise the use of the grant funding in terms of the amount of rate relief awarded, whilst minimising the staff/administrative costs incurred in awarding the rate relief.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The adoption of the 2021/22 Scheme will support eligible businesses by reducing the amount of business rates payable which in turn may help create employment opportunities and increase entrepreneurial activities which is a key theme of 'A Foundation for Success 2018-2023' – Regeneration Strategy.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 Effective financial management is a key element in ensuring that the Well-being Goals in the Well-being of Future Generations Act (Wales) 2015 are met.
- A prosperous Wales – maximising the take-up of this WG business rate relief scheme will minimise the amount of rates payable by eligible businesses which helps them to continue trading.
 - Long Term – It is hoped that eligible local businesses will be able to continue trading which will enable future generations to benefit in the long-term from a diverse range of businesses, which should also improve the economic, social, environmental and cultural well-being of residents.

9. EQUALITIES IMPLICATIONS

- 9.1 An Equality Impact Assessment (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.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications as the Authority will be reimbursed by WG for any relief granted, provided it can evidence that the expenditure falls within the terms of the 'Retail, Leisure and Hospitality Rate Relief 2021/22' grant offer.
- 10.2 Based on an initial WG assessment of qualifying businesses for the 'Retail, Leisure and Hospitality Rate Relief Scheme 2021/22', the funding available to Caerphilly CBC is £8.9m. It is anticipated that the full cost of the scheme can be met through this allocation.

11. PERSONNEL IMPLICATIONS

- 11.1 There are none in respect of this report.

12. CONSULTATIONS

12.1 There are no consultation responses that have not been reflected in this report.

13. STATUTORY POWER

13.1 Local Government Finance Act 1988, Government of Wales Act 2006 and Local Government Act 1972, 2000 and 2003. The decision as to whether to adopt the WG 'Retail, Leisure and Hospitality Rate Relief Scheme 2021/22' may be taken by Cabinet. The Head of Financial Services & S151 Officer will use delegated powers to award the relief.

14. URGENCY (CABINET ITEMS ONLY)

14.1 Due to the requirement for Cabinet to endorse the 'Retail, Leisure and Hospitality Rate Relief Scheme 2021-22' prior to the production and posting of the new year annual rate demand notices in late March 2021, this decision cannot be subject to call in procedures. The Mayor has been consulted on this matter and has agreed that the decision proposed is reasonable in all the circumstances and that it can be treated as a matter of urgency.

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Appendices:

Appendix 1 – Retail, Leisure and Hospitality Rates Relief in Wales 2021-22 – Guidance

Non-Domestic Rates – Retail, Leisure and Hospitality Rates Relief in Wales – 2021-22

Guidance

About this guidance

This guidance is intended to support county and county borough councils ('local authorities') in administering the Retail, Leisure and Hospitality Rates Relief scheme ('the relief'). On 3 March 2021, the Minister for Finance and Trefnydd announced the extension of the relief on a temporary basis for 2021-22. This guidance applies to Wales only.

This guidance sets out the criteria which the Welsh Government will use to determine the funding for local authorities for relief provided to retail, leisure and hospitality properties. The guidance does not replace any existing non-domestic rates legislation or any other relief.

Enquiries about the scheme should be sent to: localtaxationpolicy@gov.wales

The relief is being offered from 1 April 2021 and will be available until 31 March 2022.

Introduction

This relief is aimed at businesses and other ratepayers in Wales in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels.

The Welsh Government will provide grant funding to the 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible ratepayers for 2021-22. The scheme aims to provide support for eligible occupied properties by offering a discount of 100% on the non-domestic rates bill for a property, to all eligible premises. The scheme will apply to all eligible ratepayers with a rateable value of £500,000 or less.

This document provides guidance on the operation and delivery of the scheme.

Retail, Leisure and Hospitality Rates Relief How will the relief be provided?

As this is a temporary measure, we are providing the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47. The Welsh Government will reimburse local authorities for the relief that is provided

in line with this guidance via a grant under section 31 of the Local Government Act 2003 and section 58A of the Government of Wales Act 2006.

How will the scheme be administered?

It will be for local authorities to determine how they wish to administer the scheme to maximise take-up and minimise the administrative burden for ratepayers and for local authority staff.

Local authorities are responsible for providing ratepayers with clear and accessible information on the details and administration of the scheme. If, for any reason, an authority is unable to provide this relief to eligible ratepayers from 1 April 2021, consideration should be given to notifying eligible ratepayers that they qualify for the relief and that their bills will be recalculated.

Which properties will benefit from relief?

Properties that will benefit from this relief will be occupied retail, leisure and hospitality properties – such as shops, pubs and restaurants, gyms, performance venues and hotels across Wales. More detailed eligibility criteria and exceptions to the relief are set out below.

Relief should be granted to each eligible business as a reduction to its rates bill based on occupation between 1 April 2021 and 31 March 2022. It is recognised that there may be some instances where a local authority is retrospectively notified of a change of occupier. In such cases, if it is clear that the ratepayer was in occupation on or after the 1 April 2021, the local authority may use its discretion in awarding relief.

It is intended that, for the purposes of this scheme, retail properties such as, 'shops, restaurants, cafes and drinking establishments' will mean the following (subject to the other criteria in this guidance).

Hereditaments that are being used for the sale of goods to visiting members of the public

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Pharmacies
- Post offices
- Furnishing shops or display rooms (such as carpet shops, double-glazing, garage doors)
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

Hereditaments that are being used for the provision of the following services to visiting members of the public

- Hair and beauty services
- Shoe repairs or key cutting
- Travel agents
- Ticket offices, eg. for theatre
- Dry cleaners
- Launderettes
- PC, TV or domestic appliance repair
- Funeral directors
- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Estate and letting agents

Hereditaments that are being used for the sale of food and / or drink to visiting members of the public

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs
- Bars or Wine Bars

We consider assembly and leisure to mean the following.

Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) and for the assembly of visiting members of the public

- Sports grounds and clubs
- Sport and leisure facilities
- Gyms
- Tourist attractions
- Museums and art galleries
- Stately homes and historic houses
- Theatres
- Live Music Venues
- Cinemas
- Nightclubs

Hereditaments that are being used for the assembly of visiting members of the public

- Public halls

- Clubhouses, clubs and institutions

We consider hotels, guest & boarding premises and self-catering accommodation to mean the following.

Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business

- Hotels, Guest and Boarding Houses,
- Holiday homes,
- Caravan parks and sites

Other considerations

To qualify for the relief, the hereditament should be wholly or mainly used for the qualifying purposes. In a similar way to other reliefs, this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief. For the avoidance of doubt, hereditaments which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.

The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be eligible for relief. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.

As the grant of the relief is discretionary, local authorities may choose not to grant the relief if they consider that appropriate, for example where granting the relief would go against the local authority's wider objectives for the local area.

Ratepayers may view that they have been able to continue trading at a substantial level during Coronavirus restrictions and as such would be inclined to not accept the relief. Arrangements for opting out of receiving relief should be made with the relevant local authority.

Types of hereditaments that are not considered to be eligible for Retail, Leisure and Hospitality Rates Relief

Any hereditament with a rateable value over £500,000.

The following list sets out the types of uses that the Welsh Government does not consider to be retail, leisure or hospitality use for the purpose of this relief and which would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed and if they would not be eligible for relief under the scheme.

Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public

- Financial services (eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawnbrokers)
- Medical services (eg. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg. solicitors, accountants, insurance agents, financial advisers, tutors)
- Post Office sorting offices
- Day nurseries
- Kennels and catteries
- Casinos and gambling clubs
- Show homes and marketing suites
- Employment agencies

There are a number of further types of hereditament which the Welsh Government believes should not be eligible for the relief.

Hereditaments that are not reasonably accessible to visiting members of the public

If a hereditament is not usually reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme even if there is ancillary use of the hereditament that might be considered to fall within the descriptions listed under [Which properties will benefit from relief?](#)

Hereditaments that are not occupied

Properties that are not occupied on 1 April 2021 should be excluded from this relief. However, under the mandatory Empty Property Rates Relief, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases, six months) of being empty.

Hereditaments that are owned, rented or managed by a local authority

Hereditaments owned, rented or managed by a local authority, such as visitor centres, tourist information shops and council-run coffee shops or gift shops attached to historic buildings, are exempt from this scheme.

How much relief will be available?

The total amount of government funded relief available for each property under this scheme for 2021-22 is 100% of the remaining bill, after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where local authorities have used their wider discretionary relief powers introduced by the Localism Act 2011 which are not funded by section 31 grants. Retail, Leisure and Hospitality Rates Relief should be applied against the net bill after other reliefs have been applied.

The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year.

Amount of relief to be granted = V , where

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act 2011 which are not funded by section 31 grants.

This should be calculated ignoring any prior-year adjustments in liabilities which fall to be liable on the day.

Ratepayers who occupy more than one property will be entitled to Retail, Leisure and Hospitality Rates Relief for each of their eligible properties.

Retail, leisure and hospitality properties which are excluded from Small Business Rates Relief due to the multiple occupation rule are eligible for this relief scheme.

Changes to existing hereditaments, including change in occupier

Empty properties becoming occupied after 1 April 2021 will qualify for this relief. If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief if they operate in the retail, leisure or hospitality sectors on a pro-rata basis based on the remaining days of occupation using the formula used in the section titled [How much relief will be available?](#)

The discount should be applied on a day-to-day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the discount on that day.

State Aid

Following the end of the transition period for the United Kingdom leaving the European Union on 31 December 2020, EU State Aid regulations only apply in limited circumstances. As the relief is not funded by EU residual funds, EU State Aid regulations no longer apply for this scheme. As of 1 January 2021, the UK Subsidy Regime came into force. The scheme has been viewed to be outside the scope of any international trade agreements as measures are focused locally within Wales.



CABINET – 24TH MARCH 2021

SUBJECT: STRATEGIC EQUALITY PLAN – ANNUAL MONITORING AND IMPROVEMENT REPORT 2019-2020

REPORT BY: CORPORATE DIRECTOR - EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the progress made during the financial year 2019-2020 against targets in the Council's current Strategic Equality Plan 2016-2020, and for Cabinet to approve for publication on the Council's website.

2. SUMMARY

- 2.1 The Council has a statutory duty to produce an annual monitoring report on Equalities issues under current legislation. The requirements are very detailed as to what relevant information must be included in the annual monitoring and improvement report (attached in full as an appendix).
- 2.2 The amount of information presented is therefore in order to ensure that the regulatory body involved (the Equality and Human Rights Commission) are provided with full evidence of the Council's compliance and commitment to those statutory duties.
- 2.3 The Strategic Equality Plan – Annual Monitoring and Improvement Report must be published by the 31 March the following year.

3. RECOMMENDATIONS

- 3.1 For Cabinet to approve the annual monitoring and improvement report for publication on the Council's website by the 31 March deadline.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The council is required under the Equality Act 2010 (Statutory Duties)(Wales) Regulations 2011 to produce an annual monitoring report on the steps it has taken to meet the public sector equality duty and its own Equality Objectives.

5. THE REPORT

- 5.1 Under the Public Sector Equality Duty in Wales, an annual report on the Strategic Equality Plan must be published within 12 months after the end of the financial year that is covered by that report.

5.2 Appended to this report is the Strategic Equality Plan – Annual Monitoring and Improvement Report 2019-2020

5.3 In summary however, the following performance information should be noted covering the financial year in question:

- Hate Crime Awareness week was marked by supporting regional community based initiatives. Corporately we partnered with Show Racism the Red Card and launched the *Wear Red Day* and worked with local rugby clubs who promoted Hate Crime Awareness Week in their supporting match literature and via their social media channels.
- The All Wales School Liaison Core Programme delivered 1,046 lessons with 498 of them focussing on bullying, diversity, respect or lack of respect and coercion.
- The Disability Work Programme, run by Property Services, spent £65,000 on supporting disability access improvement works.
- Significant work has been undertaken to engage with a large number of local businesses with a high percentage of EU National in their workforce to work with them regarding the European Union Settled Status Scheme. The work continues through working closely with recruitment agencies to reach a higher volume of EU Nationals and support local Brexit resilience.
- The Strategic Equality Plan 2020-2024 was developed and consulted on. The Plan was adopted by full Council in October 2020.
- A number of awareness days were celebrated or marked including Hate Crime Awareness Week, LGBT History Month, Diwrnod Shwmae, International Men's Day which focussed on mental health, Dementia Awareness Week, Pride Cymru, Welsh Language Rights Day (Mae gen i hawl) and Holocaust Memorial Day.
- Intergenerational work between Caerphilly 50+ Forum and Lewis School Pengam continues with the school working with Trafalgar Care Home in Nelson to produce poetry for a *Poetry Together* event, hosted by Gyles Brandreth and attended by the Duchess of Cornwall.
- The work of creating Dementia Friends progressed further with 1,395 people across the county borough now Dementia Friends and 10 additional Dementia Champions trained. The focus now is to involve young people and create more Dementia Friendly Schools and work to make Bargoed our first Dementia friendly town.

5.4 **Conclusion**

The report demonstrates the Council's progress during the financial year 2019-2020 against targets in the Council's current Strategic Equality Plan.

6. **ASSUMPTIONS**

6.1 No assumptions have been made in preparing this report.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

7.1 **Corporate Plan 2018-2023.**

This report ties in with the following objectives of the Corporate Plan 2018-2023;

Objective 1 - Improve education opportunities for all

Objective 2 - Enabling employment

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

7.2 There are also a number of national Welsh Government strategies or regulations that the Council's Equalities work links to;

- **“Prosperity for All”** and **“The Community Cohesion National Delivery Plan”** – the Welsh Government’s Community Cohesion Strategies
- **“Tackling Hate Crimes and Incidents: a Framework for Action”** – the Welsh Government’s commitment to challenge hostility and prejudice, with the aim to drive greater leadership and partnership work across Wales to challenge and tackle hate crimes.
- **“Travelling to a Better Future”** – the Welsh Government’s Gypsy and Traveller Framework for Action and Delivery Plan;
- **“Cymraeg 2050: Welsh Language Strategy”** – the Welsh Government’s framework to support and extend usage of the Welsh language, and various aspects of Planning, Licensing and Building regulations.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 Equalities issues are crosscutting themes of the Well-being Goals within the Well-being of Future Generations Act (Wales) 2015 and impact on every council policy, function and procedure, covering those aimed at the public and internal policies covering the Council’s staff members. The report contributes to the following Well-being Goals:

- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh Language
- Long Term – Ensuring that the Council provides services which are delivered in accordance with the needs of its residents.
- Prevention – The report evidences the work that has been undertaken to ensure that staff are trained and that services are delivered in an inclusive, non-discriminatory manner.
- Integration – Integrating equalities and Welsh language into the policies and plans the council has in place will ensure consistency in meeting objectives and reporting duties and build a stronger joined-up link between services.
- Collaboration – The report evidences work that has taken place through joint working with a number of the council’s partners.
- Involvement – It is very important that we involve people and partners in the work that we do, so that the work is joined up and consistent but also so that people from a range of diverse backgrounds can influence change through service delivery and policies.

9. EQUALITIES IMPLICATIONS

9.1 A full Equalities assessment and consultation was undertaken on the Strategic Equality Plan when being developed, therefore no full assessment has been made on this annual report. The report itself is an assessment of work and progress made by the Council under the Plan.

10. FINANCIAL IMPLICATIONS

10.1 There are no direct financial implications to this report as the annual report covers work already undertaken in the previous financial year.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications to this report, although this continues to be reviewed as the work specified in our Strategic Equality Plan progresses.

12. CONSULTATIONS

- 12.1 The report is based on data gathered across the service areas on implementing the Strategic Equality Plan during 2019-2020.
- 12.2 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

13. STATUTORY POWER

- 13.1 Equality Act 2010 (Statutory Duties)(Wales) Regulations 2011
Welsh Language (Wales) Measure 2011
Well-being of Future Generations Act (Wales) 2015
Human Rights Act 1998
Local Government (Wales) Measure 2011

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Consultees: Christina Harray – Chief Executive,
Richard Edmunds – Corporate Director – Education and Corporate Services
Cllr Eluned Stenner – Cabinet Member for Performance and Customer Service
Cllr James Pritchard – Chair of Policy and Resources Scrutiny Committee
Sue Richards – Head of Education Planning and Strategy
Robert Tranter – Head of Legal Services and Monitoring Officer
Lynne Donovan – Head of People Services
Keri Cole – Chief Education Officer
Mark Williams – Interim Head of Property Services
Kathryn Peters – Service Improvement and Partnerships Manager
Ros Roberts – Business Improvement Manager
Christopher Hunt – Community Cohesion Coordinator (West Gwent)
Hayley Lancaster – Senior Communications Officer
Elizabeth Sharma – Consultation and Engagement Officer
Louise Saddler – Web Specialist
Nick Rutter – Digital Communications Officer
Sian Wolf-Williams – Policy Officer
Mark Jennings – Housing Strategy Officer
Lisa Rawlings – Regional Armed Forces Covenant Officer
Emma Bush – Educational Psychologist
Lyndon Samuel – Regional School Liaison Coordinator, Gwent Police
Phil Diamond – Service Manager – Regional Partnership Board

Background Papers:

- Strategic Equality Plan 2016-2020
- Equalities and Welsh Language Objectives and Action Plan 2016-2020
- Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011
- Report to Cabinet on the 18th January 2017 – Welsh Language Strategy 2017-2022
- Various Guidance Documents (These are available electronically for information on the Intranet Portal and on the Council's website using this link - [Caerphilly Council/Equalities](#))

Appendices:

Appendix 1 Strategic Equality Plan – Annual Monitoring and Improvement Report 2019-2020

Caerphilly County Borough Council Strategic Equality Plan Annual Monitoring and Improvement Report 2019-2020

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, regardless of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh, BSL or other language, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

Published 31 March 2021

A greener place
Man gwyrddach



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Mae'r cyhoeddiad hwn ar gael yn Gymraeg. Mae ar gael mewn ieithoedd a fformatau eraill ar gais.
This publication is available in Welsh. It is available in other languages and formats on request.

Introduction

The council is required under the Equality Act 2010 (Statutory Duties)(Wales) Regulations 2011 to produce an annual monitoring report on the steps it has taken to meet the public sector equality duty and its own Equality Objectives. Welsh Government was the first government to impose specific duties on public services over and above those required by the Act. The Act places a duty on public bodies to consider how to positively contribute to a fairer society through the delivery of services having due regard to eliminating discrimination.

Each section of this report looks at the council's progress during 2019-2020, with a number of case studies included to demonstrate the work that service areas have undertaken to ensure compliance and improving service delivery year on year.

The Council continues to work in partnership with other organisations, some of which are members of the Caerphilly Public Services Board. The Public Services Board brings public bodies together to work to improve the economic, social, environmental and cultural well-being of Caerphilly County Borough, part of this is ensuring that the goal of a 'More Equal Wales' is met. Members, who come from the public, health, voluntary and private sectors, strive to be creative and innovative in delivering against their statutory duties.

A great deal of the Council's Equalities related information is already published in greater detail on the Equalities pages of the Council's website, where you can also download a pdf version of this report: www.caerphilly.gov.uk/equalities.

The Council remains committed to ensuring that everyone within the county borough of Caerphilly is treated with equal respect and that their individual circumstances are not a barrier to them receiving the services they need from the Council or its partners.

In order for this Equalities Annual Report to be properly considered, it was taken through an internal endorsement process via Cabinet on the 24 March 2021. The annual report will then published on the Council's website by 31 March 2021.

Cllr Philippa Marsden
Leader

Christina HARRY
Chief Executive

Tackling Identity-Based Violence and Abuse

The Reporting and Monitoring of Discriminatory Bullying in Schools 2019-2020

The Strategic Equality Plan 2016-2020 contains a specific Equality Objective in relation to ‘Tackling Identity-based Violence and Abuse’. The objective aims to reduce the levels of real or perceived instances of identity-based abuse, bullying, harassment and violence, hate crime and hate incidents in the county borough.

To measure this objective, we need to ensure that improved monitoring and reporting measures are in place. This will lead to more accurate recording and *may* result in an increase in the number of recorded incidents but that would be as a result of better awareness and recording.

Data is collected and reported in various ways to identify trends, target support and demonstrate that the Council and schools are complying with legal duties around these issues. For any data collected and reports published, anonymised totals are used, with only examples of good practice by individual schools, or those that have had bespoke training being specifically named at any time.

Discriminatory bullying is a matter of concern for every local authority, this report highlights that Caerphilly County Borough Council and its partners are actively monitoring the situation and tackling the issues by working with organisations to make positive progress each year. There are 87 education establishments that provide monitoring data to the Directorate of Education, a summary of the reported incidents are detailed in [Table 1](#):

Table 1 – Table of Reported Incidents

	Caring	Cultural	Disability	Gender	Homophobic	Language	Nationality	Race	Religion or Belief	Unknown	Term Total
Summer Term 2017-2018	2	-	-	1	12	-	-	24	4	1	43
Summer Term 2018-2019	-	1	2	2	9	1	-	16	2	-	33
Summer Term 2019-2020	-	1	2	2	9	-	1	16	2	1	34
Autumn Term 2017-2018	-	-	2	4	8	-	-	25	1	-	40
Autumn Term 2018-2019	-	2	1	1	9	-	4	21	1	-	39
Autumn Term 2019-2020	-	-	2	1	4	1	-	37	1	1	46
Spring Term 2017-2018	-	4	1	-	2	2	-	8	-	-	17
Spring Term 2018-2019	-	-	3	2	10	1	1	44	12	-	73
Spring Term 2019-2020	-	1	-	6	6	4	-	9	1	-	27

Bullying Survey 2019-2020

The Bullying Survey unfortunately was not repeated in 2019-2020 due to resources and other priorities.

Statutory Anti-bullying Guidance was published by Welsh Government at the end of November 2020. There is far more emphasis on identity based bullying in the new document and the Council's policy will be updated to reflect the new statutory guidance.

Transgender Toolkit

Focus groups to consult with young people on the toolkit had been scheduled to take place in April 2020 so their voices could be heard within the document, however due to the pandemic these sessions had to be cancelled. Officers are considering sending the draft toolkit out to consultation and hopefully be able to run the sessions with the young people at a later date.

Training for Schools and Young People settings

Schools in Caerphilly county borough receive training through the All Wales School Liaison Core Programme (AWSLCP) delivered by Gwent Police. These sessions cover subjects such as respect, bullying and diversity issues across primary and secondary schools in the county borough to the students.

The AWSLCP is an example of Partnership Working between the Welsh Government and the four Welsh Police Forces and consists of a series of Crime Prevention inputs / lesson deliveries and Supportive School Policing initiatives that aim to:

- educate children and young people about the harm substance misuse can cause to their health, their families and the wider community
- promote the principles of positive citizenship through the medium of education
- achieve a reduction in the levels of crime and disorder within our young communities.

All sessions will continue to be delivered by pre-booked appointment with a School Community Police Officer (SCPO). SCPOs provide a variety of Supportive School Policing (SSP) and safeguarding activities including the resolution of incidents using the School Crime Beat Policy and restorative approaches. SCPOs have also delivered a variety of age appropriate school assemblies.

It is anticipated that an enhanced safeguarding role will further develop links between the local and school communities as well as partner agencies e.g. Youth Offending Service, Safeguarding Services etc. This is particularly relevant to identity-based and discriminatory bullying where crimes may also have been committed.

The AWSLCP is fully supported by a dedicated website – [School Beat](#) which contains further information and guidance for teachers, pupils and parents.

During 2019-2020, 1,046 lessons were delivered generating 28,355 pupil contacts. 498 of the lessons delivered addressed bullying, diversity, respect or lack of respect and coercion to 10,148 pupils. The work also included the delivery of 32 assemblies to 6601 pupils.

The council's Equalities, Welsh Language and Consultation Team has provided training for school staff and governors and has actively promoted events which raise awareness such as LGBT History Month, Black History Month etc.

Council staff are aware of partner agencies and are able to signpost and support schools and youth workers to access resources such as workshops and curriculum materials from agencies such as Umbrella Cymru, Stonewall Cymru, Show Racism the Red Card, Gwent Ethnic Minority Service (GEMS) etc.

The Council works with stakeholders (schools, youth service, young people, neighbouring authorities, partnership agencies etc.) to develop guidance reflecting changes to legal requirements or the needs of young people within the authority e.g. developing plans and policies in relation to changes in the Personal, Social, Health and Education (PSHE) curriculum to address sexuality, health and relationships education and which explicitly refers to sexuality and gender, in age appropriate ways.

Spectrum Cymru have been delivering educational training workshops to pupils and staff in schools on the Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Agenda. A total of 14 schools in the county borough received this training during 2019-2020, and 2 schools received staff consultations.

3 primary schools in the county borough have started the KIVA anti-bullying programme within their schools. This anti-bullying toolkit which is taught within KS2 with the aim of preventing any bullying incidents. It also provides end of year pupils' survey and results. We are currently waiting for our first full set of data from these schools to analyse the impact.

Plans were being made to host 'The Diana Award – anti-bullying programme' for the first time ever in Caerphilly, at Idris Davies 3-18 School in April 2020. However, this had to be cancelled due to the Covid-19 pandemic. When possible we will look at rescheduling this programme, which will give 10 secondary schools in the county borough the opportunity to receive training as part of the award process.

The Council's Youth Service runs an LGBTQ+ Youth Group called "Guys, Gals and Non-binary Pals" (GGNP). The group is a unique initiative which supports young people aged between 11 and 25 years who identify as LGBTQ+. This full-time project provides access to support, information and advocacy for those across the county borough and surrounding areas. Young people are provided with a safe and confidential environment to express themselves whilst having the opportunity to engage and socialise with other young people that share the same experiences and challenges.

Education Equality Index – Stonewall Cymru

Stonewall's Education Equality Index ensures that measures are in place and positive steps are being taken to support Lesbian, Gay, Bisexual and Trans young people living in the local community. Measures relate to how well local authorities

- help and support schools to be inclusive,
- celebrate difference and
- prevent and tackle homophobic, biphobic and transphobic bullying.

Stonewall's Education Equality Index is the only nationwide tool used to benchmark progress being made in this area. It is an effective way to demonstrate good practice but also to realise and understand the gaps where improvement is needed. According to 2018 data, Caerphilly was ranked first in Wales in terms of inclusive practice, and was 19th across the UK.

Stonewall did not carry out an inclusion audit for 2018-2019 as they were restructuring their Equality Index model. The deadline for 2019-2020 audit has been extended to December 2020 as a result of the Covid-19 pandemic.

Community Cohesion and Education

Education officers met with the regional community cohesion officer to discuss how their work can complement each other's priorities. A Twinning Project was set up which involves making links between classes of children from schools with diverse catchment areas including ethnically, culturally and socio-economic to create a meaningful context for the exploration of identity. Unfortunately the project has been put on hold until after the pandemic. Twinning can be used to build

relationships to explore what is similar between us and to explore diversity. A guide is being developed and will be published shortly.

As the Regional Cohesion team has a specific focus on promoting inclusion and championing diversity we continue to collaborate with lead equality officers on shared goals and themes. More recently, this has included coordinating work centred on Hate Crime Awareness Week, Refugee Awareness Week (HCAW) and Holocaust Memorial Day (HMD).

To mark this year's HMD, they were hosted by 3 key note speeches from a survivor of the Holocaust – 2 of which were targeted towards children and young people, with a representation from all schools across Gwent we were able to engage over 200 pupils. We also hosted a community and stakeholder session and coordinated a minute silence across the authority as a fitting tribute to mark the 75th anniversary of the liberation of Auschwitz.

From a regional perspective we made HCAW a significant focus – in recognition that Hate Crime Awareness Week 2019 coincided with the proposed Brexit leave date. Part of our regional efforts included allocating £5,000 of the regional cohesion budget to local awareness projects. £3,000 of which was utilised to support regional community based initiatives (details listed below). We also purchased literature and merchandise which supported pop up stands placed in local supermarkets, libraries and civic buildings.

In collaboration with a selection of schools across the region, we also worked with children and young people to produce art that depicted messages of inclusion, diversity and acceptance.

Social Media featured heavily, posts were disseminated throughout the week, likewise for all staff via emails. Corporately we partnered with **Show Racism the Red Card** and launched Wear Red Day, we have also been working with local rugby clubs who have promoted HCAW in their supporting literature and via their social media channels.

Please see below a list of West Gwent projects that have been funded via the cohesion budget to support HCAW and delivered in the county borough.

- **Llantarnam Grange Arts and Lewis School Pengam**

This project involved hosting a group of Indonesian students as part of a peer residency programme. It was a week of activities exploring each other's culture. This included day trips, music, dance and art. Cohesion Officers attended the event.

- **Volunteering matters**

A group of young people with additional learning needs undertook a research project into the issues of hate crime experienced by those who identify as having a disability on public transport. This was developed after a previous survey suggested that a large percentage of passengers who identify as having a disability were subjected to abuse whilst traveling on public transport. The group undergoing this research travelled across West Gwent during the week and captured their experiences. This concluded with all young volunteers coming together to collate their findings and to develop a list of recommendations to be sent to the Transport Minister for Wales for consideration.

- **Rec Rock social Enterprise**

In collaboration with Bargoed Library, this project engaged the community to build skills and confidence through music. Organisers created a time table of activities throughout the month of October 2019, which included writing and recording a song that celebrates diversity, two short performances celebrating the contribution made by black artists to the music industry was also facilitated (one targeted towards primary school children and one showing open to the public).

European Union Settled Status Scheme

The Regional Community Cohesion Coordinator provided briefings for key officers in the lead up to the launch of the EU Settled Status Scheme (EUSS). Migration mapping, reflecting inward migration into each authority, also supported the council with building Brexit resilience.

Over this period significant effort has been placed on raising awareness of the EU Settles Status Scheme and supporting local Brexit resilience forums in developing those conversations with EU Nationals residing in the borough.

Regional Community Cohesion Officers visited a large number of local businesses known to have a high percentage of EU Nationals in their workforce. They worked with those businesses and covered shift patterns to ensure messages have been disseminated to all effected staff. The focus of their work now is to work with recruitment agencies in the area to reach a higher volume of EU Nationals.

As part of that effort, the Regional Community Cohesion Officers hosted European Union Settled Status Scheme awareness events, which were run in collaboration with third sector partners who were able to provide immigration advice (IOSC registered). Supported via the Community Cohesion budget, EUSS literature was

printed and available in multiple EU languages, which were available to all departments, schools and community buildings. We also worked in partnership with the Local Education Authority on communicating key messages to families who are known to the authority to be EU Nationals.

The Community Cohesion Team liaised with a host of schools across the West Gwent region, delivering anti-discrimination workshops to over 500 pupils. These sessions support schools in promoting equality and awareness and focus on positive messages about diversity, the sessions also help to inform teachers with regards to what constitutes identity based bullying. These included a number of key stage 2 diversity training sessions at Phillipstown Primary and White Rose Primary. Further sessions were delivered to years 7, 8 and 9 at Lewis School Pengam, Heolddu Comprehensive School and 'Y Ganolfan' at Ysgol Gyfun Cwm Rhymni – Y Gwyndy campus.

Global Resettlement Programme

Caerphilly continues to support refugee families. Consistent support has been provided by the Regional Community Cohesion Coordinator (RCCC) in response to all aspects of the programme(s). The RCCC is currently overseeing and supporting the Council's in its ongoing participation of both schemes

The RCCC has wrote a report for Cabinet in Caerphilly regarding the future involvement in resettling refugees into the area, through the Global Resettlement Programme, which will mark the conclusion of the current resettlement programmes. This report was presented in November 2020 due to the pandemic and the Council has agreed to participate in the new Global Resettlement Programme. Meanwhile the ongoing assistance to those families that have already arrived via the Vulnerable Persons Resettlement Programme will continue for the duration of 5 years from arrival.

Some the work undertaken by the RCCC to support the programme includes:

- Managing the regional ESOL (English to Speakers of Other Languages) support which has been procured to ensure all families are in receipt of consistent provision,
- Ongoing liaison with the case worker team in the support they are providing to families; this includes developing approaches with the team to overcome challenging behaviour/complex needs etc.

Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV)

Caerphilly County Borough Council continues to make progress towards fulfilling its requirements within the National Training Framework. Please see **Section 10. Diversity in the Workforce** for training details.

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Addressing the Gender Pay Gap

The Council has published its Gender Pay Gap Statement for 2019. The data is published on the Council's website and a government website by the 30th March each year. There was a delay in publishing the 2019 Statement due to the Covid-19 Pandemic.

Total Number of Employees included in this data: 6666

Number of Females: 4684 (70.26%)

Number of Males: 1982 (29.73%)

Table 2 – Gender Pay Gap Summary

	%
1. Mean gender pay gap - Ordinary pay	8.3%
2. Mean hourly Rate - Ordinary pay (Male/Female)	(£12.65 / £11.60)
3. Median gender pay gap - Ordinary pay	10.3%
4. Median hourly rate - Ordinary Pay (Male/Female)	(£11.24 / £10.08)
1. Mean gender pay gap - Bonus pay in the 12 months ending 31 March 2020	0%
4. Median gender pay gap - Bonus pay in the 12 months ending 31 March 2020	0%
5. The proportion of male and female employees paid a bonus in the 12 months ending 31 March 2020:	Male - 0 Female - 0

Note: In Table 2 ,'Ordinary Pay' means basic pay; allowances; pay for leave; and shift premium pay. It does not include overtime pay; redundancy pay; pay in lieu; or non-monetary remuneration. The Council does not offer precework or bonus incentive schemes.

Table 3 - Proportion of male and female employees in each quartile

Quartile	Female % (People)	Male % (People)
First (lower) quartile (£8.50 - £9.01)	87.5% (1458)	12.5% (208)
Second quartile (£9.02 - £10.65)	66.3% (1105)	33.7% (562)
Third quartile (£10.66 – £13.77)	64.4% (1072)	35.6% (594)
Fourth (upper) quartile (£13.18 – £74.61)	62.9% (1049)	37.1% (618)

As shown in **Table 3** the data identifies that significantly more women than men occupy posts in every quartile due to a predominantly female Council workforce.

Proportionately, the data shows that of the male workforce (1982):

- 10.49% occupy posts in the lower quartile,
- 28.36% in the 2nd quartile,
- 29.97% in the 3rd quartile and
- 31.18% in the 4th quartile.

Comparatively, amongst the female workforce (4684):

- 31.13% occupy posts in the lower quartile,
- 23.59% in the 2nd quartile,
- 22.89% in the 3rd quartile and
- 22.39% in the 4th quartile.

The Council is confident that its gender pay gap does not stem from paying male and female employees differently for the same or equivalent work. The gender pay gap is the result of roles in which male and females currently work and the salaries that these roles attract.

Our gender pay gap is reflective of the causes of gender pay gap at a societal level. For example research has identified that, although parents are increasingly flexible, the responsibility of childcare still falls disproportionately upon women. It is a fact within this data that the vast majority of posts in the lower quartile are part time posts. 1244 of these posts are Grade One in the Council's evaluated pay structure and held by females in the areas of cleaning, catering and breakfast clubs. Part time opportunities continue to attract female applicants in the vast majority of cases.

The Council's services are diverse and include cleaning, catering, refuse and recycling, housing, social services/care services, leisure, youth, libraries, education services including adult education, technical services, planning and highways.

To view the full statement please see agenda item 8 - [Cabinet Agenda - 11 March 2020](#)

Improving Physical Access

The Disability Access Work Programme

The Council's Corporate Property Services Division has continued to deliver improvements to make public buildings accessible for all via the Disability Access Work Programme. Each year a programme of work is arranged to update and improve the physical access capacity of a range of Council-owned buildings.

During 2019-2020, £65,000 of funding was available to support disability access improvement works. The works included:

Education

- The provision of handrails within some school buildings – **£3,000**

Communities

- Ramp access from fire exits at some community centres – **£15,000**
- Hoist for swimming pool at a leisure centre – **£6,000**
- Improvements to the accessibility of main entrances of adult education sites – **£19,000**
- Improvements to the accessibility of main entrances of youth centres – **£4,000**
- Provision of disabled car parking bays within parks – **£3,000**
- Car park accessibility at corporate offices – **£2,000**

Social Services

- Improved toilet provision and improvements to main entrance doors at 2 day care facilities and 1 residential care home – **£13,000**

Improving Communication Access

Council Website

The website is 100% bilingual in terms of webpage content. A full audit of the website was conducted in 2019, following a Welsh Language Commissioner Investigation (CSG304). Despite our best efforts to meet all the enforcement actions, we cannot be certain that the English and Welsh text on our website is a complete match. However, we remain committed to ensuring that this is continually checked and monitored, and any inconsistencies are acted on as a priority. The review of the Council's website is a continuous activity, and the working group set-up continue to meet regularly to maintain progress.

We are working towards the new accessibility legislation that will require the Council's website to be compliant with *World Wide Web Consortium's Web Content Accessibility Guidelines 2.1 Level AA* by 23 September 2020. We are in the process of auditing the site and striving to make the necessary amendments to reach this compliance.

As part of the same legislation, we will publish an accessibility statement which contains details of where the website is compliant with WCAG 2.1 AA as well as highlighting any non-compliant areas. The plan of action to resolve these non-compliant areas will also be provided.

On the website, under the 'Accessibility' option, links are provided to guides on the following areas:

- making your mouse easier to use
- using your keyboard to control your mouse
- alternatives to a keyboard and mouse
- increasing the size of the text in your web browser
- changing text and background colours
- how to magnify your screen
- screen readers and talking browsers

An Accessibility Group will be set-up, made up with officers responsible for writing and/or publishing documents and reports on the Council's website. The group will share knowledge with each other as we strive to make all documents, the website and mobile apps compliant in line with the regulations.

Access to information

The website had the following number of hits/visits between June 2019 and April 2020.

- **English page views** - 4,284,754
- **Welsh page views** - 46,949

- **No. of subscribers to the English version of the Gov Delivery bulletins**
34,445 subscribers with 136 bulletins sent and an engagement rate of 82.30%

- **No. of subscribers to the Welsh version of the Gov Delivery bulletins**
313 subscribers with 132 bulletins sent (less due to the technical error which has been rectified) and an engagement rate of 71.30%

Social Media Data

Table 4 – Number of followers to the Council’s social media channels during 2019-20

Social Media Channel	Number of followers	Number of posts
Twitter	18,600	4,761
Instagram	2,897	4,761
Facebook	25,984	4,761
LinkedIn	4,186	180

Inclusive Engagement and Participation

Engagement and Participation continued at pace across Caerphilly County Borough Council during 2019/2020, both internally with our staff and externally with our communities and partners.

As the Transformation programme 'Team Caerphilly – Better Together' gathered pace, the council's Senior Communications Officer was seconded into the Transformation team – to provide dedicated communications and engagement expertise to support this key strategic priority.

The 'Team Caerphilly – Better Together' Transformation Strategy, endorsed by the Council in summer 2019, highlights 'engaging and working with our communities' as a critical element of the programme. The strategy highlighted that we will '*use the best practice of the International Association of Public Participation to inform, consult, involve, collaborate and empower our communities*'.

This saw the development and endorsement of a Team Caerphilly 'Consultation and Engagement' Framework, endorsed by the council's Cabinet in February 2020, which set out an approach for a common understanding to further improve engagement. It sets out the principles and standards for how the council will engage to build '*clear, shared expectations that enables a focus on what can be achieved*'.

The principles within the framework are:

- We will empower our residents to have greater influence over the issues that affect them
- We will increase and strengthen the role of communities in how we live, work and visit Caerphilly county borough
- This will help us to understand the needs of our communities, which in turn, will help to ensure the services we deliver meet those needs, and that available resources are used effectively and in line with agreed priorities
- We will support communities to take action, by helping them identify needs and support them in developing community led solutions.

The strategic principles of the Equality Act 2010 and the specific duties, and the National Principles of Public Engagement in Wales are embedded throughout the document.

Internally, the council has conducted a range of engagement and participation activities with staff across the organisation, including a series of sessions in January/February 2020 led by the three Corporate Directors. These sessions included interactive sessions, where staff members were encouraged to offer ideas

and solutions for how their own areas of work could be made more effective and/or efficient for the benefit of all.

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This feedback has been crucial in helping shaping service provision in a number of key areas.

Live consultation and engagement activities continue to be promoted proactively on the front page of the Council's website, as well as across its digital channels. Further details of current engagement activities (including links to live surveys where appropriate) and the outcomes of recent engagement activities are also recorded on the website. <https://www.caerphilly.gov.uk/involved/Consultations.aspx>

During 2019/2020, the council carried out a number of key corporate level consultations including:

- The Team Caerphilly 'Consultation and Engagement' Framework and the council's draft Equality Objectives 2020-2024 were consulted on simultaneously as effective engagement and participation underpin several of the objectives within the council's Strategic Equalities Plan (see next section)
- The Caerphilly Conversation – the council's annual budget consultation, which exemplifies how the Council uses a variety of approaches to encourage participation, promote consultations and ensure that all sectors of the community are enabled to have their say

As in previous years, The Caerphilly Conversation saw all promotional and consultation correspondence available fully bilingually. There was written correspondence to all key groups as outlined in the council's "Consultation and Monitoring Guidance"

Face to face activities including town centre/supermarket engagement; drop in sessions at libraries across the borough and a Viewpoint Panel meeting were supported by digital media (including Facebook, Twitter and NewsOnline), video and web content, Newslines, targeted e-mails to stakeholders and paper and online surveys.

Menter Iaith Caerffili facilitated a Welsh discussion group face to face, members of the Caerphilly Parent Network and Youth Forum Members, as well as wider members of the public also attended a meeting of the council's Viewpoint Panel.

For drop in sessions, residents who had any specific requirements such as access, hearing loop, required translation facilities or wishing to use the Welsh language at the drop in sessions were asked to contact us in advance of attending.

To view the full report click this link - [Caerphilly Conversation 2019-2020](#)

Strategic Equality Plan 2020-2024 – Development and Consultation Process

Alongside every local authority in Wales, to meet the Public Sector Equality Duty, Caerphilly County Borough Council is required by the Welsh Government to prepare a Strategic Equality Plan for 2020-2024. This needed to be published by April 2020, however due to the pandemic an extension was given, and the new Plan was approved by full Council in October 2020.

The Plan has been written to explain to staff, elected members, citizens and stakeholders, how Caerphilly County Borough Council intends to deliver its equalities commitments whilst continuing to be an inclusive organisation that does not tolerate discrimination of any kind.

Building on the ongoing commitment and previous work of the Council to achieve equality, the Council undertook a range of evidence gathering and pre-consultation engagement to develop the content of the draft Strategic Equality Plan and to develop draft Equality Objectives in a considered way:

- A review of legislative requirements
- A review of external reports and guidance from the Equality and Human Rights Commission
- A review of the Council's current Strategic Equalities Plan and associated documents and guidance
- A review of previous consultation exercises undertaken by the Council in relation to equalities issues
- An analysis of local and national datasets
- A review of the Welsh Government and other local authority equalities documents
- Engagement with service delivery managers within the Council
- Discussions with the Welsh Local Government Association, Welsh Government and other local authorities across Wales, regarding key equalities issues which are current and in the future that could be considered equality objectives

The draft equality objectives within the Plan were then subject to a period of formal consultation.

The purpose of the formal consultation undertaken was to seek the views of citizens, elected members, staff and other stakeholders on the draft objectives outlined within the draft Strategic Equality Plan and to identify the most appropriate actions to help the Council achieve those objectives, once agreed. This approach will help identify meaningful actions based identified need and is in line with that of Welsh Government.

Specifically, the consultation invited respondents to give their views in relation to each of the draft objectives as follows:

1. Understand and remove the barriers people face when accessing services
2. Improve education opportunities for all
3. Promote and facilitate inclusive and cohesive communities
4. Engage with members of the community to participate and have their voices heard when planning service delivery
5. Ensure the Welsh speaking public can access services that comply with the statutory requirements
6. Create a workforce which reflects and respects the diversity of the communities within the county borough
7. Reduce the Gender Pay Gap

The formal consultation took place over a period of 4 weeks from 11th November 2019 to 6th December 2019. To enable all those who wished to give their views to take part, all consultation documents were made available bilingually and in a variety of formats including easy read and large print.

The consultation was promoted in a variety of ways and made available across a range of platforms. The primary consultation tool was a questionnaire but participants were encouraged to respond in a number of ways. Face to face consultation took place with groups who have a particular interest in this consultation and are harder to reach via other consultation methods. We engaged with Caerphilly People First, Caerphilly Parent Network, Caerphilly Deaf Community and Disability CanDo through targeted focus groups.

The consultation was promoted internally to elected members and employees and was shared widely with:

- local and regional organisations with an equalities interest and local public sector partner organisations via e-mail distribution lists for wider circulation
- local third sector organisations via Gwent Association of Voluntary Organisations (GAVO) for wider dissemination
- local town and community councils via e-mail. All town and community council's held meetings within or just after the consultation period
- Caerphilly Viewpoint Panel members, Caerphilly People First, the Regional Community Cohesion Officer, Menter Iaith Caerffili, Disability Cando, Caerphilly 50+ Forum, Umbrella Cymru, Stonewall Cymru, Disability Wales, Deaf-Friendly and Caerphilly County Borough's Youth Service and LGBT Youth Group were contacted via e-mail and encouraged to take part

To view the Plan please click on this link - [Strategic Equality Plan 2020-2024](#)

Pride Cymru 2019 – Proud Councils



Caerphilly County Borough Council was pleased to be represented at Pride Cymru's Big Weekend in Cardiff under the banner 'Proud Councils'. Pride Cymru's Big Weekend is the biggest celebration of diversity, inclusion and the LGBT+ community in Wales, and is an opportunity for everyone, no matter their age, gender, sexuality or race to come together and celebrate all that makes Wales such a welcoming place.

This was the sixth year of the 'Proud Councils' network, which brings together a number of councils across South Wales, highlighting the partnership work that councils across the region undertake to advance equality within South Wales and to celebrate the diversity across our communities.



Representatives from Caerphilly County Borough Council, had a 'Proud Councils' stall at Pride Cymru's Big Weekend. Staff engaged with visitors to discuss how councils can further improve upon the work they undertake to ensure equality for LGBT+ residents and employees, as well as signposting to services offered by councils and partners.

Caerphilly County Borough Council, as part of Proud Councils, took part in the Pride Cymru Parade for the first time, marching and celebrating through the streets of the city centre.

Proud Councils are committed to promote equalities in public services and remove the barriers faced by LGBT people.

Compliance with the Welsh Language Standards

Welsh Language Standards

The Welsh Language (Wales) Measure 2011 replaced the Welsh Language Act 1993 and as part of the new legislation, in Wales the Welsh language has equal legal status with English and must not be treated less favourably. Public bodies no longer need to develop and implement Welsh Language Schemes but instead now must comply with a set of national Welsh Language Standards.

The Welsh Language Commissioner has issued a Compliance Notice which sets out which of the 176 standards in the legislation apply to the local authority, along with any exemptions and their implementation dates.

Our progress is recorded each year in the **Welsh Language Standards Annual Report 2019-2020**, and is published on our website. To view the report please click here - [Welsh Language Standards](#).

Compliance with the Welsh Language Standards

An annual monitoring report is published on the Council's website every summer to report on its compliance with the Welsh Language Standards.

The annual report covers four areas required of it under the regulatory framework and demonstrates the Council's ongoing commitment to providing bilingual services to the public and staff members.

The four areas to report on are as follows:

- Complaints from the Public
- Staff Language Skills
- Welsh Medium Training Provision
- Recruiting to Empty Posts

Four of the Strategic Equality Objectives explicitly include Welsh language issues, namely:

Equality Objective 4 – Improving Communication Access

Equality Objective 5 – Compliance with the Welsh Language Standards

Equality Objective 10 – Diversity in the Workplace

Equality Objective 11 – Corporate Compliance

Some Welsh language work successes from 2019-2020 include:

- **Standardisation of Place Names List** – Work undertaken with the Welsh Language Commissioner’s Office to review and agree a standard list of place names for the county borough. The list takes into consideration local usage, history, pronunciation, grammar and spelling. This work, which started in summer 2018 and concluded in autumn 2019, included presenting a panel of experts with evidence of local usage and pronunciation of place names in the county borough. The work has been regarded as best practice in Wales and the open and supportive dialogue between the Council and the Commissioner’s staff was instrumental. Having an agreed list ensures consistency in the way local place names are spelt and pronounced in the future.
- **Commissioner’s Assurance Report 2018-2019** – Caerphilly Council was mentioned in the Welsh Language Commissioner’s annual assurance report ‘Rights in Use’. The report references the audit of our Welsh Language Services, which we commissioned Menter Iaith Caerffili to undertake, with the results being used to identify gaps and celebrate successes.

Our partnership work with Menter Iaith Caerffili continues through linkages within the Welsh Language Strategy and is invaluable in relation to some of our service delivery e.g. Menter Iaith Caerffili were commissioned by Tourism to deliver the public address announcements at the Big Cheese 2019, so that they were bilingual and compliant with the relevant Standards.

- **Complaints and Investigations** – Only 1 recorded complaint and 7 service requests relating to the Welsh language were received during 2019-2020. See **Corporate Compliance** section. We can also report that for the duration of 2019-2020 we received 0 new investigations, which is extraordinary and shows the work undertaken to comply with the Standards is beginning to take effect.

Diwrnod Shwmae / Su’mae

Caerphilly council staff joined thousands of people and organisations across Wales to mark Diwrnod Shwmae / Su’mae (Monday 15th October).

Caerphilly Council took great strides to become a bilingual authority as part of the Welsh Language (Wales) Measure 2011. As part of this work, the promotion of Diwrnod Shwmae/Su’ame with staff, the community and schools has provided an opportunity for everyone across the borough to celebrate the Welsh language.

Libraries across the county borough celebrated 'Diwrnod Shwmae/Su'mae' using a selfie frame to prompt and encourage staff to say "#ShwmaeSumaeCaerffili"! They also took to social media to help spread the message



Council, staff were invited to a 'Coffee Morning' at Penallta House where they enjoyed a Welsh cake, a hot drink and an opportunity to practice their Welsh skills with others from across the organisation. In addition to this, Menter Iaith Caerffili attended the morning to promote opportunities to use the Welsh language in social activities in their sessions across the borough.

All staff were encouraged to start every conversation with Shwmae, and information was displayed which included a time line for the Welsh language explaining how the language has evolved.

Supporting Age-friendly Communities

Poetry Together



Year 10 pupils from Lewis School in Pengam joined residents from Trafalgar Park Care Home, Nelson to demonstrate the power of the written word in bringing different age groups together at a recent Poetry Together event in October 2019. The event, held at Eaton Square School in London, was hosted by broadcaster Gyles Brandreth and attended by the Duchess of Cornwall.

During the event the pupils and care home residents, with ages ranging from 14 to 94, recited works by Idris Davies, a Polish poem called Highlands, performed by Polish war veteran Leon Block and pupil Kascper Dudek, and a piece written by Trafalgar Park resident Beryl Jones called 'Friendship'.

National Poetry Day highlighted the benefits of learning poetry by heart and bridging the gap between generations from improved memory and speech development to increased confidence, from learning and reciting poems. The inspiration for Poetry Together came after Gyles Brandreth made a radio programme last year about the value of learning poetry by heart, featuring University of Cambridge research that showed how learning and speaking poetry benefits both younger and older people.

Caerphilly 50+ Forum - Christmas Event

The 50+ Forum continue with their Inter-generational events at Lewis School Pengam. During summer 2019 the newly retired assistant head teacher of Lewis School Pengam, Mike Oliver, joined the 50+ Forum's Steering Committee. He has been supporting and facilitating the Inter-generational Lunch Club's held at the school for a number of years.

The Steering Committee organized a special Christmas Lunch Club event in 2019. The 50+ Forum funded the entertainment and the invitation was extended to include Forum members. A Christmas meal was enjoyed by all, with 80 people in attendance, a mix of members from the Inter-generational Lunch Club, 50+ Forum, Carers (unpaid), Care Home, Stroke Group and Church Group. During the meal they were entertained by two former school pupils of Lewis School Pengam.

Dementia Friends

Dementia Friendly Communities progressed over the 2019-2020 period with a bigger focus on involving children, young people and schools. There was still a focus on delivering Dementia Friends awareness and Train the Trainer courses (Dementia Champions) with:

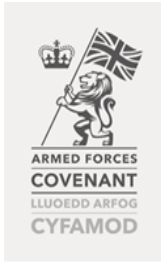
- 1395 people became dementia friends with 54 sessions delivered
- 10 additional Dementia Champions trained

The local Dementia Friendly Community Planning Group is chaired by Cllr Carol Andrews, who was instrumental in developing the first school in the borough achieving a Dementia Friendly status: Heolddu School in Bargoed. Going forward we will be working towards Bargoed town becoming a Dementia Friendly town.

DRAFT

Supporting the Armed Forces Covenant

Armed Forces in Caerphilly



In Wales there are estimated to be 385,000 members of the Armed Forces Community, this equates to 12% of the population. This includes serving personnel, reservists and cadets as well as their families and ex-Service personnel. Many will have experienced conflict, directly or indirectly, and the challenges that can arise following this.

There are 3,230 military and civilian personnel based in Wales and there are 60 Ministry of Defence establishments and bases, including reserve centres and the training estates. It is known that 15,230 left the UK Regular Armed Forces in 2018. It is estimated 3000 settled in Wales.

Caerphilly County Borough Council was one of the first local authorities in Wales to sign the Armed Forces Covenant and honour their pledge to support the Armed Forces Community.

It has been a very productive year in raising the profile of the Armed Forces Covenant within Caerphilly County Borough Council and the wider Gwent area. This has been achieved by policy amendments, training, events and publicity. The Gwent Armed Forces Covenant Newsletter is very well received and distributed throughout the borough and Gwent.

Training

The Armed Forces Covenant e-learning package is available via intranet for staff and hosted on the Council's website. Bespoke training for departments has been delivered however; due to Covid 19 these sessions will now be offered online.

Invictus Games



Welsh Army veteran Jonathan Congreve, 57, from Gelligaer was honoured by Caerphilly County Borough Council at a meeting of full council at Penallta House on Tuesday 3 March 2020. Mr Congreve has been selected to represent Team UK at the Invictus Games in 2021, competing in archery, swimming and rowing events. Jon served in the army for 22 years, leaving the service as a Staff Sergeant in the Royal Electrical Mechanical Engineers.

Defence Employer Recognition Scheme – Gold Award

The Defence Employer Recognition Scheme (ERS) recognises those who have gone above and beyond the call of duty in their efforts to support the armed forces community. It's the Ministry of Defence's (MoD) prestigious badge of honour for organisations that have demonstrated and advocated outstanding assistance to reserves, cadets, veterans and their families.

This year 10 employers in Wales were awarded the Gold – 3 of which are in Gwent. Aneurin Bevan University Health Board, Caerphilly County Borough and Newport City Council were among the recipients. All work closely to ensure the best support is offered to the Armed Forces Community.



As an authority, Caerphilly County Borough Council has been committed to providing an active approach towards the Armed Forces community. HR policies and procedures are in place to allow flexibility for training and mobilisation commitments and there has been a focus on improving employment opportunities for service personnel including a Guaranteed Interview Scheme.

CCBC supporting #40ThousandStrong Campaign

Help for Heroes has thanked the people of Caerphilly for supporting their #40ThousandStrong campaign to raise awareness of the needs of men and women medically discharged from military service.

Local businesses, civic leaders, and the public dug deep and donated over £1,000 when volunteers were joined by South Wales Fire and Rescue Service, Cardiff Military Wives Choir and Reservists from 614 Squadron Royal Auxiliary Air Force on Saturday 2 November at Castle Court Shopping Centre in the town.

An installation of over 4,000 miniature figures was on display to demonstrate the scale of the need for physical and mental health recovery among the Armed Forces community who are medically discharged from service. Supporters were able to donate to the charity and receive their own boxed figure as a symbol of the campaign.

Caerphilly was chosen as the location for the Welsh launch of the charity's campaign because the town has a population of almost 40,000, the number of men and women who have left their military career due to medical discharge over the last 20 years.

HMF Education Support Officer

Children of Armed Forces personnel in Caerphilly are benefitting from a new package of support to help with their attainment and development, through funding and a dedicated support officer. It follows a successful bid in obtaining a grant from the Ministry of Defence Education Support Fund to employ a HM Forces education support officer, who works across education and with third sector organisations to raise awareness of the unique challenges the children of military personnel may face caused by the effects of mobility or deployment. New funding has been agreed from the Ministry of Defence for a 2 year post starting Sept 2020.



Public Awareness

Raising public awareness of the work of the local authorities in terms of the Armed Forces is progressing well. The Facebook (Gwent Armed Forces Community) and Twitter (@GwentAFC) pages that promote the work and events for the Armed Forces Community has gained a lot of traction and analytics are positive.

The quarterly newsletter is produced, with input from third sector organisations, Aneurin Bevan University Health Board and community drop-ins. The newsletter is sent to all GP surgeries, job centres, libraries and the wider community, which is well received and reaching the wider community that may not have access to the internet.

A directory of services for Gwent has been very well received. The document is hosted on the Council's website for public access.

DRAFT

Working with Gypsy and Traveller Communities

The Council's Gypsy and Traveller Group meets biannually to monitor changes to the local situation since the publication of the Gypsy and Traveller Accommodation Assessment completed in 2015 and approved by Welsh Government in 2016. The focus is currently on the Gypsy and Traveller Accommodation Assessment, the undertaking of which has been delayed due to the pandemic. However some ground work has taken place along with consulting with representatives from Gypsy and Traveller support groups regarding the assessment. It is anticipated that the assessment will be completed in spring 2021, to feed into the revision of the Local Development Plan.

During 2019-2020 there weren't any illegal encampments in the county borough for us to deal with. We have been working with a site in the north of the county borough throughout the last year 2019-2020, assisting and advising them with any welfare issues such as drainage and water supply. We have also provided the site with information from Welsh Government to help during the ongoing lockdown restrictions. During the engagement process with this site, we liaised with the Travelling Ahead: Gypsy, Roma and Traveller Advice and Advocacy Service.

Diversity in the Workforce

Improvements to the CCBC Workforce Data

The Council must keep up to date information of all employees on its HR database to ensure that it can communicate with staff effectively and fulfil its contract obligations as an employer. The Council must collect information about employees by law, for example their Welsh language skills and equalities data which gives the Council an insight to the workforce profile to satisfy the Public Sector Equality Duty.

The ability to record Welsh language information in terms of staff data and analysis is an integral part of the payroll system within Caerphilly County Borough Council. Financial year-end figures to 31 March 2020 are shown below in **Table 6**.

In accordance with the Council's Welsh Language Standards Compliance Notice, the Council must assess and record the language skills of its employees. The Council must also report annually on the number of employees who have Welsh language skills at the end of the year in question (Standard 170). The relevant Standards are listed below. To view the Compliance Notice please click this link - [CCBC - Compliance Notice](#)

Table 5 – Relevant Welsh Language Standards relating to assessing and recording the Welsh Language Skills of employees

Standard No.	Details
127	You must assess the Welsh languages skills of your employees.
151	You must keep a record (following assessments of your employees' Welsh language skills made in accordance with standard 127), of the number of employees who have Welsh language skills at the end of each financial year and, where you have that information, you must keep a record of the skill level of those employees.

Compared with last year, again we have recorded additional Welsh speakers on the HR system across almost all but 2 of the 17 service areas. The increase can partly be explained by a more robust process being in place to capture this information, e.g. at appointed stage.

Table 6 – Total number of staff and Welsh speakers recorded on iTrent Council Totals

	Total Staff	Welsh Speakers	%
2016-2017	8,682	402	4.63
2017-2018	8,767	436	4.97
2018-2019	8,533	1,581	18.53
2019-2020	8,402	1,796	21.37

Overview of the 2019-2020 Equalities Training Programme

The provision of a comprehensive training programme for staff and elected members on equalities and Welsh language topics, which includes courses to learn Welsh and British Sign Language, ran successfully.

In total, **253** members of staff registered to attend specific equalities related courses as listed in **Table 7**

Table 7– Staff registered to attend equalities related courses

Course Title	Attendance	Numbers withdrawn
British Sign Language (levels 1-4)	15	0
Dementia Friends Training	102	0
Equality Impact Assessment	29	3
Equalities Awareness	67	0
Mindfulness Awareness	40	2

We continue our endeavours to improve the ability of our staff to undertake robust Equality Impact Assessments (EIA) when planning, revising or considering reducing / terminating any Council service, policy, function, strategy or project.

A key area of success was the delivery of the Dementia Friends training and the “training to train” system for Dementia Champions. Dementia Champions are also now delivering the Dementia Friends training within their own service areas, this has been particularly successful within our library’s division.

Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Training

Caerphilly county borough council has made significant progress towards fulfilling its requirements within the National Training Framework. The focus for 2019/2020 has remained the co-ordination and delivery of **Group 1** (Awareness Raising) and **Group 2** (Ask and Act) training. Internal delivery capacity has also been developed.

In 2019 our VAWDASV Training Plan was reviewed and updated to reflect progress made since 2016/17 and to detail our training goals up to 2022. The new training plan was submitted to the Regional VAWDASV Team in March 2019.

The number of staff trained to date is very high reflecting the size of our workforce.

Group 1 progress:

- At the end of March 2020, 4177 current employees had completed Group 1 training (Awareness Raising). This equates to 57% of the workforce (increased from 42% 31/3/2019)

Group 2 progress:

- At the end of March 2019, 682 staff had completed Group 2 (Ask and Act) training. This is 45% of staff identified as requiring the training (increased from 24% 31/3/2019)

Progress has been made in **Group 1** and **Group 2** of the National Training Framework. This will continue to be our focus for 2020/21 with a planned roll out to schools. A review of **Group 3** (Champions) and **Group 6** (Leadership) requirements is also planned. Underway is also the development for this training to be delivered digitally. Strengthening Leadership Series films have been made available to all **Group 6** members to view. **Group 1** training was rolled out to all **Group 6** members during 2018/2019. The Senior Leadership Team have also had the opportunity to complete **Group 2** training in 2018, 2019 and 2020.

Welsh Language Training

A requirement of the Welsh Language Standards in relation to staff training is the provision of Welsh language training courses.

Since 2001, **2,034** of the Council's staff and staff of partner organisations have attended conversational Welsh classes ranging from taster courses for absolute beginners, up to and including 'A' level courses.

The relevant Standards are as follows:

130	You must provide opportunities during working hours – (a) for your employees to receive basic Welsh language lessons, and (b) for employees who manage others to receive training on using the Welsh language in their role as managers.
131	You must provide opportunities for employees who have completed basic Welsh language training to receive further training free of charge, to develop their language skills.
132	You must provide training courses so that your employees can develop – (a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture); (b) an understanding of the duty to operate in accordance with the Welsh language standards; (c) an understanding of how the Welsh language can be used in the workplace.







There was a significant increase in the number of staff who attended Welsh language training during the year in question, with the Council arranging conversational and awareness raising training for staff and elected members.

The data for the courses offered and attended by Caerphilly CBC staff for the academic year 2019-2020 is as illustrated in **Table 8**:

Table 8 - Welsh Language courses offered and attended by Caerphilly CBC staff for the academic year 2019-2020

TITLE OF COURSE OFFERED	NUMBER OF COURSES OFFERED	NUMBER OF STAFF ATTENDING
30 Week	41	36
Cymraeg Gwaith - 10 Hour Course	15	159
2 Day Welsh Taster	3	15
Say Something in Welsh (Online)	3	13
Withdrawn from courses	Not applicable	0

The online 10 Hour Online Course called **Cymraeg Gwaith** (Work Welsh) was launched in spring 2018. The courses introduce you to everyday words and phrases depending on which sector you work in. The courses on offer include the healthcare sector, social care sector, emergency services, teachers, headteachers, tourism sector, retail, transport sector and a few others.

 <p>HEALTHCARE SECTOR: PART 2</p> <p>Part 2 - This free course has been tailored for the Healthcare sector. The course is open to everyone.</p> <p>Get Started</p>	 <p>SOCIAL CARE: PART 2</p> <p>Part 2 - This free course has been tailored for the Social Care sector and is open to everyone.</p> <p>Get Started</p>	 <p>EMERGENCY SERVICES: PART 2</p> <p>Part 2 - This free course has been tailored for the Emergency Services. The course is open to everyone.</p> <p>Get Started</p>
 <p>TEACHERS: PART 1</p> <p>Part 1 - This free course has been tailored for teachers. The course is open to everyone.</p> <p>Get Started</p>	 <p>HEADTEACHERS: PART 1</p> <p>Part 1 - This free course has been tailored for Headteachers. The course is open to everyone.</p> <p>Get Started</p>	 <p>TOURISM SECTOR: PART 1</p> <p>Part 1 - This free course has been tailored for the Tourism sector. The course is open to everyone.</p> <p>Get Started</p>

The course can be undertaken in stages, Part 1 and Part 2, and takes the learner through a series of scenarios followed by a set of questions. On completion of the course, learners are emailed a certificate.

Lockdown in March 2020 saw an increase in the number of people completing these courses with over 500 courses being completed, mainly by teaching staff.

Recruitment and the Welsh Language

A requirement of the Welsh Language Standards is to report on our progress in relation to recruitment as outlined in Standard 136. Between 1 April 2019 and 31 March 2020, a total of **2,401** new and vacant posts were advertised. The Welsh language requirements of these posts were as follows:

- (i) Welsh language skills were essential
24
- (ii) Welsh language skills needed to be learnt when appointed to the post
10

Welsh language training courses have been available to all staff free of charge since the 2001-2002 academic year (see **Section 3**)

- (iii) Welsh language skills were desirable,
2327
- (iv) Welsh language skills were not necessary
2336*

***This post was assessed as no Welsh language skills necessary due to the Welsh language skills of the other team members. However, all vacancies are advertised as Welsh desirable as a minimum.**

It was identified, from analysing the data recorded, that the question being asked on the Welsh Language Assessment Form '**No Welsh Language Requirement**' is either not being answered correctly or recorded correctly. This is an area that will be reviewed and any improvements identified will be implemented. We will work with recruiting managers and People Services and clarify any guidance currently in place.

The Welsh Language Skills Assessments in relation to vacant or new posts have been recorded by Human Resources since October 2016. The assessment and supporting evidence then forms part of the business case that is required to gain permission to fill a vacant post or create a new one.

Following last year's report the recruitment process has been strengthened with the completion of a Welsh Language Skills Assessment for all new or vacant posts, which are advertised as **Welsh desirable** as a standard requirement. The assessment undertaken determines whether any new or vacant posts should be advertised as **Welsh essential**, in accordance with the job role and contact with the public.

Corporate Compliance

An analysis of the complaints received during 2019 - 2020

Section 4 of the **Strategic Equality Plan 2016-2020** defines what is considered a complaint in terms of Equalities and Welsh language issues. This is in order to maintain consistency of approach when dealing with any complaint of this nature as the Council operates an integrated Equalities and Welsh Language service.

v) Complaints

- 4.10 *A complaint can be defined as a situation where a member of the public, or a group, is not satisfied with the standard of a service, or the action or lack of action by the Council or a member of staff.*
- 4.11 *All complaints will be dealt with in accordance with the corporate Complaints policy, but with the added need for translation of all incoming and outgoing correspondence on the matter, in line with the **Welsh Language Translation Guidance 2016** and any other relevant translation, design or format issue.*
- 4.12 *Complaints will be fully monitored by Equalities category and in which language or format they were initially made.*
- 4.13 *Complaints can be made in writing, by telephone or via email to the Council's dedicated email address complaints@caerphilly.gov.uk.*
- 4.14 *Further guidance can be found in the [Equalities and Welsh Language Complaints Guidance](#) document located on our website.*

Equalities and Welsh language complaints data forms part of the quarterly reporting to the Audit Committee as part of the Corporate Complaints process where appropriate, and the Senior Policy Officer (Equalities, Welsh Language and Consultation) now sits on the corporate Learning from Complaints Group that meets quarterly to discuss specific and cross-cutting complaints.

Corporate complaints are those that are due to failure of process or failure to operate Council policy correctly. These are complaints that could ultimately be forwarded to the Public Services Ombudsman or Welsh Language Commissioner for example. Code of conduct issues around staff behaviour or attitude are dealt with via internal HR processes.

Equalities and Welsh Language complaints are something of a hybrid, in that a failure of process may be as a result of the attitudes or opinions of a staff member towards a particular group for example.

During 2019-2020, we received **1** equalities related complaint. The complaint linked to disability in relation to a highways issues and was responded to within corporate timescales. Also recorded were **5** service requests received relating to equalities. 4 of the service requests related to disability in relation to highways and housing issues and the fifth related to an LGBT+ issue.

During 2019-2020, **1** complaint and **7** service requests were received relating to the Welsh language. The **1** complaint related to a Covid-19 information letter sent out to all residents in English only. A strategic decision was made that due to the urgent nature of the Covid-19 information; all information regarding this matter would be published and sent in English only. The complaint was responded to within corporate timescales. All other documentation and social media messaging related to the ongoing Coronavirus crisis are fully bilingual and meet the requirements of the Council's Compliance Notice.

The **7** service requests included issues with digital online services on our website and a lack of awareness of the Welsh language and lack of Welsh language skills amongst staff in dealing with calls, emails and face to face queries. The service requests have been discussed with the relevant service areas and any issues have been or are currently being resolved via staff awareness raising, Welsh language training or amendments to online digital systems where issues were identified.

Table 9 – Complaints and Service Requests received during 2019-2020 by Directorate and Service Area

Directorate	Service Area	Equalities Complaints	Equalities Service Requests	Welsh Language Complaints	Welsh Language Service Requests
Chief Executive	Chief Executive	-	1	-	-
Communities	Highways	1	1	-	-
	Housing	-	1	-	-
	Leisure	-	1	-	1
	Planning	-	-	-	1
	Registration Service	-	-	-	1
	Venues	-	-	-	2
	Waste Management	-	-	-	1
	Education &	Education	-	1	-
Corporate Services	Policy & Partnerships	-	-	1	1
	Totals	1	5	1	7

Good Practice, Tailoring Services and Promotion

The following stories show how Council service areas have tailored their day-to-day work to suit the requirements and needs of individual service users. All are excellent examples of putting Equalities and Welsh language related principles to practical use for the benefit of people in the county borough.

Gwent Homelessness Strategy

The Gwent Homelessness Strategy was approved by Cabinet in December 2018 and is now operational and progressing within the county borough. It provides a four year action plan that includes both regional and local objectives. Within the first few months of development, several actions were already achieved with the majority of practical homeless and partnership work already in place in the county borough.

The council successfully worked with Caerphilly Borough Churches Night Shelters again in 2019, in partnership with Rev. Sue Phillips of Elim Baptist Church, Pontllanfraith, and Cornerstone Support Services Ltd. Churches and centres across the county borough were involved and opened their doors to provide facilities and support during the winter months. Extra funding from Welsh Government enabled the partnership to house four out of fifteen Night Shelters clients during the year. Support continues through the homeless prevention fund securing other rough sleepers access to housing.

LGBT Activities



The council was full of rainbow colours at an event in July 2019 to champion diversity and inclusion for the LGBTQ+ community. The authority has made great strides in its quest to become a 'Proud Council' since its launch in 2015. Representatives from Pride Cymru were invited to the council's main office at Penallta House to promote the upcoming Pride event, in partnership with the council's LGBT Youth Group.

A number of events were promoted to celebrate LGBT History Month, Pride Cymru visited the Councils headquarters at Penallta House to promote the work they undertake to promote equality within Wales.



Caerphilly catering staff also joined in with the promotion of the month by providing staff with 'Rainbow Cake' and wearing their rainbow colours



As part of LGBT History Month, Caerphilly Council ran an art competition for schools and youth groups across the county borough, which was based on the LGBT history month theme of 'Poetry, Prose & Plays'.

The young people produced fantastic work. Here are the winning entries for 2020.



As part of the ongoing 'Proud Councils' work, Caerphilly Council and Rhondda Cynon Taf Council were invited to an LGBT History Month event hosted by Coleg y Cymoedd on their Nantgarw Campus. The event included speakers from Pride Cymru and their very own lecturer Paul Davies who spoke about LGBT Rights: Global Perspective



Dementia Action Week

Caerphilly library service and the Alzheimer's Society organised a range of activities held during Dementia Action Week (20-26 May 2019).

Dementia Champions hosted Dementia Friends sessions at local libraries across the county borough. These free sessions were open to the public to attend and were aimed at anyone wishing to learn a little more about Dementia Friends.



The theme for was "Inclusion" based on the fact that over a third of people with dementia saying that they feel lonely, and over a third have lost touch with their friends following a diagnosis. Caerphilly Council urged residents to take action so that people with dementia can stay connected to the things they love for longer.

Period Dignity

The council's Sport and Leisure Services became one of the first leisure services in the UK to take action towards tackling 'period poverty'. Starting with the belief that no girl should miss out on sport and active recreation due to access to sanitary products; the Period Dignity initiative will now see every leisure centre in the county borough contain adequate supplies of sanitary items, to continue to break down the barriers to active living.

Building upon the Welsh Government's decision to provide sanitary products from all schools and colleges across Wales, the Sport and Leisure Services agrees that just as a lack of sanitary products can impact school attendance by up to 2%, a similar impact is experienced at leisure centres. The introduction of available sanitary products will therefore allow Caerphilly's young girls and women to exercise with confidence while continuing to develop the sense of support each leisure centre aims to provide to each user.

The Basement Project celebrates 20 years of service



The Basement Project in Blackwood celebrated their 20 year anniversary of service to young people and the community. The Basement is the information project for Caerphilly Youth Service which provides support, advocacy and general information for young people ages 11-25.

The project offers a number of other services such as group work and information based sessions i.e. drug and alcohol, self-esteem, internet safety, CV writing and many more. They also offer support through running a monthly LGBTQ Group and there are now over 100 LGBTQ young people registered with the group

Mental Health

In conjunction with Unison Caerphilly, a celebration was held for International Men's Day on November the 19 2019. The day was focused towards Men's mental health issues and was attended by over 50 members of staff.

A display of supporting information, highlighting examples of famous faces who have battled mental health issues and contact details for relevant support networks was on display. 'Mind' Caerphilly were in attendance to promote their local mental health programme, specifically aimed at men. There were guest speakers from a number of local support organisations in attendance and the event was closed by former Wales and Everton goalkeeper Neville Southall, who is an advocate for mental health issues in the local area.



Holocaust Memorial Day

Caerphilly County Borough Council commemorated Holocaust Memorial Day at Penallta House with a Gwent-wide event which took place on 30 January 2020, with Dr Martin Stern MBE, Holocaust Survivor, in attendance who relayed his personal experience of the Holocaust.

Dr Martin Stern was born in the Netherlands in 1938. When the Nazis invaded in 1940 life became progressively harder for his Jewish father, who had to go into hiding. Martin was hidden by an Amsterdam based couple close to where Anne Frank was hiding. Aged five, Martin was arrested at school and sent to a prison camp in the Netherlands, a waystation to the Nazi extermination camps. His one year old sister was also sent there by the Dutch police. Unlike most children there, they were sent to the Czech town Terezin where Jews, before being sent to their deaths, were used in a Nazi deception operation to confuse the outside world about the true fate of the Jews.

Due to a remarkable circumstance a woman prisoner looked after them until the end of the war. Few of the 15,000 children who passed through Terezin (Theresienstadt) survived, but Martin and his sister Erica were among them. Their father was sent to Auschwitz and died in Buchenwald concentration camp. An uncle and Martin's grandfather also died in Nazi captivity.

After World War II Martin lived in Amsterdam, before moving to England in 1950. Eventually he studied Medicine in Oxford and became a specialist in asthma and allergic diseases in Leicester.

Since retiring in 2002 Martin has worked in education at The National Holocaust Centre in Laxton, Nottinghamshire, and with the Holocaust Memorial Day Trust. He is a member of the Stanley Burton Centre for Holocaust and Genocide Studies at the University of Leicester. Martin believes that education about genocides and other mass killing must not only educate about what happened but also about what leads human beings to such crimes.



Welsh Language Rights Day (Mae gen i hawl)

Welsh Language Rights Day is a day to promote Welsh language rights. It's an opportunity for organisations like the Council to promote and celebrate the Welsh language services it offers and the rights people have to use the Welsh language when accessing them.



caerphillycbc @CaerphillyCBC

Mae Cyngor Bwrdeistref Sirol Caerffili yn falch i gefnogi Diwrnod Hawliau'r Gymraeg. Dydd Gwener 6 Rhagfyr.

Heddiw byddwn yn rhannu gwybodaeth am sut y gallwch gael mynediad at wasanaethau trwy'r Gymraeg. @ComyGymraeg #maegenihawl


Translate Tweet

6 Rhagfyr, 2019
diwrnod i hyrwyddo hawliau'r Gymraeg. Am fwy o wybodaeth, cysylltwch â ni.

6 December, 2019 – a day to promote Welsh language rights. For more information, please contact us.

#MAEGENIHAWL

10:38 am · 6 Dec 2019 · Twitter Web App



7 Rhagfyr, 2020 - diwrnod i hyrwyddo hawliau'r Gymraeg. Am fwy o wybodaeth, cysylltwch â ni.

7 December, 2020 – a day to promote Welsh language rights. For more information, please contact us.

#MAEGENIHAWL

Appendix A - Workforce Data Summary

The following information is high-level data of what the *iTrent* payroll system holds as at 31st March 2020 regarding the Caerphilly CBC workforce profile, in terms of protected characteristics and language ability of staff.

- Gender, Ethnicity and Disability data is currently shown by Directorate.
- Religion or Belief and Sexual Orientation data is currently shown by corporate totals only. Data has improved during the last financial year.
- Language Ability is available by Service Area but the data is provided here as Corporate totals for information.
- Other information has not been presented as the categories are currently showing zero records.

Gender by Directorate	Male	Female	Undisclosed
Communities	884	615	0
Education Corporate Services	900	4,223	0
Social Services and Housing	508	1,433	0
Authority Total	2,242	6,160	0

Disability by Directorate	Disabled	No	Undisclosed	Unwilling to declare
Communities	55	1,351	93	0
Education and Corporate Services	81	4,245	797	0
Social Services and Housing	62	1,798	81	0
Authority Total	188	7,247	967	0

Sexual Orientation (totals)	Numbers
Bisexual	18
Gay	33
Heterosexual	2,851
Lesbian	21
Other	27
Undisclosed	5,342
Unwilling to Declare	110
Authority Total	8,402

Ethnicity by Directorate	White	BME	Undisclosed	Unwilling to declare
Communities	1,399	14	83	3
Education and Corporate Services	4,333	38	749	3
Social Services and Housing	1,851	29	60	1
Authority Total	7,431	75	889	7

Religion or Belief (totals)	Numbers
Buddhist	5
Christian (All Denominations)	1,194
Hindu	4
Jewish	1
Muslim	1
Sikh	2
Humanist	6
No Religion	1,594
Undisclosed	5,495
Unwilling to Declare	62
Other	38
Authority Total	8,402

Nationality	Numbers
British (Not Channel Islands or IOM)	1,041
English	74
Northern Irish	3
Irish	6
Welsh	2,129
Scottish	4
Cornish	1
Other	37
Undisclosed	5,101
Unwilling to Declare	6
Authority Total	8,402

Language Ability (Other than English)	Numbers
Arabic	1
Braille	2
Breton	0
BSL (British Sign Language)	46
Croatian	0
Dutch	2
French	37
German	13
Greek	2
Hebrew	1
Hindi	2
Hungarian	0
Italian	3
Kurdish	1
Makaton Sign Language	1
Malayalam	2
Nepali	1
Rumanian	1
Russian	1
Serbian	0
Spanish	11
Tamil	1
Turkish	2
Welsh	1,796

(No staff total is recorded as some staff speak more than two languages)

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CABINET 24TH MARCH 2021

SUBJECT: REVIEW OF CORPORATE COMPLAINTS POLICY AND UNACCEPTABLE BEHAVIOUR POLICY

REPORT BY: HEAD OF DEMOCRATIC SERVICES AND DEPUTY MONITORING OFFICER

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1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to ask Cabinet to consider the views of the Audit Committee on the model Concerns and Complaints Policy at Appendix 1, the Statement of Principles at Appendix 2 and the Unreasonable Persistent or Unreasonable actions by Complainants Policy at Appendix 3 and to ask Cabinet to endorse these documents. Cabinet is also asked to support the reporting mechanisms set out in paragraph 5.11.

2. SUMMARY

- 2.1 The purpose of this report is to ask Cabinet to review the comments of the Audit Committee and to endorse the new Concerns and Complaints Policy attached at Appendix 1 which is based on the model document issued by the Ombudsman, together with the associated Statement of Principles attached at Appendix 2. These principles underpin the complaints handling process.
- 2.2 In light of the introduction of the new Model policy it is also timely to ask Cabinet to review and endorse the provisions of the existing Policy for dealing with Unacceptable, Persistent or Unreasonable actions by Complainants.

3. RECOMMENDATIONS

- 3.1 Cabinet is asked to consider the views of the Audit Committee which will be presented verbally and to endorse the model Concerns and Complaints Policy at Appendix 1, the Statement of Principles at Appendix 2 and the Unreasonable Persistent or Unreasonable actions by Complainants Policy at Appendix 3.
- 3.2 Cabinet is also asked to endorse the reporting mechanisms so that Cabinet receives reports twice yearly.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Under its terms of reference the Audit Committee has responsibility for overseeing and monitoring the outcome of complaints and for reviewing the policy including the adequacy and effectiveness of the policy and the adoption of the Complaints Policy is a Cabinet function.

5. THE REPORT

- 5.1 By way of background, members will be aware that the Council's current Complaints Policy was adopted by Cabinet in February 2013 following Welsh Government guidance issued in 2011. Save for minor changes the current Policy has been in place since that date. However overtime the Ombudsman has recognised that a diverse range of complaints practices has emerged and so the aim of the new guidance and policy outlined below is to bring practices back into broad alignment, providing basic standards, a common language and a set of principles to underpin how complaints are handled throughout public services.
- 5.2 In 2019 the Ombudsman gained new powers under the Public Services Ombudsman for Wales Act 2019 which received Royal Assent in May 2019. Part 4 of the 2019 Act sets out complaints handling procedures and in accordance with this part of the Act the Ombudsman published a Statement of Principles concerning complaints handling procedures, and a model complaints handling policy together with associated guidance on the implementation of the new model Concerns and Complaints Policy.
- 5.3 The Complaints Standards Authority (CSA) was also created within the Ombudsman's office which has been developing standards for complaints handling across the bodies within the Ombudsman's jurisdiction. It is also gathering data to identify trends and patterns in public service delivery and has been providing training and support to complaints handlers in public bodies to support learning from complaints which has been taken up by officers at Caerphilly.
- 5.4 Against this backdrop, on 30th September 2020, the Ombudsman wrote to all Local Authorities to confirm that the Statement of Principles, Model Complaint Handling Process, and Guidance were in full effect and in compliance with Section 38 of the new Act requested all public bodies to reflect on how their own practices and procedures comply with the stated guidance and how they will ensure that all complaints are captured appropriately. All Councils have been asked to provide a copy of its updated complaints handling procedure by 31st March 2021.
- 5.5 The updated guidance recognises that organisations will need to interpret it in a way which is appropriate to their own circumstances. However, it is explicit that the arrangements for managing complaints behind the scenes must not detract from the service user's perception of a common approach, so elements such as the form, the timescales and the number of stages should be consistent for all.
- 5.6 Members are therefore asked to consider the Model Concerns and Complaints Policy attached at Appendix 1, the Statement of Principles at Appendix 2 and the Council's existing Policy relating to Unacceptable, Persistent and Unreasonable Complainants at Appendix 3. For completeness a copy of the Ombudsman's guidance is attached at Appendix 4.

The draft Model Concerns and Complaints Policy

- 5.7 Members will be aware that the policy is designed to deal with corporate complaints and that there are separate complaints processes for dealing with school-based complaints and social services complaints. The Social Services Complaints Procedure Wales Regulations 2014 outlines the procedure for handling complaints from persons receiving a service from social services and school-based complaints are dealt with by the School and Governing Body. In addition, Freedom of Information complaints and complaints about Data Protection matters are within the remit of the Information Commissioner. As such the policy directs complainants to the appropriate contacts.
- 5.8 The new Model Concerns and Complaints Policy and guidance has been shared with complaints officers and the Council's Corporate Management Team. Overall there is no change to the two-stage approach which will remain with the right to escalate a complaint to the Ombudsman should a complainant be dissatisfied with the response. That said, while the actions we take will remain the same in terms of dealing and responding to contacts and concerns, there will be a greater emphasis on the way in which we record contacts and complaints under the Policy. The stage 1 informal resolution process will become more part and parcel of front-line service delivery and not viewed as separate from it. Staff will be empowered and trained to recognise a complaint and to deal with them as they arise with the aim of resolving issues on the spot. As a result members are likely to see an increase in the number of complaints recorded and reported.
- 5.9 To support this change, senior officers within Customer Services are undertaking a scoping exercise with a service provider to streamline the process both internally and customer facing to provide the customer with a more efficient and focussed service. The Ombudsman's office has offered to provide further training to all authorities in the coming year as required.
- 5.10 Cabinet are advised that Audit Committee received regular reports on the existing complaints process and that officers have established a Learning from Complaints Group which comprises Complaints Officers across the authority, the Corporate Complaints Officer (who is responsible for maintaining the central complaints record), the Council's Senior Policy Officer (Equalities Welsh Language and Consultation), a representative from the Council's Performance Management Unit and a representative from the Council's Internal Audit Section. These meetings are chaired by the deputy Monitoring Officer. This Group will continue to meet in order to review and implement any changes to current practice as set out in the guidance to compliment the Model Concerns and Complaints Policy. This will include a review of the way in which we collect data, the methods for learning from concerns and complaints and a common means to identify and disseminate good practice and to put in place action plans where required.
- 5.11 In terms of complaints handling roles, the guidance sets out a requirement for Cabinet to receive reports on the number and type of complaints, their outcomes and any remedial action taken as a consequence. It is a matter for Cabinet to determine how frequently it should receive such reports, however it should be at least twice a year. It is proposed that Cabinet receive reports twice yearly (including an Annual Report).
- 5.12 In addition to the Ombudsman's guidance, the Local Government and Elections (Wales) Act 2021 sets out provisions for the Audit Committee (to be renamed the Governance and Audit Committee) to "review and assess the authority's ability to

handle complaints effectively and to make reports and recommendations in relation to the authority's ability to handle complaints effectively". It is therefore proposed that Audit committee also receive reports twice yearly under their terms of reference.

- 5.13 In addition to the above reporting lines, Corporate Management Team will receive quarterly updates on complaints outcomes to establish any wider lessons and to improve processes and procedures. Data will also be shared on a quarterly basis with the CSA.

Statement of Principles

- 5.14 In addition to the new Model policy the Ombudsman has published a Statement of Principles which are set out in Appendix 2. It is these principles which form the basis of the new Complaints Policy and is intended to provide customers with an overview of what an effective complaints handling process should be, namely

- 1) Complainant Focused
- 2) Simple
- 3) Fair & Objective
- 4) Timely & Effective
- 5) Accountable
- 6) Committed to Continuous Improvement

It is intended to promote these principles on the Council's Website alongside the Concerns and Complaints Policy.

Council's existing Policy relating to Unacceptable, Persistent and Unreasonable Complainants.

- 5.15 Members will be aware that the Council has adopted a policy for dealing with Unacceptable, Persistent and Unreasonable Complainants. The policy is rarely utilised but provides officers with support and advice on managing situations when we find that someone's actions are unacceptable. It is therefore recommended that this policy is endorsed and is published alongside the Concerns and Complaints Policy and Statement of Principles.

5.16 Conclusion

In light of the information contained above members are asked to consider the recommendations set out in paragraph 3.

6. ASSUMPTIONS

- 6.1 The provisions of the Model Complaints and Concerns Policy follows the draft issued by the Public Services Ombudsman for Wales.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 Monitoring of the Council's corporate complaints and successful resolution of those complaints contribute to the following Well-Being goals within the Well-being of Future Generations Act (Wales) 2015 as it supports the provision of higher quality and more effective services to the public across all service areas. In addition, monitoring provides information on the level of satisfaction of the services provided

corporately by the Council. The result of the monitoring enables each department to focus on areas of concern, to improve services and to monitor performance, ensure that any trends or issues raised are identified and dealt with to be avoided in the future and to ensure that corporate complaints are dealt with consistently and fairly across all service areas.

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

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This report contributes to the Well-being Goals as set out in Links to policies above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the monitoring of the Council's corporate complaints handling across all service areas enables departments to focus on areas of concern, to improve services and to monitor performance to ensure that any issues raised are identified and dealt with to be avoided in future.

9. EQUALITIES IMPLICATIONS

- 9.1 Monitoring of complaints via the Corporate Complaints policy addresses the Council's statutory duties under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language Measure (Wales) 2011 in two ways. It addresses specific complaints to the Council around alleged discrimination by service areas and addresses the monitoring of complaints from people who fall under the categories protected by these statutory duties.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications arising from this report.

11. PERSONNEL IMPLICATIONS

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

12. CONSULTATIONS

- 12.1 The report to Audit Committee has been circulated to the consultees listed below and any responses have been incorporated within the report. In addition, a copy of this report has been provided to the Cabinet Member for Corporate Services.

13. STATUTORY POWER

- 13.1 Public Services Ombudsman for Wales Act 2019.

Author: Lisa Lane Head of Democratic Services and Deputy Monitoring Officer

Consultees: Corporate Management Team
Robert Tranter, Head of Legal Services and Monitoring officer
Gemma Hoare, Senior Housing Officer (Customer Services)
Karen Williams, Customer Services Digital Hub Manager
Rob Waggett, Customer Services Development Officer
Liam Miles, Customer Services/Complaints Officer
Nicola Broom, Complaints and Information Manager Social Services
Michelle Moore, Social Services Complaints and Information Officer
Ros Roberts, Business Improvement Manager
Andrea Jones, Corporate Complaints Officer
Anwen Cullinane, Senior Policy Officer (Equalities, Welsh Language and Consultation)
Deborah Gronow, Audit Group Manager
Karen Williams, PA to Chief Executive
Leigh Brook, PA to the Director of Social Services and Housing
Lianne Fry, PA to Corporate Management Team
Sian Wilkes, PA to the Interim Corporate Director of Communities
Councillor Colin Gordon Cabinet Member for Corporate Services

Appendices:

Appendix 1 Revised Concerns and Complaints Policy
Appendix 2 Statement of Principles relating to the Complaints Handling process
Appendix 3 The Policy for dealing with Unacceptable Persistent or Unreasonable actions by complainants
Appendix 4 Guidance for Public Service Providers on Implementing the Concerns and Complaints Policy



CAERPHILLY COUNTY BOROUGH COUNCIL

CONCERNS AND COMPLAINTS POLICY

Caerphilly County Borough Council is committed to dealing effectively with any concerns or complaints you may have about our services.

We aim to clarify any issues you may be unsure about. If possible, we'll put right any mistakes we may have made. We will provide any service you're entitled to which we have failed to deliver. If we did something wrong, we'll apologise and, where possible, try to put things right for you. We aim to learn from our mistakes and use the information we gain from complaints to improve our services.

When to use this policy

When you express your concerns or complain to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal for example against a refusal to grant you planning permission or the decision not to give your child a place in a particular school so, rather than investigate your concern, we will explain to you how you can appeal. Sometimes, you might be concerned about matters that are not covered by this policy for example where a legal framework applies, and we will then advise you about how to make your concerns known.

This policy does not apply to Freedom of Information or data access issues. Please contact the Council's Information Unit, Penallta House, Ystrad Mynach, Hengoed CF82 7PG; telephone 01443 864320; email foi@caerphilly.gov.uk

This Policy does not apply to complaints about schools. Should you wish to raise a complaint about a school contact the school direct who can provide you with a copy of their complaints policy.

Complaints Officers can advise on the type and scope of complaints they can consider.

Asking us to provide a service?

If you are approaching us to request a service, for example, reporting a missed bin collection or a faulty streetlight or requesting an appointment this policy doesn't apply. If you make a request for a service and then are not happy with our response, you will be able to make your concern known as we describe below.

Dealing with Your Complaint

We have a two-stage approach for dealing with your complaint.

Stage 1 Informal resolution

If possible, we believe it's best to deal with things straight away. If you have a concern, please raise it with the person you're dealing with. They will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, the member of staff will draw them to our attention. If the member of staff can't help, they will explain why and you can then ask for a formal investigation.

We aim to complete the informal stage as quickly as possible and no longer than 10 days. If it is not possible to resolve the concern within this timescale then the matter may be escalated to the formal investigation stage as outlined below. You will be advised how you can escalate your complaint.

How to express concern or complain formally

You can express your concern in any of the following ways:

- Ask for a copy of our form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- Get in touch with our central complaint contact point on 01443 864221 if you want to make your complaint over the phone.
- Use the form on our website at www.complaints@caerphilly.gov.uk
- Email us at complaints@caerphilly.gov.uk
- Write to us at: Caerphilly County Borough Council FAO Corporate Complaints Officer c/o Legal Services Penallta House Ystrad Mynach Hengoed CF82 7 PG

We aim to have concern and complaint forms available at all of our service outlets and public areas and also at appropriate locations in the Contact Centres, Libraries, Area Housing Offices and Leisure Centres.

Copies of this policy and the complaint form are available in Welsh and can be made available in other formats including audio or braille on request.

Dealing with your concern

- We will formally acknowledge your concern within **5** working days and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you need documents in large type.
- We will deal with your concern in an open and honest way.

- We will make sure that your dealings with us in the future do not suffer just because you have expressed a concern or made a complaint.

Normally, we will only be able to look at your concerns if you tell us about them within **six** months. This is because it's better to look into your concerns while the issues are still fresh in everyone's mind.

We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to explain why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. In any event, we will not consider any concerns about matters that took place more than three years ago.

If you're expressing a concern on behalf of somebody else, we'll need their agreement to you acting on their behalf.

What if there is more than one body involved?

If your complaint covers more than one body e.g. a Housing Association and the Council, we will usually work with them to decide who should take the lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about a body working on our behalf for example a repair contractor, you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally, we will look into this ourselves and respond to you unless we have agreed that those organisations will comply with a similar complaints handling process as set out in this document which includes those organisations informing complainants of the right to complain to the Public Services Ombudsman for Wales. If a contractual complaints process is in place, we will still monitor complaints received and how the contractor deals with them.

Stage 2 Formal Investigation

We will tell you who we have asked to look into your concern or complaint. Usually this will be the relevant Head of Service or a person nominated on his/her behalf. If the complaint involves more than one Head of Service's area of responsibility the nominated Head of Service will co-ordinate the response to you or it may be dealt with by the Council's Monitoring Officer, or his/her deputy. In certain cases, for example where a statutory procedure applies, we may appoint an independent investigator.

We will set out our understanding of your concerns and ask you to confirm that we are right. We'll also ask you to tell us what outcome you're hoping for.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you don't want this to happen, it's important that you tell us.

If there is a simple solution to your problem, we may ask you if you're happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate and produce a report.

We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days. If your complaint is more complex, we will:

- Let you know within this time why we think it may take longer to investigate.
- Tell you how long we expect it to take.
- Let you know where we have reached with the investigation, and
- Give you regular updates, including telling you whether any developments might change our original estimate.

The person who is investigating your concerns will firstly aim to establish the facts. The extent of the investigation will depend upon how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

In some instances, we may ask to meet with you to discuss your concerns. Occasionally, we might suggest mediation or another method to try to resolve disputes.

We'll look at relevant evidence. This could include information you have provided, our case files, notes of conversations, letters, emails or whatever may be relevant to your particular concern. If necessary, we'll talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

Outcome

If we formally investigate your complaint, we will let you know what we find. If necessary, we will produce a report. We'll explain how and why we came to our conclusions.

If we find that we made a mistake, we'll tell you what happened and why.

If we find there is a fault in our systems or the way we do things, we'll tell you what it is and how we plan to change things to stop it happening again.

If we make a mistake, we will always apologise for it.

Putting Things Right

If we didn't provide you with a service you should have had, we'll aim to provide it now, if that's possible. If we didn't do something well, we'll aim to put it right. If you have lost out as a result of a mistake on our part, we'll try to put you back in the position you would have been in if we'd done things properly.

If you had to pay for a service yourself, when we should have provided it for you, or if you were entitled to funding you did not receive we will try to refund the cost.

The Ombudsman

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- Have been treated unfairly or received a bad service through some failure on the part of the service provider.
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman normally expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- Phone: 0300 790 0203
- Email: ask@ombudsman.wales
- The website: www.ombudsman.wales
- Writing to: Public Services Ombudsman for Wales 1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

There are also other organisations that consider complaints. For example, the Welsh Language Commissioner's Office deals with complaints about services in Welsh. We can advise you about such organisations.

Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our senior management team considers a summary of all complaints quarterly and is made aware of all serious complaints. Our Cabinet also considers our response to complaints at least twice a year. We may also make reports to other committees within the Council including Audit committee. We share summary (anonymised) information on complaints received and complaints outcomes with the Ombudsman as part of our commitment to accountability and learning from complaints.

Where there is a need for significant change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it. We will let you know when changes we've promised have been made.

What if you need help?

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. You may wish to contact any of the following services who may be able to assist you.

Citizens Advice Bureau – admin1@cacbg.org.uk telephone number 03444 772020 and or 01443 835363

Tai Pawb – info@taipawb.org telephone number 02920 537630

sheltercymru.org.uk telephone number 08000 495495

You can also use this concerns and complaints policy if you are under the age of 18. If you need help, you can speak to someone on the Meic Helpline.

- Phone 0808 802 3456
- Website www.meiccymru.org

or contact the Children's Commissioner for Wales. Contact details are:

- Phone 0808 801 1000
- Email post@childcomwales.org.uk
- Website www.childcom.org.uk

What we expect from you

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. We have a separate policy to manage situations when we find that someone's actions are unacceptable.

Appendix A

Concern/Complaint form

Please Note: The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in Section B.

A. Your details

Surname:

Forename:

Title: Mr/Mrs/Miss/Ms/if other please state

Address & Postcode:

Your Email address:

Daytime Contact Telephone Number:

Please state how you would prefer us to contact you:

Your requirements: if our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we might help you.

B: Making a complaint on behalf of someone else: Their details:

Please note: We have to be satisfied that you have the authority to act on behalf of the person who has experienced the problem.

Their Full Name:

Address and Postcode:

What is your relationship to them?

Why are you making a complaint on their behalf?

C. About your concern/complaint (please continue your answers to the following questions on a separate sheet(s) if necessary)

- 1 Name of the department/section/service you are complaining about:
- 2 What do you think they did wrong, or failed to do?
- 3 Describe how you personally have suffered or have been affected:
- 4 What do you think should be done to put things right?
- 5 When did you first become aware of the problem?
- 6 Have you already put your concern to the frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so:
- 7 If it is more than six months since you first became aware of the problem, please say why you have not complained before now:

If you have any documents to support your concern/complaint please attach them with this form.

Signature:

Date:

When you have completed this form, please send it to:

Corporate Complaints Officer
Caerphilly County Borough Council
C/o Legal Services
Penallta House
Ystrad Mynach
Hengoed CF82 7PG

How to contact us: email us complaints@caerphilly.gov.uk, telephone: 01443 864221,
website: www.complaints@caerphilly.gov.uk, write to us at the above address.

Complaints Standards Authority – Wales

Complaint Handling Processes
– Statement of Principles



Complaint Handling Processes

– Statement of Principles

Effective complaints handling processes should be:

- 1) Complainant Focused
- 2) Simple
- 3) Fair & Objective
- 4) Timely & Effective
- 5) Accountable
- 6) Committed to Continuous Improvement

1) Complainant Focused

- The complainant should always be at the centre of the complaints process.
- Service providers need to be flexible when responding to complainants' differing needs.

2) Simple

- Complaints processes should be well-publicised, have easy-to-follow instructions and have no more than two stages.
- Information on advocacy services and support should be available.
- Complaints responses should set out clearly the next stage and the right to approach the Ombudsman.

3) Fair & Objective

- Complainants should receive a complete and appropriate response to their concerns.
- Complainants and staff complained about should be treated equally and with dignity.

4) Timely & Effective

- Complaints should be resolved promptly, when possible
- Investigations should be thorough, yet prompt.
- Complainants should be kept informed throughout of the progress of a lengthy investigation.

5) Accountable

- Complainants should receive an honest and clear explanation of the findings of an investigation.
- Service providers should explain to complainants what changes will be made if their complaint is upheld, whenever possible.

6) Committed to Continuous Improvement

- Information from complaints should be collated and analysed.
- Data should be shared with the organisation's senior leaders and the Ombudsman to support improvement in complaint handling and in service delivery.
- Decision makers should regularly review the information gathered from complaints when planning service delivery.



How to contact us

Phone 0300 790 0203

E-mail ask@ombudsman.wales

Visit the website www.ombudsman.wales

Write to: Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

You can also follow us on Twitter: [@OmbudsmanWales](https://twitter.com/OmbudsmanWales)

CAERPHILLY COUNTY BOROUGH COUNCIL

POLICY AND PROCEDURE FOR DEALING WITH UNACCEPTABLE, PERSISTENT OR UNREASONABLE ACTIONS BY COMPLAINANTS UNDER THE COUNCIL'S CORPORATE COMPLAINTS POLICY

Contents

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- Unreasonable Persistence

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Dissatisfaction about a Decision to Restrict Contact

Recording and Reviewing a Decision to Restrict Contact

Policy Review

1. Introduction

This policy document sets out the approach by Caerphilly County Borough Council (“the Council”) to the rare instances where persons who complain under the Council’s Corporate Complaints Policy do so in such circumstances that their actions or behaviour do not justify expending further resources.

Such instances are very rare but typically involve persons who refuse to accept ‘closure’ and constantly write in or verbally reiterating the same complaint and thus waste time and effort and consequentially public monies on unnecessary and/or disproportionate investigation. The term complainant includes anyone acting on behalf of a complainant or who contacts the Council in connection with a complaint.

2. Policy Aims

To deal and respond fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. The Council believes that all complainants have the right to be heard, understood and respected and receive an appropriate response in line with the Council’s Complaints policy and to comply with Article 10 of the European Convention on Human Rights (ECHR) – freedom of expression. To advise all complainants, both at initial contact and throughout their dealings, what we can or cannot do in relation to their complaint. In doing so, we aim to be open and not raise hopes or expectations that we cannot meet or would not be a proportionate outcome. We also aim to ensure that other complainants and Council officers do not suffer any disadvantage from those complainants who act in an unacceptable manner. To have a stated position, policy and procedure that explains how and why the Council will disengage with complainants who act in an unreasonable or unacceptable manner.

3. Defining Unacceptable Actions by Complainants

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint received. There may also be occasions where medical, mental health or disability-related issues are involved whereby people appear aggressive through no fault of their own, leading to misunderstandings that can escalate complaints seemingly out of nowhere.

It is accepted that being persistent can be a positive advantage when pursuing a complaint, however, the actions of complainants who are ‘unreasonable’ and/or have unrealistic expectations places unnecessary demands on the Council and its officers. It is only those actions that we

consider to be unreasonable or unacceptable that we aim to manage under this policy. ** Officers are reminded that where the actions of a complainant are not covered in this policy they must refer to the Health and Safety policies and seek appropriate guidance from their Head of Service in conjunction with the Corporate Health and Safety Division. Contact the Equalities and Welsh Language team for any equalities related issues (including relevant training).

For ease of reference the unreasonable actions covered by this policy are grouped under three broad headings: -

3.1 Abusive Correspondence

- (a) This includes correspondence that may cause staff to feel afraid, abused or adversely affects their dignity in the workplace. On occasions such correspondence may amount to harassment and may require a referral to the Health and Safety Division. Officers should first seek guidance from their Head of Service if such circumstances arise.

3.2 Unreasonable Demands

- (a) A Complainant may make what we consider unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the gravity of the issues raised by the complainant.
- (b) Examples of actions grouped under this heading include demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly calling at offices seeking personal contact, repeatedly changing the substance of the complaint or raising unrelated concerns with the intention of prolonging the outcome or diverting enquiries.
- (c) We consider these demands as unacceptable and unreasonable if they: -
- Take up an excessive and disproportionate amount of staff time and resource implications;
 - Disadvantage other complainants or departmental functions
 - Are judged as intended to disrupt;
 - Deliberately exaggerate the impact of the issue complained of

It is acknowledged that some complaints will require substantial investigation and resources, which are entirely necessary and proportionate.

3.3 Unreasonable Persistence

- (a) We recognise that some complainants will not or cannot accept that the Council is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the service/organisation persistently about these issues. The final letter to a complainant will include a signpost to the Public Services Ombudsman For Wales (the Ombudsman). It is recognised that some complainants may have already sought a complaint handling review from the Ombudsman and received a response but continue to pursue the matter with the Council.
- (b) Examples of actions grouped under this heading include: -
- Persistent refusal to accept a decision made in relation to a complaint;
 - Persistent refusal to accept explanations relating to what the Council can or cannot do;
 - Continuing to pursue a complaint without presenting any new or relevant information;
 - Providing fictitious or manufactured evidence to pursue what may have been a true complaint;
 - Manufacturing complaints against members of staff when the complainant disagrees with an outcome;
 - Endeavouring to pursue a complaint by multiple approaches to different service areas of the Council. The way in which the complainant approaches the Council may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- (c) We consider the actions of persistent complainers to be unacceptable when they take up what the Council regards as being a disproportionate amount of time and resources.

4. Managing Unacceptable Conduct by Complainants

There are relatively few complainants whose conduct we may consider unacceptable. How we aim to manage this conduct depends on its nature and extent. Where Officers have concerns about or difficulties with their

dealings with any complainant, in addition to the provisions below they are also advised to complete a chronology of contacts utilising the form attached at Appendix 1.

If it adversely affects the ability of an officer to do his/her work and provide a service to others, the Council may need to restrict complainant contact in order to manage the unacceptable conduct. We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through the established corporate complaints process.

We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these, examples of which are set out below. We will try to maintain at least one form of contact. In extreme cases and where it is appropriate, we will advise the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with the organisation in relation to any complaint matter to either written communication or through a third party.

These steps should only be taken after careful consideration of the situation by the relevant Head of Service.

It is acknowledged that unreasonable people may make reasonable complaints and it is important that Officers take note of the matters being referred to ensure that they do not overlook a genuine concern. The threat or use of physical violence, verbal abuse or harassment towards any member of staff is likely to result in the ending of all direct contact with the complainant and must be dealt with under the Council's Health and Safety Policies. We do not accept correspondence (letter, fax or electronic) that is abusive to staff. When this happens we will tell the complainant that we will not respond to their correspondence.

If they do not stop, the complainant will be advised that we may require future contact to be through a third party. Staff may end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop. Officers are advised to report this type of behaviour to the relevant Head of Service.

Where a complainant repeatedly phones, visits any of the Council offices sends irrelevant documents or continually raises the same issues, we may decide to: -

- Only take telephone calls from the complainant at set times on set days and/or appoint a single point of contact to deal with calls or correspondence from the complainant in the future

- Require the complainant to make an appointment before visiting the Council offices or restrict contact to written correspondence only
- Return 'irrelevant' documents to the complainant
- Take other action that we consider appropriate

We will, however, always tell the complainant what action we are taking and why.

Where a complainant continues to correspond on a wider angle of issues, and this conduct is considered unreasonably excessive, then the complainant may be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly. The Council's response will be proportionate to the nature of the given allegations.

Complainant action may be considered unreasonably persistent if the Council's corporate complaints policy has been exhausted and the complainant continues to persistently dispute the decision relating to their complaint. The complainant may be told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence may be read and filed, but only subject to further enquiry or review if the complainant provides significant new information relating to the same complaint.

The complainant will receive a written acknowledgement that their correspondence has been read, assessed and placed in their file. Officers who propose this course of action should first consult with the Head of Service.

5. Restricted Contact

Wherever possible, we will give a complainant the opportunity to modify their behaviour or action before a decision is taken. Complainants will be told in writing why a decision has been made to restrict future contact and what the restricted contact arrangements are.

6. Dissatisfaction about a Decision to Restrict Contact –

If a complainant is dissatisfied with the decision to restrict then the complainant may refer the matter to the Council's Monitoring Officer to review the decision.

Once restriction of contact has been notified, subsequent correspondence from complainants should be carefully considered to ensure that no new circumstances are being reported which should otherwise be subject to

separate complaint or significantly affect any decision on the matter complained of.

7. Recording and Reviewing a Decision to Restrict Contact

- 7.1 We will record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry will be made in the relevant Complaints file, setting out the decision and the revised contact arrangements. A decision to restrict complainant contact may be reconsidered if the complainant is prepared to appropriately engage with the Council's procedure and protocols as set out in this document. The relevant Head of Service will review the status of all complainants with restricted contact arrangements on a regular basis should that person continue to correspond with the service.

8. Notification to Local Members

- 8.1 In addition the Council's Monitoring Officer will notify the relevant Ward Member (on a confidential basis) that a constituent has been designated as a complainant with restricted contact under this Policy.

9. Policy Review

This policy will be reviewed every 2 years.

Reviewed November 2015

Next date for review is November 2017.

Appendix 1

Chronology of Contact

DATE / TIME	INCIDENT/OBSERVATION/CHANGE OF CIRCUMSTANCES	ACTIONS/OUTCOMES	SOURCE OF INFORMATION

Complaints Standards Authority – Wales

Guidance for Public Service Providers on
Implementing the Concerns and Complaints Policy



Preface

This Guidance is designed to help public service providers to implement the Concerns and Complaints Policy ('the Policy'), via their own complaints processes.

Public service providers should have regard to this guidance when developing arrangements for the delivery of the concerns and complaints handling service within their organisation. Variations can be introduced to take account of the size or operational requirements of organisations, but must not impact on people's experience of a common approach in complaint handling by public service providers.

[Please note that NHS bodies in Wales must adhere to the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, known as 'Putting Things Right'.

Also, the Social Services Complaints Regulations (Wales) 2014 outline the procedure for handling complaints about Social Care issues in Wales.]


How complaints are managed internally is a matter for each organisation to determine, subject to statutory guidance e.g. in social care complaints. However, the requirements of the Policy, relating to timescales, number of stages and information gathered on complaint forms, for example, should not be altered, unless the organisation chooses to work to **shorter** timescales.

Section 1 – Introduction

Purpose of the Model Concerns and Complaints Policy

- 1.1 Complaints systems can make an important contribution to the improvement of public services.
- 1.2 The purpose of this Policy for handling concerns and complaints is to establish across the spectrum of public service providers:
 - Common principles for the effective handling of concerns and complaints.
 - A common model for dealing with concerns and complaints.
- 1.3 In addition, it is intended that this guidance will also enable:
 - Common data collection procedures.
 - Common methods for learning from concerns and complaints.
 - A common means to identify and disseminate good practice.

Note: Whenever reference is made to a “concern” or “complaint”, it refers to both “concern and complaint”.



This guidance recognises that organisations will need to interpret it in a way which is appropriate to their own circumstances. However, the arrangements for managing complaints behind the scenes must not detract from the service user's perception of a common approach, so elements such as the form, the timescales and the number of stages should be consistent for all.

Statutory Basis and Scope of the Policy and Guidance

- 1.4** The Policy and this Guidance are issued under the powers contained within Section 36 of the Public Services Ombudsman (Wales) Act 2019 which created the Complaints Standards Authority for Wales. They apply to public service providers in Wales.
- 1.5** They are compatible with the health service statutory procedure set out in the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011. The Regulations apply to complaints about NHS services and guidance on implementing the regulations is provided by the NHS in Wales.
- 1.6** The Social Services Complaints Regulations (Wales) 2014 outline the two stage procedure for handling complaints about Social Services issues.
- 1.7** Public service providers will need to ensure that their

complaints processes comply fully with their Welsh language duties and that complainants should not be disadvantaged when they complain through the medium of Welsh.

- 1.8** All bodies subject to the Policy and this Guidance will be notified and advised when the final versions of each have been agreed.

Section 2 - Definition and Principles

What is a complaint?

2.1 A complaint is:

- An expression of dissatisfaction or concern.
- Written or spoken or made by any other communication method.
- Made by one or more members of the public (someone or a group in receipt of or denied a service to which they are entitled by the service provider).
- About a public service provider's action or lack of action or the standard of service provided.
- Something which requires a response.

It can be about the public service provider itself, a person, body or trader acting on its behalf, or a partnership of public service providers.

2.2 A complaint is not:

- An initial request for a service, such as reporting a faulty street light.
- An appeal against a 'properly made' decision by a public body.
- A means to seek change to legislation or a 'properly made' decision (when laws or policies have been correctly applied, e.g. the setting of rent payments).

- A means for lobbying groups/organisations to seek to promote a cause.

Six principles for dealing with complaints

2.3 The following principles always apply when handling complaints. The process should be:

- a) Complainant Focused
- b) Simple
- c) Fair & Objective
- d) Timely & Effective
- e) Accountable
- f) Committed to Continuous Improvement

a) Complainant Focused

- The complainant should always be at the centre of the complaints process.
- Service providers need to be flexible when responding to complainants' differing needs.

b) Simple

- Complaints processes should be well-publicised, have easy-to-follow instructions and have no more than two stages.
- Information on advocacy services and support should be available.
- Complaints responses should set out clearly the next stage and the right to approach the Ombudsman.



c) Fair & Objective

- Complainants should receive a complete and appropriate response to their concerns.
- Complainants and staff complained about should be treated equally and with dignity.

d) Timely & Effective

- Complaints should be resolved promptly, when possible.
- Investigations should be thorough, yet prompt.
- Complainants should be kept informed throughout of the progress of a lengthy investigation.

e) Accountable

- Complainants should receive an honest and clear explanation of the findings of an investigation.
- Service providers should explain to complainants what changes will be made if their complaint is upheld, whenever possible.

f) Committed to Continuous Improvement


- Information from complaints should be collated and analysed.
- Data should be shared with the organisation's senior leaders and the Ombudsman to support improvement in complaint handling and in service delivery.
- Decision makers should regularly review the information gathered from complaints when planning service delivery.

Section 3 – Complaint Handling Arrangements

- 3.1 Complaints processes should be simple, flexible and focus on achieving the most appropriate outcomes for individuals and services. Public service providers should take a proactive approach to dealing with concerns, by focusing on individuals' needs and not the complaints process itself.
- 3.2 If all public services use the same complaints process, it will be easier to deal with concerns that relate to more than one service provider.
- 3.3 References in this section to 'complaints processes' do not apply to Social Services complaints, which should be considered in accordance with the statutory Social Services Complaints Regulations.

Who may put forward a concern

- 3.4 Any member of the public, including a child, who has received, or was entitled to receive, a service from the public service provider may make a complaint. The same applies if they have suffered due to the inappropriate action or lack of action by the public service provider.
- 3.5 Where a concern is notified by a young person or child, the responsible body must provide them with such assistance that they may reasonably require in order to



pursue the concern. This should include making the young person or child aware of the help that could be provided by the Children’s Commissioner for Wales.

3.6 A concern can also be put forward by someone on behalf of another person, as follows:

- Someone who is unwell or has died
- A child
- Those who lack the capacity (as defined by the Mental Capacity Act 2005)
- They have been asked to do so by the person affected

Public service providers must satisfy themselves, as far as the circumstances of the person affected allow for it, that the representative is acting with the authority of that person and, if possible, obtain their signature to confirm this.

3.7 This Policy does not apply to members of staff raising employment issues. There are other internal mechanisms for these types of concerns, for example, whistleblowing, bullying, or grievance procedures.

Complaint handling roles

3.8 **The Board/Cabinet** of the public service provider should ensure that the Policy is adopted and in place. It is not appropriate for the Board/Cabinet to be involved in the

investigation of individual complaints. However, it should receive reports on the number and type of complaints received, their outcomes and any remedial action taken as a consequence. It is for the Board/Cabinet to determine how frequently it should receive such reports, however, this should be at least twice a year. Organisations with such arrangements in place may, in addition, want to include the consideration of complaints reports to be included within the remit of a scrutiny or similar type committee.

3.9 Responsible Officer – Each organisation should appoint an officer (e.g. chief executive, director, clerk) with responsibility for ensuring the Policy is adopted and the guidance is followed.

3.10 The Person/Team co-ordinating complaints – The public service provider should have an individual or team responsible for co-ordinating responses to all complaints which are not resolved at the informal stage. For example, in a small organisation such as a community council, this is likely to be the clerk, whereas some large organisations may have a central complaints team for this purpose. For ease of reference throughout this document, this role is described as the “central complaints handler”. Organisations may also use this individual or team to help ensure consistent, high quality responses are given to complainants.



Resources

- 3.11 The public service provider should ensure that the necessary resources are made available to enable delivery of the Policy, including:
- Staffing (including administrative support, if necessary)
 - Training
 - Complaint handling administration systems.

Accessibility and publicising complaints processes

- 3.12 Complaints processes must be accessible to all and publicity is key in ensuring awareness of them.
- 3.13 Complaints processes should be widely publicised by:
- Promoting the existence of the process, together with appropriate contact details, on a regular basis in any newsletters or other publications for service users.
 - Producing a bilingual complaints information leaflet.
 - Ensuring the leaflet is available at all public reception areas and common areas where service users may frequent and made widely available to the organisation's staff.
 - Circulating the leaflets to local offices of relevant advice and advocacy organisations operating in the service provider's area.

- Publishing the complaints process at a prominent and easily accessed area of the organisation's website (ideally via a link on the home page).

To ensure accessibility:

- Make complaints information available in alternative formats such as on CD, in large print, Braille, etc.
- Make complaints information available in other languages commonly used in the organisation's area and publicise its existence.
- Accept oral complaints.
- Be able to call upon translation/interpretation services (including British Sign Language).

3.14 Public service providers should keep a comprehensive list of relevant advice and advocacy organisations in their locality. Advice should be provided to complainants who require/request such support as to which organisation is likely to be the most suitable to help them, in relation to their circumstances.

3.15 Smaller service providers should go as far as they can to ensure there is equality of access for all service users.



The complaints information leaflet/complaint form


- 3.16 Use the words from the complaints process when drafting forms and leaflets.
- 3.17 You can encourage complainants to complete a complaint form (on paper or on the website). However, people may prefer to present their complaint by telephone, email, or in person (or other method). In doing so, staff dealing with the complaint should ensure that they have gathered the same information as that being sought on the complaint form and ensure it is recorded appropriately.

The complaints process

Stage 1 - Informal Resolution

- 3.18 This stage offers the opportunity for informal engagement at the point of service delivery to seek to resolve complaints either at the time the concern arises or very shortly thereafter. This stage should be part and parcel of front line service delivery and not viewed as separate from it. This first step will normally aim to be an explanation or other appropriate remedial action by frontline staff to remedy the complaint.
- Staff should be empowered and trained to deal with complaints as they arise with the aim of resolving issues on the spot. This training can be provided during their induction period, with ongoing development.

- Staff should be trained to recognise the seriousness of a complaint and understand when it should be referred to more senior staff.
- Staff may receive complaints that do not involve their own service, but that of another department. It may be difficult for those in large organisations to know to whom the complainant should be referred but, at the very least, all staff should be able to direct the complainant to the organisation's central complaints team, who will then be able to advise the complainant appropriately.
- Staff may receive a complaint that not only involves their own service, but also another section/department. It is recommended that, in such instances – since it is unlikely that the staff member will have the necessary authority to resolve a complaint on behalf of another service area – the complainant should be referred directly to the central complaints team.
- Staff must advise complainants how to progress their complaint to the formal investigation stage, if they are not satisfied with the outcome of the end of the informal stage.
- Complainants may wish their complaint to be 'fast tracked' straight through to the next stage (Stage 2). This should be discouraged, wherever possible. If the request stems from a breakdown in the relationship



between the complainant and the service area staff, however, it may be wise to proceed directly to Stage 2. If approved by senior staff, this should be facilitated.

- Frontline staff should be trained and encouraged to provide appropriate information on advice and advocacy support at Stage 1 of the complaints process. It is recognised that they may not be aware of all the types of help available, particularly when operating in a specialist field themselves. Nevertheless, they should certainly have knowledge of support that relates to their service area. For example, a housing officer should be able to advise a complainant with a housing complaint about the services of Shelter Cymru.
- The central complaints team should be a source of support for frontline staff in respect of informal resolution.

3.19 The informal resolution stage should be completed as quickly as possible and certainly take no longer than ten working days. If it is not possible to resolve the concern within the relevant timescale, then the matter should be escalated to the formal investigation stage.

3.20 Examples of the type of concern that can be resolved at the local resolution stage are:

- An appointment was made for a boiler to be fixed and the tenant complains that no-one turned up on the appointed day.

- Someone complains that their bin hasn't been emptied by the refuse collection service, when the missed collection has already been reported three times.

3.21 An example of the type of complaint that would not be resolved at the informal stage is:

- A complaint involving a series of different errors in the calculation of allowances applicable to Council Tax payments.

Stage 2 - Formal Internal Investigation

3.22 “Investigate once, investigate well” is the principle for this stage of the process. Emphasis is placed on one investigation to deal thoroughly with the concerns raised, rather than multiple investigations at different levels in the organisation which can be protracted. However, the Stage 2 element of the complaints process is intended to be flexible to respond appropriately to the complaint. “Investigating well” also means investigating in a manner that is proportionate to the nature and degree of complexity of the complaint. This means that, for more straightforward complaints, the investigation may not need to be so detailed.

3.23 The following sets out how a complaint should be dealt with at Stage 2.

- Stage 2 complaints should be sent by the complainant



to the central complaints handler of the organisation.


- Having formally received a complaint at Stage 2, an acknowledgement should be sent by the central complaints handler as soon as is possible, but within a maximum of five working days.
- If the complaint is “out of time” – i.e. the issue being complained about is older than six months (from the time that the complainant first became aware of the problem), consideration should be given as to whether there are good reasons as to why it should nevertheless be accepted. For health complaints, there is an absolute cut off time of three years and other bodies may wish to adopt this.
- The central complaints handler should offer to discuss the complaint with the complainant, including:
 - Helping the complainant to understand the process
 - Confirming their preferred method of communication
 - Confirming what they want as an outcome to their complaint
 - Providing advice of relevant advocacy and support services if they need help to make their complaint
- Depending on the nature of the complaint it may be necessary to obtain the complainant’s permission to access their personal file. If the complainant refuses to give permission, it should be explained to them that

this will have an effect on the ability to conduct a thorough investigation.

- If the complainant is complaining on behalf of someone else, their consent will usually be needed before an investigation can begin.

3.24 When the central complaints handler is satisfied that they understand the complaint, they should:

- If applicable to their organisation, grade the seriousness of the complaint to decide on the appropriate level of investigation.
- Identify an officer within the organisation with sufficient seniority, credibility and independence from the source of the complaint to undertake the investigation:
 - Depending on the nature of the complaint, this may still be someone within the service section/department, but it may require someone independent from the section/department, including possibly the complaint handler themselves.
 - In the case of community/town councils, who may only have one member of staff (the clerk), it is accepted that the clerk will often undertake the role of “frontline, informal resolution” and that the chair/mayor or sub- committee of the council could, where necessary, take on the role of “investigator”.

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- When deciding on an “investigator”, consider whether the investigation will need to span across more than one service and the level of seniority required to investigate across all those areas.
 - Having recorded the complaint on the complaints handling system on receipt, the central complaints handler should keep track of (and record) progress and take responsibility for monitoring the smooth running of the investigation, ensuring that timescales are met. The stage 2 complaints process should normally be concluded within 20 working days (or such shorter timescale as determined by the public service provider). When this is not possible, complainants must be informed of the reasons and be agreeable to any extension. In any event, there should be regular contact with the complainant, updating them on the progress on the case.
 - A complainant may withdraw their concern at any time, however, the public service provider may continue to investigate if it feels that it is necessary to do so.
 - It is recommended that the central complaints handler produces a portfolio of specimen documents/ templates to assist those involved in the complaints process. These could include:
 - A form for frontline staff for logging relevant complaints at the informal stage

- An acknowledgement letter
- A framework for 'update' letters to the complainant
- Interview request letters (e.g. for the investigator when requiring meetings with staff involved)
- A template for investigation reports

Complaints investigations


3.25 A complaint investigation should be a fact finding exercise which is impartial, open, transparent and proportionate to the seriousness of the complaint. For serious complaints, a plan needs to be drawn up enabling the complaint to be investigated systematically.

3.26 However, even when the complaint reaches the Stage 2, there may still be potential for resolving the concern to the complainant's satisfaction through an early resolution and without having to undertake a full and lengthy investigation. Consideration should be given to the possibility of this. The Ombudsman welcomes attempts to resolve matters at all stages of a complaint.

3.27 Consideration should also be given to whether face to face meetings and/or mediation could be a means to resolving the complaint.

3.28 Evidence gathering can include:

- Correspondence (letters and emails)
- Notes of telephone conversations

- 
- Organisational policies and procedures
 - Good practice guidance
 - Records (including those specifically relating to the complaint under consideration and training records of staff involved in the complaint)
 - Legislation
 - Interviews (including detailed notetaking)
 - Site plans and visits
 - Photographic evidence
 - Recordings in various formats (e.g. phone, CCTV)
 - Obtaining professional/expert advice

3.29 A draft report should be shared with the complainant and those complained about, before a final report is published.


3.30 Recommendations arising from investigations should be ‘Specific, Measurable, Achievable, Realistic and Timed’ (“SMART”).

3.31 At the end of an investigation, a written outcome, such as letter or email, should be produced and, in more serious cases, a report.

Where a report is produced, it should include, where appropriate:

- The scope of the investigation
- A summary of the investigation:

- Details of key issues, setting out a brief chronology of events leading to the complaint)
- Those who were interviewed (including setting out to what degree the complainant, and if appropriate, any affected relatives, advocates, etc. were involved in the investigation)
- Conclusion
 - If the complaint is found to be justified/upheld
 - How it happened - i.e. what went wrong
 - Why it happened – i.e. the root cause of the problem (e.g. human error, a systemic failure)
 - What impact did it have on the complainant?
 - If a systemic failing has been identified, an explanation of actions taken to put things right, with a view to ensuring the same problem does not occur again
 - If appropriate, an apology
 - If appropriate, an offer of redress
 - If the complaint has not been upheld, there should be an explanation of why this conclusion has been reached, demonstrating that it has been arrived at, based on the evidence gathered.
- Overall the report should demonstrate throughout that the complaint has been taken seriously, that



the investigation undertaken has been fair and, in accordance with the seriousness of the complaint, proportionately thorough.

- Even in cases where an investigation upholds the complaint and offers remedy/redress, it may be that the complainant remains dissatisfied for some reason. Therefore, in all cases, the report should inform the complainant that, if they remain dissatisfied, they have the right to seek independent external consideration of their complaint. Information about making a complaint to the Public Services Ombudsman for Wales and other appropriate complaint handlers, should be provided.

3.32 Consideration should be given to offering a meeting to a complainant at the time of closing a complaint investigation. Such a meeting may help the complainant to understand how the outcome was reached.

The final steps

3.33 The fact that complaints will vary in their degree of seriousness has already been referred to. The organisation should decide at what level decisions on recommendations in the report can be taken and who should sign to conclude the complaint (i.e. who should sign any report or letter). There will be times when it would be appropriate for the central complaints handler to do so, other times the senior manager or director

responsible (larger organisations), and other times the head of the organisation. The public service provider should establish the level of delegation in this regard. Further, the head of the organisation should ideally see a copy of all final correspondence sent out in respect of Stage 2 complaints.

- 3.34** When a complaint has been upheld and there is a clear systemic issue, the appropriate Director or Manager should ensure that an action plan is devised, setting out how the recommendations will be implemented and identify who will be responsible for ensuring their implementation. When it affects them, frontline staff should be involved in this process. The plan should also include arrangements for confirming to the complainant that changes have been implemented and make provision for the monitoring and evaluation of new arrangements introduced to assess their impact.
- 3.35** On closing a complaint, the central complaints handler should ensure that working documents used during the course of the investigation are retained in an orderly fashion and stored securely and in accordance with the organisation's data retention policy. If the complaint becomes the subject of further external investigation, such as by the Public Services Ombudsman for Wales, these working documents may be needed as the public service provider's evidence.



An independent person


3.36 It may be that, for some investigations, it is considered appropriate to include the involvement of an independent person in the Stage 2 investigation. It will be the responsibility of the central complaints handler to ensure that the organisation has a pool of suitable people to call upon where necessary.

Complaints involving other legal or disciplinary proceedings

3.37 Occasionally, complaints received will involve legal or disciplinary proceedings. It may from time to time be necessary to put the investigation of a complaint “on hold” until the conclusion of those other proceedings. However, it should not automatically be assumed that this is necessary in every case. An assessment should be made (with legal advice sought, if appropriate) to identify whether it is possible to address the subject of the complaint, without impacting unfairly on the other proceedings underway. It is important that, if a complainant is in a continued state of disadvantage as a result of likely poor service delivery, every step is taken to conclude this part of their complaint. This will mean that, if the complaint is upheld, it has been demonstrated that the organisation is doing everything it can to return them as soon as possible to the position they would have been in if that failure had not occurred.

Complaints involving more than one service provider

- 3.38** There are occasions when a complaint received will involve more than one organisation. In this case, the role of the central complaints handler will be slightly different. Having established the elements of the complaint and which organisations are involved, they should contact their counterpart(s) in the other organisation(s) involved. The complaints officers should then decide which of them should lead on co-ordinating the response to the complainant. It would seem sensible that this should be the organisation with the greatest involvement in the complaint. However, it may be appropriate for the organisation with the largest complaints handling resource to undertake this role.
- 3.39** The role of the complaints officer allocated to the complaint in question is to co-ordinate the investigations in each of the service areas involved. The ultimate aim, therefore, is to provide the complainant with a single, comprehensive, joint response on behalf of all of the organisations involved.
- 3.40** There will be complaints where each element is sufficiently distinct and separate so that all that will be required is to set out the details and outcome of each investigation strand and then add an overall conclusion to the response.



3.41 However, it is recognised that there will be some cases where the resolution and remedy of a complaint will involve agreement by all involved and that this could lead to tensions and disagreement. Where such disagreements lead to an impasse, it may be necessary to refer the matter to senior management within each of these organisations (depending on the seriousness, possibly the Chief Executives) in order to try to resolve the situation.

3.42 Where the impasse still cannot be resolved, it may be prudent to refer the matter at this point to a relevant external independent complaint handler (e.g. the Public Services Ombudsman for Wales). However, the complainant should be told of this intention, together with the reason for it, and their agreement should be sought before such a referral takes place.

Partnership services

3.43 [Note: Whilst not forming part of an individual organisation's complaints handling process, public service providers will need to have regard to the following when forming partnerships with similar and other types of organisations.]

3.44 The situation in relation to complaints about partnership services is again different, particularly given that not all partners may be subject to this model Policy. Nevertheless, it is good governance practice for every partnership to have in place at the outset a protocol for

dealing with complaints. That protocol should make clear where accountability lies within the partnership for any services delivered – i.e. does responsibility rest with the partnership as an entity, or is each partner accountable for specific aspects of the service delivery?

3.45 Given that, in most public service provider partnerships, many members will be subject to this Policy, it is recommended that those providers endeavour to agree a protocol with their partners for dealing with complaints in a way that corresponds with this Policy.

3.46 In particular, it is recommended that:

- Partnerships establish a complaints handling process for services that they as a partnership deliver.
- They identify and publicise a single point of contact for complaints in respect of their activities/services.
- The person/team identified co-ordinates the investigation of the complaint on behalf of the partnership. Depending on the nature of the complaint, if the complaint concerns dissatisfaction with the service delivered by one particular partner, it may be more appropriate to refer the investigation to that particular partner to deal with.
- The partnership ensures that lessons are learned from complaints received and considers whether there are any that should be shared more widely.




Complaints concerning services that have been contracted out

3.47 Even though public service providers may contract out the provision of services to private/voluntary organisations, this does not absolve the public service provider of their responsibility for those functions. Central complaints handlers should therefore ensure that those responsible for drafting contracts are aware of the need to include a provision for complaints handling. This should include the requirement for organisations contracted to provide services to comply with similar complaint handling arrangements (i.e. the two stages), with the outcome report/letter being copied to the public service provider. Such organisations should also inform complainants of their right to complain to the Public Services Ombudsman for Wales. Alternatively, the central complaints handler may choose to co-ordinate the response to the complainant, on behalf of the contractor.

Section 4 – Learning Lessons

Learning from complaints/continual improvement

- 4.1 Complaints information should be used to improve an organisation's service delivery and increase its effectiveness.
- 4.2 To support this, organisations should:
- Ensure that the central complaints handler periodically reviews all complaint outcomes and their recommendations to identify whether there are any patterns to complaints/wider lessons to be learned that may not be apparent from individual complaints. When considering the lessons that can be learned from a complaint, an assessment should be made as to whether:
 - These are limited to the section/department in question
 - They have an organisation-wide implication
 - They are ones that should be shared across the sector of the public service or even more widely.
 - Ensure that complaints reports are considered on a regular basis by senior management, including an analysis of the data gathered and information on recommendations that have been made for improving service delivery.

- 
- Ensure that complaints data is shared with the Ombudsman to support improvement in complaint handling and in service delivery.
 - Ensure that the information received by senior management is used to target any problem areas and consider if there is potential to improve policies, procedures and services.
 - Ensure that the cabinet/executive board receives reports giving an overview of complaints received, setting out what changes have been made as a result of complaints information and, following monitoring of their implementation, what results have been received.
 - Ensure that an annual report on complaints is produced, drawing out lessons learned over this period and demonstrating how they have contributed to improved service delivery.

Recording & monitoring complaints

- 4.3** Effective complaints management includes collecting specific data and identifying recurring or system-wide problems. All feedback and complaints received should be recorded to ensure that a comprehensive evaluation of data can be made.
- 4.4** To support this, organisations should:
- Have a system to collect organisation-wide complaints data.

- Use the system to help track complaints and compliance with timescales..
- Enable the numbers, types, outcomes and trends of complaints to be captured, to facilitate comparisons with previous periods and identify system wide or recurring complaints.
- Enable key points from lessons learned to be captured.
- Write to the complainant detailing the findings of the investigation, providing an apology for any shortfalls and describing what action will be taken to prevent recurrence.
- Inform the Complaints Standards Authority – Wales of the data collated on a quarterly basis.

4.5 [Note: Frontline staff should report all serious complaints, or those with wider learning points, that they have dealt with informally to the central complaints service, so that these can be recorded on the central complaints handling database. This should be regardless of whether or not the complaint has been resolved on the spot. For those serious complaints not resolved, such action will mean that there will be a record of the incident should the complaint progress to Stage 2 of the complaints process.]

4.6 Public service providers should not have to implement a new IT system for these recording purposes. Furthermore, for small organisations like community councils, manual



recording may suffice.

4.7 In order to also identify outcome trends of complaints, the following high level complaints outcome definitions should be used:

- Complaint about service not provided by this body
- Referred to front line staff and resolved
- Investigation not merited
- Quick Fix/Voluntary Settlement
- Investigation Discontinued
- Upheld – Non-systemic issue
- Upheld – Systemic. Action plan required
- Not Upheld
- Withdrawn


Section 5 - Staff and Training

Staff Involved in Complaints

5.1 Whilst it is not uncommon for people to look for someone to blame when things go wrong, staff should be assured that this is not the aim of an investigation. It should be made clear that any interview that may take place is to establish facts as part of the investigation of a complaint, and that it does not form part of a disciplinary

procedure. (However, a separate disciplinary process could take place, if appropriate.)

- 5.2 When requiring staff to attend for interview, they should be told the purpose of the interview, what to expect and what preparation they need to do. They should be advised that they can bring someone (such as a colleague) for support although the position of confidentiality and their role should be made clear. They should also be advised as to what will happen after the interview.
- 5.3 Being the subject of a complaint is in any event a stressful situation and, depending on the circumstances of the complaint and the issues involved, it may be prudent to inform the interviewee of any staff support/ counselling available.
- 5.4 In the same way that it is important to keep complainants informed on progress in the investigation and its outcome, the same is true in respect of staff.
- 5.5 As well as informing staff involved of the outcomes of complaints and any recommendations that arise, there should also be a means (staff newsletters, making the annual report available on the intranet) of disseminating to staff how the way they deal with complaints can contribute to better public services. Organisational culture should see that reporting a complaint and taking action is positive, as it assists organisational learning. If many individuals (perhaps based in many different locations) deal with a similar type of problem



without this information being shared, then what may be a deep-rooted systemic problem within the organisation may not emerge to the surface. If frontline staff inform the complainant of (intended) action, it is likely to have a positive effect in terms of good customer relations.

Training

- 5.6 The complaints function needs to be adequately resourced by appropriately trained staff.
- 5.7 The central complaints handler should undertake an assessment of the skills and competencies required by all those involved in the complaints process and ensure that there is an appropriate training strategy in place.
- 5.8 The central complaints handler should continually keep under review the number of skilled and trained officers within the organisation to conduct and prepare reports on investigations.
- 5.9 Those likely to be involved in conducting “sensitive” investigations will in all probability need additional “specialist” training.
- 5.10 Ultimately staff training is a matter for individual public service providers to determine.
- 5.11 General training on complaint handling should be included in the induction programme for all staff in the organisation (this includes staff and Board/Cabinet members).

Unacceptable Actions by complainants

5.12 The model Policy recognises that some people may act out of character in times of trouble or distress. It should be borne in mind that there may have been upsetting or distressing circumstances leading up to a complaint. A complainant's behaviour should not be regarded as unacceptable just because they are forceful or determined. However, the actions of complainants who are angry, demanding or persistent may result in unreasonable demands on an organisation or unacceptable behaviour towards staff. It is these actions that are considered unacceptable. Organisations should therefore have in place an 'unacceptable actions by complainants' policy and ensure that staff receive appropriate associated training. Organisations currently without such a policy, are welcome to use the Public Services Ombudsman for Wales' policy, 'Managing Customer Contact' (available at www.ombudsman.wales) as a basis to develop their own procedure.



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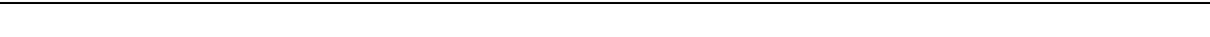
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CABINET- 24TH MARCH 2021

SUBJECT: PEN MARCH WIND FARM – MEMORANDUM OF UNDERSTANDING

REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES



1. PURPOSE OF REPORT

- 1.1 This report requests approval for the Council to enter into a non-legally binding Memorandum of Understanding with RWE, a renewable energy company, for a proposed wind farm development at land above Rhymney.

2. SUMMARY

- 2.1 This report requests Cabinet approval for the Council to enter into a non-legally binding Memorandum of Understanding (MoU) with the private green energy company RWE. Initial discussions have been held between the Council and RWE as to the possibility of a shared ownership wind farm development on privately owned land north of Rhymney.
- 2.3 RWE are keen to proceed with this development and require the Council to sign up to the MoU to give them the comfort to allocate resources to modelling the shared ownership options for consideration.
- 2.4 If a model is developed which is attractive to both parties, the Council would look to take a 'stake' in the development. Simplistically, it is likely that this will consist of a percentage of the build cost. The Council would then receive the same percentage return on the revenue generated by the project.

3. RECOMMENDATIONS

- 3.1 That Cabinet:
- i) Approve the signing of the non-legally binding Memorandum of Understanding;
 - ii) Approve that officers work with RWE and the Welsh Government Energy Service to amend the MoU so it reflects the Council's aspirations for the scheme.
 - iii) Approve that officers work with RWE to explore shared ownership models; and
 - iv) Approve that shared ownership model options be presented to Cabinet at a future

date for further discussion.

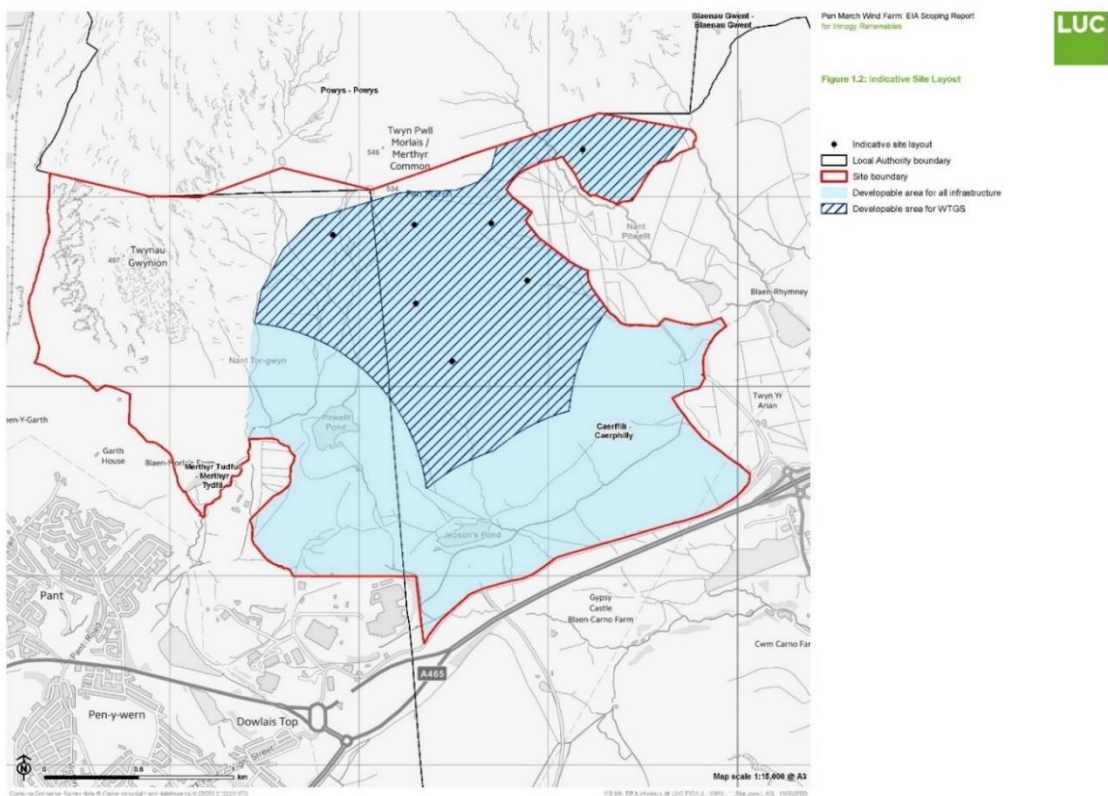
4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow further investigation into the possible shared ownership of a wind farm development at Pen March, Rhymney
- 4.2 This opportunity will help the Council meet its green energy production goals as set out in the recently adopted Decarbonisation Strategy: Reduce, Produce Offset, Buy and it will also help deliver on the 'Social Heart, Commercial Head' agenda.

5. THE REPORT

Background

- 5.1 The Cabinet Member for Regeneration and senior officers met with RWE officials on the 18th July 2019. The meeting had been requested by RWE and it focused on RWE outlining proposals to introduce wind turbines on land north of A465 above Rhymney. RWE plan to introduce at least 7 turbines at this location. The turbines, if constructed, will have a tip height of up to 180 metres and generate up to 5 megawatt per turbine. Since the initial meeting, a dialogue has been open over a possible partnership arrangement for this project, with the Council taking some interest in the development. The area concerned is shown on the plan below:



- 5.2 It is anticipated that a full planning application will be submitted in quarter 4 of 2021. It is important to acknowledge that as this will be a Development of National Significance (DNS), the final planning decision will be subject to the new DNS process, whereby an Inspector examines the application and makes a recommendation to the Welsh Minister

based on planning merits and national priorities. The Minister then decides whether or not to grant permission. The local authority will be statutory consultees but will not determine the application. RWE is targeting a national grid connection for 2026 as the existing system cannot cope at present. RWE refer to the scheme as the Pen March Wind Farm Project.

Current Position

- 5.3 In July 2020, the Innogy Renewables business was integrated into the RWE Group as part of RWE Renewables, hence all dialogue is now with RWE.
- 5.4 CCBC approved an anemometer mast on the site under application reference 19/0848/FULL. This wind monitoring (anemometer) mast is now in situ and RWE will start to get meaningful data soon (it needs to measure for 6 months before the data is of any real value). Based on the initial data coming from the mast, RWE hope to have an advanced draft layout to share with the Council early in the Spring of 2021.
- 5.5 In addition, Environmental Impact Assessment (EIA) work has begun on the project. RWE aim to hold non statutory consultation during Quarter 1 2021, statutory consultation during Quarter 2/3 with the aim to submit a planning application at the end of 2021/22 financial year. Whilst this project will be submitted to Welsh Government through the Development of National Significance (DNS) process, RWE will keep lines of communication open with the Council throughout the process. It is worth noting that RWE are exploring an opportunity to extend the wind farm onto land within Merthyr Tydfil county borough.

Commercial Opportunities

- 5.6 At the meeting on the 18th July 2109, RWE outlined that the scheme could generate around £5k per megawatt for community benefits. This led to a discussion about the opportunities for the Council to co-invest/co-own the development should the scheme proceed. RWE were open to this idea, stating that there were multiple potential models of co-ownership in Europe of this nature. Since that date a series of communications between both parties has continued.
- 5.7 RWE have stated that partnering on this relatively small project would be beneficial to them, especially where the partner is willing and able to takes on some of the development risk via partially funding the project at the development stage.
- 5.8 However, the difficulty with modelling this is that RWE Renewables are at the very early stages of development, so the economics attached to both the project costs and the future wholesale/retail prices of energy are variables that are liable to change. This makes it very difficult for them to map out options for co-ownership and to negotiate agreements with the Council until further on in the process. Therefore, it has been agreed to explore both parties entering into a Memorandum of Understanding (MOU) on this development.
- 5.9 Such an agreement would **not** be legally-binding, but it would set out the principles of working together on the Pen March project. RWE have now forwarded a draft MOU to the Council and await our response. A copy of the draft MOU is attached at Appendix 1 for consideration.
- 5.10 This project aligns with a number of corporate priorities. It links with the actions set out in the Council's recently adopted Decarbonisation Plan. Under the Produce theme, this project helps achieve action P8 as set out in the adopted action plan.

P8 – Produce green on-shore wind energy (Take a commercial interest in private sector on-shore wind developments within and outside of the county borough where opportunity presents itself)

- 5.11 The project also aligns with the Council's transformation and commercial strategy as set out in section 7.4 below
- 5.12 Officers recommend that the Council enter into the MOU to allow senior officials from both parties to develop option models for a proposed partnership. This recommendation is based on the fact that the MOU is not legally-binding and the Council can effectively walk away from the partnership if it desires.
- 5.13 Entering into the MOU will give RWE the confidence to dedicate resources to investigating and developing partnership models as the scheme progresses. Without the MOU in place, RWE would not commit these resources.
- 5.14 There are several benefits associated with the Council taking a commercial interest in the wind farm development, namely:
- Financial return on our initial investment – (see finance section for more detail).
 - Influencing the impact on the local community. For instance, helping to develop the community benefit fund so that it is targeted towards regeneration and economic goals. This fund is likely to be circa £5k per MW per annum. With this farm aiming to produce 30MW then this equates to circa £150k per annum towards this fund. Examples of how this fund could be used include provision of employment and training opportunities and tackling issues with digital deprivation
 - Ensuring local supply chains and employment opportunities are maximised for the benefit of the local community.
 - The opportunities for the Council to take green electricity directly from the wind farm will be investigated. A Corporate Power Purchase Agreement (CPPA) i.e. a long-term agreement to take electricity directly from the windfarm, could form part of the overall deal.
- 5.15 It is proposed that a small working group will be established to represent the Council's interests in this project. Their remit will include agreeing the final wording of the MoU, liaising with RWE over the evolving shared ownership models and developing the project further should it proceed. There will be representation from CCC Finance and Legal on this group.
- 5.16 The Council is being supported by The Welsh Government Energy Service in this venture and their continued support will be invaluable to the working group. Their expertise will be invaluable in understanding the Council's position throughout the development of the shared ownership delivery models. They have already stated they will support the Council in revising the MoU to ensure the Council and the local community get maximum benefit from the scheme.
- 5.17 The opportunity to sign a MoU with RWE that could lead to the Council taking an active interest in the wind farm project has been endorsed by the Council's Regeneration Project Board.

- 5.18 The Local Member has expressed concerns over signing the MoU before all statutory permissions are in place. They have been informed that it will not be possible to wait until such time to sign the MoU as this would affect programme. They have been made aware that is a non-legally binding agreement and that a further report will be presented to Cabinet for a decision once these models have been fleshed out. This timeline is likely to coincide with that of obtaining planning permission for the project. The Local Member would also like to ensure that the local community would be the main beneficiary of a scheme of this nature.

Conclusion

- 5.19 The MoU is a non-legally binding agreement that will allow both parties to explore options available for shared ownership. As such there is no risk attached to agreeing the recommendations in this report. Once models have been developed, they will be brought back to Cabinet for consideration.

6. ASSUMPTIONS

- 6.1 It is assumed that if the MoU is signed that RWE will develop a range of investment models that will be presented by Officers to Cabinet at a future date.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The proposal is relevant to the following Council policies:

7.2 **Corporate Plan 2018-2023.**

The report recommendations contribute towards or impacts predominantly on the following Corporate Well-being Objectives:

Objective 2 - Enabling employment.

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

7.3 **Decarbonisation Strategy: Reduce, Produce, Offset, Buy**

The proposal contributes to the aims of the Council's recently adopted Decarbonisation Strategy. The plan concentrates on 4 main themes, Reduce, Produce, Offset and Buy. Under the Produce theme, this project helps achieve the following action as set out in the adopted action plan.

P8 – Produce green on-shore wind energy (Take a commercial interest in private sector on-shore wind developments within and outside of the county borough where opportunity presents itself)

7.4 **Commercialisation and Investment Strategy**

Caerphilly Commercial & Investment Strategy adopted by Council on 8th December 2020 confirmed the Council's commitment to seeking good long-term investments for the good of the Council. The Strategy highlights the commercial principles upon which the Council have agreed and include:

- *We will look in all directions for commercial and investment opportunities, demonstrating our commitment to innovation and collaboration by having an open learning environment and launching the Licence to Innovate scheme.*

This opportunity sits comfortably under the 3rd pillar of the Strategy 'Enhancing our Relationships with our Partners & Communities' under the following headings:

3. *Consider investment opportunities which provide good financial return but also support key strategic aims such as Decarbonisation Strategy*
5. *Explore any commercial, income generating opportunities or innovative ideas which will boost productivity using seed money allocated by directorate.*

7.5 **Transformation Strategy**

The 'Team Caerphilly – Better Together' Transformation Strategy adopted by Council in July 2019 is driven by the notion of 'Commercial Mind, Social Heart' and seeking profit with a purpose. This project is closely aligned with that ethos and seeks to maximize on the community benefits, decarbonization benefits and commercial income.

7.6 **A Foundation for Success 2018-2023:**

The Council's Regeneration Strategy - A Foundation for Success has the following vision: ***"To make Caerphilly County Borough a more prosperous, resilient, healthier, more equal place with strong cohesive communities where everyone is empowered to participate.***

In particular, the proposal contributes towards the following key theme and Action:

Creating employment opportunities, increasing entrepreneurial activities, encouraging innovation & improving access to employment.

Action 41. Work with partners to explore and support where possible energy efficiency initiatives, renewable energy generation, community energy generation projects and energy cooperatives.

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

8.1 The proposals outlined in this report contribute to the Well-being Goals. As such it aligns with the following:

- *A Prosperous Wales* – Providing more jobs in the area will create more wealth for the local population.
- *A Resilient Wales* – Providing additional and more diverse employment opportunities will make the area more resilient to external economic factors. The production of green energy within the county borough will also guard against fluctuations in energy prices.
- *A Wales of Cohesive Communities* – providing local employment opportunities will help to stabilise and develop local communities and prevent outmigration as people seek work. Providing cheaper green electricity will also benefit the community.

8.2 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 occurring, or 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 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.

10. FINANCIAL IMPLICATIONS

- 10.1 The MoU is a non-legally binding document so there are no immediate financial implications to the Council.
- 10.2 The signing of the MoU will allow RWE to develop a number of financial models for consideration by the Council. The overall cost associated with developing this 5-7 turbine facility could reach £30m. RWE have indicated that they are relaxed as to the actual investment level by the Council. They have started to sketch out skeletal models based on 5%, 10%, 15% and 20% investment input by the Council. If the MoU is signed, they will build on these models to give more detail on each. RWE are currently offering the opportunity to invest at Final Investment Decision (FID) stage, and the timescale (planning application to be submitted late 2021) leaves a limited window during which CCBC could consider investment at an earlier stage.
- 10.3 Such investment would be at risk (for example if consent was not secured) but would lever higher returns from the investment of capital at FID. Welsh Government Energy Service can offer guidance on managing the development risk.
- 10.4 Based on two indicative project layouts: and assuming a 15year Contract for Difference and merchant tail with a 30 year project life from RWE’s experience, projects dynamic payback is typically 13-17yrs. Investment by the Council could be Financial Investment Decision (FID) stage to reduce the risk exposure to the Council. Outlined below are some very preliminary figures forwarded by RWE. Welsh Government Energy Service have considered these returns and advise that whilst they can be used as a basis for initial agreement to this MoU, an open book approach to agreeing the final share of net returns from the project, which each party should receive at a level reflecting the balance of risk taken during development, and share of capital committed at FID.

- 5% investment at FID would be approx. **£1.25-1.75m**. Indicative annual returns (minus share of OPEX*) of £105-185k based on £40-60/MWh electricity price.
- 10% investment at FID would be approx. **£2.5-3.5m**. Indicative annual returns (minus share of OPEX) of £210-370k based on £40-60/MWh electricity price.
- 15% investment at FID would be approx. **£3.75-5.25m**. Indicative annual returns (minus share of OPEX) of £315-555k based on £40-60/MWh electricity price.
- 20% investment at FID would be approx. **£5.0-7.0m**. Indicative annual returns (minus share of OPEX) of £420-740k based on £40-60/MWh electricity price.

* OPEX – Operational Expenditure

- 10.5 As outlined above, there may also be the option for the Council to build into the model the option for a CPPA to take green energy produced from the wind farm. This could be in lieu of revenue generated by the scheme.
- 10.6 Community investment opportunities will also be explored.
- 10.7 It is too early to present more detailed financial models to Cabinet but officers from the proposed working group will develop them with RWE and present them to Cabinet at the earliest opportunity.

11. PERSONNEL IMPLICATIONS

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

12. CONSULTATIONS

- 12.1 All consultation responses are reflected in the report.

13. STATUTORY POWER

- 13.1 Local Government Act 1972

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Consultees: Cllr Sean Morgan, Deputy Leader and Cabinet Member for Economy and Enterprise
 Cllr John Ridgewell, Cabinet Member for Environment and Infrastructure
 Christina Harray – Chief Executive
 Mark S. Williams, Interim Corporate Director Communities
 Stephen Harris, Head of Business Improvement Services and Section 151 Officer
 Lynne Donovan, Head of People Services
 Rhian Kyte, Head of Regeneration and Planning
 Robert Tranter, Head of Legal Services/Monitoring Officer
 Paul Hudson, Business, Enterprise and Renewal Team Manager
 Dave Roberts, Principal Accountant, Corporate Finance
 Victoria Camp, Transformation Manager
 Paul Cooke, Senior Policy Officer

Lisa James, Principal Planner
Paul Rossiter, Energy and Water Officer
Anwen Cullinane, Senior Policy Officer, Equalities and Welsh Language
Cllr Carl Cuss, Twyn Carno ward

Appendices:

Appendix 1 RWE Draft Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING (MOU)

RWE Renewables UK Ltd.

And

Caerphilly County Borough Council

This is an agreement between RWE Renewables UK Ltd, hereinafter called RWE and Caerphilly County Borough Council, hereinafter called CCBC.

I. PURPOSE & SCOPE

The purpose of this MOU is to outline how RWE and CCBC will work together, over the course of development and through to construction, to ensure that RWE's proposed development of an onshore wind farm near Rhymney, within the CCBC boundary, hereinafter called Pen March, to secure both a viable project and deliver local benefits in line with CCBC's and Welsh Government's aspirations.

II. BACKGROUND

RWE Renewables UK Ltd is Wales's biggest renewable energy generator. Assets include Gwynt y Môr Offshore Wind Farm, and Clocaenog Forest, Mynydd y Gwair and Brechfa Forest West onshore wind farms. RWE employs over 110 people in locations across Wales, and the development team project manages new onshore wind developments from securing land options through the planning process, to consent.

Caerphilly County Borough Council is a local authority delivering a range of services to citizens within its geographical boundary. CCBC is not responsible for consenting the Pen March Wind Farm, as this is the responsibility of the Welsh Government.

In 2017, the Welsh Government announced a target that all renewable energy projects should have an 'element of local ownership' from 2020 onwards. Guidance is under development.

III. RESPONSIBILITIES UNDER THIS MOU

This MOU is *not* binding on either party and is only an expression of an intent to continue negotiations in good faith. This MOU is not necessarily exclusive to CCBC and may be replicated with other parties.

This MOU is intended to recognise and facilitate future discussions on:

- **Shared ownership:** where CCBC could benefit from owning a share of the Pen March Wind Farm, by investing in the project at a later date and receiving a return of net revenue appropriate to the size of investment and the amount of risk taken.
- **Local suppliers:** where RWE and CCBC will work with local businesses to increase the contract opportunities available for the local supply chain, especially during construction, as far as is practicable.
- **Corporate Power Purchase Agreement (cPPA):** either as part of shared ownership (in lieu of revenue) or otherwise, where RWE and CCBC will prior to Financial Investment Decision

(FID) discuss the future opportunity for a cPPA relating to all or some of the electricity generation from the project.

- **Infrastructure:** that options for improving infrastructure alongside the development are explored, for example:

- fast broadband rollout in areas close by that are under served.

- **Community Benefit Fund:** RWE is committed to providing a community benefit fund. This money could be used to facilitate some of the above. RWE will listen to the views of CCBC on the proposals for the geographical extent and uses of the fund, as well as consulting with local community representatives and wider stakeholders in line with industry best practice guidelines.

IV. FUNDING

This MOU does not include the reimbursement of funds between the two parties.

V. EFFECTIVE DATE AND SIGNATURE

This MOU shall be effective upon the signature of authorised officials from both parties. It shall be in force from (date) ____ _ to (date) ____ _.

Signatures and dates

on behalf of RWE Renewables UK Limited on behalf of Caerphilly County Borough Council

Name: _____ Name: _____
Position: _____ Position: _____
Date: _____ Date: _____

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CABINET – 24TH MARCH 2021

SUBJECT: CAR PARKING CHARGES

REPORT BY: INTERIM CORPORATE DIRECTOR OF COMMUNITIES

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1. PURPOSE OF REPORT

- 1.1 To update Cabinet on the latest position with the Economic impact on town centres caused by the coronavirus pandemic and to recommend a further period of free car parking to support the local economy,

2. SUMMARY

- 2.1 Many businesses within the County Borough have faced significant challenges as a result of Covid-19 and the lockdown and/or trading restrictions that have resulted. This includes many town centre businesses and particularly the town centre hospitality sector.
- 2.2 Supporting town centres is a key feature of the Council's over-arching regeneration strategy (A Foundation for Success) and the Area Regeneration Masterplans that sit under the over-arching strategy.
- 2.3 The length of Welsh Government lockdown periods and the resultant restrictions on the retail and hospitality sector have placed significant pressure on the high street and businesses within our town centres. This continues to make the economic position extremely challenging for our town centre businesses.
- 2.4 On 17th June 2020 the Chief Executive, in consultation with the Leader, Cabinet Members and Acting Section 151 Officer took a delegated powers decision to temporarily suspend car parking charges until 31st December 2020 as part of the Covid economic recovery plan. On 9th December 2020 Cabinet took a further decision to extend the suspension of car parking charges until 31st March 2021.
- 2.5 In light of the continued economic challenges and continued imposition of trading restrictions this report therefore seeks Cabinet approval to further extend the temporary suspension of car parking charges until 30th September 2021.

3. RECOMMENDATIONS

- 3.1 Cabinet is asked: -

- 3.1.1 To approve a further extension of the temporary suspension of car parking charges until 30th September 2021 subject to further review at that time.
- 3.1.2 To agree that the estimated income shortfall of circa £324k is funded from the £2.713m Covid-19 Earmarked Reserve approved by Council at its meeting on the 10th September 2020.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To support the Authority's local town centre economy in the current, challenging economic climate and to support local residents in "staying local" for shopping.

5. THE REPORT

- 5.1 As outlined above, the economic climate remains extremely challenging for town centres and the continued use of lockdown and/or trading restrictions is contributing to the challenging economic trading conditions.
- 5.2 One of the key messages in the fight against Covid-19 has been "stay local" which equally applies to shopping and routine, daily exercise.
- 5.3 One of the key ways in which the Authority can assist in supporting this "stay local" message is to reduce the financial burden on residents by continuing to offer free car parking at its town centre car parks.
- 5.4 The Authority has already committed to offer free car parking until 31st March 2021 but given the continued lockdown and resultant trading restrictions then it is clear that this period should be extended.

6. ASSUMPTIONS

- 6.1 The report has assumed that the challenging economic climate for businesses and residents will last into the Spring and Summer of 2021.

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 There are no equalities implications arising from the report.

10. FINANCIAL IMPLICATIONS

10.1 The continued provision of free car parking results in loss of income of circa £54k per month from town centre car parks.

10.2 The extension of free parking for the period 01/04/2021 to 30/09/2021 will therefore result in lost income of circa £324k.

10.3 The loss of income is not eligible for funding through the WG Covid-19 Hardship Fund as the waiving of the charges is deemed to be a local decision. The lost income for the 2020/21 financial year has been absorbed within the projected underspend on the Council's wider revenue budget. Moving into the 2021/22 financial year this is unsustainable and it is therefore recommended that the income loss of circa £324k for the period 01/04/21 to 30/09/21 should be funded from the £2.713m Covid-19

Earmarked Reserve approved by Council at its meeting on the 10th September 2020.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications associated with this report.

12. CONSULTATIONS

12.1 The report reflects the view of the listed consultees.

13. STATUTORY POWER

13.1 Local Welsh Government Act 2000. 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, Head of Financial Services & S151 Officer
Marcus Lloyd, Head of Infrastructure
Rhian Kyte, Head of Regeneration and Planning
Councillor Tudor Davies, Chair of Environment & Sustainability Scrutiny
Councillor Adrian Hussey, Vice Chair of Environment & Sustainability Scrutiny
Councillor Andrew Whitcombe, Chair of Housing & Regeneration Scrutiny
Councillor Christine Forehead, Vice Chair of Housing & Regeneration Scrutiny

Background Papers:

Council 6th October 2020 – Report on “Decisions taken by the Chief Executive During the Pandemic”.

Cabinet 9th December 2020 – Car Parking Charges