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For all enquiries relating to this agenda please contact Rebecca Barrett
(Tel: 01443 864245 Email: barrerm@caerphilly.gov.uk)

Date: 5th November 2014

Dear Sir/Madam,

A meeting of the **Policy and Resources Scrutiny Committee** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 11th November, 2014** at **5.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

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

To approve and sign the following minutes: -

- 3 Special Policy and Resources Scrutiny Committee held on 24th September 2014 (minute nos. 1 - 8).
- 4 Policy and Resources Scrutiny Committee held on 30th September 2014 (minute nos. 1 - 14).
- 5 Consideration of any matter referred to this Committee in accordance with the call-in procedure.

A greener place Man gwyrdach

A decorative graphic at the bottom of the page featuring a stylized green and yellow wave. On the right side of the wave, there is a silhouette of a building with a bus in front of it and a few trees.

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

6 To receive a verbal report by the Cabinet Member(s).

To receive and consider the following Cabinet reports*:-

7 Invest to Save Bids - 1st October 2014.

8 Improving Governance Update Bid - 1st October 2014.

9 Housing Solutions: Social Lettings Agency - 1st October 2014.

10 Workforce Flexibilities - 1st October 2014.

11 CCBC Partnerships and Collaborations - 15th October 2014.

12 Cabinet Forward Work Programme - 15th October 2014.

13 Draft Savings Proposals 2015/2016 - 29th October 2014.

**If a member of the Scrutiny Committee wishes for any of the above Cabinet reports to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 a.m. on Monday, 10th November 2014.*

To receive and consider the following Scrutiny reports:-

14 Draft Flexible Working Policy and Procedure.

15 Draft Domestic Abuse, Gender-Based Violence and Sexual Violence Policy and Guidance for Managers.

16 Draft Whistleblowing Policy.

17 National Home Improvement Loan Scheme.

18 6-month Progress Update of Improvement Objectives - Caerphilly Passport Programme Update.

19 Performance Management IO5 - Investment in Council Homes to Transform Lives and Communities - 6-Month Update.

20 To record any requests for an item to be included on the next available agenda.

To receive and note the following information items*:-

21 Capital Outturn 2013-14.

22 Treasury Management and Capital Financing Prudential Indicators Monitoring Report (1st April 2014 to 30th September 2014).

23 Discretionary Rate Relief Applications.

24 Caerphilly Homes Task Group Minutes - 18th September 2014.

25 Policy and Resources Scrutiny Committee Forward Work Programme.

**If a member of the Scrutiny Committee wishes for any of the above information items to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 a.m. on Monday, 10th November 2014.*

Circulation:

Councillors L.J. Binding, C.J. Cuss, H.W. David (Chair), Miss E. Forehead, J.E. Fussell, D.M. Gray, C. Hawker, Ms J.G. Jones, G. Kirby, A. Lewis, C.P. Mann, S. Morgan (Vice Chair), D. Rees, R. Saralis, Mrs J. Summers and J. Taylor

And Appropriate Officers

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SPECIAL POLICY AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 24TH SEPTEMBER 2014 AT 5.30 P.M.

PRESENT:

Councillor H.W. David - Chair
Councillor S. Morgan - Vice Chair

Councillors:

C.J. Cuss, J.E. Fussell, C. Hawker, Ms. J.G. Jones, G. Kirby, A. Lewis, C.P. Mann, D. Rees

Cabinet Members:

Mrs. B. Jones (Corporate Services), G. Jones (Housing)

Together with:

N. Scammell (Acting Director of Corporate Services and Section 151 Officer), G. Hardacre (Head of Workforce and Organisation Development), C. Jones (Head of Performance and Property Services), S. Harris (Interim Head of Corporate Finance), J. Jones (Democratic Services Manager) and R. Barrett (Committee Services Officer)

Also present:

G. Enright (Unison Branch Secretary)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L. Binding, Miss E. Forehead, D.M. Gray, R. Saralis, Mrs J. Summers and J. Taylor, together with Cabinet Member Mrs. C. Forehead.

2. DECLARATIONS OF INTEREST

Councillor Mrs. J. Jones declared an interest in Agenda Item 3 (Mileage Expenses – Options Appraisals on Savings). Details are minuted with the respective item.

Mr G. Hardacre, Head of Workforce and Organisation Development, declared an interest in that he is a member of an organisation referenced in Agenda Item 4 (Property (Building) Rationalisation) but left the meeting before this item was discussed.

3. CORPORATE SERVICES MEDIUM FINANCIAL PLAN 2015/16 AND 2016/17 – ITEMS FOR CONSIDERATION

The Chair introduced the evening's proceedings, which sought Members' comments on a number of proposed savings and efficiencies within the Corporate Services Directorate, as part of the Medium Term Financial Plan (MTFP) for 2015/16 and 2016/17. The meeting continued a comprehensive timetable of meetings relating to the budget planning process, with the primary purpose of the meeting being for Members to be advised of, and debate a range of potential cuts/efficiency options.

It was reiterated to Members that they were not being asked to determine cuts to services at this meeting, and they were encouraged to request further information in the event of being unable to reach agreement regarding the savings proposals presented.

REPORTS OF OFFICERS

Consideration was given to the following reports.

4. MILEAGE EXPENSES – OPTIONS APPRAISALS ON SAVINGS

Councillor Mrs J. Jones declared a personal and prejudicial interest in this item, in that her daughter is employed by the Authority as a Carer and could be affected by these proposals, and therefore left the meeting during discussion of this item.

The Chair introduced the item and it was arranged that Gareth Hardacre, Head of Workforce and Organisational Development, would present the report, followed by a response from Gary Enright, Unison Branch Secretary, on behalf of the collective Trade Unions. Questions and discussion by Members on the proposals would then follow, prior to consideration of the report recommendations.

Mr. Hardacre presented the report, which sought Members' views on the potential budget savings that could be achieved from amending the Council's Expenses Payments for Employees. As part of the 2014/15 budget approved by Council in February 2014 the Casual User Mileage rate was reduced from 55p to 50p per mile. Cabinet had originally proposed a reduction to 45p per mile in line with the approved HMRC rate. However, in light of representations raised by the Trade Unions on behalf of their members a reduction to 50p was considered more appropriate at that time.

The report reconsidered whether it would be appropriate to review this position and bring the mileage rate in line with the HMRC approved arrangements, in light of worsening Medium-Term Financial Plan (MTFP) projections, with three options listed for Members' consideration:-

- (a) Preserve the status quo - carry on funding the expenses at the current level of 50p per mile. This would not deliver any contribution to the MTFP savings target;
- (b) Amend the mileage rates to the approved HMRC rate with effect from the 1st April 2015. This would deliver a projected ongoing saving of circa £135,000 per annum (excluding Schools and the Housing Revenue Account);
- (c) Amend the mileage rates to any other rate that Members may wish to propose.

If a change to the mileage rate were to be implemented, a collective agreement with the Trade Unions to achieve an agreed implementation date would be sought. In the event that this could not be reached, a lead in period of 12 weeks would be required to allow for the contractual notice to be served. Members were directed to Appendix A of the report, which contained an analysis of mileage payments to staff, broken down into pay grades, and detailed the potential savings that could be made via a 5p per mile reduction in payments.

Mr Gary Enright, Unison Branch Secretary, was then invited to respond to the report on behalf of the collective Trade Unions and to highlight their position regarding these proposals.

Mr Enright referred to the three options listed within the report and advised Members that in his opinion and in light of the personnel implications outlined in section 7.2 of the report, Option C – to amend the mileage rates to any other rate that Members may wish to propose – did not appear to make sense. He reiterated that the Trade Unions remained opposed to any changes to employees' terms and conditions that would worsen their current position, with it highly unlikely that the Trade Unions would support the proposal to reduce the mileage rate payments to employees.

Reference was made to Appendix A of the report, which detailed an analysis of breakdown of mileage payments by pay grade, with Mr Enright stating that the figures indicated against Grade 5 and Grade 6 employees were inaccurate and needed to be amended.

Mr. Enright also referenced previous meetings where alternative savings efficiencies to amending the mileage rate had been suggested by the Trade Unions, and clarified these suggestions, which included reducing communication costs, reviewing the use of consultants, ring-fencing of finances and reviewing the Council's fleet of vehicles.

In closing, Mr Enright called for further consultation with staff in regards to the mileage expenses proposals, and requested that consideration of the matter be deferred until 2016/17.

Detailed discussion of the report ensued and Members made reference to the Analysis of Breakdown of Mileage Payments detailed in Appendix A of the report. Officers explained that this analysis was an Equalities Impact Assessment, which identified that certain groups of staff would be affected to varying degrees by the proposed changes (Options B and C) based on their current need to claim expenses. Members queried the data contained within the analysis and commented that it would be useful to have the salary scales included for reference. Officers arranged for this information to be provided to Members.

Concerns were raised that the analysis was not a true reflection of the monetary impact on staff, in that some of the staff listed against each pay banding could be employed on a part-time/pro-rata basis and therefore affected to a greater degree. Officers explained that it was essential to maintain consistency across the board in that there could be a possible equalities challenge if different mileage expense rates were applied based on pay grades and/or individual circumstances.

Reference was made to the mileage payments made by neighbouring authorities with concerns expressed that staff working for CCBC could be at a financial disadvantage compared to those employed by other councils. Mr Hardacre confirmed that of the neighbouring authorities, the majority have adopted the HMRC rate of 45p per mile and that Caerphilly is one of only five Welsh Local Authorities that have not adopted this rate to date.

Nicole Scammell, Acting Director of Corporate Services, then responded to the Trade Unions' suggestions regarding savings efficiencies. The process in regards to the use of consultants was detailed, which included an in-depth procurement tendering process, together with consultation with Cabinet. Members were asked that if they were aware of any recurring consultancy costs as part of revenue spending, that this be brought to the attention of Officers in order for this spend to be examined. With regards to a review of the Council's fleet of vehicles, specific suggestions were welcomed as part of the MTFP. Regarding the ringfencing of finances, it was confirmed that reserve funds were retained as a contingency measure in view of the potential impact of the MTFP.

In response, Mr Enright questioned the value of consultants to the Authority, with Members requesting that the situation be clarified with regards to the use of consultants and the circumstances in which they were employed. Mr Enright also suggested a review of recycling arrangements as a savings efficiency and referenced the three-weekly cycle used by some

neighbouring authorities. It was confirmed by the Chair that recycling arrangements would be a matter of discussion for the Regeneration and Environment Scrutiny Committee.

Members referenced the MTFP and raised concerns that preserving the status quo in regards to mileage payments could impact elsewhere on the Authority and lead to redundancies. Mr Enright reiterated that he appreciated the need for job protection but that it had previously been agreed that the mileage rate would not drop to 45p per mile until 2016/17, in line with the harmonisation of employee terms and conditions. Members raised concerns that these proposals would particularly impact on lower-paid staff and suggested that the matter be deferred for consideration until 2016/17.

Queries were raised in regards to the Council's fleet of vehicles and the possible use of pool cars/hire cars by staff as an efficiency measure. It was confirmed that this option had previously been examined by Officers but could be looked at again, and Officers confirmed that there was a facility for departments to hire vehicles for the transport of staff for business purposes. Mr Enright queried the use of video conferencing as an alternative to travelling, and it was confirmed that while the Authority utilised this facility, it was not always feasible in that other parties did not always have video-conferencing capabilities.

The Acting Director of Corporate Services reiterated the need to deliver savings against the MTFP and explained that the Authority's financial position would become clearer on 8th October 2014 with the announcement of the budget settlement for 2015/16. Members were advised that with limited savings options available for the next financial year, a number of difficult decisions would have to be made, with the possibility of previous decisions revisited with a view to increasing savings and efficiencies.

It was explained that draft proposals with regards to the MTFP were due to be presented to Cabinet on 29th October 2014 and that therefore it was important to ensure that any agreed savings and efficiencies were implemented as soon as possible in order to facilitate savings in 2015/16. The Chair raised concerns that the Committee were being asked to comment on the options after receiving limited information, and asked Members to bear this in mind when considering the report.

The Chair asked Officers to clarify whether savings from a mileage rate reduction would become apparent immediately or later on in the year, and it was explained that it was unlikely that a decision would be taken on the matter before the Special Cabinet Budget meeting in February 2015, with any changes implemented from April 2015.

Following consideration of the report, Option B was moved and seconded in that mileage rates be amended to the approved HMRC rate with effect from 1st April 2015. By a show of hands and a majority vote, the motion was declared lost.

An amendment to Option A was moved and seconded in that the status quo be maintained with expenses continuing to be funded at 50p per mile, and that this mileage rate be reduced to 45p per mile in 2016/17. By a show of hands and a majority vote, the motion was declared lost.

The Policy and Resources Scrutiny Committee therefore determined that they were unable to make a recommendation on the matter, and requested that their comments made during consideration of the report be noted in detail and forwarded to Cabinet.

5. PROPERTY (BUILDING) RATIONALISATION

The Chair made reference to the Community Centres listed for rationalisation within the report and reminded Members that consideration of these particular buildings had taken place at a Special Education for Life Scrutiny Committee on 18th September 2014. In that this matter would be subject to further discussion in the near future, it was agreed by the Committee that

the Community Centres contained within the proposals would not be considered at this evening's meeting.

Colin Jones, Head of Performance and Property, presented the report, which proposed the disposal of approximately 50 of the most inefficient council-owned or managed buildings as part of the Council's Land and Buildings Asset Rationalisation Programme.

Members were advised that CCBC owns and maintains approximately 885 corporate and public buildings on 411 sites. As at 31st March 2014 it has a total outstanding building maintenance liability of £48,248,489, of which £1,268,935 is required for Priority 1 repairs. These repairs are classified as "work defined as that of the highest importance and, unless undertaken, may lead to closure of the building or a serious breach of health and safety legislation".

The report explained that the culture of the Authority has traditionally been to keep and maintain its property portfolio and encourage its uses via council services, community uses, leisure provision etc. When situations have arisen by buildings being declared surplus, the Council has often taken advantage of this to dispose of property but it is very much a reactive rather than planned process.

The purpose of the report was therefore to attempt a "kickstart" of change in established culture by challenging the continued retention of buildings that impose the highest liability on the Council and encouraging their disposal. A schedule of candidate properties for consideration for disposal was presented to Members and appended to the report. This approach would be a driver for changes in historical working practices demanded by the poor financial outlook for public services. It was planned that over the coming months, discussions would be held with the various Directorates via the Asset Management Group aimed at securing a first phase list of agreed properties, to be ratified by Scrutiny, whose disposal will meet the draft MTFP targets for 2015/16 and 2016/17.

Detailed discussion of the proposals followed and Members referenced a number of specific sites listed within the report, raising concerns that disposal of these properties could have a detrimental impact on local communities. Queries were raised regarding the inclusion of several of these properties and it was felt that further information was needed with regards to the reasons for their inclusion. Members called for detailed consultation with the public and local ward members who could be affected by the proposals.

Members commented on the need for a strategic approach to the principles of property rationalisation in order to determine a shortlist of potential properties. Comments were made regarding a need to invest potential savings against some of the properties listed in order to improve their efficiency. A query was received regarding the revenue savings and cost avoidance savings listed against the properties and Officers confirmed that the list centred around the running costs of the buildings as an indicative measure of efficiency.

Following detailed consideration of the proposals, Members unanimously accepted the principle of the report as a means of property rationalisation and recommended that the 20 most deliverable properties be considered initially within the financial years 2014/15 and 2015/16. A further report will be presented after consultation with Directorates and any local members directly affected by the potential loss of those 20 properties

6. HELP FOR PENSIONERS WITH THEIR COUNCIL TAX

Stephen Harris, Interim Head of Corporate Finance, presented the report, which set out further options for Members to consider in relation to the 'Help for Pensioners with their Council Tax' Scheme.

Members were reminded that a report was originally presented to the Policy and Resources Scrutiny Committee on 17th June 2014 to consider this matter, with the options presented to Members as follows:-

- (a) Carry on funding the scheme at 2013/14 levels i.e. £246,000;
- (b) Withdraw the scheme completely with effect from 1st April 2015 onwards and achieve a saving of £246,000 per annum;
- (c) Award 50% of the current level of grant from 1st April 2015 onwards and achieve a saving of £123,000 per annum;
- (d) Award 50% of the current level of grant for the 2015/16 financial year and then withdraw the scheme completely with effect from 1st April 2016. This would achieve a saving of £123,000 in 2015/16, with a further £123,000 per annum being realised from April 2016 onwards.

The current scheme is targeted at those aged 60 plus and there are 2811 qualifying accounts.

Following consideration of the options presented at that meeting, Members had requested details of some additional options targeting the financial support at those aged 65 and above, those aged 70 and above and finally, those of pensionable age.

Information relating to these additional options was presented to Members as follows:-

- (a) Target funding at those aged 65 plus – this would encompass 2584 qualifying accounts, at a cost of £228,000 and achieve a saving of £18,000;
- (b) Target funding at those aged 70 plus – this would encompass 1918 qualifying accounts, at a cost of £169,000 and achieve a saving of £77,000;
- (c) Target funding at those of pensionable age – this would encompass 2781 qualifying accounts, at a cost of £245,000 and achieve a saving of £1,000.

Consideration of the report ensued and Members raised concerns that amendments to the scheme could have an impact on those individuals struggling financially. A query was raised in regards to introducing means testing criteria and Officers confirmed that this discretionary service already achieved a high level of uptake and that such assessments could potentially result in increased eligibility numbers.

A query was raised regarding the difference between age 65 and pensionable age and Officers confirmed that there was a minor difference in that some individuals achieved pensionable age at 65, and others at 66, depending on their year of birth. Members called for the need to keep pensioners informed of any developments in regards to the future of this service.

Following consideration of the proposals, Members unanimously endorsed Option D of the report – award 50% of the current level of grant for the 2015/16 financial year and then withdraw the scheme completely with effect from 1st April 2016.

7. INVESTMENT STRATEGY

Stephen Harris presented the report, which outlined a range of options for Members to consider in relation to the Council's investment strategy.

It was explained that the Council currently deposits surplus cash balances with the Debt Management Office (DMO) and other local authorities (including police and fire authorities) for

periods up to three months. In line with the Council's approved Treasury Management Strategy (TM Strategy) there is no restriction in terms of the value of investments that can be placed with the DMO but only £5m can be deposited with a local authority. Furthermore, the Council can only place deposits for a maximum period of 3 months with each counterparty.

The TM Strategy is reviewed annually and is approved by full Council as part of the budget setting process. Historically the Council has deposited funds with national and international banks and building societies, but since the financial crisis of 2008 the Council had reverted to a risk adverse strategy.

Following Member requests for further information on the investment options available, the Council's treasury management advisors, Arlingclose, prepared three models for Members to consider in relation to the current approach to investments. These scenarios are based on investment returns of £1m (Model 1), £500,000 (Model 2) and £655,000 (Model 3) and were outlined to Members.

Model 1 has an average investment duration of 3 years, with a return of 1.36% (£1.02m). £20.3m is available within a day's notice, £8.5m is invested for 1 year, whilst £46m is invested for longer than 1 year. This portfolio would represent liquidity risk as there is not enough cash available to cover the short-term period (3 months to 1 year) and it was advised that Officers did not therefore recommend this option. The use of corporate bonds and floating rate notes (in addition to the covered bond) would require an amendment to the TM Strategy.

Model 2 is similar to the scenario in Appendix 1 and has an average duration of 188 days and yields a return of 0.67% (£500,000). £17m is available within a day's notice, £21.8m within 2 months and £9m is invested longer than 1 year. The remaining £27m is invested between 3 and 12 months. This portfolio would suit the Council's cashflow profiling. An amendment to the TM Strategy would be required for the use of covered bonds and the duration of some of the proposed investments.

Model 3 has an average duration of 421 days and yields a return of 0.88% (£655k). £16.8m is available within a day's notice, £5m within 2 months and £24m is invested longer than 1 year (with £2m at 5yrs with a local authority). The remaining £29m is invested between 3 and 12 months. This portfolio would also suit the Council's cashflow profiling. The use of corporate bonds (in addition to covered bonds) would require an amendment to the TM Strategy.

Detailed discussion of the report followed and Members referenced comparative data provided at the Medium Term Financial Plan Members' Seminar on 15th July 2014, with it being confirmed by Officers that the risks of each scenario were still respectively lower than for other benchmarked authorities.

Members discussed the potential of Model 1 and queried the action required in order for it to become a viable option, with Officers reiterating the concerns in regards to the liquidity risk detailed. It was explained that the Council had a reputation for prompt payment of supplier invoices and it was essential to ensure that there were sufficient funds available for such purposes. Members also discussed the use of covered bonds and corporate bonds detailed within the report.

Following consideration of the report, Members requested that Model 1 be reviewed with a view to removing the liquidity risks contained within this option. It was requested that a further report containing this additional information be presented at a future meeting of the Policy and Resources Scrutiny Committee.

8. OTHER PROPOSED SAVINGS - CORPORATE SERVICES AND MISCELLANEOUS FINANCE

Stephen Harris presented the report, which provided details of a range of 2015/16 savings proposals within the Directorate of Corporate Services and Miscellaneous Finance to support the Authority's Medium Term Financial Plan.

It was explained that Heads of Service within the Directorate of Corporate Services have reviewed budgets in detail to identify a range of savings options to support the MTFP. The savings proposals presented in this report relate specifically to the 2015/16 financial year and have been categorised into five areas: Vacancy Management, Contract/Service Rationalisation, Property Costs, Budget Realignment, and Other, with identified savings totalling £2,508,000. Each of these areas was outlined and the potential savings within each area detailed.

With regards to Vacancy Management, a number of vacant posts within the Corporate Services Directorate were outlined, with deletion of these posts bringing about a saving of £188,000. In addition to this, 2015/16 savings of £89,000 were due to be realised from the full-year impact of a review of the Development Team within IT Services that was agreed as part of the approved package of savings for 2014/15.

Members were informed that a review of a number of budget headings, involving Contract/Service Rationalisation, had identified savings totalling £205,000, and a review of property budgets and reductions in Property Costs had identified savings of £175,000. A detailed review of budgets had been undertaken to identify areas where actual expenditure is consistently lower than the budgeted level, with this Budget Realignment bringing about savings of £698,000.

A number of savings had also been identified in other budgets, including the reduction of the Fire Service Levy, revenue budget savings from the Welsh Housing Quality Standard Debt Charges, and savings made in relation to subscription charges. The identified savings for these areas totalled £1,242,000.

During the ensuing discussion, Members referenced several of the identified savings and Officers responded to general queries. It was confirmed that the Authority were withdrawing from the Welsh Purchasing Consortium because they already received a similar service from the National Procurement Service.

Following consideration of the report, Members unanimously endorsed the range of savings proposals for 2015/16 outlined within the report.

The meeting closed at 7.48 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th November 2014, they were signed by the Chair.

CHAIR



POLICY AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 30TH SEPTEMBER 2014 AT 5.30 P.M.

PRESENT:

Councillor H.W. David - Chair
Councillor S. Morgan - Vice Chair

Councillors:

L. Binding, C.J. Cuss, Miss E. Forehead, D.M. Gray, C. Hawker, Ms J.G. Jones, G. Kirby, A. Lewis, C.P. Mann, D. Rees, R. Saralis, Mrs J. Summers, J. Taylor

Cabinet Members:

D.T. Hardacre (Performance and Asset Management), Mrs B. Jones (Corporate Services), G. Jones (Housing)

Together with:

N. Scammell (Acting Director of Corporate Services and Section 151 Officer), C. Jones (Head of Performance and Property), S. Couzens (Chief Housing Officer), L. Jones (Acting Head of IT and Customer Services), R. Beasley (Project Manager Welfare Reform Programme), S. Cousins (Principal Housing Officer), J. Dix (Policy and Research Manager), S. Isaacs (Caerphilly Homes Rents Manager), A. Veronese (Programme Manager and E-Government Team Leader), K. Williams (Private Sector Housing Manager) C. Forbes-Thompson (Scrutiny Research Officer) and R. Barrett (Committee Services Officer)

Also present:

J. Channing (Citizens' Advice Bureau) and C. Pritchard (JobCentre Plus)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J.E. Fussell and Cabinet Member Mrs C. Forehead.

2. DECLARATIONS OF INTEREST

With regards to Agenda Item 14 (Welfare Reform – Update on the Activities to Support Residents) and subject to the content of the debate, it was noted that Councillor C.P. Mann may be required to declare an interest and leave the meeting.

During the course of the meeting, a declaration of interest was received from Councillor S. Morgan and is detailed with the respective item.

3. MINUTES – 29TH JULY 2014

RESOLVED that the minutes of the special Policy and Resources Scrutiny Committee meeting held on 29th July 2014 (minute nos. 1 – 4) be approved as a correct record and signed by the Chair.

4. MINUTES – 5TH AUGUST 2014

RESOLVED that the minutes of the Policy and Resources Scrutiny Committee meeting held on 5th August 2014 (minute nos. 1 – 10) be approved as a correct record and signed by the Chair.

5. CONSIDERATION OF ANY MATTER REFERRED TO THIS SCRUTINY COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

6. CABINET REPORTS

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

7. REPORT OF THE CABINET MEMBERS

Councillor Mrs B. Jones, Cabinet Member for Corporate Services, provided an update in relation to the budget settlement for 2015/16, which was due to be announced on 8th October 2014. Members were advised of the detailed preparations that have taken place in anticipation of this settlement, and it was explained that cuts of up to 4.5% in funding are expected, which has the potential to increase the savings requirement across to the Authority to 15.1m for 2015/16 and 15.0m for 2016/17. It was explained that the anticipated total cut in WG funding is £154m, equating to approximately 3.3% per each Local Authority in Wales.

Members were reminded that a number of special Scrutiny Committees had recently taken place to consider savings and efficiencies proposals in a number of areas across the Authority. Whilst these meetings had been successful in determining a number of savings across areas for further consideration and examination, it was explained that these were insufficient in meeting the savings requirements outlined in the Medium Term Financial Plan (MTFP). In response to this, the Chair advised the Cabinet Member that the Policy and Resources Scrutiny Committee had been responsible for endorsing the largest amount of savings from the proposals presented to the four Scrutiny Committees.

Members were also advised that the new and improved Caerphilly County Borough Council website is due to be launched shortly, which will host a number of new features, such as mapping technology, and incorporate a user-friendly approach to the website.

G. Jones, Cabinet Member for Housing, added that there were currently several ongoing developments in relation to the Welsh Housing Quality Standard and that further information would be presented to Members at the next meeting of the Policy and Resources Scrutiny Committee.

REPORTS OF OFFICERS

Consideration was given to the following reports.

8. WELFARE REFORM – UPDATE ON THE ACTIVITIES TO SUPPORT RESIDENTS

Councillor C.P. Mann asked for it to be noted that subject to the content of the debate, it may be necessary for him to declare an interest and leave the meeting, in that he is a member of the Trustee Board of Caerphilly Citizens Advice Bureau. This was subsequently not required.

The Chair welcomed Alessandra Veronese (Programme Manager and E-Government Team Leader) Richard Beasley (Project Manager Welfare Reform Programme) and Sandra Isaacs (Caerphilly Homes Rents Manager) to the meeting, together with Jan Channing (Citizens Advice Bureau) and Ceri Pritchard (JobCentre Plus).

The report updated Members on the progress of activities that the Authority has put in place to support residents in adjusting to the changes introduced by Welfare Reform. In summarising the report, Officers drew Members' attention to the partnership working underpinning the advice and support provided to residents and to the considerable level of debt identified during the support activities.

With the aid of a slide presentation, Officers informed Members of the impact of Welfare Reform on local residents, and the partnership working between the Authority, JobCentre Plus (JCP) and Citizens Advice Bureau (CAB), together with other agencies. It was explained that ongoing changes as a consequence of Welfare Reform had necessitated further training of Council staff to enable their continued support to residents. This training encompassed a wide range of areas, including awareness of loan sharks and availability of crisis loans, homelessness intervention methods and support regarding private tenancies.

Officers outlined in detail the support mechanisms provided to local residents affected by the Welfare Reform changes. There are eleven members of staff within the Council Housing Rents Team who are fully trained in the changes and available to provide telephone support to residents. A team of four Tenancy Support Officers (TSOs), a role created in October 2012 following the introduction of Welfare Reform, visit Council Housing tenants in their homes and carry out needs assessments and offer a wide range of support mechanisms to those affected by the under-occupancy charge. The team work in partnership with CAB and JCP and make referrals to partnership agencies where appropriate.

The initial results of this support and assistance offered to residents to date were outlined, with face-to-face support provided to 3026 residents since October 2012 and promotion of Welsh Water Assist, leading to a total of £350,000 reduction in water costs for tenants and 594 applications for water meters, resulting in a £100 saving per annum. 493 tenants received expert energy saving advice with 407 tenants qualifying for a Warm Home discount. 124 tenants were supported for access to food banks, 302 tenants were referred for employment support via JCP or Bridges Into Work, and 381 tenants were referred to the CAB for casework debt support. A summary of feedback received from local residents was displayed to Members, which expressed gratitude for the advice given and indicated a significant improvement in the personal circumstances of many local residents.

Officers detailed further information relating to the partnership working process, including joint working between CAB, JCP, the Authority, the voluntary sector and other stakeholders. It was explained that the aim of the partnership was to deliver a 'joined up' approach to employment and skills services, increasing working with others to deliver a unified service rather than creating duplication, and ensuring that awareness of the support available was understood by all disadvantaged residents.

Jan Channing of Caerphilly Citizens Advice Bureau then detailed examples of how the agency worked together with the Authority to deliver this partnership. It was explained that the CAB

currently utilise two models of working: home visits and appointments in conjunction with Supporting People and Families First, and appointments at local venues in relation to rents. A number of positive outcomes have been identified, including formal debt remedies, the identification of a number of loan sharks in the borough, and the establishment of a response service within the partnership, to enable TSOs to contact CAB for immediate advice when a resident is experiencing a crisis (such as bailiff intervention). The partnership has also facilitated improved contact with other departments such as Council Tax, which leads to faster resolutions when appropriate. A number of comments from local residents were displayed to Members which demonstrated the positive impact of the CAB in assisting in the reduction of personal debts.

Members thanked the Officers and partnership representatives for an excellent and detailed presentation, and wished to place on record their appreciation of the work of Officers in supporting residents as a result of Welfare Reform changes.

Detailed discussion of the report and presentation ensued, and Members raised a number of queries in relation to partnership working. It was clarified that although several independent agencies are involved with the support process, they work in partnership to avoid duplication, utilising a support service framework and methods such as data-sharing agreements. It was explained that this data sharing often identifies instances where engagement with tenants is lacking, which then results in TSOs undertaking home visits to see if assistance and support can be offered. Officers also explained the referral processes involved to minimise duplication and to ensure that residents affected are not identified multiple times across several different agencies.

It was confirmed that the Authority meet monthly with the CAB and JCP in relation to the Welfare Reform changes but there are also occasions where they meet on an ad-hoc basis owing to other projects. Situations frequently arise where the CAB liaise with JCP as a result of sanctions imposed on tenants in relation to Job Seekers Allowance and establish a way forward to see if these sanctions can be removed.

Members made reference to section 4.9.3 of the report, which detailed the number of debt referrals between October 2013 and August 2014. The attendance rate of appointments at 59% was queried, with concerns raised about residents continuing to remain unsupported. It was explained that debt was a difficult subject matter but that Officers made every effort to encourage people to attend appointments, and also that this take-up remained higher than the 20%-30% attendance rate experienced in a number of other local authorities.

Members enquired if difficulties or barriers were experienced by the partnership and Officers outlined some of the short-term funding arrangements underpinning some of the activities.

It was explained that the agencies were identifying significant problems relating to money borrowing and residents turning to providers such as loan sharks and payday loans in order to meet unexpected household emergencies (such as cooker breakdowns). The Authority and partnership agencies utilise a number of approaches to tackle this problem, including working with grant providers in order to offer alternative lending methods to residents.

In response to a Member's question, it was confirmed that there had been a large increase in affected residents and the workload of the CAB since the introduction of Welfare Reform, and that the CAB had not received additional resources in order to deal with this increase. Members also queried the number of successful benefit appeals and Ceri Pritchard of JobCentre Plus arranged to provide this information to Members

Reference was made to the use of food banks and Officers confirmed that there had been a number of difficult cases encountered by TSOs, and that the Authority had an excellent relationship with food banks and their volunteers. A query was raised in relation to the promotion of alternative lending methods such as credit unions and it was confirmed that the CAB were continuing to educate residents in order to establish the most appropriate lending

solution for individual circumstances.

A query was raised in regards to the Authority's Council Housing Eviction Panel, which was established in June 2014, with four meetings held to date. It was explained that evictions had taken place as a result of non-payment of rent, with it stressed to Members that none of these evictions had been as a result of the non-payment of bedroom tax. It was also explained to the Committee that the term 'under-occupancy' consistently used throughout the report was an alternative name for 'bedroom tax'.

In regards to the identification and tackling of poverty and vulnerability, Officers confirmed that they work with agencies such as the Council's Communities First programme and Careers Wales to identify specific areas for improvement. Further discussion also took place in relation to loan sharks, with Ms Channing explaining the tactics of these unlicensed lenders and the culture of fear that they impose on their local communities. It was explained that further Officer training would be arranged in relation to the Illegal Money Lending Unit, and Members welcomed the invitation to attend such training, with arrangements to be made by the relevant Officers.

Members noted the contents of the report, and in thanking the representatives from JCP and CAB for their attendance, invited them to return to a future meeting of the Policy and Resources Scrutiny Committee to provide an update on progress.

9. HOUSING SOLUTIONS: SOCIAL LETTINGS AGENCY

During the course of the debate on this item and prior to Members voting on the recommendations, Councillor S. Morgan declared a personal and prejudicial interest in that he is a property landlord. He remained in the room but did not participate in the vote.

Kenyon Williams, Private Sector Housing Manager and Suzanne Cousins, Principal Housing Officer, presented the report, which advised of the implications associated with the changes to homelessness prevention duties and sought Members' support in respect of the creation of a Social Lettings Agency, prior to its consideration by Cabinet.

The key issues within the report were highlighted, which considered the Housing (Wales) Bill and its implications for the Authority in respect of its responsibilities for homelessness prevention, registration and licensing of private sector landlords and the options available for some of the Authority's public and private sector empty properties.

In relation to the activities already in place to address the forthcoming legislation, the report put into context the pressures on the Authority to provide a safe, affordable home and proposed the widening of housing options to include a Social Lettings Agency. Access to affordable housing has become hampered by the reduction in housing supply and the implementation of the Welfare Reform Act for many of the residents in Caerphilly where home ownership is not an affordable option. The report also considered the impact of welfare reform and the limitations it presents for access to the private rented sector.

Members were advised that in addressing the problem of an undersupply of affordable housing within the private rented sector, there were potentially three options to consider: making incentive payments to letting agents and private landlords, utilising the services of an external lettings agency, or creating an in-house Social Lettings Agency. The report examined each of these options in detail and recommended that Members support Option 3 (the development and implementation of an In-House Social Lettings Agency).

Discussion of the report ensued and Members referenced made reference to Option 3, as detailed in section 4.6.4 of the report. A query was received as to the expected number of landlords and properties expected to participate in the scheme, with Officers confirming that this would not become clear until the registration process commenced.

In relation to the good quality accommodation requirement for a successful Social Lettings Agency, Members asked how these standards would be enforced. Officers confirmed that all accommodation would be inspected prior to a letting arrangement being agreed, with those properties deemed unsuitable being unable to sign up to the scheme. It was suggested that a progress report in regards to the proposed Social Lettings Agency be produced after 12 months and it was noted that this action was contained within the report recommendations.

Reference was made to the requirement for a Social Lettings Agency Manager post and Members queried whether the post could be filled internally. Officers confirmed this would be dependent on whether existing Officers had the level of experience to meet the requirements of the post. Discussion also took place in relation to homelessness and the private rented sector, with Members commenting on the series of measures supported by Shelter Cymru outlined in 4.2.3 of the report.

Following discussion of the report, it was moved and seconded that the following recommendations be referred to Cabinet for consideration. By a show of hands, this was agreed by the majority present. Having declared an interest in this item, Councillor S. Morgan abstained from voting on these recommendations.

RECOMMENDED to Cabinet that:-

- (i) The development of an In-House Social Lettings Agency as outlined in paragraph 4.3.4 of the report be implemented;
- (ii) A further report outlining progress to date and the performance of the Social Lettings Agency be submitted to the Policy and Resources Scrutiny Committee within 12-18 months of its commencement.

10. CAERPHILLY COUNTY BOROUGH COUNCIL PARTNERSHIPS AND COLLABORATIONS

Jackie Dix, Policy and Research Manager, presented the report, which outlined the work undertaken around the Council's partnerships and collaborative work, and sought Members' endorsement of the proposed Collaboration and Partnership Protocol and Partnership Governance Toolkit, prior to its referral to Cabinet for determination.

Members were informed that following recommendations made by the Wales Audit Office on the partnership and collaborative work of the Council, an exercise commenced in October 2013, with 146 significant partner organisations identified, including 35 formal partnerships, 25 collaborations, and the Council taking the lead in 8 of the collaborative arrangements.

The proposed Collaboration and Partnership Protocol sets a partnerships and collaborations framework to ensure there is a clear structure for partnership work, and provides a twelve-month action plan for embedding a robust structure for partnership working. The intention of the proposed Partnership Governance Toolkit is to provide partnership leads with guidance on ensuring effective and purposeful partnership, achieving intended outcomes, with robust scrutiny and governance arrangements in place, which is also called for in the Wales Local Government White Paper on Reforming Local Government.

The report explained that the Collaboration and Partnership Protocol and action plan for delivery, together with the accompanying Partnership Governance Toolkit, were issued for a four-week consultation period. Six responses were received, which were generally supportive of the proposed documents, and suggested some minor amendments. These would be incorporated into the finalised Protocol and Governance Toolkit, together with any subsequent comments received following presentation of the report to the Policy and Resources Scrutiny Committee and Cabinet.

Discussion of the report ensued and Members welcomed news of the Collaboration and Partnership Protocol. A query was raised regarding scrutiny of these partnerships with it confirmed that any issues would be reported back to the Improving Governance Programme Board. It was also confirmed that the Audit Committee would have continued involvement in regards to reviewing the Protocol, with their views incorporated into the action plan for delivery that was appended to the report.

Members unanimously endorsed the Collaboration and Partnership Protocol and action plan for delivery, together with the Partnership Governance Toolkit (subject to minor consultative changes). It was moved and seconded that the following recommendation be referred to Cabinet for consideration. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that the Collaboration and Partnership Protocol and action plan for delivery, together with the Partnership Governance Toolkit (subject to minor consultative changes) be endorsed.

11. REVIEW OF ASSET MANAGEMENT (LAND AND PROPERTY) STRATEGY – PROGRESS UPDATE

Colin Jones, Head of Performance and Property, presented the report, which informed Members of progress against recommendations for improvement flowing from a review of the Council's Asset Management (Land and Property) Strategy: September 2013 by the Auditor General for Wales. This review was presented to Audit Committee on 6th November 2013.

It was explained that the Auditor General concluded the review by making five proposals for improvement:-

- (1) Develop a robust Asset Management Strategy for its property and associated infrastructure. The strategy should set out a vision for each type of asset that shows how it contributes to the delivery of the Council's priorities, set targets for assessing progress (including the condition and suitability of each asset), describe an overall plan for implementing the strategy, and be approved by Members;
- (2) Ensure that the individual service asset management plans are developed as soon as possible and are used to inform the Council's financial planning process;
- (3) Finalise its current review of property performance data and agree which data should be monitored and reported at Officer and Member level;
- (4) Develop and implement arrangements to monitor the delivery of the strategy;
- (5) Formalise the role of the Asset Management Group to improve governance and accountability, which should include reviewing the membership of the Group, developing terms of reference to include responsibility for leading on all corporate asset management issues and decisions around individual assets, and ensuring that meetings are recorded appropriately.

Delivery dates for each of the proposals, ranging from October 2013 to March 2014, were agreed with the Audit Committee, and the state of completeness of each of the proposals was outlined to Members. To date, Proposals 1 and 2 are partially completed, Proposal 3 and 5 have been completed, and Proposal 4 remained incomplete and cannot be progressed until Proposals 1 and 2 are fully developed. These proposals were making good progress but have now been delayed until the Council's financial position becomes clearer, with a revised MTFP to be agreed and a revised Asset Management Strategy to subsequently be developed.

Members discussed the timeframe in relation to an estimated completion date for the Strategy. The Head of Performance and Property explained that this would be dependent on

the forthcoming budget settlement for 2015/16 but that it was likely to be between 12 and 18 months in the future.

Following consideration of the report, the Committee noted the progress made to date against the Asset Management (Land and Property) Strategy and the reasons for the delay of progress as detailed within the report.

12. HANDLING OF DAMP AND CONDENSATION COMPLAINTS

Shaun Couzens, Chief Housing Officer, presented the report to Members, which had been produced in response to a Member's request at the Policy and Resources Scrutiny Committee meeting of 3rd June 2014. It provided information on the handling of housing-related damp complaints, including those raised by tenants and Councillors. It also provided information of the number and types of reports in the Council's housing stock and how these are dealt with operationally.

It was explained that although a stock condition survey was commissioned by the Council from external consultants Savills, the 2008 report was based on a 15% survey of the housing stock. The main purpose of the survey was to identify the improvements required to achieve the delivery of the WHQS programme, which included the replacement of key components, and did not identify specific damp-related problems.

Since 2008, the Council's housing surveyors have visited 3,568 individual properties and carried out 6,759 inspections in relation to damp complaints. For 1,971 (55%) of these properties, only one visit has been required. Of the remaining properties, Table 1 of the report showed the number of visits made to these properties. Table 2 provided a breakdown of the 6,759 inspections, broken down into types of damp calls. The report explained that in the majority of cases, staff were able to resolve issues by the second visit. A breakdown of damp complaints based on ward was provided within table 3 of the report, and Appendix 1 of the report provided a further breakdown of data based on street and area level. This assists in further analysing the information to determine if there are particular problems being highlighted within certain streets or estates.

Also appended to the report at Appendix 2 was an advice leaflet which had been circulated to affected residents, entitled "Keeping Your Home Free from Damp and Condensation".

The report provided an analysis of the data generated and outlined a number of key considerations in relation to damp and condensation levels. It also explained the reporting process, equipment used to monitor damp, outlined government initiatives in relation to cavity wall insulation and energy efficiency, and provided a summary of WHQS and other Council improvement programmes to address damp issues.

Detailed discussion of the report ensued and Members made reference to the data analysis within Appendix 1 of the report, noting in particular a high correlation of damp complaints within the areas of Gelligaer and Gilfach. Officers explained that many of the affected properties within Gelligaer were of a non-traditional construction and were subsequently prone to dampness, with grant funding obtained by the Council to rectify this problem within blocks of flats. With regards to Gilfach, it was explained that many of these properties had taken on board government funding initiatives such as cavity wall insulation, which had in a minority of cases been detrimental to the property and increased damp/condensation levels. Of over 6,000 properties with cavity wall insulation in the borough, some 480 had been subject to extraction and where deemed suitable, re-insulated with alternative materials.

Reference was made to the recommended method of ventilating properties (such as opening windows) in order to reduce damp levels, in particular the quoted costs of under £6 per annum to run the Nuair Cyfan installed in Council properties as part of the WHQS programme. Members commented that this quote did not take into account the cost of heating houses due

to warm air leaving the property. It was acknowledged that cost was a major concern of tenants, with Officers working to improve communication and education in relation to preventing damp and condensation within the home. Officers detailed the investigatory process relating to damp complaints and explained that advice relating to damp prevention would be provided to tenants (including the leaflet appended to the report), which was not always followed, but acknowledged that this was a problem at a national level.

A query was raised in regards to warm air leaving ventilated properties and whether heat recovery units would be a viable option, with Officers confirming that these were costly to purchase and operate and needed to run continuously. It was also added that with rising fuel costs, a number of tenants were resorting to cheaper heating methods such as the use of calor gas and paraffin heaters, which were responsible for an increase in condensation levels.

Members queried whether the quality of remedial work carried out by contractors was being checked by the Council, and it was confirmed that this was standard procedure within the Authority.

Reference was made to remedial work carried out in parts of Gelligaer, Gilfach and Panside, which have recently benefitted from an external wall insulation and render systems which will alleviate the majority of problems in those properties previously affected by damp. It was confirmed by Officers that these properties would be reviewed to determine that the damp problems had been rectified.

Members noted the content of the report and requested that an update on the situation relating to damp and condensation complaints be presented to the Policy and Resources Scrutiny Committee in Spring 2015.

13. REQUESTS FOR REPORTS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

Councillor L. Binding requested a report detailing information on derelict properties on a ward-by-ward basis. Officers arranged to determine the data available in relation to this and whether it would fall under the remit of the Policy and Resources Scrutiny Committee or the Regeneration and Environment Scrutiny Committee.

14. INFORMATION ITEMS

The Committee noted the following items for information, full details of which were included within the Officers reports. There were no items brought forward for review.

- (1) Discretionary Rate Relief Applications;
- (2) WAO Customer Services Review;
- (3) Corporate Services and Miscellaneous Finance 2014/15 - Budget Monitoring Report (Period 4);
- (4) Caerphilly Homes Task Group Minutes - 3rd July 2014;
- (5) Caerphilly Local Service Board Minutes - 7th May 2014;
- (6) Corporate Health and Safety Minutes - 16th June 2014;
- (7) Summary of Members' Attendance - Quarter 1 - 8th May 2014 to 30th June 2014.

In response to a Member's query, it was noted that it had been anticipated that the WAO Customer Services Review would be brought forward for discussion but that subsequently no request to bring this item forward had been received. The Chair encouraged Members to carefully examine all information items on future agendas and to make such requests in advance of the meeting.

The meeting closed at 7.45 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th November 2014, they were signed by the Chair.

CHAIR



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: DRAFT FLEXIBLE WORKING POLICY AND PROCEDURE

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

1. PURPOSE OF REPORT

- 1.1 To seek approval for an amendment revision to the Flexible Working Policy and Procedure for employees within Caerphilly County Borough Council.

2. SUMMARY

- 2.1 The report brings forward an amendment to the Flexible Working Policy and Procedure for the Council to clarify the length of time an employee can make a temporary change to their working pattern.

3. LINKS TO STRATEGY

- 3.1 The Policy links to the People Management Strategy and therefore to all other strategies, including all equality strategies, policies and procedures, that relies on employees to deliver the strategy and service provision.

4. THE REPORT

- 4.1 The report brings forward an amendment to the Flexible Working Policy and Procedure to clarify the length of time an employee can make a temporary change to their working pattern. The current arrangements have allowed employees to make a series of temporary changes over consecutive years resulting in employees working these revised patterns of work for many years.
- 4.2 This has caused managers problems in planning the resources for their Departments as they may have a number of staff who are on temporary working arrangements. This became evident in a recent situation where a team were looking to reduce their headcount and had a number of staff who were on temporary flexible working arrangements. In order to provide continuity of service the Manager wished to retain a member of staff who was covering the reduced hours but could not achieve this if the contracts of the existing staff remained at their substantive hours.
- 4.3 The attached amended policy still allows an employee to apply to work flexibly either on a permanent or temporary basis. The only change is that the temporary arrangement can only last for a maximum period of 12 months after which the employee will revert to their previous working pattern. However, an employee can then make a request to make a permanent

change to their working pattern.

4.4 The Policy will apply to all employees except those covered by the JNC for Soulbury Officers and those employees where the school Governing Body sets the terms and conditions of employment for the school's employees.

4.7 It is proposed that the effective date of this Policy is November 2014.

5. EQUALITIES IMPLICATIONS

5.1 The draft Policy has been impact assessed and no issues have been identified.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications of introducing this Policy.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications of introducing this Policy.

8. CONSULTATIONS

8.1 The Report reflects the views of the Consultees listed at the end of the Report.

9. RECOMMENDATIONS

9.1 That Scrutiny members consider the contents of the report and the Flexible Working Policy and Procedure and make a recommendation to Cabinet for adoption of the Policy.

10. REASONS FOR THE RECOMMENDATIONS

10.1 The introduction of the amendment to the Flexible Working Policy and Procedure will:-

- Allow employees to apply to make a temporary or permanent change to their pattern of work.
- Limit the time an employee can make a temporary change to their pattern of work to 12 months
- Allow managers to plan their resources more effectively and retain employees within the council

11. STATUTORY POWER

11.1 Local Government Act 1972
Local Government Act 2000
Employment Act 2008

Author: Richard Ballantine, HR Manager
Consultees: Head of Workforce and Organisational Development
HR Service Manager (Customer Services)
HR Service Manager (Strategy and Operations)
HR Managers

Head of Legal and Democratic Services
Interim Monitoring Officer
Senior Policy Officer (Welsh Language and Equalities)
Councils recognised Trade Unions

Appendices:

Appendix 1 Draft Flexible Working Policy and Procedure

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FLEXIBLE WORKING POLICY AND PROCEDURE

Version:	Version 3 – Final Draft 1 – November 2014
Policy Ratified by:	Human Resources
Date:	
Area Applicable:	The policy applies to all Council employees except those school based support/teaching staff for whom the Governing Body sets the local terms and conditions of employment.
Review Year	2016
Impact Assessed	Yes



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INDEX

CONTENT	PAGE NUMBER
<u>Introduction</u>	3
<u>Scope Of The Policy</u>	3
<u>Guiding Principles</u>	3
<u>Interpretation Of The Policy</u>	4
<u>Review Of The Policy</u>	5
<u>Appendix A</u>	6
<u>Entitlement To Make A Request To Work Flexibly</u>	6
<u>Scope Of The Request</u>	6
<u>Making An Application To Work Flexibly</u>	6
<u>Refusing A Request To Work Flexibly</u>	10
<u>Withdrawing A Request</u>	11

NOTE

Wherever the designation Manager is used throughout this policy, it is taken to mean Head of Service, Line Manager, Supervisor, Officer in Charge or anyone who has a responsibility for employees through their work.

This policy applies to all Council employees, except those school based support/teaching staff for whom the Governing Body sets the local terms and conditions of employment. For these staff, the LEA will develop a policy based on the principles contained within the corporate policy, which will then be recommended to Governing Bodies for adoption. Support in managing issues in relation to the subject matter of this policy can only be offered to schools where LEA recommended policies have been adopted.

INTRODUCTION

1. Caerphilly County Borough Council believes that its employees are its most valuable resource and as a result high attendance at work by employees plays a key role in providing efficient and effective services to the residents of the County Borough.
2. Caerphilly County Borough Council demonstrates a commitment to equal opportunities and the principles of work - life balance working practices. The aim of the policy is to be supportive to employees to allow them to balance work - life issues in the best possible way.
3. The Council will ensure that flexible working is applied in a fair, equitable and consistent way by adopting a positive, proactive approach. This policy and the accompanying procedures are designed to help Managers deal with requests from employees. Flexible working is an umbrella term and should not be confused with flexi time, which is just one form of flexible working.
4. The Council recognises that there may be times when employees need some time to resolve problems outside of work and need to change their working patterns on either a permanent or temporary basis. Further rights for carers are also detailed in the Council's Carers Policy.
5. This policy applies to all employees, with 26 weeks continuous service with Caerphilly County Borough Council, as long as they have not made a request under this policy in the previous twelve months. Employees with less than twenty six weeks' service or agency workers do not have the statutory right to apply to work flexibly.

SCOPE OF THE POLICY

6. This policy and procedure applies to all employees except those school based support/teaching staff for whom the Governing Body sets the local terms and conditions of employment.
7. The effective date of the policy is November 2014.

GUIDING PRINCIPLES

8. The Flexible Working Policy provides guidance for both Managers and employees as to the procedure to be followed when an employee wishes to change their current work pattern to a more flexible one. Managers have a duty to seriously consider any application to work flexibly.
9. A flexible working request under this Policy means a request to do any or all of the following although this is not an exclusive or exhaustive list:-
 - To reduce or vary your working hours.
 - To reduce or vary the days you work
 - To work from a different work location.
10. All employees with twenty-six week's service have the right to apply to work flexibly, as long as they have not made a request under this policy in the previous twelve months.

11. The right to apply to work flexibly applies equally to all employees. It does not provide an automatic right to work flexibly but Managers must reasonably consider an employee's request to change their work pattern. There may be occasions where it is not possible, for operational reasons, for Managers to agree to the requested work pattern. Managers should keep these occasions to a minimum and wherever possible a solution that will suit both the Manager and the employee should be found.
12. All employees who work flexibly will be treated in the same way as full time employees with regard to opportunities for training, promotion, etc. For part time employees all their terms and conditions of employment will be accrued on a pro rata basis.
13. Employees who opt to work flexibly will be entitled to remain in the Local Government Pension Scheme although they should be aware that reduced hours affects Pension benefits. Further information is available from the Greater Gwent Pension Fund at Torfaen County Borough Council.
14. Employees may request to change their work pattern on a temporary or permanent basis. Where the request is of a temporary nature, an end date should be included on the request. A temporary flexible working request will only be agreed for a maximum period of twelve months, after which the employee will revert back to their original work pattern. However, an employee can then make a request to make a permanent change to their pattern of work. If the working pattern is changed permanently, there is no automatic right to apply to revert to their previous working pattern.
15. The employee has a responsibility to think carefully about their desired working pattern when making an application and the Manager is required to give each application due consideration.
16. Applications to work flexibly must be submitted to the employee's Manager on the appropriate form. Forms are available from your HR Business Partner Team or HR Support Portal. Managers must consult with their HR Business Partner Team on any flexible working applications that they receive. When approving applications to work flexibly, Managers must bear in mind the operational requirements of the Service Area. Once agreed all requests for flexible working must be forwarded to the relevant HR Business Partner Team for the necessary changes to be made to the employee's contract.
17. The procedure for dealing with applications to work flexibly is attached to this Policy.
18. This policy must be cross-referenced with all relevant Council policies.

INTERPRETATION OF THE POLICY

19. In the event of a dispute relating to the interpretation of this policy the Head of Workforce and Organisation Development or the Human Resources Service Manager will make the final decision on interpretation.

REVIEW OF THE POLICY

20. A review of this policy and procedure will take place when appropriate, and the Council retains the right to change the policy at any time. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the policy will be amended and reissued.

NOVEMBER 2014

DRAFT

PROCEDURE FOR DEALING WITH REQUESTS TO WORK FLEXIBLY

ENTITLEMENT TO MAKE A REQUEST TO WORK FLEXIBLY

1. All employees, with twenty-six week's continuous service, are eligible to make a request to work flexibly. Only service with Caerphilly County Borough Council rather than local government service will count as service.
2. If an employee wishes their work pattern to change from a given date, they should ensure that the application is made within the required time scales. Requests to work flexibly can take a lengthy period of time to arrange. This should be borne in mind when the request is being made.
3. Only one permanent application to work flexibly may be made in a 12-month period. The period is counted as the 12 months prior to the date of the current application. However, more than one temporary change may be allowed depending on the circumstances of the case e.g. terminal illness.
4. Before making an application to work flexibly, employees should look at the Council's Work life Balance Policies and Procedures to identify the most suitable for their circumstances.

SCOPE OF THE REQUEST

5. Eligible employees will be able to make a request to work flexibly which may be changes to their working patterns, such as annualised hours, compressed hours (i.e. someone works a 37 hour week over less than 5 days), flexitime, job sharing, self rostering, shift working, staggered hours and term time working or changes to the times that they are required to work. This list is not exclusive or exhaustive.
6. Changes to work patterns do not always require a significant alteration to the employees' current working patterns. An example of a change of work pattern could be if a parent starts work an hour later to allow them to take their child/children to school, they make that time up later on in the day.

MAKING AN APPLICATION TO WORK FLEXIBLY

7. Before making an application to work flexibly, employees should consider the Council's other work - life balance policies, especially the Council's Carers Policy.
8. When an application to work flexibly is made, the onus is on the employee to make a full application detailing all the necessary changes that need to be made to the working arrangements in the Service Area, if appropriate.
9. All applications to work flexibly must be in writing on the Flexible Working Application Form, FW1 (a), which is available from your HR Employee Service Team or the HR Support Portal. The application must state the date of the application, the change to working conditions the employee is seeking and when they would like the change to come into effect, whether there are any relevant equalities implications, the effect, if any, the employee thinks the requested change would have on the Service Area and how, in their opinion,

any such effect might be dealt with. If the request is for a temporary change to contract then the end date of the arrangement also needs to be included. The application must also say that this is a statutory request and if and when the employee has made a previous application for flexible working.

10. The form may be used for permanent and temporary changes to working patterns.
11. Applications must be made to the employee's Manager. Forms may be sent through the post (internal or external), faxed or E Mailed.
12. If the application is handed to the Manager, the date that this happens is deemed to be the date that they have received the form. Where applications are received through the post, internal or external, the date that the Manager is expected to receive the form will be the date that the application was made. In the case of a non-working day it will be the first working day after the non working day. If the application is faxed to the Manager, the date of the application will be deemed to be the day that the fax was transmitted. If the form is sent via E-mail, the date of the application shall be taken to have been the date that the E Mail was transmitted. These principles shall apply to any correspondence given by either the employee or the Manager during the process.
13. The onus is on the employee to identify how the change in work pattern will operate and the effects it may have on their work colleagues. On the application, the employee must: -
 - a. Confirm that they are making the request under their right to request to work flexibly.
 - b. Specify the flexible working pattern that they would like to work.
 - c. Specify the date that they would like the flexible working arrangement to commence. This date should allow the Manager to consider the request and implement any necessary changes as appropriate.
 - d. Explain what effect the change in work pattern will have on the Service Area/Section and how they think that these effects can be dealt with.
 - e. Confirm whether there are any relevant equalities implications under the Equalities Act 2010.
 - f. Explain the reasons why their preferred working pattern is compatible with the Service Area/Section as far as they can tell.
 - g. Consider how their colleagues will manage if the new working pattern is approved.
 - h. State whether an application to work flexibly has been made in the previous 12 months, and if so give the date.
 - i. Sign and date the application.
14. A meeting to discuss the above points may be held between the employee and their Manager prior to the completion of the application form.
15. If the application is for a permanent change to an employee's working pattern then the accepted application will mean a **permanent** change to the employee's terms and conditions of employment. Before making any application, the employee must consider: -
 - What would be the best for them in terms of how they could arrange their child care.
 - The financial implications of any change to hours.

- The effects that the change would have on the Service Area.
 - How the changes can be accommodated.
16. Managers have a legal duty to reasonably consider all requests to work flexibly and to establish whether the requested working pattern can be accommodated within the operational needs of the Service Area/Section. Once the Manager has received the application, they must acknowledge the request either by emailing the employee or where the employee does not have email access using form FW1 (b) which is attached to the application form. If the application is incomplete or fails to provide all the information outlined above, the Manager should refer the application back to the employee asking them to complete the form and resubmit the application. In considering the request, the Manager must not unlawfully discriminate against the employee in any way. Managers should be mindful that agreeing a flexible working request could be seen as a reasonable adjustment for a disabled employee.
 17. Once a Manager has received the employee's application for flexible working, they should consult their HR Business Partner Team for advice on dealing with the application.
 18. Upon receipt of the application to work flexibly, the Manager, will arrange to meet the employee to explore the desired work pattern and how it may be accommodated. If a Manager is unable to accommodate the requested work pattern, at this meeting alternative work patterns may be explored. The employee should receive a response to their application within 28 days of submission.
 19. Employees may be accompanied at the meeting, by a work colleague or a trade union representative (local or full time). If the person who accompanies the employee also works for the Council, they will be granted paid time off to attend the meeting. An employee from the relevant HR Business Partner Team may also be present to provide advice and guidance.
 20. If a meeting to discuss the application is arranged, or any appeal, and the employee fails to attend both this and a rearranged meeting without a good reason, the Manager can consider the request withdrawn. If this happens, the Manager must inform the employee that this has happened.
 21. Where the Manager agrees to the variation in the working pattern proposed by the employee, then they should notify the employee in writing, on form FW2, and there is no need for the meeting to take place. A copy of the FW2 form should be forwarded to the relevant Employee Service Centre Team. The Employee Service Centre Team will confirm any changes to the employee's terms and conditions in writing.
 22. After the meeting to discuss the changes to the work pattern, the Manager will write to the employee to either agree or disagree with the change to the work pattern. This should be done using the Flexible Working Response Form, FW2 . If the working pattern is to be agreed, Managers should use this form to outline the new working pattern and inform the employee of the effective date of the new work pattern. This may be a future date to allow the Manager to implement any necessary changes in the workplace. If the change is to be of a temporary nature, the end date of the arrangement should also be included on the FW2 form. Prior to the sending of the FW2 form, Managers

are encouraged to meet the employee again to inform them of their decision. A copy of the FW2 form should be forwarded to the relevant Employee Service Centre Team. The Employee Service Centre Team will confirm any changes to the employee's terms and conditions in writing. If a compromise has been agreed then this should be confirmed on the form.

23. If the work pattern is to be refused, it is especially important that a meeting is held with the employee so they understand the reasons why the request to work flexibly has been refused. The reasons for refusal should also be detailed on the form FW2 and employees should also be informed of their right of appeal under this procedure. A copy of the form should be forwarded to the relevant Employee Service Centre Team. The appeal must be held as soon as possible as the whole Flexible Working Process has to be completed within three months of the initial submission.
24. The employee must be informed of the decision of the appeal as soon as possible after the appeal meeting has taken place. If it has been upheld, there is a need to specify the agreed variation and the start date. If the appeal has been dismissed the reasons must be stated.
25. In a minority of cases, some employees will have grounds to pursue their request with third party involvement. This may be by referring their request to ACAS or by using another form of dispute resolution. An employee will only be able to take their claim to an Employment Tribunal in specific circumstances and in such cases Managers will have to demonstrate that they have followed the correct procedure. Further information is available from ACAS by way of The Statutory Code of Practice, Handling Requests To Work Flexibly In A Reasonable Manner and Handling Requests To Work Flexibly In A Reasonable Manner: An ACAS Guide.
26. There may be some occasions, when a Manager receives more than one request to work flexibly closely together from different employees. Where this happens it may be possible to grant all of the requests received. However, before doing so the employer will need to look closely at the impact this would have on the business before coming to a decision. Requests should be considered in the order they are received. Having considered and approved the first request the Manager should remember that the business context has now changed and can be taken into account when considering the second request against the business reasons outlined below.
27. When a Manager receives more than one request, they are not required to make value judgements about the most deserving request. The Manager should consider each case on its merits looking at the business case and the possible impact of refusing a request. The Manager may want to have a discussion with the employees to see if there is any room for adjustment or compromise before coming to a decision.

REFUSING A REQUEST TO WORK FLEXIBLY

28. Where as every effort will be made to allow employees to change their work patterns, there may be cases where this is not possible. Before refusing the request to work flexibly, Managers should give serious consideration to how the request could be accommodated.

29. There are a limited number of grounds for refusal. These are detailed below.
- The burden of additional costs.
 - The detrimental effect on the Council or Service Area's ability to meet customer demand.
 - An inability to reorganise work among existing employees.
 - An inability to recruit additional employees.
 - A detrimental impact on quality.
 - A detrimental impact on performance.
 - Insufficiency of work during the periods that the employee proposed to work.
 - Planned structural changes.
30. Where the employees application is refused other options should be discussed with the employee, for example redeployment.
31. When refusing a request to work flexibly, the Manager must detail the reason for refusal on form FW2, the Flexible Working Response Form. On this form, the Manager must provide sufficient explanation as to why one or more of the above reasons apply and how the request cannot be accommodated. It is not acceptable for a Manager to repeat one or more of the above e.g. where additional costs are the reason for refusal they should be fully detailed. Employees who are dissatisfied with their Manager's decision should appeal under this procedure. This appeal will be the final decision and there is no recourse under any other Council policy or procedure.
32. Under Sections 80F to 80I of the Employment Rights Act 1996, and the Flexible Working Regulations, there are certain circumstances where an employee can make a complaint to an Employment Tribunal after the employee has been informed of the Manager's decision. If an Employment Tribunal finds that a complaint is well founded it has the right to order that the request be reconsidered or to award compensation. The amount of this compensation will be based on an amount not exceeding eight weeks' pay.

WITHDRAWING A REQUEST

33. Employees may withdraw their request to work flexibly. A Manager shall treat an application as withdrawn if the employee has: -
- Indicated to the Manager, whether orally or in writing, that they are withdrawing the application.
 - Failed to attend more than one meeting to discuss the application.
 - Unreasonably refused to provide the Manager with information they require in order to assess whether the contract variation should be agreed.
34. Managers should confirm in writing the withdrawal of the application to the employee unless they have received written notice of the withdrawal from the employee.



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: DRAFT DOMESTIC ABUSE, GENDER-BASED VIOLENCE AND SEXUAL VIOLENCE POLICY AND GUIDANCE FOR MANAGERS

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

1. PURPOSE OF REPORT

- 1.1 This report seeks the views of Members on the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance Notes for Managers prior to presentation to Cabinet.

2. SUMMARY

- 2.1 According to the Corporate Alliance Against Domestic Violence, 75% of those experiencing domestic abuse are targeted at work. Perpetrators may attempt to threaten, harass or abuse victims using workplace resources such as phones and email. Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1999), the Council has legal responsibilities in promoting the welfare and safety of all employees. The Council's current Policy and Guidance Notes were introduced in July 2005 and therefore require review and updating. The changes to the Policy and Guidance Notes include updated statistics, definitions and contact details of support available for employees and managers.

3. LINKS TO STRATEGY

- 3.1 The Scheme links to the People Management Strategy and therefore to all other strategies, including all equality strategies, policies and procedures, that relies on employees to deliver the strategy and service provision.

4. THE REPORT

- 4.1 According to the Corporate Alliance Against Domestic Violence, 75% of those experiencing domestic abuse are targeted at work. Perpetrators may attempt to threaten, harass or abuse victims using workplace resources such as phones and email. Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1999), the Council has legal responsibilities in promoting the welfare and safety of all employees. The Council's current Policy and Guidance Notes were introduced in July 2005 and therefore require review and updating. The changes to the Policy and Guidance Notes include updated statistics, definitions and contact details of support available for employees and managers.

- 4.2 Victims of domestic abuse/violence may experience physical injury, homelessness, low self-esteem, social exclusion and depression. Domestic abuse and violence may have a detrimental affect on a victim's working life which can include absenteeism, harassment / abuse at the workplace, decreased productivity, performance and morale. Whilst employees are more likely to be affected by domestic abuse, rape and sexual violence and harassment are often interlinked with domestic abuse. As an employer, the Council has the potential to reach and support a significant number of victims.
- 4.3 The 10,000 Safer Lives Project commissioned by the Minister for Local Government and Communities highlighted that effective workplace policies can lead to better outcomes for victims and included this as one of the proposed eleven minimum standards for public services in Wales. The Welsh Government White Paper Consultation on legislation to end violence against women, domestic abuse and sexual violence issued in November 2012 also proposed a duty for all public sector employers to have a violence against women, domestic abuse and sexual violence workplace policy.
- 4.4 As part of its work to implement the 10,000 Safer Lives Project, Welsh Government has been liaising with public services to introduce or review workplace policies. Advice was received from the Welsh Government's Community Safety Division that the Policy title and definitions should include the terms 'violence against women' and 'sexual violence' in addition to 'domestic violence/abuse'. The use of the term 'violence against women' is also in line with Equality and Human Rights Commission guidance due to the disproportionate affect of violence on women.
- 4.5 In June 2014 the Welsh Government introduced the Gender-based Violence, Domestic Abuse and Sexual Violence Bill. The Bill proposes a duty on Local Authorities to publish strategies aimed at ending gender-based violence, domestic abuse and sexual violence, however, the duty to have a workplace policy, as proposed in the White Paper, has been removed. The title also differs, with the term 'violence against women', being replaced by 'gender-based violence'. It should be noted that the Bill is subject to scrutiny over the coming months and may be subject to change. During consultation, the Council's Trade Unions advised that they did not agree that the Policy should make a specific reference to 'violence against women' and that the Policy should be gender neutral. Following discussions with Welsh Government the term 'violence against women' has been replaced with 'gender-based violence' which reflects the terminology used in the Gender-based Violence, Domestic Abuse and Sexual Violence Bill.
- 4.6 The revised Policy and Guidance Notes outline how the Council will respond where it becomes aware that an employee is a victim of domestic abuse/violence including appropriate measures to safeguard the employee at work and support mechanisms available. The Policy and Guidance Notes also provide advice on: recognising the signs of domestic abuse and violence; asking questions of employees; ensuring employees' safety and referring to the appropriate support agencies; as well as dealing with employees who are perpetrators or alleged perpetrators of domestic abuse/violence.
- 4.7 The revised Policy and Guidance for Managers includes updated definitions for domestic abuse, gender-based violence and sexual violence and statistics. The list of support services available to managers and employees has been included in the Guidance for Managers and has been considerably reduced from the current Policy to provide key contacts such as the Caerphilly Multi Agency Centre, the Council's Employee Assistance Programme and the All Wales Domestic Abuse and Sexual Violence Helpline. Following feedback from the Council's Trade Unions, information has also been included on the Domestic Violence Disclosure Scheme and Protection Orders to highlight services and support available through the Police.
- 4.8 The new Policy and Guidance Notes will be publicised on the HR Support Portal and Wellbeing@Work intranet pages. A training programme for managers will be developed and delivered by the Domestic Abuse Co-ordinator. The Council has also recently been awarded the White Ribbon Status Award for organisations wishing to demonstrate their commitment to ending violent behaviour against women. The review of the policy will assist the Council in

working towards the actions contained in the White Ribbon Campaign Award Action Plan.

5. EQUALITIES IMPLICATIONS

- 5.1 Issues of domestic abuse are very closely linked to Equalities issues, as domestic abuse cannot be separated from gender, age, sexual orientation or disability issues. The updated policy and guidance links the two agendas in order to ensure that any employees covered by the protected characteristics are also covered by the Policy.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications of introducing the revised Policy and Guidance Notes.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications of introducing the revised Policy and Guidance Notes.

8. CONSULTATIONS

- 8.1 The report reflects the views of the Consultees listed at the end of the report. There are no other views other than those reflected in the report.

9. RECOMMENDATIONS

- 9.1 That Scrutiny members consider the contents of the report and the draft revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance Notes and make a recommendation to Cabinet for adoption of the revised Policy and Guidance Notes.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The introduction of the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy will:
- Raise awareness of domestic abuse, gender-based violence and sexual violence
 - Provide advice and guidance for managers to assist in mitigating the risks related to domestic abuse/violence and to create a safe workplace
 - Assist managers and employees who may be affected by domestic abuse/violence to identify sources of support available
 - Send out a strong message that domestic abuse/violence is unacceptable

11. STATUTORY POWER

- 11.1 Local Government Act 1972
Local Government Act 2000
Employment Act 2008

Author: Lucy Farmer, Human Resources Officer
Consultees: Head of Workforce and Organisational Development
HR Service Manager (Customer Services)
HR Service Manager (Strategy and Operations)
HR Managers
Head of Legal and Democratic Services

Senior Policy Officer (Welsh Language and Equalities)
Community Safety Manager
Domestic Abuse Coordinator
Welsh Government Community Safety Unit
Health & Safety Manager
Chief Executive's Joint Consultative Committee

Appendices:

- Appendix 1 Draft Domestic Abuse, Gender-based Violence and Sexual Violence Policy
Appendix 2 Draft Domestic Abuse, Gender-based Violence and Sexual Violence Guidance for Managers

Background papers:

- Equality and Human Rights Commission (2013), 'The proposed violence against women, domestic abuse and sexual violence duty: Guidance for developing an effective workplace policy'
- Equality and Human Rights Commission and CIPD (2013), 'Managing and Supporting Employees Experiencing Domestic Abuse'
- Welsh Government (2014), 'Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill'
- Welsh Government (2014), 'The Right to be Safe: Violence against Women and Domestic Abuse Strategy'
- Welsh Government (2012), 'White Paper: Consultation on legislation to end violence against women, domestic abuse and sexual violence (Wales)'
- 10,000 Safer Lives Project: Final Report (2012)

DRAFT DOMESTIC ABUSE, GENDER-BASED VIOLENCE AND SEXUAL VIOLENCE POLICY

Version:	Version 2 – Draft 3
Policy Ratified by:	Human Resources
Date:	2015
Area Applicable:	All Caerphilly employees except School based employees unless the School Governing Body has adopted the Scheme.
Review Year	2017

SECTION	PAGE NO
<u>Introduction</u>	3
<u>Scope of the Policy</u>	3
<u>Guiding Principles</u>	3
<u>Definitions</u>	4
<u>Impact of Domestic Abuse and Violence on Victims</u>	5
<u>Confidentiality</u>	5
<u>Role of Colleagues</u>	5
<u>Support</u>	5
<u>Record Keeping</u>	6
<u>Dealing With Employes Who May be Perpetrators of Domestic Abuse/Violence</u>	6
<u>External Perpetrators</u>	7
<u>Awareness Raising and Early Intervention</u>	7
<u>Interpretation of the Policy</u>	7
<u>Review of the Policy</u>	7

INTRODUCTION

1. Caerphilly County Borough Council recognises that some of its employees may be amongst those affected by domestic abuse/violence either as: a survivor, an individual who is currently living with domestic abuse/violence, someone who has been affected by a domestic homicide or as an individual who perpetrates domestic abuse/violence. In 2011-12 domestic abuse accounted for 30% of all violence against the person offences in Caerphilly County Borough.
2. The Council believes that everyone has the right to live free from fear and abuse. The Council is committed to developing a workplace culture in which there is zero tolerance for violence and which recognises that the responsibility for domestic abuse lies with the perpetrator.
3. The Council is committed to reducing domestic abuse and violence and this policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse/violence and where there are concerns that an employee may be the perpetrator of domestic abuse/violence.
4. By developing an effective Domestic Abuse, Gender-based Violence and Sexual Violence Policy and working to mitigate the risks related to domestic abuse/violence, the Council will create a safe workplace and we will also send out a strong message that domestic abuse/violence is unacceptable.
5. This policy must be cross-referenced with all the relevant Council policies and procedures, especially the Code of Conduct, Leave of Absence Scheme, Violence at Work Policy and relevant legislation. Copies of all the Council's policies and procedures are available on the Council's HR Support Portal, from managers or HR.

SCOPE OF THE POLICY

6. The Council's recognised trade unions have been consulted on this policy.
7. The Domestic Abuse, Gender-based Violence and Sexual Violence Policy applies to all employees except those school based support/teaching staff for whom the Governing Body sets the local terms and conditions of employment. Throughout this Policy and associated guidance notes the term Domestic Abuse/Violence is used to cover Domestic Abuse, Gender-based Violence and Sexual Violence.
8. The effective date of this policy is 1st January 2015. This policy supersedes all earlier policies.

GUIDING PRINCIPLES

9. According to the Corporate Alliance Against Domestic Violence, 75% of those experiencing domestic abuse are targeted at work. Perpetrators may attempt to threaten, harass or abuse victims using workplace resources such as phones and email. This may also impact on colleagues who may have to fend off questions or abuse from perpetrators and therefore fear for their own safety.
10. Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1999), the Council recognises its legal responsibilities in promoting the welfare and safety of all employees.

11. It is a criminal offence to be a perpetrator of domestic abuse/violence and there is a duty of care on the Council to refer incidents of domestic abuse/violence to the appropriate agencies where there may be vulnerable adult or child protection issues.
12. This policy and associated guidance for managers outline how the Council will respond where it becomes aware that an employee is the victim of domestic abuse/violence including appropriate measures to safeguard the employee at work and support mechanisms available. The policy and guidance for managers also provides advice on dealing with employees who are perpetrators or alleged perpetrators of domestic abuse/violence. The Council recognises that there will be employees who are survivors of domestic abuse/violence or secondary victims of domestic abuse homicide and such employees may also wish to make use of the support as outlined in the Guidance for Managers and will be treated sympathetically and confidentially where they raise issues.
13. With one in four women experiencing domestic abuse/violence at some point in their lifetime, the Council recognises the gendered nature of domestic abuse and recognises that the majority of survivors and victims of domestic abuse are women and that the majority of perpetrators are men.
14. However, the Council also recognises that domestic abuse is experienced in same sex relationships, by men from women partners and by family members. This policy is therefore applicable whatever the nature of the intimate relation.
15. Any abuse of the provisions of this policy may lead to the Disciplinary Procedure being invoked. The making of malicious allegations is a very serious matter and any employee who does so may, subject to discussions with the appropriate agency, face disciplinary action.

DEFINITIONS

16. The Government's definition of domestic violence and abuse is:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.'

17. Gender-based violence is directed against a person on the basis of gender. It is defined in the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill as:
 - 'violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation;
 - female genital mutilation;

- forcing a person (whether by physical force or coercion by threats or other psychological means) to enter into a religious or civil ceremony or marriage (whether or not legally binding)'

18. The Equality and Human Rights Commission defines sexual violence as:

'any behaviour perceived to be of a sexual nature which is unwanted and takes place without consent or understanding. Sexual assault covers any other sort of sexual contact and behaviour that is unwanted, ranging from touching to any other activity if it is sexual'.

IMPACT OF DOMESTIC ABUSE AND VIOLENCE ON VICTIMS

19. Some of the effects experienced by victims of domestic abuse and violence include: physical injury, homelessness, low self-esteem, social exclusion and depression.
20. It is also recognised that domestic abuse and violence may have a detrimental affect on a victim's working life which can include absenteeism, harassment / abuse at the workplace, decreased productivity, performance and morale.
21. As an employer, the Council has the potential to reach and support a significant number of victims. The Council recognises that it has an ethical and moral responsibility to take all reasonable steps to ensure the welfare of all employees in the workplace and to support them in having relationships free from abuse.

CONFIDENTIALITY

22. Employees who disclose experiencing or perpetrating abuse can be assured that the information they provide will be kept confidential as far as possible. However, there are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults, where the manager needs to act to protect the safety of employees and/or the public, where there is a significant risk to the victim of abuse, of very serious harm or that their life is in immediate risk. As far as possible, information will only be shared with relevant professionals on a 'need to know basis'. Where there are concerns about children or vulnerable adults the manager should refer to the Council's Safeguarding Policies in relation to children and vulnerable adults.
23. Improper disclosure of information, i.e. breaches of confidentiality by an employee, will be taken seriously and may be subject to disciplinary action.
24. If an employee does not wish to discuss the domestic abuse/violence with their manager, the manager should advise them of other specialist agencies that they may consult, as contained in the Domestic Abuse, Gender-based Violence and Sexual Violence Guidance for Managers.

ROLE OF COLLEAGUES

25. The Council encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager about their concerns in confidence. In dealing with a disclosure from a colleague, managers should ensure that the person is made aware of this policy and that there is internal and external support available.

SUPPORT

26. Employees affected by domestic abuse/violence do not have to keep their experience to themselves; there is help and support available.

27. The Council recognises that developing a life free from abuse is a process not an event and ongoing support will be provided to employees who disclose abuse.
28. Sources of confidential internal and external support available to all employees are outlined in the Domestic Abuse, Gender-based Violence and Sexual Violence Guidance for Managers.
29. Managers may become aware that an employee is experiencing domestic abuse/violence when undertaking procedures in relation to Managing Sickness Absence, Underperformance or Conduct. If an employee discloses, this it must be taken into account as a mitigating factor in line with the appropriate procedure and appropriate help and support offered to the employee as contained in this policy and associated guidance.
30. If an employee is experiencing domestic abuse/violence and there are concerns in relation to the employee's sickness absence, conduct or performance, where possible, these concerns should be raised informally with the employee at the earliest opportunity, unless an issue has arisen which requires a more formal approach in line with the relevant policy.

RECORD KEEPING

31. In line with Health and Safety legislation, the Council has a duty to maintain a safe place of work. This will include monitoring and recording all incidents of violence or threatening behaviour in the workplace in line with the Violence at Work Policy. These may include persistent telephone calls, e-mails and visits to the workplace by the perpetrator.

DEALING WITH EMPLOYEES WHO MAY BE PERPETRATORS OF DOMESTIC ABUSE/ VIOLENCE

32. The Council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.
33. If an employee approaches the Council about their abusive behaviour, the Council will provide information about the services and support available, as outlined in the Domestic Abuse, Gender-based Violence and Sexual Violence Guidance for Managers.
34. The Council will treat any allegation, disclosure or conviction of a domestic abuse/violence related offence on a case-by-case basis with the aim of reducing risk and supporting change.
35. Employees are required to advise their manager if they are arrested, given a police caution, charged or convicted of a criminal offence relating to domestic abuse/violence. The manager should seek further advice from HR and Health and Safety in such circumstances, to consider whether this affects the employee's ability to undertake their role, whether action is required in line with the Disciplinary Procedure and discuss any security or safety considerations.
36. Conduct outside of work (whether or not it leads to a criminal conviction) may lead to disciplinary action being taken against an employee because of its employment implications and the fact that it may undermine the confidence the Council has in the employee. There should be an investigation of the facts as far as possible and the provisions of the Disciplinary Procedure will be followed.
37. In considering whether further action should be taken the nature of the conduct and work undertaken by the employee should be considered.

38. The Council will not tolerate any form of abuse or violence within the workplace nor the use of the workplace resources for perpetrating such acts and will deal with perpetrators of such behaviour in line with the Disciplinary Procedure.

EXTERNAL PERPETRATORS

39. If an employee suspects that an external person is a perpetrator of domestic abuse/violence, and is using the Council workplace to commit such acts against an employee, this should be raised directly with their line manager who will take appropriate action to ensure that employees are safe including reporting incidents to Health and Safety in line with the Violence at Work Policy and / or reporting that person to the Police where appropriate.

AWARENESS RAISING AND EARLY INTERVENTION

40. The Council will strive to create an environment, which is alert to domestic abuse and violence and in which employees feel supported to use confidential mechanisms to disclose experiencing or perpetrating abuse/violence.
41. All employees will be made aware of this policy through a range of methods including induction, training, appraisal, leaflets and posters.

INTERPRETATION OF THE POLICY

42. In the event of a dispute relating to the interpretation of this scheme the Head of Workforce and Organisation Development or the HR Service Manager will make the final decision on interpretation.

REVIEW OF THE POLICY

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

JANUARY 2015

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DRAFT DOMESTIC ABUSE, GENDER-BASED VIOLENCE AND SEXUAL VIOLENCE GUIDANCE FOR MANAGERS

Version:	Version 2
Policy Ratified by:	Human Resources
Date:	2015
Area Applicable:	All Caerphilly employees except School based employees unless the School Governing Body has adopted the Scheme.
Review Year	2017

SECTION	PAGE NO
<u>Introduction</u>	3
<u>Definitions</u>	3
<u>Impact of Domestic Abuse on Victims</u>	4
<u>Recognising the Signs</u>	4
<u>Asking Questions</u>	4
<u>Responding to Concerns</u>	5
<u>Support</u>	5
<u>Ensuring Employees' Safety</u>	6
<u>Referring to the Appropriate Help</u>	7
<u>Dealing with Employees who may be Perpetrators of Domestic Abuse / Violence</u>	9
<u>Record Keeping</u>	9

INTRODUCTION

1. Caerphilly County Borough Council recognises that some of its employees may be amongst those affected by domestic abuse/violence either as: a survivor, an individual who is currently living with domestic abuse/violence, someone who has been affected by a domestic homicide or as an individual who perpetrates domestic abuse/violence.
2. The Council is committed to reducing domestic abuse and violence and this guidance and the Domestic Abuse, Gender-based Violence and Sexual Violence Policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse/violence, and where there are concerns that an employee may be the perpetrator of domestic abuse/violence.
3. This guidance offers advice to managers on recognising the signs of domestic abuse and violence, asking questions of employees, ensuring employees' safety and referring to appropriate support agencies. This Guidance should be read in conjunction with the Domestic Abuse, Gender-based Violence and Sexual Violence Policy.

DEFINITIONS

4. The Government's definition of domestic violence and abuse is:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.'

5. Gender-based violence is directed against a person on the basis of gender. It is defined in the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill as:
 - 'violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation;
 - female genital mutilation;
 - forcing a person (whether by physical force or coercion by threats or other psychological means) to enter into a religious or civil ceremony or marriage (whether or not legally binding)'
6. The Equality and Human Rights Commission defines Sexual violence as:

'any behaviour perceived to be of a sexual nature which is unwanted and takes place without consent or understanding. Sexual assault covers any other sort of sexual contact and behaviour that is unwanted, ranging from touching to any other activity if it is sexual'.

IMPACT OF DOMESTIC ABUSE ON VICTIMS

7. Some of the effects experienced by victims of domestic abuse/violence include: physical injury, homelessness, low self-esteem, social exclusion and depression.
8. It is also recognised that domestic abuse and violence may have a detrimental affect on a victim's working life which can include absenteeism, harassment / abuse at the workplace, decreased productivity, performance and morale.
9. As an employer, the Council has the potential to reach and support a significant number of victims. The information below therefore provides advice and guidance to managers in dealing with employees affected by domestic abuse/violence.

RECOGNISING THE SIGNS

10. If domestic abuse/violence is disclosed, or if a manager becomes aware of domestic abuse/violence (as managers may not be told directly), they need to take a sensitive and non-judgemental approach when dealing with affected employees. Managers should be alert to any changes of behaviour that may signal that an employee may be experiencing difficulties at home. Managers may also become aware of domestic abuse and violence via such activities as Return to Work Interviews after an absence or Performance Development Reviews.
11. Some of the signs which may alert a manager to the fact that an employee is experiencing difficulties outside of the workplace include:
 - Uncharacteristically high absenteeism levels without explanation
 - Arriving late for work or needing to leave early
 - Inappropriate or excessive clothing for the time of the year or work situation
 - Repeated injuries or unexplained bruising or explanations that do not fit the injuries
 - Uncharacteristically depressed, anxious, distracted or having trouble concentrating
 - Changes in the quality of work performance for unexplained reasons
 - Receiving repeated upsetting calls/faxes/emails or being a victim of vandalism or threats
 - Obsession with time or avoiding lunch breaks or socialising outside work
 - Isolating themselves at work
 - Needing time off for appointments
 - The partner exerts an unusual amount of control over their life
 - The partner makes demands over their work schedule
 - Changes in behaviour: may become quiet and avoid interaction
 - Frequent and/or sudden/unexpected medical problems/sickness absences
 - Uncharacteristic or reduced self confidence and self esteem
12. This is not an exclusive or exhaustive list and the effects of domestic abuse will vary amongst employees. A more important sign is when an employee starts to behave in a way that is unusual for them.

ASKING QUESTIONS

13. Research shows that victims of domestic abuse/violence wish somebody had asked them about it. When raising the issue of domestic abuse and violence:
 - Use an appropriate location to ensure confidentiality is maintained
 - Use indirect / non threatening questions such as "how are you feeling? or 'how are things at home?', "are there any issues you would like to discuss with me?"

- Let them know what you have observed, for example: changes in their behaviour and bruising injuries. Ask direct questions such as: “I’m worried about you because...” or “I’m concerned about your safety...”
14. The manager should record this conversation to ensure detailed records are available which may need to be referred to in future discussions. If an employee chooses not to confide in the manager, that decision must be respected. The employee may wish to confide at another time.

RESPONDING TO CONCERNS

15. Employees who disclose experiencing or perpetrating abuse/violence can be assured that the information they provide will be kept confidential as far as possible. However, there are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults, where the manager needs to act to protect the safety of employees and/or the public, where there is a significant risk to the victim of the abuse of very serious harm or that their life is in immediate risk. Where there are concerns about children or vulnerable adults the manager should refer to the Council’s Safeguarding Policies in relation to children and vulnerable adults.
16. As far as possible, information will only be shared with relevant professionals on a ‘need to know basis’. Managers should be aware that children could be affected by domestic abuse even if they are not in the same room/house.
17. Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.
18. If an employee does not wish to discuss the domestic abuse/violence with their manager, the manager should advise them of other specialist agencies that they may consult as outlined below.

Responding to concerns that a member of staff is experiencing abuse/violence

19. When responding to disclosures from a member of staff that they are experiencing domestic abuse/violence, managers should:
- Take the employee seriously, listen to them and respond in a sensitive and supportive manner
 - Make the employee aware of how the Council is able to help them
 - Ensure that any discussion about the employee’s situation takes place in private and that confidentiality is respected as far as possible
 - Understand that the employee may not wish to approach their manager and may prefer to involve a third party such as a colleague, trade union representative or external support agency
 - Respect any decisions that the employee may make
 - Be non-judgemental – the employee may need some time to decide what to do and that it can take a long time to break free from a violent/abusive relationship
 - Be aware of what support is available and explore these options with the employee
 - Make the employee aware of the Council’s Employee Assistance Programme (Care First) help line which will offer support to the employee and also provide them with information on the support agencies that are available

SUPPORT

20. Employees affected by domestic abuse/violence do not have to keep their experience to themselves; there is help and support available.

21. The Council recognises that developing a life free from abuse is a process not an event and ongoing support will be provided to employees who disclose abuse.
22. Sources of confidential internal and external support available to all employees are outlined below and further information can be obtained from the Caerphilly Multi Agency Centre or Community Safety Partnership Team.

Support for Victims

23. Where an employee asks for help or support because they are experiencing domestic abuse/violence the Council will:
 - Allow employees time off, in line with the Leave of Absence Policy, to attend appointments with support agencies or legal representatives
 - Recognise and treat sympathetically the effect of abuse on an employee, which may result in distraction, poor timekeeping, absence, depression or other health related problems
 - Consider advancement of pay, issues surrounding relocation and flexible working, if requested
 - Provide a safe working environment, and take all reasonable steps to protect the employee from threats, intimidation or victimisation, which may be carried over into the workplace
 - Encourage a positive attitude amongst all employees in order to combat domestic abuse
 - Take the employee's view into account at every stage
 - Provide support, advice and guidance via the Council's Occupational Health Department and Care First's counselling and advice service

ENSURING EMPLOYEES' SAFETY

24. Where domestic abuse/violence is disclosed, the manager should consider undertaking a risk assessment to ensure that the potential risk to the employee and work colleagues is minimised. Managers should consult with the affected employee and contact Health and Safety and HR for further advice if required.
25. The manager can encourage the employee to contact a specialist support agency such as the Caerphilly Multi Agency Centre who can undertake a DASH (Domestic Abuse, Stalking, Honour Based Violence) risk assessment. The manager will work with the employee and specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety as well as address any risk there may be to colleagues.
26. Managers must undertake a risk assessment where there is a potential for an employee to be exposed to violent/aggressive incidents whilst at work. The manager or nominated person carrying out the assessment must have received suitable risk assessment training. The risk assessment must be carried out in consultation with the employee. Advice on undertaking a risk assessment can be obtained from Health and Safety.
27. Employees suffering from domestic abuse/violence will very often be able to anticipate the ways in which the perpetrator may continue to harass and abuse them in the workplace. Managers should therefore discuss with victims, safety procedures that can reasonably be put in place in order to keep victims and other employees safe. These safety measures may include:
 - Improving security measures to ensure that access to buildings is open to authorised staff only
 - Reminding all staff never to divulge personal information about employees to callers (such as addresses, telephone numbers or shift patterns)

- Reviewing the employee's next of kin information – the ex-partner may still be listed
- Where practical, considering offering temporary or permanent changes to work location, work times and patterns
- Where practical, offering changes in specific duties such as answering phones or working on reception
- Agreeing information to share with colleagues to ensure they know how to respond if the perpetrator rings or calls at the workplace
- Making sure that systems for recording staff whereabouts during the working day are adequate
- Identifying a work contact for support and an emergency contact should the manager be unable to contact the employee
- Consider diverting phone calls and email messages
- Keeping a record of any incidents of violence / abuse in the workplace, including persistent telephone calls, emails or visits to the employee by the perpetrator
- Ensuring that the employee does not work alone or in an isolated area
- Moving the employee out of public view i.e. ensuring they are not visible from reception points or ground floor windows
- Reviewing content of personal information, such as temporary or new addresses and bank details
- Alerting reception and Facilities Management (with consent), including providing a copy of any existing orders against the abuser, a photograph of the perpetrator and details of the perpetrators vehicle (car registration and description)
- Liaising with the Building Manager / Facilities Management to ensure staff car parks have adequate lighting

This is not an exclusive or exhaustive list.

28. Managers should refer to the Violence at Work Policy where an employee has been abused, threatened or assaulted during the course of their duties. Any incidents that occur should be reported to Health and Safety on the 'Violent Incident Report Form' and investigated as appropriate, to ensure that suitable measures are put in place to minimise the likelihood of further incidents.

REFERRING TO THE APPROPRIATE HELP

29. Specialist advice is available for managers dealing with domestic abuse/violence cases from the Caerphilly Multi Agency Centre (MAC) (see contact details below) or the Community Safety Partnership Team on 01443 864374.
30. Managers should refer employees to appropriate agencies that can offer advice, support and guidance as detailed below. Managers or other employees may also need professional advice and support in dealing with cases involving domestic abuse/violence and the support below is available to employees, managers and colleagues of those affected by domestic abuse.

Caerphilly Multi Agency Centre (MAC)

Caerphilly County Borough Council has its own 'one stop shop' of services to support those affected by domestic abuse.

There are a wide variety of frontline services accessible via the MAC, including:

- Safer Caerphilly Community Safety Partnership
- Caerphilly County Borough Council's Social Services
- Gwent Police
- Llamau Women's Services
- Victim Support

- BAWSO – specialist support to black and ethnic minority clients

The Safer Caerphilly MAC is open Monday – Friday, 10am – 4pm.

Tel: 01443 819317

Llamau Women's Services can be contacted 24 hours a day.

Tel: 02920 860255

Care First Employee Assistance Programme

The Care First Service is a confidential service for information and advice or counselling which is available to staff free of charge. The Care First service is independent and calls are treated in the strictest confidence.

Tel: 0800 174319

All Wales Domestic Abuse and Sexual Violence Helpline

The All Wales Domestic Abuse and Sexual Violence Helpline is an information signposting service to help and guide people with experience of domestic abuse or sexual violence, who are in need of information or access to support services. It is a 24 hours, 365 days a year service.

Tel: 0808 80 10 800

Broken Rainbow

Broken Rainbow provides confidential support for lesbian, gay, bisexual and transgender people experiencing domestic abuse

Tel: 0300 999 5428 / 0800 999 5428 (freephone number)

The helpline is open Mondays and Thursdays, 10am-8pm and Tuesdays and Wednesdays, 10am-5pm. The All Wales Domestic Abuse and Sexual Violence Helpline can also be contacted as this is a 24 hours, 365 days a year service.

Dyn Wales

The Dyn Wales Helpline provides free and confidential support to men who are experiencing domestic abuse from a partner.

Tel: 0808 80 10 321

The helpline is open Monday-Tuesday, 10am-4pm, Wednesday 10am-1pm. The All Wales Domestic Abuse and Sexual Violence Helpline can also be contacted as this is a 24 hours, 365 days a year service.

Respect

The Respect Phonenumber for domestic violence perpetrators and professionals offers information about services for those using violence/abuse in their relationships. The Phonenumber is available Monday – Friday, 9am – 5pm.

Tel: 0808 802 4040

In an emergency, call 999.

Domestic Violence Disclosure Scheme and Protection Orders

The Domestic Violence Disclosure Scheme allows an individual to ask the police to check if a new or existing partner has a violent past. If records indicate that an individual may be at risk of domestic violence from a partner, the police will consider disclosing the information.

Domestic Violence Protection Orders ban perpetrators with immediate effect from returning to a residence or from contacting the victim for up to 28 days. This time can allow the victim to consider their options and obtain the support they need.

DEALING WITH EMPLOYEES WHO MAY BE PERPETRATORS OF DOMESTIC ABUSE/ VIOLENCE

31. The Council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.
32. If an employee approaches the Council about their abusive behaviour, the Council will provide information about the services and support available to them including Care First and the Respect Phonenumber.
33. Managers should contact HR should they be made aware of any concerns, allegations or convictions against a member of staff.
34. The Council will treat any allegation, disclosure or conviction of a domestic abuse/violence related offence on a case-by-case basis with the aim of reducing risk and supporting change.
35. Conduct outside of work (whether or not it leads to a criminal conviction) may lead to disciplinary action being taken against an employee because of its employment implications and the fact that it may undermine the confidence the Council has in the employee. There should be an investigation of the facts as far as possible and the provisions of the Disciplinary Procedure will be followed.
36. In considering whether further action should be taken the nature of the conduct and work undertaken by the employee should be considered.
37. The Council will not tolerate any form of abuse or violence within the workplace nor the use of workplace resources for perpetrating such acts and will deal with perpetrators of such behaviour in line with the Disciplinary Procedure.
38. In cases where both the victim and the perpetrator of domestic abuse/violence work for the Council, the Council will take appropriate action. In addition to considering disciplinary action against the employee who is perpetrating the abuse/violence, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace. The manager should seek further advice from HR and Health and Safety in such circumstances on measures that can be put in place to minimise the risk of the victim and perpetrator coming into contact and the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties for one or both employees or withdrawing the perpetrator's access to certain IT programs and systems.

RECORD KEEPING

39. In line with Health and Safety legislation, the Council has a duty to maintain a safe place of work. This will include monitoring and recording all incidents of violence or threatening behaviour in the workplace in line with the Violence at Work Policy. These may include persistent telephone calls, e-mails and visits to the workplace by the perpetrator.

40. It is important that records are clear and accurate and should give dates, times and locations. Witnesses to such incidents should also be recorded.
41. Managers are responsible for confidentially storing relevant information including risk assessments, records of incidents, action taken and support provided.
42. HR forms in relation to sickness absence and leave of absence, which make reference to domestic abuse/violence should be forwarded to the relevant HR Business Partner Team for secure storage.

January 2015

Draft



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: DRAFT WHISTLEBLOWING POLICY

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

1. PURPOSE OF REPORT

- 1.1 To seek approval of a revised Whistleblowing Policy. To inform the Members of Scrutiny on the proposed revision of the Council's Whistle Blowing Policy (attached in Appendix 1), and seek their comments, prior to presenting the Policy to Cabinet and Council for approval.
- 1.2 To inform members of a proposed change to the administrative form (Appendix 4) used to record declarations of interests made by employees. As this form is an appendix to the Code of Conduct which is contained within the Constitution, it will require approval from Council.

2. SUMMARY

- 2.1 The Whistle Blowing Policy is intended to encourage and enable employees to raise concerns with the Council without fear of victimization, subsequent discrimination or embarrassment.

3. LINKS TO STRATEGY

- 3.1 The Authority has an obligation to maintain and monitor the standards of conduct throughout the Council's workforce, and to maintain appropriate arrangements for good governance. This policy is contained within the Council's Constitution as part of the Employee Code of Conduct. In addition this policy supports the Council's anti-fraud and corruption strategy.

4. THE REPORT

- 4.1 Members will be aware that Council agreed at its meeting in June 2013 to undertake a full review of the Council's Constitution. The review was to be based on the new All Wales Framework document that has been produced by external lawyers with the support of the Welsh Local Government Association. It was originally envisaged that this would also include a draft whistleblowing policy that we would subsequently seek to adopt. For various reasons previously reported to members it has not been possible to adopt the All Wales framework Constitution, consequently the existing version of the Constitution has been thoroughly reviewed and updated. In order to strengthen our governance arrangements in line with our response to the Wales Audit Office Corporate Governance Inspection the Improving Governance Programme Board agreed that the revision and updating of the Whistleblowing Policy should be taken forward as a stand-alone issue

- 4.2 The current version of the Council's Whistle Blowing Policy will be found within the Council's Constitution (attached as appendix 3). The Policy was introduced in 2001 and other than a minor review to reflect changes to job titles there has been no significant changes made since that date, other than a minor review.
- 4.3 Members may be aware that a Whistleblowing Commission was set up in February 2013 by the leading Whistleblowing Charity – Public Concern at Work (PCaW). Their remit was to review the effectiveness of whistleblowing in UK workplaces, and to make recommendations for change. The Commission was an independent body made up of industry and academic experts and chaired by the Right Honorable Sir Anthony Hooper (former appeal court judge).
- 4.4 In late November 2013 it published its findings, with the Primary recommendation being for the Secretary of State to adopt a Code of Practice that could be taken into account in whistleblowing cases before courts and tribunals. The Commission has published a draft Code which sets out clear standards for organisations across all sectors to enable them to have clear whistleblowing arrangements. The Code of Practice is designed to help regulators assess and inspect whistleblowing arrangements. The Code of Practice was designed to be adopted by organizations that are looking to achieve the highest standards in ensuring that workers are encouraged to speak up and when they do, that they are listened to. (The draft code is provided as Appendix 2).
- 4.5 Officers have worked with the Charity Public Concern at Work, who were identified as being able to support best practice in this area. As a consequence we have been able to access guidance, resources and support from Public Concern at Work to develop a new Whistleblowing Policy reflective of current guidance and regulations.
- 4.6 Members may also wish to note that there is an ongoing facility provided for employees to access the confidential support helpline provided by Public Concern at Work. This will enable them to make contact in a confidential manner, should they wish to seek independent advice.
- 4.7 In line with the findings of the Commission, the attached draft policy has been written in plain English, to encourage a wide understanding by employees. This draft policy was heavily based around the model policy provided by Public Concern at Work. This draft policy has been developed with the support of the Improving Governance Programme Board.
- 4.8 The new Policy if approved will be publicised on the HR Support Portal and Wellbeing@Work intranet pages. A training programme for managers will be developed to support the introduction of the new policy, and a communication plan devised to increase awareness of the policy across the wider organisation.
- 4.9 The revised form at appendix 4 is an administrative form for recording the declaration of interests made under the Code of Conduct for Officers. This has not been amended since it was introduced with the Officer Code of Conduct in February 2006. This revision is made to ensure improved transparency and accuracy in the recording of declarations.

5. EQUALITIES IMPLICATIONS

- 5.1 The policy supports the Council in achieving its statutory duties under Equalities legislation in that it clearly notes discrimination as a specific category of wrongdoing about which concerns can be raised by staff. The ability for employees to raise any concerns confidentially (which could include equalities issues) also provides additional safeguards for the individual and the authority.

6. FINANCIAL IMPLICATIONS

- 6.1 There is a small annual membership cost (£1600 & Vat) for joining Public Concern at Work, which has been met from existing budgets. There are no direct financial implications of introducing the Policy.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications of introducing the Policy.

8. CONSULTATIONS

- 8.1 The report reflects the views of the Consultees listed at the end of the report. The Improving Governance Programme Board, and the HR Strategy Group have been active participants in this process. The Councils Trades Unions have been consulted and are supportive of this approach. There are no other views other than those reflected in the report.

9. RECOMMENDATIONS

- 9.1 That Scrutiny members consider the contents of the report and the draft Whistleblowing Policy, and make a recommendation to Cabinet and Council for adoption of the Policy, and to authorise the Council's Monitoring Officer to make the necessary amendments to the Council's Constitution along with any observations they may wish to provide.
- 9.2 That Scrutiny members note the changes to the administrative form for the declaration of interests recorded by employees, and make a recommendation to Cabinet and Council for adoption of the declaration form, and to authorise the Council's Monitoring Officer to make the necessary amendments to the Council's Constitution.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To facilitate the implementation of a new Policy.
- 10.2 To improve administration of the declaration of interests recorded by employees.

11. STATUTORY POWER

- 11.1 Local Government Act 2000, Public Interest Disclosure Act 1998, Employment Act 2008

Author: Gareth Hardacre, Head of Workforce & OD
Consultees: Nicole Scammell, Acting Director of Corporate Services & Section 151 Officer
Gail Williams, Monitoring Officer
Colin Jones, Head Of Property & Performance Management
Cllr Christine Forehead, Cabinet Member for HR & Governance
Alessandra Veronese, Project Manager IGPB
Dave Thomas, Senior Policy Officer (Equalities)
Councils Recognised Trades Unions

Appendices:
Appendix 1 Draft Whistleblowing Policy
Appendix 2 Whistleblowing Commission Code of Practice
Appendix 3 Existing Whistleblowing Policy
Appendix 4 Declaration of Interests Form

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WHISTLEBLOWING POLICY

Version:	Version 2 Draft 5
Policy Ratified by:	Human Resources
Date:	October 2014
Area Applicable:	All Caerphilly Employees
Review Year	

SECTION

PAGE NO

<u>INTRODUCTION</u>	3
<u>SCOPE OF THE SCHEME</u>	3
<u>GUIDING PRINCIPLES</u>	3
<u>CATEGORIES OF WRONGDOING</u>	3
<u>OUR ASSURANCE TO YOU</u>	4
<u>ANONYMOUS ALLEGATIONS</u>	4
<u>UNTRUE ALLEGATIONS</u>	5
<u>RAISING A CONCERN</u>	5
<u>HOW WE WILL HANDLE THE MATTER</u>	5
<u>INDEPENDENT ADVICE</u>	6
<u>EXTERNAL CONTACTS</u>	6
<u>INTERPRETATION OF THE POLICY</u>	6
<u>REVIEW OF THE POLICY</u>	6
<u>APPENDIX 1 – EXTERNAL REGULATORS</u>	7

INTRODUCTION

1. Caerphilly County Borough Council is fully committed to running the organisation in the best possible way and to do so we need your help. We have introduced this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have about malpractice at an early stage and in the right way.
2. All of us, at one time or another, have a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect others or the organisation itself, it can be difficult to know what to do.

SCOPE OF THE SCHEME

3. This policy applies to all Council employees. If you are an agency worker, volunteer or contractor working on Council premises, including builders, drivers, and suppliers you should raise your concern with your Line Manager in the normal way.
4. The effective date of the policy is XXXX and this policy must be read in conjunction with all relevant Council policies and procedures, in particular the Council's Code of Conduct.

GUIDING PRINCIPLES

5. This policy aims to reassure you that it is safe and acceptable to speak up and to enable you to raise serious concerns you have about malpractice at an early stage and in the right way.
6. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of detrimental treatment as a result.
7. The policy is specifically intended for raising concerns about malpractice. If, however, you wish to make a complaint about your employment or how you have been treated, please use the grievance procedure – copies can be obtained from your Manager or the HR Support Portal.
8. The policy provides you with an avenue to raise your concerns and to receive feedback on any action taken. Any feedback will be provided within the confines of the Data Protection Act 1998.

CATEGORIES OF WRONGDOING

9. You are protected under this policy to raise any concerns you may have about the following categories of wrongdoing:-
 - Criminal offences, including conduct which is an offence or a breach of law or sexual or physical abuse of clients;
 - Failure to comply with legal obligations including the unauthorised use of public funds, possible fraud and corruption;
 - Discrimination against the public or colleagues (e.g. racism, homophobia, etc)
 - Miscarriages of justice;
 - Dangers to health or safety including risks to the public as well as other employees;
 - Danger or damage to the environment or
 - Deliberate concealment of any of the above categories.
10. The policy may also be used to report something that:-
 - Makes you feel uncomfortable in terms of the standards you believe the Council subscribes to;
 - Is against the Council's Constitution and policies;
 - Falls below established standards of practice or
 - Amounts to improper conduct.

OUR ASSURANCE TO YOU

11. Caerphilly County Borough Council is committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of detrimental treatment as a result. The Council will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.
12. With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first. If this is the case, please say so at the outset.
13. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

ANONYMOUS ALLEGATIONS

14. The policy encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly you should not assume we could provide the assurances we offer in the same way if you report a concern anonymously.
15. If you are unsure about raising a concern you can get independent advice from Public Concern at Work (contact details can be found under Independent Advice).

UNTRUE ALLEGATIONS

16. If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you. Provided you are raising a genuine concern, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.
17. If you make an allegation maliciously or for personal gain, disciplinary action may be taken against you.

RAISING A CONCERN

18. You do not need to have firm evidence of malpractice before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.
19. If you have a concern about malpractice the first step is to raise it with your manager or team leader. This may be done verbally or in writing. We understand that the ability to raise concerns in this way will depend on the nature of the concern and the individuals involved.
20. If you feel unable to raise the matter with your Manager, for whatever reason, please raise the matter with:-

Head of Workforce & Organisational Development
21. If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made. A discussion will be held with you to discuss what is the most appropriate way to deal with the matter.

- 22 If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact:

Head of Legal and Monitoring Officer

Or

Section 151 Officer

HOW WE WILL HANDLE THE MATTER

- 23 The Council will acknowledge receipt of your concern within **10 working days**. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you, how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know.
- 24 When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we ask you to tell us at the outset.
- 25 If we think your concern falls more properly within one of our other policies (i.e. grievance) we will let you know.
- 26 If you are invited to a meeting to discuss your concerns, you can be accompanied by a trade union representative or work colleague not involved in the matter.
- 27 Whenever possible we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person. Any feedback will be provided within the confines of the Data Protection Act 1998.
- 28 While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy you will help us to achieve this.

INDEPENDENT ADVICE

- 29 If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent charity Public Concern at Work on 020 7404 6609 or by email at helpline@pcaw.org.uk. Their lawyers can talk you through your options and help raise a concern about malpractice at work.
- 30 If you are a member of a trade union you can also contact your union for advice.

EXTERNAL CONTACTS

31. While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator than not at all. Public Concern at Work (or your union) will be able to advise you on such an option if you wish. Details of External Regulators under the Public Interest Disclosure (Prescribed Persons) Order 2014 can be found under Appendix 1. If this Schedule is amended by future legislation then the revised list will apply.
32. If you do take the matter outside the Council, you should ensure that you do not disclose personal or confidential information.

INTERPRETATION OF THE POLICY

33. In the event of a dispute relating to the interpretation of the Policy, the Head of Workforce and Organisational Development or the Head of Legal and Monitoring Officer will make the final decision on interpretation.

REVIEW OF THE POLICY

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

OCTOBER 2014

APPENDIX 1

PRESCRIBED PERSONS UNDER THE PUBLIC INTEREST DISCLOSURE ACT

Persons and descriptions of people	Matters Relating To
Accounts Commission for Scotland and auditors appointed by the Commission to audit the accounts of local government bodies.	Proper conduct of public business, value for money, fraud and corruption in local government bodies.
The Audit Commission for Local Authorities and the National Health Service in England.	Proper conduct of public business, value for money, fraud and corruption in public bodies.
Audit Scotland.	Proper conduct of public business, value for money, fraud and corruption in public bodies.
Auditor General for Wales.	Proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Auditor General for Scotland and persons appointed by or on his behalf under the Public Finance and Accountability (Scotland) Act 2000 ^[4] to act as auditors or examiners for the purposes of sections 21 to 24 of that Act.	Proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Auditors appointed by the Audit Commission for Local Authorities and the National Health Service in England to audit the accounts of (a) local government bodies as defined by section 53 of that Act (including police and crime commissioners, the Mayor's Office for Policing and Crime and the Common Council of the City of London, and the Chief Constables for Policy Forces maintained under Section 2 of the Police Act 1996, the Commissioner of Police of the Metropolis and the Commissioner of Police for the City of London Police) (b) health service bodies as defined by section 53 of that Act or (c) any other body whose accounts are subject to audit in accordance with the Audit Commission Act 1997	Proper conduct of public business, value for money, fraud and corruption in public bodies.
Auditors appointed by NHS Foundation trusts to audit the accounts of those trusts.	Proper conduct of public business, value for money, fraud and corruption in public bodies.
The Bank Of England	(a) The functioning of clearing houses (including central – counterparties); inter-bank payment systems and securities settlement systems. (b) The treatment, holding and issuing of banknotes by the authorised banks (and their agents) under Part 6 of the Banking Act 2009.
Care Council for Wales.	The registration of social care workers under the Care Standards Act 2000.
Care Inspectorate	The provision of care services, as defined in the Public Services Reform (Scotland) Act 2010.

Persons and descriptions of people	Matters Relating To
Care Quality Commission	(a) The registration and provision of a regulated activity as defined in section 8 of the Health and Social Care Act 2008 and the carrying out of any reviews and investigations under Part 1 of that Act or (b) any activities not covered by (a) in relation to which the Care Quality Commission exercises its functions.
Certification Officer.	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Charity Commission for England and Wales.	Proper administration of charities and of funds given or held for charitable purposes.
Chief Executive of the Criminal Cases Review Commission.	Actual or potential miscarriages of justice.
Chief Executive of the Scottish Criminal Cases Review Commission.	Actual or potential miscarriages of justice.
Children's Commissioner	The rights, welfare and interests of children.
Children's Commissioner for Wales.	Matters relating to the rights, welfare and interests of children.
Commissioner for Children and Young People in Scotland	Promoting and safeguarding the rights of children and young people.
Commissioners of HM Revenue and Customs	The functions of the Commissioners for Revenue and Customs as set out in the Commissioners for Revenue and Customs Act 2005, including:- (a) the administration of the UK's taxes, including income tax, inheritance tax, corporation tax, capital gains tax, VAT and the excise duties. (b) the administration of the national insurance and tax credits systems (c) customs and border-related functions and (d) criminal investigations
Competition and Markets Authority	(a) The sale of goods or the supply of services, which adversely affect the interests of consumers. (b) Competition affecting markets in the UK.
Comptroller and Auditor General	Proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Director of the Serious Fraud Office.	(a) serious or complex fraud within the meaning of section 1 (3) of the Criminal Justice Act 1987 or (b) civil recovery of the proceeds of unlawful conduct, civil recovery investigations and disclosure orders in relation to confiscation investigations as set out in Part 5 or 8 or the Proceeds of Crime Act 2002.
Elected local policing bodies	Any report made in accordance with section 114 of the Local Government Finance Act 1988 in relation to:- (a) the Chief Constable for the elected local policing body's area or (b) the Commissioner of Police of the Metropolis, where the elected local policing body is the Mayor's Office for Policing and Crime.
Environment Agency	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to pollution, abstraction of water, flooding, the flow of rivers, inland fisheries and migratory salmon or trout.

Persons and descriptions of people	Matters Relating To
Financial Conduct Authority	<ul style="list-style-type: none"> (a) the carrying on of investment business or of insurance business or of any business related to or constituting a regulated activity as defined in section 22 of the Financial Services and Markets Act 2000 and wholesale money market regimes (b) the conduct of persons authorised for the purposes of section 31 of the Financial Services and Markets Act 2000 including banks, building societies established under the Building Societies Act 1986, consumer credit firms and credit unions within the meaning of the Credit Unions Act 1979 or registered under the Credit Unions (Northern Ireland) Order 1985 or the Industrial and Provident Societies Act (Northern Ireland) 1969, friendly societies within the meaning of the Friendly Societies Act 1974 and the Friendly Societies Act 1992, insurers, the Society of Lloyd's managing agents (c) the conduct of persons who are subject to Part 18 of the Financial Services and Markets Act 2000 (d) the conduct of persons who are electronic money issuers for the purposes of electronic money regulations 2011 (e) the conduct of persons who are payment service providers for the purposes of the payment services regulations 2009 (f) the operation of small UK Alternative Investment Fund Managers registered under regulation 10 of the Alternative Investment Fund Managers Regulations 2013 (g) the operation of societies registered under the Friendly Societies Act 1974 and the Friendly Societies Act 1992, including friendly societies, benevolent societies, working men's clubs, specially authorised societies (h) the operation of 'registered societies' within the meaning of the Co-operative and Community Benefit Societies Act 2014 (i) the conduct of persons subject to rules made under Part 6 of the Financial Services and Markets Act 2000 (j) competition in relation to the provision of financial services and the financial services markets (k) the functioning of financial markets and (l) money laundering, financial crime and other serious financial misconduct, in connection with activities regulated by the Financial Conduct Authority.

Persons and descriptions of people	Matters Relating To
The Financial Reporting Council Limited and its conduct committee	<ul style="list-style-type: none"> (a) the independent oversight of the regulation of the accountancy, auditing and actuarial professions (b) the independent supervision of Auditors General (as defined in section 1226 of the Companies Act 2006) (c) the monitoring of statutory audit functions in respect of major audits (as defined by paragraph 13 (10) of Schedule 10 to that Act), of third country audit functions (as defined in that paragraph), and of major local audits (as defined in that paragraph as applied by paragraph 28 of Schedule 5 to the Local Audit and Accountability Act 2014) (d) the registration and monitoring of third country auditors (as defined in section 1261 of the Companies Act 2006) (e) compliance with the requirements of legislation relating to accounting and reporting and (f) the investigation of the conduct of auditors, accountants and actuaries and the holding of disciplinary hearings in public interest cases (as defined in paragraph 24 of Schedule 10 to that Act and by that paragraph as applied by paragraph 28 of Schedule 5 to the Local Audit and Accountability Act 2014).
Food Standards Agency.	The health of any member of the public in relation to the consumption of food and other matters which concern the protection of the interests of consumers in relation to food.
Gas and Electricity Markets Authority	<ul style="list-style-type: none"> (a) the generation, transmission, distribution and supply of electricity, participation in the operation of an electricity interconnector (as defined in section 4(3E) of the Electricity Act 1989) (b) providing a smart meter communication service (as defined in section 4 (3G) of that Act) and activities ancillary to these matters (c) the transportation, shipping and supply of gas through pipes, participation in the operation of a gas interconnector (as defined in section 5(8) of the Gas Act 1986. (d) providing a smart meter communication service (as defined in section 5 (11) of that Act) and activities ancillary to these matters and (e) the renewable generation of heat (as defined in section 100(3) of the Energy Act 2008) and activities ancillary to that matter.
General Chiropractic Council	<ul style="list-style-type: none"> (a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
General Dental Council	<ul style="list-style-type: none"> (a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
General Medical Council	<ul style="list-style-type: none"> (a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.

Persons and descriptions of people	Matters Relating To
General Optical Council	(a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
General Osteopathic Council	(a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
General Pharmaceutical Council	(a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
Health and Care Professions Council	(a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
Health and Safety Executive.	The health or safety of any individual at work other than individuals at work wholly or mainly on premises which are, or are on (a) a GB nuclear site (within the meaning given in section 68 of the Energy Act 2013) (b) an authorised defence site (within the meaning given in regulation 2 (1) of the Health and Safety (Enforcing Authority) Regulations 1998) or (c) a new nuclear build site (within the meaning given in regulation 2A of those Regulations)
Healthcare Improvement Scotland	(a) furthering the improvement in the quality of health care (within the meaning of section 10A of the National Health Service (Scotland) Act 1978) and (b) any activities not covered by (a) in relation to which Healthcare Improvement Scotland has functions.
Her Majesty's Chief Inspector of Education, Children's Services and Skills (the Chief Inspector)	(a) the regulation and inspection of establishments and agencies under Part 2 of the Care Standards Act 2000 (b) the inspection of the functions of local authorities in England referred to in section 135 (c) to (e) of the Education and Inspections Act 2006 (c) the inspection of Children's Services under section 20 of the Children's Act 2004 (d) the review of Local Safeguarding Children Boards under section 15A of the Children Act 2004 (e) the inspection, under section 87 of the Children Act 1989, of the welfare of children provided with accommodation by boarding schools and further education colleges (f) the inspection of the Children and Family Court Advisory and Support Service under section 143 of the Education and Inspections Act 2006 and any other functions which may be assigned to the Chief Inspector under section 118 (4) of that Act but only in so far as they relate to one of the functions set out in (a) to (f) above.
Homes and Communities Agency	The regulation of registered providers of social housing, in accordance with Part 2 of the Housing and Regeneration Act 2008 (as amended by the Localism Act 2011), delivered through the Regulation Committee of the Homes and Communities Agency.

Persons and descriptions of people	Matters Relating To
Independent Police Complaints Commission	The conduct of a person serving with the police (as defined in section 12 (7) of the Police Reform Act 2002) or any other person in relation to whose conduct the Independent Police Complaints Commission exercises functions in or under any legislation.
Information Commissioner.	Compliance with the requirements of legislation relating to data protection and to freedom of information.
Local authorities which are responsible for the enforcement of food standards in accordance with sections 5 and 6 of the Food Safety Act 1990.	Compliance with the requirements of food safety legislation.
Local authorities which are responsible for the enforcement of health and safety legislation.	Health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Local weights and measures authorities as defined by section 69 of the Weights and Measures Act 1985 which are responsible for the enforcement of consumer protection legislation.	Compliance with the requirements of consumer protection legislation.
Lord Advocate, Scotland.	Serious or complex fraud within the meaning of section 27 of the Criminal Law (Consolidation) (Scotland) Act 1995..
A member of the House of Commons	Any matter specified in this column.
Monitor	(a) the regulation and performance of NHS foundation trusts and (b) any activities not covered by (a) in relation to which Monitor exercises its functions.
National Crime Agency	Corrupt individuals or companies offering or receiving bribes to secure a benefit for themselves or others.
National Health Service Trust Development Authority	The performance of English NHS Trusts, including clinical quality, governance and management of risk.
The National Society for the Prevention of Cruelty to Children (NSPCC) and any of its Officers	Child welfare and protection.
Nursing and Midwifery Council	(a) the registration and fitness to practise of a member of a profession regulated by the Council and (b) any activities not covered by (a) in relation to which the Council has functions.
Officer for Nuclear Regulation	The health and safety of any individual at work wholly or mainly on premises which are, or are on (a) a GB nuclear site (within the meaning given in section 68 of the Energy Act 2013) (b) an authorised defence site (within the meaning given in regulation 2 (1) of the Health and Safety (Enforcing Authority) Regulations 1998 or (c) a new nuclear build site (within the meaning given in regulation 2A of those regulations)
Office of Communications	(a) the provision of electronic communications networks and services and the use of the electro-magnetic spectrum (b) broadcasting and the provision of television and radio services (c) media ownership and control and (d) competition in communications markets.

Persons and descriptions of people	Matters Relating To
Office of Qualifications and Examinations Regulation	Issues relating to the Office of Qualifications and Examinations Regulation exercises functions under the Apprenticeships, Skills, Children and Learning Act 2009.
Office of Rail Regulation	(a) the provision and supply of railway services and (b) any activities not covered by (a) in relation to which the Office of Rail Regulation has functions.
Office of the Scottish Charity Regulator	The proper administration of charities and of funds given or held for charitable purposes.
Payment Systems Regulator	Payment systems (within the meaning given by section 41 of the Financial Services (Banking Reform) Act 2013) and the services provided by them.
Pensions Regulator	Occupational pension schemes and other private pension arrangements including matters relating to the Pensions Regulator's objective of maximising compliance with the duties under Chapter 1 of Part 1 (and the safeguards in sections 50 and 54) of the Pensions Act 2008.
Police and Crime Panels	(a) any complaint about the conduct of a relevant office holder, within the meaning of section 31 of the Police Reform and Social Responsibility Act 2011 and (b) any report made in accordance with section 114 of the Local Government Finance Act 1988 or section 4 or 5 of the Local Government and Housing Act 1989 in relation to the elected local policing body for the Police and Crime Panel's area.
Prudential Regulation Authority	(a) the carrying on of deposit taking business or insurance business or investment business or any business related to or constituting a regulated activity as designated pursuant to section 22A of the Financial Services and Markets Act 2000 (b) the safety and soundness of persons authorised for the purposes of section 31 of the Financial Services and Markets Act 2000, including banks, insurers, the Society of Lloyd's incorporated by the Lloyd's Act 1871, Lloyds managing agents, building societies established under the Building Societies Act 1986, designated investment firms, societies registered under the Friendly Societies Act 1974 and the Friendly Societies Act 1992, including friendly societies, benevolent societies, working men's clubs and specially authorised societies, and credit unions within the meaning of the Credit Unions Act 1979 or registered under the Credit Unions (Northern Ireland) Order 1985 or under the Industrial and Provident Societies Act (Northern Ireland) 1969, in connection with matters regulated by the Prudential Regulation Authority.
Public Services Ombudsman for Wales	Breaches by a member or co-opted member of a relevant authority (as defined in section 49 (6) of the Local Government Act 2000) of that authority's code of conduct.
Scottish Environment Protection Agency	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to flood warning systems and pollution.

Persons and descriptions of people	Matters Relating To
Scottish Housing Regulator	Social Landlords' performance of housing activities The registration of Registered Social Landlords in accordance with Part 2 of the Housing (Scotland) Act 2010 and The financial wellbeing and standards of governance of Registered Social Landlords.
Scottish Information Commissioner	Compliance with the requirements of legislation relating to the freedom of information.
Scottish Social Services Council.	Registration of the social services workforce by the Scottish Social Services Council under the Regulation of Care (Scotland) Act 2001..
Secretary of State for Business, Innovation and Skills.	(a) Fraud, and other misconduct, in relation to companies, (b) Consumer safety.
Secretary of State for Transport.	Compliance with the requirements of merchant shipping law, including maritime safety.
Standards Commission for Scotland and the Chief Investigating Officer.	Breaches by a councillor or a member of a devolved public body (as defined in section 28 of the Ethical Standards in Public Life etc. (Scotland) Act 2000[9]) of the code of conduct applicable to that councillor or member under that Act.
Water Services Regulation Authority	The supply of water and the provisions of the sewerage services.
Water Industry Commissioner for Scotland.	The supply of water and the provision of sewerage services.
Welsh Ministers	The provision of Part II services as defined in section 8 of the Care Standards Act 2000 and the Children Act 1989. The inspection and performance assessment of Welsh local authority social services as defined in section 148 of the Health and Social Care (Community Health and Standards Act 2003 The review of, and investigation into, the provision of health care by and for Welsh

arrangements, including:

- a) the number and types of concerns raised;
- b) any relevant litigation; and
- c) staff awareness, trust and confidence in the arrangements.

should also sanction those who subject an individual to detriment. Subjecting a worker to a detriment means subjecting the worker to “any disadvantage” because they blew the whistle. This could include (but is not limited to) any of the following:

- a) failure to promote;
- b) denial of training;
- c) closer monitoring;
- d) ostracism;
- e) blocking access to resources;
- f) unrequested re-assignment or re-location;
- g) demotion;
- h) suspension;
- i) disciplinary sanction;
- j) bullying or harassment;
- k) victimisation;
- l) dismissal;
- m) failure to provide an appropriate reference; or
- n) failing to investigate a subsequent concern.

Part IV of the Employment Rights Act 1996 – The Public Interest Disclosure Act

12. PIDA sets out a framework for a worker to make disclosures about the following categories of wrongdoing, provided that they reasonably believe it to be in the public interest to do so:

- a) criminal offences,
- b) failure to comply with legal obligations,
- c) miscarriages of justice,
- d) dangers to health or safety,
- e) dangers to the environment,
- f) deliberate concealment of any of the above categories.

13. This disclosure will be protected if the workers discloses:

- a) in course of obtaining legal advice;
- b) to the employer;
- c) in certain circumstances, to a Minister of the Crown;
- d) to a ‘prescribed person’, reasonably believing that the information and any allegation contained within it are substantially true. The Secretary of State (in practice the Secretary of State for Business, Innovation and Skills) prescribes by list both the identity of the prescribed person (usually regulatory body) and its remit;
- e) to any person or body

provided that a number of detailed conditions are satisfied. Those conditions include a requirement that the worker does not make the disclosure for purposes of personal gain and a requirement that it is reasonable to make the disclosure in the circumstances. A further section makes provision for a disclosure of an exceptionally serious failure to any person or body.

14. The Act makes it unlawful for an employer to dismiss or subject a worker to a detriment for having made a ‘protected disclosure’ of information. The protection provided by the Act is not subject to any qualifying period of employment and so is referred to as a ‘day one’ right in employment law. By contrast under ordinary unfair dismissal, there is a two year qualifying period.

Settlement agreements

15. In the light of section 43J ERA 1996 (anti-gagging provisions in PIDA) employers drafting settlement agreements should not include a clause which precludes a worker from making a protected disclosure.

Further information

If you want to learn more about the Code of Practice and how Public Concern at Work can help you please contact services@pcaw.org.uk or **020 3117 2520**.

The report of the Whistleblowing Commission can be found here: www.pcaw.org.uk/whistleblowing-commission.

The Whistleblowing Commission

APPENDIX 2

Code of Practice

Anonymity and confidentiality

9. The best way to raise a concern is to do so openly. Openness makes it easier for the employer to assess the issue, work out how to investigate the matter and obtain more information. A worker raises a concern confidentially if he or she gives his or her name on the condition that it is not revealed without his or her consent. It is important that there is a clear option for anyone to use when raising a concern.

10. A worker raises a concern anonymously if he or she does not give his or her name at all. If this happens, it is best for the organisation to assess the anonymous information as best it can to establish whether there is substance to the concern and whether it can be addressed. Clearly if no-one knows who provided the information it is not possible to reassure or protect them.

Examples of Detriment

11. The code at paragraph 5(c) requires an assurance that a worker will not suffer a detriment for having raised a concern. Paragraph 6 of the code states that an employer

The Whistleblowing Commission, established in 2013 by whistleblowing charity

Public Concern at Work, developed a Code of Practice for effective whistleblowing arrangements. The Commission recommended that this is rooted in statute, can be taken into account in court cases and by regulators.

To find out more about the code, contact

Public Concern at Work on 020 3117 2520.

Page 74 The Code of Practice

Every employer faces the risk that something will go badly wrong in their organisation and ought to welcome the opportunity to address it as early as possible.

Whenever such a situation arises the first people to know of such a risk will usually be “workers”^[1] yet while these are the people best placed to speak up before damage is done, they often fear they have the most to lose if they do (otherwise known as “whistleblowing”).

This Code of Practice provides practical guidance to employers, workers and their representatives and sets out recommendations for raising, handling, training and reviewing whistleblowing in the workplace.

[1] Worker is defined in section 230 of the Employment Relations Act 1996

1. This Code sets out standards for effective whistleblowing arrangements. It is designed to help employers, workers and their representatives deal with whistleblowing.

2. Whistleblowing is the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others.

3. When developing whistleblowing arrangements employers should consult staff and their representatives.

Written Procedures

4. As part of the whistleblowing arrangements, there should be written procedures covering the raising and handling of concerns. These procedures should be clear, readily available, well-publicised and easily understandable.

5. The written procedures for raising and handling concerns:

a) should identify the types of concerns to which the procedure relates, giving examples relevant to the employer;

b) should include a list of the persons and bodies with whom workers can raise concerns, this list should be sufficiently broad to permit the worker, according to the

circumstances^[2] to raise concerns with:

i. the worker's line manager;

ii. more senior managers;

iii. an identified senior executive and/or board member; and

v. relevant external organisations (such as regulators);

c) should require an assurance to be given to the worker that he/she will not suffer detriment for having raised a concern, unless it is later proved that the information provided by the worker was false to his or her knowledge;

d) should require an assurance to be given to the worker that his or her identity will be kept confidential if the worker so requests unless disclosure is required by law;

e) should require that a worker raising a concern:

i. be told how and by whom the concern will be handled;

ii. be given an estimate of how long the investigation will take;

iii. be told, where appropriate, the outcome of the investigation^[3]

[2] By “according to the circumstances” we mean workers should be able bypass their manager, where they fear that they will suffer a detriment or that their concern will not be listened to.

[3] The Data Protection Act, on-going investigations, or the rights of third parties may impact the ability to provide feedback.

iv. be told that if the worker believes that he/she is suffering a detriment for having raised a concern, he/she should report this; and

v. be told that he/she is entitled to independent advice.

6. The employer should not only comply with these procedures but should also sanction those who subject an individual to detriment because he/she has raised a concern and should inform all workers accordingly.

Training, Review and Oversight

7. In addition to the written procedure for raising and handling concerns, the employer should:

a) identify how and when concerns should be recorded;

b) ensure, through training at all levels, the effective implementation of the whistleblowing arrangements;

c) identify the person with overall responsibility for the effective implementation of the whistleblowing arrangements;

d) conduct periodic audits of the effectiveness of the whistleblowing arrangements, to include at least:

i. a record of the number and types of concerns

raised and the outcomes of investigations;

ii. feedback from individuals who have used the arrangements;

iii. any complaints of victimisation;

iv. any complaints of failures to maintain confidentiality;

v. a review of other existing reporting mechanisms, such as fraud, incident reporting or health and safety reports;

vi. a review of other adverse incidents that could have been identified by staff (e.g. consumer complaints, publicity or wrongdoing identified by third parties);

vii. a review of any relevant litigation; and

viii. a review of staff awareness, trust and confidence in the arrangements.

e) make provision for the independent oversight and review of the whistleblowing arrangements by the Board, the Audit or Risk Committee or equivalent body. This body should set the terms of reference for the periodic audits set out in 7(d) and should review the reports.

8. Where an organisation publishes an annual report, that report should include information about the effectiveness of the whistleblowing

CAERPHILLY COUNTY BOROUGH COUNCIL
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ADDITION TO THE CODE OF CONDUCT - WHISTLEBLOWING

THIS DOCUMENT EXPLAINS WHISTLEBLOWING, WHAT LEGAL PROTECTION IS GIVEN BY LAW, AND HOW CAERPHILLY COUNTY BOROUGH COUNCIL WILL DEAL WITH ISSUES RAISED BY EMPLOYEES.

1.0 INTRODUCTION

- 1.1 Sir Gordon Borrie QC defines whistleblowing as the disclosure by an employee (or professional) of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employee or of his fellow employees.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not be prepared to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be a suspicion of malpractice.
- 1.3 It is recognised that to come forward and speak up can be difficult and place individuals in an awkward position. This policy recognises that some cases will have to proceed on a confidential basis. In addition, this policy makes it clear that employees can raise matters without fear of reprisals. The whole purpose of the policy is to provide a framework to enable staff to raise serious concerns within the Council rather than ignoring a problem.
- 1.4 The statutory protection for employees appears in the Public Interest Disclosure Act 1998. It protects employees against victimisation or dismissal provided that disclosure is made in accordance with the Act. It is important to stress that an employee can only make public disclosure in certain circumstances - there is no automatic right to "go public". What the Act says is set out in more detail later.

2. THE PUBLIC INTEREST DISCLOSURE ACT 1998

- 2.1 The Act gives protection for workers who make a "protected disclosure"
- a right not to be victimised because a protected disclosure has been made
 - a right not to be dismissed or selected for redundancy because of having made a protected disclosure
- 2.2 What is a protected disclosure? There are two things that have to be satisfied:-
- (a) the disclosure must be of a certain type of information (called a "qualifying disclosure") and
 - (b) the disclosure must be made in a way which is described in the Act.

(a) A qualifying disclosure:

This is a disclosure of information which in the reasonable belief of the worker making the disclosure tends to show one or more of the following:-

- a criminal offence
- that there is a failure to comply with a legal obligation
- miscarriage of justice
- that the health or safety of any individual is endangered
- damage to the environment
- deliberate concealment of any of the above

(b) The manner of disclosure:

The Act says that a disclosure to one of the following persons is protected provided that it is made in good faith.

- to the employer (and a list is set out later in this document about how that can be done)
- if the complaint is about someone else not employed by the Council, to that person's employer
- if it is about an issue where another person or body (not the Council) is responsible for the issue then disclosure can be made to that other person or body
- to anybody else authorised by the Council (the list later in this document sets out who that is)
- for certain specific types of malpractice to an outside regulator. The appendix to this policy sets out that list and the matters which may be referred to them. (Here, you must also reasonably believe that the information you are disclosing is substantially true).

(c) Public disclosure:

The employee is protected in making a public disclosure if these things are satisfied:-

- the disclosure is made in good faith
- the employee believes that the information is substantially true
- the disclosure is not made for the purposes of personal gain
- that the employee believes that he or she will be subjected to victimisation by the employer if a disclosure is made to the employer **or** that evidence relating to the matter being complained about will be concealed or destroyed if a disclosure is made to the employer **or** that a previous disclosure has been made to the employer
- in all the circumstances of the case it is reasonable for the disclosure to be made (the legislation says that regard has to be had to the identify of the person to whom the disclosure is made, the seriousness of the failure, whether the failure is continuing, whether the disclosure is made in breach of a duty of confidentiality owed to a third party, any action which an employer has taken or might reasonably be expected to have taken, or whether the employee complied with any internal procedure for disclosures

3.0 AIMS AND SCOPE OF THIS POLICY

3.1 This policy is applicable to all employees and will:-

- * provide avenues for employees to raise concerns and receive feedback on any action taken;
- * allow employees to take matters further if they are dissatisfied with the Council's response;
- * reassure employees that they will be protected from reprisals or victimisation for whistleblowing in good faith.

3.2 This policy is intended to cover concerns that fall outside the scope of other existing procedures.

3.3 There are a few areas highlighted by the Public Interest Disclosure Act. These include:-

- * criminal offences or breach of any statutory requirement or legal obligation;
- * improper or unauthorised use of public or other funds;
- * abuse of authority;
- * miscarriage of justice;
- * maladministration;
- * action that is against that laid down in the appropriate professional codes of conduct;
- * danger to the health or safety of any individual or the environment.

This list is not exhaustive, but it is indicative of the 'kind' of misconduct or malpractice that would be covered and as regards the Council may include:-

- * is unlawful; or
- * is against the Council's Standing Orders or policies; or
- * falls below established standards or practices; or
- * amounts to improper conduct.

4.0 SAFEGUARDS

4.1 Harassment or Victimisation

4.1.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate harassment or victimisation and will take action to protect employees when matters are raised in good faith. Anyone who victimises an employee as a result of their raising a concern under this policy, will be

dealt with under the Council's disciplinary procedure.

- 4.1.2 If an employee, who raises the concern, is already the subject of disciplinary or redundancy procedures, then that action will be reviewed to see if there is any link between the whistleblowing and the decisions in the disciplinary or redundancy procedures. This review may decide that the action taken should continue because there is no link, or that matters should be put 'on hold' whilst the concerns raised by the employee are investigated.

4.2 Confidentiality

- 4.2.1 The Council will do its utmost to protect the identity of employees when they raise a concern and do not want their name disclosed. If after investigation, the Council considers that the concern is justified, and if it is unable to proceed without the evidence of the employee it will discuss with you how it can best proceed.

4.3 Untrue Allegations

- 4.3.1 If an allegation is made in good faith, but it is not confirmed by the investigation, the matter will be closed and no further action taken. If, however, the investigation shows that untrue allegations were malicious and/or vexatious, then disciplinary action may be taken.

5.0 RAISING A CONCERN

- 5.1 As a first step, an employee should normally raise concerns with the immediate manager, their Supervisor or Director. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. The earlier that concerns are expressed, the easier it is to take action. Alternately, employees may approach the Human Resources Service Manager (Customer Services) or Human Resources Service Manager (Strategy and Operations), in complete confidence, who will take the appropriate action.

- 5.2 However, if the concerns involve management or the employee chooses to they can approach, the most appropriate of:-

*	Chief Executive	Anthony O'Sullivan	OSULLA @Caerphilly.gov.uk	01443 864410
*	Deputy Chief Executive	Nigel Barnett	BARNEN @Caerphilly.gov.uk	01443 864419
*	Monitoring Officer	Daniel Perkins	PERKID @Caerphilly.gov.uk	01443 863142
*	Head of Corporate Finance (S151 Officer)	Nicole Scammell	SCAMMN @Caerphilly.gov.uk	01443 863022
*	Trade Union Representative			
*	Professional Association			

- 5.3 This policy encourages employees to put their name to any concerns raised. Concerns are better raised in writing and employees are invited to set out the background and history of the concern, giving names, dates and places where possible and the reasons why there are concerns. However, if an employee feels unable to put concerns in writing, they can telephone or seek an interview with the appropriate officer in the first instance.
- 5.4 Although an employee is not expected to prove the truth of any allegation, in determining what action to take, the person contacted will assess whether there are sufficient grounds for the Council to act. In doing so, the Council will take into account:-
- * the seriousness of the issues raised;
 - * the credibility of the concern; and
 - * the likelihood of confirming the allegation from attributable sources.

5.5 Advice and guidance on how matters of concern may be pursued can be obtained from:-

- * Head of Workforce and Organisation Development Gareth Hardacre HARDAG@Caerphilly.gov.uk
01443 864309
- * Trade Union representative
- * Public Concern at Work 020 7404 6609

This is a legal advice centre and independent charity which gives independent and practical advice on how to raise concerns in the most constructive way. The Council makes a contribution to the charity for the provision of this service, but the charity and its advice are entirely independent of the Council and are not influenced in any way by the Council.

6.0 HOW THE COUNCIL WILL RESPOND

6.1 The action taken by the Council will depend on the seriousness of the concern. The matters raised may:-

- * be investigated internally by the appropriate manager;
- * be referred to the Police if there is evidence of a criminal offence;
- * be referred to the External Auditor if there is evidence of financial impropriety;
- * form the subject of an independent external or internal enquiry.

6.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns and allegations which fall within the scope of existing procedures will normally be referred for consideration under those procedures.

- 6.3 Some concerns may be resolved by agreed action without the need for investigation.
- 6.4 Within ten working days of a concern being received, the Council will respond by:-
- * acknowledging that the concern has been received;
 - * indicating how it intends to deal with the matter;
 - * giving an estimate of how long it will take to provide a final response;
 - * telling the employee whether any initial enquiries have been made; and
 - * telling employees whether further investigations will take place and if not, why not.
- 6.5 If necessary, further information will be sought from the employee. Where any meeting **is** arranged, employees have the right to be accompanied by a Trade Union or Professional Association representative or a friend who is not involved in the area of work to which the concern relates.
- 6.6 The Council will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For example, if an employee is required to give evidence in criminal or disciplinary proceedings, the Council will provide support and advice on procedure, etc.
- 6.7 The Council accepts that employees need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints and any necessary confidentiality issues, employees will receive information on the outcome of any investigations.
- 7.0 RESPONSIBLE OFFICER**
- 7.1 The Council's Standards Committee acting through the Monitoring Officer has overall responsibility for the maintenance and operation of this policy. All documentation relating to any concerns that have been raised will be lodged with the Monitoring Officer for safe keeping. That officer will maintain a record of concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report as necessary to the Council's Standards Committee in a confidential format.

July 2001 (revised June 2012)

PREScribed PERSONS UNDER THE PUBLIC INTEREST DISCLOSURE ACT

<i>Persons and descriptions of people</i>	<i>Descriptions of matters</i>
Accounts Commission for Scotland and auditors appointed by the Commission to audit the accounts of local government bodies.	The proper conduct of public business, value for money, fraud and corruption in local government bodies.
Audit Commission for England and Wales and auditors appointed by the Commission to audit the accounts of local government, and health service, bodies.	The proper conduct of public business, value for money, fraud and corruption in local government, and health service, bodies.
Certification Officer.	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Charity Commissioners for England and Wales.	The proper administration of charities and of funds given or held for charitable purposes.
The Scottish Ministers.	The proper administration of charities and of funds given or held for charitable purposes.
Chief Executive of the Criminal Cases Review Commission.	Actual or potential miscarriages of justice.
Chief Executive of the Scottish Criminal Cases Review Commission.	Actual or potential miscarriages of justice.
Civil Aviation Authority.	Compliance with the requirements of civil aviation legislation, including aviation safety.
The competent authority under Part IV of the Financial Services and Markets Act 2000. [3]	The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.
Commissioners of Customs and Excise.	Value added tax, insurance premium tax, excise duties and landfill tax. The import and export of prohibited or restricted goods.
Commissioners of the Inland Revenue.	Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.
Comptroller and Auditor General of the National Audit Office.	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally-funded public services.
Auditor General for Wales.	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Auditor General for Scotland and persons appointed by or on his behalf under the Public Finance and Accountability (Scotland) Act 2000 [4] to act as auditors or examiners for the purposes of sections 21 to 24 of that Act.	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.

<i>Persons and descriptions of people</i>	<i>Descriptions of matters</i>
Audit Scotland.	The proper conduct of public business, value for money, fraud and corruption in public bodies.
Director General of Electricity Supply.	The generation, transmission, distribution and supply of electricity, and activities ancillary to these matters.
Director General of Gas Supply.	The transportation, shipping and supply of gas through pipes, and activities ancillary to these matters.
Director General of Telecommunications.	The provision and use of telecommunications systems, services and apparatus.
Director General of Water Services.	The supply of water and the provision of sewerage services.
Water Industry Commissioner for Scotland.	The supply of water and the provision of sewerage services.
Director of the Serious Fraud Office.	Serious or complex fraud.
Lord Advocate, Scotland.	Serious or complex fraud.
Environment Agency.	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to pollution, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout.
Scottish Environment Protection Agency.	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to flood warning systems and pollution.
Food Standards Agency.	Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food.
Financial Services Authority.	The carrying on of investment business or of insurance business; the operation of banks and building societies, deposit-taking businesses and wholesale money market regimes; the operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies, and industrial and provident societies; the functioning of financial markets, investment exchanges and clearing houses; money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Services Authority.

<i>Persons and descriptions of people</i>	<i>Descriptions of matters</i>
General Social Care Council.	Matters relating to the registration of social care workers under the Care Standards Act 2000[5].
Care Council for Wales.	Matters relating to the registration of social care workers under the Care Standards Act 2000.
Scottish Social Services Council.	Matters relating to the registration of the social services workforce by the Scottish Social Services Council.
Children's Commissioner for Wales.	Matters relating to the rights and welfare of children.
Health and Safety Executive.	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Housing Corporation.	The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.
Local authorities which are responsible for the enforcement of health and safety legislation.	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Information Commissioner.	Compliance with the requirements of legislation relating to data protection and to freedom of information.
Scottish Information Commissioner.	Compliance with the requirements of legislation relating to freedom of information.
National Care Standards Commission.	Matters relating to the provision of regulated care services, as defined in the Care Standards Act 2000.
National Assembly for Wales.	Matters relating to the provision of social care services liable to be registered or inspected under the Care Standards Act 2000 or the Children Act 1989[6]. The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.
Scottish Commission for the Regulation of Care.	Matters relating to the provision of care services, as defined in the Regulation of Care (Scotland) Act 2001[7].
Occupational Pensions Regulatory Authority.	Matters relating to occupational pension schemes and other private pension arrangements.

<i>Persons and descriptions of people</i>	<i>Descriptions of matters</i>
Office of Fair Trading.	Matters concerning the sale of goods or the supply of services, which adversely affect the interests of consumers. Competition affecting markets in the United Kingdom.
Rail Regulator.	The provision and supply of railway services.
Standards Board for England.	Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000[8]) of that authority's code of conduct.
Local Commissioner in Wales.	Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct.
Standards Commission for Scotland and the Chief Investigating Officer.	Breaches by a councillor or a member of a devolved public body (as defined in section 28 of the Ethical Standards in Public Life etc. (Scotland) Act 2000[9]) of the code of conduct applicable to that councillor or member under that Act.
Treasury.	The carrying on of insurance business.
Secretary of State for Trade and Industry.	Fraud, and other misconduct, in relation to companies, investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing. Consumer safety.
Secretary of State for Transport.	Compliance with merchant shipping law, including maritime safety.
Local authorities which are responsible for the enforcement of consumer protection legislation.	Compliance with the requirements of consumer protection legislation.
Local authorities which are responsible for the enforcement of food standards.	Compliance with the requirements of food safety legislation.
A person ("person A") carrying out functions, by virtue of legislation, relating to relevant failures falling within one or more matters within a description of matters in respect of which another person ("person B") is prescribed by this Order, where person B was previously responsible for carrying out the same or substantially similar functions and has ceased to be so responsible.	Matters falling within the description of matters in respect of which person B is prescribed by this Order, to the extent that those matters relate to functions currently carried out by person A.

APPENDIX 4 – DECLARATION OF INTERESTS FORM

Employee's Name:		Employee's Number:	
Job Title:			
Directorate			
Service Area, School or Establishment:			

Type of Declaration	Details		
Relationship: Councillor <input type="checkbox"/> Contractor <input type="checkbox"/> Employee <input type="checkbox"/> Other <input type="checkbox"/>	Name: Post Title: Nature of my relationship to the named person: Details of any potential contact/conflict of interest:		
Personal interest or membership of an organisation, business, professional body or secret society e.g. School Governing Body, voluntary organisation role, involvement in a family business	Description of my interest: Name and location of organisation concerned (if applicable): Effective date: Financial benefit / implication: Details of steps that could be taken to protect the Council's interest:		
Gifts and Hospitality	Was the gift / hospitality to you or to an immediate relative? (if a relative, please give the relative's name and their relationship to you): Description of gift, hospitality or sponsorship: Supplier name / organisation: Date offer made: Approximate value: Accepted / Declined and reason for decision		
Employee's Signature:		Date:	

Completed By Head of Service

Details of any controls/ action taken to protect the Council's interests			
Name of Head of Service:			
Head of Service Signature:		Date:	

Circulation of Completed Form

Original copy retained by Head of Service:	
Date Copy Sent to Employee:	
Date copy emailed to HR Strategy and Development for filing on employees personal file:	
Date Directorate Summary Spreadsheet updated:	

Version: 2
Date Verified: November 2014





POLICY AND RESOURCES SCRUTINY COMMITTEE – 11TH NOVEMBER 2014

SUBJECT: NATIONAL HOME IMPROVEMENT LOAN SCHEME

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To inform members of a new initiative being launched by Welsh Government (WG) that will afford Welsh Local Authorities the opportunity to take advantage of a long-term loan scheme to fund interest-free Home Improvement Loans to private sector house owners. The report also outlines changes to the funding mechanism for the current “Houses Into Homes” scheme.
- 1.2 A Cabinet decision is required in respect of the options outlined in the report and consequently the views of the Policy and Resources Scrutiny Committee are first being sought.

2. SUMMARY

Home Improvement Loan Scheme

- 2.1 In January 2015 Welsh Government (WG) will launch a new initiative involving the provision of interest free, long term loans to Local Authorities to provide a source of capital funding for those Authorities who wish to offer Home Improvement Loans (HIL) to qualifying house owners. The loan to Local Authorities will be for a maximum 15 year period with Authorities having to make staged repayments to the UK Treasury in years 13 – 15.
- 2.2 The report outlines how the proposed Home Improvement Loan scheme will operate and highlights the links to the Authority’s existing Private Sector Housing Renewal Policy, particularly in respect of Loan assistance already available to homeowners.
- 2.3 As the proposed Home Improvement Loan scheme is prescriptive in its format Members are asked to consider only 2 options i.e. whether to adopt the scheme or not adopt the scheme as part of its Private Sector Housing Renewal Policy.

Houses Into Homes Funding

- 2.4 The Houses Into Homes scheme has been in operation since April 2012 and is essentially a recyclable loan scheme operated regionally, offering interest free loans to owners of long term empty properties to assist in bringing them back into beneficial use by way of sale or rent. Funding for the scheme has to date been provided by way of WG Capital grant, deployed regionally for dissemination and use by the individual Authorities within the region in response to demand. A report titled “Private Sector Housing Renewal Policy” was presented to Living Environment Scrutiny Committee on 20th March 2012 – this report outlined the principles of the Houses Into Homes scheme.

The WG Budget announcement in October 2014 identified a further £10m to support the scheme, however, future funding will now be by way of a long term loan paid direct to individual Local Authorities rather than by way of a capital grant paid and held regionally as are the current arrangements.

As the proposed Houses Into Homes funding arrangements have been decided by Welsh Government, Members are again asked to consider only 2 options i.e. whether to continue offering Houses Into Homes loans using capital grant funding only or whether to extend the scheme by utilising both capital grant and loan funding.

3. LINKS TO STRATEGY

- 3.1 The provision of loan assistance to house owners within the County Borough supports all 6 Key Priorities identified within the Caerphilly County Borough Council Private Sector Housing Renewal Policy. This Policy is the strategic document upon which the Authority's private sector housing activities are based. By providing a framework for the improvement of conditions and management within the private sector the policy also links to:
- Improving Lives and Communities: Homes in Wales (Welsh Government, 2010) which sets out the national context on improving homes and communities, including the energy efficiency of new and existing homes
 - Caerphilly Delivers, Single Integrated Plan (Prosperous Caerphilly - P2) - Improve standards of housing and communities, giving appropriate access to services across the County Borough.
 - Local Housing Strategy (Aim 10) - To promote the growth of a private housing sector that is healthy, vibrant and well managed.
 - 2014/15 Service Improvement Plan.

4. THE REPORT

Home Improvement Loans

- 4.1 In January 2015 Welsh Government (WG) will launch a new initiative offering interest free long term loans to Local Authorities to provide a source of capital funding for those Authorities who wish to offer Home Improvement Loans (HIL) to qualifying house owners. The loan to Local Authorities will be for a maximum 15 year period with Authorities having to make staged repayments to the UK Treasury in years 13 – 15. The amount of Loan finance that will be offered to individual Authorities will be on the basis of the number of private sector homes in their area and will be paid to individual Authorities following the submission of the relevant claim. The October 2014 budget announcement identified funding for the loans scheme of £5m in 2014-15 and £5m in 2015-16. For this Authority this would mean an annual allocation of £270,581 for each of the financial years.
- 4.2 Welsh Government will issue Loan Agreement schedules to which individual Authorities must sign up before any funding can be forthcoming. The Council's Legal Department has had sight of the proposed Loan Agreement and officers have not expressed any reservations in respect of its content.
- 4.3 Research undertaken on similar loan products suggests that the potential repayment default is around 5%. Welsh Government have agreed that this risk can be shared between themselves and participating Authorities and have committed to funding 50% of any shortfall up to a maximum of 2.5% of the overall loan made to the Authority.
- 4.4 To participate in this initiative Welsh Government have set some "ground rules" and stated that Home Improvement Loans to eligible applicants must be provided within the following framework:

Minimum and maximum HIL value	£1,000 up to £25,000 per unit of accommodation
Maximum loan available per loan recipient	£150,000.
Maximum fee charged to a loan recipient.	A one off administration fee of up to 15% of the HIL amount may be charged.
Interest	HILs must be interest free.
Permitted improvement works.	Works to make a residential property safe, warm and/or secure.
Loans can be provided for the purpose of improving a residential property to/for:	<ul style="list-style-type: none"> • Continued ownership • Sale • Rent
HIL conditions.	<p>The HIL terms and conditions must specify:</p> <ul style="list-style-type: none"> • The purpose/works for which the HIL is provided. • That, in respect of privately rented properties, the property must be free of Category 1 hazards as defined by Housing Health and Safety Rating System (HHSRS). • That if the recipient sells the property during the term of the HIL the loan must be immediately repaid in full.
Maximum loan period.	Up to 5 years for private sector landlords, 10 years for owner/occupiers
Payment terms.	HILs can be drawn down by loan recipients in advance, in stages or on completion of the improvement works as determined by the Local Authority.
Repayment terms	Either staged repayments (monthly, quarterly or yearly) or full repayment at the end of the HIL term or on sale of the property if earlier.
Eligible loan recipients.	Owners of sub standard residential properties e.g. landlords and owner/occupiers who satisfy affordability tests. (** See note below)
Risk mitigation measures.	<p>Two or more of the following measures should be applied to each HIL:</p> <ul style="list-style-type: none"> • Loan to property value ratio. • First/second property charges. • Local Land Charges • Staged payments to the loan recipient • Default fees. <p>Staged repayments from the loan recipient.</p>
Part funding and financial viability.	<p>HILs must only be provided to fund financially viable improvement works.</p> <p>A HIL may be provided to fund part of the improvement works provided that evidence of sufficient/adequate funding for the remainder of the works is provided.</p>
Other funding options:	<ul style="list-style-type: none"> • Other funding options such as Arbed must be explained to loan applicants. • Other funding options can be used in conjunction with the HIL as long as there is no double funding of the works. • Loan applicants that can easily obtain commercial finance to fund the improvement works should be directed to appropriate sources of funding.
Regional arrangements	Arrangements should be made to ensure that the manner in which HILs are offered is consistent throughout the relevant region. (For this Authority the relevant region is Gwent and meetings have already taken place with

** Affordability testing is a task that will require the expertise of an external provider. In the short term, as a pilot, it is intended that such testing will be undertaken by a partner Credit Union based within the County Borough. Affordability testing for the longer term will, however, be subject to a formal procurement exercise involving legitimate interested parties.

4.5 Members will be aware that Policy and Resources Scrutiny Committee at its meeting on 15th April 2014 endorsed a revised Private Sector Housing Renewal Policy which itself offered a Loan product similar to that outlined above. The report presented to the Committee on 15th April made direct reference to the impending national Home Improvement Loans scheme and the opportunities it would present by way of additional capital funding for loans. The report informed Members that the national scheme would be the subject of a separate report presented nearer the time of its introduction and this report, therefore, now outlines in more detail the principles of the national scheme.

4.6 Importantly, however, Members should note that the Authority's existing Loan scheme mirrors the principles of the national scheme and so the adoption of the national scheme would, in essence, provide the Authority with an extra funding source to support our existing scheme – there would be no additional administrative burden as a result of adopting the national scheme.

Houses Into Homes Funding

4.7 Since April 2012 this Authority has participated in the Houses Into Homes scheme in partnership with the 4 other Local Authorities within the former Gwent county. The principles of the scheme were outlined to members by way of a report on Empty Homes submitted to the Living Environment Scrutiny Committee on 20th March 2012. Essentially, however, the scheme involves offering interest free loans to owners of long term empty houses to assist in bringing them back into beneficial use.

4.8 Funding to support the scheme was provided by Welsh Government by way of a capital grant to the Gwent region which each member Authority could call upon as demand warranted. This Authority has to date offered 7 loans, utilising loan funding of £342k, which on completion of schemes will bring 15 empty homes back into use. Loans are repayable over 2 or 3 years and as the Loan fund recycles over this period further loans can be offered to demand.

4.9 The purpose of this report is to inform Members that a further £10m has been made available by WG to support the initiative. However, this additional capital is now only available by way of a Loan from WG as opposed to WG's previous investment in the scheme that came regionally by way of capital grant. Also, unlike the previous capital grant that was allocated to the region, future loan monies will be allocated to participating Authorities on an individual basis. Members are, therefore being asked whether they wish to take up the offer of loan finance to support additional activity within the Houses Into Homes scheme.

5. OPTIONS:

5.1 Home Improvement Loans

As the Home Improvement Loan scheme is prescriptive in its format, there are essentially only 2 options for Members to consider:

Option 1 – Decline the opportunity to formally adopt the Home Improvement Loan scheme to form part of the Authority's Private Sector Housing Renewal Policy.

Option 2 - Take up the opportunity to formally adopt the Home Improvement Loan scheme as an additional product in support of the Authority's Private Sector Housing Renewal Policy.

5.2 **Houses Into Homes Funding**

As the future funding mechanism for Houses Into Homes has been decided by Welsh Government there are essentially only 2 options for Members to consider:

Option A – To continue operating the Houses Into Homes scheme on the basis of the existing capital grant funded regime only.

Option B – To continue operating the Houses Into Homes scheme utilising both the capital grant funding element and also the Loan funded element.

6. **EQUALITIES IMPLICATIONS**

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

7. **FINANCIAL IMPLICATIONS**

- 7.1 There are no adverse financial implications as a result of this report. If adopted the Authority would be able to secure substantial additional funds to support its existing Private Sector Housing Renewal activities, albeit the funding on offer from Welsh Government is loan funding which will have to be repaid in years 13-15.

8. **PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications as a result of this report.

9. **CONSULTATIONS**

- 9.1 All comments from consultees have been incorporated into the report.

10. **RECOMMENDATIONS**

- 10.1 That the Policy and Resources Scrutiny Committee considers this report and recommends to Cabinet the adoption of Option 2 in para 5.1 above. i.e. to formally adopt the Home Improvement Loan scheme to form part of the Authority's Private Sector Housing Renewal Policy.
- 10.2 That the Policy and Resources Scrutiny Committee considers this report and recommends to Cabinet the adoption of Option B in para 5.2 above. i.e. To continue operating the Houses Into Homes scheme utilising both the capital grant funding element and also the Loan funded element now on offer from Welsh Government.

11. **REASONS FOR THE RECOMMENDATIONS**

- 11.1 To enable the Authority to benefit from additional funding to support interest free loans to eligible householders within the County Borough.

12. **STATUTORY POWER**

- 12.1 The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002.

Author: Kenyon Williams – Private Sector Housing Manager
willikh@caerphilly.gov.uk

Consultees: Cllr Gerald Jones, Deputy Leader & Cabinet Member for Housing
Cllr Hefin David – Chair Policy and Resources Scrutiny Committee
Cllr Sean Morgan – Vice-Chair Policy and Resources Scrutiny Committee
Nicole Scammell - Acting Director of Corporate Services.
Stephen Harris – Acting Head of Corporate Finance
Shaun Couzens - Chief Housing Officer
Graham North – Public Sector Housing Manager
Paul Smythe - Housing Repair Operation Manager
Lesley Allen - Principal Accountant
Fiona Wilkins - Principal Housing Officer (Private Sector)
Suzanne Cousins – Principal Housing Officer (Housing Portfolio)
Allan Elliott - Principal Housing Officer (Agency)
Gail Williams – Interim Head of Legal Services
Liz Lucas – Head of Procurement
Richard Crane – Senior Solicitor
David A. Thomas, Senior Policy Officer (Equalities and Welsh Language)

Background papers:

Report: “Private Sector Housing Renewal Policy” presented to Policy and Resources Scrutiny Committee on 15th April 2014.

Report: “Private Sector Housing Renewal Strategy – Empty Homes “ presented to Living Environment Scrutiny Committee on 20th March 2012.



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

**SUBJECT: 6-MONTH PROGRESS UPDATE OF IMPROVEMENT OBJECTIVES -
CAERPHILLY PASSPORT PROGRAMME UPDATE**

REPORT BY: HEAD OF WORKFORCE AND ORGANISATION DEVELOPMENT

1. PURPOSE OF REPORT

- 1.1 To provide the six-month update of the Improvement Objectives relating to the Caerphilly Passport Programme to Policy and Resources Scrutiny Committee.
- 1.2 For Members to note the outcomes and to confirm the view that satisfactory progress is being made against the Improvement Objectives set.

2. SUMMARY

- 2.1 The Passport Programme progress continues to be strong. Three of the Improvement Objectives are in line with the ESF objectives set for the programme, two are additional measures looking at the impact of the programme on those participating and the percentage of positive outcomes achieved.
- 2.2 Progress so far is on schedule to meet the Improvement Objectives set. The report sets out performance against targets to date. Prior to the launch on 5th April 2013 and since there has been a significant amount of activity and the report also touches on some of the key elements of the Programme.
- 2.3 There has been a rolling programme of team meetings, working group meetings and project board meetings since the Programme began. This is the governance structure for the Programme.
- 2.4 To date 673 referrals have been received to the programme.
- 2.5 The biggest challenge going forward is the ability to secure additional Jobs Growth Wales placements and further ESF funding for the programme.

3. LINKS TO STRATEGY

- 3.1 The Passport Programme supports the Council's People Strategy, Learning and Development Strategy, Education for Life and Corporate Strategies, Corporate Plan.
- 3.2 Supports the Regeneration Agenda, and links in with our strategy for achieving the WHQS standard.
- 3.3 The Passport Programme links to Strategic Equality Objective 6, Diversity in the Workplace.

3.4 The Passport Programme is a Council Improvement Objective (IO2) to improve job opportunities.

4. THE REPORT

Outcomes to date

4.1 So far 673 young people have been referred into the Passport Programme. The breakdown of referrals is as follows:

- Work Club – 152
- Job Centre – 421
- Educ8 – 1
- Innovate – 1
- Careers Wales – 62
- Direct referral – 31
- Youth Offending – 5

4.2 Members will note the high volumes of referrals into the programme which reflects the levels of youth unemployment within the County Borough.

4.3 In terms of the numbers of young people currently being supported, the statistics are as follows:

- There are no young people currently in Tier 1 but a total of 233 have previously gone through Tier 1 (14 participants went straight onto a Tier 2 due to the deadline of Tier 2 start dates in Sept 14)
- There are 81 people currently in Tier 2

4.4 Since April 2014, 84 placements have been delivered across the tiers against the annual target of 150.

4.5 Since April 14 there have been 12 apprenticeship opportunities created against an annual target of 25 and 38 employment opportunities against an annual target of 40. To date the percentage of positive outcomes from the programme is 78%, i.e. young people going into employment or back to full time education.

Working Group and Project Board

4.6 The working group has continued to meet on a six weekly basis. The group has representatives from the partners engaged in the project on a daily basis and this group continues to be successful in dealing with operational challenges and agreed changes to the model to improve delivery.

4.7 The Project Board meets on a quarterly basis chaired by the Head of Workforce and OD. The partners attending have already confirmed their support to seek further funding opportunities to sustain the programme.

Celebration Event

4.8 On Friday 10th October there was a Passport Celebration Event held. The event was attended by a number of our Cabinet Members and 3 Assembly Members with Mr Huw Lewis acting in his capacity of Minister for Education and Skills. Both the Leader and the Minister presented at the event and very positive press coverage was received. A number of awards were presented to young people who had completed the programme or who are still participating in the programme and had been nominated by their managers and employers over 9 different categories. Again, this was good, positive publicity for both the Programme and the Council.

Audit and Programme Evaluation

- 4.9 The team successfully went through the ESF team audit run between April and July. The result was very successful and all aspects of the programme met the requirements set. (Appendix 1)
- 4.10 An evaluation of the Programme undertaken by Wavehill Ltd is nearing completion. Feedback to date is very complementary. The completed evaluation is expected in November.
- 4.11 The Passport Programme was selected for an ESF National Team Audit. This has been undertaken by Dr James Downe of Cardiff Business School. A draft report has recently been received and again the feedback on the programme is very positive. The report will be circulated to the steering group for the research and to Welsh Government before a final draft is received.

Future Developments

- 4.12 The European Social Fund grant ends on 31st December 2014. At this time there will still be young people working their way through the model. In order to fund the programme until the end of March 2105, additional Flexible Support Fund grant funding of approx £42,500 has been secured to cover staffing costs and training costs.
- 4.13 The next round of ESF funding is in process with logic tables being submitted and discussed with the Wales European Funding Office (WEFO). The view of WEFO is that all bids coming forward need to be supported by the Regional Learning Skills and Innovation Board.
- 4.14 For Passport to continue then both ESF funding and a further allocation of Jobs Growth Wales placements will need to be secured.

5. EQUALITIES IMPLICATIONS

- 5.1 The Passport Programme is a positive action programme, designed to support a specific group of young people who have been identified as having particular barriers in terms of career opportunities, work experience, training and development and so supports the Council's Strategic Equality Objective 6 - Diversity in the Workplace.
- 5.2 The young people on the Passport Programme also have access to the full range of Equalities and Welsh Language training opportunities that are offered to all other staff members.

6. FINANCIAL IMPLICATIONS

- 6.1 The Project was allocated £372,000 of ESF funding and originally £121,000 of Flexible Support Fund money.
- 6.2 Additional Flexible Support fund money has been secured to fund the project until the end of March 2015.

7. PERSONNEL IMPLICATIONS

- 7.1 There is a positive benefit to the Programme both in terms of dealing with the Council's workforce planning challenge and by supporting young people into employment.

8. CONSULTATIONS

- 8.1 Head of Workforce & OD, HR Service Manager, Strategy and Operations, Community Regeneration Manager, Passport Programme Manager, Strategic Co-Ordination Manager and Council's Senior Policy Officer (Equalities and Welsh Language) have all been consulted and their views are reflected in the report.
- 8.2 There is ongoing consultation with Corporate Management Team. The report has also been shared with the Council's Trade Unions representatives.

9. RECOMMENDATIONS

- 9.1 Members note the content of the report
- 9.2 Members support the view that satisfactory progress is being made against the Improvement Objectives.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The progress to date is on schedule.

11. STATUTORY POWER

- 11.1 Local Government Acts 1972 and 2000.

Author: Liz Rogers HR Service Manager, Strategy and Operations,
rogere1@caerphilly.gov.uk

Consultees: Maggie James, Passport Programme Manager, jamesmf@caerphilly.gov.uk
Gareth Hardacre, Head of Workforce & OD, hardag@caerphilly.gov.uk
Jane Roberts-Waite, Strategic Co-Ordination Manager, roberj2@caerphilly.gov.uk
Tina McMahon, Community Regeneration Manager, mcmaht@caerphilly.gov.uk
Dave Thomas, Senior Policy Officer (Equalities and Welsh Language),
thomada@caerphilly.gov.uk

Appendices:

Appendix 1 ESF Audit Report April 2014

Appendix 2 Improvement Objective 2 6 month report



Local Service Board Development and Priority Delivery

Annual Project Report

Project Name	Caerphilly Passport Programme
Ref no	050-2012
Lead	Liz Rogers HR Service Manager Gareth Hardacre, Head of HR and OD
Report contact	Liz Rogers
Grant amount	£372219.58
Date completed	Report Date 6 th May 2014

1 Purpose of Document

- 1.1 The report will provide an update of the Caerphilly Passport Programme, the progress to date and barriers overcome.
- 1.2 The Caerphilly Passport Programme was officially launched on 5th April 2013 by the Deputy Minister for Skills, the Leader of Caerphilly County Borough Council and the Acting Chief Executive of the Council.
- 1.3 An opportunity was taken to run a pilot stage from January 2013 until the end of March 2013 whilst the project set up was ongoing. During this period the setup was undertaken and a pilot group of young people participated in the programme.
- 1.4 Over the last 12 months there has been a significant amount of activity undertaken in terms of the Programme delivery with many milestones being met, changes being made as a result of experience of programme delivery and challenges overcome.

2 Objectives

- 2.1 The aim of this paper is to:
 - Update on activity against milestones/targets
 - Update on how sustainable development principles have influenced this work
 - Update on contribution towards equality goals
 - Achievement towards indicators
 - Summarise publicity outcomes and materials
 - Update on operational matters and highlight critical issues and risks which may impact upon successful delivery of a project
 - Update of lessons learnt

Activity Against Milestones and Targets

- 2.2 There were a number of milestones and targets set for the project. The overriding strategic directives are as follows:
- 2.3 The targets are milestones for the project are as follows:
 - Create a minimum of 150 work experience opportunities per annum.
 - Create a minimum of 25 apprenticeship opportunities per annum.
 - Create a minimum of 40 employment opportunities per annum.
 - Reduce the number of people aged 16-24 claiming JSA by 3% over the lifetime of the project.
 - Reduce the number of people aged 16-24 unemployed for more than 26 weeks by 3% over the lifetime of the project.
 - Incorporate Targeted Recruitment and Training as a core requirement into at least 10 new public sector contracts (per annum).

Significant Project Milestones	
Milestone	Target Date
Signing of LSB Collaborative Agreement	1 st October 2012
Recruitment of secondees to the PASSPORT Coordination Team	October / November 2012
Creation of PASSPORT Working Group	January 2013
Induction and briefing for PASSPORT staff	January 2013
Development of branding and marketing strategy	January 2013
Introduction of MIS and data security requirements (link to WASPI)	February 2013
Evaluation Report – Phase 1	February 2013
Briefing and dissemination sessions for all relevant staff in partner agencies including Jobcentre Plus and Communities First Cluster Teams	February 2013
Dissemination of marketing literature	March 2013
Report to LSB, Policy and Resources Committee and Regeneration Scrutiny Reports	March 2013
Formal launch of the PASSPORT Programme	1 st April 2013
Programme implementation	April 2013
Evaluation Report – Phase 2	September 2013
Celebration event for successful PASSPORT Participants	December 2013
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	October 2013
Dissemination of progress reports	October 2013
Evaluation Report – Phase 3	April 2014
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	April 2014
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	October 2014
Celebration event for successful PASSPORT Participants	December 2014
Project Closure	December 2014
Final Evaluation Report and Lessons Learnt Dissemination	January 2015

Appendix 1 shows the project outcomes against the significant project milestones above.

2.4 In terms of the targets set the following has been achieved as at 31.03.2014:

- 176 work placement opportunities delivered
- 25 apprenticeship opportunities created
- 68 employment opportunities created
- The number of young people (18-24 years) claiming JSA within the County Borough has reduced from 2040 in October 2012 to 1470. This is a 28% reduction. With 69 young people going into employment or further training and education this is a

percentage reduction of 3.38% on a total of 2040 young people. Or a 4.7% reduction on the 1470 figure.

- Targeted Recruitment and Training as a core requirement has been incorporated into a variety of new tenders to date. Due to the time it takes to follow procurement processes these are in various stages of process / being awarded. These are significant sized contracts, for example, one contract with the Council's WHQS (Wales Quality Housing Standard) supply partner. In total there are 21 contracts which include community benefits clauses including targeted recruitment and training.

3. Progress Report

Assessment of Progress against Milestones/Targets

Please see Appendix One

3.1 Up until 31st March 2014 533 young people have been referred into the Passport Programme. The breakdown of referrals is as follows:

- Work Club – 126
- Job Centre – 335
- Educ8 – 1
- Innovate – 1
- Careers Wales – 55
- Direct referral – 11
- Youth Offending – 4

3.2 Recently, referrals have been managed in a different way to ensure the right calibre of candidate is put forward to the Passport Programme. The programme was established for young people who are work ready to gain work experience. A number of referrals in have been young people who are not work ready and need considerable additional or different support to be successful in the workplace. By directing the referrals from the Job Centres to the Communities First team who work alongside the Passport Programme they can refer on the right young people and also support those who are not work ready into the right provision that best suits their needs. However, it would be fair to say that the young people being supported via Passport are still a distance from the job market and when they join the programme it would be unlikely that they could, for example, secure a Jobs Growth Wales placement competitively.

3.3 So far a total 176 placements have been delivered across the tiers from Jan 13 until Jan 14 against a target of 150.

Independent Evaluation Feedback to date

3.4 Wavehill are undertaking an independent evaluation of the Programme. They have spoken with 157 individuals who were referred to Passport - 72 of these have received further support following referral and 85 had not pursued anything with Passport.

3.6 For those who have not progressed any further with Passport there have been a range of reasons often related to a change in circumstances, however, 53% indicated that they have found employment with most of this employment being full time roles.

- 3.7 For those that have taken up the support offered by Passport 89% have found the initial assessment work useful or very useful; 85% found the Employability training useful or very useful.
- 3.8 80% of those who have worked with the programme say they have been changed by their Passport experiences, these changes include 44% specifically saying they feel more confident, 29% happier and 22% feel more experienced.
- 3.9 85% say they gained job specific skills; 68% improved social skills for work (self confidence, turning up on time etc); 60% improved their sense of what they want to do; 53% report improved job search skills; 33% improved low basic skills.
- 3.10 85% say they feel more enthusiastic about work; 90% are more confident about their own abilities.
- 3.11 91% say they were helped by the coaching/mentoring they received.
- 3.12 71% say that without Passport they would still be unemployed.
- 3.13 The third indicator is the percentage of positive outcomes achieved. Young people participating in the programme are tracked post placement to establish the outcomes. To date 73% of those participating have gone into employment or further education.
- 3.14 Initial feedback from Wavehill from the employer experience perspective is that all employers contacted (30) who were hosting Passport trainees found it easy (2) or very easy (30) to work with the programme. All have said it has been beneficial (3) / very beneficial (27). 29 of the 30 would recommend the programme, 29 of the 30 want the work to continue, 29 of the 30 would work with similar programmes 1 of the 30 didn't know, paperwork was the main issue for the non-committer.
- 3.15 The majority of employers note particular positive impacts from Passport on:
- Improved working practices
 - Improved productivity
 - Improved customer service
 - Helping address skills gaps and skills shortages
 - Improved recruitment practice
 - Improved training and developing practices
- 3.16 The evaluation is continuing with Wavehill re-interviewing some of the participants and employers to follow them through the Programme as case studies for further qualitative feedback.
- 3.17 The final report is due in September 2014.

Working Group and Project Board

- 3.18 The working group has continued to meet regularly. The group has representatives from the partners engaged in the project on a daily basis and this group continues to be successful in dealing with operational challenges and agreed changes to the model to improve delivery.
- 3.19 The Project Board continues to meet on a quarterly basis. The Project Board continues to be chaired by the Head of Workforce and OD and the Working Group is

chaired by the HR Service Manager (Strategy and Operations) who project manages the Programme.

Marketing, Branding and Publicity

- 3.20 Marketing and branding if the programme has been successful and the brand is recognised within the County Borough and further afield. The pop up stands etc are used at careers fairs and events around the County Borough and for press releases and ministerial visits.
- 3.21 Regular press coverage on Passport Programme successes have been developed with support from the Communications team. There have been numerous case studies on young people who have moved into employment. This is good, positive publicity for both the programme and the Council.

Evaluation and Audit

- 3.22 As well as the Wavehill Evaluation, the Passport Programme has also been selected for an ESF National Team Evaluation. The inception meeting has very recently been held and the team at Cardiff Business School will be undertaking that piece of work and will use the work that Wavehill have already done to date.
- 3.23 All audits undertaken to date in terms of paperwork, record keeping etc have been completed successfully to date with just two minor issues being picked up. Support and advice has been provided by the Council's SET officer on audit requirements.

Challenges over the last 12 months

- 3.24 There have been a number of significant challenges over the past 12 months.
- 3.25 The first challenge has been around Health and Safety. Advice has been sought from the Council's Health and Safety team on the processes and procedures in place and as a result these are now even more robust. Young people participating complete a medical form which is reviewed by the Council's Occupational Health department who will carry out the appropriate assessments e.g. if the young person is going to what is considered to be a high risk environment such as refuse and cleansing, mechanics, groundworks etc. The Health and Safety risk assessment is undertaken by the work based learning provider now at the start of the unpaid placement rather than the start of the paid placement. A new service level agreement with the employer has been developed. Additional support and advice is provided by the internal team when supporting young people with additional needs.
- 3.26 A second significant challenge that has had a cost implication for the Council is pension liability in the Jobs Growth Wales part of the programme (Tier 2). Due to the changes in pension regulations young people undertaking the programme are automatically enrolled into the Local Government Pension Scheme (LGPS) if they meet the criteria and many do. As the Council are issuing the training contract and are payrollling the young people then they have to be enrolled into the LGPS. Young people have the option to opt out but many, understandably, wish to stay in the scheme. The cost to the Council is around 20% of pay. In real terms this is a 120k liability which the Council has had to pay up until April 2014. Going forward, the

Council will continue to put young people on the payroll who are employed within the organisation but externally placed young people will need to be put on the payrolls of the external business. This may impact on the number of employers who will engage with the programme.

- 3.27 The reclaiming of Jobs Growth Wales money from the Work based learning provider has had its' challenges. Up until recently there was a significant amount of money that had not been repaid to the Council. This liability has recently been reduced to around 20k from around 300k.

Future Challenges

- 3.26 The most significant future challenge will be to seek to secure future funding for Passport. There is a short-term interim need from Jan 15 to around September 16 with a view that Passport could be a part of the bigger regional activity for the 2015-20 ESF funding round.
- 3.28 The Project Manager and the Passport Programme Manager have participated in a video conferences organised by Welsh Government ESF team with regional groups who have also been running projects around apprenticeships / work experience funded by ESF. Representatives from those groups visited Caerphilly to share best practice and look at what learning could be gained by each project.
- 3.29 Meetings with Cardiff City Council, Blaenau Gwent and Torfaen have been held as well as with the SEWDR (South East Wales Directors of Regeneration) to explore the regional opportunities for Passport.
- 3.30 The model has been cited as the case study for a section in the Welsh Government document on the Youth Engagement and Progression Framework. This section is on Employability and Employment Opportunities.

Please outline progress against the agreed milestones/targets for each of your projects. –

Please see Appendix 1

Please outline any agreed project changes.

Project Changes	Date agreed
Financial Reprofile (to purchase laptops from underspend)	31.07.13
Second Financial Reprofile (to fund staffing arrangements from underspend)	25.04.14

3.2 Sustainable Development

Please outline how you are developing work against sustainable development principles

Sustainable Development
A key challenge of Passport and one of the main reasons for the development of the programme is to create sustainable employment opportunities for young people across the County Borough. Engagement with the private sector and LSB partners has very much helped make this become a reality. The fact that 69 young people have gone into sustainable employment opportunities is evidence of this.

The programme is inextricably linked to the Community Regeneration agenda. The Programme is focused upon getting young people of Caerphilly who are NEET into employment. This will support the regeneration of communities and the poverty agenda on a long-term basis. The programme helps to engender a work ethic and challenges perceptions of those who may be second and third generation unemployed to enter the workplace whilst supporting them to do so.

By working with our Communities First teams and with projects such as the Workless households project and using the Council's £220 million investment in improving tenants' homes, an integrated partnership model of working has been created to maximise the outcomes of the projects being delivered and to transform homes, lives and communities. For example, if a young person is engaged in Passport but comes from a workless household this engagement may be the opportunity to build a relationship with the household and look to support other family members.

There are a variety of provisions available to give young people access to training and some work experience but no others in the vicinity which are focused on getting young people into sustainable employment.

The Passport Programme has a positive impact on the local economy, social and environmental wellbeing within the County Borough. By being able to utilise the Jobs Growth Wales placements there has also been an opportunity to support small local businesses by creating some capacity for them via the placement so the business can be grown to support the trainee at the end of the placement.

Evidence from the evaluation suggests that the support offered by the team to the employer and the trainee has impacted on that organisation's recruitment and training and development practices as well as the wider HR responsibilities. It has also had a positive impact on the employer's perspective of taking on a young person which is incredibly important in reducing youth unemployment. There has been success in matching the right trainee to the right employer.

3.3 Equality

Please outline how you are developing work against equalities principles.

Equality

The Council has an Equal Opportunities policy and an Equality Impact Assessment has been completed.

Another driver of the programme is to address workforce demographic issues. For example, across the Council 30% of the workforce is over 50 and less than 4% are under 21. This not only causes a potential demographic time bomb it reflects the lack of opportunities for young people to enter the workforce.

The Passport Programme is a positive action programme, designed to support a specific group of young people who have been identified as having particular barriers in terms of career opportunities, work experience, training and development. These young people are Not in Education, Employment or Training (NEET) and are at risk of becoming disengaged or are disengaged.

It should be noted that the intention was that young people entering the programme do not have any significant barriers to work and are work ready or thereabouts. If a young person does have a significant barrier then they are referred to a more appropriate provision but this does not stop them from joining the Passport Programme at a later date. However, the team have supported young people who are a little further away from the job market than planned. Whilst this has had challenges the team have worked hard to support these young people into employment and offered ongoing learning and development through the programme.

A part of the diagnostic process is to test Essential Skills. The results to date have been interesting as many of those joining the programme have Essential Skills needs (this includes those who are educated to degree level). Support is being offered to these young people to improve their Essential Skills.

Recruitment

The recruitment of the team to the project was undertaken between November 2012 and February 2013 in the main, plus one additional appointment since that date. The team were in post by February but there was a delay with recruitment because of release periods from substantive posts. The recruitment to the team was staggered, firstly appointing the Passport Programme Manager, then the Passport Support Officers and finally the Admin support post and apprenticeship post. During this period the Project Manager also used temporary resources from other parts of the HR team to support the project development and delivery. The team have been briefed as they have joined the programme. The secondments were offered up to the LSB. The majority of applicants were from CCBC staff and 2 from Gwent Association of Voluntary Organisations (GAVO). The successful candidates come from various backgrounds but in the main have a HR background.

The appropriate HR processes were undertaken to recruit the secondees to the programme in line with CCBC requirements.

The Environment and Resource Efficiency

CCBC are committed to the sustainability agenda and all service areas are expected to demonstrate how they can support sustainability. This information is included in the Service Improvement Plan (SIP) for the department. Questions to answer in the SIP include, does your Service have processes in place to monitor and manage energy use, to reduce requirements or to generate energy from renewable sources? The team contribute to this via using the recycling facilities at the office base, looking at minimising travel around the County Borough, by taking the training to the Passport trainees at the early stages of the programme. Additionally, the Council has a working from home policy which reduces travel and energy costs. Increase use of technology and less use of paper within the team also improves resource efficiency.

3.4 Achievement towards indicators

Please outline progress against the agreed milestones/targets for each of your projects.

Indicator	Project	Achieved to Date
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	Total	
OUTPUTS		
Dissemination Initiatives	51	Careers Wales (2), JCP regular meetings (3), Communities First (2), P&R Scrutiny 6 monthly (4), Corporate Management Team (2), Regeneration Committee (1), Anti Poverty Group (1), SWYP Workshop (1), Blaenau Gwent CBC (1), Cardiff CC (1), Torfaen CBC (1), Project Board (5), Working Group (@ 10), Ministerial Visits (3), Launch Event (1), Video Conferencing with regional groups (2) Careers Fairs (5) Schools Visits (6)
Initiatives to support LSB development	7	Project Board (5), Regeneration Committee (1), SWYP Workshop(1),
RESULTS		
Collaborative agreements between public service bodies	4	LSB partners. Job Centre Plus Flexible Support fund agreement
Secondment positions available	7	Also a seconded position from JCP to the team on a part time basis has further enhanced the team, outcomes and partnership working. Close engagement with Careers Wales also a positive.
Organisational learning and development	Various Events / meetings	Coaching and Mentoring development, partnership working, H&S and HR requirements, engagement and progression development.

3.5 Publicity

*Please provide details of **ALL** publicity linked to your ESF Proposals providing evidence.*

Publicity
<p>The Passport Programme has been and continues to be actively marketed to partners, potential employers and young people. Branding has been developed with the support of the CCBC Communications and Design team and consulted on with the partners and the Youth Forum for feedback. Examples of marketing literature are available.</p> <p>A number of presentations and press releases have been delivered. These have been attached as evidence. The Publicity documentation has either include the ESF logo or noted the provision of ESFD funding. There was one article where it was not included but this was not composed by or consulted upon with the team.</p> <p>The standard ESF Logo is used on the publicity materials for the Passport Programme in full colour. The size of the logo is slightly smaller than the recommended due to the design of the marketing literature but it is very clear because of the colours used on the publicity material.</p>

There has been much Ministerial interest and support for the Programme and these visits along with case studies has provided good press coverage of the Programme, generating interest from other organisations and regions.

4. Risk

4.1 The current project risk register is attached below at **Appendix 2**.

5. Lessons Learnt

5.1 Each project should be recording lessons learnt through project development and implementation, this will assist with your own evaluation of your project but also support transfer of best practice and shared experiences across LSBs.

Reflecting on your local lessons learnt, please highlight those which have had a real impact to the way the project is being developed/implemented. These can reflect any aspect of your project.

Lessons Learnt

Lesson Learnt	By (<i>insert name of LSB</i>)	Action to avoid reoccurrence
Ensure that the Health and Safety Service Level Agreements are robust and stand up to scrutiny – don't rely on other organisation's documents necessarily	Liz Rogers / Maggie James	Use internal expertise for paperwork development Ensure that employed understand their responsibilities of having young people on site.
Ensure there is clarity on who is the employer and the responsibilities of the host organisation. Including issues such as employer costs.	Liz Rogers	Seek a legal opinion to confirm understanding where necessary
Consider and seek future funding / sustainability options as soon as possible in the project	Project Board	How can the project's longevity be secured? Identify streams of funding etc, ways in which the programme can be delivered and mainstreamed.
Understand what you want out of the evaluation	Liz Rogers	Have a clear view on what is achievable within the cost envelop. What will add value to the project going forward. (as an aside our evaluation delivery via Wavehill has been excellent)
Think ahead in terms of timelines e.g. for procurement arrangements	Liz Rogers / Maggie James	Closely review timelines in the project plan before submitting grant request. Procurement exercises take far longer than expected.
Review as you go - the	Liz Rogers / Tina	Need flexibility in order to be able

model what delivering and how	McMahon / Maggie James`	to change delivery to suit the participant
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Annex 1 –Project Overview

Project: Caerphilly Passport Programme		
Organisation/ Grant (£)	Brief Description of Project	Overall project RAG Status highlighting any specific risks
£372,219.58	An LSB project to support young people NEET with no significant barriers to work into sustainable employment by delivering a programme of training, coaching and mentoring support and work experience over an 8-month period. At the end of the period the Support Officer acts as 'recruitment advisor' to assist that young person into employment.	<p>Overall RAG Status – Green (for Project duration)</p> <p>Future challenges – Amber Need to secure further Jobs Growth Wales placements and influence regional decisions regarding the next round of ESF funding.</p>
<p>Column one - outcomes</p> <ul style="list-style-type: none"> • Outcomes achieved to date • Evaluation feedback from participants • Evaluation feedback from employers 	<p>Column two - stories / challenges / what could be improved</p> <ul style="list-style-type: none"> • Get programme 'regionalised' more quickly • Continue to develop the training element of the programme • Future of the programme 	<p>Column 3 - next steps</p> <ul style="list-style-type: none"> • Engagement on the regional basis • Secure interim funding • Secure further JGW placements • Further training development

Agreed Project Target and Milestones	Target Date	Progress Against Milestones	Progress Status	Next Steps / Comments
Signing of LSB Collaborative Agreement	1 st October 2012	Completed	Green	Signed on behalf of the LSB by CCBC
Recruitment of secondees to the PASSPORT Coordination Team	October / November 2012	Completed between Dec 12 and March 2013.	Green	
Creation of PASSPORT Working Group	January 2013	Up and running and maintained	Green	Operational group. Two meetings held to date. Terms of reference agreed. Agenda includes standing items for feedback.
Induction and briefing for PASSPORT staff	January 2013	Completed	Green	Inductions completed as members joined the team.
Development of branding and marketing strategy	January 2013	Completed	Green	Engaged with Communications team and views of the Caerphilly Youth Forum sought on the marketing literature and which appealed to them most. Marketing literature includes leaflets, postcards, pop-ups, billboard adverts and radio advertising.
Introduction of MIS and data security requirements (link to WASPI)	February 2013	Completed	Green	GCSX link with Job Centre for transferring CVs etc. Bolt on to the Council's HR system purchased for exclusive use by Passport group. Scoping completed, module being built. Completion due May 2013. Tender exercise and supplier availability for consultancy support lead to some delays.

Evaluation Report – Phase 1	February 2013	Completed	Green	Tender completed June 13. Inception report completed October 13
Briefing and dissemination sessions for all relevant staff in partner agencies including Jobcentre Plus and Communities First Cluster Teams	February 2013	Completed between December 12 and Feb 13	Green	Completed. Briefings taken one step further and secondment from Job Centre arranged to understand programme requirements. Strong links with Comms First and Educ8 built.
Dissemination of marketing literature	March 2013	Completed	Green	Marketing literature and printing designed and produced and being disseminated
Report to LSB, Policy and Resources Committee and Regeneration Scrutiny Reports	March 2013	Completed Feb and March 2013	Green	First report to Corporate management team, Cabinet and Scrutiny in Feb 2013. Update drafted for May cycle. Report to LSB via the Project Board meeting
Formal launch of the PASSPORT Programme	1 st April 2013	Completed 5 th April 2013	Green	Formal Launch Friday 5th April by Deputy Minister for Skills, Leader of CCBC and Acting Chief Executive of CCBC.
Programme implementation	April 2013	Completed	Green	Set up phase completed and additional pilot group run. Learning from pilot implemented and continuous improvements made.
Evaluation Report – Phase 2	September 2013	Part completed	Green / Amber	Inception report completed September 13. Completed report due Sept 14. Headline statistics from research provided March 14
Celebration event for successful PASSPORT Participants	December 2013	Not completed	Amber	Event currently being planned for the summer
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	October 2013	Ongoing	Green	6 monthly reporting to Policy and Resources Scrutiny

Dissemination of progress reports	October 2013	Ongoing	Green	Reports supplied to relevant interested groups / parties as requested / required
Evaluation Report – Phase 3	April 2014		Amber	Final report expected in June 14. Additionally Passport has been selected for Evaluation by the National Evaluation Team. First meeting 6.5.14.
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	April 2014	Ongoing	Green	6 monthly reporting to Policy and Resources Scrutiny (last reports Dec 13 and Feb 14)
LSB, Policy & Resources and Regeneration Scrutiny Progress Reports	October 2014	Not due	Green	
Celebration event for successful PASSPORT Participants	December 2014	Not due	Green	
Project Closure	December 2014	Not due	Green	Project Closure training completed by Project Manager and Programme Manager
Final Evaluation Report and Lessons Learnt Dissemination	January 2015	Not due	Green	

Appendix 2 Risk Register

Ref	Risk description	Risk Control	Residual Risk ¹			Owner	Action Required
			I ²	L ³	O ⁴		
	Re-profiling of finance on a regular basis as process set up takes longer than planned e.g. due to tender processes or recruitment processes.	Regularly review timelines to keep project on track as close as possible at set up stage	3	4	12	Project Manager, Passport Programme Manager	Regular review of plan by Project Manager and Passport Programme Manager. Put measures in place as required to pick up slippage. Liaise with the support team at WG for guidance and support where needed and to re-profile if appropriate.
	Unable to get the appropriate calibre young people to join the programme.	Ensure partners understand expectations of the team. Robust front end process to assess young people	4	1	4	Project Manager, Passport Programme Manager, CF team, JCP	None at present. Watching brief.
	Unable to identify suitable placements for young people.	Passport Programme Officers, trained. Skills to negotiate placements Use networks inside and outside the Council Share knowledge with HR colleagues so they too can identify placements Work closely with partners and Business Forum to identify placements.	5	2	10	Project Manager, Passport Programme Manager, Passport Support Officers	None at present. Watching brief.

	Systems failure / loss of records on young people.	Disaster recovery procedure for IT in place	5	1	5	IT	None at present
	Loss of key officers seconded to the programme.	Quick turn around for recruitment process in place. Ensure notice periods are manageable Effective advertising of secondment opportunity should one arise. Ensure cover in the team effective	2	2	4	Project Manager, Passport Programme Manager	None at present. Watching brief.
	Unable to accommodate the number of referrals – oversubscribed and not enough Jobs Growth Wales placements.	Effective management of volumes of referrals into the programme. Flag potential JGW needs with relevant WG officers. Manage expectations of partners supplying through flow of people.	3	3	9	Project Manager, Passport Programme Manager	None at present. Watching brief.
	Partners and private sector employers see the programme as a temporary worker solution.	Ensure a very clear understanding of the programme and outcomes when new employer / department joins the programme. Deal with any 'rogue' employers quickly with a view to prevent further placements if appropriate.	3	2	6	Project Manager, Passport Programme Manager	None at present. Watching brief.

	Ensure requirements in place to limit CCBC liability in terms of Health and Safety and Insurance.	Work with H&S team and Occupational Health to ensure participants and employers are suitable for placements and understand their mutual responsibilities	5	2	10	Passport Project Manager / Passport Programme Manager	Risk areas addressed Paperwork improved, Health and Safety checks brought forward, Occupational Health Medicals brought forward.
	Legislative changes to Pensions have created organisational risk and a pension liability as a result of the way the scheme is set up	Legal advice sought Paper for Director written with options on how to take forward. May limit the number of employers externally who engage	4	4	16	Project Sponsor / Passport Project Manager	The change that will be needed to take away the Council's pension liability will change the way that the programme engages with employers as it is likely the employer will need to payroll the trainee and reclaim the money from the work based learning provider direct. Currently CCBC run all the payroll and the external employer is not impacted.

¹ scores of 12 and above are entered on the Top Risks log
² Residual Risk is the risk which remains after applying the risk controls.
³ I – Impact of the risk materialises. Score 1-5 (5 is greatest impact)
⁴ L – Likelihood of the risk materialising. Score 1-5 (5 is greatest likelihood)
⁵ O – Overall Rating. Impact x Likelihood. Score 1 - 25

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Improvement Objectives

APPENDIX 2

IO2 - Improve job opportunities so people can live better lives by implementing the Council's Passport Scheme.

Outcomes:

Further implement the 'Caerphilly Passport Programme' which is aimed at helping 16-24 year olds within the Caerphilly Borough into employment, and to:

- Support young people who are not in Education, Employment or Training (NEET) in accessing work experience and training opportunities.
- Support the Council in dealing with the future challenge of its own potential skills gaps across the organization.
- Assist Local Service Board partners and private sector partners who tell us that they have job opportunities but cannot find people with the right skills and knowledge to join their businesses.

Page 119

A greener place to live, work and visit
Man gwyrdach i fyw, gweithio ac ymweld



Improvement Objectives

IO2 - Improve job opportunities so people can live better lives by implementing the Council's Passport Scheme.

2013/14 End of Year Progress Summary:

We assessed this objective and judged it to be **successful** for the year 2013/14.

2014-15 Six Month Progress Summary

What have we done well over the last 6 months?

The Passport Programme team are on target to complete the outcomes set by the end of the Financial Year. Therefore at the half way stage we judge the agreement to be **successful** so far.


The team had to use all the allocated Jobs Growth Wales placements by the end of September 2014 so all trainees are completed by the end of March 2015. The team filled 247 of the 250 JGW placements. There is a potential opportunity to gain a few more placements through our Workbased Learning Provider. 673 young people have been referred into the programme since it began. In this financial year the team have delivered 84 placements (target 150), created 12 apprenticeship opportunities (target 25) and created 38 employment opportunities (target 40). The percentage of positive outcomes from the programme is currently at 78%.

What areas do we need to improve on?

Funding comes to an end in December so the the team are currently exploring the potential opportunity for other funding and to gain a more placements through a local Workbased Learning Provider.

IO2 - Improve job opportunities so people can live better lives by implementing the Council's Passport Scheme.

Actions

Title	Comment	RAG	Overall Status	% Complete
Blank				0
We will maintain and improve where possible on the mechanics of the passport scheme using the feedback participants, employers and partners give us.	<p>As this was one of our objectives last year, our action plans to set up the scheme and works in partnership with the Job Centre, were established in 2013/14. An external evaluation of progress has already taken place so our actions now are to maintain and to improve where possible on the mechanics of the scheme using the feedback participants, employers and partners give us.</p> <p>We have developed relationships with partners, which have been critical to the success of the scheme so far, such as LSB partners, Job Centre Plus, Groundwork Caerphilly, Careers Wales, local training providers and built on links with Education providers. The passport team have also established strong links with the Private Sector (through the Caerphilly Business Forum) and our LSB partners to promote the use of traineeships not just as a vehicle for workforce planning but also as a means of delivering on the wider Social Responsibility agenda. This is now day to day business.</p>		Complete	100

IO2 - Improve job opportunities so people can live better lives by implementing the Council's Passport Scheme.

How much did we do and how well did we do it?

Title	Actual	Target	Intervention	RAG	Result 12 Months Ago	Comment
Create at least 150 work experiences opportunities each year	84.00	75.00	60.00	↑	67	As the ESF funding for this project is due to finish in December 14, the Passport Programme are unable to take additional work placements through the Passport model. However, the team have secured additional funding from the Job Centre's Flexible Support Fund and are currently working with the Job Centre and local Work Based Learning Provider to try and co-ordinate further work placements and will therefore be able to achieve the annual target of 150 work placements.
Create at least 25 apprenticeship opportunities	12.00	12.00	10.00	↑	12	Apprenticeships offered will also be dependent upon the Council funding further Apprenticeships this Financial Year. Figure is quarterly accumulative.
Create at least 40 employment opportunities	38.00	20.00	15.00	↓	20	The passport team are on schedule to achieve this target in quarter 3.

Is anyone better off?

Title	Actual	Target	Intervention	RAG	Result 12 Months Ago	Comment
% of participants that now feel they are more 'work ready' from being on the Passport Programme		80.00	70.00		100	Annual PI but are very much on target (as at Oct 14).
% of positive outcomes achieved	78.00	77.00	65.00	↓	77	Positive outcomes are: participants who have gained employment or gone onto further Education following successful completion of the Passport Programme. This is an annual PI, however, as we produce a 6 monthly figure for the P&R Scrutiny report, the figure currently stands at 78% (as at end of Sept 14). This will be updated again at the end of the reporting year.



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: PERFORMANCE MANAGEMENT IO5 – INVESTMENT IN COUNCIL HOMES TO TRANSFORM LIVES AND COMMUNITIES – 6-MONTH UPDATE

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide a 6-month update of progress against Improvement Objective 5 - Investment in Council homes to transform lives and communities.

2. SUMMARY

- 2.1 Momentum has been maintained by the in house team but the overall programme scheduled for 2014/15 is now facing major slippage. A review of the investment strategy is underway to address how the slippage can be absorbed over the remaining 5 years of the programme to ensure the target date of March 2020 can still be achieved.

3. LINKS TO STRATEGY

- 3.1 The Welsh Housing Quality Standard (WHQS) is intended to ensure that all local authority and housing association homes are improved and maintained to achieve specified standards.
- 3.2 The Single Integrated Plan 2013 – 2017 has a priority to “Improve standards of housing and communities, giving appropriate access to services across the County Borough.”
- 3.3 The Council’s Local Housing Strategy “People, Property, and Places” has the following aim:
“To provide good quality, well managed houses in communities where people want to live, and offer people housing choices which meet their needs and aspirations.”

4. THE REPORT

- 4.1 The Local Government Measure 2009 requires all Council authorities in Wales to set and publish a set of priorities called Improvement Objectives.
- 4.2 The Wales Audit Office (WAO) use Improvement Objectives and other data / information to evaluate the Council’s likelihood of improvement and the level of actual improvement that is achieved for the citizens of Caerphilly.
- 4.3 In 2012 the Council’s tenants voted to remain with the Council as their landlord. This was based on a commitment that all Council homes would be brought up to WHQS by 2019/20.

- 4.4 In September 2012 an investment plan was approved by the Caerphilly Homes Task Group / Cabinet Sub Committee which demonstrated how the WHQS Programme would be implemented on a community based approach over the period to 2019/20. The work will be split between the in house work force and contractors and there will be separate sequences for internal and external works.
- 4.5 The dashboard at Appendix 1 provides an overview of key actions during the first six months of the financial year 2014-15. Unfortunately the programme is facing major slippage arising from delays in the commencement of the internal works contracts, the decision to re-tender the external works contracts in the Upper Rhymney Valley, the curtailment of the small lots programme in the Eastern Valleys to a more manageable number of contracts; and surveying issues that have slowed the external works in the Lower Rhymney Valley. The impact of these factors is that only 7.5% of the planned programme has been delivered in the first six months.
- 4.6 A revised programme has now been set for the remainder of the 2014/15 financial year to complete work to 1683 properties in terms of contract packages. This compares with the original target in the report presented to the Caerphilly Homes Task Group in October 2013 of 3713. Realistically however the out turn position is more likely to be between 1200 and 1300 properties completed.
- 4.7 A review of the investment strategy over the remaining 5 years of the programme is underway. An acceleration of the programme is now required to incorporate the slippage from the current year. In view of the sheer volume of work there will be resource implications if the target date for WHQS of March 2020 is to be achieved. It is anticipated that a report will be presented to the Caerphilly Homes Task Group in December and Policy and Resources Scrutiny Committee in January 2015.

5. EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment is not required as the report is for information.

6. FINANCIAL IMPLICATIONS

- 6.1 The Capital programme for 2014-15 is £29.3m. Due to the programme slippage it is projected that there will be an under spend of £11.35m. This takes account of unbudgeted expenditure on emergency heating installations. Balances will be carried forward to fund the WHQS Programme.

7. PERSONNEL IMPLICATIONS

- 7.1 The slippage will increase the pressure on the WHQS Team. It is likely that around 4500 properties will need to be completed in 2015/16 as part of the process of catch up. The current area based project team approach has given rise to inconsistencies in service standards. The project teams are being reconfigured around the contract arrangements to ensure a consistent approach across the County Borough and to make the accountabilities of managers clearer. The senior management has been strengthened to help drive performance. Staff resources in critical areas are under review to ensure there is the capacity to cope with the volume of work that has to be delivered within a finite timescale.

8. CONSULTATIONS

- 8.1 The results of all consultations have been incorporated into this report.

9. RECOMMENDATIONS

- 9.1 Recognising that Members will be rightly concerned about the position outlined in the report to note that officers are taking various actions to address the situation and that a further report will be presented in the near future.

10. REASONS FOR THE RECOMMENDATIONS

- 9.1 To report progress in respect of Improvement Objective IO5.

11. STATUTORY POWER

- 11.1 Local Government Measure 2009

Author: Phil Davy, Head of Programmes, Email: davyvg@caerphilly.gov.uk
Tel: 01443 864208

Consultees: Cllr Gerald Jones, Deputy Leader & Cabinet Member for Housing
Cllr David Hardacre, Cabinet member for Performance & Asset management.
Chris Burns, Interim Chief Executive
Nicole Scammell, Acting Director of Corporate Services & S151 Officer
Shaun Couzens, Chief Housing Officer
Marcus Lloyd, Highway Operations Group Manager
Gail Williams, Acting Head of Legal Services
Joanna Pearce, Performance Management Officer
Cllr Dianne Price, Vice Chair CHTG
Clive Davies, tenant representative

Appendices:

Appendix 1 Improvement Objective 5 Dashboard – 6-Month Update

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Improvement Objectives

APPENDIX 1

IO5 - WHQS Investment will transform Council homes and act as a catalyst to also transform lives and communities throughout the county borough.

Outcomes:

Everyone in Wales should have the opportunity to live in a good quality home within a safe and secure community. To help achieve this, the physical standard and condition of existing housing must be maintained and improved to the Welsh Housing Quality Standard (WHQS). The WHQS is a minimum standard for homes. The core elements are that homes are:

- In a good state of repair
- Safe and secure
- Adequately heated
- Fuel efficient and well insulated
- Contain up-to-date kitchens and bathrooms
- Well managed (for rented housing)
- Located in attractive and safe environments
- As far as possible suit the specific requirements of the household, for example, catering for specific disabilities.

We aim to ensure all council homes meet WHQS, which will improve the quality of life for people who live in those homes. We will develop long-term arrangements, which will help sustain local jobs, offer skills development and training opportunities and deliver wider community benefits.

By 2020, we want our communities to know:

- We delivered the best quality home improvements scheme to our tenants as promised in the Offer Document
- We did it with them and not to them
- Their homes created real jobs in our communities
- We delivered the whole project on time and in budget

These ambitions can only be achieved with the entire council and tenants and other key stakeholders working together and we are confident that with their support, this programme will transform council homes, the lives of our citizens and our communities."

Improvement Objectives

IO5 - WHQS Investment will transform Council homes and act as a catalyst to also transform lives and communities throughout the county borough.

2014-15 Six Month Progress Summary

At the mid-year point the original planned programme for this objective is facing major slippage. Early indications are that full delivery of the objective is unlikely to be completely successful at the end of the year.

What have we done well over the last 6 months?

The momentum has been maintained by the in house team on the internal works programme. The standard of workmanship is very good and tenant satisfaction with the completed works remain high. The in house team has commenced external works in the Lower Rhymney Valley. This has raised some issues in respect of the extent of the works required to be compliant with WHQS.

The in house team will be the main contractor for the major refurbishment work at Rowan Place, Rhymney. Welsh Government has approved grant funding of £1m (WP) towards Hafod Deg and environmental works at Rowan Place. The WHQS budget for Rowan Place is £4.2m. This is now a major project in its own right. Work commenced on 15th October and will be phased over 2 years.

What areas do we need to improve on? And how are we going to do it?

The original planned programme for 2014/15 is facing major slippage. Around 3000 properties were scheduled for either internal or external repairs and improvements this financial year. At the half year only 224 have had works completed (7.5%). The capital programme has a budget of £29m but expenditure 6 months into the year is £2.3m excluding fees that should be charged to capital (pro rata should be £14m). The main reasons for the slippage are the delays in the commencement of the internal works contracts; the decision to retender the external works contracts in the Upper Rhymney Valley; the curtailment of the small lots programme in the Eastern Valleys to a more manageable number of contracts; and surveying issues that have slowed the external works in the Lower Rhymney Valley.

An assessment of the current position indicates that a more realistic out turn estimate for completions by March 2014 is 1300 properties, less than half that originally planned.

The slippage will need to be incorporated into the future years. In reality this will require an acceleration of the programme to ensure the WHQS is still achieved by the fixed deadline of March 2020. This has a number of ramifications but in particular the staff resources to manage the volume of work against the timescale.

The WHQS Project Board is mindful of the growing pressures on the programme. Action has been taken to strengthen the senior management. There will be a reconfiguration of the project teams with greater clarity in respect of accountabilities. Additional staff resources in all critical areas are under review but will be dependant on the ability of the Housing Revenue Account (HRA) to absorb the additional cost.

The capital programme for 2014/15 will have to be revised downwards to more accurately reflect the changed circumstances. The forward investment plan between 2015/16 and 2019/20 is subject to review and this may result in some changes to the community sequence. The review will need to build in the slippage from the current year and limit any overlaps between internal and external works as this was a key principle of the original plan agreed with tenants.

IO5 - WHQS Investment will transform Council homes and act as a catalyst to also transform lives and communities throughout the county borough.

Actions

Title	Comment	RAG	Overall Status	% Complete
Achieve high levels of tenant satisfaction with the work undertaken to their homes	Due to the limited number of completed contracts satisfaction data is not yet available for 2014/15. For 2013/14 the overall satisfaction rate was 92%.		Not Started	0
Adhere to the standards set out in the Charter for Trust. This applies to both the in house workforce and contractors	Due to the limited number of completed contracts data in respect of compliance with the Charter for Trust standards is not yet available for 2014/15. For 2013/14 the overall compliance figure was 92%.		Not Started	0
Carry out adaptations to meet specific needs of individual households	The adaptations are a response to circumstances that arise when tenants are visited at the survey stage. To date 31 properties have had adaptations incorporated where this has been identified as a requirement for the tenants. This action will be ongoing as the need arises.		Complete	100
Delivery of the 2014/15 capital investment programme in respect of internal and external repairs and improvements	Internal works have been completed on 167 properties. External works have been completed on 57 properties. In respect of the overall 2014/15 programme this represents 7.5%.		In Progress	7.50
Promote the Community Improvement Fund to benefit projects within the communities across the county borough	Four new applications under the Community Improvement Fund have been received. Two of these applications will be the subject of consultation with Caerphilly Homes Task Group on 30th October 2014.		In Progress	0
Pursue external funding opportunities to support energy improvement measures (under the Energy Companies Obligation [ECO], Arbed or similar Government initiatives).	Welsh Government has provisionally approved the Arbed bid for Phillipstown. Full approval is dependant on the scheme managers (Melin Homes) surveying the properties. The scheme is expected to cover around 317 properties which includes 92 Council properties. The funding estimated at £2.7m will meet the cost of external wall insulation and replacement of inefficient boilers.		Not Started	0

IO5 - WHQS Investment will transform Council homes and act as a catalyst to also transform lives and communities throughout the county borough.

How much did we do and how well did we do it?

Title	Actual	Target	Intervention	RAG	Result 12 Months Ago	Comment
Charter for Trust Standards - The Charter for Trust developed in consultation with tenants and staff sets out the standards that tenants can expect when work is being undertaken in their homes, which will be assessed by specific questions on the customer satisfaction survey		90.00	85.00		85.00	This measure is reported annually.
Number of homes brought to WHQS as recorded on annual return to Welsh Government (The number of houses that have achieved WHQS standard in the year)		80.00	65.00		108	This measure is reported annually.
Number of homes compliant with WHQS in respect of their external elements		1531.00	1400.00		23.00	The published target for 2014/15 was 2381 properties. One contract relating to non traditional properties was delayed and there was a need to retender. As a result, this will cause slippage in the programme and will have an impact on the original target. We have therefore set a new target of 1531 for 2014/15, which is still much higher than the 2013/14 target of 38 properties. To date we have completed external works on 57 properties.
Number of homes compliant with WHQS in respect of their internal elements		1332.00	1200.00		657	Internal works have been completed on 167 properties to date.

Page 139

Is anyone better off?

Title	Actual	Target	Intervention	RAG	Result 12 Months Ago	Comment
% of tenants whose homes have been improved internally through the WHQS programme are satisfied with the completed works (The percentage of tenants who's house meets the WHQS standard that are satisfied)		80.00	72.00		92.00	This measure is reported annually. In 2013/14 the overall satisfaction rate was 92%.
Number of organisations making successful applications to the Community Improvement Fund (Number of local residents who use the Community Improvement Fund which will make environmental improvements to their external surroundings)		10.00	7.00		3.00	Four new applications under the Community Improvement Fund have been received. Two of these applications will be the subject of consultation with Caerphilly Home Task Group on 30th October 2014.



POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: CAPITAL OUTTURN 2013-14

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

1. PURPOSE OF REPORT

1.1 To provide information to Members relating to the Capital outturn for 2013-14.

2. SUMMARY

2.1 The report provides details of actual capital expenditure for the 2013/14 financial year and slippage that has been carried forward into 2014/15.

3. LINKS TO STRATEGY

3.1 The contents of this report are in accordance with the Budget Strategy agreed by Council at its meeting on 27th February 2013.

4. THE REPORT

4.1 The original General Fund Capital Programme approved by Council in February 2013 totalled £30.47m. During the year specific Grants, slippage and contributions were received for various Service areas taking the total available capital resources for 2013/14 to £80.51m (including the Housing Revenue Account). This is summarised in the table below: -

	General Fund £000s	HRA £000s	Total £000s
Original Approved 2013/14 Budget	30,470	0	30,470
Slippage Brought Forward from 2012/13	22,708	0	22,708
In Year Grants, Contributions	9,413	7,300	16,713
S106 Funding	2,077		2,077
Revenue Contribution to Capital Outlay (RCCO)	1,195	7,350	8,545
Total:	65,863	14,650	80,513

4.2 The following table provides a summary of the 2013/14 outturn against each service area: -

Capital Programme	Revised Estimated Target Spend £000s	Outturn Capital Spend £000s	Variance £000s
Education	22,508	7,047	15,461
Lifelong Learning	740	317	423
Social Services	1,227	1,104	123
Private Housing	3,854	3,730	124
Urban Renewal & Countryside	6,481	5,040	1,441
Engineers & Transportation	10,959	6,541	4,418
Land Reclamation	-12	8	-20
Property	11,144	9,122	2,022
Community & Leisure Services	4,371	2,047	2,324
Public Protection Services	609	609	-
Regeneration	1,787	1,622	165
Chief Executive	2,195	1,307	888
General Fund Total	65,863	38,495	27,369
HRA Total	14,650	14,650	-
Total Capital Programme	80,513	53,144	27,369

- 4.3 The variance shown above of £27.37m can be split between schemes that are ongoing or have been delayed in 2013/14 (slippage), ring-fenced budgets, schemes that were overspent as at 31 March 2014 and schemes that have resulted in an underspend.
- 4.4 **Slippage:** Schemes to the value of £22.32m have been slipped into 2014/15 as a result of an ongoing program of works, impact of adverse weather or further strategic decision making required. Appendix 1 sets out the schemes where slippage has occurred and the justification of slippage as identified by the budget holders.
- 4.5 **Ring fenced budgets:** As at 31 March 2014, a number of budgets remained unspent to the value of £5.57m. These budgets were unspent specific grant, contributions and Section 106 monies or earmarked revenue funding transferred to a capital reserve. Appendix 2 sets out the detail.
- 4.6 **Underspends:** As at 31 March 2014, an underspend of £0.11m was agreed to be given up by budget holders as advised during outturn meetings. Appendix 3 details the schemes.
- 4.7 **Overspends:** As at 31 March 2014 a number of service areas were carrying overspends against capital schemes to the value of £0.63m. Appendix 4 details the schemes and proposed funding correction required as advised by budget holders.

5. EQUALITIES IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

- 6.1 As detailed throughout the report.

7. PERSONNEL IMPLICATIONS

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

8. CONSULTATIONS

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

9. RECOMMENDATIONS

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

10. REASONS FOR THE RECOMMENDATIONS

10.1 To ensure that Members are advised of the 2013/14 Capital Programme outturn.

11. STATUTORY POWER

11.1 Local Government Act 1972.

Authors: N. Akhtar, Group Accountant (Financial Advice and Support)
Email: Akhtan@caerphilly.gov.uk, Tel: 01443 863313

Consultees: N. Scammell, Acting Director of Corporate Services & S151 Officer
S. Harris, Interim Head of Corporate Finance
A. Southcombe, Finance Manager, Corporate Services
Cllr B. Jones, Deputy Leader & Cabinet Member for Corporate Services

Background Papers:
Budget Monitoring Reports 2013/14
Outturn Report 2012/13

Appendices:
Appendix 1 2013/14 Slippage
Appendix 2 Ring-Fenced Budgets
Appendix 3 2013/14 Underspends
Appendix 4 Declaration of Interests Form

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Appendix 1: 2013/14 Slippage

Service Area	Scheme	Value £000s	Reason for Slippage
Education	21C Schools	15,444	Ongoing delivery of programme
Lifelong Learning	Fochriw Youth Centre	126	Delays in securing match funding
Lifelong Learning	Adult Education	126	Strategic option appraisal of asset
Lifelong Learning	Libraries refurbishment	170	Strategic option appraisal of asset
Social Services	Various schemes	123	Ongoing programme
Private Housing	Disabled facilities grant	124	Ongoing programme
Urban Renewal	Various Schemes	130	Match funding not utilised
Urban Renewal	Bargoed Cinema	479	Ongoing programme of delivery
Urban Renewal	Bargoed regeneration	107	Identified for virement for Bargoed projects
Environment-Countryside	Countryside	61	Negotiations of land acquisition not completed and will complete in 14/15.
Engineers	Retaining walls	357	Impact of adverse weather
Engineers	Bridge strengthening	389	Impact of adverse weather
Engineers	Land drainage- Corp	87	Impact of adverse weather
Engineers	Risca Flood Alleviation	900	Technical issues in identifying a solution
Engineers	Monmouth Brecon Canal	117	Impact of adverse weather
Engineers	Various schemes	134	Ongoing programme
Property Services	YM Sports Complex	1,207	Works not complete
Property Services	Blackwood Miners Institute	42	Works not complete
Property Services	Newbridge Leisure Centre	56	Works not complete
Property Services	Newbridge Leisure Centre	13	Ongoing programme of delivery within asset management
CLS	Cemeteries	1,063	Technical issues in identifying suitable land
CLS	Green Flag	37	to be invoiced in 14/15
CLS	TY Duffryn Site	822	Option appraisal and reporting being considered to take scheme forward.
Regeneration	Various schemes	14	Ongoing works
Corporate Services	IT Development	145	Late invoicing and not PYP
Corporate Services	Tredomen House	50	Works not complete
Total Slippage 2013/14		22,323	

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Appendix 2: Ring-fenced Budgets

Service Area	Scheme	Value £000s	Commentary
Education	Blackwood Youth Centre	131	Earmarked funds.
Education	Ty Graddafa	67	Earmarked funds.
Education	Various s106 Schemes	395	s106 funds.
Urban Renewal/ Property Services	Park Lane Caerphilly	111	Earmarked funds.
Urban Renewal	Bargoed Phase 3	180	Grant funding- ongoing programme.
Urban Renewal	Newbridge Town Centre	347	Grant funding- ongoing programme.
Urban Renewal	Navigation Colliery Regeneration	38	Grant funding- invoices not PYP in 13/14. To be utilised in 14/15.
Engineers	Various Part 1 claims	597	Earmarked funds.
Engineers	Highways reconstruction	67	s106 funds / contribution.
Engineers	Transport grant schemes	347	Grant funding- ongoing programme.
Engineers	Caerphilly Basin	1,369	s106 funds.
Property Services	Various schemes	93	Earmarked funds.
Property Services	Heolddu Leisue Centre	350	CCBC 13/14 core capital budget- Decision required identifying where budget should be reallocated.
Property Services	Risca Palace Cinema	260	Earmarked funds- for the development of buildings in Risca to generate a capital receipt.
CLS	Leisure- General	63	Earmarked funds.
CLS	Leisure- s106 schemes	339	s106 funds.
Regeneration	Various schemes	10	Grants/ Contributions.
Regeneration	Llanciach Fwr	112	Earmarked funds for match finding- ongoing scheme.
Corporate Services	Customer First	693	Earmarked funds. Some spend likely in 14/15 for mobile customer first vehicle.
Total 2013/14 Ring Fenced Budgets		5,569	

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Appendix 3: 2013/14 Underspends

Service Area	Scheme	Value £000s	Commentary
Engineers	New Tredegar Regeneration	54	Scheme completed. Budget not required as historic CCBC core allocation.
Regeneration	Town Centre Improvements	9	Scheme completed in 11/12.
Regeneration	Tourism Signage (Owain Glyndare Fields)	19	Scheme completed in 13/14.
Regeneration	GO2	31	Viability of project to be considered later in the year. 14/15 budget available, 13/14 budget agreed to be given up to relieve pressures elsewhere in the capital programme.
Total 2013/14 Underspends		113	

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Appendix 4: 2013/14 Overspends

Service Area	Scheme	Value £000s	Proposed Action
Education	Various schemes	-54	To be funded from 14/15 capital budget allocation.
Education	St James Replacement School	-523	Subject to Cabinet report.
Urban Renewal	Town Centres	-7	Late receipt of developer income, ongoing discussions with developer and 14/15 receipt likely.
Urban Renewal	Commercial & industrial grants	-3	To be funded from 14/15 capital budget allocation.
Urban Renewal	Design & small projects	-1	No 14/15 budget- to be carried forward.
Urban Renewal	Various schemes	-1	No 14/15 budget- to be carried forward.
Environmental- Land Reclamation	Land Reclamation Various Schemes	-20	To be identified within Engineers budget.
Regeneration	Voluntary Sector Grants	-29	To be funded from 14/15 capital budget allocation.
Total 2013/14 Overspends		-638	

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POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: TREASURY MANAGEMENT AND CAPITAL FINANCING PRUDENTIAL INDICATORS MONITORING REPORT (1ST APRIL 2014 TO 30TH SEPTEMBER 2014)

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

1. PURPOSE OF REPORT

- 1.1 To present Members with details of Treasury Management activities and Capital Financing, together with the related Prudential Indicators for the period 1st April 2014 to 30th September 2014.
- 1.2 To review the Treasury Management Strategy for 2014/2015 as set out in the Annual Investment Strategy and Capital Financing Prudential Indicators Report.

2. SUMMARY

- 2.1 The Code of Practice on Treasury Management in the Public Services 2009, which was adopted by the Council on 12th October 2010, sets out a framework of operating procedures, which is encompassed in the Treasury Management Practices (TMPs). TMP6 (Reporting Requirements and Management Information Arrangements) provides for the submission of monitoring reports to the appropriate Committee on a quarterly basis.
- 2.2 Under the provisions of the Local Government Act 2003, The Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 [The Capital Regulations], and the CIPFA's "The Prudential Code for Capital Finance in Local Authorities" [the Code], the Authority is obliged to approve and publish a number of indicators relevant to Capital Finance and Treasury Management.
- 2.3 The Authority's Annual Investment Strategy and Capital Financing Prudential Indicators for 2014/2015 were approved by Council on 26th February 2014.

3. LINKS TO STRATEGY

- 3.1 Treasury Management Strategy 2014/2015 as agreed by Council on 26th February 2014.

4. THE REPORT

4.1 Treasury Management

4.1.1 Loans administered by Caerphilly CBC

Due to the current level of interest rates, the difference between long-term borrowing rates and short-term investment rates has given rise to a cost of carry risk. The current policy of internal borrowing is no longer sustainable, but where prudent the policy of internal borrowing will be utilised. A review of the balance sheet for 2013/2014 shows that the level of internal borrowing was not as high as anticipated. At 31st March 2014 the internal borrowing position was £39m.

The Annual Treasury Management Strategy approved by Council in February 2014 indicated that there would be a need to borrow £19.8m in 2014/2015 to part fund the Capital Programme. £7.8m of this total would be met through supported borrowing approvals (inclusive of £2.8m for the Highways LGBI capital works), £4m for Bargoed Cinema and £8m for WHQS (General Fund contribution).

As at the 30th September 2014 no new loans were raised. Furthermore, the General Fund will not be able to contribute £8m of new borrowings towards the WHQS programme following advice from Welsh Government.

Borrowing rates during the period covered by the report have remained flat and broadly in line with the forecasted rates as reported in the 2014/15 Treasury Management Strategy, but lower than the budget rate. There were periods when rates had fallen below 4% for long-term loans. Economic recovery continues to remain fragile and slow. Falling inflation is considered to be a threat towards UK economic recovery, whilst the debate on an interest rate rise has started.

During the period covered by this report, PWLB loans to the value of £645k were repaid on maturity. Such loans had an average interest rate of 7.06%. £30k of the WRU Loan was also repaid.

Total debt outstanding as at 30th September 2014 was £181.56m and comprised of £141.29m PWLB loans, £40m market loans, and £270k WRU loan.

The Authority's debt portfolio variable interest rate proportion at 30th September 2013 stood at 11.01%, which is within the Council's determination of 50%. The variable debt relates to two market loans with a combined value of £20m.

4.1.2 Rescheduling

The Annual Strategy allows for the utilisation of debt rescheduling to provide for both in year and future year savings and additional revenue resources. No rescheduling opportunities presented themselves during the period covered by this report.

4.1.3 Loans administered by Newport City Council

These are non-PWLB loans held by the former Gwent County Council and administered by Newport City Council. All loans have been repaid and the last repayment was in January 2014.

4.1.4 Long-Term Investments

The Council no longer holds any long-term investments.

4.1.5 Short-Term Investments (Deposits) – Up to 364 Days

The value of short-term deposits at 30th September 2014 was £94.21m and is made up of a spread of periods up to a maximum of three months. The average rate for these deposits was 0.26%, which compares favourably with the Debt Management Account Deposit Facility (DMADF) deposit rate of 0.25%, and is above the target rate, as detailed in the Annual Treasury Management Strategy report to Council, of 0.25%. The low returns reflect the Council's current risk sentiment as well as current interest rates. The portfolio as at 30th September 2013 comprised of £40.87m deposited with Local Authorities and £53.34m deposited in the DMADF.

4.1.6 Economic Outlook

Members will be aware from news reports that the global economic recovery continues to remain fragile, with weak growth reported across the developed economies. Inflation continues to fall and there is fear of deflation in the UK. Eurozone inflation continued to fall towards zero. The UK labour market continued to improve, with strong employment gains and the headline unemployment rate falling to 6.2%. However, earnings growth remained very weak. The growth in employment was masked by a large number of zero hour contracts and involuntary part-time working.

The Bank of England has maintained the Bank Rate at 0.50% and asset purchases at £375bn. However, the European Central Bank lowered its official benchmark interest rate from 0.15% to 0.05%. The rate it pays on commercial bank balances held with it was also cut further into negative territory from -0.1% to -0.2% and the Marginal Lending Facility rate cut further to 0.3%. There was no change from the US Federal Reserve as the central bank kept policy on its current track with a reduction in asset purchases by \$10 billion per month. Asset purchases are expected to end by October 2014, expectations therefore turned towards the timing of rate increases. The US economy rebounded strongly in Q2 with annualised growth of 4.6%.

Gilt yields have continued to decline and hit a financial year low at the end of August, before ticking upwards in the run up to the Scottish referendum. What has driven yields lower is a combination of factors but the primary drivers have been the escalation of geo-political risk within the Middle East and Ukraine alongside the slide towards deflation within the Eurozone (EZ).

Taking this volatility into consideration, the current Treasury Management Strategy remains unchanged, and attitude to risk continues to be one of caution when managing surplus cash. Surplus cash is being deposited with either the DMADF or other Local Authorities, albeit at unfavourable rates when compared to the market. This will be subject to a further report to the Scrutiny Committee in January 2015.

4.1.7 Bank Tender

The Authority has extended the current short-term bank contract with Barclays up until 31st January 2015. It is expected that a long-term contract with a suitable bank will be in place by then following the conclusion of the current bank tender exercise that is expected to conclude in December 2014.

4.1.8 Treasury Management Advisors Contract

The Authority is currently advised by Arlingclose Limited. The contract commenced in April 2014.

4.2 Prudential Indicators

4.2.1 Capital Financing Requirement

The Capital Financing Requirement (CFR) measures the Authority's underlying need to borrow for a capital purpose. In accordance with best professional practice, the Authority does not associate borrowing with particular items or types of expenditure. In practice, the raising and repaying of loans is determined primarily by professional / expert advice, and may not necessarily take place in the relevant year. In order to create an operating environment within which the Treasury Manager can legitimately react to appropriate advice, the various authorised limits as identified in Appendix 1 are set at a level in excess of the CFR. In the financial year to date, the Authority has been operating within the approved limits.

Appendix 2 shows a projected CFR value of £293.29m as at 31st March 2015. The actual CFR as at 31st March 2014 was £272.24m.

4.2.2 Prudential Indicators – “Prudence”

The Prudential Indicators for Treasury Management are shown in Appendix 1 and the Authority is currently operating within the approved limits.

4.2.3 Prudential Indicators – “Affordability”

There is a requirement to analyse and report the capital financing costs, and express those costs as a percentage of the net revenue streams of the Authority. These are identified in Appendix 2 and currently show a projected reduction from the original budget.

4.2.4 Capital Expenditure and Funding

A summary of capital expenditure and funding is attached at Appendix 3 and shows no change against the planned position. The Capital Strategy Group is currently reviewing this and an update will be provided in the next Treasury Management monitoring report.

5. EQUALITIES IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

- 6.1 As detailed throughout the report.

7. PERSONNEL IMPLICATIONS

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

8. CONSULTATIONS

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

9. RECOMMENDATIONS

- 9.1 Members are asked to note the contents of this report.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 Compliance with the CIPFA “Code of Practice for Treasury Management in the Public Services”.

11. STATUTORY POWER

- 11.1 Local Government Acts 1972 and 2003.

Author: N. Akhtar, Group Accountant (Financial Advice and Support)
Email: akhtan@caerphilly.gov.uk, Tel: 01443 863313

Consultees: N. Scammell, Acting Director of Corporate Services & S151 Officer
S. Harris, Acting Head of Corporate Finance
A. Southcombe, Finance Manager, Corporate Services
Cllr B. Jones, Deputy Leader and Cabinet Member for Corporate Services

Appendices:

Appendix 1 Treasury Management Prudential Indicators – Prudence
Appendix 2 Capital Finance Prudential Indicators – Affordability
Appendix 3 Capital Expenditure and Funding

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	Budget 2014/15	Anticipated 2014/15
	£000	£000
Authorised limit for external debt -		
Borrowing	267,369	267,369
Other long term liabilities	40,303	40,303
Total	307,672	307,672
Operational boundary for external debt -		
Borrowing	213,895	198,386
Other long term liabilities	40,303	40,303
Total	254,198	238,689
Upper limits for interest rate exposure		
Principal outstanding on borrowing	213,895	198,386
Principal outstanding on investments	65,000	65,000
Net principal outstanding	148,895	133,386
Fixed rate limit – 100%	148,895	133,386
Variable rate limit – 50%	44,668	66,693
Upper limit for total invested for over 364 days	10,000	10,000

Maturity structure of fixed rate borrowing: Debt outstanding at 31 March 2015 (includes new debt projected to be taken)	Upper Limit	Lower Limit	Anticipated 2014/15 £000	Anticipated 2014/15
Under 12 months	35%	0%	-	0%
Over 12 months and within 24 months	40%	0%	5,464	3%
Over 2 years and within 5 years	50%	0%	6,694	3%
Over 5 years and within 10 years	75%	0%	9,040	5%
Over 10 years	95%	0%	177,188	89%
			198,386	100%

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Ratio of Financing costs to net revenue stream	Budget 2014/15	Anticipated 2014/15
	£000	£000
General Fund	£000	
Principal repayments (MRP)	8,296	7,573
Less commutation	-	-
Net interest costs	9,476	9,161
Debt Management costs	60	73
Rescheduling discount	-226	-226
Investment income	-163	-200
Interest applied to internal balances	780	672
Total General Fund	18,224	17,053
Net revenue stream	329,919	329,919
Total as percentage of net revenue stream	5.52%	5.17%
Housing Revenue Account		
Principal repayments	914	887
Interest costs	2,082	1,997
Rescheduling discount	-58	-58
Debt Management costs	15	13
Total HRA	2,953	2,840
Net revenue stream	41,596	41,596
Total as percentage of net revenue stream	7.10%	6.83%

Estimate of <u>incremental impact</u> of capital investment on Council Tax and Housing Rents	Budget 2014/15	Anticipated 2014/15
	£000	£000
General Fund	£000	
costs of unsupportive borrowings - principal	791	791
- interest	1,034	1,034
Loss of investment income	4	4
Running costs		
Total	1,829	1,829
Impact on Band D council tax **	£ 30.72	30.72
Housing Revenue Account		
Loss of investment income	51	51
Running costs	0	0
Total	51	51
Impact on average weekly rent **	£ 0.09	0.09
** These are notional calculations as per regulations		

Capital Financing Requirement	Budget 2014/15	Anticipated 2014/15
	£000	£000
Council Fund	250,812	250,812
Housing Revenue Account	42,475	42,475
Total Authority	293,287	293,287

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	Budget 2014/15	Anticipated 2014/15
Expenditure	£000	£000
Council Fund	13,462	13,462
Housing Revenue Account	27,500	27,500
Total	40,962	40,962
Funding		
Surplus/ (Deficit) Balance b/f	1,099	1,099
RCCO - General Fund	112	112
- HRA	19,953	19,953
Earmarked Reserves- General Fund	300	300
Borrowings - Supported (GF)	4,979	4,979
LGBI Highways	2,800	2,800
Borrowings - Unsupported (GF)	2,000	2,000
Capital Earmarked Reserve- Bargoed Cinema	-	-
General Capital Grant - WG	3,030	3,030
Additional Revenue Contribution to Capital	22	22
Capital Receipts 2013/14	590	590
Delay in Borrowing Due To Cash Reserves	154	154
Capital receipt (HRA)	247	247
Borrowings - Unsupported (HRA)	-	-
Major Repairs Allowance	7,300	7,300
Total	42,586	42,586
Surplus C/f	1,624	1,624

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POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: DISCRETIONARY RATE RELIEF APPLICATIONS

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

1. PURPOSE OF REPORT

- 1.1 This report sets out details of an application for discretionary rate relief and notes the decision proposed by the Interim Head of Corporate Finance under delegated powers.

2. SUMMARY

- 2.1 The Council is able to assist a wide range of voluntary and sporting organisations by granting rate relief. This report contains details of applications received for discretionary rate relief and the proposals for the determination of the applications to be formally implemented on the 18th day of November 2014.

3. LINKS TO STRATEGY

- 3.1 The granting of rate relief is a very cost effective way in which the Council can pursue its Regeneration objective by giving financial assistance to local organisations.

4. THE REPORT

4.1 Background

- 4.1.1 Under the Council's Scheme of Delegation applications for discretionary rate relief submitted to the Council are determined by the Council's Head of Corporate Finance.
- 4.1.2 The determination is exercised following consideration of the Council's Policy on discretionary rate relief supplemented by guidance from Welsh Government and Central Government.

4.2 The Applications

Wales Co-operative Development and Training Centre Ltd

- 4.2.1 An application for discretionary rate relief has been received from the above-named social enterprise in respect of its premises at Unit C, Y Borth, 13 Beddau Way, Caerphilly from 1st May 2014 onwards.
- 4.2.2 Members should be aware that currently the Authority would bear 10% of any discretionary rate relief awarded, with the Welsh Government Pool bearing the remaining 90%.

- 4.2.3 To be eligible for discretionary rate relief, the organisation must satisfy the following conditions:-
- a) the organisation or institution occupying the premises must not be established or conducted for profit; and
 - b) each of the organisations main objects must be charitable, or otherwise philanthropic or religious, or concerned with education, social welfare, science, literature, or fine arts.
- 4.2.4 The objects of the Wales Co-operative Development and Training Centre Ltd are to:-
- Carry on as a bona fide co-operative society for the benefit of its members, i.e. the community in Wales, the provision of professional training and educational services to promote, establish, develop and support co-operative enterprise, and any related industry, business or trade activities determined by the Management Board.
- 4.2.5 The Company's Rules state that the profits of the Company shall be used for the continuation and development of the Co-operative; for the benefit of the community, or a section of the community in Wales; and in furtherance of the objects of the Co-operative.
- 4.2.6 The Rules also state that, on the dissolution or winding-up of the Co-operative, any assets remaining would be used for the benefit of the community in Wales as a whole. This satisfies the discretionary rate relief requirement for remaining assets to be used for charitable or non-profit making purposes.
- 4.2.7 The organisation states that the Wales Co-Operative Development and Training Centre is a co-operative development agency working across Wales to promote social, financial and digital inclusion, through a range of projects. Digital inclusion is about people improving their lives, by being able to communicate more easily through access to the internet. It enables people to be able to purchase goods, for lower prices and have access to public services. Digital inclusion is also about reducing social isolation and people being able to benefit as citizens and consumers.
- 4.2.8 The organisation has helped communities develop businesses or projects that value people and the environment, as much as profit. It provides specialist business support for social enterprises and co-operatives, carries out financial inclusion initiatives, and delivers the Welsh Government's comprehensive digital inclusion initiative, Communities 2.0 (helps communities and small enterprises make the most of the internet).
- 4.2.9 Membership is open to all who sign the application for registration, and who live or work or have interests within Wales, including any society, company or other corporate body with interests within Wales. Applications must be approved by the Management Board. Members are required to retain a £1.00 share in the Centre but no membership fee is payable.
- 4.2.10 With its partnership between 'Communities 2.0' and Caerphilly County Borough Council (Get Caerphilly Online), the Company developed a 'Digital Fridays' scheme in local libraries. Sessions were aimed at people who had little or no experience, or who had a new laptop or tablet but were unable to use them correctly. The people could visit the sessions held in local libraries to speak to a tutor who would help them with their device, or introduce them to the Internet. This approach has since been replicated in other areas across Wales.
- 4.2.11 Through its work on financial inclusion, the Wales Co-Operative Development and Training Centre has helped the residents of Caerphilly County Borough to have access to fair and appropriate financial services. In particular, the organisation has worked closely with Caerphilly County Borough Council and Smart Money Credit Union Ltd to promote the use of credit union rent accounts to tenants living in privately let homes, who were vulnerable due to rent arrears and who lacked financial skills.

- 4.2.12 The Company has also benefitted Caerphilly County Borough residents by assisting social businesses such as 'Helping Hands' in Rhymney, 'Crafts for Everyone' in Crumlin and 'Greencap Ltd' in Caerphilly.
- 4.2.13 The company has been set up specifically to carry out the objects given in point 4.2.4 above and is not established or conducted for profit. In addition, the organisation's main objects are either wholly or mainly charitable, or concerned with philanthropy, social welfare and education, as required under the regulations.
- 4.2.14 The Company relies largely on grants and contract income from Welsh Government and the European Regional Development Fund grant, however, none of this is classed as De Minimis state aid. The company has advised that it has not received any De Minimis state aid during the current and previous 2 financial years, therefore it is eligible to receive discretionary rate relief in respect of this application.
- 4.2.15 The current business rate liability of the organisation's premises in Caerphilly is £23,877 and, if the Authority were to grant 100% rate relief, the cost to the Authority of awarding discretionary relief at current levels would be £2,388 with the Welsh Government pool bearing the remainder of £21,489.
- 4.2.16 The Authority's current policy allows for between 20% and 100% discretionary relief to be awarded in such cases. In practice, it has been the policy to award 100% relief where the relevant criteria are satisfied, unless the organisation matches a specific category defined within the policy; for example, sporting and recreational clubs with bar facilities, where the rateable value of the organisation's premises is below £5,000, in which case 50% relief is awarded.
- 4.2.17 Taking the above matters into consideration, it appears that the organisation known as the 'Wales Co-Operative Development and Training Centre Limited' and its use of the premises satisfies all of the relevant qualifying criteria.
- 4.2.18 **Proposal (to be implemented on 18th day of November 2014):-**

100% discretionary rate relief be awarded.

5. EQUALITIES IMPLICATIONS

- 5.1 This report is to advise Members of the proposed determination of the application(s) for discretionary rate relief so the Council's full Equalities Impact Assessment process does not need to be applied.

6. FINANCIAL IMPLICATIONS

- 6.1 These are contained within the report.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications.

8. CONSULTATIONS

- 8.1 There are no consultation responses which have not been reflected in this report.

9. RECOMMENDATIONS

- 9.1 Members note the proposed determination of the application for discretionary rate relief under delegated powers which will be implemented on the 18th day of November 2014.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 As set out throughout the report.

11. STATUTORY POWER

- 11.1 Section 47 of the Local Government Finance Act 1988.

Author: John Carpenter, Council Tax & NNDR Manager
Tel: 01443 863421, Email: carpewj@caerphilly.gov.uk
Consultees: Cllr B Jones, Deputy Leader & Cabinet Member for Corporate Services
Nicole Scammell, Acting Director of Corporate Services & Section 151 Officer
Stephen Harris, Interim Head of Corporate Finance

Background Papers:
Rate Relief Application Forms, contact ext 3421



**CAERPHILLY HOMES TASK GROUP
(WELSH HOUSING QUALITY STANDARD)**

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
(SIRHOWY ROOM)
ON THURSDAY 18TH SEPTEMBER 2014 AT 5:00 PM**

PRESENT:

Mrs D. Price - Chair
C. Davies- Vice Chair

Task Group Members:

L. Ackerman, R.T. Davies, K. James. Mrs B. Jones, G. Jones, Mrs S. Jones, Ms A. Lewis,
Mrs G. Green, C.P. Mann, M. McDermott

L. Allen (Principal Accountant, Environment Finance Group), M. Betts (Tenant and Community Involvement Manager) J. Carter (Senior Housing Officer), S. Couzens (Chief Housing Officer), P. Davy (Head of Programmes), V. Parsons (Supported Housing Manager), G. Taylor (Tenant Participation Officer), and C. Evans (Democratic Services Officer).

1. TO APPOINT A CHAIR AND VICE CHAIR

In accordance with the terms of reference for the Caerphilly Homes Task Group, that the role of Chair and Vice Chair alternate annually between Councillors and Tenants, Councillor Mrs D. Price was nominated and seconded as chair for the forthcoming year and by a show of hands this was unanimously agreed.

Mr C. Davies was nominated and seconded as Vice Chair for the forthcoming year and by a show of hands this was unanimously agreed.

In the absence of Councillor Mrs D. Price, the Chair, Mr C. Davies, Vice Chair presided over the meeting.

2. WELCOME TO THE NEW TENANT REPRESENTATIVES

The Chair welcomed the new Task Group Members, Mr Max McDermott and Ms Gemma Green to the meeting and introductions of the Task Group Members and Officers were conducted.

The group wished to pass on their thanks to Amanda McDonnell for her commitment and work for the Task Group and it was agreed that a letter of thanks would be sent.

3. APOLOGIES

Apologies for absence were received from Councillor Dianne Price, Mr J. Moore and Mrs D. Moore.

4. DECLARATIONS OF INTEREST

Ms. A. Lewis, Mr C. Davies, Ms G. Green, Mrs S. Jones, Mr M. McDermott and Councillor B. Jones as Council Tenants declared a personal but not prejudicial interest in all agenda items.

5. MINUTES

RESOLVED that the minutes of the meeting held on the 3rd July 2014 be approved as a correct record and signed by the Chair.

6. HOUSING IMPROVEMENT PARTNERSHIP (HIP)

M. Betts, Tenant and Community Involvement Manager, provided the Caerphilly Homes Task Group (CHTG) with an updated information report, following discussions with tenant representatives on the introduction of the Housing Improvement Partnership (HIP) - the 'Caerphilly Homes Approach to Scrutiny'.

It was noted that the Tenant and Community Involvement Team met with tenant members of the Task Group regarding the HIP project and a presentation was also provided to the Tenant Information Exchange (TIE). The CHTG tenant representatives and TIE members highlighted a number of issues and concerns in relation to the project.

Members noted that while some tenants still have concerns with the project, detailed discussions have taken place to clarify issues and alleviate concerns on the introduction of the HIP project as a pilot.

The Task Group thanked the Officer for the report and added that the meeting was very productive, however, the views of the tenants had not changed.

The Task Group noted that the recruitment process had not yet begun. It was anticipated that recruitment would be concluded by Christmas, with training in January and February to April would be used to conduct reviews.

The Caerphilly Homes Task Group noted the contents of the report.

7. HOUSING REVENUE ACCOUNT OUTTURN REPORT 2013-14

L. Allen, Principal Accountant, provided the Caerphilly Homes Task Group (CHTG) with an overview of the Housing Revenue Account (HRA) outturn for 2013/14.

Members were asked to note the distinction between the HRA, which is funded by rental income received from council tenants, and General Fund Housing and Private Housing, which fall under the General Fund and is funded via the Council taxpayer.

The outturn of the Housing Capital Programme is included on the WHQS Monitoring Report, which has been submitted separately to this Committee.

Members thanked the Officer for the report and debate ensued. A Member queried whether the under spent balances could be used to contribute towards the environmental works. Officers explained that various changes had occurred over the last few months. In particular the HRA will now fully fund the WHQS programme and the Council had recently approved a revised business plan and agreed a new borrowing limit for the HRA. Assurances were given that the environmental programme had been included within the revised business plan and that all the WHQS works are to be completed by 2020 in accordance with the commitments given to tenants. The balances are required to help fund the business plan and need to be utilised to meet the programme requirements. The Task Group will continue to receive regular monitoring reports.

The Caerphilly Homes Task Group thanked the Officer for the report and noted its content.

8. COMPLAINTS AND REPRESENTATIONS – CAERPHILLY HOMES

M. Betts, Tenant and Community Involvement Manager, and Janet Carter, Senior Housing Officer provided an overview of the report, which informed the Task Group on contacts in relation to complaints and representations received by the Authority's Housing Customer Services Section from 1st April 2013 to 31st March 2014.

In April 2013 the Council implemented a new two-stage corporate complaints policy for complainants to follow. If the complainant is dissatisfied with the outcome of their complaint it can be progressed to the Public Services Ombudsman for Wales. This policy was based on guidance issued by the Public Services Ombudsman for Wales and replaced the previous 3 stage policy.

Members thanked the Officers for the report and sought further information on the complaints process, in particular around the reporting of complaints. Officers explained the Complaints process, the stages and that many are resolved as Service requests. It was highlighted that complaints can be reported by any means available to the complainant, although it is preferred for the complaint to be in writing, it is not essential. Members noted however that Ombudsman complaints are required in writing, however, support would be available to the complainant if there as a need.

A Member queried signposting and advertising the complaints process. Officers clarified that the process is clearly explained to each contact, the process followed would be dependent on the type of complaint and how a complainant wishes to proceed. Complainants are able to make direct complaints to the Ombudsman, in which case the Chief Executive would get notification. The process is clearly specified, along with contact details on the website and on leaflets provided to tenants and Members noted that a "learning from complaints" group has been corporately devised in order to identify any trends and look to manage the process more effectively.

It was noted that the monitoring of complaints and representations is carried out to provide information on the level of satisfaction with the service provided by Caerphilly Homes. The results enable Managers to focus on areas of concern to improve services and monitor performance and ensure that similar problems are avoided in the future.

The Caerphilly Homes Task Group thanked the Officers for the detailed report and noted its contents and Complaints data.

9. OLDER PERSONS HOUSING – PROGRESS REPORT

V. Parsons, Supported Housing Manager, provided the Task Group with an update on the progress made by the Older Persons Housing Team through the implementation of the new service model. The report highlighted the positive changes made in relation to the development of the service area.

The Task Group noted that an options report was presented to the Caerphilly Homes Task Group in September 2013, which identified a new model of service delivery, to ensure that older persons' needs were met through tenure neutral, needs assessed services. Significant changes have been made to the former sheltered housing service to encompass the housing related support needs of older people within Caerphilly Homes.

The Caerphilly Homes Task Group thanked the Officer for the detailed report and discussion ensued, in which the levels of support to tenants, floating support and care packages were discussed.

The Task Group discussed the Hardwire Alarm systems within the Sheltered Housing Schemes. Officers confirmed that the hardwired alarm system within Sheltered Schemes has been retained although a decommissioning exercise has been completed e.g. Group Schemes and the systems have been replaced with a dispersed alarm system within all schemes across the County Borough, for those tenants wanting an alarm. In order to support the alarms, tenants are required to have a landline; members queried whether alternative "mobile" systems could be used, however, Officers stated that a similar system is available, using a Simcard, but this can be prone to signal difficulties and therefore were not a viable option in the Schemes.

A Member sought further information on the Sheltered Housing Utilities Charges. It was noted that a report was supported by the CHTG on 4th April 2014, which proposed new arrangements for the gas and electricity charges, as part of the sheltered housing review process. Officers confirmed that individual accounts have now been set up for tenants within the schemes, initially with one supplier, however tenants are able to change their suppliers as they wish. It was also noted that as all tenants continue to contribute towards the cost of electricity and gas consumption in communal areas within their service charge, savings are being made, as tenants are more conscious of their energy use.

The Caerphilly Homes Task Group noted the positive progress made to date in the development of Older Persons Services within Caerphilly Homes following the robust and comprehensive review of the service area.

The Task Group also wanted to pass on their gratitude to Val Parsons for all the hard work and support and wish her all the best in her retirement.

10. TO RECEIVE ANY REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

The following requests were received:-

- (i) Anna Lewis requested a report on what Housing Policies are in place to prevent offences against women.
- (ii) Anna Lewis requested a report on the Code of Conduct
- (iii) Councillor Lyn Ackerman requested a report highlighting the Vacant Posts within the department, the position and the department.
- (iv) Clive Davies requested that Robert Price be invited to an available meeting to provide an update on the showrooms promised to Tenants for the WHQS works.

Prior to the meeting closing, the Housing Task Group wanted to express their gratitude and congratulations to Kelsey Watkins and staff on the excellent and entertaining presentation evening. It was felt that the evening was well run and a huge success and hope to have another in the future.

The meeting closed at 18:22 p.m.

Approved as a correct record subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 30th October 2014.

CHAIRMAN

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POLICY AND RESOURCES SCRUTINY COMMITTEE - 11TH NOVEMBER 2014

SUBJECT: POLICY AND RESOURCES SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & SECTION 151 OFFICER

1. PURPOSE OF REPORT

1.1 To report the Policy and Resources Scrutiny Committee Forward Work Programme.

2. SUMMARY

2.1 Forward Work Programmes are essential to ensure that Scrutiny Committee agendas reflect the strategic issues facing the Council and other priorities raised by Members, the public or stakeholders.

3. LINKS TO STRATEGY

3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

4.1 The Policy and Resources Scrutiny Committee Forward Work Programme identifies reports that are due to be presented to scrutiny during the period November to January 2015 and have followed consultation process which includes key stakeholders and the public.

4.2 The forward work programme is made up of reports which originate from a number of different sources; Cabinet pre-decision scrutiny reports, major consultation exercises, Ombudsman or other regulatory bodies which contain information about the Council's processes or performance, Task and Finish Group reports, budget monitoring reports and certain requests from committee members, members of the public, stakeholders and Council Officers.

4.3 For information, the latest Policy and Resources Scrutiny Committee Forward Work Programme is attached at Appendix 1.

5. EQUALITIES IMPLICATIONS

5.1 There are no specific equalities implications arising as a result of this report.

6. FINANCIAL IMPLICATIONS

6.1 There are no specific financial implications arising as a result of this report.

7. PERSONNEL IMPLICATIONS

7.1 There are no specific personnel implications arising as a result of this report.

8. CONSULTATIONS

8.1 There are no consultation responses that have not been included in this report.

9. RECOMMENDATIONS

9.1 That Members note the Forward Work Programme.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To improve the operation of scrutiny.

11. STATUTORY POWER

11.1 The Local Government Act 2000.

Author: Catherine Forbes-Thompson, Scrutiny Research Officer
Consultees: Jonathan Jones, Democratic Services Manager

Appendices:
Appendix 1 Policy and Resources Scrutiny Committee Forward Work Programme

Policy and Resources Scrutiny Committee Forward Work Programme – November to January 2015		
Subject Area	Report Title	Proposed Meeting Date
Pre-Decision Scrutiny	Whistleblowing Policy	11th November 2014
	Flexible Working Policy	11th November 2014
	Domestic Abuse Policy	11th November 2014
	National Home Improvement Loan Scheme	11th November 2014
	Carers Policy and Leave of Absence Policy	20th January 2015
	Regulation of Investigatory Powers Act Policy Review	20th January 2015
	Review of NNDR Discretionary Relief Policy	20th January 2015
Consultation and Information	Discretionary Rate Applications	11th November 2014
	Forward Work Programme	11th November 2014
	Review of WHQS Investment Strategy and HRA Capital Programme 2015/16	20th January 2015
Performance Management:- <ul style="list-style-type: none"> • WAO Service Performance Reports • Improvement Objectives • Council Self-Evaluation • Service Improvement Plans 	Improvement Objectives:- <ul style="list-style-type: none"> • IO2 - Improve job opportunities so people can live better lives by implementing the Council's Passport Scheme. This will create wider employment and training opportunities. • IO5 - WHQS investment will transform Council homes and act as a catalyst to also transform lives and communities throughout the county borough. 	11th November 2014
Monitoring of Authority's Financial Resources	Treasury Management & Capital Financing Prudential Indicators Monitoring Report (1st April 2014 to 30th September 2014).	11th November 2014
	2013/14 Capital Outturn Report	11th November 2014
	Consultancy Costs	20th January 2015

Policy and Resources Scrutiny Committee Forward Work Programme – November to January 2015		
Subject Area	Report Title	Proposed Meeting Date
	Write Off of Debts – (for information only)	20th January 2015
	Whole Authority Budget Monitoring 14/15	20th January 2015
	Investment Strategy	20th January 2015
	Corporate Services & Miscellaneous Finance Budget Monitoring – Period 7	20th January 2015
	Treasury Management & Prudential Indicator Monitoring Report – Quarter 2	20th January 2015
	Capital Budget Monitoring Report – Period 7	20th January 2015
Ombudsman Reports	Ombudsman Report Housing	20th January 2015
Task and Finish Group	<u>No reports for this area</u>	
Members / Public Requests, Call-Ins and CCfA	<u>No reports for this area</u>	
Scrutiny of Designated Persons and Other Organisations	<u>No reports for this area</u>	