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Date: 5th November 2014

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 12th November, 2014** at **2.00 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 personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on the agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- 3 Cabinet held on 29th October 2014

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

- 4 Former Newbridge Library.
- 5 Rural Development Plan (RDP) Funding 2014-2020.

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- 6 'The Value of Historic Places' Conservation Strategy for the Historic Environment 2014-2019.
- 7 Heads of the Valleys Organics Procurement - Memorandum of Understanding.
- 8 Update Report Groundwork Caerphilly.
- 9 Charging for Telecare Services.
- 10 Public Library Standards in Wales - Annual Library Update Report 2013-2014.

To receive and consider the following report which requires a recommendation to Council: -

- 11 Draft Whistleblowing Policy.

Circulation:

Councillors Mrs C. Forehead, D.T. Hardacre, K. James, Mrs B. A. Jones, G. Jones, Mrs R. Passmore, D.V. Poole, K.V. Reynolds, T. J. Williams and R. Woodyatt,

All other Members not listed above.

And Appropriate Officers



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN, ON WEDNESDAY, 29TH OCTOBER 2014 AT 2.00 P.M.

PRESENT:

Councillor K.V. Reynolds - Leader

Councillors:

Mrs C. Forehead (HR and Governance/Business Manager), D.T. Hardacre (Performance and Asset Management), G. Jones (Deputy Leader and Cabinet Member for Housing), Mrs B. Jones (Deputy Leader and Cabinet Member for Corporate Services), Mrs R. Passmore (Education and Lifelong Learning), D.V. Poole (Community and Leisure Services), T.J. Williams (Highways, Transportation and Engineering), R. Woodyatt (Social Services)

Together with:

C. Burns (Interim Chief Executive), S. Aspinall (Acting Deputy Chief Executive), N. Scammell (Acting Director Corporate Services and S.151 Officer), D. Street (Corporate Director Social Services)

Also in Attendance:

B. Hopkins (Assistant Director- Education), T. Shaw (Head of Engineering Services),
C. Evans (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

An apology for absence had been received from Councillor K. James (Cabinet Member for Regeneration, Planning and Sustainable Development).

2. DECLARATIONS OF INTEREST

Councillor D.T. Hardacre declared an interest in the items relating to Draft Savings Proposals for 2015/16, New Governance Arrangements for South East Wales EAS and Abertysswg/ Pontlottyn Primary Formal Consultation Process. Councillor G. Jones declared an interest in the item relating to Abertysswg/ Pontlottyn Primary Formal Consultation Process. Details are minuted with the respective items.

3. CABINET – 15TH OCTOBER 2014

RESOLVED that the minutes of the meeting held on 15th October 2014 (minute nos. 1-5; page nos. 1-2) be approved and signed as a correct record.

4. RIGHTS OF WAY CABINET COMMITTEE HELD ON 15TH SEPTEMBER 2014

RESOLVED that the minutes of the meeting held on 15th September 2014 be approved and signed as a correct record.

5. RIGHTS OF WAY CABINET COMMITTEE HELD ON 8TH OCTOBER 2014

RESOLVED that the minutes of the meeting held on 8th October 2014 be approved and signed as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

6. DRAFT SAVINGS PROPOSALS FOR 2015/2016

Councillor D.T. Hardacre declared an interest in this item as a close family member is in receipt of Day Care Services.

The Acting Director of Corporate Services and S151 Officer presented the report, which provided Cabinet with an updated Medium-Term Financial Plan (MTFP), which reflected the Provisional 2015/16 Local Government Financial Settlement, along with details of the draft savings proposals for the 2015/16 financial year and details of the revised savings requirements for the period 2015/16 to 2017/18 based on the WG Provisional 2015/16 Local Government Financial Settlement.

The recent announcement by Welsh Government had confirmed a 3.4% reduction in the financial settlement for Caerphilly County Borough Council next year, which equates to a saving requirement totalling £12.8million in 2015/16. Cabinet considered the report and appendices, which highlighted assumptions for a further 3.4% funding reduction for each of the following two years. Savings proposals for each Directorate were considered, which aim to mitigate the impact of the settlement. The updated position demonstrated a total savings requirement of £39 million over the three-year period.

In considering the financial challenges anticipated over the coming years, significant efforts are being made to mitigate the impact and protect services and jobs wherever possible.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

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

1. The proposed package of 2015/16 savings totalling £12.208m, as detailed in Appendices 2 to 6 of the report, be endorsed.
2. These savings proposals be subject to a further period of consultation prior to final 2015/16 budget proposals being presented to Cabinet in January 2015 and to Council in February 2015.
3. The proposal to increase Council Tax by 3.9% for the 2015/16 financial year to ensure that a balanced budget is achieved (Council Tax Band D being set at £992.02), be endorsed.

7. LOCAL TRANSPORT PLAN

The report sought the formal approval of Cabinet for the production of a South Wales Valleys Local Transport Plan (LTP), produced jointly by Caerphilly, Rhondda Cynon Taf, Torfaen, Blaenau Gwent and Merthyr Tydfil County Borough Councils.

The Welsh Government (WG) requires all local authorities (LA's) in Wales to produce LTP's by the end of January 2015. The LTP's will replace the 4 Regional Transport Plans (RTP's) that are currently in place. Work is ongoing between the 5 'South East Wales Valleys' local authorities (i.e. Caerphilly CBC, Rhondda Cynon Taf CBC, Torfaen CBC, Blaenau Gwent CBC and Merthyr Tydfil CBC) to produce a joint LTP.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons set out in the Officer's report, the production of a South East Wales Valleys Local Transport Plan that will be produced jointly by Caerphilly CBC, Rhondda Cynon Taf CBC, Torfaen CBC, Blaenau Gwent CBC and Merthyr Tydfil CBC, be approved.

8. NEW GOVERNANCE ARRANGEMENTS FOR SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE

Councillor D.T. Hardacre declared an interest in this item as the Chair of the Education Achievement Service Board.

The Deputy Chief Executive presented the report, which highlighted the changes necessary to the agreed Governance arrangements for our Regional School Improvement Service – Education Achievement Service (EAS) in order to align the arrangements to the National Model for School Improvement, and sought approval to implement the new arrangements.

The Minister for Education and Skills introduced a National Model of regional working in March 2014. The South East Wales Education Achievement Service (EAS) closely aligns with the National Model but, in order to comply with the National Model, it is recognised that the 'Governance' arrangements required further consideration.

The proposed new governance arrangements included: -

1. The continuance of an EAS Board;
2. The addition of a South Wales Executive Board;
3. The continuance of the Joint Executive Group (JEG);
4. The addition of an Audit Committee.

Cabinet noted that the new governance arrangements will be presented to each of the five local authorities of the South East Wales Consortium in the next month in order to seek approval to implement the changes.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons set out in the Officer's report, the new governance arrangements for the Education Achievement Service, as outlined in paragraph 4.7 of the report, be approved.

9. ABERTYSSWG/ PONTLOTTYN PRIMARY: FORMAL CONSULTATION PROCESS

Councillor D.T. Hardacre declared an interest in this item as a Governor of Fochriw Primary School and Councillor G. Jones declared an interest, as his partner is a Governor of Fochriw Primary School.

The report provided Cabinet with an update in respect of the 21st Century Schools Rhymney 3-18 proposal. The report proposed the commencement of the statutory processes with a formal consultation and highlighted the timescales proposed for the project.

At a meeting of full Council in November 2011, a bid of £12 million to the Welsh Government (WG) was approved in respect of a Rhymney 3-18 development. The bid was subsequently approved by WG on 5th December 2011 and proposed the rationalisation of up to 3 existing primary schools into one new primary school.

Cabinet noted that informal consultations were conducted over the last couple of years and during the summer term 2014, it was proposed to establish local stakeholder groups in the communities of Fochriw, Abertysswg and Pontlottyn, although in the latter case there were no expressions of interest. Surveys were conducted and the views of feedback were considered and documented within the report.

In view of the outcomes of the information processes, it was proposed to develop the new primary school for Abertysswg and Pontlottyn and exclude Fochriw. Welsh Government officials have indicated that the recommended proposal is viable and should accord with grant conditions. In addition, there will be a need to separately consider federation options for Fochriw Primary School for the future.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

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

1. The proposal to proceed to establish a primary school for Abertysswg and Pontlottyn, but not Fochriw, on the Rhymney Comprehensive site, be approved.
2. Members consider the precise funding implications, following the formal consultation processes.
3. Members agreed that federation arrangements be considered for Fochriw Primary School for the future.

The meeting closed at 2.35 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on
12th November 2014.

CHAIR



CABINET - 12TH NOVEMBER 2014

SUBJECT: FORMER NEWBRIDGE LIBRARY

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND S151 OFFICER

1. PURPOSE OF REPORT

- 1.1 To seek Cabinet's view on the proposed options concerning the disposal of the site of the former Newbridge Library.

2. SUMMARY

- 2.1 The former Newbridge Library site is now surplus to the requirements of the holding Service and no ongoing operational use has been identified.
- 2.2 Whilst the building remains vacant and the responsibility of the Council, it is likely that the building condition will continue to deteriorate and the associated running costs such as NNDR will be ongoing.
- 2.3 Therefore, 4 options for disposal are proposed for consideration;
- 2.4 Option 1 would be to dispose of the property on the open market.
- 2.5 Option 2 would be to dispose of the Council's interest, either through a freehold sale or leasehold disposal to those external parties who present the most favourable business case.
- 2.6 Option 3 would be to dispose of the asset via an Asset Transfer to a suitable third sector organisation, such as those that are not for profit or charitable organisations.
- 2.7 Option 4 would be a staged approach, whereby Option 1 could be initially tested and if unsuccessful, Options 2 and 3 pursued.
- 2.8 If applicable, the Asset Management Group would consider any business proposals and make appropriate recommendations to CMT/Cabinet via a further Cabinet report.
- 2.9 If Cabinet approves any of the above options, it is requested to delegate the decision regarding the terms of sale or lease to the Head of Performance and Property.

3. LINKS TO STRATEGY

- 3.1 Under its approved Asset Management Objectives, the Authority aims to manage its land and buildings effectively, efficiently, economically, and provide a safe, sustainable and accessible living and working environment for all users.
- 3.2 The Authority has a medium term financial plan (MTFP), which includes cost saving targets resulting from the disposal of assets.

- 3.3 Asset Transfer and community use of assets, will support the Welsh Government agenda One Wales – progressive agenda for the Governance of Wales, which emphasises the potential for Social Enterprise to meet a variety of social, economic and environment needs.

4. THE REPORT

- 4.1 The site of the former Newbridge Library, shown edged black on the attached plan, measures approximately 470 sq.m. The site consists of the former library building and a small area of open space. The building, constructed circa 1970, measures approximately 123 sq.m. GEA. It is of single storey timber clad construction with a flat felt roof. Within the building, there is a large open plan area, with small toilet and kitchen facilities.
- 4.2 The Council holds the freehold interest in the library site, which forms part of a wider site that is in third party ownership. There is currently a disused health clinic and car parking area located on this area of the site.
- 4.3 A recent condition survey indicates that a sum of £53,034 is required to put the accommodation into a reasonable standard over a 5-year period. There are a number of internal and external elements identified as requiring replacement. It is estimated that demolition would cost in the region of £20,000 – £25,000 plus fees.
- 4.4 The site is now surplus to the operational requirements of the Library Service as a new library facility has been provided nearby, and no alternative operational use has been identified to date.
- 4.5 Whilst the building remains vacant and the responsibility of the Council, it is likely that the building condition will continue to deteriorate and the associated running costs, such as NNDR will be ongoing.
- 4.6 The third party landowner wishes to develop their part of the site and has proposed a residential development. Once this area has been developed, access to the former library site will be via the existing pedestrian access point at Church Road. There is also a possibility of introducing access to the rear of the library site from Thorne Avenue which is currently fenced off.
- 4.7 Legal Services has advised that there are no issues or considerations that would affect a disposal.
- 4.8 Planning Services advise that the site is not allocated or designated for any particular use within the adopted LDP, but lies within the settlement boundary. Therefore, there are no in principle objections to disposing of the site. As it is in a predominately residential area, it is likely to be considered acceptable in principle for residential development. All relevant policies will need to be satisfied particularly those in relation to access, highways and design. This option is addressed in option 1 below.
- 4.9 There are four options available to Cabinet for consideration;

Option 1

- 4.10 Option 1 would be to sell the freehold interest on the open market or via a leasehold disposal at market value.
- 4.11 As no operational requirement has been determined, officers have no objection to recommending a disposal. A freehold disposal would present the opportunity to achieve a capital receipt and transfer the Council's ongoing liability.

- 4.12 Delivery of a sale is more certain in that the property can be taken to auction in the event of difficulties during a private treaty process.
- 4.13 Consideration has been given to progressing a joint residential development with the freeholder of the adjoining land. Preliminary investigations suggested that access onto Ashfield Road is restricted and would require considerable modification to achieve modern day highway standards. The cost of these works could be substantial and impact on the potential shared capital receipt. There would also be shared costs associated with site investigations, professional fees and infrastructure costs. The potential capital receipt would be pro rata to represent the percentage split for the freehold interest.
- 4.14 Due to the likely high costs involved in progressing a joint scheme, the possibility of developing the site in isolation of the wider site, utilising the alternative access route (rear of Church Lane or Thorne Avenue) has been deemed as the more viable option. Access to the site from the rear of Church Road has been determined to be unacceptable in planning terms. However, Planning has advised that access from Thorne Avenue could be possible due to the limited size of the site and potential number of dwellings.
- 4.15 Prior to progressing with a disposal via option 1, a planning application would be submitted to obtain out line planning consent for a residential development to ensure that access from Thorne Avenue could be formerly considered.

Option 2

- 4.16 The site has not yet been taken to the market, however, there have been a limited number of enquiries regarding the future use of the site, one of which from a community organisation. Should an organisation wish to develop the site, we would require the submission of a viable business case detailing a firm proposal.
- 4.17 Therefore, Option 2 would be to offer, via freehold sale or leasehold disposal, the opportunity for interested parties to submit detailed proposals and supporting business cases for acquisition of the former Library.
- 4.18 Interested parties would be asked to submit firm proposals and a business case that could be considered by the Asset Management Group (AMG). The AMG would consider submitted business cases and make appropriate recommendations to CMT/Cabinet. Proposals would be assessed against criteria such as, financial viability, sustainability and suitability to the local environment.
- 4.19 Proposals may fall outside of the current Planning use category and any change of use may trigger further planning considerations, such as parking requirements. This element could be fully investigated when full proposals are submitted for consideration.
- 4.20 If a leasehold disposal was determined to be the preferred route, it would allow the Council to benefit from a revenue stream and reduce the liability associated with the ongoing management and maintenance.
- 4.21 A leasehold disposal would also allow an interested party to choose between paying a premium for the lease ("buying" the land) and paying an annual rent. This would alleviate the need to find a capital sum that might preclude a number of parties from taking up the opportunity in the current financial climate and given the condition of the asset.

Option 3

- 4.22 The Third option could be an Asset Transfer to a suitable third sector organisation, such as those that are not for profit or charitable organisations. The Council does not have a formal Asset Transfer policy, however, previous applications have been considered on a case-by-case basis.

- 4.23 This option would secure a future community use of the site, bring benefits to our communities and contribute towards the Council's aims and objectives.
- 4.24 A proposal to dispose of the site via a Community Asset Transfer gives the opportunity to transfer the freehold interest or grant leasehold interest at less than best consideration. This could either be at a reduced cost or free of charge. The level of subsidy could be determined by the social, economic or environmental benefits generated by the transfer. A lease transfer would enable controls to be included in the lease/agreement to enable the Council to monitor the financial ability of the organisation in managing the asset.
- 4.25 If the asset was transferred to a third sector organisation, they could then look to secure external grant aid to assist or fund the refurbishment or remodelling of the premises.
- 4.26 The Council would need to assess any organisation against criteria such as the viability of the proposal, financial forecasts, sustainability and governance arrangements in order to be satisfied that the organisation taking on the asset has the capacity to manage the facility on a sustainable basis. Therefore any interest party would be required to submit a business proposal and develop a business plan for assessment.
- 4.27 Should the Council be minded to dispose of an asset at an undervalue, it will need to comply with the Local Government Act 1972, sections 123-127: General Disposal Consent (Wales) 2003, which allows a local authority to dispose of land at less than best consideration without the specific consent of the National Assembly, provided:
- The disposal contributes to the promotion or improvement of the economic, social or environmental well-being of its area, or all or any persons resident or present in its area, and
 - The under value does not exceed £2m.

These criteria are linked to the "well-being" powers contained in the Local Government Act 2000, which states that every local authority has the power to do anything that it considers likely to achieve the promotion or improvement of well being in its area.

Option 4

- 4.28 Option 4 would be a staged approach, whereby Option 1 could be initially tested and if unsuccessful, Options 2 and/or 3 pursued.
- 4.29 If Cabinet approve Options 2 or 3, a further report will be submitted outlining Asset Management Group recommendations for the preferred end use once business proposals had been considered.
- 4.30 Should Cabinet approve any of the above options, it is requested to delegate the decision regarding the terms of sale or lease to the Head of Performance and Property.

5. EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment (EqIA) screening has been completed in accordance with the Council's Equalities Consultation and Monitoring Guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out.

6. FINANCIAL IMPLICATIONS

- 6.1 Depending on which option is pursued, the disposal of the land will produce a capital receipt and/or revenue stream and relieve the Council of its maintenance obligations.

- 6.2 There will be an annual revenue saving to the Council for not holding the asset. For example, for 2011/2012, the building running costs were circa £13k, this sum includes general utilities and NNDR. Some liabilities will be ongoing whilst the building remains the responsibility of the Council.

7. PERSONNEL IMPLICATIONS

- 7.1 There are none.

8. CONSULTATIONS

- 8.1 There have been no views expressed that have not been incorporated into this report.
- 8.2 Councillors' Ackerman, Baker and Johnston and the Newbridge Community Partnership have outlined their wish see the area used for amenity or recreational space or for an alternative community use. This is addressed in options 2 and 3 above.

9. RECOMMENDATIONS

- 9.1 Cabinet is asked to consider the options set out above and to make a decision on which to take forward.
- 9.2 If the resolution is to approve Options 2 or 3, a further Cabinet report to be submitted outlining AMG recommendations for the preferred end use following consideration of any business proposals submitted.
- 9.3 Delegate the decision regarding the detailed terms of the sale or lease to the Head of Performance and Property and Cabinet Member for Performance, Property and Asset Management.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The Council has no operational requirement for the land.
- 10.2 The disposal of the land will release the Council from ongoing maintenance obligations.

11. STATUTORY POWER

- 11.1 Local Government Act 1972, Local Government Act 2000 and General Disposal Consent (Wales) 2003. This is a Cabinet function.

Author: Colin Jones, Head of Property and Performance
Consultees: Nicole Scammell, Acting Director of Corporate Services
Stephen Harris, Interim Head of Corporate Finance
Pauline Elliott, Head of Regeneration and Planning
Tony Maher, Assistant Director, Planning and Strategy
Gail Williams, Monitoring Officer/Principal Solicitor
John Rogers, Principal Solicitor
Gareth H Evan, Senior Manager, Education and Leisure (Libraries)
David A Thomas, Senior Policy Officer (Equalities and Welsh Language)
John Thomas, Section Head, Asset Management
Tim Broadhurst, Section Head, Estates

CMT

Councillor D Hardacre, Cabinet Member For Performance and Asset Management

Councillor R Passmore, Cabinet Member For Education and Life Long Learning

Councillor D Poole, Cabinet Member For Community and Leisure Services

Councillor L Ackerman, Ward Member, Newbridge

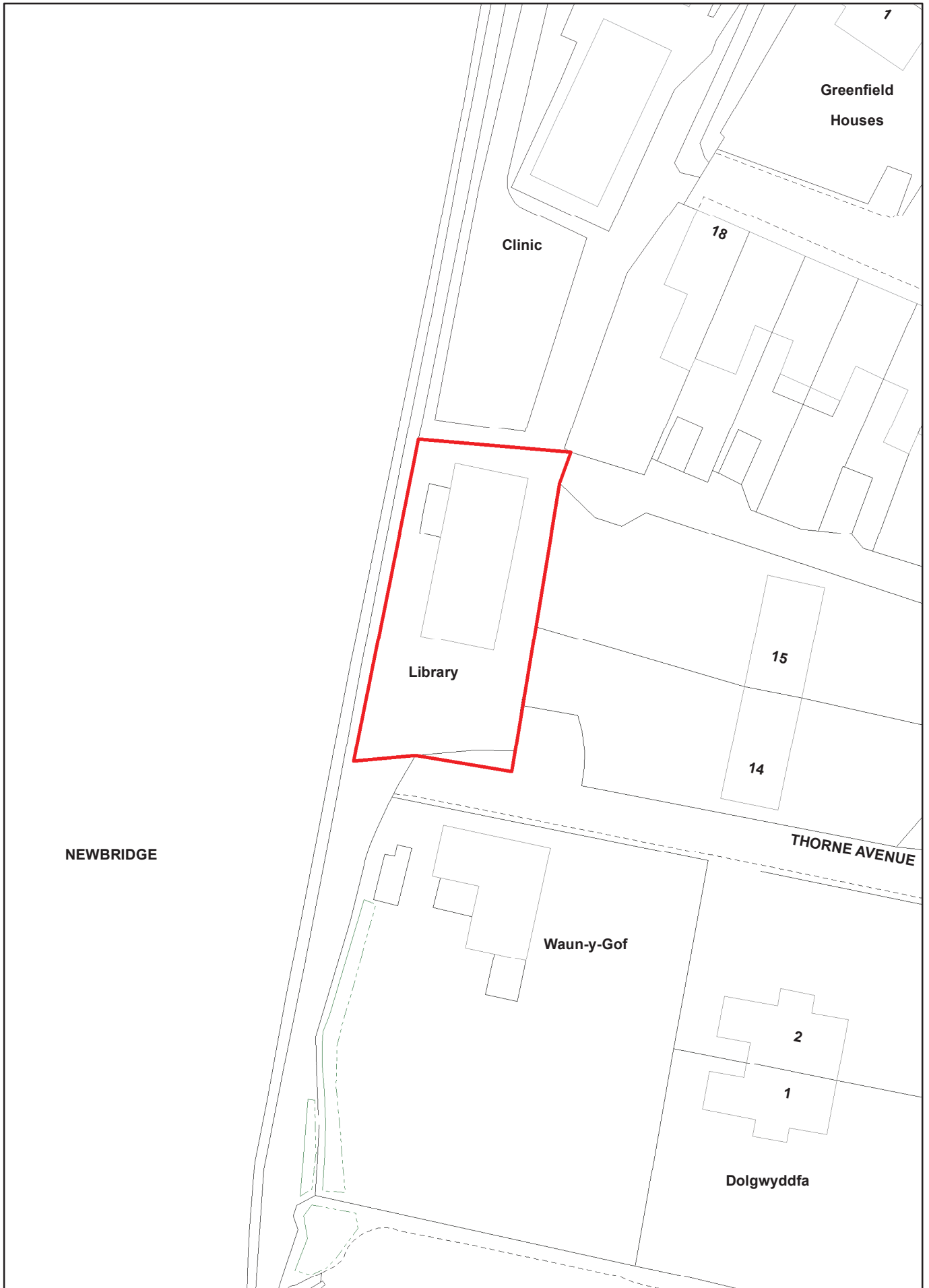
Councillor K Baker, Ward Member, Newbridge

Councillor G Johnston, Ward Member, Newbridge

Newbridge Partnership

Appendices:

Appendix 1 - Former Newbridge Library Site Plan



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CABINET – 12TH NOVEMBER 2014

SUBJECT: RURAL DEVELOPMENT PLAN (RDP) FUNDING 2014-2020

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet on the developments of the new Rural Development Plan (RDP) and to recommend that they endorse a number of processes that are underway in order to access funding under the new RDP LEADER programme.

2. SUMMARY

- 2.1 Under the current programme (2007-13) the local LEADER element of the RDP is delivered by the Countryside and Landscape Service. LEADER is effectively a rural regeneration programme aimed at working with rural people, communities and businesses to develop projects and ideas and add value through networking and local supply chains. LEADER is overseen by a Local Action Group (LAG), which is an informal steering group of local stakeholders.
- 2.2 Under the new LEADER programme the Welsh Government (WG) is expecting areas to deliver some or all elements in partnership to realise efficiencies in the management and administration of the programme. For this reason Caerphilly has been leading on the development process in a joint initiative with Blaenau Gwent, which is new to the RDP and only has two eligible wards. CCBC would fulfil the role defined as Administrative Body, which is to be responsible for the overall delivery of the programme, financial propriety and compliance, and other functions prescribed by WG.
- 2.3 Each defined area must be covered by a constituted Local Action Group (LAG) that is tasked with delivering LEADER with one set of projects delivered through one indicative allocation. The Administrative Body will undertake a range of programme management functions including competent financial planning and compliance with all necessary legal and regulatory requirements. A proposed joint Caerphilly and Blaenau Gwent project would receive an indicative allocation of at least £2.643m and more likely £3.172m over 7 years. This would require matchfunding of up to £105,000 p.a., which can be met through existing budgets.
- 2.4 A draft Local Development Strategy (LDS) has been prepared, and submitted to WG, outlining the proposals for joint working, management of the programme, establishing a new LAG and intentions for the development and delivery of projects.

3. LINKS TO STRATEGY

- 3.1 The RDP LEADER programme is a regeneration initiative for rural areas delivered through community engagement and development. It has a broad set of themes including natural and cultural resources, micro enterprise support, basic services for communities and community energy. As such it contributes to a range of local economic, regeneration and social inclusion strategies and a number of priorities within the Single Integrated Plan.

4. THE REPORT

- 4.1 Under the current programme (2007-13) the RDP is delivered locally through two streams, termed Axis 3 and Axis 4. Axis 3 funds a number of separate projects being delivered by some third party organisations as well as CCBC Services. Axis 4 provides the funding for LEADER, which is a French acronym (Liaison Entre Actions de Développement de l'Économie Rurale) meaning 'links between the rural economy and development actions', and is essentially a community based regeneration programme for rural areas. LEADER is being delivered by the Countryside and Landscape Service, which is also now providing the lead for the whole RDP programme in Caerphilly, and is aimed at working with rural people, communities and businesses to develop projects and ideas and add value through networking and local supply chains. LEADER is overseen by a Local Action Group (LAG), which is effectively a steering group of local stakeholders, including the Cabinet Member for Regeneration, Planning and Sustainable Development. The programme is supported by Corporate Finance, Environment Finance and Urban Renewal.
- 4.2 Under the new RDP there is not going to be an Axis 3 element and only LEADER will be delivered directly at a local level. For LEADER there is almost certainly going to be an indicative allocation to local areas. The RDP itself is currently not finalised but at present the overall budget for LEADER within the RDP is 5% (the statutory minimum), which would give Caerphilly an indicative allocation of around £2.5m. It is more likely that the budget will be 6% meaning an indicative allocation of some £3m. Up to 25% of this can be used at a funding rate of 100% for administration, management and animation (strategic and project development) of the local programme. The remaining 75% can form up to 80% of the funding for delivery. The programme is due to start early in 2015 and runs for seven years to 31st December 2021.
- 4.3 For the new programme WG are expecting areas to join together at least for the administrative functions involved in order to realise some cost efficiencies. Discussions have therefore been held with officers from Blaenau Gwent, which is new to the RDP and, because it only has two eligible wards, is not able to form a programme of its own, about having a joint programme, led by Caerphilly. Welsh Government have confirmed that in principle the proposed joint arrangement with Blaenau Gwent meets their requirements for joint working. A further detailed Report will be presented to members following receipt of the Welsh Government guidance. Blaenau Gwent's proposed participation in the programme will also attract a small additional indicative allocation. A joint Caerphilly and Blaenau Gwent programme would attract an indicative allocation of £2.643 with a 5% budget and £3.172m with a 6% budget. Matchfunding will be sought from Blaenau Gwent and an SLA drawn up to govern the funding and delivery arrangements. Similar arrangements are being made across Wales, for example Monmouthshire is leading on a programme with Torfaen and Newport, and Merthyr Tydfil is leading a joint programme with Rhondda Cynon Taf.
- 4.4 In order to participate in the LEADER programme and access the funding available two main steps are required. Firstly, a new LAG needs to be formed and formalised. This will be based largely on the active Caerphilly LAG for the current programme. Current membership is compliant with the new guidelines but new membership would be required to reflect the inclusion of Blaenau Gwent and WG are requiring LAGs to be established as formally constituted groups with an enhanced role. Guidance is being sought from Legal Services about constituting the LAG and its reporting status.
- 4.5 Secondly, a Local Development Strategy (LDS) needs to be approved by WG. The LDS is a combined strategy, action plan and business plan outlining the proposals for joint working, management of the programme, establishing a new LAG and intentions for the development and delivery of projects. An LDS has been prepared in broad consultation with officers, LAG members, stakeholders and the general public and has been submitted to WG by its deadline of 30th September 2014. The LDS is recognised as being a draft document subject to amendments and revisions during a process of negotiation and clarification, as well as final confirmation of the LEADER budget and other guidance from WG. Final details will be reported to Cabinet in due course, which we anticipate will be in January or February 2015.

- 4.6 It is anticipated that, following this process, the LDS will be approved in time for funding to start being drawn down in January 2015. Following this it is anticipated that WG will require reporting on a quarterly basis to monitor progress on spend and delivery.

5. EQUALITIES IMPLICATIONS

- 5.1 Equalities issues are addressed through the RDP LEADER programme. Equal Opportunities, Tackling Poverty and Exclusion, and the Welsh Language are all cross cutting themes within the Local Development Strategy and form part of the criteria against which the submission will be assessed. Current RDP project work also supports the Council in achieving a number of the Council's own Strategic Equality Objectives, particularly SEO 3 (Physical Access) and SEO 4 (Communication Access).

6. FINANCIAL IMPLICATIONS

- 6.1 There are various possible financial outcomes depending on the final budget allocation to LEADER and whether the proposals within the LDS are approved in full. Assuming the budget allocation to LEADER is set at 6%, as anticipated, and that the LDS is approved in full a matchfunding budget of no more than £105,000 p.a. will be required to secure full delivery of this programme. It is believed that this amount could be reduced by securing other funding sources during the life of the programme but this cannot be confirmed at this early stage.
- 6.2 Currently, the RDP programme operates with a budget of £116,000. Therefore the maximum funding requirement for the new programme represents a £11,000 p.a. (9.5%) saving on current budgets, which has been identified, subject to Cabinet and full Council approval, as a budget saving in 2015/2016 to help support the Councils Medium Term Financial Plan (MTFP).
- 6.3 The costs to CCBC associated with being the Administrative Body are met through set budgets within the indicative allocation. These costs are 100% funded, subject to eligibility, and principally include officer time in Corporate Finance and Regeneration and Planning together with costs associated with running the LAG and promoting the programme. Further details will be provided to Members in the subsequent Report to Cabinet

7. PERSONNEL IMPLICATIONS

- 7.1 Due to the unknown outcome of the approval by WG of the LDS and the funding implications on staff and projects, all RDP staff have been advised that they are, or will be, placed on redundancy notice, in line with appropriate policies, as a necessary contingency should the funding not be approved by 31st March 2015. The LDS has been structured to provide funding for all these staff but it is dependent on the approval of the proposals by the Welsh Government and whether there are sufficient CCBC budgets in place to matchfund all the costs. At current levels the existing budgets will meet the core matchfunding requirements of the programme.
- 7.2 The above staff will fulfil a range of roles within the programme, including Administrative Body functions and elements of project delivery. The LDS also includes apportionments of a number of Corporate Finance officers totalling around 40% of a full-time equivalent post to the Administrative Body role.

8. CONSULTATIONS

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

9. RECOMMENDATIONS

- 9.1 Cabinet is asked to:
- 9.2 Endorse the approach of working with Blaenau Gwent on the LEADER element of the RDP 2014-2020 with Caerphilly acting as the Administrative Body.
- 9.3 Endorse the establishment of a formally constituted Local Action Group to serve the purposes of the funding. The formation of the LAG will be in line with guidance from WG and Legal Services.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure that Caerphilly county borough continues to benefit from the funding and opportunities offered by the RDP LEADER programme.

11. STATUTORY POWER

- 11.1 Local Government Acts 1972 and 2000.

Author: Dan Coles, RDP Delivery Manager, Countryside & Landscape Service
colesdj@caerphilly.gov.uk

Consultees: Cllr Ken James – Cabinet Member for Regeneration, Planning & Sustainable Development
Sandra Aspinall – Acting Deputy Chief Executive
Pauline Elliott – Head of Regeneration & Planning
Phil Griffiths – Manager, Countryside & Landscape Service
Paul Cooke – Team Leader, Sustainable Development & Living Environment
Allan Dallimore – Team Leader, Urban Renewal
Paula Beaman – Grants Manager, Corporate Finance
Mike Eedy – Finance Manager
Gail Williams – Acting Head of Legal Services & Monitoring Officer
David Thomas – Senior Policy Officer (Equalities & Welsh Language)
Elaine Thomas – Personnel Manager

Background Papers:

Caerphilly & Blaenau Gwent LEADER 2014-2020 Local Development Strategy
Welsh Government RDP 2014-20 Guidance Notes

Appendices:

Appendix 1 – List of acronyms and examples of activities under the current LEADER programme

CABINET – 12TH NOVEMBER 2014

RURAL DEVELOPMENT PLAN (RDP) FUNDING 2014-2020

APPENDIX 1

List of Acronyms

- WG - Welsh Government.
- RDP - Rural Development Plan. The title of the Welsh Government strategy and funding programme for the delivery of support to farmers and rural communities.
- LEADER - Liaison Entre Actions de Développement de l'Économie Rurale meaning 'links between the rural economy and development actions'. The name of the locally delivered community based regeneration programme for rural areas within the RDP.
- LAG - Local Action Group. A local stakeholder group that serves as a steering group for the delivery of LEADER in each area.
- LDS - Local Development Strategy. The strategy and action plan document of each area for the purposes of the LEADER programme.

Examples from the current RDP LEADER in Caerphilly

Community

Developed a number of strong community led projects across the borough including the Pop-Up restaurant. The Pop-Up restaurant has developed from a pilot collaboration idea between the RDP and individual communities to a self sustaining income source for the Parish of Bedwelty and New Tredegar and the Upper Rhymney Valley Foodbank.

Food and Drink Network

We have created a food, drink and producers' network, bringing together a broad and varied range of local producers to support, develop, collaborate and consult on projects and ideas that support the local food and drink production sector. To date the food, drink and producers network have identified a number of opportunities to collectively develop their skills and with support from the RDP participated in a series of workshops tailored for local micro enterprises covering 'The Art of Display', 'The Customer Experience' and 'Your Business, Your Brand' and 'meet the boosting business competitiveness.

Publicity and Promotion

The RDP in Caerphilly has established a positive relationship with the local media including the South Wales Argus, Echo, Rhymney Valley Express, Campaign and Observer. We pride ourselves on innovative promotion and marketing at events such as Machen and Bedwelty agricultural shows, Nelson Ewe and Ram sales and the

Royal Welsh Agricultural Show, our presence establishing itself as a Caerphilly 'hub' for the county borough's competitors, exhibitors and visitors.

Arts and Craft

Created an ever growing network of artists and crafters from the County Borough's burgeoning creative community. Harnessing the wide variety of talent, we instrumental in the formation of an artist's co-operative and have developed the borough's first arts and crafts map and trail: 'Caerphilly Creatives', showcasing the talents of over 30 creatives, launched this year as part of an inaugural county wide Arts Trail Week which is likely to become an annual event.

Working Women

In partnership with Caerphilly Business Forum, this vibrant and successful cross-sector network has provided members with the opportunity to meet, work with like-minded women, share success stories, promote their business and make new contacts. Inspired the fact that many of the enterprises the RDP work with are owned or run by women, this innovative network has attracted such speakers as Dame Rosemarie Butler AM (Presiding Officer Welsh Assembly), Jacquie Williams, founder of Welsh Women Walking, the team from Kate Humble's 'Humble by Nature' as well as inspirational Caerphilly-based business women.

Hospitality Network

A network of café owners, Bed and Breakfast operators, public house owners and holiday let proprietors meet to discuss matters that affect the hospitality industry in the rural areas of Caerphilly. The RDP have delivered in partnership with the Caerphilly Tourism Association a project to provide the members of this network with stock publicity photo's to be used in publications and press releases to publicise their businesses.

Agri Network

In 2012 we established a network of local rural farmers and those involved in the agricultural community to consult on project ideas that support the local agricultural sector. The farming industry, due to its nature, is very often an isolated work environment. The Agricultural Network has given the farming community in Caerphilly an opportunity to meet on a regular basis and discuss ideas, have talks on a host of subjects including alternative energy and pest control and to request training sessions on several farm based disciplines that may possibly lead to diversification and creation of alternative income streams To date we have worked with our network to deliver:

- Training in rural skills (shearing, dry stone walling and hedge laying).
- A Caerphilly Rural Directory. This is a free directory designed to promote local services to the farming community. Over 60 businesses are included in the directory within the 10 sections of Abattoirs & Meat Processing; Associations, Organisations & Societies; Auctioneers and Livestock Markets; Business Services; Construction and Contractors; Forestry and Woodland; Machinery; Rural Services; Supplies and Veterinary Services.
- An investigation into the viability of biomass district heating for farmhouses located within Caerphilly County Borough using Whitehall Farm as a case study. This provides high-level technical and economic feasibility assessment including RHI payments to consider the most feasible options for both biomass district heating and individual biomass heating boilers.

Sustainable Energy

In 2011 two Sustainable Energy Officers joined the RDP Team. The main aim of their work has been to engage with farm households and rural businesses to reduce energy use, promote the uptake of renewable energy and help them to adapt to climate change. The following are examples of successful projects the team have been involved with:

Energy Factsheets

The officers have created eleven factsheets providing information on energy efficiency and renewable energy technologies aimed at a local, Caerphilly borough level. These are distributed to those attending events, or to those who have an initial query to the team.

Energy Surveys

The team offer free energy surveys with the aim of to offer impartial and independent advice to businesses and farms recommending how to become more energy efficient and provide information on viable renewable energy technologies. A report is provided that includes information, approximate costs and paybacks and signposts relevant grant information.

Farmhouse Energy Challenge

The team has completed two farmhouse energy challenges where farmhouse residents try and reduce their electricity consumption over a 4-week period with the assistance of advice and an in-home energy display. According to some estimates, households could see a reduction of between 5 and 15%. During the last challenge one farm household achieved a reduction in electricity use of 24%!

Fridge Freezer Competition

During September and October 2013 a competition was run to find Caerphilly's oldest fridge/freezer. The aim was to make people aware of the energy consumption of old inefficient refrigeration appliances and to encourage them to upgrade to more efficient versions. In total 121 residents entered the competition with the prize being a brand new energy efficient A++ fridge/freezer donated by Electrolux. The winning appliance was a 60 year old G.E.C fridge that has been now been donated to the Winding House.

Renewable energy advice

The Sustainable Energy Team has been working with farmers in the borough providing them with advice on renewable energy technologies. This help varies from completing desktop solar PV and wind studies (example Ty Isaf) to collaboration work (example Maes Yr Onn).

- Ty Isaf – Officers completed desktop wind and solar PV studies and information was also provided on owning outright or choosing a rent a roof solar PV company or ground rent option for a wind turbine. As a result of this assistance in September 2014 16 solar PV panels were installed on the owners south facing barn roof. She decided to pay for the panels herself, which will enable her to receive the feed-in tariff payments.
- Maes Yr Onn – The RDP Sustainable Energy team assisted the Davies family of Maes Yr Onn Farm who had gained planning permission to construct a farmhouse in a off grid location by putting together a partnership with the Davies family, Building Research Establishment (BRE) and SSE to help ensure compliance with all appropriate regulations including Planning, Building Regulations and the Code for Sustainable Homes Level 3. They performed a handholding and facilitation role and acted as the key link between all those involved. Following completion of the build they are heavily

involved in the monitoring, training, education and awareness raising side of the project.

Climate Change Adaptation – Implications for Farms and Rural Businesses in Caerphilly

As a result of a wider Climate Change Adaptation Project being delivered by CCBC, the team worked with Netherwood Sustainable Futures to identify projected future climate changes, the implications for farms and rural businesses in Caerphilly and to identify actions that can be taken to mitigate and adapt to the effects. From this initial work officers created a set of factsheets to help provide generic information on how climate change will affect crops, livestock, soils, water, biodiversity and trees and what they can do to adapt. A pilot project with two farms/businesses was also completed with the aim of developing the methodology for producing climate change adaptation reports. Each report looked at how each site will be affected in regards e.g. livestock production, trees, soils, water/hydrology, biodiversity, crop production and business resilience by a changing climate and how they can adapt.



CABINET – 12TH NOVEMBER 2014

SUBJECT: 'THE VALUE OF HISTORIC PLACES' CONSERVATION STRATEGY FOR THE HISTORIC ENVIRONMENT 2014-2019

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

-
- 1.1 The attached report, which outlined the stakeholder engagement undertaken in respect of the Draft Conservation Strategy for the Historic Environment 2014-2019, and sought Members' views on proposed changes to the Draft Conservation Strategy as a consequence of public consultation, was considered by the Regeneration and Environment Scrutiny Committee on 28th October 2014.
 - 1.2 The report detailed the need for and the scope of a Conservation Strategy, with Officers outlining the list of statutory designations within the county borough to be included within the remit of the Strategy (encompassing listed buildings, scheduled ancient monuments, historic parks and gardens and historic landscapes). The Strategy will include a number of priority objectives, which will be reviewed after five years.
 - 1.3 The report outlined the consultation process (with copies of the Draft Conservation Strategy made available for public view) and summarised the three responses received. Subsequent amendments to the draft Strategy have been actioned, with any further comments received following presentation to Members to be included in the final version of the Strategy. Officers also responded to Members' queries in relation to local heritage sites.
 - 1.4 Following consideration of the report, including the proposed changes to the Draft Conservation Strategy, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein:-
 - (i) The stakeholder engagement undertaken in respect of the Draft Conservation Strategy for the Historic Environment 2014-2019 (July 2014) be noted;
 - (ii) The amended Conservation Strategy be named 'The Value of Historic Places';
 - (iii) The strategic framework, which will positively and beneficially conserve, enhance and where appropriate preserve the historic environment for its intrinsic value and for containing important historic assets, be approved.
 - 1.5 Members are asked to consider the recommendations.

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

Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 28th October 2014 – Agenda Item 12

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 28TH OCTOBER 2014

**SUBJECT: 'THE VALUE OF HISTORIC PLACES' CONSERVATION STRATEGY
FOR THE HISTORIC ENVIRONMENT 2014-2019**

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To inform elected members of the stakeholder engagement undertaken in respect of the Draft Conservation Strategy for the Historic Environment 2014-2019 (July 2014).
- 1.2 To seek the Scrutiny Committee's views on the proposed changes to the Conservation Strategy as a consequence of public consultation.
- 1.3 To recommend that the Conservation Strategy be named 'The Value of Historic Places'.
- 1.4 To recommend to Cabinet that 'The Value of Historic Places' be approved by Caerphilly County Borough Council as the overarching strategic framework to positively and beneficially conserve, enhance and where appropriate preserve the historic environment for its intrinsic value and as an important historic asset.

2. SUMMARY

- 2.1 There are historic sites and buildings right across Caerphilly county borough, which form an integral part of the everyday environment we experience and enjoy. This built heritage not only enhances the character of our area but also plays a key role in the sustainable regeneration of our local economy and environment. Members are being asked to recommend to Cabinet that the CCBC Conservation Strategy for the Historic Environment 2014-2019, October 2014 also named 'The Value of Historic Places' be approved as the strategic framework to promote the historic environment of the county borough in a positive way.

3. LINKS TO STRATEGY

- 3.1 The Caerphilly County Borough Local Development Plan (Adopted November 2010) is the statutory framework for the development and conservation needs of the county borough up to 2021. A key objective of the LDP is to: -
 - 22 Protect and enhance the overall quality of the historic natural and built environment of the County Borough.

Strategy Policy **SP6 Place Making** of the adopted LDP states:

"Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through:

- A An appropriate mix of uses that reflect the role and function of settlements
- B A high standard of design that reinforces attractive qualities of local distinctiveness
- C Design in accordance with best practice in terms of designing out crime
- D A location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all
- E The incorporation of resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation, and where appropriate the use of sustainable drainage systems
- F The efficient use of land, including higher densities where development is close to key transport nodes
- G The incorporation and enhancement of existing natural heritage features
- H The incorporation of mitigation measures that improve and maintain air quality.”

Paragraph 1.65 further states:

‘The LDP Strategy seeks to ensure that sustainable places are created that are socially cohesive, enhance quality of life, meet the needs of current and future residents and reflect the role and function of settlements. The promotion of good design, sustainable transport, resource efficiency and the enhancement of natural heritage will contribute to developments that encourage a sense of place and identity, whilst reflecting local distinctiveness.’

- 3.2 The Welsh Government sets out its key objectives in Planning Policy Wales Edition 7th July 2014 – Chapter 6 Conserving the Historic Environment, recognising that it is important that the historic environment is protected. Welsh Government’s objectives in this field are to:
- preserve or enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and the quality of life, and its importance as a resource for future generations; and specifically to;
 - protect archaeological remains, which are a finite and non-renewable resource, part of the historical and cultural identity of Wales, and valuable both for their own sake and for their role in education, leisure and the economy, particularly tourism;
 - ensure that the character of the historic buildings is safeguarded from alterations, extensions or demolition that would compromise a building’s special architectural and historic interest; and to;
 - ensure that conservation areas are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls over businesses and householders.
- 3.3 PPW also states that ‘local planning authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs.’ This is a key aspect of local authorities’ wider sustainable development responsibilities, which should be taken into account in both the formulation of planning policies and the exercise of development management functions.

4. THE REPORT

- 4.1 Caerphilly County Borough Council is committed to protecting its historic environment and whilst the requirement to conserve and enhance our built heritage is implemented through various acts, legislation, circulars and guidance, there is currently a lack of local guidance on the protection and conservation of the historic environment.
- 4.2 Caerphilly CBC has therefore prepared a Draft Conservation Strategy for the Historic Environment 2014-2019 (July 2014) that seeks to highlight the opportunities provided by the County Borough’s historic environment in respect of regeneration, education, tourism and sustainable development. It is recommended that the Conservation Strategy as amended be renamed ‘The Value of Historic Places’ and be approved by Council as the strategic

framework to promote the historic environment of the county borough in a positive way and to identify and action a series of priorities to integrate the historic environment within the county borough.

- 4.3 Importantly the Conservation Strategy seeks to highlight opportunities to positively and beneficially conserve, enhance and where appropriate preserve the historic environment for its intrinsic value and as an important historic asset for the benefit of the people and communities that live alongside it.
- 4.4 When approved, the Conservation Strategy will cover a period of five years (2014 – 2019) and will set out the key priorities for the historic environment during this period in respect of the following:
- Sustainable Development and the Historic Environment;
 - Regeneration and Tourism in the Historic Environment;
 - Listed Buildings;
 - Historic Assets of Local Significance;
 - Historic Landscapes, Parks and Gardens;
 - Scheduled Monuments / Archaeology.

It is intended that the strategy will be reviewed on a five yearly basis.

- 4.5 In order to ensure that the Council has considered all of the necessary aspects of the historic environment within the Conservation Strategy, expert views were sought on the draft document. A list of those formally consulted is attached at Appendix 1. The Council held a 6-week consultation period that commenced on Friday, 18th July 2014 and ended on Friday, 29th August 2014, during which time a copy of the draft Conservation Strategy consultation document was made available to view on line (at www.caerphilly.gov.uk) and a hard copy was also available for inspection at the Planning Reception, Pontllanfraith House, Blackwood NP12 2YW.

- 4.6 There were 3 respondents to the consultation:
- Bargoed Town Council requested that the reference in the list of Listed Buildings in Caerphilly County Borough section to Bargoed Police Station, Hanbury Road, Bargoed be amended to read 'Bargoed Town Hall.'
 - Van Community Council requested that the reference in the list of Listed Buildings in Caerphilly County Borough section to Van House be amended to read 'Van Mansion.'
 - Glamorgan Gwent Archaeological Trust Ltd. requested an insertion in the document reference to the Historic Environment Record or HER which this authority has already adopted and which GGAT curate. It is this data that GGAT bases its recommendations on and this authority recognises that it contains much detailed information regarding archaeological findspots, features and areas and is also a physical library of much more than is digital.

- 4.7 As a result of the consultation, amendments have been made to update references to the two Listed Buildings, now known as Bargoed Town Hall and Van Mansion throughout the document and also reference is made to the HER and its functions as well as to guidance from GGAT that is provided in their leaflet 'Archaeology and Your Planning Application.'

- 4.8 Elected members are now invited to consider the document as amended with a view to recommending its approval (with any changes as appropriate) to Cabinet.

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 financial implications.

7. PERSONNEL IMPLICATIONS

7.1 None.

8. CONSULTATIONS

8.1 The report reflects the views of the listed consultees.

9. RECOMMENDATIONS

9.1 That elected members note the stakeholder engagement undertaken in respect of the Draft Conservation Strategy for the Historic Environment 2014-2019 (July 2014).

9.2 That the Scrutiny Committee consider the proposed changes to the Draft Conservation Strategy as a consequence of the public consultation.

9.3 The Scrutiny Committee recommend to Cabinet that the amended Conservation Strategy be named 'The Value of Historic Places'.

9.4 Cabinet approve the strategic framework which will positively and beneficially conserve, enhance and where appropriate preserve the historic environment for its intrinsic value and for containing important historic assets.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To preserve or enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and quality of life, and its importance as a resource for future generations.

11. STATUTORY POWERS

11.1 As part of key objectives set out in the CCBC LDP up to 2021, Adopted November 2010.

11.2 Planning (Listed Buildings and Conservation Areas) Act 1990.

11.3 Welsh Government's Planning Policy Wales, Ch 6, Edition 7th July 2014.

11.4 Local Government Act, 1972.

11.5 Local Government Act, 2000.

Author: Patricia Martin, Conservation & Design Officer
Consultees: Ian Mc Vicar, Group Manager Operations - Asset Based Services
Paul Hudson, Marketing and Events Manager
Allan Dallimore, Team Leader - Urban Renewal
Andrew Highway, Town Centre Development Manager
Paul Cooke, Team Leader, Sustainable Development & Living Environment
Jan Bennett, Group Manager Business Enterprise Support
Terry Shaw, Head of Engineering Services

Clive Campbell, Transportation Engineering Manager
Jacqueline Mynott, Principal Engineer
Donald Grewar, Senior Assistant Engineer
Sandra Aspinall – Acting Deputy Chief Executive
Pauline Elliott – Head of Regeneration & Planning
Rhian Kyte – Team Leader (Strategic & Development Plans)
G Williams - Interim Head of Legal Services/Monitoring Officer
John Rogers - Legal Services
Cllr. Ken James – Cabinet Member for Regeneration, Planning & Sustainable
Development
Cllr. Gerald Jones – Deputy Leader & Cabinet Member for Housing

Appendices:

Appendix 1 Summary of Consultees

Background Papers:

The Value of Historic Places (November 2014) - Made available in the resource library

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Appendix 1: List of Consultees for CCBC Conservation Strategy for the Historic Environment Draft for Consultation July 2014

- All CCBC Councillors

- Clerks to all Community/Town Councils (within CCBC)

Welsh Government

Cadw

Glamorgan-Gwent Archaeological Trust

Royal Commission on the Ancient & Historical Monuments of Wales

Welsh Historic Gardens Trust (WHGT)

Heritage Lottery Fund

International Council on Monuments and Sites UK (ICOMOS)

The Garden History Society

The Prince's Regeneration Trust

The Society for the Protection of Ancient Buildings (SPAB)

The Institute of Historic Building Conservation

Ancient Monuments Society

The Victorian Society (National Group)

The Georgian Group

The Twentieth Century Society

The Civic Trust for Wales

Historic House Association in Wales

The National Trust

Adjoining Local Authorities

Cardiff City Council

Newport City Council

Torfaen County Borough Council

Blaenau Gwent County Council

Merthyr Tydfil County Borough Council

Rhondda Cynon Taff County Borough Council

Vale of Glamorgan County Borough Council

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CABINET – 12TH NOVEMBER 2014

SUBJECT: HEADS OF THE VALLEYS (HOV) ORGANICS PROCUREMENT PROJECT – MEMORANDUM OF UNDERSTANDING

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To seek Cabinet approval to adopt a Memorandum of Understanding (MOU) between the existing HoV Authorities and Monmouthshire County Council prior to the preparation of an Outline Business Case.

2. SUMMARY

- 2.1 The HoV organics procurement project aims to secure long term (20 year) capacity for the treatment of organic waste for its member authorities, (at present Blaenau Gwent, Caerphilly and Torfaen County Borough Council's).
- 2.2 The original project commenced in 2009 but the recent withdrawal of the 2 remaining bidders has resulted in the procurement process closing. This has initiated discussions with Welsh Government and a revised approach to a new procurement process potentially involving an additional Authority (Monmouthshire County Council) to make a new partnership of 4 Authorities.
- 2.3 This common report (which is being considered by the executives of all partner authorities) therefore outlines the process that will need to be followed to include Monmouthshire County Council and seeks Cabinet approval for this process to commence with the adoption of a new memorandum of understanding.

3. LINKS TO STRATEGY

- 3.1 The Community & Leisure Services Divisional Service Improvement Plan contains specific objectives to meet a range of statutory and non statutory targets. A number of these objectives contribute to the "Greener" theme within "Caerphilly delivers" the Local Service Board Single Integrated Plan.

4. BACKGROUND

- 4.1 The Heads of the Valley Organics Project (HoV Organics Project) is a procurement project to secure long term (20 year) capacity for the treatment of food and green waste between three neighbouring authorities:

- Blaenau Gwent County Borough Council (BGCBC);
- Caerphilly County Borough Council (CCBC); and
- Torfaen County Borough Council (TBC).

- 4.2 An Outline Business Case was prepared in 2009 for the project and received approval from each of the authorities and Welsh Government. Approval of the Outline Business Case also resulted in the offer of funding support from Welsh Government to assist with the procurement of a preferred treatment solution.
- 4.3 Prior to the commencement of the procurement process, the working arrangements of the partnership were established and all authorities signed a legally binding Inter Authority Agreement.
- 4.4 The Inter Authority Agreement set out the governance structure for the project. This includes a Joint Committee of Executive Members from each authority overseeing a Project Board of senior officers from each authority.
- 4.5 The Project Board oversees the Project Team which is managed by a Project Manager and supported by officers from each authority together with support from specialist advisors.
- 4.6 A procurement process conducted via the Competitive Dialogue Procedure began in 2009 and progressed through a number of stages of dialogue where the number of tenderers was reduced from twenty eight to two.
- 4.7 During the Invitation to Submit Final Tenders stage of the procurement the two remaining tenderers notified the Project of their intention to withdraw from the procurement process and as a result a notice was issued to the market of the intention to close the procurement.
- 4.8 Following the closure of the procurement Welsh Government established a Regional Organics Procurement group consisting of Officers from a number of hubs across Wales and Local Partnerships.
- 4.9 Following the closure of the procurement Welsh Government established a Regional Organics Procurement group consisting of Officers from a number of hubs across Wales (in addition to Monmouthshire County Council who have asked to join the HoV hub) and Local Partnerships.

5. THE REPORT

- 5.1 A letter from Welsh Government has confirmed their commitment towards offering support for a new procurement approach together with gate fee and procurement support, subject to:
- The HoV Hub, with the potential addition of Monmouthshire, going back to the market with a single collaborative and streamlined procurement; and
 - The cost of the gate fee and procurement support being within the funding previously agreed for the project and within the affordability envelop of previous conditional awards to the authorities concerned.
- 5.2 To satisfy the WG requirement with regard to commitment of the authorities to delivery of the preferred option the project will undertake the following activities:
- Develop and agree a Memorandum of Understanding (MoU) between the HoV Project and Monmouthshire County Council (MCC) to confirm Local Authority commitment;
 - Develop a new four authority Outline Business Case; and
 - Develop and agree an IAA for a four authority partnership to carry out the procurement process.
- 5.3 The MOU is not legally binding on any party and will cover the activities required to complete the Outlines Business Case.
- 5.4 The MOU is a step towards the establishment of formal and legally binding arrangements between the authorities.

- 5.5 In conjunction with the preparation of the Outlines Business Case, a revised Inter Authority Agreement for a four authority partnership will be developed and presented to the authorities for approval.
- 5.6 At the Joint Committee meeting held on 8th October it was agreed that the Project Team would seek approval from each Authority to enable Monmouthshire County Council to join the partnership and enter into a Memorandum of Understanding.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no significant equalities implications associated with this report.

7. FINANCIAL IMPLICATIONS

- 7.1 Working collaboratively as a hub will enable the four Local Authorities to access funding support towards the procurement process and future support towards revenue costs for the preferred solution.
- 7.2 There are no financial implications arising directly from agreeing to the Memorandum of Understanding.
- 7.3 By partnering with other authorities the project will have the potential to attract greater market interest, the ability to share costs for the procurement process together with the potential to receive funding support from Welsh Government.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no staffing implications associated with this report. The staff and resourcing requirements for the project will be considered during the development of the Outline Business Case together with the four authority Inter Authority Agreement. These will be reported in accordance with the agreed governance structure at the appropriate time.

9. CONSULTATION

- 9.1 The report reflects the views of the listed consultees.

10. RECOMMENDATIONS

- 10.1 Cabinet approve the Memorandum of Understanding attached as Appendix 1 to this report.
- 10.2 The Senior Responsible Officer (Head of Community and Leisure Services) acting on behalf of Caerphilly County Borough Council as part of the project team is authorised to approve minor drafting amendments to the Memorandum of Understanding in consultation with the relevant Cabinet Member(s) as may be necessary.

11. REASONS FOR RECOMMENDATIONS

- 11.1 To facilitate the addition of Monmouthshire County Council to the project and to ensure compliance with the Welsh Government conditions relating to future financial support for the project.

Author: Mark S Williams, Head of Community & Leisure Services
Tel: 01495 235070 E Mail: willims@caerphilly.gov.uk

Consultees: Sandra Aspinall, Acting Deputy Chief Executive
Councillor D. Poole, Cabinet & Joint Committee Member
Councillor Barbara Jones, Cabinet & Joint Committee Member
Gail Williams, Principal Solicitor
David A Thomas, Senior Policy Officer (Equalities & Welsh Language)

Background Papers:
Heads of the Valleys Organics Procurement files – Community and Leisure Services, First Floor,
Pontllanfraith House.

Appendices:
Appendix 1 Memorandum of Understanding

APPENDIX

Dated _____ 2014

(1) Blaenau Gwent County
Borough Council

(2) Caerphilly County
Borough Council

(3) Monmouthshire County
Council

(4) Torfaen County Borough
Council

**MEMORANDUM OF
UNDERSTANDING**

MEMORANDUM OF UNDERSTANDING
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SCHEDULE 5 – KEY DECISIONS18

Parties

- (1) **BLAENAU GWENT COUNTY BOROUGH COUNCIL** whose principal offices are situated at of Municipal Offices, Civic Centre, Ebbw Vale, NP23 6SX (“BGCBC”)
- (2) **CAERPHILLY COUNTY BOROUGH COUNCIL** whose principal offices are situated at Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG (“CCBC”)
- (3) **MONMOUTHSHIRE COUNTY COUNCIL** whose principal offices are situated at County Hall, Rhadyr, Usk, Monmouthshire NP15 1GA (“MCC”)
- (4) **TORFAEN COUNTY BOROUGH COUNCIL** whose principal offices are situated at Civic Centre, Pontypool NP4 6YB (“TCBC”)

each a **party** and together the **parties**.

Background

- A. BGCBC, CCBC, MCC and TCBC wish to enter into a joint working arrangement to facilitate the procurement of a food waste treatment facility to treat food waste collected in their regions and possibly in other neighbouring authorities (the **Project**).
- B. The parties have agreed to enter into this memorandum of understanding (the **Memorandum**) to confirm the scope and operation, and their respective contributions towards the delivery of the Project and their intention to progress the Project in accordance with the arrangements set out herein.
- C. BGCBC, CCBC, MCC and TCBC enter into the Memorandum in pursuance of their respective powers conferred by Section 111 Local Government Act 1972, the Local Authorities (Goods and Services) Act 1970 and Section 2 of the Local Government Act 2000 and all other enabling powers now vested in them.

Agreed terms

1. Definitions and Interpretation

1.1 In the Memorandum the defined terms set out below shall have the following meanings:

“Approved Costs”	: means costs which are properly and reasonably incurred in respect of the Project and which have been approved by the Parties as evidenced by being identified in the Procurement Budget;
“Commencement Date”	: the date hereof;
“IAA” or “Inter-Authority Agreement”	: a formally binding agreement to be entered into between the parties regulating their rights and obligations to each other in connection with the Food Waste Services Contract, such agreement to be entered into at the same time as the Food Waste Services Contract;
“Dispute”	: difference or dispute arising under the Memorandum;
“Partnering Principles”	: the principles set out in Schedule 2 (Partnering Principles);
“Project”	: as defined in Recital A above;
“Project Board”	: a board comprising representatives from the parties in the form prescribed in Schedule 4 (Project Board) to facilitate the

development of the Project;

“Project Documentation”	:	the OJEU notice, pre-qualification questionnaire, invitation to tender, evaluation criteria and all other tender documentation associated with or required to procure the Project;
“Project Objectives”	:	objectives and aims set out in Schedule 1 (Project Objectives);
“Project Team”	:	a team comprising of representatives from each of the parties in the form prescribed in Schedule 3 (Project Team) to manage the development of the Project;
“Respective Inputs”	:	the support, assistance, funding, actions or other input required to be given from time to time by any of the parties to implement and/or deliver the Project as determined by the Project Team and/or Project Board from time to time;
“Food Waste Services Contract”	:	the contract to be entered into with a third party service provider for the provision of food waste treatment services.

In the Memorandum:

- 1.2 any references to a specific statute include any statutory extension or modification, amendment or re-enactment of such statute and any regulations or orders made under such statute or statutes;
- 1.3 references to any clause, sub-clause, schedule or paragraph without further designation shall be construed as a reference to the clause, sub-clause, schedule or paragraph to the Memorandum so numbered;
- 1.4 the clause, paragraph and schedule headings do not form part of the Memorandum and shall not be taken into account in its construction or interpretation.

2. Project Objectives and Collaboration

- 2.1 Each of the parties hereby confirms and agrees to implement the Project in accordance with:
 - the Project Objectives; and
 - the Partnering Principles.
- 2.2 The parties acknowledge the importance of establishing sustainable waste management solutions in partnership, wherever practicable, between themselves and with other regional Authorities and of supporting the Welsh Government’s initiatives for joint working in this area.
- 2.3 The parties shall participate in regional initiatives, which contribute, to sharing best procurement practice and know how so that as far as possible the parties preferred solution delivers synergy with other regional waste management activity.
- 2.4 The parties shall endeavour to enter into appropriate agreements (including memorandums of understanding) where practicable with other regional authorities to give effect to their commitments in clauses 2.2 and 2.3 above.

3. Project Team and its Functions

- 3.1 The parties shall set up and participate in a Project Team.

3.2 The Project Team shall work together to manage the delivery of the Project in accordance with the Memorandum and shall have the responsibilities and operate in accordance with Schedule 3 (Project Team).

3.3 The Project Team shall have the right at all times to require any party to deliver up information and documentation relevant to the Respective Input of that party for the purpose of monitoring the progress of the Project and the delivery of the Project Objectives.

4. **Project Board and its Functions**

4.1 The parties shall set up and participate in a Project Board to be operational no later than 1 month from the Commencement Date.

4.2 The Project Board shall work together to oversee delivery of the Project in accordance with the Memorandum and shall have the responsibilities and operate in accordance with Schedule 4 (Project Board).

4.3 The parties agree that BGCBC shall lead the Project Board as the host authority.

4.4 The Project Board shall have the right at all times to require any party to deliver up information and documentation relevant to the Respective Input of that party for the purpose of monitoring the progress of the Project and the delivery of the Project Objectives.

5. **Key Decisions**

The key decisions set out in Schedule 5 (Key Decisions) shall be implemented upon each party approving action following a report to each party from the Project Board in accordance with that party's respective standing orders and other constitutional documentation.

6. **Obligations and Responsibilities**

6.1 Each of the parties agree that they shall:

- comply with the terms of this memorandum;
- use their reasonable endeavours to provide their Respective Inputs;
- undertake steps in an efficient and timely manner to progress development of the IAA;
- make such financial or equivalent provision as may be provided under the terms of the Memorandum;
- co-operate with and give reasonable assistance to each other and the Project Board to ensure that the Project is developed in accordance with the Project Objectives and that the Respective Inputs into the Project are properly co-ordinated and delivered efficiently and economically with the intention of achieving the Project Targets;
- deliver such information to the Project Manager, Project Team and/or Project Board as it shall reasonably require in order to fulfil their respective obligations under the Memorandum including any audit or inspection carried out in respect of the Project; and
- keep records of actions taken and such other information relevant to their Respective Inputs and shall make such records available to the Project Manager, Project Team and/or Project Board and in any event as soon as reasonably practicable following a request from the Project Board to do so.

7. **Good Faith**

The parties will use all reasonable endeavours to comply with the terms and spirit of the Memorandum. The parties will at all times in relation to the performance of the Memorandum act reasonably and in good faith.

8. **Financial Contributions**

8.1 The parties acknowledge that there will be a level of financial contributions (including professional fees) and work involved in complying with the spirit of the Memorandum and achieving the Project Objectives.

8.2 All costs incurred by the Parties prior to October 2014 are to be funded by the Parties on the basis of any existing settlement between the Parties and the Parties agree that no obligations is created by this Memorandum in respect of funding requirements arising prior to that date.

8.3 Costs shall be shared equally.

8.4 The Party incurring Approved Costs shall invoice the other Parties for the appropriate share of the Approved Costs (in accordance with clause 8.3) and shall provide the Parties being invoiced with:

- a description of the Approved Costs being invoiced;
- a breakdown of the total costs incurred; and
- a calculation of the apportionment of such costs in accordance with Clause 8.3 above.

8.5 The Parties being invoiced shall pay their respective share of the Approved Costs within ninety days of the date of such invoice. Any disputes in relation to an invoice shall first be referred to the Project Manager for resolution. Failing resolution by the Project Manager the dispute shall be dealt with in accordance with clause 15 (Dispute/Resolution)

8.6 Each party shall be liable for all its other costs incurred in respect of achieving the Project Objectives unless otherwise agreed.

9. **Duration of the Memorandum**

The Memorandum shall commence on the Commencement Date and remain in force and bind the parties until terminated in accordance with clause 14 (Withdrawal/Termination) or upon entering into the IAA, whichever is the sooner.

10. **Communications**

Any communication required to be in writing under the terms of the Memorandum shall be sent to each party at the addresses indicated herein. Each party shall use reasonable endeavours to communicate in accordance with the Partnering Principles.

11. **Third Parties Rights**

To the extent that any provision of the Memorandum is capable of being legally enforced, the parties to the Memorandum confirm and agree that they do not intend any provision of it to be enforceable by any other person pursuant to the Contract (Rights of Third Parties) Act 1999.

12. **No Partnership or Agency**

- 12.1 Except where expressly indicated, no provision of the Memorandum shall be construed as a delegation by any of the parties of any of their respective functions or authority to the Project Team and/or Project Board or to any other party.
- 12.2 Except where expressly indicated, no party shall be or be deemed to be an agent of any other and no party shall have any right or authority to act on behalf of the other nor to bind the other by contract or otherwise or hold itself out as having authority or power to bind any other in any way by virtue of the Memorandum.
- 12.3 Each party is independent from the other and nothing contained in the Memorandum shall be construed as implying that there is any relationship between the parties of partnership or of principal/agent or of employer/employee.
- 12.4 Nothing contained or implied in the Memorandum shall prejudice or affect the rights, powers, duties and obligations of each of the parties in the exercise of their respective functions as may be amended, supplemented or increased from time to time.

13. **Legal Effect**

Save for clause 7 (Good Faith), clause 8 (Financial Contributions), clause 14 (Withdrawal/Termination), clause 15 (Dispute Resolution), clause 16 (Confidentiality and Freedom of Information); clause 17 (Amendments) and clause 18 (Law and Jurisdiction) the Memorandum is not intended to nor shall it create any legally binding or enforceable obligations on any of the parties.

14. **Withdrawal/Termination**

- 14.1 If any party (including the host authority) determines to withdraw from this Memorandum for any reason then clauses 14.2 to 14.7 shall apply.
- 14.2 If any party wishes to withdraw from the Project, it shall provide written notice to all the other parties as soon as reasonably practicable ("Withdrawal Notice"). The host authority (or such other party as nominated by the Project Board in the event that the host authority issues the Withdrawal Notice) shall within ten (10) days of receipt of the Withdrawal Notice provide to all the parties a Liability Report which shall be discussed by the Project Board at its next meeting or a specially convened meeting if the next meeting falls more than two (2) weeks after the issue of the Liability Report.
- 14.3 Within the Decision Period each party shall indicate either:-
- 14.3.1 that it withdraws from the Project and this Memorandum; or
 - 14.3.2 that it wishes to continue with the Project and this Memorandum.
- 14.4 Where a party does not indicate its intentions as required by Clause 13.5 then it shall at the expiry of the Decision Period be taken to have indicated that they wish to continue with the Project and this Memorandum.
- 14.5 Where a party indicated that it wishes to withdraw from the Project in accordance with Clause 14.3.1 then:-
- 14.5.1 the party who shall have indicated its wish to withdraw shall pay all amounts due to be paid by it in accordance with the Liability Report (or in the event that there are two withdrawing parties each party shall pay a fifty percent share of the amount due in accordance with the Liability Report) within twenty (20) Business Days of the date of its notification under Clause 14.3.1 and comply with its obligation to contribute to the Project up to the date of its withdrawal; and

14.5.2 if in the event of such a withdrawal the Project is delayed in terms of the Project Milestones then any party who shall have indicated its wish to withdraw shall be responsible for any increased costs associated with such delay (as agreed with the remaining parties and substantiated by the Project Board) or in the event that there are two (2) withdrawing parties each party shall be responsible for a fifty percent share of any increased costs associated with such delay.

14.6 On the withdrawal of a party in accordance with clause 14.1:

- The other parties shall be entitled to make use of, for whatever purpose and in whatever way is considered necessary, such advice, documentation, and knowledge as was provided to, or gained by, the parties whilst the Memorandum was in force; and
- each party shall be liable to the other to contribute equally to such committed costs or incurred costs prior to the giving of the notice of withdrawal.

14.7 Unless agreed otherwise by the remaining parties, the party who shall have indicated its wish to withdraw from the Project shall not remove its appointees to the Project Board for a period of three (3) months commencing on the date of such parties withdrawal, provided that the costs associated with those appointees to the Project Board shall be borne by the remaining parties to the Project and this Memorandum in equal shares.

14.8 Termination in accordance with this clause 14 shall be without prejudice to any accrued rights and obligations under the Memorandum as at the date of termination and shall be without prejudice to the rights specifically conferred in the Memorandum.

14A TERMINATION

Without prejudice to any other rights or remedies, this Agreement may be terminated in relation to any party ("**Defaulter**") by the other parties ("**Non-Defaulting Councils**") acting unanimously in giving written notice to the Defaulter effective on receipt where the Defaulter breaches any of the provisions of this Agreement and in the case of a breach capable of remedy fails to remedy the same within fifteen (15) Business Days (or such other period as agreed by the parties) of being notified of each breach in writing by the Non-Defaulting parties and being required to remedy the same.

15. Dispute Resolution

15.1 Any Dispute shall, in the first instance, be referred to the Project Board who shall use all reasonable skill, care and diligence to ensure they receive the views of all parties and consider all solutions proposed when attempting to resolve the Dispute.

15.2 Where the Project Board do not achieve within 7 days of being notified of the Dispute a solution acceptable to all parties involved, and provided no right of termination has been exercised, then the Dispute shall be referred to the respective Chief Executives of the parties who shall use all reasonable skill, care and diligence to ensure they receive the views of all parties and consider all solutions proposed when attempting to resolve the Dispute.

15.3 Where the Chief Executives of the parties do not achieve, within 28 days of being notified of the Dispute, a solution acceptable to all parties involved the Dispute shall be deemed to be incapable of resolution. In such a situation each party will consider whether it is able to continue to work with the other under the Memorandum. If, in its sole discretion, either party is unable to proceed to work with the other under the Memorandum it is entitled to terminate the Memorandum in accordance with clause 14 (Withdrawal/Termination).

16. Confidentiality and Freedom of Information

16.1 Each party undertakes that it shall not at any time during the term of the Memorandum, nor for a period of 5 years after its termination, disclose to any person any confidential information concerning the business or affairs of the other party, save that each party may disclose the other party's confidential information:

- to its employees, officers, representatives or advisers who need to know such information for the purposes of carrying out the party's obligations under the Memorandum. Each party shall ensure that its employees, officers, representatives or advisers to whom it discloses the other party's confidential information complies with this clause 16; and
- as may be required by law (including pursuant to the Freedom of Information Act 2000 if no available exemption can be claimed, or pursuant to the Environmental Information Regulations 2004), court order or any governmental or regulatory authority.

16.2 No party shall use any other party's confidential information for any purpose other than to perform its obligations under the Memorandum.

17. Amendments

17.1 The parties may amend the Memorandum in writing signed by authorised representatives of each of the parties.

18. Law and Jurisdiction

18.1 The Memorandum shall be governed by and construed in accordance with the laws of England and Wales and each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

IN WITNESS whereof the parties have signed the Memorandum the day and year first before written

Signed on behalf of
BLAENAU GWENT COUNTY
BOROUGH COUNCIL

Name:

Name:

Signature:

Signature:

Date:

Date:

Signed on behalf of
CAERPHILLY COUNTY
BOROUGH COUNCIL

Name:

Name:

Signature:

Signature:

Date:

Date:

Signed on behalf of
TORFAEN COUNTY
BOROUGH COUNCIL

Name:

Name:

Signature:

Signature:

Date:

Date:

Signed on behalf of
MONMOUTH COUNTY
COUNCIL

Name:

Name:

Signature:

Signature:

Date:

Date:

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SCHEDULE 1 – PROJECT OBJECTIVES

The Project Objectives are:

1. To develop and implement a strategy for the procurement, award and management of a food waste treatment contract capable of assisting each party to achieve its recycling, composting, recovery and landfill diversion targets.
2. To carry out the Project in accordance with Procurement Timetable.
3. To carry out the Project in a way which maximises value for money and efficiency, is in the best interests of each of the parties and generates credible competitive bids capable of delivering the Project Objectives.
4. To seek to adopt arrangements, structures and procedures (including in respect of the procurement process and procurement decisions) which:
 - a) minimise the cost of waste disposal to each individual party;
 - b) shares risk and reward between the parties in an equitable and fair way having regard to the Respective Inputs of each party;
 - c) are transparent, accountable and are capable of being verified and justified;
 - d) recognise and respect limits on availability of resources and the legal, managerial, financial and political constraints affecting each party.
5. To seek to ensure that the Project and any subsequent contract that is entered into thereafter is synergistic with the needs of South East Wales as a region (as defined in the South East Wales Regional Plan) and each of the parties individual Waste Strategies.
6. To identify available assets in an open and transparent way and agree basis for committal of assets to the Project (including sites, plant and machinery).
7. To ensure that at all times each party has appropriate information and advice to make fully informed decisions.

SCHEDULE 2 – PARTNERING PRINCIPLES

1. Co-operation

The parties will co-operate with each other in a partnering relationship to achieve the Project Objectives with the intention of maximising the benefit received by and minimising any prejudice to each other in respect of the Project. This obligation shall not require any party to incur any expenditure or forego any benefit or entitlement on behalf of another.

2. Effectiveness

The parties will co-ordinate, manage, develop, initiate and complete their Respective Inputs with the intention of delivering the Project in the most efficient and effective way.

3. Responses

The parties will endeavour to respond, meet to discuss and where necessary reach agreement on any matter requiring response in a timely fashion and as soon as reasonably practicable so as not to unduly delay the Project.

4. Recognition

The parties recognise the legal, managerial, financial and political constraints affecting each party and shall have full regard to such constraints in the development of the Project and the delivery of the Project Objectives.

5. Equality, Fairness and Absence of Prejudice

The parties will at all times act fairly and equitably as between themselves in respect of the Project with the intention that neither should unduly benefit or be disadvantaged compared with the other and that the most appropriate approach applicable in the relevant circumstances should be adopted whenever possible.

SCHEDULE 3 – PROJECT TEAM

Members

1. The Project Team will comprise the following members from each party as the same may be replaced from time to time throughout the term of the Memorandum together with the Project Manager, Project Support Officer and Advisors:
 - 1.1 BGCBC Representatives:
 - Team Manager, Strategic Projects and Environmental Services;
 - Team Leader, Strategic Projects;
 - Project Support Officer; and
 - [additional representatives to be confirmed]
 - 1.2 CCBC Representatives:
 - Principal Waste Management Officer.
 - [additional representatives to be confirmed]
 - 1.3 TCBC Representatives:
 - Waste Strategy Manager
 - [additional representatives to be confirmed]
 - 1.4 MCC Representatives:
 - [representatives to be confirmed]

Responsibilities

2. The Project Team shall regularly consider and identify the following issues:
 - 2.1 The steps undertaken and progress made towards achievement of the Project Objectives;
 - 2.2 any action or decision to be taken by either of the parties to enable the Project Documentation;
 - 2.3 the programme of any proposed actions to be taken to rectify any failure to meet the Project Objectives;
 - 2.4 any Respective Inputs which the Project Team considers are required and which are to be agreed and/or allocated to (and accepted by) any party;
 - 2.5 any failure by any party to provide its Respective Inputs; and
 - 2.6 any dispute or differences that have arisen between the parties.

3. The Project Team shall report to the Project Board in respect of matters relating to the key decisions mentioned in Schedule 5 (Key Decisions) and regularly in respect of general progress.

Convening of Meetings

4. The Project Team shall hold regular meetings at such intervals and times as they shall find necessary or convenient. The Project Manager shall nominate the relevant chairperson for such meetings.
5. No less than 7 calendar days notice must be given to each member of a Project Team meeting, save in the case of an emergency where a meeting may be called at any time as may be reasonable in the circumstances.

Quorum of Meetings

6. Unless otherwise agreed in writing, to constitute a meeting of the Project Team each of the parties shall be represented by at least one team member.

Attendance by Others

7. Provided each of the parties agrees, a person invited by any party may attend any meeting of the Project Team to speak at that meeting or otherwise advise or provide information (as appropriate) in relation to the Project, but such person's attendance and participation shall be limited to that which is agreed by each of the parties in respect of the meeting to which that person has been invited to attend.

Minutes of Meetings

8. The minutes of every meeting of Project Team shall be:
 - 8.1 drawn up by the nominated support officer and distributed to nominated representatives of each of the parties; and
 - 8.2 retained for the term of the Memorandum.

SCHEDULE 4 – PROJECT BOARD

Members

1. The Project Board will comprise the following members from each party as the same may be replaced from time to time throughout the term of the Memorandum together with the Project Manager and Project Transactor from Local Partnerships:
 - 1.1 BGCBC Representatives:
 - Corporate Director, Environment and Regeneration; and
 - Head of Public Services.
 - 1.2 CCBC Representatives:
 - Head of Community and Leisure Services
 - 1.3 TCBC Representatives:
 - Chief Officer Neighbourhood Services; and
 - Head of Property, Streetscene and Waste
 - 1.4 MCC Representatives:
 - Head of Waste and Street Services.

Responsibilities

2. The Project Board shall be responsible for the following:
 - 2.1 Considering and, where possible, giving effect to the strategy proposed by the Project Manager and/or Project Team or strategy considered necessary by the Project Board for the procurement of the Food Waste Services Contract;
 - 2.2 Making or facilitating decision making in respect of all issues referred to the Project Board by the Project Manager and/or Project Team in respect of, inter alia, steps undertaken and progress made towards achievement of the Project Objectives; any action or decision to be taken by either of the parties to enable the Project Documentation; and agreeing and/or allocating Respective Inputs to any party proposed by the Project Manager and/or Project Team or deemed necessary by the Project Board;
 - 2.3 Liaising with relevant decision makers within the parties where the Project Board does not have the authority to make and give effect to a decision in respect of any of the matters referred to the Project Board throughout the term of the Memorandum;
 - 2.4 Considering and, where appropriate, resolving any dispute or difference that has arisen between the parties and referred to the Project Board.

3. The Project Board shall report to each party's Cabinet in respect of matters relating to the key decisions mentioned in Schedule 5 (Key Decisions) and regularly in respect of general progress.

Convening of Meetings

4. The Project Board shall hold regular meetings at such intervals and times as they and/or the Project Manager and/or Project Team shall find necessary or convenient, but in any event at least once a month. The Project Director shall nominate the chairperson for such meetings.
5. No less than 14 calendar days notice must be given to each member of a Project Board meeting, save in the case of an emergency where a meeting may be called at any time as may be reasonable in the circumstances.

Quorum of Meetings

6. Unless otherwise agreed in writing, to constitute a meeting of the Project Board each of the parties shall be represented by at least one board member.

Attendance by Others

7. Provided each of the parties agrees, a person invited by any party may attend any meeting of the Project Board to speak at that meeting or otherwise advise or provide information (as appropriate) in relation to the Project, but such person's attendance and participation shall be limited to that which is agreed by each of the parties in respect of the meeting to which that person has been invited to attend.

Minutes of Meetings

8. The minutes of every meeting of the Project Board shall be:
 - 8.1 Drawn up by the nominated support officer and distributed to nominated representatives of each of the parties; and
 - 8.2 Retained for the term of the Memorandum.

SCHEDULE 5 – KEY DECISIONS

The following are the key milestones and decisions, which must be implemented in accordance with the procedures, set out in clause 5:

- a) Appointment and/or removal of legal, technical and financial and other advisors to advise on the Project.
- b) Approval of the content of all Project Documentation;
- c) Approval of technology identified as suitable to meet the parties' requirements.
- d) Approval of site identified for location of procured technology.

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CABINET - 12TH NOVEMBER 2014

SUBJECT: UPDATE REPORT GROUNDWORK CAERPHILLY

REPORT BY: ACTING DIRECTOR CORPORATE SERVICES AND S151 OFFICER

1. PURPOSE OF REPORT

- 1.1 For Cabinet to note the merger of Groundwork Caerphilly into Groundwork Wales, and to authorise officers to take appropriate steps in ensuring the merger. The report provides background on the merger, and updates on the work of Groundwork in the Caerphilly borough. For information the report also raises the issue of grant state aid to voluntary organisations.

2. SUMMARY

- 2.1 Caerphilly County Borough Council currently provides annual Service Level Agreement funding of £43,860 to Groundwork Caerphilly. On the Groundwork Caerphilly Board Council Members sit together with an officer advisor, and a senior manager sitting in a personal capacity. Groundwork Caerphilly is in the process of merging into Groundwork Wales. This is intended to strengthen the national voice and capacity of Groundwork, whilst retaining a local voice and capacity. It is not proposed to make any changes in terms of Groundwork's delivery within the borough with Groundwork continuing to have a strong local presence via its base at Ty Mynyddislwyn in Pontllanfraith. The current project work of Groundwork in the borough is detailed in Appendix 1.
- 2.2 Any future Council Service Level Agreement funding to Groundwork Wales will need to be made Caerphilly borough project specific.
- 2.3 The report highlights the potential issues around *Grant State Aid* in the future funding of Groundwork Caerphilly/Wales and other voluntary organisations by the Council. This relates to European Union (EU) rules when giving subsidies/grants for commercial activities operating in the EU.

3. LINKS TO STRATEGY

- 3.1 The work of Groundwork links to the Greener outcome of *Caerphilly Delivers the Single Integrated Plan 2013-14*. Groundwork Caerphilly's Chief Executive, Katy Stevenson, is the Lead for the Greener Outcome sitting on the Single Integrated Plan leads group.

4. THE REPORT

- 4.1 Caerphilly County Borough Council (CCBC) currently financially supports the core activities of Groundwork Caerphilly through an annual Service Level Agreement (SLA) of £43,860. The Council also provides expertise on the Groundwork Caerphilly Board through both Member

and officer (advisory) representation. Due to reductions in central funding Groundwork Caerphilly is in the final stages of merging into Groundwork Wales. Ten benefits were identified for merging into the existing organisation Groundwork Wales. These include Groundwork Wales articles allow for trading pan Wales, and no need for any changes to Articles of Association for Groundwork Caerphilly. The current status of Welsh Government funding and the funding from Natural Resources Wales are administered through Groundwork Wales, so merger would alleviate the need to re-negotiate these agreements. The new organisation, Groundwork Wales, will take in existing Groundwork organisation in Wales, except the Groundwork organisations operating in North Wales, which will remain separate.

- 4.2 There are significant financial advantages in merging into a larger organisation. Back office savings are made, and a larger organisation is better placed for tendering for regional or national contracts. In merging into Groundwork Wales it is not envisaged that local identity will be lost, although any future Council SLA funding of Groundwork will need to be made project specific in the Caerphilly borough. Groundwork Caerphilly's base in Ty Mynyddislwyn in Pontllanfraith will remain, with the base continued to be run as an Environment Centre. The name *Groundwork Caerphilly* will also remain for the time being for trading purposes. All current managers at Groundwork Caerphilly (except one taking voluntary redundancy) will be part of the new organisation's senior management team.
- 4.3 Currently there are three councillors nominated to the Board, with one councillor co-opted, and an officer sitting on the Groundwork Caerphilly Board in an advisory role, and another senior manager in a personal capacity. Following the merger, which is envisaged as happening in 2015 there will be Caerphilly locality places on the new Groundwork Wales Board, which will be determined in liaison with the Council. Following the merger the Council will first need to request to become a member of Groundwork Wales, and once request to become a member of Groundwork Wales is granted for the Council to resign as a member of Groundwork Caerphilly.
- 4.4 The current Chair of Groundwork Caerphilly, Mr. Bryn Davies will continue to represent Groundwork Caerphilly's interests. The new organisation Groundwork Wales as an entity will be a member of Groundwork UK, and the registered address for Groundwork Wales has recently become the same address as for Groundwork Caerphilly (Ty Mynyddislwyn Environment Centre). Groundwork organisations operating in North Wales will be a *preferred supplier* of Groundwork Wales operating in a sub contract role. A working protocol will be in place defining the partnership arrangements.
- 4.5 The Policy Unit has provided SLA funding to Groundwork for over ten years, which is monitored through quarterly Groundwork Liaison meetings. For the financial year 2014-15 *State Aid* has been raised as an issue regarding the Policy Unit funding SLAs with voluntary organisations. This relates to European Union (EU) rules that when giving subsidies/grants for commercial activities operating in the EU –

If these subsidies have the potential to distort competition and affect trade between Member States they are known as 'State Aid.' The overall aim of the State Aid rules is therefore to maintain a level playing field for free and fair competition in the European single market (Wales Council for Voluntary Action Information Sheet).

- 4.6 This issue is the subject of a thorough review and further reports will be presented to members should the review highlight potential implications for future funding arrangements.
- 4.7 Groundwork's projects operating in the Caerphilly borough are detailed in Appendix 1

5. EQUALITIES IMPLICATIONS

- 5.1 Equalities implications are fully taken into account by the work of Groundwork, which is based on improving life chances of local people, and improving the living environment of the borough.

6. FINANCIAL IMPLICATIONS

- 6.1 CCBC currently provides core funding for Groundwork Caerphilly, which for 2014-15 stands at £43,860. Any further SLAs formed with Groundwork Wales will need to be Caerphilly borough project specific.

7. PERSONNEL IMPLICATIONS

- 7.1 Relations with Groundwork Caerphilly are managed through the Groundwork Caerphilly Liaison Group, which meets quarterly with the Chief Executive Officer of Groundwork Caerphilly. These regular meetings will continue under the new structure. Sitting on the Groundwork Caerphilly Liaison Group are the Council's Policy & Research Manager, Team Leader, Sustainable Development & Living Environment, and Group Manager (Strategy Funding & Support).

8. CONSULTATIONS

- 8.1 The views of the consultees commenting have been incorporated into the report. The names of all consultees are given at the end of the report.

9. RECOMMENDATIONS

- 9.1 For Cabinet to note the merger of Groundwork Caerphilly into Groundwork Wales, and to authorise officers to take appropriate steps in ensuring the merger.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 For CCBC to become a member of Groundwork Wales following its merger with Groundwork Caerphilly.

11. STATUTORY POWER

- 11.1 Local Government Act 2000.

Author: Jackie Dix, Policy & Research Manager
Consultees: Katy Stevenson, Chief Executive Officer, Groundwork Caerphilly
Cllr Robin Woodyatt
Cllr Colin Mann
Cllr Philippa Leonard
Cllr Patricia Cook
Chris Burns, Interim Chief Executive
Sandra Aspinall, Acting Deputy Chief Executive
Dave Street, Corporate Director - Social Services
Nicole Scammell, Acting Director Corporate Services
Gail Williams, Interim Head of Legal & Democratic Services
Colin Jones, Head of Property and Performance
Phil Davy, Head of Programmes
Paul Cooke, Team Leader, Sustainable Development & Living Environment
Antony Bolter, Group Manager (Strategy Funding & Support)

Appendices:
Appendix 1 The work of Groundwork in the Caerphilly borough

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Appendix 1 The work of Groundwork in the Caerphilly borough

Groundwork Communities First Projects

This suite of projects takes place within the Communities First cluster areas in the borough funded by the Communities First Programme.

- **Active in the Outdoors**

The main purpose of the project is to encourage community members to become more physically active, and improve their health. The Environmental Participation Officers engage and encourage community members to participate in physical activity within their local natural environment. The key purpose of this project is to increase the mental and physical health of participants and assist with gaining new skills and to help people who are disengaged in society to participate in a positive programme.

- **Foodwise**

This project involves the Communities First Health and Wellbeing Officer and the Environmental Participation Officer working with a variety of community members, covering a wide demographic range, to raise awareness of healthy eating and practical cooking skills. The project is twofold:

- a structured 8-week weight management programme
- 4 practical cooking sessions to provide participants the opportunity to practically reinforce the messages provided through Foodwise.

Sessions are delivered in an interactive, adaptable manner to suit the needs of the attendees and predominantly focused on integrating healthy eating messages into participants' lives in order to improve their nutritional intake.

- **Green Doctor**

This project engages community members who are in fuel poverty or at risk of fuel poverty, leading to problems relating to household debt. Through workshops and home visits community members are given specialist impartial advice on energy saving measures and review the community's current energy providers. By providing encouragement and advice to community members to undertake and implement energy saving measures and explore cheaper tariffs, people start feeling confident in managing their energy bills. Partners play a key role in this project as a joined up approach is necessary to support these customers, as the fuel poverty element may only be one part of the customer's debt problems.

- **Outdoor Action**

The project engages and trains people in an outdoor setting in the implementation of small scale environmental projects identified by the community and partners. The environment is used to help people into long-term employment through programmes that build their social and personal skills, whilst providing accreditation and opening up potential career options. The project provides environmental project work to those who are unemployed with the aim of providing skills and experience which can be used to enhance employment prospects.

In 2013 Groundwork supported Communities First Areas of Caerphilly through a **Healthy Homes Project** and received 120 referrals in just 2 months. During the life of this project the following installations were made:

Internal Door Brushes	Shower Timer	Freestanding Clothes Airier	Window foam Trim	Energy Efficient Light bulbs	Reflective Radiator Panels	Bath 2 Shower Adapter	Flush Saver	Thermo meters	Letter Box Cover
100	4	29	70	233	115	7	65	9	2

Case studies were drafted on the beneficiaries of this initiative, here is just one example -

Cefn Forest

The tenants of this property are a middle aged couple at the lower end of the economic range and were in severe fuel poverty. The tenant discussed that she cannot afford to heat her home using the conventional method of gas and was instead using a high energy consumption electric heater as this

provided instant relief from the cold. The gas was only used for cooking and was not used to warm the home at all. The lights were off in the property and the house felt cold and draughty. It was soon identified that there was a real need for energy saving measures to be installed including hippo bag, draught excluders, energy saving light bulbs and investigation into shower adapters as the tenant was only able to bath at the property which would obviously use a considerable level of water and gas to heat the water. Groundwork referred the tenant for additional support via Citizens Advice Bureau and Caerphilly County Borough Council Mental Health Team. The tenant had made contact with the council and was awaiting further information with regards to downgrading the property in order to be able to heat the home and buy food. Groundwork staff followed up with the council housing department on behalf of the tenant.

Healthy Rivers Programme

The South East Wales Rivers Trust (SEWRT) and Natural Resource Wales (NRW) have undertaken walkover surveys that have identified issues that are impacting on fish populations and other aspects of the ecology on the Sirhowy River. The objective of Healthy Rivers is to work in partnership with South East Wales Rivers Trust and Natural Resources Wales to co-ordinate the removal or modification of barriers of fish migration, The other objective of Healthy Rivers is to promote the river to the local communities and groups, whilst also improving the local environment around the water way. The Healthy Rivers Programme has:

- worked with a range of partners including Caerphilly County Borough Council, SEWRT and NRW, and other organisations to co-ordinate and facilitate the removal of barriers that restrict fish migration along the Sirhowy River
- maintained a steering group of interested parties
- researched and identified landowners on which the barriers are present, and sourced permissions from land owners to in order to remove these barriers
- co-ordinated the removal of barriers, conserved, and restored the water environment and associated habitats of the River Sirhowy
- promoted and educated the River Sirhowy and Fishing to local communities, groups and schools.

The following is a case study example from the initiative:

Case Study: Penmaen Weir

Penmaen weir was a medium sized concrete weir across the river channel. It was a barrier to fish migration particularly in low flow conditions. To overcome the barrier Healthy Rivers coordinated the modification of the weir. A block stone pre barrage was built downstream of the weir to raise the water level below the weir. This has created 2 small jumps for migratory fish instead of 1 large jump. Salmon have been able to successfully jump over and swim past the weir this winter to lay their eggs.

Rural Green Doctors Programme

Groundwork Caerphilly's Rural Green Doctors helps sustain community venues, reduces carbon emissions, offers free energy advice to householders and community venues and helps them save money. Rural Green Doctors are qualified energy advisers who provide free and comprehensive energy advice to people who run community buildings in designated rural wards of the Caerphilly county borough. The programme began in January 2012 and is part-funded by the Rural Development Plan (RDP) to improve services in rural areas. This is done by visiting a community building, assessing where energy is used and wasted, comparing fuel suppliers and producing a full report recommending cost saving measures. Community buildings can then improve their energy efficiency, reduce their carbon footprint and reduce their energy bills. The Rural Green Doctors support the people who run the venues to implement changes. Most community venues are run by unpaid volunteers, who often lack the skills or confidence to increase the energy efficiency of the venue or negotiate with energy firms.

The following is a case study example from the initiative:

Case Study – Ebenezer Baptist Church, Llanbradach

In 2012, the Rural Green Doctors carried out a free comprehensive energy assessment of the building and the way it is used by groups. They surveyed the Hall and sat down with the Church

committee to discuss the use of the building and when it needed to be heated. The Rural Green Doctors then produced a report with recommendations for improvement and helped the Church look for funding. The energy assessment of the building found that only 50% of the building had double glazing, the existing gas boiler was old and ineffective and the heating controls were inadequate. Groundwork Caerphilly obtained quotes for improvement work and the Church acquired funding from the Community Regeneration Fund to make the changes. The new energy efficient boiler allowed heating to be zoned to the ground and first floors separately over different time periods.

Before the Rural Green Doctors visited the Hall the Committee had difficulty heating the building. Now the 70 people who use the Hall every week can enjoy an old building that's a warm and inviting community space.

Ron Walton, Secretary of Ebenezer Baptist Church Hall, said - *I was pleased to be contacted by the Rural Green Doctors team. They gave professional advice on how our Church Hall could be made more energy efficient and carbon emissions reduced. I was pleasantly pleased with the report, which, following consideration by the Church Committee we were happy to implement. Our 'Mother and Toddler' group and 'Knitting Circle' have said the building is a much cosier place since the improvements were made.*

Healthy Villages Programme

Healthy Villages carries out physical, economic or social benefit projects in designated rural wards of the Caerphilly county borough. It supports groups and individuals to carry out projects, attract funding and make residents feel that their communities are a better place to live. The programme began in March 2011 and is part-funded by the Rural Development Plan (RDP) to make communities healthier. The term 'healthy' can be interpreted in various ways; in the past Healthy Villages have set up walking groups, secured funding for projects, supported community groups get online and have carried out physical improvement projects to encourage community cohesion.

The following is a case study example from the initiative:

Case Study – Aber Valley Cycle Path, Wildlife Interpretation Board

The Aber Valley Community Council felt that an existing cycle route joining the Penyrheol community with the Aber Valley had little information or signs and wanted to contribute an information board as a community. They chose to display information on local wildlife. The group contacted the Healthy Villages team and, working in partnership, applied for funding from the People's Postcode Trust that could be used to make improvements to the area. The group wanted to stamp their mark on what they felt was an uninspiring cycle route. They hoped that it would bring more people onto the route and so improve tourism in the local area. Crucially, the group wanted to implement a project that could pave the way for more community projects such as art and poetry walks along the route. The Community Council would like to see people using the cycle and learning about the local area as it has a rich heritage as a former mining town. Healthy Villages liaised with the Council to attain permissions for the installation of a wildlife interpretation board, forwarded community member's ideas to the board manufacturer and arranged work days to install the board. Members of the Community Council and the local primary school attended the work days that were arranged by experienced Healthy Villages' staff. Local people took an interest in the work that was carried out and expressed satisfaction with what the community group members achieved. During one of the work days, some children commented that digging the holes was the best part of their summer holiday!

Routes 2 Life Programme

Routes 2 Life is a skills development project that upskills groups individuals and engages them in a mentoring scheme. It offers formal and informal training from a horticulture site in Cwmfelinfach and a carpentry workshop in Aberbargoed. Two beneficiaries returned to work as a result of the support they received from Routes 2 Life. It is part-funded by the Rural Development Plan (RDP) to develop the skills of people living in designated rural wards of the Caerphilly county borough. The programme offers horticultural, agricultural and traditional skills training for individuals hoping to develop their employment prospects, self-esteem and general well-being whilst promoting the benefits of the natural environment and horticulture activities as a means of physical and mental recovery from a

range of health problems. Training is tailored to individual needs and can deliver formal qualifications to individuals.

The following is a case study example from the initiative:

Paul B (*started August 2013 continues to volunteer on a weekly basis 2-3x per week*)

Paul had been un-employed for an excess of 12 months and wanted to gain practical skills. He has been informally trained at both the horticulture site and the carpentry workshop. He was one of the beneficiaries who helped built and create a garden at the RHS in Cardiff this year. During his time with Routes 2 Life, Paul has undertaken Carpentry OCN modules, LANTRA Brushcutting qualifications and has a CSCS registration. Paul says -

There has been a lot of new skills and techniques to be learned working at groundwork's workshop facility, with an excellent tutor with a lot of experience. It's given me a thirst for more woodworking opportunities.

Community Environment Network

The aim of the network is to promote and support the development and delivery of community environmental and maintenance projects, and facilitating opportunities for local people and organisations to play a central part in environmental, social and economic regeneration within the Caerphilly borough, and Torfaen borough designated SRA's (Strategic Regeneration Areas).

Future Steps – January 2014 to March 2015 (Job Centre Plus Flexible Support)

The Future Steps project provides a platform for young people aged 18 - 24 to engage in training and practical opportunities to enhance chances of employability across the Caerphilly, Blaenau Gwent and Merthyr Tydfil boroughs. The programme provides young people with a work placement for enhancing skills, CV development and job search techniques. Trainees are provided with opportunities for a placement which include Countryside Management, Horticulture and at the social enterprise Furniture Revival. Training opportunities support interpersonal skills and development to improve gaining employment. In addition to work experience trainees are offered Agored Cymru accreditation in Working with Others level 1 and a First Aid Qualification. Throughout the project participants are encouraged to Job search on a daily basis using the computers available and twice a month undertake Job search techniques i.e. CV writing and attending interviews. Ten participants have found employment during or just after finishing on the project. Jobs found have included working for a screening company, carpentry workshop assistant and plumbers mate.

The following is a case study example from the initiative:

Case Study - James D

I started on the Future Steps programme in March. I was a little bit nervous starting meeting new people and also I didn't know what to expect. The programme was different to what I expected with different things going on, to keep it interesting. I enjoyed working on a Welsh Dresser that needed total revamp including sanding, painting and vanishing. I left the programme with work experience, qualifications and knowledge of furniture revamp. I currently work at a Filling Station in Tredegar as a Cashier. I used my recent work experience, training and up to date references, to secure the post. We have achieved a 79% completion rate.

Greencare

Greencare runs to a social enterprise and ILM model as a project within Groundwork Caerphilly, offering grounds maintenance services and installations. Greencare employs a core staff team and offers placement activity to those seeking employment skills.

Sustainable Play

Sustainable Play is an all Wales programme which will commence in October 2014. The Caerphilly borough will benefit from a team consisting of one senior play worker, three play workers and two apprentice play workers who will offer outdoor play sessions to children, young people and their families, and offering training to parents, young people and partner organisations in engagement with Children and Young People with Special Education Needs and Disabilities. The programme will run for three years to October 2017.

Go Green for Health

Go Green for Health will commence in November 2014 which will operate in the Mid Valleys West area, and offer, through partnership with GPs, a prescription for health using the outdoors and which offers innovative, technology based methods of tracking progress and demonstrating savings to the NHS.

Ty Mynyddislwyn Environment Centre

Ty Mynyddislwyn is our base, and a community facility available to groups and organisations within the borough to access modern office space, Demo kitchen and IT training rooms and classroom for all suitable activities.

Key Groundwork Caerphilly Performance Data for 2013-2014

No. of Projects Actively Involving Schools	123
No. of Projects Actively Involving Partners	371
No. of businesses Supported	29
No. of Community Organisations Supported	150
Green Doctor Visits Delivered	56
No. of Spaces improved	738
Area of land improved	110,476 m2
Area of land maintained	1,430,805 m2
No. of Trees planted	637
No. of Adult Volunteering Days	5,534
No. of Young Person Volunteering Days	2,874
No. of Qualifications Community members have gained	51
Domestic CO2 emissions avoided/saved	559 tonnes

Key Groundwork Caerphilly Performance Data for April 2014 – June 2014

No. of Projects Actively Involving Schools	41
No. of Projects Actively Involving Partners	117
No. of businesses Supported	13
No. of Community Organisations Supported	40
Green Doctor Visits Delivered	6
No. of Spaces improved	251
Area of land improved	3,225 m2
Area of land maintained	328,074 m2
No. of Trees planted	3
No. of Adult Volunteering Days	1,169
No. of Young Person Volunteering Days	7,74
No. of Qualifications Community members have gained	6
Domestic CO2 emissions avoided/saved	45 tonnes

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CABINET - 12TH NOVEMBER 2014

SUBJECT: CHARGING FOR TELECARE SERVICES

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

- 1.1 The report was considered by the Health Social care and Wellbeing Scrutiny Committee on 21st October 2014.
- 1.2 The report provides details of the reasons for undertaking the review of charges for telecare services and seeks approval for the recommendations arising from the process.
- 1.3 Prior to the report going to Cabinet for formal approval, the Scrutiny Committee endorsed the proposals to :-
 - Apply the proposed increased charges with effect from 1st January 2015.
 - Apply the proposed reduction in Supporting People subsidy with effect from 1st April 2014.
 - Action the proposed budget virement of £65k.
 - Continue to increase charges for existing protected service users by 50p per year until they reach parity with other service users.
- 1.4 Members are asked to consider the recommendations.

Author: Mike Jones, Interim Financial Services Manager
Ext. 4618

Appendices:

Appendix 1 - Report to Health Social Care and Wellbeing Scrutiny Committee on 21st October 2014
– Agenda item 10.

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HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE – 21ST OCTOBER 2014

SUBJECT: CHARGING FOR TELECARE SERVICES

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To identify a charging policy for telecare services that will ensure that the service is financially sustainable, whilst minimising the impact upon service users. The report is seeking the views of Members prior to its presentation to Cabinet.

2. SUMMARY

- 2.1 With effect from 1st April 2011, management responsibility for the Telecare Alarm Service was transferred from Housing Services to Adult Social Services. At that time the service was considered to be self financing through contributions from service users, the Supporting People Team and service level agreements with other agencies.
- 2.2 In 2011/12 the Telecare Service broke even but only as a result of staffing vacancies which masked the fact that the budget did not include any provision for the cost of enhancements to pay for working unsocial hours.
- 2.3 In 2012/13 the Service overspent by £25k but again, staffing vacancies had partially offset the shortfall in budget in respect of unsocial hours enhancements.
- 2.4 The overspend experienced in 2012/13 highlighted that the budget for the Service was inadequate which resulted in a virement of £72k into the Service from other Adult Services budgets within the 2013/14 financial year.
- 2.5 During 2013/14, Housing Services began a programme of decommissioning the hardwired telecare equipment based in group housing schemes. On removal of the hardwired equipment, service users have the option to transfer to a lifeline arrangement (dispersed unit) with Social Services. However, many of the hardwired units are located in properties occupied by less vulnerable people who are unlikely to choose to receive a replacement dispersed unit. This will lead to a reduction in contributions from service users and in the service level agreement charge receivable from Housing Services. This in turn will lead to a budgetary shortfall for the 2014/15 financial year and beyond.
- 2.6 Existing service users living in private accommodation currently pay a maximum of £4.30 per week for their dispersed units. Whereas, existing service users accommodated in group housing schemes currently pay a maximum of £3.10 per week for their hardwired alarms. When these hardwired systems are replaced with dispersed units, service users in public housing group schemes will be paying less than those in private accommodation for what will then be the same service.

- 2.7 Where service users are in receipt of Council Tax Benefit or Housing Benefit they are entitled to a subsidy from the Supporting People Team which currently stands at £2.48 per week. This subsidy is significantly higher than other Welsh authorities and has been challenged by the Supporting People Regional Collaborative Committee (R.C.C.). If this subsidy is reduced it will add to the budgetary pressure within the Telecare Service
- 2.8 This report considers how the budgetary pressure for Telecare Services can be addressed while also addressing the differential in charging between private sector and public sector service users and the concerns of the R.C.C.

3. LINKS TO STRATEGY

- 3.1 Telecare alarm systems are a useful tool in achieving the directorate's aim of supporting vulnerable people to live as independently as possible.
- 3.2 A balanced budget is a key component in the delivery of the Authority's strategic aims.

4. THE REPORT

- 4.1 As a result of the issues highlighted in paragraphs 2.1 to 2.5, the Telecare Service original budget for 2014/15 amounts to £70,258 made up as follows:-

	Original Budget 2014/15
Dispersed Alarms	£82,255
Central Control	£425,826
Office Related Costs	£64,711
Gross Cost	£572,792
Service User Contributions	-£180,693
Contribution from Supporting People Team	-£108,380
SLA income from other agencies	-£206,922
Section 28a Income from Health	-£6,539
Net Cost	£70,258

- 4.2 In preparation for the decommissioning of hard wired systems discussed in paragraph 2.5, a sample of around 33% of service users in group housing schemes were surveyed to establish how many would be likely to require a replacement dispersed unit after their hardwired system was removed. Only around 42% of those surveyed indicated that they would wish to receive a dispersed alarm unit. If this is replicated across the service then there would be a substantial reduction in contributions receivable from the remaining service users.
- 4.3 After decommissioning hardwired units from group housing schemes, the Telecare Service will only be monitoring alarms within sheltered housing schemes on behalf of Housing Services which will mean a reduction of around £64k in the service level agreement income receivable from Housing Services.
- 4.4 Furthermore, in response to pressures from the Supporting People Regional Collaborative Committee it has become necessary for Caerphilly's Supporting People Team to review the level of subsidy with a view to reducing to somewhere near the Welsh average. If this was implemented in a single step with immediate effect then it could jeopardise the financial sustainability of the Telecare Service. Therefore, it is proposed to reduce the subsidy payable to the Telecare Service for dispersed units to £1.50 per unit per week with effect from 1st April 2014 with a further review and possible reduction to be implemented with effect from 1st April 2015.

- 4.5 The issues highlighted in paragraphs 4.2, 4.3 and 4.4 create a financial pressure for the Telecare Service of around £88k. However, at the same time, a surplus of £65k will be created within the Adult Social Services Supporting People budget as result of the proposed reduction in the Supporting People subsidy to £1.50. It is proposed that this surplus should be vired into the Telecare Service leaving a net shortfall of around £23k.
- 4.6 The Telecare Service must provide staffing cover at all times irrespective of the numbers of service users that are being monitored so it is not possible to reduce staffing costs in response to this budgetary shortfall. Therefore, it is necessary to consider increasing the contributions payable by service users.
- 4.7 As identified in paragraph 4.5, if existing service users' contributions were frozen at their 2013/14 level with indefinite protection then there would be a budgetary shortfall of £23k in 2014/15. Furthermore, there would be an inequity between the charges payable by service users in private accommodation and those in public sector housing.
- 4.8 An inflationary increase of 3% with indefinite protection for existing service users would only raise around £5k in additional income and would not address the inequity between private and public sector service user charges.
- 4.9 Therefore, it is proposed to implement a 3% inflationary increase on the 2013/14 charges but to limit the protection offered to existing service users so that they will only experience a maximum increase of 50p per week each year until they reach parity with new service users.
- 4.9.1 Under this option, service users who have recently lost their entitlement to reclaim £0.62 per week through housing benefit would not face a further financial burden in the current financial year so the following charges would be applied:-

Increase the maximum charge by 3% to £4.43 per week and protect existing service users to an increase of no more than £0.50 per week on their current charge.	All New Service Users	Existing Service Users in Private Accommodation	Existing Service Users in Public Accommodation	Supporting People Subsidy (All Service Users)
Service users in receipt of housing benefit/council tax benefit	£2.93	£1.36	£0.62	£1.50
Service users not in receipt of housing benefit/council tax benefit	£4.43	£4.43	£3.60	£0.00

- 4.9.2 This option would close the budgetary shortfall in the Telecare Service and begin to address the inequity between private and public sector service user charges.
- 4.9.3 If protection of existing service users is applied in future years to limit the increase in each year to £0.50 per week then the cost of protection will fall from £142k to approximately £104k in 2015/16. This £38k additional income could offset a further reduction of as much as £0.50 per unit in the supporting people subsidy that may come out of the review planned for April 2015. The gradual tapering off of the cost of protection will continue until existing service users are charged the same as new service users and should be sufficient to fund any further reductions in supporting people subsidy in line with the Welsh average.

5. EQUALITIES IMPLICATIONS

- 5.1 When hardwired systems are replaced with dispersed units, service users living in public sector housing will contribute less for a dispersed alarm monitoring service than those living in private housing. The option proposed in paragraph 4.9 would reduce this inequity in 2014/15 and would eventually eradicate it as any protection tapers off.

6. FINANCIAL IMPLICATIONS

- 6.1 The proposals contained in this report would result in the following revised budget for 2014/15.

	Original Budget 2014/15	Virement	Revised Budget 2014/15
Dispersed Alarms	£82,255	£0	£82,255
Central Control	£425,826	£0	£425,826
Office Related Costs	£64,711	£0	£64,711
Gross Cost	£572,792	£0	£572,792
Service User Contributions	-£180,693	-£22,663	-£203,356
Contribution from Supporting People Team	-£108,380	£9,164	-£99,216
SLA income from other agencies	-£206,922	£78,499	-£128,423
Section 28a Income from Health	-£6,539	£0	-£6,539
Net Cost	£70,258	£65,000	£135,258

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications of the proposals contained within 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 comment on the following recommendations that will be made to Cabinet on the 12th November 2014;
- 9.1.1 That the charges identified in the table in paragraph 4.9.1 are implemented with effect from 1st January 2015 in order to maximise income while allowing a reasonable lead in time.
- 9.1.2 That the Supporting People Team pay £1.50 per dispersed unit towards the weekly charge for service users in receipt of council tax benefit throughout the 2014/15 financial year. This will be reviewed for the 2015/16 financial year.
- 9.1.3 That £65k is vired on a permanent basis from the Adult Services Supporting People budget into the Telecare Services budget.
- 9.1.4 That existing service users' charges continue to increase by £0.50 per week each year until they reach parity with charges for new service users.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure the medium term financial sustainability of the Telecare Service.
- 10.2 To reduce the inequity between private sector and public sector housing service user charges for dispersed alarms which in turn will simplify charging for telecare services.
- 10.3 To address the concerns expressed by the Supporting People R.C.C. in respect of the level of Supporting People subsidy paid for telecare services within Caerphilly.

11. STATUTORY POWER

11.1 Local Government Act 1972 and 2000.

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Malcolm Topping, Supporting People Project Manager
Lesley Allen, Principal Accountant (Housing)
Adult Services Divisional Management Team
Social Services Senior Management Team

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CABINET - 12TH NOVEMBER 2014

SUBJECT: PUBLIC LIBRARY STANDARDS IN WALES – ANNUAL LIBRARY UPDATE REPORT 2013-14

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

1.1 The attached report was considered by the Education for Life Scrutiny Committee on 4th November 2014.

1.2 The views expressed at the Scrutiny Committee will be reported to Cabinet.

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Appendices:

Appendix 1: Report to Education for Life Scrutiny Committee, dated 4th November 2014, agenda item no. 10.

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EDUCATION FOR LIFE SCRUTINY COMMITTEE - 4TH NOVEMBER 2014

**SUBJECT: PUBLIC LIBRARY STANDARDS IN WALES – ANNUAL LIBRARY
UPDATE REPORT 2013-14**

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To inform the Education for Life Scrutiny Committee of the progress made by the County Borough Library Service in seeking to meet the 4th Framework of Welsh Government Public Library Standards and Performance Indicators, during 2013-14, the concluding year of the improvement scheme in its present format.
- 1.2 Members are asked to note that in respect of a number of Standards detailed in this report the Authority has been judged on its aggregate activity and investment levels over the 3 year Framework timeline in determining whether specific measures have been exceeded or missed. Aggregate performance is particularly relevant in regard to Welsh Public Library Standard (WPLS) 5, Annual Acquisitions, WPLS 6, Annual Expenditure on stock, and WPLS 7, delivery of requested items.
- 1.3 Members are asked to endorse the Welsh Government Public Library Standards Annual Report 2013-14 and request that it be forward to Cabinet for their consideration and approval.

2. SUMMARY

- 2.1 Caerphilly County Borough Library Service met or exceeded 8 of 9 Welsh Government Public Library Standards in 2013-14 (see Appendix 1 and 2), an improvement of 2 Standards on the attainment achieved in either 2011-12 or 2012-13. The County Borough's performance is deemed above average, when compared to Wales as a whole. For the purpose of comparison, the average number of Standards achieved by Welsh Library Authorities in 2013-14 was 6.5, the highest number met by an Authority was 9, and the lowest was 4.
- 2.2 Caerphilly County Borough Library Service's Standards attainment was commended by the Welsh Government assessor and peer led Reference Group in the Annual Report for Caerphilly 2013-14 (see Appendix 2), as 'significant and sustained' the result of 'careful planning and the implementation of a development plan'.
- 2.3 The County Borough's attainment with regard to Welsh Public Library Performance Indicators (see Appendix 1 and 2) highlights a number of areas of improvement. Library Visits (WPLPI 1), physical and virtual, have increased by 19.6% (173,513) during 2013-14, placing the Authority above the median point in Wales at 9th place overall. There has also been noteworthy, and continued, success in the levels of computer hour use by Borough residents, WPLPI 3, where an increase of 13% (12,303) has been recorded alongside a more modest rise in overall IT occupancy rates to 25% from 23%.

- 2.4 Performance with regard to other Library indicators is mixed with Annual Book and non-book Issues (WPLPI 4) remaining flat at 3.6 loans per resident or 3,606 per 1000 population for 2013-14. Customer satisfaction (WPLPI 2), as reported to Members in 2013, continues to demonstrate the consistently high value that adult, children, and young people attach to the provision currently in place. The Welsh Government assessor recognises the value that residents place on the Authority's investment in its Public Library Service over recent years as reflected in WPLPI 2.
- 2.5 Welsh Public Library Performance Indicator 5, the percentage of annual Library Service expenditure utilised to purchase books and other collection items has improved in 2013-14 (11.23 %) compared to 2012-13 (10.73%). It is however important to note that this increase is closely linked to the significant levels of new materials purchased for the Caerphilly Library and Customer Service Centre development and that future expenditure levels are likely to be affected by the Authority's Medium Term Financial Plan and austerity measures.
- 2.6 Welsh Government Standards assessors commended the Authority's for its 'substantial progress' under the Fourth assessment 2011-14 stating:
- "Careful planning and appropriate levels of investment have all brought significant benefits to the service and the users...the authority should approach the challenges of the next planning and performance assessment period (2014-17) with considerable confidence, knowing that the approaches adopted to service planning and managing service development hitherto have been the foundations on which it has built a record of considerable success."*

3. LINKS TO STRATEGY

- 3.1 Public Libraries contribute to a number of the Council's core priorities including the key themes of the Community Strategy and the Single Integrated Plan, 'Caerphilly Delivers'.
- 3.2 The 4th Framework of Welsh Government Public Library Standards, 2011-14, assists the Authority in working toward its Strategic Equalities Objectives, in particular:
- Strategic Equality Plan SEO 3- Physical Access
Welsh Public Library Standard 1, 2, and 9
 - Strategic Equality Plan SEO 4- Communication
Welsh Public Library Performance Indicator 2
 - Strategic Equality Plan SEO 5- Engagement and Participation
Welsh Public Library Performance Indicator 2
- 3.3 The 4th Framework of Welsh Government Public Library Standards, 2011-14, entitled 'Maintaining a Valued Service' links closely with the 'Libraries Inspire: The strategic development framework for Welsh libraries 2012-16' and recently adopted 5th Strategic Framework of Public Library Standards, 2014-17, entitled 'Libraries making a difference'.

4. THE REPORT

- 4.1 **Fourth Assessment Framework for Welsh Public Library Authorities: Caerphilly County Borough Library Service Annual Return 2013-14**
- 4.1.1 The year under review is the third and final performance period assessed as part of the 4th Framework of Welsh Government Public Library Standards, 2011-14. The 4th Framework focuses on supporting local authorities to maintain a core Library Service during a period of financial constraint for the public sector in Wales.
- 4.1.2 The Authority is commended for achievements linked to the 2009-14, Five Year Development Plan, its Library building improvement programme, and the adoption of a new service strategy for 2014-17 that focuses on 'reading together', e-digital services' and the requirements of the County Borough Medium Term Financial Plan.

4.1.3 Caerphilly County Borough Library Service is deemed to meet 8 of 9 standards (WPLS 1,2,3, 4, 5,6, 7 and 9) whilst partially achieving 1 standard (WPLS 8) that relates to staffing.

4.1.4 Details of standards met or partially met are provided below:

4.1.4.1 **WPLS 1, Access to Public Library Services Points (met)**

97.7% of occupied Borough households are within 2 miles of a static Library well above the standard of 95%.

4.1.4.2 **WPLS 2, Services to special user groups and those with special requirements (met)**

The Authority is assessed as continuing to perform well and recognised for its recent reviews of DDA accessible technology and building condition works in respect of disabled users.

4.1.4.3 **WPLS 3, Aggregate annual opening hours for all service points (met)**

The Council's overall performance exceeds the minimum level required and has improved markedly on the attainment reached in 2012-13. The reopening of Aberbargoed Library in May 2013 and increases in core hours as part of the Caerphilly and Newbridge developments have led to the increase in attainment achieved overall for 2013-14.

4.1.4.4 **WPLS 4, ICT services and facilities for users (met)**

All Libraries open 30 hours or more per week now offer free Wireless Internet Access to customers in line with the requirements of this Standard. The investment made by the Authority in WiFi provision during 2013-14, approximately £25k, with the support of the Council's IT Section, who coordinated the installation work, has ensured that this previously partially met standard has been fully achieved in 2013-14 for the first time.

The level and number of public access computer facilities accessible to local residents has risen to 14 PCs per 10,000 population during 2013-14, among the highest allocations in Wales, with enhanced provision included as part of the Newbridge and Caerphilly building developments. A technology refresh has updated all existing public and staff workstations in recent months in line with sector standards.

4.1.4.5 **WPLS 5, Annual Acquisitions of materials for public use (met)**

Performance against this Standard exceeds the minima required and, as with WPLS 6 noted below, the Authority's commitment to book and other material purchases is commended by the assessors for a second success year. The Authority's aggregate performance over the three-year Framework period, 2011-14, exceeds the standards minimum for adult and children material acquisition totals by a third in each case.

4.1.4.6 **WPLS 6, Expenditure on materials for adults and young people (met)**

This standard is met in full, though expenditure on young people's resources has marginally declined when compared to 2012-13. Aggregate performances over the 2011-14 Framework cycles has remained high and above the UK median point for adult spend and exceeded the top quartile for residents 16 or under. The Welsh Government assessors consider the spend levels as 'very satisfactory' and commends the Council's investment in its materials fund over the 2011-14 period.

4.1.4.7 **WPLS 7, Delivery of requests (met)**

The Library Service is deemed to meet this standard by a significant margin. Performance against each of the three supply periods, 7, 15, and 30 calendar days, has increased in 2013-14, the third year of sustained improvement against each of the reporting timescales. Aggregate performance during 2011-14 reflects this incremental and sustained improvement.

4.1.4.8 **WPLS 8, Library staffing (partial)**

The Authority is deemed to employ sufficient staff to operate the Library Service. The Authority's attainment with regard to the percentage of professionally qualified staff remains below the minimum set, though the Welsh Government assessor recognises that

the service is in the process of a management restructure that may assist in rebalancing this arrangement under the 5th Framework, 2014-17.

4.1.4.9 **WPLS 9, Capital expenditure and buildings (met)**

Following the reopening of Aberbargoed Library, the relocation of services to the Newbridge Memo, and the completion of a three storey facility in Caerphilly town this Standard has been met in full during 2013-14 and for the first time. Due in large part to the significant investment the Authority has made in its Library building stock over recent years the County Borough is assessed by the Welsh Government Standards Reference Panel as follows:

“the authority’s progress and achievements have been remarkable and highly effective. They are therefore also to be highly commended.”

4.1.5 **Summary of Welsh Public Library Performance Indicator achievement**

Caerphilly County Borough Library Service’s performance indicator achievements remained mixed when 2013-14 outcomes are compared to other years in the 2011-14 Framework periods. Welsh Public Library Performance Indicator (WPLPI) 1, the number of people using the library service per 1,000 resident population increased by 19.6% in 2013-14 (173,513) an achievement which the Welsh Government Standards assessor considers to be linked to the range of improved facilities and services now provided by the Authority, including the impact of co-locating Libraries with other Council provision.

Customer satisfaction with the Authority’s Library Service (WPLPI 2) has improved overall with high levels of customer approval in each of the areas recorded. It is noteworthy that the proportion of users who rated their Library as ‘very good’ or similar has increased in each of the indicator elements reported to Welsh Government.

Conversely annual book and non book issues per 1,000 resident population (WPLPI 4) have at best remained static when 2013-14 performance is compared to that reported for 2012-13 and indicate a broader decline over the full Framework period (2011-14). Book borrowing per thousand resident population remains below the median for Wales and is a target for improvement in the recently approved 2014-17 Library Service Strategy within the theme of ‘Reading together’. There are however some notable exceptions, Caerphilly Library and Customer Service Centre has seen a book and non-book loan increase of 12% and both Newbridge and Deri have shown marked improvements. Loans to children in particular have driven increases where they have taken place.

Public computer use continues to increase (WPLPI 3) however the percentage of Internet Terminals in continuous use remains below the Welsh average due in large part to the impressive coverage that the Authority has been able to support in recent years, particularly where new or enhanced buildings have been commissioned, leading to fewer periods of total occupancy compared to Councils with more restricted levels of provision.

The Council’s financial commitment to the Library Service and its building improvement programme continues to have a significant and positive impact on the Library Services performance with regard to expenditure related indicators (WPLPI 6-8), and has been commented upon by the Welsh Government Standards assessors as both ‘notable’ and ‘commendable achievements’ that reflect the Authority’s commitment to its Library Service even in times of financial austerity.

5. EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment is not required because the issues covered by this report are for information purposes only, seeking to update Members with regard to the Authority’s performance in respect of Welsh Government Public Library Standards; therefore the Council’s full EIA process does not need to be applied.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications linked to this report.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications linked to this report.

7.2 For purposes of clarity and completeness Members are asked to note the Library Management Arrangement changes endorsed at Education for Life Scrutiny Committee on June 4th 2014. The revised management staffing structure was implemented on August 1st 2014 and forms an important element of the County Borough Library Services MTFP commitments.

8. CONSULTATIONS

8.1 The views of all consultees have been included within this report.

9. RECOMMENDATIONS

9.1 Members note the information received from the County Borough Library Service with regard to its performance for 2013-14 in working towards achieving the 4th Framework of Welsh Government Public Library Standards and Performance Indicator Set, 2011-14.

9.2 Members should also note the Welsh Government's Public Library Standard Reference Group assessment of this performance **See Appendix 1 and 2**. The Authority's attainment of 8 Public Library Standards, above the median for Wales of 6.5, is of particular note and the subject of the assessor's formal commendation.

9.3 That the Education for Life Scrutiny Committee endorses the Welsh Government Public Library Standards Annual Report 2013-14 and forward to Cabinet for approval.

10. REASONS FOR RECOMMENDATIONS

10.1 Consult and seek the views of the Scrutiny Committee to meet the requirements of the Welsh Government Public Library Standards and Performance Indicator Set by 2014.

10.2 To inform Education for Life Scrutiny Members of the progress achieved by the County Borough Library Service in meeting the requirements of the 4th Framework of Welsh Government Public Library Standards, 2011-14.

11. STATUTORY POWER

11.1 Public Libraries and Museums Act 1964.

Author: Gareth Evans, Interim Manager Community Education
Consultees: Acting Deputy Chief Executive, Sandra Aspinall
Assistant Director Education and Lifelong Learning, Tony Maher
Cabinet Member for Education and Lifelong Learning, Cllr. R Passmore
Education Senior Management Team
Senior Legal Assistant, Russell Allen
Education Group Accountant, Jane Southcombe
Principal Human Resource Officer, Kathryn Davies

Background Papers:

Education for Life Scrutiny Committee 2nd June 2009. Caerphilly County Borough Library Service – Five Year Development Plan 2009-14

Cabinet 9th June 2009. Caerphilly County Borough Library Service – Five Year Development Plan 2009-14

Education for Life Scrutiny Committee 24th September 2013. Public Library Standards in Wales – Annual Library Update Report 2012-13

Cabinet 16th October 2013. Public Library Standards in Wales – Annual Library Update Report 2012 - 13

Education for Life Scrutiny Committee 4th June 2014. Restructuring Management Arrangements – County Borough Library Service

Education for Life Scrutiny Committee 8th July 2014. Caerphilly Library Service Strategy 2014-2017

Cabinet 16th July 2014. Caerphilly Library Service Strategy 2014-2017

Appendices:

Appendix 1 Caerphilly Annual Report 2013-14

Appendix 2 Maintaining a Valued Service: The Fourth Framework of Welsh Public Library Standards April 2011 – March 2014. Caerphilly County Borough Council Annual Return Pro Forma 2013-14



Llywodraeth Cymru
Welsh Government

APPENDIX 1

Caerphilly Annual Report 2013-14

Maintaining a Valued Service: The Fourth Framework of Welsh Public Library Standards

The year under review is the third, and final, year under the Welsh Government's fourth framework of Welsh Public Library Standards. The framework was operational for the three-year period from April 2011 to March 2014; its focus was on the maintenance of core library services in what was recognised as a challenging period for the public sector. Although the benchmarks and Standards set reflected a more limited approach than in previous frameworks, as indicated in the reports for the first two years of this framework, the Welsh Government was still seeking reassurance that Welsh library authorities were endeavouring to carry out their statutory responsibilities in the delivery of the core library service.

The requirements

Under the fourth framework of library standards, Welsh public library authorities were required to submit an Annual Return - reporting on performance against the framework's 9 Welsh Public Library Standards and 8 Welsh Public Library Performance Indicators. For the 2013-14 year, the authorities were asked to submit their returns by the end of May 2014, earlier than in previous years, in order to facilitate the work of the Public Libraries Review Panel established by the then Minister for Culture and Sport. The Welsh Government is grateful for the co-operation of Welsh library authorities in this regard. The Annual Returns were considered by a panel of assessors, including a peer review reference group, drawn from senior service managers in the sector, assisted by independent external expertise.

The authority's Annual Return for 2013-14, which was submitted by the authority in accordance with the stipulated requirements, has now been considered by the assessors.

This report - issued by CyMAL: Museums Archives and Libraries Wales, the division of the Welsh Government with responsibility for administering the framework - represents the considered view of the assessors on the authority's performance in 2013-14.

The authority's scrutiny of performance and its response to the Welsh Government's previous assessment

The Annual Return indicates how the Welsh Government's assessment of progress in 2012-13 was submitted to the Council's Education for Life Scrutiny Committee, highlighting the attention given to areas requiring action, such as declining issues and loans. It also notes how the authority responded to the need for specific additional investment in WiFi in order to enable the library service to meet one of the more urgent requirements of the final year of the Fourth Assessment Framework.

Evidence of service planning

Assessment reports in the past have commented favourably on the authority's coherent approach to the planning of its library service. The value of its Development Plan has been readily apparent during the fourth assessment framework, and it is now noted that the authority intends to develop a new three-year library strategy (for the period 2014-17) that will specifically address the requirements of the Welsh Government's fifth quality standards assessment framework for libraries, whilst at the same time addressing the authority's financial planning requirements for the same period and the service priority areas of 'reading together' and 'digital eservices'. By adopting such an approach the authority and library service should be able to face a challenging period with a greater degree of confidence, benefiting from the knowledge that such an approach has provided clear merits and successful outcomes in the past.

The Welsh Public Library Standards (WPLS)

The authority's performance against the Welsh Public Library Standards during 2013-14 has been assessed as follows. The authority:

- Is achieving 8 of the 9 Welsh Public Library Standards, compared to 6 in March 2013.

This is commendable progress of a significant and sustained nature, achieved through careful planning and the implementation of a development plan closely allied to the requirements of the Standards Framework.

In WPLS 1 (service points and access to them), the authority is performing well against the requirements. A recalculation of the proximity of occupied households to service points and the re-opening of one service point brought about a higher level of performance, and the development of links with local colleges targeted at young adult readers is also noted. In WPLS 2 (services to users with special needs), the authority also continues to perform well, emphasising the need to continually review ICT provision as well as delivering services within a DDA compliant environment. In WPLS 3 (opening hours) there has been a significant increase in total and aggregate opening hours as a direct consequence of re-opening one service point and opening the major new service point at Caerphilly and the new service point at Newbridge. By investing in the provision of WiFi at the larger service points the authority is also now achieving all the requirements of WPLS 4 (ICT services and facilities). The service has expanded significantly over the period of the assessment framework as new and modernised library service points have been opened, all with additional ICT provision.

The authority has also increased its investment in books and materials for its libraries and levels of performance achieved both over the three-year period and in the final year of the framework, are commended. In previous Annual Returns the authority indicated that it might not be able to sustain these satisfactory levels of investment, but by careful planning it has done so. As a result, the requirements of WPLS 5 (annual acquisitions) are met. In WPLS 6 (annual expenditure on stock) the levels of additional investment are reflected in very satisfactory levels of reported performance, and even though one target in respect of stock replenishment is missed by a very narrow margin, the assessors agreed to award the Standard in full following their consideration of the authority's explanation of the impact of a set of transient influences on that particular performance. The library service has also continued to make progress in WPLS 7 (delivery of requests) and has improved further in the year under review on levels of performance that were

already previously meeting the requirements of the Standard. The Return emphasises the value of resource sharing and inter-lending in this area, but the primary reason for the sustained levels of commendable performances is the consistent levels of investment in the materials fund achieved over the period 2011-14.

As a result of the successful implementation of its Development Plan, and the significant levels of associated capital investment, the authority is now also meeting the requirements of WPLS 9 (buildings and space). In this area the authority's progress and achievements have been remarkable and highly effective. They are therefore also to be highly commended.

- Is partly achieving the requirements of the one remaining Standard, namely WPLS 8 (staffing)

The performance in terms of overall staffing numbers is satisfactory in relation to the requirements of the Standard, but the percentage of professional staff employed falls short of the target set. It is noted that there are a number of unfilled professional posts at the present time, and the Return indicates that it is necessary to maintain that position in order to accommodate the possible effects of forthcoming spending reviews and staff restructuring. However, when those processes are complete, the authority should seek to ensure that its library service has sufficient professional expertise and competence to enable it to build on its achievements and to respond to opportunities for further initiatives that may present themselves.

Overall

These performances reflect careful and well-managed progress and achievements over the period since April 2011.

For the purpose of comparing performances with that of other Welsh public library authorities, the average number of Standards being met by all authorities in 2013-14 was 6.5, the highest number achieved was 9, and the lowest 4. Caerphilly's performance is therefore above average when compared with others in Wales.

The Welsh Public Library Performance Indicators (WPLPI)

The framework also asked library authorities to report against 8 Performance Indicators: many of these were comparable with figures reported under the third assessment framework (2008-11), and it was therefore possible for authorities to identify certain trends in service performances.

The following table lists the authority's reported performances alongside Welsh average performances. The authority should reflect on these comparisons, and on the assessors' comments below as it embarks on the work of drawing up its three-year plan for the development of its library service in the period 2014-17.

WPLPI	Authority Performance	Welsh average
1. Use (physical/virtual visits, attendance at events) of service (per 1,000 population)	5974	5635
2. User satisfaction levels (i) % of users who are 'satisfied' or 'very satisfied' with	98%	96%

the library service		
(ii) % of adults who think the choice of books is 'very good', 'good', or 'adequate'	99%	96%
(iii) % of users under 16 who think the choice of books is 'very good', 'good', or 'adequate'	99%	98%
3. % take-up of public access PCs	25%	41%
4. Annual issues (per 1,000 population)	3606	4424
5. % of total authority library expenditure spent on the purchase of library stock	11.23%	12.90%
6. % of total authority revenue expenditure spent on the public library service	1.34%	0.90%
7. The % of total authority capital allocations expended on public library facilities in this year	5.39%	0.56%
8. Net expenditure on public library provision (per 1,000 population)	£23,188	£16,341

Most of the performances reported remain at satisfactory levels. Indeed, some reflect significant increases in performance. Physical visits (WPLPI 1) have increased dramatically in some locations, undoubtedly as a result of improving and modernising the facilities, as well as co-locating a wider range of local authority services with libraries. Loans (WPLPI 4) and the use of ICT (WPLPI 3) appear to be steady, but the overall headline figures tend not to fully convey the improved performances of a significant kind within these service areas, particularly at some of the newer libraries. Public satisfaction rates are high in WPLPI 2, and again the value derived from the work undertaken on buildings and from higher levels of investment in stock and services, is clearly apparent in the public's response.

All the key financial Welsh Public Library Performance Indicators show significant improvement in performances compared to 2012-13. The completion of the new build project at Caerphilly is reflected in the significant allocation from the authority's capital funding (WPLPI 7) and places the authority in a commendable position compared to others in Wales. Similarly the increase in the net annual expenditure on library provision (WPLPI 8) and in the percentage of authority revenue expenditure spent on the provision of a public library service during 2013-14 are both notable and very commendable achievements that reflect the authority's commitment to its library service, even in these challenging times.

Concluding remarks

The authority is to be commended on its substantial progress under the fourth assessment framework. Careful planning and appropriate levels of investment have all brought significant benefits to the service and the users. The residents of the authority have responded by expressing very high levels of satisfaction with the authority's library service. As noted earlier, the authority should approach the challenges of the next planning and performance assessment period (2014-17) with considerable confidence, knowing that the approaches adopted to service planning and managing service development hitherto have been the foundations on which it has built a record of considerable success.

APPENDIX 2

Welsh Government

CyMAL: Museums Archives and Libraries Wales

Maintaining a Valued Service

The Fourth Framework of Welsh Public Library Standards April 2011 – March 2014

Annual Return Pro Forma (2013-14)

All library authorities are required to complete this pro forma and are asked to follow the instructions provided carefully as the requirements in terms of reporting differ between sections.

All library authorities are requested to provide commentary against each and every Standard (WPLS) and against *each and every* Performance Indicator (WPLPI) in the 'Authority self-assessment' column provided, but only when data is included in the Actual Performance column. Failure to provide commentary could result in the pro forma being returned to library authorities for completion.

Completed *Annual Returns* should be submitted as an electronic document by Friday 4th July 2014 (Draft by Wed 21st May)

Please send to:

Elizabeth Bennett, CyMAL, elizabeth.bennett@wales.gsi.gov.uk

Any questions please contact: Alyson Tyler, Libraries Development Programme Manager (alyson.tyler@wales.gsi.gov.uk)

Name of authority: Caerphilly County Borough Council

Please tick as appropriate

This Annual Return has been approved by the authority prior to its submission to CyMAL

Yes No

If Yes, state whether approval was granted by

Full Council

Cabinet/Executive

Portfolio Member

Other (state title)

If No, state when approval is expected and when the definitive Annual Return submission will be forwarded to CyMAL

Approval expected November 2014

Definitive submission to CyMAL by December 2014

Please indicate briefly below:

1. The authority's scrutiny procedures applied to the assessment of library service performances undertaken by the Welsh Government for the year 2012-13, and sent to authorities for their consideration and action in September 2013 by the Welsh Government.

The Council's Education for Life Scrutiny Committee received a report of the Authority's Public Library Standard attainment for 2012-13 on September 24th 2013. The report received a detailed discussion by scrutiny members who noted both the improvements achieved in physical visits to Borough sites and the more challenging levels of activity, a marked decline, to book and non book borrowing.

The Council's Cabinet received the 'Public Library Standards in Wales – Annual Library Update 2012-13 Report' on October 16th 2013. The contents of the report were fully noted, including the assessment of the Welsh Government Public Library Standard Reference Group, and the annual update was approved.

2. What decisions were made by the authority as a result of scrutiny procedures that sought to improve library service performances in relation to the Welsh Public Library Standards and Welsh Public Library Performance Indicators?

A sum of £25,000 has been allocated by the Authority to enable all Libraries open 30 hours or more per week to offer free WiFi provision to customers in line with the requirements of WPLS 4(i)d. The WiFi access should enable the Authority to meet WPLS 4 in full for 2013-14 as all sites open 30 hours or more per week offered this provision before March 31st 2014.

3. What action was agreed as a consequence of those decisions?

See above

4. (a) If you indicated in your Annual Return for 2012-13 that your authority was undertaking a formal review of its library service, please indicate whether the review has now been completed:

YES NO N/A

4. (b) If your authority commenced a formal review of its library service during 2013-14, please indicate whether that review has now been completed:

YES NO N/A

If you answered YES to either (a) or (b), briefly outline the main recommendations of the review, noting whether these recommendations have been accepted by the authority and at what level (e.g. Full Council, Cabinet, Executive, etc.). Please also indicate what actions have been taken / are planned in order to implement those recommendations:

If you answered NO to either (a) or (b), please indicate when the review is due to be completed:

The Council's Library Service will be reviewed during 2014-15 as part of the Authority's Medium Term Financial Planning process. A number of Service areas will be form part of a Scrutiny challenge process between June and October 2014 with a focus on efficiency target requirements for 2015-16 and 2016-17.

A new Three Year Library Strategy, 2014-2017, is scheduled to be received by Education for Life Scrutiny Committee and Cabinet in July 2014. The new strategy replaces the Library Service Five Year Development Plan 2009-2014 which concluded on March 31st 2014.

The Three Year Library Strategy, 2014-2017, seeks to place the Library Services strategic priority areas of 'reading together' and 'digital e-services' within the wider context of the Welsh Government's 5th Quality Standards Framework, 2014-17, and Local Authority Medium Term Financial Planning constraints over the same time period.

5. Please indicate whether there have been any changes made to the resources available to the library service during 2013-14 compared to 2012-13, e.g. efficiency savings, resource reductions/increases, restructuring of staff, etc., and indicate how they have impacted on the service in 2013-14 (do NOT include any commentary relating to 2014-15 and subsequent years) in this section:

None

Due to the planned opening of new Library facilities in Newbridge and Caerphilly during 2013-14, refurbishment of Bedwas Library and reopening of Aberbargoed Library and Resource Centre there has been a significant increase in spend on book and non book materials during 2013-14 compared to the equivalent twelve months of 2012-13. Spend has increased by £30,000 from £415,000 in 2012-13 to £445,352 in 2013-14.

As noted in section 2 above £25,000 of capital funding has been identified to complete the implementation of free WiFi access to all Libraries open 30 hours or more per week. As of March 31st 2014 12 of the Borough's 18 sites offer free WiFi access to residents.

During 2013-14 Caerphilly County Borough Council completed its Library building modernisation programme with all 18 static sites having received some level of refurbishment, extension, relocation, or new build since 2001. During 2013-14 the following sites were completed with additional funding from the Authority or other sources, including CyMAL Community Learning Libraries Programme grant aid:

- **Caerphilly Library and Customer Service Centre** (£5.4 Million new three storey build, including £200,000 CyMAL grant support)
- **Newbridge Library and Cash Office** (located in phase 1 of the Newbridge Memo scheme (£170,000 Council funding for fit-out, introduction of Self Service and Security provision, and contribution to conversion/restoration costs of the Institute)
- **Aberbargoed Library and Resource Centre** (£90,000 internal and external upgrade, full refurbishment and adaptation for dual use alongside an Early Years Resource Centre - £45,000 from Council funding and equivalent amount from Flying Start grant aid)
- **Bedwas Library** (£50,000 internal refurbishment, external upgrade, and introduction of new DDA accessible Public toilet – Council funded)

The Welsh Public Library Standards (WPLS) 2011-14

Notes on completion:

Annual data or information is required for WPLS 1, 2, 3, 4, 5, 6, 7, 8 and 9

Authorities should follow the guidance provided by the pro-forma against each Standard, and returns should be as required – further information and guidance is available within the published Framework document, and authorities should have due regard to this.

Authorities may be asked to resubmit *Annual Returns* if the data or information do not comply with the requirements.

Please note the additional information required on this occasion in respect of WPLS 5, 6 and WPLS 7 relating to average performances over the period April 2011 to March 2014

Framework 4 Standard	Actual Performance as at March 31 2014	Authority self-assessment
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1	<p>(i) Authorities whose resident population density is 20 or more persons per hectare shall ensure that the proportion of occupied households within 2 miles of a static library service point will be at least 95%</p> <p>or</p> <p>(ii) Authorities whose resident population density is between 1.1 and 19.9 persons per hectare shall ensure that the proportion of occupied households within 2.5 miles of a static library service point (or 10 minutes travelling time by public transport) will be at least 75%</p> <p>or</p> <p>(iii) Authorities whose resident population density is 1.0 persons or less per hectare shall ensure that the proportion of occupied households within 3 miles (or 15 minutes travelling time by public transport) of a static library service point shall be at least 70%</p> <p>Authorities who are failing to meet the stipulated requirement in (i) (ii) or (iii) shall also report on the number of households within a quarter of a mile of each scheduled mobile stop and within 2 miles of any other kind of service outlet providing access to library materials.</p> <p><i>Library services should briefly describe the nature of that provision and the numbers of households served in the Authority self-assessment column.</i></p>	<p>97.7%</p> <p>..... %</p> <p>..... %</p>	<p>1(i) During 2012-13 the Council's Policy Unit recalculated the proximity of occupied households to static libraries in the County Borough. The analysis based on the 2011 Census outturn highlighted that the Authority had 74,479 households occupied by at least one usual resident and that 72,758 (97.7%) were within a 2-mile radius of the County Borough's network of 18 static service points</p> <p>In evaluating the Council's performance against this standard it is important to note that Caerphilly Library Service currently supports a network of static sites that offer residents the convenience of local or nearby access and, as noted in Welsh Public Standard 3, facilities that are open well above the minimum levels required by the Welsh Government.</p>	
	<p>State numbers of:</p> <ul style="list-style-type: none"> ▪ Static service points managed by the authority ▪ Mobile service vehicles operated by the authority ▪ Other kinds of service points/modes of delivery <i>Describe briefly in Authority self-assessment column</i> 	<p>2012-13</p> <p>17</p> <p>2*</p> <p>1</p>	<p>2013-14</p> <p>18</p> <p>2*</p> <p>1</p>	<p>In May 2013 Aberbargoed Library reopened to the public alongside an Early Years Resource Centre. The total number of static service points has increased to 18 as a result of this improvement.</p> <p>*Two Small 5.5 tonne Library Link Housebound Mobile vehicles serving approximately 355 customers across the County Borough.</p> <p>A small Library Access Point is provided at Caerphilly Leisure Centre. The longer-term sustainability of this resource will be reviewed shortly following the successful relocation of Caerphilly Library to a new purpose built facility at the Twyn.</p> <p>Additionally the Library Service provides resources to Coleg Gwent at Cross Keys and Coleg y Cymoedd at Ystrad Mynach, targeted at young adult readers. These resources have been adopted into each respective Colleges Learning Resource Centre stock base.</p>

Framework 4 Standard		Actual Performance as at March 31 2014	Authority self-assessment
2	<p>(i) Library authorities shall provide access to the service for those not able to use conventional service points</p> <p>(ii) Library authorities will continue to provide specialised assistance, facilities and equipment for people with particular access requirements</p> <p><i>Library services should briefly describe the nature of the provision in the Authority self-assessment column</i></p>		<p>2(i) The County Borough Library Service delivers a dedicated Housebound provision, Library Link, to residents in the Authority who are unable to access a static service point due to age, ill health, mobility, or other related factors such as geographic isolation.</p> <p>Two small 'Library Link' Mobile Library vehicles and specialist staff visit customers at home and also deliver provision to residents in Sheltered Accommodation and Nursing Homes. A total of 355 residents are in receipt of the Library Link service and 4,810 visits were completed in 2013-14.</p> <p>There has been a small decline in the number of registered Housebound customers between 2012-13 and 2013-14 and a consequential drop in the number of visits made. A number of customers have died over the last 12 months and work is progressing to promote the service within the Borough to eligible individuals.</p> <p>2(ii) The library has an online presence as part of the corporate website. It also has its own online library catalogue, community information database and heritage search point whereby customers can access information and services such as renewals and placing requests on items remotely.</p> <p>Facebook and Twitter sites were launched during 2012 and as of March 31st 2014 the library service had 765 Social Media contacts during the last year.</p> <p>All libraries provide a welcoming environment for disabled people and promote the availability of adaptive technology (both software and hardware) specially designed to help improve access to a computer. The equipment is most commonly used for physical, sensory, reading and writing problems and includes hardware such as large keyboards, trackballs and adjustable height work surfaces to onscreen software such as Supernova.</p> <p>Microsoft windows accessibility options are available on all PCs allowing customers and staff to modify computers for their own individual requirements through the iCAM computer management system.</p> <p>A review of all static library facilities for their DDA suitability has been completed by the Council's Property Service team. The recommendations are being considered for prioritisation over the next 12 to 18 months, subject to appropriate funding being available.</p> <p>As part of the wider DDA access review noted in the 2012-13 Annual Standards return an internal assessment of the Library Services disability software and hardware provision has been completed and plans put in place to upgrade the Supernova suite of software alongside new PC's being installed across all 18 sites at present. The review has ensured the ongoing suitability of the present technology offer to disabled customers within the County Borough.</p>

<p>3</p>	<p>(i) Library authorities will ensure that the aggregate annual opening hours for all service points shall be no less than 120 hours per 1,000 resident population</p> <p>Library authorities having 4 or less static service points shall ensure that the aggregate annual opening hours shall be no less than 104 hours per 1,000 resident population</p> <p>(ii) Library authorities will ensure that emergency non-opening hours of static libraries will be no more than 1% of total planned opening hours in any year</p> <p>(iii) Library authorities will ensure that mobile library visits/stops missed or cancelled will be no more than 2.5% of total planned number of visits/stops in any year</p> <p><i>The extent of any disruption caused by unusually severe winter weather should be considered and allowed for in the above returns for (ii) and (iii) by removing any losses of service due to severe weather from the calculations.</i></p>	<p>No. of hours:</p> <p>165.6</p> <p>No. of hours</p> <p>.....</p> <p>No of service points</p> <p>18</p> <p>0.04%</p> <p>0%</p>	<p>3(i) The total service annual opening hours for 2013-14 were 29,234.</p> <p>Annual opening hour attainment during 2013-14 has improved markedly on that reported in 2012-13 and remains well above the minimum standard set of 120 per 1000 resident population.</p> <p>In 2012-13 the Authority's performance was 157.3 hours per 1000 resident population. There has been a 5.3% improvement in the last twelve months due in large part to the reopening of Aberbargoed Library in May 2013 with the reinstatement of 25 hours per week at this location and an increase in opening times at the relocated Newbridge Library (30 hours from 21 previously) and Caerphilly (50 hours from 46.5 previously).</p> <p>The planned review of Library Service opening hours noted in the 2012-13 Annual Return has not been progressed to date due in part to the wider economies that the Authority will be challenged to consider over the coming 2014-17 Medium term financial planning cycle.</p> <p>3(ii) A total of 12.5 emergency non opening hours were reported for the whole Service in 2013-14, affecting three sites only. No disruption was reported due to inclement weather.</p> <p>3(iii) No Library Link stops/visits were missed or cancelled due to unforeseen circumstances in 2013-14. No disruption was reported due to inclement weather.</p>
<p>Framework 4 Standard</p>		<p>Actual Performance as at March 31 2014</p>	<p>Authority self-assessment</p>

4

(i) Library authorities will provide the following ICT facilities for users:

- (a) At least 7 networked public access personal or laptop computers per 10,000 resident population, providing free access to the Internet and full access to the authority's on-line catalogue of total holdings
- (b) Current hardware and software at library service points, renewed or refurbished according to corporate policies
- (c) Facilities that enable residents to use their own laptop computers in the libraries
- (d) WiFi at all larger service points (open for 30 hours or more per week) by March 2014

Note: if equipment has been purchased but installation not yet completed as it is the responsibility of another corporate department or supplier, and installation is subject to their timetable, place tick in the next column. If equipment not yet purchased place x in next column

- (e) Scanning and printing facilities
- (f) Plug-in facilities for digital media sources and portable devices
- (g) Free email access
- (h) Access to free introductory or basic support in the use of ICT facilities
- (i) Information literacy sessions for users (to develop use of library services and facilities)

(ii) Library authorities will provide the following ICT-based resources for users:

- (a) General and reference information services (please describe briefly in the Authority self-assessment column)
- (b) Newspapers and other current information sources online
- (c) Community information
- (d) Local history and family history sources
- (e) Local authority and other governmental information sources
- (f) Access to e-learning resources and services

Insert ✓ or X against each

Insert ✓ or X against each

(14 per 10,000)

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

Insert ✓ or X against each

4(i)(ii) The number of public access PC's provided in Caerphilly County Borough Libraries has increased during 2013-14 following the opening of new Libraries in Newbridge and Caerphilly and the reopening of Aberbargoed. Provision has risen from 222 public access PC's in 2012-13 to 250 by March 31st 2014. Additionally the Library Service provides access to some 36 adult learning laptops at Risca Palace and Caerphilly new Library which are frequently used by Community Learning providers to deliver scheduled course provision to residents at each site.

It is noteworthy that provision at the new Caerphilly Library has significantly increased from 19 public access PC's to 35 and that broadband provision to the Authority's largest facilities in Blackwood, Risca, Bargoed, and Caerphilly averages at 100Mb per location enabling residents to make full use of the technological developments afforded to them at each location, including extensive WiFi access.

It is also important to note that total computer hours used by the public, as reported under Welsh Public Library Performance Indicator 3, has risen markedly however due to the similar uplift in computer numbers that the percentage of use has increased by a modest percentage, from 23 to 25%.

All PCs are covered by an internal lease arrangement and PC replacement occurs every 4 years. Indeed all Public and staff workstations are currently in the process of being refreshed as part of this leasing arrangement.

Customers are welcome to bring their laptops into the libraries for general use.

The Authority has funded the implementation of free Wi-Fi provision at all Libraries open 30 hours or more per week. The implementation was completed in February 2014 and was fully live prior to March 31st 2014. The Council currently offers free WiFi access at 12 of its 18 sites with each facility offering full coverage throughout the public spaces of each building with multiple access points across many of the larger locations.

All libraries provide access to scanning and printing facilities.

USB port provision is open to enable customers to use any plug-in device on the public access PCs.

Basic Microsoft office packages are provided as standard, as is free emailing, Internet and basic support from library staff.

Enhanced Microsoft professional packages are installed and available in some larger facilities that have been identified as adult education venues.

The library service promotes both informal and more structured learning opportunities in local, community-based libraries individuals can improve their core information/digital/media literacy and ICT skills.

Library staff are available upon request to support one to one taster sessions with customers on resources of information, both text and electronic based and to access advice and guidance on further learning and training and to increase their confidence and their employment prospects.

Working together with the Council's Community Education practitioners, Bridges into work project, Communities 2.0, Learn-direct, and Open University, Libraries in Caerphilly are supporting residents to gain a variety of qualifications and skills based opportunities. Some 779 residents have been supported by the Digital Friday project during 2013-14 across 6 Borough Library sites. Digital Fridays are delivered in partnership with 'Get Caerphilly Online', Communities 2.0 and the Authority's Digital support officers within Regeneration. The scheme places trained digital volunteers in Libraries on Friday's to support resident to improve their digital skills and prepare for the challenges that Universal Credit will bring including online form completion.

All libraries hold 'printed' general and reference materials about community, legal, health, council and business information. In addition, all libraries have Advice and Self-Help collections giving access to up-to-date information relating to peoples' rights and responsibilities in society.

Local Information reference folders in each library enable staff to provide information on local agencies, voluntary groups and institutions.

Selections of newspapers are available in hardcopy at all service points and via an online subscription (2012 = News Bank / 2013 = Gale) which all customers can access in the library or from a home computer using their membership card.

A community information database has been developed in partnership with the Gwent Association of Voluntary Organisations and the Authority's 50+ partnership. The information is fully searchable and is accessible in every library and from home via a link on the main library catalogue.

Bargoed Library is the Council's designated Local and Family History centre and staff work closely with the Museums Service to share and promote resources and research sessions for the public. The service currently supports subscriptions to Find my past, Ancestry, Theory Test Pro, Gale Infotrac, GoCitizen, Cans, Britannica, and Who else writes like. The service works closely in partnership with Learn-direct to enable e-learning opportunities for customers. Links have also been maintained with the Open University.

	Framework 4 Standard	Actual Performance as at March 31 2014	Authority self-assessment
5	<p>Library authorities shall achieve the following target for annual acquisitions of new collection items (in all formats) made available for public use in each year (per 1,000 total resident population)</p> <p>(a) For use by adults – 124 items per annum</p> <p>(b) For users under 16 – 61 items per annum</p>	<p>Actual performance in year</p> <p>No. of items: 2011-12 174 2012-13 159 2013-14 208 Average over 3 year period 180.3</p> <p>No. of items: 2011-12 91 2012-13 80 2013-14 83 Average over 3 year period 84.6</p>	<p>5(a) In each of the three years of the 4th Framework Caerphilly County Borough Library Service has exceeded the target set for additions to stock for adult and children's collection items. In 2013-14 some 37,269 volumes of adult stock were purchased a 31.5% increase on 2012-13 and reflection of the Council's ongoing commitment to its Library Service and the adequate resourcing of recently opened facilities at Aberbargoed, Newbridge and in particular Caerphilly.</p> <p>The average level of adult collection item additions achieved during the 2011-14 Framework period is 180.3 per 1000 resident population.</p> <p>An additional £30,000 above the resource budget threshold for the Library Service of £415,000 for 2013-14 has been spent resourcing the new Caerphilly Library and increasing provision at Aberbargoed and Newbridge sites following their reopening and relocation respectively.</p> <p>A rebalancing of resources between adult, children, and young people's materials has been achieved as a result of the increased space provided at the new Caerphilly Library that is 6 times larger than the former Morgan Jones facility offering customers access to 1100m² of circulatory and shelving space.</p> <p>5(b) The number of collection items purchased for those under 16 years of age also increased in 2013-14 when compared to 2012-13, by some 4%. 14,873 collection items were added to stock in 2013-14.</p> <p>The average level of children's collection item additions achieved during the 2011-14 Framework period is 84.6 per 1000 resident population.</p>

6	<p>(i) (a) Library authorities shall maintain a level of expenditure on collection items for adults per 1,000 total resident population that does not fall below the lowest quartile (UK 09/10) on average throughout the period to March 2014</p> <p>Lowest quartile £1685 Median £1925 Top quartile £2137</p> <p>(b) Library authorities shall maintain a level of expenditure on collection items for those under 16 per 1,000 total resident population that does not fall below the lowest quartile on average throughout the period up to March 2014</p> <p>Lowest quartile £263 Median £322 Top quartile £426</p>	<p>Actual expenditure 2011-12 £1,865 2012-13 £1,778 2013-14 £2,070 Average over 3 year period £1,904.3</p> <p>Actual expenditure 2011-12 £500 2012-13 £479 2013-14 £417 Average over 3 year period £465.3</p>	<p>6(i) a, Caerphilly County Borough Library Service has consistently performed above the lowest quartile for spend on collection items for adults during the 2011-14, 4th Framework period. The average performance over the three years in question matches well against the median target for WPLS 6(i) and highlight's the continued support that the Council provides to its Library Service during a period of underlying austerity.</p> <p>The marked uplift in 2013-14, as reported under WPLS 5 above, relates in large part to the completion of the Borough's Library modernisation programme and specifically Caerphilly Library which has benefited from a sizeable proportion of an additional £30,000 'one-off' allocated to the book fund in 2013-14 and reported in more detail under WPLPI 5.</p> <p>6(i) b, In each year of the 4th Framework period, 2011-14, Caerphilly County Borough Library Service has spent above the top quartile on collection items for residents under the age of 16. The level of expenditure noted highlights the commitment that the Authority and Library Service has toward supporting children and young people in respect of both recreational and educational reading.</p> <p>The average spend over the three years, 2011 to 2014 is £465.3 compared the top quartile target for Wales of £426.</p>
Framework 4 Standard	Actual Performance as at March 31 2014	Authority self-assessment	

<p>6</p>	<p>(ii) Library authorities shall ensure that they spend</p> <p>Either</p> <p>(a) a minimum average for the three-year period to March 2014 of £750 per annum per 1,000 Welsh speaker total resident population (adult and children under 16) on the purchase, marketing and promotion of Welsh-language materials</p> <p>Or</p> <p>(b) a minimum of 4% of the total library materials purchasing fund on average for the three-year period to March 2014 on the purchase, marketing and promotion of Welsh-language materials for adults and children under 16</p> <p>(iii) Library authorities will compare their acquisition performance during 2013-14 against an indicative selected list of Welsh Writing in English titles to be circulated after consultation with the Welsh Books Council. Authorities should purchase a minimum of 75% of those titles listed annually and an average of at least 3 copies of those titles</p> <p>(iv) (a) Library authorities shall ensure that the time taken to replenish the lending stock on open access for adult users is no more than 8.9 years</p> <p>(b) Library authorities shall ensure that the time taken to replenish the lending stock on open access for users under 16 is no more than 8.9 years</p> <p>Note: reserve stocks should not be included in the calculation of performances against part (iv) (a) and (b) this Standard</p>	<p>Actual expenditure</p> <p>2011-12 £19,269</p> <p>2012-13 £21,916</p> <p>2013-14 £25,114</p> <p>Average over 3 year period</p> <p>£22,099.66</p> <p>State %</p> <p>2011-12%</p> <p>2012-13%</p> <p>2013-14%</p> <p>Average over 3 year period</p> <p>.....%</p> <p>% of list purchased</p> <p>100%</p> <p>Average no. of copies of each title purchased</p> <p>3.6</p> <p>State performance</p> <p>6.12 years</p> <p>9.61 years</p>	<p>6(ii) Based on the 2011 Census return for Caerphilly County Borough some 14,524 residents can read, write, or speak Welsh within the Authority. On the basis of the 2011 Census return the Council must spend a minimum of £10,893 per annum on Welsh language materials (including marketing and promotional expense) to meet this element of the Standard in question. In each year of the 4th Framework the Authority has increased its spending levels on Welsh materials, at levels that greatly exceed the minimum required. In 2013-14 spend on Welsh language materials exceeded £25,000, including additional resource specifically selected for Caerphilly new Library which serves a number of the large Welsh speaking catchment populations within the Borough.</p> <p>6(iii) Caerphilly County Borough Library Service has ensured that 100% of the titles included on the Welsh writing in English list were purchased for the Authority in 2013-14. In 2012-13 75% of titles were purchased. The Library Service is keen to demonstrate its wider commitment to Welsh publishing and writing about Wales, the Welsh and its culture in both English and its native tongue.</p> <p>6(iv) Performance in respect of stock replenishment rates has proven less robust in 2013-14 compared to both previous Framework years with the children's target missed for the first time during this cycle. The impact of the new Caerphilly Library development is largely responsible for this omission. There has been a significant increase in the total stock holding at this new site which has in excess of six times the shelving capacity of the former Morgan Jones building.</p> <p>For completeness the Authority's performance, if the stock purchase and retention levels at the new Caerphilly Library were omitted are:</p> <p>Adult lending stock = 5.74 years Under 16's lending stock = 8.61 years</p>
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Framework 4 Standard	Actual Performance as at March 31 2014	Authority self-assessment
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<p>7</p>	<p>Library authorities will ensure that no less than</p> <p>(a) 64% of all requests shall be supplied within 7 calendar days</p> <p>(b) 79% within 15 calendar days</p> <p>(c) 89% within 30 calendar days</p> <p>on average over the three-year period to March 2014</p> <p><i>Calendar days are to be calculated from when the request / reservation was made to the time when the borrower was informed that the material was available.</i></p> <p><i>Requests for pre-publication material should be calculated only from the date when materials are made available for purchase to the library service, i.e. exclude pre-publication requests still in the system.</i></p> <p>Note: Please indicate (insert ✓ or X) whether this data has been:</p> <ul style="list-style-type: none"> ▪ calculated via the service LMS <p>or</p> <ul style="list-style-type: none"> ▪ calculated on the basis of a sample period survey 	<p>2011-12 76.59% 2012-13 76.86% 2013-14 78.96% Average over 3 year period 77.47%</p> <p>2011-12 83.35% 2012-13 83.56% 2013-14 85.02%</p> <p>Average over 3 year period 83.98%</p> <p>2011-12 89.90% 2012-13 90.42% 2013-14 91.23%</p> <p>Average over 3 year period 90.52%</p> <p style="text-align: center;">✓</p>	<p>Caerphilly County Borough Library Service has met this Standard in full on each year of the 4th Framework. Performance has improved in each of the three reporting categories highlighting the Library Services continued financial commitment to a dedicated delivery vehicle and employee.</p> <p>Since 2012-13 the Authority has based its returns for WPLS 7 on performance data from its Library Management System and as instructed reservations for pre-publication materials have been excluded from the response where the items concerned have not been made available for purchase to the Library Service.</p> <p>As the Council's Medium Term Financial Planning constraints impact in 2014-15, and over future years, it is anticipated that request satisfaction levels will prove more challenging to maintain as the core resource budget declines – this will be an area of ongoing monitoring.</p> <p>Greater use of the regional Inter-lending system 'Books4u' will assist in ensuring that Caerphilly County Borough Library customers continue to have access to a wider breadth of resources than the present book fund will be able to sustain.</p>
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Framework 4 Standard		Actual Performance as at March 31 2014	Authority self-assessment
8	<p>(i) Library authorities shall ensure that total staffing establishment levels shall not fall below 0.37 per 1,000 resident population</p> <p>(ii) Library authorities shall ensure that at least 23% of total staff shall be formally qualified in library and information studies / science</p> <p>(iii) Library authorities shall ensure that the designated operational manager of library services shall be the holder of recognised professional qualifications in librarianship or information science or information management</p> <p>(iv) Library authorities that use volunteer staff shall ensure that they:</p> <ul style="list-style-type: none"> • have a designated volunteer coordinator from the permanent staffing establishment • provide a written role description for each volunteer • meet the legal requirements for each volunteer in relation to the role being undertaken • provide induction training for volunteers • provide continuing training for volunteers • provide appropriate supervision for volunteers • are aiming to achieve accreditation status recognising that the organisation is meeting the standards noted in the National Occupational Standards for Managing Volunteers and Investing in Volunteers 	<p>State figure:</p> <p>0.39 (69.3 FTE) 0.54 based on total no. of staff in post not FTE</p> <p>State %</p> <p>20.9%</p> <p>State qualification of post holder</p> <p>Chartered Librarian with degree in Librarianship</p> <p>Insert ✓ or X against each</p> <p>N/A</p>	<p>WPLS 8(i) has been calculated in 2013-14 on a Full Time Equivalence basis, as opposed to total staffing on the establishment which is 96 individuals or 0.54 per thousand resident population. The Library Service currently meets WPLS 8(i) based on either the 0.39 or 0.54 calculation route however performance with respect to WPLS 8(ii) remains challenging and below the minimum threshold set for the percentage of formally qualified staff.</p> <p>The Library Service is currently holding vacant a number of professional vacancies, 3 full time posts, as it undertakes changes to its management structure in line with the Authority's Medium Term Financial Plan for 2014/17. The retention of these vacant posts has proven important in ensuring that there are appropriate roles for any displaced personnel as part of the on-going restructure.</p> <p><i>Three Saturday Library Assistant posts are currently being held open at Abertridwr, Bargoed, and Bedwas as the Authority considers any future opening hour changes it may wish to make linked to a review of the Library Service, scheduled for 2014-15, and its Medium Term Financial Plan requirements. For a similar reason a post in the Library Services Acquisition's Section is also being held vacant.</i></p> <p>8(iii) Please see information provided performance column.</p> <p>8(iv) The County Borough Library Service does not currently employ volunteers to deliver any of its provision. The service does however work with a number of bodies who use volunteers, including 'Get Caerphilly Online' that coordinates the Borough's Digital Friday programme. The Authority's six largest Libraries host weekly 'Digital Friday' sessions as part of the Council's Universal Credit Pilot and these activities are delivered by trained community volunteers.</p> <p>Abercarn Library which opened to the public at the end of May 2012 hosts a Community Café run by the Bridging the gap group and staffed by local volunteer helpers.</p> <p>In each example noted above the Library Service has been judicious in its support for community projects that, through their use of volunteers, are able to add capacity and value to the relevant settings where these schemes operate.</p>

Framework 4 Standard	Actual Performance as at March 31 2014	Authority self-assessment
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<p>9</p>	<p>Library authorities will indicate:</p> <p>(i) Capital investment in their library service points (including mobile services) from</p> <p style="padding-left: 40px;">a) the authority's own resources</p> <p style="padding-left: 40px;">b) from external sources</p> <p><i>State sources of any external capital investment in the Authority self-assessment column.</i></p> <p>(ii) Their actual repair and maintenance expenditure for each year of the Framework per 1,000 resident population, including any actual central charge levied on the library service for use of buildings as service points</p> <p>(iii) That they have undertaken:</p> <ul style="list-style-type: none"> ▪ an asset/condition survey for their service points or internally reviewed such surveys on one occasion in the five year from March 2009 to April 2014. Note: if service point has been refurbished during the period, a condition survey can be regarded as being part of that work ▪ a disability audit on one occasion in the five-year period from March 2009 to April 2014 Note: if service point has been refurbished during the period, a disability audit can be regarded as being part of that work <p>(iv) The total aggregate public area offered by the library service points per 1,000 resident population. The indicative standard is 27 square metres</p> <p>(v) Any other capital expenditure on the library service not relating to buildings incurred during the year</p> <p><i>State nature of expenditure in (v) in the Authority self-assessment column.</i></p>	<p>£3,578,000</p> <p>£</p> <p>£531.54 (£95,158)</p> <p>Insert ✓ or X</p> <p>Date of survey: 2012-13</p> <p>Date of audit:</p> <p>Audit completed September 2013</p> <p>29.15m²</p> <p>N/A</p>	<p>9(i) In January 2014 the new Caerphilly Library and Customer Service Centre was completed. The outstanding costs, not recorded in the 2012-13 return of £3,408,000 were incurred to deliver this important scheme in 2013-14. Additionally the Council invested £170,000 in the Newbridge Memo development, relocating the town's Library to the Institute in a doubling of the public space available, increased opening hours, and co-citing with the area Cash Office.</p> <p>9(ii) This has declined from £606 per thousand resident population in 2012-13 (£108,377) partly due to the increasing number of fit for purpose sites operated by the Borough Library Service and also as a result of the Authority's progressive stance to Facilities Management with Property Services overseeing all essential and planned maintenance work.</p> <p>9(iv)The Council's Public Library floor area was 23.2m² for 2012-13. Following the completion of Caerphilly Library and Customer Service Centre in January 2014, the reopening of Aberbargoed Library, and relocation of Newbridge to a site offering twice the customer space of the former building – the Authority now meets this element of WPLS 9 in full for the first time.</p>
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The Welsh Public Library Performance Indicators (WPLPI) 2011-14

Notes for completion

Data is required annually for Performance Indicators (WPLPI) 1, 3, 4, 5, 6, 7 and 8 - all are marked with * for the sake of clarity. Data should only be submitted for WPLPI 2 when the PLUS surveys (or their local equivalents) have been completed and when results are known.

Library authorities NEED NOT offer comments in those Performance Indicators where no data can yet be submitted (and until, for example the PLUS survey, or its equivalent has been conducted).

Authorities who do not use the PLUS survey services in their entirety are required to provide the following information in their Annual Return

- (i) When and by whom was the survey conducted?
- (ii) How and where was the survey conducted?
- (iii) How was the analysis undertaken and by whom?
- (iv) What questions were asked for each Performance Indicator?
- (v) What was the survey target sample and how was it calculated?
- (vi) What was the response rate?

Performance data should be cited to two decimal points where appropriate

	Performance Indicators (WPLPI)	Reported Performance 2012-13	Actual Performance as at March 31 2014	Authority self-assessment
1*	The number of people using the library service per 1,000 resident population	No. per 1,000 population: 5,012 (896,022)	No. per 1,000 population: 5,974 (1,069,535)	<p>Physical Visits during 2013-14 to Borough Library sites were 954,397, an 11.2% increase on service activity in 2012-13 (858,076).</p> <p>Within this improving situation a number of locations performed particularly strongly, including:</p> <ul style="list-style-type: none"> • Caerphilly Library and Customer Service Centre – 26.4% increase (124,927 compared to 98,804 in 2012-13). The actual impact following the new Library opening in January 2014 is more marked with January to March comparative visitor data highlighting a 126% like for like increase. • Newbridge Library and Cash Office – 95% increase • New Tredegar, White Rose Information & Resource Centre – 24% increase • Bargoed Hanbury Chapel – 11.5% increase • Abercarn Library – 11% increase <p>It is also noteworthy that only 4 of the Council's 18 static Libraries reported a drop in physical visits when compared to 2012-13 activity levels.</p> <p>During 2013-14 performance on virtual visitors improved above expectation. The Council's IT Section reported some 113,709 virtual visitors to the Borough's Library web pages, an increase of 269% on activity levels in 2012-13.</p> <p>The Library Service has targeted its online offer for a number of years and recently developed a Library app for iphone and android users which includes full catalogue integration. The digital e-offer will remain a core priority area over the next three year period a focuses prominently in the Library Service 2014-17 Strategy.</p> <p>During 2013-14 there were 765 social media contacts with the Library Service via Twitter, Face-book and other online platforms.</p> <p>Some 41,541 residents attended events in Libraries during 2013-14 compared to 33,437 in 2012-13. A rise of 24% and indicative of the improved facilities available at Borough Library locations and the increased number of activities sponsored by partner organisations at these new or relocated venues.</p> <p>Caerphilly Library and Customer Service Centre include's two seminar/community meeting rooms which are proving particularly popular with local training and advice agencies.</p>

2	<p>(i) The % of library users (adults and children under 16) who are satisfied or very satisfied with the library service provided. <i>The benchmark of the Framework for an acceptable level of performance in this part of the Indicator is 90%</i></p> <p>(ii) The % of adults who think that the choice of books available in the library they use is 'very good', 'good' or 'adequate'</p> <p>(iii) The % of users under 16 who think that the choice of books in the library they use is 'good' or 'OK'</p>	<p>98% (96% Adult & 100% Children and Young People)</p> <p>99%</p> <p>99%</p>	<p>98% (96% Adult & 100% Children and Young People)</p> <p>99%</p> <p>99%</p>	<p>Caerphilly County Borough Council Library Service completed an Adult PLUS Survey in March 2013 and Children and Young Peoples PLUS Survey in April 2012. The percentages shown in this return are based on the information provided by these two questionnaires.</p> <p>These are the two official surveys undertaken during the 4th Standards Framework period.</p> <p>2(i) The aggregate Adult and Child survey results show a marked increase in overall satisfaction by customers with the Library Service. Most notable is the level of users in both surveys who rated their Libraries as 'Very Good' in the Adult questionnaire (70% compared to 61% in 2009) and 'Good' in the respective Children and Young Peoples research (90% in 2012 compared to 85% in 2010).</p> <p>2(ii) There is a similar pattern of increased satisfaction among Adults to the choice of books available in 2013 when compared to 2009, a rise from 44% 'Very Satisfied' to 50%. The overall satisfaction percentage has also increased to 99% from 98% under the previous survey.</p> <p>2(iii) Satisfaction levels among Children and Young People with regard to the choice of books available to them remains at 99%. There has however been an improvement in the number who rated the choice as 'Good' this has increased from 78% to 83%.</p> <p>The overall assessment of WPLPI 2 is one of continued high levels of customer satisfaction with the investment that the Council has made in books and other resources. Maintaining such high satisfaction levels in future years, as budgetary pressures increase, will be challenging and the Library Service is also mindful that both PLUS Surveys represent the views of current users and not necessarily those of residents who do not access our provision at present or who have lapsed.</p> <p>During 2013-14 the Council also completed its latest bi-annual Household Survey with Library Service satisfaction achieving a 97% rating among users, lapsed users, and non users. The Library Service satisfaction score was among the highest achieved for any Council provision and markedly up on previous biannual consultation exercises.</p>
3*	The % of time allocated for use of public access ICT facilities actually taken up by users	<p>23% (94,976 hrs)</p>	<p>25.1% (107,279 hrs)</p>	<p>During 2013-14 there was a 13% increase in total computer hours used by customers in Libraries when compared to 2012-13. The overall percentage of time available taken up for IT use however increased in more measured manner as the Library Service increased its number of Public Access Terminals to 250 from 222 in 2012-13.</p> <p>For the second year running the level of IT use by adult customers rose strongly with an increase of 14.4% compared to 2012-13. Adult customers represented 82% of all computer usage within the Library Service for the year ended.</p>

4*	The annual issues (loans) per 1,000 total resident population	No. per 1,000 population: 3,605 (644,582)	No. per 1,000 population: 3,606 (645,498)	<p>645,498 book and non-book loans to residents in 2013-14, compared to 644,582 in 2012-13. This represents a largely neutral position in respect of the Authority's overall performance against this important Performance Indicator.</p> <p>More detailed analysis of the core performance data for WPLPI 4 identifies that children's book and non book loans increased by 4.8% in 2013-14 in comparison to 2012-13 in part linked to a significant uplift in borrowing by this age group at the new Caerphilly Library site which opened to residents in January 2014.</p> <p>There are a number of Libraries within the County Borough that have performed above the overall trend, these include:</p> <ul style="list-style-type: none"> - Caerphilly Library & Customer Service Centre = 12% increase in borrowing (19% uplift in lending by Children) - Newbridge Library, 6% increase in borrowing (22% uplift in lending by Children) - Deri Library, 33% increase in borrowing (20% uplift in lending by Children)
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Performance Indicators (WPLPI)		Reported Performance 2012-13	Actual Performance as at March 31 2014	Authority self-assessment
5*	The % of total annual authority expenditure on the library service spent annually on the purchase of books and other collection items in all formats and made available to the public	10.73% (12.44% when excluding Central charges)	11.23%	<p>In 2013-14 the County Borough Library Service spent £445,352 on book and non book collection items for adults and children. The resource budget of £415,000 has received additional monies as part of the fitting out of the Caerphilly Library and Customer Service Centre, reopening of Aberbargoed Library, relocation of Newbridge and make over of the Bedwas site. This additional funding, above base budget, was a single year allocation to ensure the significantly larger facility at Caerphilly was able to match public need and expectations and bring total holdings in line with the Borough's demographic/population levels.</p> <p>The Authority's longer term target of spending a minimum of 15% of its total annual expenditure on collection items has, based on this estimated figure, been reached.</p> <p>It is however important to note that from 2014-15 onward the resource budget will reduce in real terms by £50,000 and may be subject to greater efficiency pressures in the future as the Council works toward achieving its challenging Financial Plan targets by 2017. The option for one-off capital investment in the resource budget will remain in place subject to funding being available and an appropriate business case for additional monies being approved.</p>
6*	<p>The % of total authority revenue expenditure spent annually on the public library service</p> <p>The actual recharge (in £s) levied on the library service for central services</p>	<p>1.28%</p> <p>£520,000</p>	<p>1.34%</p> <p>£521,000</p>	<p>The County Borough Council continues to financially support its Public Library Service at levels well above the national average. The funding has been crucial in underpinning both the Authority's building development programme and its commitment to supporting the wider resource needs of adult learners, educational attainment among children and young people, and the maintenance of appropriate staffing levels in direct 'face to face' provision to enable customers to make best use of the services open to them.</p>
7*	The % of total authority capital allocations expended on public library facilities this year	4.27%	5.39%	See above.

8*	The net annual revenue expenditure on public library provision per 1,000 resident population, including staffing, materials, revenue costs of buildings and any recharge levied on the library service for central services	£21,035	£23,188	See above.
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CABINET - 12TH NOVEMBER 2014

SUBJECT: DRAFT WHISTLEBLOWING POLICY

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

1.1 The attached report was presented to the Policy and Resources Scrutiny Committee on 11th November 2014.

1.2 The views of the Scrutiny Committee will be reported to the Cabinet meeting.

Author: S. M. Kauczok, Committee Services Officer, Ext. 4243

Appendices:

Appendix 1 Report and appendix to Policy and Resources Scrutiny Committee on 11th November 2014.

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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	

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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.

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

