

T: 01495 356139 Ext./Est: 6139

E: committee.services@blaenau-gwent.gov.uk

Contact:/Cysylltwch â: Gwasanaethau Democraataidd



THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

Dydd Iau, 21 Ionawr 2021 Dydd Iau, 21 Ionawr 2021

Dear Sir/Madam

CYFARFOD CYFFREDINOL Y CYNGOR

A meeting of the Cyfarfod Cyffredinol y Cyngor will be held in Siambr y Cyngor, Canolfan Ddinesig on Dydd Iau, 28ain Ionawr, 2021 at 10.00 am.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. CYFIEITHU AR Y PRYD

Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o rybudd os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

2. YMDDIHEURIADAU

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

Municipal Offices
Civic Centre
Ebbw Vale
NP23 6XB

Swyddfeydd Bwrdeisio!
Canolfan Dinesig
Glyn Ebwy
NP23 6XB

a better place to live and work
lle gwell i fyw a gweithio

Derbyn ymddiheuriadau.

3. DATGANIADAU BUDDIANT A GODDEFEBAU

Ystyried unrhyw ddatganiadau buddiant a goddefebau a dderbyniwyd.

4. CHARLOTTE CLARKE – MAER IEUENCTID AR GWBLHAU EI THYMOR YN Y SWYDD

Derbyn trosolwg o daith democratiaeth Charlotte.

5. CYHOEDDIADAU'R CADEIRYDD

Derbyn cyhoeddiadau'r Cadeirydd..

6. CYFARFOD CYFFREDINOL Y CYNGOR 9 - 46

Ystyried ac os credir yn addas gymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 26 Tachwedd 2020.

7. CYFARFOD ARBENNIG O'R CYNGOR 47 - 66

Ystyried ac os credir yn addas gymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 17 Rhagfyr 2020.

8. PWYLLGOR GWAITH 67 - 82

Cadarnhau cofnodion y Pwyllgor Gweithredol a gynhaliwyd ar 9 Rhagfyr 2020.

9. CYFARFOD ARBENNIG O'R PWYLLGOR GWEITHREDOL 83 - 86

Cadarnhau cofnodion y Pwyllgor Gweithredol a gynhaliwyd ar 15 Rhagfyr 2020.

10. PWYLLGOR GWAITH 87 - 100

Cadarnhau cofnodion y cyfarfod a gynhaliwyd ar 13 Ionawr 2021.

- | | | |
|-----|---|-----------|
| 11. | <u>PWYLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWDDEDU CYFFREDINOL</u> | 101 - 110 |
| | Cadarnhau cofnodion y Pwyllgor Cynllunio, Rheoleiddio a Thrwyddedu Cyffredinol a gynhaliwyd ar 3 Rhagfyr 2020. | |
| 12. | <u>PWYLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWDDEDU CYFFREDINOL (MATERION TRWDDEDU CYFFREDINOL)</u> | 111 - 118 |
| | Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Cynllunio, Rheoleiddio a Thrwyddedu Cyffredinol (Materion Trwyddedu Cyffredinol) a gynhaliwyd ar 14 Rhagfyr 2020. | |
| 13. | <u>PWYLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWDDEDU CYFFREDINOL</u> | 119 - 124 |
| | Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Cynllunio, Rheoleiddio a Thrwyddedu Cyffredinol a gynhaliwyd ar 7 Ionawr 2021. | |
| 14. | <u>PWYLLGOR CRAFFU TROSOLWG CORFFORAETHOL</u> | 125 - 132 |
| | Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Trosolwg Corfforaethol a gynhaliwyd ar 11 Medi 2020. | |
| 15. | <u>PWYLLGOR CRAFFU GWASANAETHAU CYMUNEDOL</u> | 133 - 140 |
| | Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Gwasanaethau Cymunedol a gynhaliwyd ar 21 Medi 2020. | |
| 16. | <u>CYD-BWYLLGOR CRAFFU (MONITRO CYLLIDEB)</u> | 141 - 144 |
| | Cadarnhau cofnodion y cyfarfod o'r Cydbwyllgor Craffu (Monitro'r Gyllideb) a gynhaliwyd ar 28 Medi 2020. | |
| 17. | <u>PWYLLGOR CRAFFU GWASANAETHAU CYMUNEDOL</u> | 145 - 156 |

Cadarnhau cofnodion y cyfarfod arbennig o'r Pwyllgor Craffu Cymunedol a gynhaliwyd ar 13 Hydref 2020.

18. PWYLLGOR CRAFFU GWASANAETHAU CYMUNEDOL 157 - 166

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Gwasanaethau Cymunedol a gynhaliwyd ar 19 Hydref 2020.

19. PWYLLGOR CRAFFU ADFYWIO 167 - 172

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Adfywio a gynhaliwyd ar 21 Hydref 2020.

20. PWYLLGOR CRAFFU ADDYSG A DYSGU 173 - 186

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Addysg a Dysgu a gynhaliwyd ar 3 Tachwedd 2020.

21. PWYLLGOR CRAFFU GWASANAETHAU CYMDEITHASOL 187 - 194

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Gwasanaethau Cymdeithasol a gynhaliwyd ar 5 Tachwedd 2020.

22. PWYLLGOR ARCHWILIO 195 - 208

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Archwilio a gynhaliwyd ar 17 Tachwedd 2020.

23. PWYLLGOR CRAFFU GWASANAETHAU CYMDEITHASOL 209 - 214

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Gwasanaethau Cymdeithasol a gynhaliwyd ar 10 Rhagfyr 2020.

24. PWYLLGOR CRAFFU TROSOLWG CORFFORAETHOL 215 - 224

Cadarnhau cofnodion y cyfarfod o'r Pwyllgor Craffu Trosolwg Corfforaethol a gynhaliwyd ar 11 Rhagfyr 2020.

25. CWESTIYNAU AELODAU

Derbyn cwestiynau, os oes rhai, gan Aelodau.

26. CWESTIYNAU GAN Y CYHOEDD

Derbyn cwestiynau, os oes rhai, gan y cyhoedd.

27. ADRODDIAD ADOLYGU CANOL BLWYDDYN RHEOLI TRYSORLYS – 1 EBRILL 2020 I 30 MEDI 2020 225 - 246

Ystyried adroddiad y Prif Swyddog Adnoddau.

28. POLISI TRAIS DOMESTIG, TRAIS A THRAIS RHYWIOL 247 - 276

Ystyried adroddiad y Pennaeth Datblygu Sefydliadol.

29. POLISI CYDRADDOLDEB TRAWS 277 - 304

Ystyried adroddiad y Pennaeth Datblygu Sefydliadol.

30. POLISI DIOGELWCH GWYBODAETH 305 - 320

Ystyried adroddiad y Prif Swyddog Adnoddau.

31. POLISI DEFNYDD DERBYNIOL 321 - 334

Ystyried adroddiad y Prif Swyddog Adnoddau.

32. ADRODDIAD AELODAETH 335 - 336

Ystyried yr adroddiad a atodir.

33. EITEM(AU) EITHRIEDIG

Derbyn ac ystyried yr adroddiadau dilynol sydd ym marn y Swyddog Priodol yn eitemau eithriedig gan roi ystyriaeth i'r prawf budd cyhoeddus ac y dylai'r wasg a'r cyhoedd gael eu heithrio o'r cyfarfod (mae'r rheswm am y penderfyniad am yr eithriad ar gael ar restr a gedwir gan y Swyddog Priodol).

34. CAIS I LESU TIR

337 - 362

Ystyried adroddiad y Cyfarwyddwr Corfforaethol Adfywio a Gwasanaethau Cymunedol.

35. DIWEDDARIAD AR GAPASITI CLADDEDIGAETHAU MYNWENTYDD

363 - 378

Ystyried adroddiad y Rheolwr Tîm Golwg Strydoedd.

36. ADDYSG – STRWYTHUR ARWEINYDDIAETH A RHEOLAETH

Ystyried adroddiad y Cyfarwyddwr Corfforaethol Addysg.

To: M. Moore (Cadeirydd)
J. Holt (Deputy Chair)
P. Baldwin
D. Bevan
G. Collier
J. Collins
M. Cook
M. Cross
N. Daniels
D. Davies
G. A. Davies
G. L. Davies
M. Day
P. Edwards
L. Elias
D. Hancock
K. Hayden
S. Healy
J. Hill

W. Hodgins
M. Holland
J. Mason
H. McCarthy
C. Meredith
J. Millard
J. C. Morgan
J. P. Morgan
L. Parsons
G. Paulsen
K. Pritchard
K. Rowson
T. Sharrem
T. Smith
B. Summers
B. Thomas
G. Thomas
S. Thomas
H. Trollope
J. Wilkins
D. Wilkshire
B. Willis
L. Winnett

All other Members (for information)
Manager Director
Chief Officers

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 26TH NOVEMBER, 2020</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR M. MOORE (THE CHAIR,
PRESIDING)

Councillors P. Baldwin
 D. Bevan
 J. Collins
 M. Cook
 M. Cross
 N. Daniels
 D. Davies
 G. A. Davies
 G. L. Davies
 M. Day
 P. Edwards
 L. Elias
 D. Hancock
 K. Hayden
 S. Healy
 J. Hill
 W. Hodgins
 J. Holt
 J. Mason
 H. McCarthy, B.A. (Hons)
 C. Meredith
 J. Millard
 J. C. Morgan
 J. P. Morgan
 L. Parsons
 G. Paulsen
 K. Pritchard
 K. Rowson

T. Smith
 B. Summers
 G. Thomas
 S. Thomas
 H. Trollope
 J. Wilkins
 D. Wilkshire
 B. Willis
 L. Winnett

AND: Managing Director
 Corporate Director of Regeneration and Community Services
 Corporate Director of Education
 Chief Officer Resources
 Chief Officer Commercial
 Head of Legal and Corporate Compliance
 Head of Governance and Partnerships
 Head of Children’s Services
 Communications, Marketing & Customer Access Manager

ALSO: Matt Lewis, Chief Operating Officer – Shared Resource Service (SRS)

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors G. Collier, T. Sharrem and the Corporate Director of Social Services.</p>	

<p>3.</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declarations of interest were reported:</p> <p>Item No. 21 – Data Centre Business Case Councillor W. Hodgins</p> <p>Item No. 30 – Appointments Committee JNC Officer Corporate Director of Education</p>
<p>4.</p>	<p><u>CHAIR’S ANNOUNCEMENTS</u></p> <p>No announcements had been received.</p>
<p>5 – 16.</p>	<p><u>MINUTE BOOK – MARCH – OCTOBER 2020</u></p> <p>The Minute Book for the period March – October 2020 was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the minutes be approved and confirmed as a true record of proceedings.</p>
<p>17.</p>	<p><u>MEMBERS QUESTIONS</u></p> <p>The following question was received from Councillor H. Trollope and was responded to by the Leader of the Council:</p> <p>Question:</p> <p>Councillor Trollope commenced by stating that this was not a ‘political’ question. He was posing this question because of the position he had recently found himself in losing a very good friend and also because the pandemic had affected every person in Blaenau Gwent.</p> <p>“Given that Blaenau Gwent had, sadly, had such a high incidence of Covid-19, there was some public concern about the views of</p>

Councillor Mark Holland expressed on social media. The question was posed why, after Councillor Holland had left the Independent Group of his own accord, you asked Councillor Holland to reconsider and return to the Independent Group? This was reported in the local press.

Please explain whether, in hindsight, you now think your leadership should have been more proactive in expelling him yourself; and whether you consider that Councillor Holland was in breach of the code of conduct?

Response:

The Leader commenced by stating that he was mindful of Councillor Trollope's unfortunate personal circumstances and did not consider this as a political question. He continued by stating that he had considered this matter very carefully and seriously and when it had first been brought to his attention his immediate course of action was to have a conversation with both the Monitoring Officer and the Managing Director regarding Councillor Holland's comments particularly, in relation to any potential conflict in terms of the code of conduct and said that if those conversations had left any major doubt in his mind, his approach and decisions would have been much different as he had clearly demonstrated in the past and particularly in 2017.

It was in the light of those conversations he had written to Councillor Holland and asked him to reflect and would have possibly have hoped to have had a conversation with him on a one to one basis. To contextualise the word 'reflect' - asking an individual to reflect was a form of consistency he had tended to adopt in matters such as this as indeed other colleagues who had indicated to leave the Independent Group could testify. He would always respect an individual's choice because for independent councillors there was no written contract or obligation but whatever the circumstances he would always value a conversation with any individual because this was the style he adopted.

However, in this instance and Councillor Holland's subsequent comments and the very clear reasons he had provided in writing to the Leader for leaving, created a position whereby he could not and probably would not want to be re-admitted to the Independent Group.

With regard to the comments regarding hindsight and being proactive in relation to his actions, mindful of the content of his response so far together with leadership style that he had chosen to adopt, the Leader said that he had dealt with the situation as he considered then and still considered this appropriate. With regard to any breach of the conduct of conduct, it was a matter for the Standards Committee and more significantly the Ombudsman who ultimately determined any breaches. To conclude, the Leader said that at this point in time he was content with the course of action he had taken.

Supplementary Question:

“Reference was made to Leader’s portfolio as part of the Cardiff Region City Deal and he was asked what colleagues in Cardiff thought of Blaenau Gwent and was the Council’s reputation being put in jeopardy as the Leader led on this particular portfolio?”

Response:

The Leader commenced by clarifying that his portfolio as part of the Cardiff Capital Region City Deal did not relate to 5G, he shared another portfolio responsibility with the Leader of Merthyr C.B.C. He advised that this issue had not surfaced in the Cardiff Capital Region City Deal or the Welsh Local Government Association (WLGA) (whilst mindful of not being disrespectful towards the anguish to the Councillor and family for what they had recently gone through) advised colleagues were more concerned about concentrating and focussing resources to manage the current crisis.

He continued by stating that no member of the public had approached him with any criticism or condemnation of Councillor Holland or had asked any questions about why he had written to the Councillor and asked him come back to Group – no-one had made an issue of it. Presently, everyone was trying to concentrate on what had to be done and working towards a vaccine.

18. PUBLIC QUESTIONS

There were no questions submitted by members of the public.

19. AUTHORISED ABSENCE – COUNCILLOR GARTH COLLIER

The Leader advised that as Members were aware, Councillor Collier had been taken ill earlier in the year and did not feel that currently he was in a position to return to normal Council duties although his health was slowly improving and he was anticipating returning to duties fairly shortly. As the 6-month attendance rule for Councillor Collier would lapse in January and this was the last formal Council meeting prior to that period, he proposed that an authorised absence be granted to cover any further absence beyond January 2021.

The Leader of the Labour Group endorsed the comments made and gave his total support for this action and wished Councillor Collier the very best in his recovery.

The Leader thanked the Leader of the Labour Group for his comments and gave an assurance that when he spoke to Councillor Collier he relayed that the thoughts and best wishes of the Council (across the whole political spectrum) and he would continue to do so.

Upon a vote being taken it was unanimously,

RESOLVED that Councillor Garth Collier be granted approved absence for a further 6-month period effective from January 2021.

20. ASSESSMENT OF PERFORMANCE 2019/2020

Consideration was given to the report of the Service Manager Performance and Democratic.

The Head of Governance and Partnerships in presenting the Assessment of Performance explained that it fulfilled the statutory obligations placed on the Council as part of the requirements of the Local Government Measure (Wales) 2009 and fulfilled some of the Well-being Objectives which were required as part of the Well-being of Future Generations (Wales) Act. retrospective report covering the period 2019/2020 also included an assessment of the work undertaken as part of the response to the global pandemic, Covid-19.

The officer continued by advising that the Council had a requirement to measure a number of national performance indicators known as Public Accountability Measures (PAMs) which reflect those aspects of local authority work, which were considered to be important in terms of public accountability. All Council's in Wales were required to submit their performance against the PAMs. However, for the year 2019/20 a number of these indicators had not been collected nationally owing to the global pandemic, Covid-19. Where information was available this had been included within the Assessment of Performance at appendix 1.

The Head of Governance and Partnerships concluded by outlining the format of the document and advised that the document was subject to external audit.

It was unanimously,

RESOLVED that the report be accepted and the Council's Assessment of Performance which provided a retrospective account of the 2019/20 year and fulfilled all required statutory legislative requirements, be endorsed.

21. DATA CENTRE BUSINESS CASE

Councillor W. Hodgins declared an interest in this item but remained in the meeting whilst it was discussed.

Members considered the report of the Chief Officer Resources.

The Chief Officer Resources spoke in detail to the report and highlighted the salient points contained therein. The purpose of the report was to:

- i. Present the Business Case for the relocation of the SRS Data Centre at Blaenavon to Next Generation Data (NGD) in Newport.
- ii. Agree the transfer of Blaenau Gwent's Data (currently housed at the Computer Room in the Civic Centre and the Data Centre at Blaenavon) to NGD.
- iii. Agree the Blaenau Gwent element of the capital and revenue investment required to progress the project.

The Chief Officer Resources explained that the physical data centre at Blaenavon was established to house the IT servers required to host the software systems for the original partners of the SRS and it also currently housed the NHS Wales Informatics Service, however, this contact would shortly be coming to an end. However, upon Blaenau Gwent and Newport joining the SRS, the business cases for both Blaenau Gwent and Newport had included an agreement that all servers would be transferred to the data centre at Blaenavon but to date there had been limited progress made.

The physical data centre at Blaenavon had been an asset for the SRS and partners for the last 10 years but without investment the data centre was assessed as a very high risk for all SRS partners as a result of environmental factors. It was noted that £2.6m investment was required over the next 4-year period. In addition, the computer room at the Civic Centre was not built to data centre standards and was also considered a very high risk due to building concerns and age of the equipment (coming to the end of its useful life) and would require investment to improve the resilience of the provision into the future. Furthermore, the Council was currently considering the future of the Civic Centre which may result in alternative location(s) needing to be considered to house the IT infrastructure supporting all Blaenau Gwent services.

In July 2020 the SRS Strategic Board agreed an SRS Strategy to 2026 with a shared aspiration towards a 'cloud' based provision away from an on premise data centre and as a consequence of this it was expected that there would be a decreasing need but an increasing cost for an on premise data centre provision, therefore, future alternative provision had been explored.

The Chief Officer Resources, thereupon, gave details of the 4 options outlined in the business case together with the revenue/capital and decommissioning costs and funding arrangements attributed thereto. The 4 options were:

- Option 1 – Business as Usual
- Option 2 – Do Minimum
- Option 3 – Reduce to a Single Hall in Blaenavon
- Option 4 (Preferred Option) – Alternative Provision

Paragraph 5.1.9 (table 1) summarised the financial implications of each of the options. The SRS Strategic Board and Finance and

Governance Board had considered the business case and recommended Option 4 because the other options were considered to be too high a cost. Both options 3 and 4 would result in reduced costs, however the capital investment required for option 4 was significantly lower.

For Blaenau Gwent, this would result in a slight increase for Option 4 in revenue costs of £11,000 for the first few years - this was based on the current assessment of rack space but as services moved to the 'cloud' it was expected that this cost would reduce over time. In addition, Option 4 would require an initial capital investment of £361,000 compared to £508,000 for Option 3.

It was noted that the Council had agreed £240,000 capital funding allocation in October 2019 for electrical and IT works at the Civic Centre and there was currently £209,000 remaining within that allocation. It was, therefore, proposed that this allocation be repurposed and supplemented by £152,000 from capital contingency to fund the initial investment requirements. It was also proposed in order to ensure the sustainability of the core infrastructure, that £61,000 be built into the capital programme moving forward to allow for necessary equipment replacement.

The views of Members were, thereupon, sought regarding the business case.

The Chief Officer Resources confirmed that the business case had been approved by the other SRS partners.

In reply to a question, the Chief Officer Resources advised that she was unsure with regard to the future plans of Gwent Police and stated that the business case had been developed, treating SRS partners and Gwent Police separately. The proposed move to NGD would have no impact on future costs for Blaenau Gwent and other partners as a result of any change to operations by Gwent Police because if agreed and the move to NGD took place, the authority would only pay for servers that would actually be used. However, this would be a different situation if the infrastructure remained at the Data Hall in Blaenavon and Gwent Police relocated because other partners would have to fund an additional proportion of the fixed operating costs.

It was unanimously,

	<p>RESOLVED, subject to the foregoing, that the report be accepted and Option 4 – Alternate Provision be endorsed, namely the Data Centre Move to NGD Newport (including the move of existing services from the Civic Centre) and associated investment required (capital & revenue).</p>
<p>22.</p>	<p><u>PROPOSED COUNCIL FORWARD WORK PROGRAMME 2020/2021</u></p> <p>Consideration was given to the report detailing the Council Forward Work Programme for 2020/2021.</p> <p>The Leader of the Labour referred to the Council Forward Work Programme and stated that a report in respect of the Cardiff Capital Region City Deal would be useful being included in the Forward Work Programme particularly, as a point was now being reached where decisions were being made. He also referred to the previous discussion in respect of the Members Question and pointed out a report issued by CCRCD in June 2020 did indicate that the Leader had been appointed the lead Member for Technology and 5G.</p> <p>The Leader of the Council referred to the Leader of the Labour Group’s final point and confirmed that this had now been corrected by CCRCD. He added that a report regarding CCRCD was due to be presented to the next scheduled meeting of the Regeneration Scrutiny Committee and would subsequently be considered by Executive and Full Council.</p> <p>It was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Council Forward Work Programme for 2020/2021 be agreed.</p>
<p>23.</p>	<p><u>STANDARDS COMMITTEE APPOINTMENT</u></p> <p>The report of the Head of Legal and Corporate Compliance (Monitoring Officer) was submitted for consideration.</p> <p>It was unanimously,</p>

RESOLVED that the report be accepted and

- Mrs. Sarah Rosser be appointed as a member of the Standards Committee, effective from the date of Council approval (26th November, 2020).
- The term of office would initially be for 6 years; however, the relevant Regulations enable members to sit for a further consecutive term of up to 4 years. A report would be brought before Council prior to the end of the initial term, in order for the re-appointment to be considered.
- Ms. Sarah Manuel be approved as a reserve appointee should a vacancy become available within 12 months.

24. MEMBERSHIPS REPORT

Consideration was given to:

- (a) **Aneurin Bevan Community Health Council**
- to appoint a replacement representative.

The Leader advised that he had received no nominations for this position and requested that expressions of interest be submitted from the Labour Group and Minority Independent Group, if any Member was interested in taking up this vacant position.

(b) **PROPORTIONALITY CHANGES**

Due to changes being made to proportionality to **9:5:1** on the Committees below, it was RESOLVED that the following be appointed:

CORPORATE OVERVIEW SCRUTINY COMMITTEE
15 MEMBERS – PROPORTIONALITY 9:5:1

1. Chair - Councillor S Healy
2. Vice Chair - Councillor M. Cook
3. Councillors P. Baldwin

- | | |
|-----|--------------|
| 4. | G. Collier |
| 5. | M. Cross |
| 6. | G. A. Davies |
| 7. | L. Elias |
| 8. | J. Hill |
| 9. | H. McCarthy |
| 10. | C. Meredith |
| 11. | J. P. Morgan |
| 12. | L. Parsons |
| 13. | G. Paulsen |
| 14. | S. Thomas |
| 15. | T. Smith |

REGENERATION SCRUTINY COMMITTEE
15 MEMBERS – PROPORTIONALITY 9:5:1

- | | | |
|----|--------------|-------------------------|
| 1. | Chair - | Councillor J. Hill |
| 2. | Vice Chair - | Councillor G. A. Davies |
| 3. | Councillors | M. Cook |
| 4. | | M. Cross |
| 5. | | G. L. Davies |
| 6. | | P. Edwards |
| 7. | | K. Hayden |
| 8. | | S. Healy |

- | | |
|-----|--------------|
| 9. | W. Hodgins |
| 10. | H. McCarthy |
| 11. | J. C. Morgan |
| 12. | J. P. Morgan |
| 13. | L. Parsons |
| 14. | K. Rowson |
| 15. | B. Willis |

COMMUNITY SERVICES SCRUTINY COMMITTEE
15 MEMBERS – PROPORTIONALITY 9:5:1

- | | | |
|-----|--------------|------------------------|
| 1. | Chair - | Councillor M. Moore |
| 2. | Vice Chair - | Councillor C. Meredith |
| 3. | Councillors | P. Baldwin |
| 4. | | M. Cook |
| 5. | | M. Cross |
| 6. | | M. Day |
| 7. | | P. Edwards |
| 8. | | S. Healy |
| 9. | | W. Hodgins |
| 10. | | J. Holt |
| 11. | | J. C. Morgan |
| 12. | | G. Paulsen |
| 13. | | T. Sharrem |

14. B. Summers

15. L. Winnett

**EDUCATION & LEARNING SCRUTINY COMMITTEE –
15 MEMBERS – PROPORTIONALITY 9:5:1**

1. Chair - Councillor H. Trollope

2. Vice Chair - Councillor J. Holt

3. Councillors D. Bevan

4. G. Collier

5. M. Cook

6. M. Day

7. L. Elias

8. J. Hill

9. C. Meredith

10. J. C. Morgan

11. J. P. Morgan

12. L. Parsons

13. T. Smith

14. B. Summers

15. D. Wilkshire

** Would also include 2 Members of religious bodies and between 2-5 parent governors with voting rights only when dealing with education matters.*

1. Mr. T. Baxter Diocesan Education Body
(R.C. Church)

- | | | |
|----|-----------------|----------------------------|
| 2. | Mr. A. Williams | (Church in Wales) |
| 3. | Vacant | Youth Forum Representative |

SOCIAL SERVICES SCRUTINY COMMITTEE –
15 MEMBERS – PROPORTIONALITY 9:5:1

- | | | |
|-----|--------------|----------------------|
| 1. | Chair - | Councillor S. Thomas |
| 2. | Vice Chair - | Councillor K. Rowson |
| 3. | Councillors | D. Bevan |
| 4. | | G. Collier |
| 5. | | G. A. Davies |
| 6. | | G. L. Davies |
| 7. | | P. Edwards |
| 8. | | K. Hayden |
| 9. | | W. Hodgins |
| 10. | | J. Holt |
| 11. | | M. Moore |
| 12. | | G. Paulsen |
| 13. | | T. Sharrem |
| 14. | | T. Smith |
| 15. | | B. Summers |

PUBLIC SERVICE BOARD SCRUTINY COMMITTEE
15 MEMBERS - PROPORTIONALITY 9:5:1 (to include
Corporate Overview Members & Chairs of Scrutiny
Committees)

- | | | |
|-----|--------------|--|
| 1. | Chair - | <u>Chair - Corporate Overview Scrutiny Committee</u>
Councillor S. Healy |
| 2. | Vice Chair - | <u>Vice Chair - Corporate Overview Scrutiny Committee</u>
Councillor M. Cook |
| 3. | | <u>Chair - Social Services Scrutiny Committee</u>
Councillor S. Thomas |
| 4. | | <u>Chair – Education and Learning Scrutiny Committee</u>
Councillor H. Trollope |
| 5. | | <u>Chair – Regeneration Scrutiny Committee</u>
Councillor J. Hill |
| 6. | | <u>Chair – Community Services Scrutiny Committee</u>
Councillor M. Moore |
| 7. | Councillors | P. Baldwin |
| 8. | | M. Cross |
| 9. | | G. A. Davies |
| 10. | | J. Holt |
| 11. | | C. Meredith |
| 12. | | J. Millard |
| 13. | | J. C. Morgan |
| 14. | | J. P. Morgan |
| 15. | | G. Paulsen |

**PLANNING, REGULATORY & GENERAL LICENSING
COMMITTEE –
15 MEMBERS – PROPORTIONALITY 9:5:1**

1. Chair - Councillor D. Hancock
2. Vice Chair - Councillor W. Hodgins
3. Councillors D. Bevan
4. G. L. Davies
5. M. Day
6. J. Hill
7. C. Meredith
8. K. Pritchard
9. K. Rowson
10. B. Thomas
11. G. Thomas
12. T. Smith
13. D. Wilkshire
14. B. Willis
15. L. Winnett

****Ward Members to be invited re planning site meetings
without voting rights.***

STATUTORY LICENSING COMMITTEE –
15 MEMBERS – PROPORTIONALITY 9:5:1

- | | |
|-----------------|-----------------------|
| 1. Chair - | Councillor D. Hancock |
| 2. Vice Chair - | Councillor W. Hodgins |
| 3. Councillors | D. Bevan |
| 4. | G. L. Davies |
| 5. | M. Day |
| 6. | J. Hill |
| 7. | C. Meredith |
| 8. | K. Pritchard |
| 9. | K. Rowson |
| 10. | B. Thomas |
| 11. | G. Thomas |
| 12. | T. Smith |
| 13. | D. Wilkshire |
| 14. | B. Willis |
| 15. | L. Winnett |

DEMOCRATIC SERVICES COMMITTEE
15 MEMBERS – PROPORTIONALITY 9:5:1

1. Chair Councillor J. C. Morgan
2. Vice Chair - Councillor B. Summers
3. Executive Member - J. Collins
4. Councillors G. Collier
5. M. Cook
6. M. Cross
7. G. A. Davies
8. G. L. Davies
9. M. Day
10. K. Hayden
11. S. Healy
12. H. McCarthy
13. L. Parsons
14. K. Pritchard
15. T. Sharrem

**** Chair and Vice Chair of Scrutiny Committees to be invited without voting rights.***

AUDIT COMMITTEE –
15 MEMBERS – PROPORTIONALITY 9:5:1

CHAIR	To be confirmed
1. Vice Chair	<u>Chair - Corporate Overview Scrutiny Committee</u> Councillor S. Healy
2.	<u>Deputy Leader of the Council</u> Councillor D. Davies
3.	<u>Chair - Education & Learning Scrutiny Committee</u> Councillor H. Trollope
4.	<u>Chair - Social Services Scrutiny Committee</u> Councillor S. Thomas
5.	<u>Chair - Regeneration Scrutiny Committee</u> Councillor J. Hill
6.	<u>Chair – Community Services Scrutiny Committee</u> Councillor M. Moore
7.	<u>Chair – Democratic Services Committee</u> Councillor J. C. Morgan
8.	<u>Chair – Planning, Regulatory & General Licensing Committee</u> Councillor D. Hancock
9.	Councillor P. Baldwin
10.	Councillor W. Hodgins
11.	Councillor J. Holt
12.	Councillor J. Millard
13.	Councillor K. Rowson
14.	Councillor B. Summers
15.	Councillor L. Winnett

APPOINTMENTS COMMITTEE – JNC OFFICERS
15 MEMBERS – PROPORTIONALITY 9:5:1

1. Chair – Leader or Deputy Leader
2. Executive Member for appropriate Portfolio
3. Chair of appropriate Scrutiny Committee
4. Vice- Chair of appropriate Scrutiny Committee
5. Councillors D. Bevan
6. Councillors M. Cook
7. M. Cross
8. L. Elias
9. K. Hayden
10. S. Healy
11. J. Hill
12. C. Meredith
13. M. Moore
14. J. C. Morgan
15. T. Smith

***N.B. Appointments to be made by group leader as required.
Executive Member of Appropriate Portfolio(s)
Scrutiny Chair of Appropriate Portfolio(s)***

Substitutes

1. Councillor J. Holt
2. Councillor B. Summers
3. Councillor S. Thomas
4. Councillor L. Winnett

**APPOINTMENTS COMMITTEE –
MANAGING DIRECTOR/ CHIEF EXECUTIVE
15 MEMBERS – PROPORTIONALITY 9:5:1**

1. Chair Leader
2. Vice-Chair Deputy Leader
3. Leader of the Largest Opposition Group
4. Deputy Leader of the Largest Opposition Group
5. Councillors J. Collins
6. M. Cook
7. M. Cross
8. S. Healy
9. J. Hill
10. J. Mason
11. C. Meredith
12. J. Millard
13. J. C. Morgan
14. J. Wilkins
15. L. Winnett

***N.B. Appointments to be made by group leader as required.
Executive Member of Appropriate Portfolio(s)
Scrutiny Chair of Appropriate Portfolio(s)***

Substitutes

1. Councillor B. Summers
2. Councillor J. Holt
3. Councillor K. Hayden
4. Councillor D. Wilkshire

Due to changes in proportionality to **4:2:1** on the Committees below it was RESOLVED that the following be appointed:

**SHORTLISTING – JNC OFFICERS
7 MEMBERS - PROPORTIONALITY 4:2:1**

1. Leader or Deputy Leader
2. Executive Member for appropriate Portfolio
3. Chair of appropriate Scrutiny Committee
4. Vice-Chair of appropriate Scrutiny Committee
5. Councillor P. Edwards
6. Councillor J. C. Morgan
7. Councillor T. Sharrem

Substitutes

1. Councillor S. Healy
2. Councillor J. Hill
3. Councillor K. Hayden
4. Councillor L. Winnett

**SHORTLISTING – MANAGING DIRECTOR/CHIEF EXECUTIVE
7 MEMBERS – PROPORTIONALITY 4:2:1**

1. Leader of the Council
2. Deputy Leader of the Council
3. Leader of the Largest Opposition Group
4. Deputy Leader of the Largest Opposition Group
5. Councillor J. Collins
6. Councillor J. Millard
7. Councillor J. Wilkins

Officer additions if appropriate

Substitutes

1. Councillor S. Healy
2. Councillor J. Hill
3. Councillor D. Bevan
4. Councillor J. C. Morgan

Due to changes in proportionality to **9:5:2** on the following Working Group, it was RESOLVED that the following be appointed:

GRANTS WORKING GROUP
16 MEMBERS - PROPORTIONALITY 9:5:2

**** Plus 1 Member from each Ward on a political proportionality basis.***

1. Councillor L. Parsons (Llanhilleth Ward)
2. N. Daniels (Abertillery Ward)
3. L. Elias (Brynmawr Ward)
4. T. Sharrem (Cwmtillery Ward)
5. L. Winnett (Blaina Ward)
6. G. Thomas (Beaufort Ward)
7. G. Paulsen (Badminton Ward)
8. G. L. Davies (Cwm Ward)
9. M. Cross (Sirhowy Ward)
10. D. Hancock (Six Bells Ward)
11. K. Pritchard (Ebbw Vale South Ward)
12. B. Summers (Ebbw Vale North Ward)
13. M. Moore (Tredegar Central and West Ward)
14. J. C. Morgan (Georgetown Ward)
15. D. Wilkshire (Rassau Ward)
16. K. Rowson (Nantyglo Ward)

It was FURTHER RESOLVED that:

**INVESTIGATING & DISCIPLINARY COMMITTEE
(JNC & Chief Officers)**

Councillor J. Holt be appointed to replace Councillor P. Edwards on the above Committee.

CONSTITUTION WORKING GROUP

Councillor C. Meredith be appointed to replace Councillor P. Edwards on the above Working Group.

DESTINATION MANAGEMENT GROUP

Councillor G. A. Davies be appointed to replace Councillor P. Edwards on the above Group.

RESETTLEMENT PROGRAMME

Councillor G. A. Davies be appointed to replace Councillor J. Millard on the above.

**CARDIFF CAPITAL REGION CITY DEAL – REGIONAL
SCRUTINY COMMITTEE**

Councillor G. A. Davies be appointed to replace Councillor P. Edwards as Vice-Chair of Regeneration Scrutiny Committee on the above.

(c) REGENERATION SCRUTINY COMMITTEE – VICE-CHAIR

RESOLVED that the appointment of Councillor G. A. Davies as Vice-Chair of the above Committee, replacing Councillor P. Edwards be approved.

(d) Advisory Panel for Local Authority School Governors

The following recommendations were made by the Panel on 20th October, 2020 to appoint:

Brynbach Primary – Councillor Malcolm Cross

St. Joseph's Primary – Councillor Malcolm Cross

Upon a vote being taken it was unanimously,

RESOLVED that the above appointments be endorsed.

The changes to the composition of the Advisory Panel (as agreed within the New Policy that was approved by Executive on 14th October) were noted and the following appointments were RESOLVED:

The Panel for the Appointment of Local Authority School Governors would now comprise of:

- 3 Independent Group Members (including the Executive Member for Education who will Chair the Panel),
- 3 members from the Labour Group

1. **EXECUTIVE MEMBER – EDUCATION (CHAIR)**

Councillor J. Collins

2. Councillor D. Bevan

3. Councillor J. Holt

4. Councillor C. Meredith

5. Councillor J. C. Morgan

6. Councillor H. Trollope

Substitutes:

1. Councillor M. Cook

2. Councillor B. Summers

3. Councillor T. Smith

4. Councillor D. Wilkshire

Observer: ***A representative of the Blaenau Gwent School Governors' Association (BGSGA)***

<p>(e)</p>	<p><u>RURAL DEVELOPMENT PROGRAMME – LOCAL ACTION GROUP</u></p> <p>To appoint representative to replace Councillor D. Bevan on the above Group.</p> <p>RESOLVED that Councillor G. L. Davies be appointed to replace Councillor D. Bevan on the above Group.</p>
<p>25.</p>	<p>Councillors D. Bevan and M. Holland left the meeting at this juncture.</p> <p><u>EXEMPT ITEMS</u></p> <p>To receive and consider the following reports which in the opinion of the proper officer were exempt items taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reasons for the decisions for the exemptions were available on a schedule maintained by the proper officer).</p>
<p>26.</p>	<p><u>FESTIVAL PARK UPDATE</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the Corporate Director of Regeneration and Community Services.</p> <p>At the invitation of the Chair, the Corporate Director spoke in detail to the report and highlighted the salient points contained therein. Particular reference was made to paragraph 2.3 relating to the site</p>

being placed on the open market, the Heads of Terms and the counter proposal to remove the parkland from the sale.

It was noted that if the preferred option (1) was approved, the Working Group would continue to develop the other aspects of the option considered by Council in terms of the Democratic space in the General Offices, the Community Hubs and the alternative arrangements for staff accommodation. A capital allocation of £180,000 to fund the cost of the required works at the General Offices and the Community Hubs and a further £650,000 for demolition of the Civic Centre would be required. However, the subsequent sale of land was expected to generate a capital receipt of £750,000.

The Corporate Director concluded by outlining the risks contained in paragraph 5.2 of the report which included both legal and human resources implications.

The views of Members were, thereupon, sought (summarised below) and were responded to by the Corporate Director of Regeneration & Community Services and the Executive Member – Regeneration & Economic Development:

- A Member pointed out that she had raised at the previous Council meeting, that the site had been advertised on the open market prior to the vote being taken to proceed with the site acquisition. The press release that had been issued following this Council meeting had indicated that if there were private investors interested in the site, the Council would withdraw from the purchase. However, the Member expressed concern that this report did not reflect the reason for withdrawing from the site purchase.

The Executive Member confirmed that it had been agreed by the Working Group that the Council would only progress the purchase of the site as a last resort i.e. if there was no private sector interest.

The Leader of the Labour Group referred to correspondence that had been forwarded to himself and the Leader back in July advising of private sector interest in the site.

The Executive Member advised that at the time the business case had been developed, the Council had not been aware of any firm offers made for the site but subsequently as information had been received confirming that there was now private interest, it was now proposed that the acquisition be left to the private sector to progress.

The Leader of the Labour Group requested that in future that all relevant information be included within reports and pointed out that the external interest should have been referenced in order to provide Members with the full information for voting purposes.

- From the marketing information that was publicly available, a Member advised that the vendor had only removed a parcel of wetland from the sale and not the parkland.

The Corporate Director confirmed that the prospectus did indicate that the vendor was exploring splitting the site into a two elements i.e. retail and parkland. The green book methodology that had to be used to value the site and the business case developed for Welsh Government's consideration had included both elements in terms of the purchase.

- In reply to a question regarding the costs incurred for progressing the work to date, the Corporate Director confirmed that £30,000 had been incurred for consultants to develop the business case (it was noted that these consultants had originally been engaged as part of the Bridging the Gap proposal in terms of Accommodation Review and their work had been repurposed to develop the business case). Other costs included a full building condition survey costing approximately £20,000 (the exact figure would need to be confirmed) and there was also a potential cost associated for the provision of legal advice in relation to the Heads of Terms – the Corporate Director advised that he would need to establish if this legal advice had been provided.

A Member requested that the full cost associated with the work undertaken be provided together with the cost of the refurbishment works undertaken on the Leader's Office and former Mayor's Dining Room.

- A Member advised that the remit and main focus of the Working Group had been the development of the business case for the Festival Park site and now this purpose had been fulfilled stated that the Working Group should be disbanded.

The Executive Member stated that the Working Group had been established to also consider the wider Accommodation Review and would continue in its current form.

The Member reiterated that as the Working Group had fulfilled its purpose and it should be disbanded and a new Working Group established to consider the wider Accommodation Review. Another Member said that the new Working Group should be a Cross Party Member Working Group and include Members of the Minority Independent Group.

The Executive Member reiterated his previous response.

- Another Member commented that it should be left to private investors to enter into negotiations but it was important for the Council to have a supportive (not financial) involvement with whoever acquired the site as part of its duty for the residents and Members of the area. The Corporate Director confirmed that this would be the case.
- A Member referred to the previous press release and said that whilst he understood the commercial sensitivity of the topic, the Council had a duty to the residents of the Cwm Ward to address the local uncertainty regarding consultation.

The Executive Member said that consultation was extremely important element but it was felt that in terms of timings the business case needed to have been completed and a firm proposal approved in the first instance. However, he noted the comments made and said that consultation would form part of the Accommodation Review going forward.

- In reply to a question regarding the £180,000 capital allocation, the Executive Member confirmed that this would be used in part to fund I.T. costs i.e. a portable microphone system and I.T. infrastructure to ensure that the venue could accommodate Council meetings.

In reply to a concern raised that both the local school and college used this venue to hold examinations, the Executive Member advised that this would not be a permanent Council Chamber and the venue would still be able for use by other organisations.

- A Member said that the report left a lot of unanswered questions and asked that if the democratic function was relocated to the General Offices, what would happen to the other functions currently based at the Civic Centre i.e. where would these be housed and the associated costs of this accommodation.

The Member continued by expressing his concern regarding the cost and risks associated with the demolition of the Civic Centre and referred to the requirements of the Local Development Plan which would not be met. He said that demolition of this building would place a burden on the council taxpayer and the authority and this large site could be vacant and remain a liability for many years to come. The Member concluded by also expressing his concern regarding the parkland and said that this could potentially be a burden for any purchaser moving forward.

The Executive Member said that the Accommodation Review would consider the location of staff and this would be reported via the usual democratic process.

The Corporate Director added that development of housing had been discussed at the previous Council meetings and confirmed that there was currently a demand for housing sites in the northern corridor. He was unaware of the reasons for the vendor splitting the site into two elements but acknowledged the concern raised by the Member regarding the parkland and said that any requests would be considered upon their receipt.

- Councillor Winnett referred to the cost of demolition and made reference to the on-going expenses that had been incurred due to asbestos removal for a building that had previously been demolished and requested that it be placed on record that she did not agree with the cost that had been provided in respect of the demolition of the Civic Centre.

- Another Member also agreed with the earlier comments regarding disbanding the current Working Group and reforming a different Working Group to consider the future working arrangements. He also made reference to community engagement, particularly in relation to transport as some members of the public would be unable to access services if located at inaccessible locations.

Following a discussion, the Leader of the Labour said that the report should be considered as two separate elements (i.e. Festival Park and the Civic Centre/Working Arrangements) and proposed the following **amendment to the preferred option**, namely that:

- **It be noted that the position agreed at Council to proceed with acquisition of Festival Park had been reconsidered by the Member Working Group, and that it should now be left to private investors who had expressed an interest in the site to take it forward.**
- **The matters of the Civic Centre and working arrangements for staff be considered by a newly formed Working Group comprising of Members of each political group.**

A recorded vote was, therefore, requested.

In Favour of the amendment – Councillors P. Baldwin, M. Cross, P. Edwards, L. Elias, K. Hayden, H. McCarthy, J. Millard, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

Against the amendment – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, C. Meredith, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

The vote on the amendment was not carried.

A recorded vote was, thereupon, taken in respect of **Option 1 (preferred option)**:

In Favour of Option 1 – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, C. Meredith, M. Moore, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

Against Option 1 – Councillors P. Baldwin, M. Cross, G. L. Davies, P. Edwards, L. Elias, K. Hayden, H. McCarthy, J. C. Morgan, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

Abstentions – Councillors J. Millard and K. Pritchard

The vote in respect of Option 1 was carried.

It was, therefore,

RESOLVED, subject to the foregoing, that the report which related to the financial or business affairs of any particular person (including the authority) be accepted and Option 1 be endorsed, namely that:

- The position agreed at Council to proceed with acquisition of Festival Park had been reconsidered by the Member Working Group, and that it should now be left to private investors who had expressed an interest in the site to take it forward.
- The Council takes forward the other aspects agreed at Council to develop the democratic facility at the General Offices, community hubs in town centres, and vacate and demolish the Civic Centre.
- A capital allocation of £180,000 be agreed to fund the cost of the required works at the GO and the Community Hubs and a further £650,000 for demolition of the Civic Centre. The subsequent sale of land was expected to generate a capital receipt of £750,000.

27. SHORTLISTING - JNC OFFICERS

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the meeting held on 29th September, 2020.

It was unanimously,

RESOLVED that the report which related to staffing matters be accepted and the decision contained therein be noted.

28. SHORTLISTING - JNC OFFICERS

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the meeting held on 7th October, 2020.

It was unanimously,

RESOLVED that the report which related to staffing matters be accepted and the decision contained therein be noted.

29. APPOINTMENTS COMMITTEE - JNC OFFICERS

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the meeting held on 6th October, 2020.

It was unanimously,

RESOLVED that the report which related to staffing matters be accepted and the decision not to appoint to the post of Lead Officer School Improvement be noted.

30. APPOINTMENTS COMMITTEE - JNC OFFICERS

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).

The Corporate Director of Education, Lynn Phillips left the meeting at this juncture.

Consideration was given to the report of the meeting held on 4th November, 2020.

It was unanimously,

	<p>RESOLVED that the report which related to staffing matters be accepted and the post be offered to Lynn Phillips on a salary in accordance with JNC Chief Officer (£82,247 - £90,469).</p>	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>SPECIAL MEETING OF THE COUNCIL – 17TH DECEMBER, 2020</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR M. MOORE (THE CHAIR,
PRESIDING)

- Councillors
- P. Baldwin
 - D. Bevan
 - J. Collins
 - M. Cook
 - M. Cross
 - N. Daniels
 - D. Davies
 - G. A. Davies
 - G. L. Davies
 - M. Day
 - P. Edwards
 - L. Elias
 - D. Hancock
 - K. Hayden
 - S. Healy
 - J. Hill
 - W. Hodgins
 - J. Holt
 - J. Mason
 - H. McCarthy, B.A. (Hons)
 - C. Meredith
 - J. Millard
 - J. C. Morgan
 - J. P. Morgan
 - L. Parsons
 - G. Paulsen
 - K. Pritchard
 - K. Rowson

T. Smith
 B. Summers
 G. Thomas
 S. Thomas
 H. Trollope
 J. Wilkins
 D. Wilkshire
 B. Willis
 L. Winnett

AND: Managing Director
 Corporate Director of Regeneration and Community Services
 Corporate Director of Education
 Corporate Director of Social Services
 Chief Officer Resources
 Chief Officer Commercial
 Head of Legal and Corporate Compliance
 Head of Governance and Partnerships
 Communications, Marketing & Customer Access Manager

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors G. Collier, M. Holland and T. Sharrem.</p>	

3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**

The following declaration of interest was reported:

Item No. 6 – The Appointment of Lay Members to the Audit Committee

Councillor P. Edwards

4. **MEDIUM TERM FINANCIAL STRATEGY 2021/2022 TO 2025/2026**

Consideration was given to the report of the Chief Officer Resources.

At the invitation of the Chair, the Chief Officer Resources highlighted the following salient points contained within the report:

- The Medium Term Financial Strategy (MTFS), was a key element within the Council's strategic planning framework and provided the latest assessment of the Council's financial position over the next 5 years and guidance on potential short, medium and long term challenges.
- The document included a forward look over the next 5 years to assess the spending requirements the Council was likely to face to deliver the priorities set out in the Corporate Plan and highlighted the level of cuts (reducing or stopping services) that would need to be made to ensure the Council could set a balanced budget each year.
- The MTFS proposed the approach that the Council would take to respond to the financial challenges faced over the next 5-year period. This would be an iterative process and one that would be developed and refined as the funding position from Wales Government became clearer and strategic business reviews were further developed and implemented.
- Details of the key financial planning assumptions used for financial modelling were detailed at section 4 of the appendix and this also provided an assessment of the potential budget gaps over the period of the MTFS, building on the current

assessed cost pressures and achievement of the bridging the gap proposals.

- The cost pressures that had been identified could be categorised as existing service pressures, growth items and Covid-19 pandemic pressures. It had been assumed that the Covid-19 pressures would continue to be funded by Welsh Government. It was noted that a residual funding gap of between £8.6m and £11.5m had been assessed over the next 5 years.
- Usually by this time in the year, UK Government would have already announced the provisional and final local government settlement, however, due to the focus on the response to the Covid-19 pandemic, the UK spending review had been delayed. This had subsequently delayed the Welsh Government announcement on the provisional settlement and this was now expected on 22nd December, 2020 with the final settlement due on 2nd March, 2021. This delay would have implications for the budget setting process for 2021/2022 and planning arrangements for setting a balanced budget.
- The Council's current MTFs contained a number of assumptions which impacted on the level of its income and expenditure. Changes in these assumptions could potentially have a fundamental effect on the budget gap over the next 5 years. As an example, the impact of a 1% change on the main assumptions had been calculated and was detailed in paragraph 5.2.2. of the report.

Members were then invited to comment/raise questions on the report.

The Leader of the Labour Group commenced by stating that due to the delay in the announcement of the provisional local government settlement, work would need to be undertaken in January, prior to the annual budget discussions taking place and requested that the information which was made available by Welsh Government on 22nd December, 2020 be made available to Members at the earliest opportunity together with any new bridging the gap proposals that would be required to mitigate the budget further.

Transformation Fund - in reply to a question as to whether the Transformation Fund would form part of budget going forward, the Chief Officer Resources confirmed that the draft estimates included as part of the MTFs had assumed that the Transformation Fund would continue in 2021/22 and into future years.

Minimum Revenue Provision (MRP) – The Leader of the Labour Group commenced by stating that the MRP had featured highly in this term of office because clearly without this there would have been an extra £3m budget gap. He continued by referred to a Council report dated October 2017 (considered by Council on 7th December, 2017) and quoted paragraph 4.4 which stated that “During the MRP reduction period, the Authority will have a longer period of time to plan and implement longer term transformational savings that will contribute towards mitigating the MRP increase at the end of year 5” and asked whether any work had been undertaken in this regard and if any savings had been put forward to contribute towards the mitigation of the MRP increase - he pointed out that the level of the financial strain i.e. £1.8m had not altered in 4 years.

The Chief Officer Resources confirmed that the financial strain had not altered at the high level but proposals and savings had been identified that would impact on the budget, which would include bridging the gap proposals and when brought forward would impact on the total funding gap i.e. whilst proposals had not been identified to specifically address the MRP cost pressure, proposals had been identified to address the cost pressure as a whole.

The Leader of the Labour Group expressed his concern that nothing had been done to mitigate the ‘tornado’ which was coming in 2022/23 – a substantial £2m of extra funding (a hidden cost pressure) would be required to be identified and said he would have thought the Council would have made advance preparations – he added that the previous year discussions had taken place regarding the need to be prudent and monies had been included to increase the level of the general reserve fund.

He continued by pointing out that in the last 2 years almost £2m had spent on consultancy fees (almost half the life of the MRP) when it was known that this huge cost pressure would be coming. There were clearly issues with the local authority being able to survive at its current level and this action could be interpreted as borrowing to

pay for provision but going forward the Council may need to look at the services that were not needed or stopping certain services to be able to rectify this position.

Another Member expressed his concern that because no provision had been made to address the MRP cost pressure this could have implications for the next political administration in 2022.

The Chief Officer Resources advised that it was the intention of Council to ensure that the cost pressures were addressed and funded year on year. If cost pressures continued, alternative savings proposals would be investigated to mitigate this going forward. The MRP had enabled the Council to save £15m in the last 5 years and whilst there would be an increase in the MRP going forward, this would be less than what was being paid previously. A conscious decision had been made not to allocate specific savings against the MRP because a cost pressure was a cost pressure whether it was the result of the MRP, lost income or other expenditure - the cost pressures would be dealt with as a collective and savings identified going forward in order that a balanced budget could be set for future years.

In reply to a question, the Chief Officer Resources confirmed that Welsh Government had now introduced legislation that prevented local authorities from backdating changes to their MRP policy – however, backdating provision was allowed at the time the Council had made that decision and implemented its policy change.

The Leader of the Labour Group concluded by stating that the Council could change its policy at any time as long as there was prudent provision but again expressed his concern that nothing had been done to prevent this onslaught and even more concerning was that this on-going cost pressure would have future implications for the next administration.

The Leader of the Council commenced by stating that whilst he understood some of the comments that had been made, his record and approach to financial prudence was well documented and he had no intention of handing over a legacy of a massive financial burden to the next administration. The decision that had been taken had allowed the Council to protect and enhance the services for the council tax payers, without any severe impact on the council tax itself.

He continued by stating that he understood the nervousness around the size of the figure but pointed out that one of the first comments he had made regarding backdating the MRP, was that there should be no major financial burden handed over to future administrations and he was confident that this would be the case and this would be budgeted for accordingly.

The financial prudence during the lifetime of this administration had been sound and pragmatic and everything that had been done had received the endorsement of Audit Wales and other agencies. The Leader concluded by stating that the right decision had been made and he was absolutely determined that there would not be any major financial burden placed on any future administration.

The Leader of the Labour Group reiterated his concern that no mitigation measures had been put in place to address this cost pressure and this pressure would be an added strain for the Council on top of all the other pressures faced. The retrospective nature of the change to the MRP policy had sustained the Council going forward but unless he could be advised how the £1.8m could be ameliorated, it clearly demonstrated that the Council was not considering this prudently at this stage.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the:

- Medium Term Financial Strategy 2021/2022 to 2025/2026 be approved.
- Forecast funding gap for the period of the Medium Term Financial Strategy be noted.
- Cost pressures identified at Appendix 1 of the Medium Term Financial Strategy be noted.
- Progress update within the Strategic Business Reviews attached at Appendix 2 of the Medium Term Financial Strategy be noted.

5. **LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL:
CORPORATE JOINT COMMITTEES (CJCS) AND
PERFORMANCE AND GOVERNANCE OF PRINCIPAL
COUNCILS**

Consideration was given to the joint report of the Head of Legal and Corporate Compliance and the Head of Governance and Partnerships.

Following on from the Member briefing sessions that had been held, the Head of Legal and Corporate Compliance advised that this report sought to inform Members of the two current consultations being undertaken (listed below) on the Local Government and Elections (Wales) Bill and presented a suggested draft consultation response for the CJC consultation element which, if approved would be forwarded to Welsh Government prior to 4th January.

- Corporate Joint Committees (CJCs) – consultation response deadline – 4th January, 2021.
- Part 6, Chapter 1 - Performance and Governance of Principal Councils – consultation response deadline – 3rd February, 2021.

The Local Government and Elections (Wales) Bill [the Bill] was introduced in 2019 and passed by the Senedd on 18th November, 2020. It was anticipated the Bill would receive Royal Assent early in 2021. The Bill was a substantial piece of legislative reform covering many elements including electoral reform, public participation, governance and performance and regional working and would replace the current improvement duty for principal councils as set out in the Local Government (Wales) Measure 2009.

It was noted that there would be a staggered introduction of the various elements contained with the Bill.

The Head of Legal and Corporate Compliance continued by highlighting the following salient points in relation to the CJC consultation element:

Corporate Joint Committees (CJCs) - had been the subject of much debate with the Minister during the past 12 months and although called 'Committees', these were corporate bodies,

described by the Minister as 'part of the local government family' and were separate legal entities in their own right.

The membership of the CJsCs would be Leaders of the respective local authorities and voting initially would be on a 'one member one vote' basis. CJsCs could co-opt other members if they choose, either cabinet members or other partners and these could be in a voting or non-voting capacity. CJsCs would be accountable to their 'constituent' councils via their leaders.

There were 4 CJC regions in Wales and Blaenau Gwent would form part of the South East region. CJsCs would have functions relating to economic well-being, strategic planning (Local Development Plans would remain with Local Authorities) and transport. The economic wellbeing power was potentially wide-ranging and significant, but how far it was to be used would be determined by a CJC.

Where there was regional working in place, then these regional arrangements may transition into a CJC format. It was noted that the current city and growth deal strategic functions would be transferred to CJsCs. It was noted that in future, Welsh Government could however, add other functions to a CJC via future legislation.

Although the current draft regulations allowed a degree of regional flexibility, the Welsh Government could constrain or prescribe CJsCs through funding or policy instruments. They could provide funding in support of a function via CJsCs but specify that the funding must be spent in certain way or in line with WG priorities. However, there was no flexibility in terms of the introduction of CJsCs i.e. they were going to be introduced and implemented.

The Head of Legal and Corporate Compliance concluded by outlining the options contained in paragraph 3.1 of the report and referred to the consultation responses contained in appendix 3. It was noted that these responses were closely aligned to those that some neighbouring authorities would be submitting.

The views of Members were, thereupon, sought relating to the report.

A Member expressed his concerns regarding timeliness of the report because the Bill was likely to receive Royal Assent within a month's time and pointed out that another local authority had discussed this

matter back in October. He continued by referring the Corporate Joint Committees and said that whilst this was not exactly another tier of government it was a tear in the fabric of democracy. The Member, thereupon, referred to the following paragraphs contained within the report:

Paragraph 2.7 - Membership - concern was expressed that this proposal would put too much power into the hands of one individual.

Paragraph 2.8 – Voting – would initially be on a ‘one member one vote’ basis but once established CJs could adopt alternative voting procedures should they wish and the Member envisaged that this could potentially mean a greater proportion of the votes being allocated to the larger authorities.

Paragraph 2.11 – Accountability – CJs would be accountable to their constituent councils via their leaders and the Member specifically asked the Leader directly, what mechanisms would be established to ensure that this would happen for example, would there be a Special Council prior to a CJC meeting in order that the Council could mandate the Leader (it was pointed out that if the Council met following a CJC meeting, the Council would have no option to veto any decisions made).

The Leader of the Council commenced by stating that with regard to the issue around membership he had also expressed concerns regarding this aspect. He continued by stating that he had always been against the principle of mandation but clarified that the way the CJs were to be set up was vastly different in terms the functions that were being discussed back in October. In terms of timeliness, the Welsh Local Government Association (WLGA) had only published its briefing note on the Bill on 19th November, so the Council had been as timely as it could have been.

He continued by stating that he had also expressed his concern that the constituent authorities would have to go along with the majority vote and, therefore, as part of the Council’s response it would be important to request that a veto be built into the CJC arrangements. In addition, if people were co-opted onto CJs it should only be the Leaders that should be able to vote as mandated by their councils. With regard to CJs being based on the City Deal footprint, he pointed out that the City Deal as it was currently constituted worked as a corporate body (not politically) but there was some concern as

administrations changed, the impact and effect that this may have on areas like Blaenau Gwent.

For clarification, the Leader of the Council advised that in terms of mandation he was specifically referring to the elements of the Bill for CJsCs – he believed that a Leader should be mandated prior to entering into any discussions.

The Member continued by stating that this needed to be viewed in the context of the failure of successive local government Ministers to reorganise local government - people were aware of the Williams Report to shape local government across Wales reducing the number of local authorities from 22 to between 10 and 12. He believed that local authorities had been failed on this – he recalled that a number of authorities that had submitted expressions of interest proposals to merge (one being Blaenau Gwent and Torfaen) but these had been rejected. He believed that this was a further attempt to reorganise local government and he opposed it absolutely.

The Leader of the Labour Group stated that he believed this was another tier of confusion – City Deal was already established and was working as best as it could and would start to deliver the benefits in due course and, therefore, CJsCs would be replicating much of the work of the City Deal had been undertaking.

He continued by stating that this legislation distracted from the main and core issues in Blaenau Gwent. Given the nature of the local authority i.e. there were issues of size and deprivation to name a few, the area had been badly let down as there was clearly no move in Welsh Government to address these issues going forward. Previously, a considerable amount of work had been undertaken with Torfaen regarding a proposed merger but this had not been accepted by Welsh Government. Blaenau Gwent was left in a situation where it was trying to survive on next to nothing – the authority did not want handouts but wanted to survive and prosper going forward for the area and if this meant being part of wider and larger organisation, the Council needed to have full and frank discussions on how it would endeavour to be reorganised whilst still maintaining proper political support for the people of the area.

The Leader of the Labour Group referred to the earlier comment made by the Head of Legal and Corporate Compliance that CJsCs

would be implemented – however, said that this was not necessarily the case – clearly reorganisation had previously been stopped because people had objected to it and he concluded by calling on the Council to object to this particular consultation.

The Chair requested that the debate focus on the report and not stray into political arena. However, it was pointed out that the Council was a political organisation – a Member, thereupon, called a point of order.

Other Members commented as follows:

- This was rushed consultancy and Blaenau Gwent had been badly let down and should be fighting for the electorate. It was felt that CJsCs would not benefit this particular area and would be another ‘quango’. Blaenau Gwent would be joined with 10 other local authorities, therefore, a veto was required in order to ensure that Blaenau Gwent was not out voted by other authorities.
- Concern was expressed that the monies required for the communities within Blaenau Gwent would be diverted along the M4 corridor to deal with flooding issues in the future.
- A Member said that he was very concerned about the CJC element of the Bill and felt that this was reorganisation of local government by the ‘back door’.

The Leader of the Council pointed out that he had never made the statement of ‘being badly let down’ and did not want this comment attributed to him. He stated that whilst he was not in favour of mandation and had spoken against the concept of CJsCs in October when it had been discussed at the WLGA, he would not accept and have any of his comments interpreted as detrimental to any of the other 9 constituent authorities of the City Deal - these authorities worked together in a fair and equitable manner. Whilst there may be some vested interests in the future, as the City Deal which would morph into a CJC was currently constituted and operated, he had confidence there were elements of fairness and he was not prepared to have any of his comments attributed to the blanket complaint that areas like Blaenau Gwent were being railroaded by the other authorities that had been named.

The Member who had made the comment stated that this had been his interpretation of what had been said particularly, in relation to the need for a 'veto' being built into the CJC arrangements.

The Leader of the Council stated he had total faith, trust and respect for the current Local Government Minister. With regard to the issue of the veto this related to future years, at present he had a degree of comfort of how the City Deal was currently constituted but in future years this could not be predicted and said as a matter of political morality a veto should be included as part of the CJC arrangements.

He continued by stating that he had expressed concerns about the democracy being taken away from local government and it had been established during the pandemic, that more than ever that local government had clearly been seen to be the delivery arm of Welsh Government. However, there was an overwhelming appetite in the local government family for CJCs to take place. Therefore, if the Bill was going to receive Royal Assent and be implemented it would be beneficial to capture Members points of views which would form part of the response in order that issues that had been raised including the veto, one authority one vote could be considered.

The Leader of the Labour Group said that he was making similar points to those that had been raised by the previous Member and suggested that instead of replicating what already existed i.e. the City Deal perhaps the name could be changed as an alternative and there should be more of a focus put on reorganisation. He stated that he would propose an alternative recommendation in due course.

Members made the additional comments:

- This was reorganisation by stealth and another extra level of government which would have to be paid for – Blaenau Gwent would be expected to make a financial contribution which would mean less money for the area and concern was raised that could potentially lead to a burden on the council tax payer.
- This was an erosion of democracy.
- Appreciation expressed was expressed to the Head of Legal and Corporate Compliance for the briefing that had been provided to Members. Concern was expressed that larger

authorities had the capacity to transfer their staff to support CJsCs and this would put smaller authorities at a disadvantage – however, this could potentially result in conflicts of interest. Without a veto, the members of the public would think that the Council would be agreeing with everything that was discussed within the CJsCs. Blaenau Gwent would become the poor relation.

- CJsCs could set their own budget without it having to be ratified by constituent councils – this would be similar to the precepts paid to other statutory partners.

In reply to several questions, the Head of Legal and Corporate Compliance advised that:

- the consultation document had been published on the Welsh Government website but the authority would not be privy to private individual consultation responses (apart from the local government family, City Deal and the WLGA) at this point in time, until the consultation period concluded.
- With regard to delaying the submission of the consultation responses in order to seek views from Blaenau Gwent residents, the officer advised that due to the timescales faced the response would effectively have to be submitted before the Christmas period to ensure it was received before 4th January, therefore, the request for a delay in submission could not be acceded to.
- The Head of Legal and Corporate Compliance said she was unable to confirm if the town/community councils had received the consultation document – because Blaenau Gwent was a principal council, the authority was a primary consultee. However, there was an opportunity for town/community councils to respond to the consultation via the Welsh Government website.

At this juncture, a Member pointed out that he had earlier been going to raise a point of order over what he considered prescriptive chairmanship because a fuller debate was being prevented when Members needed to be provided with the context of the topic. He stated that both he and the Leader of the Labour Group (at different periods) had been Leader of the Council at the time of the proposed

local government reorganisation and there were issues that Members should be made aware of in the context of the discussion. He concluded by stating that when a point of order was raised it should be considered accordingly.

The Leader of the Council said that several comments had been made about Blaenau Gwent being the 'poor relation' but felt that this was not the case and in no way was Blaenau Gwent the poor relation in South East Wales – there was a need, requirement and desire to work together to achieve an equitable balance across the region as part of the City Deal arrangement. He concluded by stating that whilst he understood the concerns raised, the only way to influence the consultation would be to endorse Option 1 and he would be proposing that option - the consultation responses were balanced and captured the main points and concerns that had been raised by Members at the briefings.

The Leader of the Labour Group clarified that the comments were not being directed towards the 10 local authorities but towards Welsh Government and the establishment of CJs. He requested that this comment be placed on record.

Performance and Governance of Principal Councils - at this juncture, the Head of Governance and Partnerships gave an overview of the Performance and Governance of Principal Councils provisions contained within the Bill, which were framed within the wider sustainable development duties of the Well-being of Future Generations (Wales) Act 2015. This act sets out a legally binding common purpose for the public bodies subject to that Act to improve the social, economic, environmental and cultural well-being of Wales. It was noted that this element of the consultation would end on 3rd February, 2021.

The Head of Governance and Partnerships continued by outlining the provisions within paragraphs 2.13 to 2.19 of the report which included the duty to consult, report and keep performance under review, the duty to arrange a panel assessment on performance (it would need to be ensured that this was meaningful and added value to the current processes because there would be cost implications), intervention powers and the role of the Auditor General together with the socio economic duty – this work was being progressed with linkages to the Strategic Equality Plan.

Members raised the following points in relation to this particular section of the report:

- Concern was expressed that most of the duties would be duplicating the processes that had already been established. A Member pointed out that Blaenau Gwent's priorities were linked to the Corporate Plan and if the authority was unable to veto any decisions, this could have a detrimental effect on the priorities for the area.

The Head of Governance and Partnerships advised that as indicated the Corporate Plan which had been agreed, did set out the Council's priorities. The Performance and Governance duty of the Bill would not look to direct priorities but how the Council would implement and effectively deliver its own priorities through a well embedded self-assessment process together with the effective use of resources and performance management to progress and monitor the arrangements in a strong and robust way.

For further clarity, the Head of Governance and Partnerships advised this was a separate provision to the CJC duty. There was already a vast amount of processes in place with regard to performance management and how this information was reported and this point had been made to Welsh Government.

In reply to a statement that was made that Audit Wales would ensure the current procedures were effective, the Head of Governance and Partnerships said that she had also raised the point regarding the relationship with external regulators and Auditor General but further clarity was required regarding the remit of the Auditor General and external regulators and this would form part of the draft response.

Concluding Statements/Amended Proposal:

The Leader of the Labour Group said he was concerned about the implications of the Bill and the future of local government and the Council had a duty to the people of Blaenau Gwent. Therefore, a clear message needed to be sent to Welsh Government objecting to the consultation.

The Leader of the Labour Group, thereupon, proposed the following **amendment to the preferred option:**

The Labour Group strongly objected to the creation of Corporate Joint Committees because the Group believed that they formed yet another unnecessary tier of bureaucracy in Welsh local government replicating the already established City Region. The Group felt that the proposals would do nothing to address the long-standing deprivation issues relevant to Blaenau Gwent and would add yet more confusion that obscures the real challenges that were faced.

It was, therefore, proposed that the Council demonstrates its objection by refusing to take part in the consultation.

This amended proposal was seconded.

The Leader of the Council said that the Bill would shortly be receiving Royal Assent and would be implemented. Therefore, he would much prefer the concerns and comments raised incorporated within the consultation response in order that discussions could be entered into regarding the principles of CJsCs and safeguards included (e.g. the provision of a veto) to protect and shape how CJsCs would operate in the future. He concluded by proposing that Option 1 be endorsed.

The Leader of the Labour Group said that he disliked the notion that things would happen – they would only happen if the Council let them happen and it was important to voice concerns and it was time to send a stark message to Welsh Government that Blaenau Gwent was not prepared to put up with the conditions imposed upon the authority.

A recorded vote was, therefore, requested.

In Favour of the amendment – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, L. Elias, K. Hayden, H. McCarthy, J. Millard, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

Against the amendment – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, C. Meredith, M. Moore, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

The vote on the amendment was not carried.

A recorded vote was, thereupon, taken in respect of **Option 1 (preferred option)**:

In Favour of Option 1 – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, C. Meredith, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

Against Option 1 – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, L. Elias, K. Hayden, H. McCarthy, J. Millard, M. Moore, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

The vote in respect of Option 1 was carried.

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely:

The approach as set out below for both the CJC and Performance and Governance Consultations be approved.

CJCs

The CJC Regulations have gone out to public consultation with a closing date of 4th January, 2021. Following the all Member briefing session and discussions ongoing within the Region, the Council consultation responses from Blaenau Gwent (attached at Appendix 3) be submitted to Welsh Government.

Performance and Governance

Members provide comment to the Head of Governance and Partnerships and the Council would continue to work with the professional networks and WLGA and, based on these two approaches, construct a response for the February deadline.

6. **APPOINTMENT OF LAY MEMBERS TO THE AUDIT COMMITTEE**

Councillor P. Edwards declared an interest but remained in the meeting while this item was considered.

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources spoke briefly to the report and advised that as Members were aware, the previous lay member Mr. Peter Williams had resigned from this position earlier in the year. The Local Government (Wales) Measure 2011 required at least once member of its Audit Committee to be a lay Member (that was not a member of the local authority).

Therefore, a recruitment process had taken place and interviews for the position held on 8th December, 2020. The selection panel, had considered that both applicants met the criteria for selection, having complementary experience and skill sets. Given this the selection the panel recommend that both candidates be appointed as Lay Members to the Audit Committee.

It was noted that a letter of appreciation had been forwarded to Mr. Peter Williams for all the work he had undertaken in this role over the years.

Upon a vote being taken it was,

RESOLVED that the report be accepted and the appointments of Mr. T. Edwards and Mr. M. Veale as Lay Members to the Audit Committee be approved.

Councillor P. Edwards did not participate in the vote.

SEASONS GREETINGS

The Chair concluded by expressing her best wishes to Members and officers for a Merry Christmas and Happy New Year.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: EXECUTIVE COMMITTEE – 9TH DECEMBER, 2020

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

**PRESENT: Leader of the Council/
Executive Member Corporate Services
Councillor N.J. Daniels (CHAIR)**

**Deputy Leader/Executive Member –
Regeneration & Economic Development
Councillor D. Davies**

**Executive Member – Education
Councillor J. Collins**

**Executive Member – Environment
Councillor J. Wilkins**

**Executive Member – Social Services
Councillor J. Mason**

WITH: Corporate Director Social Services
Corporate Director Regeneration and Community Services
Corporate Director Education
Chief Officer Resources
Head of Legal & Corporate Compliance
Press Officer

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from the Managing Director.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interests were raised:-</p> <p>Councillor N. Daniels – Item No. 18 Councillor J. Mason – Item No. 25</p>	
	<p><u>MINUTES</u></p>	
No. 4	<p><u>EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 14th October, 2020.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>SPECIAL EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 19th October, 2020.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	

	<u>GENERAL MATTERS</u>	
6.	<u>CONFERENCES/COURSES</u> The Leader referred to the following course:- <u>Introduction to Planning Enforcement - Online Training – 09/11/2020</u> RESOLVED that approval be granted to Councillors D. Hancock and W. Hodgins, the Chair and Vice-Chair of the Planning Committee to attend.	
	<u>DECISION ITEMS - CORPORATE SERVICES MATTERS</u>	
No. 7	<u>FORWARD WORK PROGRAMME – 13TH JANUARY, 2021</u> Consideration was given to the report of the Leader of the Council. RESOLVED that the report be accepted and information contained therein be noted.	
No. 8	<u>THE CALCULATION OF THE COUNCIL TAX BASE FOR THE YEAR 2021/22</u> Consideration was given to the report of the Chief Resources Officer. The Chief Officer Resources advised that the Council had a statutory requirement to calculate the Council Tax Base for each financial year. The Council Tax Base was a measure of the Authority’s tax-raising capacity which was expressed in terms of the number of Band D equivalent dwellings taking account of exemptions reductions. The Chief Officer Resources advised that the Council’s Tax Base for the current year, 2020/2021 was set at 20,662.45 and for 2021/22 proposed the Council tax base be 20,794.09 which reflected the increase of 222 domestic properties in the last 12 months.	

The Chief Officer further explained that there had been a review of council tax collection during 2019 which resulted in some changes to collection methods. Whilst in 2019/2020 there was an early indication of improved collection rates, the coronavirus pandemic has had a significant effect on current council tax collection rates across Wales and it was anticipated that this would continue into 2021/22. The Chief Officer Resources therefore felt it prudent to estimate the in-year collection for 2021/2022 to remain at 95%.

The report was welcomed by the Executive and the increased housing numbers was pleasing to note. It was advised that despite the pandemic there still remained great interest by developers in Blaenau Gwent.

RESOLVED that the report be accepted and approved the Council Tax base calculation for 2021/22 as detailed in Appendix 1 tables 1 to 6 of the report, and that the council tax base for tax setting purposes be 20,794.09.

No. 9 **GRANTS TO ORGANISATIONS**

Consideration was given to the report of the Chief Officer Resources.

The following additional grants were reported:-

ABERTILLERY

Cwmtillery Ward – Councillor T. Sharrem

1.	Friends of Blaenau Gwent Village	£50
2.	Blaenau Gwent Methodist Church	£100
3.	Abertillery BG RFC	£75
4.	Abertillery Belles FC	£75
5.	Abertillery Bluebirds AFC	£75
6.	St Paul's Church	£50
7.	St Paul's Church Hall	£50
8.	Six Bells Bowls Club	£75
9.	Abertillery Bowls Club	£75
10.	Cwmtillery Pigeon Club	£75
11.	Chillax	£50
12.	Abertillery Angling Club	£75
13.	Abertillery Excelsiors	£75
14.	Old Tylerians RFC	£75

15.	Bourneville Community Centre	£75
16.	Blaenau Gwent Baptist Church	£50
17.	Baptist Church Foodbank	£50

Llanhilleth Ward – Councillor J. Collins

1.	Clwb Llan	£150
2.	Llanhilleth Tenants and Residents Association	£300

Llanhilleth Ward – Councillor L. Parsons

1.	Clwb Llan	£150
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NANTYGLO & BLAINA

Blaina Ward – Councillor J. Morgan

1.	Ystruth Primary School PTA	£150
2.	Blaina Community Sports Club	£500

Blaina Ward – Councillor L. Winnett

1.	Ystruth Primary School PTA	£150
2.	Blaina Community Sports Club	£500

Blaina Ward – Councillor G. Collier

1.	Ystruth Primary School PTA	£150
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Nantyglo Ward – Councillors J. Mason & K. Rowson

1.	Hermon Cemetary Trust	£200
2.	1 st Blaina Scouts Group	£200

Nantyglo Ward – Councillor P. Baldwin

1.	BGfm	£200
2.	Hermon Cemetary Trust	£200
3.	Nantyglo OAP Hall	£100
4.	Winchestown OAP Hall	£100
5.	Wesleyan Methodist Church	£100
6.	Holy Trinity St. Anne Church	£100
7.	Coedcae Interact Club	£50

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|----|-------------------------|------|
| 8. | Nantyglo Community Shop | £100 |
| 9. | Nantyglo RFC | £150 |

BRYNWAWR

Brynmawr Ward – Councillor J. Hill

- | | | |
|----|-------------------------------------|------|
| 1. | Friends of North Ebbw Fach Interact | £100 |
|----|-------------------------------------|------|

TREDEGAR

Georgetown & Central & West Ward – Councillors K. Hayden & J. Morgan & S. Thomas & H. Trollope & B. Willis

- | | | |
|----|--------------------------------|------|
| 1. | Tredegar Miners Memorial Gates | £200 |
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Central & West Ward – Councillor M. Moore

- | | | |
|----|--------------------------------|------|
| 1. | Tredegar Miners Memorial Gates | £200 |
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RESOLVED, subject to the foregoing, that the report be accepted and the information contained therein be noted.	
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DECISION ITEMS – EDUCATION MATTERS

No. 10	<u>360 DEGREE SAFE ONLINE SAFETY POLICY FOR SCHOOLS</u>
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Consideration was given to the report of the Corporate Director Education.	
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The Corporate Director Education advised that the report sought Executive approval on the 360 Degree Safe Online Safety Policy for Schools. The Corporate Director noted that the proposed policy demonstrated an integrated approach to online safety across all schools and views had been sought from schools through the Designated Safeguarding Leads (DSLs), and the policy would need to be approved by the school governing bodies.	
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The Corporate Director Education felt that the report was timely with schools providing blended learning in response to Covid-19 and the policy had been welcomed by the DSLs. The policy encourages schools to make full use of digital technologies available to engage learners and improve learner outcomes.

RESOLVED that the report be accepted and the information contained therein noted.

No. 11 **LOCAL GOVERNMENT EDUCATION SERVICES**
SAFEGUARDING POLICY

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education advised that the purpose of the report was to seek approval of the Blaenau Gwent Local Government Education Services Safeguarding Policy following its annual review. The Corporate Director spoke to the report and noted the updates which had been made to the Policy, as follows:-

- Reference to Wales Safeguarding Procedures 2019, replacing previous reference to All Wales Child Protection Procedures 2008;
- Inclusion of the Blaenau Gwent Youth Service safeguarding policy in appendix 3 of the policy;
- Inclusion of the safeguarding data collection protocol; and,
- Inclusion of a COVID-19 annex to reflect the current situation and reinforce the procedures for reporting concerns. This appendix can be updated regularly as the emergency situation develops and changes.

RESOLVED that the report be accepted and Option 1 be approved prior to the Education Directorate Safeguarding Policy being distributed to schools.

MONITORING ITEMS - CORPORATE SERVICES

**No. 12 REVENUE BUDGET MONITORING – 2020/2021
FORECAST OUTTURN TO 31ST MARCH, 2021
(AS AT 30TH SEPTEMBER, 2020)**

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources advised that the report provided the forecast financial outturn position across all portfolios for the financial year 2020/2021 as at 30th September, 2020. There was an adverse variance of £3.402m before the application of Welsh Government Hardship funding which reduced the forecast adverse variance to £0.248m. This was an improved position compared to the forecast at June 2020 which indicated an adverse variance of £1.2m. The Chief Officer further reported the financial position across all portfolios and outlined the key points as detailed in the report.

The Chief Officer Resources advised that the appendices contained information on fees and charges as well as progress made against the Bridging the Gap programme. The Appendices also detailed actions which are being taken forward by Budget Holders to mitigate any forecast cost pressures.

The Leader was mindful that Executive Members respectively and as a collective monitored budgets on a regular basis and given the current situation felt that budgets had been managed well by Budget Holders. He was of the opinion that the Council was in a reasonable position and had hoped that with the much appreciated assistance from Welsh Government provided to Local Government it would help the Council in balancing the budget.

The Leader advised that next year's budget indication was due to be announced on the 22nd December, 2020 and it was hoped that the Council would continue the excellent work around financial management achieved in previous years.

RESOLVED that the report be accepted and the appropriate challenge was provided to the financial outcomes in the report.

No. 13

CAPITAL BUDGET MONITORING, FORECAST FOR 2020/2021 FINANCIAL YEAR (AS AT 30TH SEPTEMBER, 2020)

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources advised that the report provided an overview of each Portfolio's actual and forecast capital expenditure against funding approvals for the 2020/2021 financial year as at 30th September, 2020. The Chief Officer spoke to the report and outlined the key points contained therein.

RESOLVED that the report be accepted and the

- appropriate challenge to the financial outcomes in the report be provided.
- Continued to support appropriate financial control procedures agreed by Council.
- the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding be noted.

No. 14

USE OF GENERAL AND EARMARKED RESERVES 2019/2020

Consideration was given to the report of the Chief Officer Resources.

The Leader advised that the Council had been criticised in previous years for their low levels of reserves, however over the last couple of years we have ensured that positive action had been taken to restore reserves to an acceptable level.

At this juncture, the Leader invited the Chief Officer Resources to provide an overview of the report. The Chief Officer Resources noted the key points contained in the reported and referred the Executive to the forecast position for the general reserve at year-end 2020/2021 which would be a decrease of £0.048m, to £6.387m. This balance would represent 4.72% of net revenue expenditure, £0.973m above the 4% target level of £5.414m. These figures indicated further progress towards strengthening the financial resilience of the Council and providing a buffer to deal with unexpected future issues. There would be a need to mitigate the forecast year end adverse variance if these had not been addressed, however the level of reserves would still be above the target level which the Council had set for ourselves.

	<p>The Leader welcomed the report and felt it demonstrated the Council's commitment to manage our financial resilience. The Leader hoped that Budget Holders would continue to work hard to eradicate the budget deficits to prevent using monies from the Council's reserves.</p> <p>RESOLVED that the report be accepted and</p> <ul style="list-style-type: none"> • considered the impact of the £0.248m adverse variance for 2020/2021 would have on the budgeted contribution to the General Reserve; and • the forecast decrease of the General Reserve in 2020/2021 to £6.387m, being 4.72% of net revenue expenditure (above the 4% target level) be noted. • Continued to challenge budget overspends and implement appropriate service Action Plans, where required. 	
No. 15	<p><u>THE ANNUAL REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES 2019/2020</u></p> <p>Consideration was given to the report of the Head of Legal and Corporate Compliance.</p> <p>RESOLVED that the report be accepted and the Executive are informed of the Council's performance with regard to complaints made to the Public Services Ombudsman for Wales, and that the report had been referred to the Audit Committee for assurance that the process for the monitoring of complaints is robust and the performance information provided reflects these practices.</p>	
	<p><u>MONITORING ITEM – ENVIRONMENT</u></p>	
No. 16	<p><u>FLOOD RISK MANAGEMENT PLAN (2016- 2022)</u></p> <p>Consideration was given to the report of the Head of Community Services.</p> <p>RESOLVED that the report be accepted and the progress made over the previous 12 months be noted.</p>	

<p>No. 17</p>	<p><u>BIODIVERSITY AND ECOSYSTEM RESILIENCE FORWARD PLAN (2019-2022) 2019/20 ANNUAL REPORT</u></p> <p>Consideration was given to the report of the Head of Community Services.</p> <p>RESOLVED that the report be accepted and Option 2, that the annual report and activity recommended this year to meet the Section 6 Duty be noted.</p>	
	<p><u>MONITORING ITEMS – EDUCATION</u></p>	
<p>No. 18</p>	<p><u>OUTCOME OF THE LEISURE REVIEW AND PERFORMANCE MONITORING FOR THE ANEURIN LEISURE TRUST</u></p> <p>The Leader declared an interest in this item, however he was permitted to remain in the meeting during discussions.</p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Executive Member for Education welcomed the report which would strengthen the working relationship between the Trust and the Local Authority.</p> <p>The Executive Member referred to Appendix 3 and proposed that the frequency of meetings be on a quarterly basis and not bi-annually as suggested with additional meetings called as and when required.</p> <p>RESOLVED accordingly.</p> <p>FURTHER RESOLVED, subject to the foregoing, that the report be accepted and the information contained therein be noted.</p>	

<p>No. 19</p>	<p><u>OUTCOMES 2019-2020: FOUNDATION PHASE, KEY STAGE 2, KEY STAGE 3, KEY STAGE 4</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Corporate Director Education outlined the report and noted that there had been a relaxation in reporting school performance due to Covid-19 pandemic. The Corporate Director was pleased to update that there had been improved performance in KS4 across schools and the results were in line with the target set in the respective School Development Plans.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 20</p>	<p><u>BLAENAU GWENT EDUCATION SERVICES DRAFT SELF-EVALUATION FINDINGS</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Corporate Director Education spoke to the report and outlined the ongoing self-evaluation processes undertaken within the Education Directorate, across the Council and with key partners. The Corporate Director further referred to the areas where good progress had been made and discussed areas where further improvements were required.</p> <p>The Executive Member for Education welcomed the report and wished to recognise the Blaenau Gwent's Youth Service. There had been many areas on improvement in the Youth Service and it had aspects of excellent practices. The Executive Member reported that the Youth Service had exceeded an all Wales average and had been joint winners for a National Youth Work Award.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

No. 21

**SUMMARY OF INSPECTION OUTCOMES FOR
EDUCATIONAL ESTABLISHMENTS –
AUTUMN TERM 2019 AND SPRING TERM 2020**

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education advised that the report provided performance monitoring information regarding the inspections undertaken by ESTYN of educational establishments and an update of inspection outcomes for schools inspected during the Autumn term 2019 and Spring term 2020. The Corporate Director pointed out that these inspections had been undertaken in 2019/2020 and publication had been delayed due to the emergency response to Covid-19.

The Corporate Director Education further referred to the three inspections which had taken place and provided an overview of the feedback received.

RESOLVED that the report be accepted and the information contained therein be noted.

No. 22

EDUCATION DIRECTORATE - RESPONSE TO COVID-19

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education advised that the report gave the Executive an opportunity to review the Education Directorate's response to the COVID-19 situation, particularly supporting the schools during the emergency period. The Corporate Director spoke to the report and outlined the work undertaken in conjunction with corporate colleagues and schools.

The Corporate Director referred to the decision taken by Blaenau Gwent to move to remote learning from the 10th December 2020 and advised that this decision had been based upon evidence of infection rates in Blaenau Gwent. The Corporate Director added that Blaenau Gwent currently had the 3rd highest number of cases across Wales with 574 cases per 100,000. These figures had a significant impact on our schools with 19 out of 25 schools affected, 1300 pupils and 66 members of staff currently off school self-isolating.

These figures had significant impact on face to face learning, and therefore, there was a compelling rationale in moving to remote learning.

There was a strong political and professional support with unanimous support from head teachers. The Public Health Professor, Head of Public Protection and Disease Control have supported the approach adopted by Blaenau Gwent. The Corporate Director stated that the Authority would provide support to vulnerable learners and free school meals during this period.

It was reported that head teachers had felt that remote learning would be more effective in the current circumstances. The Corporate Director Education concluded that the decision to move to remote learning was a local decision based on the local situation, which was right at this time.

The Executive Member for Education wished to thank the Education Directorate for their outstanding response to the Covid-19 pandemic. The Executive Member concurred with comments raised by the Corporate Director and stated that the decision to move to blended learning was based on a strong rationale. The decision had received unanimous support from head teachers and had been particularly welcomed in the Tredegar cluster where schools had been closed due to the rise in infection. The Executive Member fully supported the decision taken by the Leadership of the Council and felt this was a good decision for Blaenau Gwent.

The Leader also supported the decision to move to blended learning across all schools in Blaenau Gwent and advised that it was not a decision which the Council had taken lightly. He felt that the Executive Member for Education and Corporate Director Education had taken a decision which was best for Blaenau Gwent. It had received unanimous support from across schools and had been welcomed by parents

RESOLVED that the report be accepted and the information contained therein be noted.

MONITORING ITEMS – SOCIAL SERVICES

No. 23 UPDATE ON STRATEGY TO SAFELY REDUCE THE NUMBERS OF CHILDREN LOOKED AFTER

Consideration was given to the report of the Corporate Director Social Services.

The Corporate Director Social Services advised that the report provided a progress update on the three-year strategy to safely reduce the numbers of looked after children. The Corporate Director noted since the strategy was introduced there has been a slow but steady decline in the numbers of Children Looked After from a high of 237 to 205 as at today. The Authority had successfully used additional funding from the Integrated Care Fund which had assisted in enhancing the Strategy and support our objectives of keeping families together and providing support to families on the edge of care. The strategy had been independently evaluated and was currently being refreshed for a new strategy in 2021.

The Corporate Director added that the work undertaken had helped keep families together and also reduced the number of children being placed in residential care. This has helped the Children Services budget, however, legal costs remain high but we have re-opened discussions with a neighbouring local authorities on possible legal support. This work had received a great deal of positive feedback from staff and families.

The Executive Member for Social Services welcomed the report which highlighted the positive work undertaken in Children Services and he wished to express his thanks to the Corporate Director, Head of Children Services and staff on the work behind this positive report.

The Leader advised that there had been some speciesism received when these measures were taken some 3 years ago. The Council was far from complacent and there still was a great deal of work to be undertaken. However, the Strategy was now seeing results and the Leader had hoped that this work would continue.

The Leader reiterated the comments raised in terms of the excellent work achieved in Children Services. The staff in Social Services and across the Council continue to work hard during the pandemic and the public are continually grateful.

RESOLVED that the report be accepted and the information contained therein be noted.

<p>No. 24</p>	<p><u>REGIONAL PARTNERSHIP UPDATE</u></p> <p>Consideration was given to the report of the Corporate Director Social Services.</p> <p>RESOLVED that the report be accepted and Option 2 that the decisions of the Regional Partnership Board be supported.</p>	
	<p><u>DECISION ITEMS – REGENERATION & ECONOMIC DEVELOPMENT MATTERS</u></p>	
<p>No. 25</p>	<p><u>BRYNMAWR AND NANTYGLO MASTERPLAN</u></p> <p>The Executive Member for Social Services declared an interest in this item, however he was permitted to remain in the meeting during discussions.</p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the Team Manager Regeneration Opportunities.</p> <p>RESOLVED, subject to the foregoing, that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and Option 2, to endorse the findings of the Brynmawr and Nantyglo Masterplan and agreed the next steps for work to be undertaken as detailed in the report.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SPECIAL EXECUTIVE COMMITTEE –
15TH DECEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

**PRESENT: Leader of the Council/
Executive Member Corporate Services
Councillor N.J. Daniels (CHAIR)**

**Deputy Leader/Executive Member –
Regeneration & Economic Development
Councillor D. Davies**

**Executive Member – Education
Councillor J. Collins**

**Executive Member – Environment
Councillor J. Wilkins**

**Executive Member – Social Services
Councillor J. Mason**

**WITH: Managing Director
Corporate Director Education
Chief Officer Resources
Head of Legal & Corporate Compliance
Press Officer**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	

No. 2	<p><u>APOLOGIES</u></p> <p>No apologies for absence were received.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interests or dispensations were reported.</p>	
	<p><u>DECISION ITEMS – EDUCATION AND LEARNING MATTERS</u></p>	
No. 4	<p><u>WELSH-MEDIUM EDUCATION CONSULTATION PROPOSAL</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Corporate Director Education advised that the report sought the Executive’s approval to consult upon the creation of a new 210 places Welsh-medium primary school in the Tredegar/Sirhowy valley. The Corporate Director gave a background of the vision of Welsh Government and the National Strategy.</p> <p>The Corporate Director Education explained that the report had been considered by the Education and Learning Scrutiny Committee along with the Blaenau Gwent Welsh in Education Strategic Plan (WESP) 2017-20. The WESP was directly aligned to both the Welsh Government’s and the Council’s Welsh Language strategic frameworks and the Corporate Director outlined the strategic priorities in the WESP as detailed in the report.</p> <p>It was added that Blaenau Gwent was the only Authority in Wales with one Welsh-medium primary school and if the Council decided not to increase Welsh education there was limited scope for growth and development of the Welsh language in line with Welsh Government aspirations. The Corporate Director also noted that all neighbouring authorities had already undertaken or have intentions to consult on increasing Welsh medium primary provision in their respective areas.</p>	

The Corporate Director Education further spoke to the report and referred Members to the four key components of the proposal. The consultation timeline, if approved would commence on Thursday, 17th December, 2020 and would be concluded on Friday, 29th January, 2021. This timeline satisfied the Welsh Government's School Organisation Code's requirement of being 'live' over 20 school working days.

The Corporate Director Education reported that there were no capital financial implications associated with this proposal as 100% funding had been awarded. Further capital funding had also been awarded from Welsh Government from the Childcare Capital Grant. The Corporate Director advised that there would be revenue budget implications associated with the proposal in the medium to long term and Individual School Budgets would need to be increased from financial year 2023/2024. The funding required would grow annually as the school grew to capacity. There would be a positive financial impact on home to school transport as pupils from Ebbw Fawr and Tredegar areas would not need to be transported to Bro Helyg.

The financial impact, if the proposal was agreed would be included within the Medium Term Financial Strategy. The Corporate Director added that the revenue funding and expenditure has been modelled over 7 years and was detailed in the appendices attached to the report.

At the invitation of the Leader, the Corporate Director Education outlined Appendices 3 and 4, which detailed the revenue implications against the preferred proposal.

The Executive Member for Education thanked the Corporate Director Education for the detailed overview of the report and appendices. The Executive Member pointed out that the report sought approval from the Executive to proceed to consultation to seek stakeholders views and ascertain if there was a demand for a new Welsh medium school.

It was reported that the Education and Learning Scrutiny Committee had supported the preferred option. It had been asked if the consultation would be Borough wide and if there would be a dedicated governor session on the proposal. The Corporate Director Education had confirmed that the consultation would be undertaken across the Borough as it would affect all our learners.

In terms of a dedicated governor's session, it was confirmed that this request would be accommodated as part of the consultation exercise as governors were key stakeholders and statutory consultees.

The Corporate Director Education added that there was lengthy discussion at the Scrutiny Committee, however, there was support in proceeding to consultation at this point.

The Leader noted that the Scrutiny Committee was a statutory consultee and asked if the earlier meeting was considered as consultation. The Corporate Director Education advised that the Education and Learning Scrutiny Committee meeting would be considered as pre-consultation. The Scrutiny Members would have an opportunity to have their views formally captured as part of the consultation, which would be reported back via the democratic process at the appropriate time.

In response to a question raised in relation to when the report would be submitted for further determination once the consultation exercise had been completed, it was confirmed that the next report was scheduled to be presented in February 2021.

The Leader further asked how consultation would be undertaken in line with safety guidelines due to the Covid-19 pandemic.

The Corporate Director Education advised that the majority of consultation would be undertaken virtually with small components carried out face to face in a safe and controlled environment. The Council accepts written consultation via email or posted as well as via social media platforms. The Corporate Director did not envisage any issues in undertaking the consultation exercise as it could be done carried out virtually.

The Executive Members supported the report and the Executive Member for Education referred to the preferred option. It was thereupon

RESOLVED that the report be accepted and the report, associated documents and course of action be approved.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: EXECUTIVE COMMITTEE – 13TH JANUARY, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: **Leader of the Council/**
 Executive Member Corporate Services
 Councillor N.J. Daniels (CHAIR)

Deputy Leader/Executive Member –
 Regeneration & Economic Development
 Councillor D. Davies

Executive Member – Education
 Councillor J. Collins

Executive Member – Environment
 Councillor J. Wilkins

Executive Member – Social Services
 Councillor J. Mason

WITH: Corporate Director Social Services
 Corporate Director Regeneration and Community Services
 Corporate Director Education
 Chief Officer Resources
 Head of Legal & Corporate Compliance
 Head of Organisational Development
 Head of Partnerships and Governance
 Press Officer

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>No apology for absence were received.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	
	<p><u>GENERAL MATTERS</u></p>	
	<p><u>MINUTES</u></p>	
No. 4	<p><u>EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 9th December, 2020.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>SPECIAL EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 15th December, 2020.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	

DECISION ITEMS - CORPORATE SERVICES MATTERS

6.

FORWARD WORK PROGRAMME – 24TH FEBRUARY, 2021

Consideration was given to the report of the Leader of the Council.

RESOLVED that the report be accepted and information contained therein be noted.

7.

GRANTS TO ORGANISATIONS

Consideration was given to the report of the Chief Officer Resources.

The following additional grants to organisations were received:-

ABERTILLERY

Abertillery Ward – Councillor N. Daniels

1. Ebenezer Baptist Church £50

BRYNWAWR

Brynmawr Ward – Councillor L. Elias

1. St. Mary's Church in Wales Primary School £100

EBBW VALE

Ebbw Vale South Ward – Councillors J. Millard & K. Pritchard

1. Briery Hill Allotments £75

2. Tyllwyn Allotments £75

RESOLVED accordingly.

RESOLVED, subject to the foregoing that the report be accepted and information contained therein be noted.

**DECISION ITEMS –
REGENERATION & ECONOMIC DEVELOPMENT MATTERS**

8. BUS EMERGENCY SCHEME (BES)

Consideration was given to the report of the Corporate Director Regeneration & Community Services.

The Corporate Director Regeneration and Community Services spoke to the report which provided an overview on progress of the Bus Emergency Scheme (BES) Phase 2. The response to the Covid-19 pandemic and the longer term arrangements to be entered into which would make the bus services more sustainable across Wales. The Corporate Director noted the journey undertaken to date and plans for BES2. The BES2 agreement formalised Welsh Government's commitment to supporting recovery of bus services following the impact of COVID-19. The Corporate Director advised that under the terms of the BES2 agreement operators would be required to provide bus services that met the local needs which would be obtained from the Lead Authority for region. This work would be undertaken on behalf of the communities of respective local authorities. The end date for the BES2 contract was 31st July 2022 which should allow enough time for revenues to recover following the pandemic.

The Corporate Director also outlined the funding responsibilities, directing the provision of services and the regional work being taken forward. He also outlined the results which was hoped to be achieved with BES2 and what it meant for bus operators which included a mechanism for managing the recovery and reshaping of bus services to respond to the impact of the pandemic.

The Corporate Director further referred to the options for consideration and noted the preferred option as detailed in the report.

In response to a question raised in relation to discussions undertaken at Scrutiny Committee, it was confirmed that Scrutiny Members supported the approach and long term benefits.

The Executive Member for Regeneration and Economic Development welcomed the report and progress being made through Transport for Wales which supported to the IRT. The project presented an opportunity to grow the services already in place to improve services across the region. It was hoped that it would also encourage people to use public transport.

The Executive Member for Social Services also welcomed the report and felt that the improved services would be beneficial for our communities. The Executive Member felt that from the Social Services perspective it would help people maximise their independence and develop mental health and wellbeing.

RESOLVED that the report be accepted and Option 1; namely Blaenau Gwent endorsed the contents of the report and supported the BES2 arrangements as part of a regional and Wales approach.

MONITORING ITEMS - CORPORATE SERVICES

9. **CARDIFF CAPITAL REGION CITY DEAL
PERFORMANCE REVIEW 2020/21 QUARTER 1**

Consideration was given to the report of the Managing Director and Head of Regeneration.

The Leader referred to the timeliness of the report and noted that the report provided information in relation to Quarter 1 which covered the period of April to June 2020. The Leader advised that whilst this Quarter highlighted a great deal of good work undertaken at that point in time there had also been a great deal of additional work.

The Leader added that he had raised these concerns with the Managing Director as more timely reports needed to be presented for consideration by the Executive and Scrutiny Committee. It was hoped that a more updated report would be drafted in the future to allow Elected Members and residents to have sight of the impact the City Deal had for Blaenau Gwent.

RESOLVED that the report be accepted and Option 1 be approved; namely the overall progress on the CCR programme of work for 2020/21 be considered.

<p>10.</p>	<p><u>CORPORATE COMMUNICATIONS STRATEGY PERFORMANCE MONITORING</u></p> <p>Consideration was given to the report of the Chief Officer Commercial.</p> <p>The Leader referred to the report which had been submitted to consider the performance of the Communications Strategy. The Leader felt that due to the Covid-19 Pandemic the Strategy had not fulfilled its potential, however he wished to commend the Corporate Communications Team on their work during the pandemic to ensure that information was available in the public domain.</p> <p>RESOLVED that the report be accepted and Option 1; namely that the performance of the Communication Strategy be noted, particularly on the impact of the strategy during COVID19 Pandemic. The period covered would be from March to September 2020.</p>	
<p>11.</p>	<p><u>COMMERCIAL STRATEGY PERFORMANCE MONITORING</u></p> <p>Consideration was given to the report of the Chief Officer Commercial.</p> <p>RESOLVED that the report be accepted and Option 1; namely the performance of the Commercial Strategy during the period March 2020 – September 2020 be noted.</p>	
<p>12.</p>	<p><u>PREPARATIONS FOR EU TRANSITION</u></p> <p>Consideration was given to the report of the Head of Governance and Partnerships.</p> <p>RESOLVED that the report be accepted and Option One; namely the Executive Committee noted the progress made during the transition period and receives update reports as part of its forward work programme.</p>	

13. SICKNESS ABSENCE PERFORMANCE

Consideration was given to the report of the Head of Organisational Development.

The Head of Organisational Development noted the overall year end outturn figure for the Council of 13.91 days per full time equivalent employee - the figure would reduce to 13.48 days excluding Covid 19 sickness. These figures saw an increase from the previous year's outturn of 12.66 days and exceeds the target set of 11 days. The Officer advised that over the last three years that Council had sustained absence levels which exceeded 11 days' sickness absence per full time employee. The Head of Organisational Development further referred Members to the continued actions for managers which detailed a number of actions. Sickness absence performance was reported quarterly to Corporate Leadership Team and included as part of the Finance and Performance report to Members.

The Head of Organisational Development provided the current position in terms of sickness absence and advised that there was a drop in sickness for Quarter 1 with 2.49 days (2.21 excluding Covid) per full time employee which compared to 3.05 days for the same period last year. In terms of Quarter 2 4.83 (4.43 excluding Covid) days were reported compared to 5.96 days for the same period last year.

In conclusion the Head of Organisational Development advised that Directorates had reviewed the top 20 cases of sickness absence for their service area and that new Workforce Strategy would have a continued focus on workforce wellbeing.

The Leader referred to concerns brought forward by Members in terms of sickness absence performance reporting and felt that further discussions were needed at the appropriate time to introduce quarterly reporting to relevant scrutiny committees. He also said that it would be interesting to understand the impact home working had on reducing sickness absence levels.

Following discussions, it was agreed that more stringent quarterly reports be introduced for all Directorates for consideration by Executive and Scrutiny.

RESOLVED accordingly.

	RESOLVED, subject to the foregoing that the report be accepted and Option 1; namely that Members having considered the sickness absence performance information and the ongoing actions to support improved attendance within the Council identify any further areas for improvement in order to drive forward performance improvement.	
	<u>MONITORING ITEMS – REGENERATION AND ECONOMIC DEVELOPMENT</u>	
14.	<p><u>ENERGY PROSPECTUS ANNUAL REVIEW</u></p> <p>Consideration was given to the report of the Team Manager Regeneration Opportunities</p> <p>The Executive Member for Regeneration and Economic Development welcomed the report which was paramount moving forward towards zero carbon work being undertaken and further projects would come forward as the work progressed.</p> <p>RESOLVED that the report be accepted and Option 2; namely to continue to support, promote and develop the projects within the energy prospectus and to ensure that the document be updated to reflect any additional projects that have emerged. To also continue to identify future projects that would also meet the vision and objectives of the Council with respect to energy and decarbonisation.</p>	
	<u>MONITORING ITEM – ENVIRONMENT</u>	
15.	<p><u>CIVIL PARKING ENFORCEMENT – SERVICE UPDATE</u></p> <p>Consideration was given to the Head of Community Services.</p> <p>RESOLVED that the report be accepted and Option A; namely that update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019 be noted.</p>	

16.	<p><u>ACTIVITIES REPORT – LITTERING AND DOG CONTROL ORDER ENFORCEMENT FOR THE FINANCIAL YEAR 2019/20</u></p> <p>Consideration was given to the report of the Team Manager Environmental Protection.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
17.	<p><u>SOUTH EAST WALES RESILIENT UPLANDS – WALES RURAL DEVELOPMENT PROGRAMME SUSTAINABLE MANAGEMENT SCHEME</u></p> <p>Consideration was given to the report of the Head of Community Services.</p> <p>RESOLVED that the report be accepted and Option 1; namely the activity taking the South East Wales Resilient Uplands Project be noted and continue to support the collaborative working approach as programmed.</p>	
	<p><u>MONITORING ITEMS – EDUCATION</u></p>	
18.	<p><u>BLAENAU GWENT WELSH IN EDUCATION STRATEGIC PLAN 2019/20 AND WELSH MEDIUM GRANT PROPOSAL PROGRESS REPORT / CYNLLUN STRATEGOL CYMRAEG MEWN ADDYSG 2019/20 BLAENAU GWENT AC ADRODDIAD CYNNYDD AR Y CYNNIG GRANT CYFRWNG CYMRAEG</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and associated course of action be approved.</p>	
19.	<p><u>IMPROVING SCHOOLS PROGRAMME 2020</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and information contained therein be noted.</p>	

20.	<p><u>MANAGEMENT OF PUPIL PLACES AND THE SCHOOL ESTATE 2019/2020</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted</p>	
21.	<p><u>EDUCATION ICT – INFRASTRUCTURE CONNECTIVITY PROJECT</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
	<p><u>MONITORING ITEMS – SOCIAL SERVICES</u></p>	
22.	<p><u>INTEGRATED CARE FUND (ICF) UPDATE 2019/20</u></p> <p>Consideration was given to the report of the Corporate Director Social Services.</p> <p>The Executive Member for Social Services advised the report provided an overview on the current allocation of funding for projects monitored by the Social Services Department and funded via the Welsh Government Integrated Care Fund as at November 2020. It also highlighted the current position in relation to the announcement that there would be a further extension of the fund for a further 12 months’ transition year and identified the work the Department had undertaken to address associated risks with the potential ceasing of the funding from April 2022.</p> <p>RESOLVED that the report be accepted and Option 1 be agreed; namely that the actions currently underway to evaluate the future impact of the cessation of the ICF funded posts and services.</p>	

DECISION ITEMS - ENVIRONMENT MATTERS

24. UPDATE CEMETERY BURIAL CAPACITY

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the of Team Manager Street Scene.

RESOLVED, subject to the foregoing, that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and Option 1 be approved.

25. COMMUNITY ASSET TRANSFER

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the Corporate Director Regeneration and Community Services.

RESOLVED, subject to the foregoing, that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and Option 2 as detailed in the report be approved.

**DECISION ITEMS –
REGENERATION & ECONOMIC DEVELOPMENT
AND ENVIRONMENT MATTERS**

26. APPLICATION TO LEASE LAND

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the Team Manager Regeneration Opportunities.

RESOLVED, subject to the foregoing, that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and Option 1 as detailed in the report be approved.

**DECISION ITEMS –
REGENERATION & ECONOMIC DEVELOPMENT MATTERS**

27. COMMUNITY ASSET TRANSFER

Due to the need to consider the following item as a matter of urgency, the Leader of the Council confirmed that the following matter could be considered under the Provisions of Paragraph 4(b), Section 100(b) of the Local Government Act, 1972.

Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the Corporate Director Regeneration and Community Services.

The Executive Member Regeneration and Economic Development wished it be placed on record his appreciation for the work undertaken by a number of partners to bring this project to fruition. The Executive Member felt that the project would benefit the Community greatly and had hoped that following consideration of the report by the Executive, if approved, the appropriate plans could be publicised within the public domain to ensure residents are aware of the project and the benefits it would bring to their Community.

RESOLVED, subject to the foregoing, that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and Option 4 as detailed in the report be approved.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
3RD DECEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
D. Bevan
M. Day
G.L. Davies
J. Hill
C. Meredith
K. Pritchard
K. Rowson
T. Smith
B. Thomas
B. Willis
L. Winnett
D. Wilkshire

WITH: Service Manager Development & Estates
Team Manager, Development Management
Team Manager Built Environment
Team Manager Building Control and Development
Planning Officer
Solicitor
Press Officer

AND: Public Speaker
Mr. O. Griffiths, Avison Young UK
Former Rhyd y Blew Reservoir Site,
Beaufort Road, Ebbw Vale

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>An apology had been received from Councillor G. Thomas.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE DECEMBER 2020</u></p> <p>Consideration was given to the report of the Service Manager Development and Estates.</p> <p>The Service Manager Development and Estates outlined the report and provided an update to Wauntysswg Farm, Abertysswg, Tredegar which had been confirmed since the report had been published. The Services Manager advised that the Appeal had been approved with full costs awarded. The Inspector had felt that the Planning Committee had not given sufficient reasons for the refusal.</p> <p>A Ward Member noted his disappointment in this decision and felt that Julie James should be made aware as she advised that it would only be for short length of time, however 10 years was not a short time period.</p>	

	<p>Further discussions ensued around the Inspectors decision and Members felt that it should be challenged. The Services Manager advised that a full report would be presented to the Planning Committee in due course and all these aspects could be included. There was an option to challenge the decision through the courts and this could be included along with costs.</p> <p>RESOLVED that the report be accepted and the information therein be noted.</p>	
<p>No. 5</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 26TH OCTOBER, 2020 AND 20TH NOVEMBER, 2020</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>A Ward Member asked the reason why 30 Queen Street, Blaina had been refused.</p> <p>The Planning Officer advised that the application had been refused based on the size of the extension, however this had now been resolved.</p> <p>RESOLVED that the report be accepted and the information therein be noted.</p>	

No. 6

PLANNING APPLICATIONS REPORT

Consideration was given to the report of the Team Manager Development Management.

Application No. C/2013/0170

**Former Rhyd y Blew Reservoir Site, Ebbw Vale
Outline application for residential development
together with associated access, Car parking and
servicing, open space and landscaping and all other
ancillary works and activities**

The Team Manager, Development Management presented the planning application which had been reported to Planning Committee in 2014. It was noted that Members previously resolved to approve outline planning permission in accordance with officer's recommendation. This required the applicants to enter into Section 106 Agreement before permission would be granted. The Section 106 had not been completed in the intervening period and the application remained undetermined, therefore the report outlined the reasons for the application remaining undetermined.

The Team Manager further spoke to the report and noted that having been made aware of the findings of the independent assessment undertaken, further discussion had been carried out with a view to clarify whether the applicant would be prepared to offer any contribution either in the form of affordable housing or a financial contribution. In response, the agenda has confirmed his client's willingness to provide 10% affordable housing. In this context the agent contended that this could be secured via a planning condition which would negate the need for a s106 agreement. It was also suggested that clauses should be included in the agreement to ensure that viability of the scheme was re-evaluated at a future date and this concept was agreed in principle to the introduction of a mechanism that would require a review of the viability assessment.

In conclusion, the officer's recommendation for approval was noted for the reasons detailed in the report.

At this juncture, the Chair invited Mr. Owain Griffiths was invited to address the Committee.

Mr. Griffiths, Agent informed the Committee that the site formed part of an important housing allocation area in the LDP. It was reported that the Planning Committee had already resolved to grant outline planning permission subject to s106 agreement. The application submitted was to seek approval on the revised s106 agreement to ensure scheme financially viable and deliverable.

A report was presented last year which demonstrated that the scheme was not financially viable. It was added that the planning officer had sought independent advice from an independent valuer and a report was recently issued which agreed with our findings which concluded that the scheme was not financially viable of any financial contributions, however it was informed that the client had agreed to provided 10% affordable housing in line with LDP policy in this area.

There had been interest in the site, however the outline planning permission would need to be progressed. Mr. Griffiths referred Members to the national housing crisis and advised that there was limited supply of land deliverable for new homes, which was a challenge in Wales. This area was a vacant brownfield site and would be ideal to be used for family housing and would be a major boost for the local economy. Mr. Griffiths noted that it would generate approximately £1m in expenditure, create jobs and regenerate the site.

It was further noted that a great deal of money had been spent on viability assessment works and the Officer's recommendation was based on evidence of the district valuers report that any financial contributions could not be justified. Therefore, Mr. Griffiths urged Members of the Planning Committee to take on board the advice of the District Valuer and approve planning permission.

At this juncture, the Chair invited questions from Members of the Committee.

A Member referred to the affordable housing clause and asked what form of housing would be on the site. Mr. Griffiths confirmed that the affordable housing to be used for this site would be social rented units. It was noted that this was the most common form, however the applicant was flexible it was felt that rented social units was the most appropriate.

A Member asked if any opportunities would be lost in the area due to the lack of education and leisure contributions. The Service Manager confirmed that there would be no impact on education and leisure services. Another Member felt that contributions for education would be welcomed in the area and would enhance local schools, therefore he noted his disappointment in the lack of contributions to be gained from the application.

In response to concerns raised around the highways and the need for traffic control in the area, the Team Leader Built Environment confirmed that a condition of the application was that traffic calming measures be placed on College Road and the road fronting Morrison's Supermarket. In response to who would incur costs for these measures, it was confirmed that the developer would be responsible for costs.

Further concerns were raised in relation to the lack of Section 106 agreement and the perception it set to previous and future planning applicants. The Service Manager advised that an independent expert had fully considered the application on its merit and felt that the development did not warrant a contribution. The Service Manager also noted that the recommendation stated that a Section 106 Agreement would be revisited at a future date.

It was also stated that not all applications are subject to contributions as a matter of course. The contributions are based upon the profits of each development and on this occasion an independent valuer deemed this application was not acceptable and would not generate the appropriate profit to justify contributions acceptable.

RESOLVED that

- (1) it be accepted that there was insufficient viability within the submitted scheme to justify requiring a financial contribution towards the education service and that the applicants offer to provide 10% Affordable Housing on the site be accepted.
- (2) That the applicants are required to enter a s106 agreement that would commit them to the following heads of terms:-
 - to provide 10% affordable housing (social rented) on site; and
 - accept clauses that would introduce a requirement to provide a review of the submitted viability assessment at agreed trigger points.
- (3) That on completion of the agreement outlined in recommendation 2 above that planning permission be granted subject to conditions that reflect those conditions reported to Committee in 2014 and any other additional and updated conditions deemed appropriate by officers

Application No. C/2020/0221

Former School Site, Chapel Road, Blaina NP13 3BX

Residential development of 4 pairs of semi-detached houses (8 in total)

The Planning Officer advised that the site was a vacant former school site located on a hillside at Westside, Blaina. Due to the steep topography of the area, terraced dwellings along Mount Pleasant are located at a much higher level to the site, whilst properties along Railway Terrace are at a lower level with a self-contained playground that sits above road level which was accessed by steps off Chapel Road. The area was a brownfield site which was rectangular in shape and measures approximately 19.8m wide/deep and 59.5m long. A high stone retaining wall bounds the site to the rear and part of the northern side boundary and the Planning Officer further outlined the site with photographs as contained in the report.

The Planning Officer advised that planning permission was sought to construct eight properties on the site - four pairs of two storey, semi-detached dwellings. The Officer further provided detail of the design and layout of the properties as illustrated in the report.

The Planning Officer referred to consultation and noted that no internal objections had been received, however objections had been received by residents and summarised the main issues.

The Planning Officer continued that the site was situated with the settlement boundary as defined by the Council's adopted Local Development Plan (LDP). The principle of residential development was therefore considered acceptable subject and satisfied policies contained within the LDP. The area was mainly terraced dwellings, however these were a varying scale. The Officer felt that with the existing street scene she had considered that the proposed dwellings are of an appropriate scale and form in keeping with the existing housing in the area. In terms of design it was reported that the area had a mixture of finishes including stonework, render and spar. The proposed development had regarded the local properties and incorporated stonework dwarf retaining walls and ivory render finish to the proposed dwellings.

It was noted that the development provided 2 off-street spaces per 3-bed-roomed property and therefore complied with the requirements of the SPG. Due to the concerns raised by residents in terms of access and parking the Highways Manager gave careful consideration to the existing highway capacity, access to and from the site from the surrounding highway as well as the required space needed for future residents to access the proposed driveways. The Highways Manager acknowledged that there are areas of the highway network that could be considered as sub-standard. However, it was reported that there are two different routes to the development site and that the route via Shop Row/Chapel Road was capable of accommodating the additional traffic.

It was added that Highways was satisfied that cars would still be able to access and exit new driveways if vehicles were parked on the carriageway opposite the proposed new driveways. The Officer added that this could be further supplemented by ensuring that drop kerbs be incorporated as part of the development frontage.

The Planning Officer further addressed concerns raised by residents in terms of overlooking which was detailed in the report. The Officer had given consideration to all these matters and acknowledged that plot 8 may cause some overshadowing on the adjacent property at 1 Ebenezer Cottages, however it was not a cause for concern and the loss of a neighbours view was not a planning material consideration.

Another concern of residents was regarding the retaining wall to the rear. The Officer advised that she had visited the site and shared the concerns and the Senior Structural Engineer had requested that a condition survey of wall be carried out prior to development to ascertain the stability of the wall. The Planning Officer added that a condition could be imposed which required the necessary report to be submitted prior to works commencing on site and for any remedial action to be undertaken within an agreed timeframe. Although, the Planning Officer reminded Members that the responsibility and liability for safe development rested with the developer.

It was thereupon concluded that the Planning Officer's recommendation was to grant this planning application.

A Ward Member raised a number of concerns which had also been raised by residents in relation to parking, narrow road restrictions with increased parking and that residents would not be able to park opposite driveways therefore car parking availability would be reduced. The Ward Member felt that plot 8 was overbearing on the neighbouring property and also raised concerns around flooding in the area with the additional safety concerns of the mountain slippage to the rear of the area. However, the Ward Member stated that her greatest concern was with the retaining wall and referred to problems in similar circumstances with another development in the Blaina Ward.

	<p>The Planning Officer reiterated that a surveyors report had been requested in relation to the retaining works and upon receipt of the report, any works that was required would need to be carried out prior to works commencing on the development.</p> <p>The Team Manager – Built Environment advised that in terms of highways concerns, dropped kerbs could be placed on pavements in front of the new properties which would allow for easier access for vehicles. This would also allow residents to legally park opposite driveway on the highway.</p> <p>The Ward Member felt she could not support the officer’s recommendation until an engineer’s structural report in relation to the retaining wall had been received and therefore proposed that the planning application be deferred until the retaining wall structural report it could be presented to the Planning Committee for consideration.</p> <p>Upon a vote being taken, 5 Members agreed to the amendment to refuse or defer the application and 7 Members agreed with the officer’s recommendation, it was thereupon</p> <p>RESOLVED that Planning Permission be <u>GRANTED</u> subject to the conditions contained in the report.</p>	
<p>No. 12</p>	<p><u>AREAS FOR MEMBERS BRIEFINGS/TRAINING</u></p> <p>No areas for Members briefing or training were raised.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: PLANNING, REGULATORY AND GENERAL LICENSING COMMITTEE (GENERAL LICENSING MATTERS) – 14TH DECEMBER, 2020

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillor W. Hodgins (Vice-Chair)

D. Bevan

M. Day

J. Hill

C. Meredith

K. Pritchard

B. Thomas

G. Thomas

T. Smith

B. Willis

L. Winnett

**WITH: Team Manager – Licensing
Licensing Officer
Solicitor**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>No apologies for absence was received.</p>	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST & DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
	<p><u>SCHEDULE OF APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest, in maintaining the exemption, outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it was likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 14, Schedule 12A of the Local Government Act 1972.</p> <p>Consideration was given to the report of the Senior Licensing Officer, whereupon:-</p> <p><u>Hackney Carriage/Private Hire Vehicle Driver Licence No. 234</u></p> <p>The Applicant was introduced to Officers and Members of the Committee.</p> <p>At the invitation of the Chair the Team Manager – Licensing advised that the applicant had been a Licence Holder for many years and the case was before Committee to determine if the Licence Holder was a fit and proper person to hold a licence.</p> <p>The Team Manager provided an overview of allegations which had been reported to the Licensing Team. It was advised that these allegations had been discussed with the Licence Holder who also had concerns, however the Licence Holder had failed to raise these concerns with the Transport Team or the Licensing Team.</p> <p>The Chair then invited the Applicant to present his case.</p>	

The Applicant advised that on occasions when gifts of sweets or chocolates were offered and refused the passenger would be upset. The Applicant added that the passenger had asked him to buy them sweets which the Applicant had refused. The passenger had also left him notes.

At the invitation of the Chair the Applicant gave his reasons for why the Committee should not revoke his Licence. The Applicant advised that he had been a Licence Holder for many years and had not done anything wrong. The Applicant added that he had taken the behaviour in jest and had therefore felt he did not need to report the matter.

The Chair invited questions from Members at this juncture.

A number of questions were raised by Members in relation to training undertaken by the Applicant, the reason for no escort was on journeys with the Applicant and Young Passenger and Police action on the allegations. The Applicant was also asked how long he had held his licence and had there been any other previous similar complaints. Members had also requested feedback from the PSM Meetings held with school representatives, social workers, Local Authority officers and the Police.

The questions were responded to accordingly by the Applicant and Officers.

The Applicant and Licensing Officers left the meeting at this juncture for Members to consider the application.

The Committee discussed the application at length and a decision was made, and the Applicant and Officers were invited back into the meeting.

The Chair confirmed that Members had given due consideration to the application and asked the Solicitor to read out the decision of the Licensing Committee, as follows:-

The matter was brought before the Committee by the Council's Licencing Section for review of Hackney Carriage Drivers' Licence via the Teams Meeting facility. The Licencing Officer addressed members and informed them that a PSM had been held on the 13th November 2020 and during that meeting the attendees were informed that the young girl who was transported to and from school by the Applicant, had made inappropriate comments to her teacher and also, subsequently a Social Worker.

The child had over a period of time given or attempted to give the Applicant sweets and cakes because she felt sorry for him. The child had also made allegations that the Applicant had tried to hold her hand.

The Applicant addressed the Committee and said that that the young girl got upset when he declined the offer of sweets and cakes. The Applicant said perhaps he had been a bit naïve in relation to the behaviour but insisted that he had done nothing wrong and that driving taxis was his livelihood.

The Licencing Officer explained to Members, Officers and the Applicant that they could either:-

- Take no action,
- Take no action and issue a warning in relation to future conduct,
- Revoke the licence.

The Members gave careful consideration to representations made to them by the Licencing Officer and took into consideration matters contained within the Council's information and guidance booklet, including conditions relating to Hackney Carriage Drivers' Licences and Private Hire Vehicle Licences.

They also carefully considered the actual evidence before them as advised. The Committee were of the opinion that the applicant continued to be a 'fit and proper person to hold a Hackney Carriage Licence. Although, the Committee still had serious concerns over the incident and therefore a warning in relation to future conduct was given.

Upon a vote being taken, it was thereupon

RESOLVED that the licence-holder retain his Hackney Carriage Drivers' Licence, although a warning be issued in respect of his future conduct.

**Hackney Carriage/Private Hire Vehicle Driver
Licence No. 042**

The Applicant was introduced to Officers and Members of the Committee.

At the invitation of the Chair the Team Manager – Licensing advised that the applicant had been a Licence Holder for many years and the case was before Committee to determine if the Licence Holder was a fit and proper person to hold a licence.

The Team Manager provided an overview of an incident which had occurred in September and the subsequent investigations undertaken. It was also reported that the Applicant had failed to attend meetings due to personal issues.

The Chair then invited the Applicant to present his case.

The Applicant gave an account of events which occurred with a passenger who was under the influence of alcohol and drugs was reported to the Police and the Licensing Team by the Applicant. The Applicant explained how he felt and that he had not been able to attend meetings due to mental health issues. The Applicant explained his fear during the attack as there was a chance with such close contact of contracting the Covid-19 virus and advised that he had needed to defend himself against the attack.

The Chair asked the Applicant why he felt the Committee should not revoke his Licence. The Applicant advised that he had been a Taxi Driver for many years and stated that he had wanted to complete the journey because he was worried about his own safety.

The Applicant showed the Committee copies of letters of previous cases which had not resulted in loss of licences and the Chair explained that this meeting was about the Applicant's conduct and a decision was to be made on the evidence before them. The Applicant added that he worked long hours until 3-4am to ensure the customers were safe.

The Team Manager – Licensing read of correspondence which had been received in support of the Applicant which stated that the Applicant had always been a very good Taxi Driver and went above and beyond during the pandemic to ensure this customer had what was required.

The Chair invited questions from Members at this juncture

The Committee asked questions in relation to the Police report, the events of the evening of the attack and reasons why such actions had been taken.

The questions were responded to accordingly by the Applicant and Officers.

The Applicant and Licensing Officers left the meeting at this juncture for Members to consider the application.

The Committee discussed the application at length and a decision was made, and the Applicant and Officers were invited back into the meeting.

The Chair confirmed that Members had given due consideration to the application and asked the Solicitor to read out the decision of the Licensing Committee, as follows:-

The matter was brought before the Committee by the Council's Licencing Section for review of Hackney Carriage Drivers' Licence via the Teams Meeting Facility. The Licencing Officer addressed Members and informed them that the licence holder had allegedly committed a S.18 offence of Grievous Bodily Harm (without intent.) The Officer explained that this information had been disclosed by the Gwent Police Disclosure Unit and the Applicant was arrested on the 5th September 2020.

The circumstances of the offence were that the Applicant had collected a passenger and when he stopped the car for the passenger to get out, he left the door open and the Applicant was then attacked. The Applicant struck the passenger causing a head injury. The police took no further action in relation to the matter.

The Applicant, in mitigation, said that he was attacked and was only trying to defend himself. He said that the fare for the journey was £4.35 only and explained that a family member suffered with mental health issues and this was the reason he had not been contactable. He also explained the reasons for a wheel brace being in the vehicle.

The Licencing Officer also highlighted the fact that the Applicant had come before the Committee in relation to alleged abusive behaviour in 2015, another complaint had been received in 2016 and in 2017. The Officer also confirmed that the Applicant had told the Police that he had the wheel brace in the car for protection, conflicting directly with what the Applicant told the panel.

The Licencing Officer explained to members that they could either:

- Take no action,
- Take no action and issue a warning in relation to future conduct,
- Revoke the Licence.

The Committee carefully considered representations made to them by the licencing officer and took into consideration matters contained within the Council's information and guidance booklet, including conditions relating to Hackney Carriage Drivers' Licences and Private Hire Vehicle Licences. The Committee are of the opinion that the Applicant is not a fit and proper person to continue to hold a Hackney Carriage Drivers' Licence and the Committee revoked the licence relying upon paragraph 3.2 of information and guidance booklet which states that 'where there is doubt about the fitness of an applicant or licence holder, the Council will adopt a precautionary approach and may refuse an application or revoke the licence, as the case may be.'

The Applicant did not return to the meeting via Teams and therefore the Licencing Officer confirmed that she would now email the Applicant with the decision on behalf of the Committee.

Upon a vote being taken, it was unanimously

RESOLVED that the licence-holder Hackney Carriage Drivers' Licence be revoked.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE – 7TH JANUARY, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
 D. Bevan
 M. Day
 G.L. Davies
 J. Hill
 K. Pritchard
 T. Smith
 B. Thomas
 B. Willis
 L. Winnett
 D. Wilkshire

**WITH: Service Manager Development & Estates
 Head of Legal and Corporate Compliance
 Press Officer**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> No apologies for absence were received.	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
<p>No. 4</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE JANUARY 2021</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 5</p>	<p><u>QUARTERLY PERFORMANCE INFORMATION QUARTER 2: JULY – SEPTEMBER 2020</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Service Manager – Development and Estates spoke to the report and noted that the Council had decided 100% of all applications during Quarter 2. This compared to a Welsh average of 80%. The Service Manager added that from registration to Committee was an average of 85 days against the Wales average of 94 days. He further advised that 0% of Planning Committee decisions were approved contrary to officer recommendation.</p> <p>The Service Manager reported that two Committees were held during Quarter 2 and advised that during this time virtual meetings were still being embedded across all Councils.</p> <p>Councillor D. Wilkshire joined the meeting at this juncture.</p> <p>The Vice-Chair commended the Service Manager and his Team on their performance. The Team had a number of officers during this time seconded to deal with the emergency response and therefore these figures were welcomed. The Vice-Chair felt that the performance showed value for money for the service provided.</p>	

	<p>The Committee concurred with the comments raised and congratulated the Service Manager and his Team on their performance.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>PLANNING APPEAL UPDATE: 30MW SOLAR PARK AT WAUNTYSSWG FARM, ABERTYSSWG, RHYMNEY, TREDEGAR</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Service Manager – Development and Estates spoke to the report which had been presented to inform Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of permission to extend the operational life of the proposed 30MW solar park at Wauntysswg Farm from 30 to 40 years (Ref: C/2019/0280). The Services Manager referred to the Planning Committee held on 6th February, 2020 where it was resolved that planning permission be refused contrary to officer’s advice and delegate authority to officers to issue a reason for refusal. The Service Manager advised that following an appeal to the Planning Inspectorate the applicant also made an application for costs to the Council.</p> <p>The Service Manager further outlined the appeal decision which had been allowed by the Planning Inspectorate and had also awarded full costs to the appellant.</p> <p>A Member noted that the Minister had overturned the original decision and now an Inspector had imposed a further 10 years. The Member felt that local democracy had been overturned and Tredegar Town Council as statutory consultees had written to the Minister to place on record their disappointment in the decision.</p> <p>Another Member felt that the solar park could be further extended at the end of the agreed period. The Service Manager confirmed that the developer was able to make an application vary the conditions of the permission at any time.</p>	

	<p>Members raised further concerns around the tone of the Inspectors report and asked what information were the Planning Inspectorate provided as maybe the debate had not been reflected in the minutes.</p> <p>The Service Manager advised that reports, background papers, minutes and any related documents are all provided to the Planning Inspectorate.</p> <p>RESOLVED that the report be accepted and the information related to the appeal and cost decisions for planning application C/2019/0280 as attached at Appendix 1 be noted.</p>	
<p>No. 7</p>	<p><u>AREAS FOR MEMBERS BRIEFINGS/TRAINING</u></p> <p>It was agreed that training in relation to signage in conservation areas be pursued.</p> <p>Councillor B. Thomas left the meeting at this juncture.</p>	
<p>No. 8</p>	<p><u>PLANNING APPEAL: SOLAR FARM AT WAUNTYSSWG, TREDEGAR</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 16 and 17, Schedule 12A of the Local Government Act 1972 (as amended).</p> <p>Consideration was given to the report of the Service Manager Development & Estates.</p> <p>The Service Manager Development and Estates spoke in detail to the report and outlined the key points contained therein. The Service Manager referred to the options for consideration which were debated at length along with the report.</p>	

Following discussions, it was unanimously

RESOLVED that the report which related to Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and Information which, if disclosed to the public, would reveal that the Authority proposes:

- a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- b) To make an order or direction under any enactment.

Be accepted and option 1 and 2, namely to accept the decision of the Inspector with supporting correspondence to be sent on behalf of the Planning Committee to the Minister be agreed.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: CORPORATE OVERVIEW SCRUTINY
COMMITTEE – 11TH SEPTEMBER, 2020**

**REPORT OF: DEMOCRATIC AND
COMMITTEE SUPPORT OFFICER**

PRESENT: COUNCILLOR S. Healy (CHAIR)

Councillors M. Cook
G.A. Davies
J. Millard
L. Parsons
G. Paulsen

AND: Corporate Director Social Services
Corporate Director Regeneration and Community Services
Chief Officer – Commercial
Chief Officer - Resources
Head of Organisational Development
Head of Partnerships and Governance
Professional Lead – Community Safety
Head of Community Services
Communications Manager
Scrutiny Officer/Advisor

WITH: Charlotte Owen, Audit Wales

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	<p>Apologies for absence were received from:-</p> <p>Councillor P. Edwards Councillor J. Hill Councillor C. Meredith Councillor K. Pritchard Councillor D. Wilkshire Managing Director</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Corporate Overview Scrutiny Committee Meeting held on 20th February, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 20TH FEBRUARY, 2020</u></p> <p>The action sheet arising from the meeting of the Corporate Overview Scrutiny Committee held on 20th February, 2020 was submitted, whereupon:-</p> <p>In relation to the second point on the Action Sheet the Head of Organisational Development advised that the action had not been progressed as officers focus had been on the emergency response to Covid-19. The Officer agreed to look into the request and report back accordingly at the next meeting.</p> <p>The Committee AGREED this course of action.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	
No. 6	<p><u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u></p>	

	<p>The Minutes of the Corporate Overview Scrutiny Committee Meeting held on 3rd March, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 7	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 10.00 a.m.</p>	
No. 8	<p><u>PROPOSED SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2020-2021</u></p> <p>Consideration was given to the Chair of the Corporate Overview Scrutiny Committee.</p> <p>A Member felt it was important in the current climate the Forward Work Programme was a fluid document to be revised to reflect the ongoing work and outcomes in relation to the Coronavirus Pandemic.</p> <p>The Committee AGREED that the report be accepted and the information contained therein be noted.</p>	
No. 9	<p><u>TREASURY MANAGEMENT ANNUAL REVIEW 1ST APRIL, 2019 TO 31ST MARCH, 2020</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>The Chief Officer Resources spoke to the report which provided Members with the opportunity to scrutinise the Treasury Management activities carried out by the Authority during the 2019/2020 financial year under delegated powers by the Chief Officer Resources. The Chief Officer referred Members to the performance information and data and advised that during 2019/2020 the Authority took £10m in long term debt from other public authorities (PWLB) to replace maturing loans or to finance capital expenditure.</p> <p>In the past few years the credit rating agencies had downgraded a number of financial institutions as they no longer meet the Authority's required approval criteria.</p>	

However, the Chief Officer advised that in the current financial climate the Authority had performed well in terms of Treasury Management and outlined the key points:-

- Investment returns of £61,000 had been achieved with an average interest rate of 0.46%. This was slightly lower than the benchmark rate of 0.54% but reflected that the Authority cannot invest in counterparties that pay higher rates due to credit rating reductions. This was in line with the Authority's risk averse policy whereby the security of the capital sum was the number one priority at the expense of more competitive investment returns.
- An average interest rate of 1.09% has been paid on temporary borrowings against a benchmark of 1.00%, minimising as far as possible the interest payable by the Authority. This was despite the increase in market rates following the 1% increase to PWLB rates in October 2019 – this evidenced good performance.
- All of the Treasury limits and Treasury Management prudential indicators set for the financial year had been complied with during the year.
- No institutions in which investments were made during the period had any difficulty in repaying investments and interest in full. Therefore, the Authority was not exposed to any financial loss as a result of the difficult economic climate.

A Member referred to the investment returns which had been achieved and asked if the lower rate would result in any future budget implications.

The Chief Officer Resources advised that there were no anticipated budget pressures from the lower rate achieved, however now officers had a better understanding of the impact of the PWLB changes this would be included in plans going forward. The Chief Officer added that if any budget pressures emerged they would be reported to Members accordingly.

The Committee AGREED that the report be accepted and Option 2, namely Members scrutinised the treasury management activity undertaken during the 2019/2020

	<p>financial year and no comments were provided prior to its submission to full Council.</p>	
<p>No. 10</p>	<p><u>POSITION STATEMENT ON THE COUNCIL'S CCTV SYSTEM (APRIL TO AUGUST 2020)</u></p> <p>Consideration was given to the joint report of the Chief Officer Resources (SIRO for CCTV), Head of Community Services and Head of Governance and Partnerships.</p> <p>The Chief Officer Resources outlined the report which provided an update on the Council's CCTV system covering the period during the Covid-19 Pandemic from April to August 2020. The Chief Officer spoke to the report and gave an overview of the performance information and data as detailed in the report. The Chief Officer Resources concluded that although there had been localised operational issues with cameras, the CCTV system was operating in compliance with legislation.</p> <p>A Member noted that the deployable cameras had not been deployed due to the pandemic and asked if these could now be located in areas of high anti-social behaviour or fly tipping within the Borough.</p> <p>The Head of Partnerships and Governance advised that there are protocols and procedures in place in terms of both technical and community safety matters in placing cameras. There needed to be sufficient evidence to deploy cameras to specific areas. It was suggested that if there were areas of concern within respective wards these could be discussed with the Community Safety Officer.</p> <p>In response to further concerns around locations, it was reported that an annual review of CCTV camera sites would be undertaken. This would allow all sites being covered to remain 'live' in line with hot spot areas.</p> <p>Members felt that it was important that CCTV was included on the Forward Work Programme and the Officer stated that an Annual Progress Report was scheduled to be presented in February 2021. The reports were agreed to be presented</p>	

	<p>on an annual basis to ensure it captured a good period to gain sufficient evidence.</p> <p>A Member felt that the annual report should include plans going forward as well as a progress update.</p> <p>The Chair concurred with the comments raised and was assured the Annual Progress Report was on the Forward Work Programme.</p> <p>A Member noted that the CCTV budget was underspent and asked if these monies could be used to address issues with cameras which were not working in specific areas.</p> <p>The Head of Community Services advised that in most cases the issues were not with the equipment it was due to Wi-Fi dropping or network problems. It was informed that each Monday and Thursday a review of the CCTV systems was carried out to identify any problems before and after the weekend. In terms of the underspends, it was reported that in most instances these monies would be spent by the year end to address any issues.</p> <p>The Committee AGREED that the report be accepted and Option 2, namely the Committee considered and provided comment on the position statement on the CCTV function during the COVID-19 pandemic.</p>	
<p>No. 11</p>	<p><u>SUPPORTING FINANCIAL RESILIENCE –</u> <u>AUDIT WALES FOLLOW UP REVIEW</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>The Chief Officer Resources advised that the report provided the findings of the follow up review undertaken by Audit Wales on their Supporting Financial Resilience work stream.</p> <p>The Chief Officer reminded Members of the work undertaken in 2018 by the Wales Audit Office which focussed on the Council effectiveness in terms of maximising funding opportunities and containing spending demands. The Chief Officer Resources advised that the</p>	

review concluded that the Council needed to develop a stronger financial culture to remain financially resilient and a number of areas for improvement were proposed. The Council had responded positively to the recommendations for improvement and had made progress against the proposals and identified future work to be undertaken. The Chief Officer referred Members to the appendix attached to the report which highlighted the progress that had been made against each of the areas for improvement identified in 2018.

At the invitation of the Chief Officer Resources, the Audit Wales Representative added that the Follow-up Review had been carried out to ensure the Council had responded accordingly to the areas for improvement. A positive response had been received with a clear plan in place going forward. The Audit Wales Representative therefore felt the Authority was in a stronger position to address any financial challenges which may arise.

The Chair welcomed the report which demonstrated the commitment of Members and Officers to ensure the required improvements are made for our residents.

The Committee AGREED that the report be accepted and Option 1, namely, the Committee reviewed the findings of Audit Wales, considered the progress made against the proposals for improvement and accepted the report and appendix prior to it being submitted to the Executive Committee.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: COMMUNITY SERVICES SCRUTINY COMMITTEE –
21ST SEPTEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. MOORE CHAIR)

Councillors C. Meredith (Vice-Chair)

M. Cook

S. Healy

W. Hodgins

J. Holt

H. McCarthy

J. Millard

G. Paulsen

K. Pritchard

B. Summers

L. Winnett

WITH: Corporate Director Regeneration & Community Services
 Head of Community Services
 Service Manager Development & Estates
 Team Manager Waste Compliance & Development
 Team Manager Street Scene
 Business Transformation Officer
 Marketing Projects Officer
 Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	Apologies for absence were received for Councillor T. Sharrem.	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor B. Summers declared an interest in the following item:-</p> <p>Item No. 9 – Regional Wood Waste Recycling Facility</p>	
No. 4	<p><u>COMMUNITY SERVICES COMMITTEE</u></p> <p>The Minutes of the Community Services Scrutiny Committee held on the 4th March, 2020 were submitted for points of accuracy.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>COMMUNITY SERVICES COMMITTEE</u></p> <p>The Minutes of the special Community Services Scrutiny Committee held on the 1st September, 2020 were submitted for points of accuracy.</p> <p>Councillor H. McCarthy reported that his apologies had not been recorded.</p> <p>The Committee AGREED, subject to the foregoing, that the minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>INVESTMENT IN CHILDREN’S PLAY PROVISION</u></p> <p>Consideration was given to report of the Team Manager Street Scene.</p> <p>The Team Manager presented the report which provided an update on children’s play area sites and sought Members’ endorsement of the current work programme for the installation of play equipment into sites, in line with the priorities identified as part of the detailed play area review undertaken and reported to Council in December 2018.</p>	

The Officer spoke to the report and highlighted points contained therein. He said the report outlined the rationale for the installation of new children's play equipment purchased following funding received from Welsh Government through the All Wales Play Opportunities Grant. This funding was initially allocated for the creation of a splash park facility at the Festival Park site, however, on the basis that the owners of Festival Park were no longer in a position to take the project forward, a decision was taken under delegated authority to reallocate the funding, as the Council had to advise Welsh Government how the funds would be utilised by the end of March 2020, or the funding would be withdrawn.

Appendix 1 of the report identified play area sites where the purchased equipment would be installed, together with a future rolling programme for any further funding should it become available in the future.

The Officer concluded that Parc Bryn Bach had recently benefitted from new Welsh Government grant funding through the Valleys Regional Parks as part of the Discovery Gateway Project, and a new £185k visitor attraction (play facility) had been installed at the Park and was recently opened to the public following the COVID lockdown period, and had been very well received by visitors to the Park.

A Member expressed concern that the decision was taken under delegated authority. She referred to previous meetings where Members had requested Officers to enter into further discussions with Aneurin Leisure Trust regarding the possibility of the splash park facility at Parc Bryn Bach. However, the Member said she welcomed the investment at Duffryn Park, but would have liked engagement with children in the community on the type of play equipment they would have liked installed at the Park.

The Officer said the funding available for the splash park was £110k, however, costings for the installation etc. was in the region of £250k and ALT felt that the project was not financially viable. In terms of engagement with the community, he agreed that this was always the best way to progress, however, on this occasion the deadline to spend the funding by 31st March was extremely restricted, but he

assured that engagement would be undertaken moving forward.

In response to a question raised by a Member, the Officer confirmed that the £110k had already been received by the Council in 2017/18 for a splash park facility. This was about repurposing the funding in line with the priorities identified under the Council's agreed play area review.

Another Member said he welcomed the investment on many of the Borough's play areas, but unfortunately some would be closed. However, in the future, and hopefully with new housing developments being undertaken in the Borough the provision of play facilities will increase to match the demand that new developments would bring.

In terms of consultation a Member said he hoped that appropriate consultation would be undertaken prior to any closure of facilities being undertaken. He said some of the planned closures would mean that children would have to cross busy main roads, and this needed to be looked at.

The Chair confirmed that discussions with local Ward Members would be undertaken.

The Officer referred Members to the extensive consultation undertaken as part of the play area review that was reported to Council in 2018 and indicated all children's play areas in Blaenau Gwent, and those at risk of closure at that point in time. He said the recommendation was that when the lifespan of those play areas at risk came to an end, further discussions would be held with local Members.

A brief discussion ensued when a Member said she had previously raised safety concerns regarding the potential closure of Glanystroth and Maeshafod play areas, as children would have to cross a very busy main road. A Member said he agreed that children's safety was paramount, but pointed out that parents were responsible for the safety of children visiting play areas.

The Committee AGREED to recommend that the report be accepted, and Members endorsed the current work programme for the installation of the already purchased play

	<p>equipment into the sites identified at 2.14 of the report, and supported further dialogue at Ward level in respect of the future of children’s play areas as listed in 2.16 of the report, in line with the “Play Area Review” undertaken in December 2018 (Option 1).</p>	
<p>No. 7</p>	<p><u>WASTE AND RECYCLING PERFORMANCE 2019-20</u></p> <p>Consideration was given to report of the Team Manager Neighbourhood Services.</p> <p>The Team Manager presented the report which provided an update of waste and recycling performance outcomes for 2019/20.</p> <p>The Officer went through the report and highlighted points contained therein. He said in 2018/19 the Council exceeded its WG Statutory Recycling Target for the first time. This success was built on, and this year (2019/20) the Council had exceeded the new higher target of 64%, attaining 65.31%. This was achieved through the hard work and dedication of the Waste Team, in partnership with WRAP, and with support from the Communications Team, Performance Team, Senior Management, the Leadership and most importantly the residents of Blaenau Gwent. He said this year on year success has seen Blaenau Gwent move from 22nd in 2017/18 to 11th in 2019/20 when compared to all other Welsh Local Authorities.</p> <p>In response to a question raised by a Member regarding the garden waste collection, the Officer confirmed that the figure included the extended winter period collection, which was maintained through the winter with one vehicle. However, the scope to increase garden waste was restricted due to the limited number of green spaces in the Borough and relatively small garden sizes.</p> <p>In relation to the HWRC (Reuse), the Officer said whilst this was a small element of recycling it was intended to maximise this element and extend the service at the new facility at Roseheyworth.</p> <p>A Member said the improving figures were pleasing, but expressed concern regarding the Council’s ranking position,</p>	

particularly with green waste. He also asked whether any notification had been received from Welsh Government in terms of the potential for increased fines for 2020/21 due to the impact of COVID.

In response the Officer confirmed that no information had been received from Welsh Government in relation to penalties. Whilst the targets were challenging, the recycling figure for 2019/20 was positive, and hopefully with the continued support from residents and hard work of the teams involved the same trend would be seen in 2020/21.

A Member referred to the increased target of 70% over the next 4 years, and asked whether the Council had the capacity to achieve this.

The Team Manager Neighbourhood Services confirmed that Officers were already engaging with WRAP advisors on ways to progress to 70% over the next 4 years. The roll out of the Keeping up with the Jones campaign Borough wide would hopefully have an impact, and there were also other initiatives being considered in order to maximise recycling and achieve that target. The situation would be closely monitored to ensure that everything was being done to achieve the target.

He confirmed that savings achieved through the reduction of residual waste was put back into the service to provide additional resources to continue with the kerbside waste enforcement, new recycling receptacles, and implementation of initiatives to increase recycling.

A Member commended the Department and the success of the kerbside recycling service and he felt this justified the introduction of the system in 2015

Another Member asked whether green waste included was collected from the Borough's social housing providers, the Officer undertook to investigate.

The Committee AGREED to recommend that the report be accepted and the information contained therein be noted.

	<p>Councillor M. Cook joined the meeting at this juncture.</p> <p>The Forward Work Programme for the meeting scheduled for the 19th October, 2020 was submitted.</p> <p>The Chair reported that the Cemetery Capacity report had been moved to the November meeting.</p> <p>A brief discussion ensued when the Scrutiny Officer confirmed that Straying Animals would be the subject of a future report to Committee.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted.</p>	
<p>No. 9</p>	<p><u>REGIONAL WOOD WASTE RECYCLING FACILITY</u></p> <p>Councillor B. Summers declared an interest in the following item.</p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to report of the Team Leader Waste Compliance and Development.</p> <p>The Team Manager Neighbourhood Services presented the report which provided an update on the development of an Outline Business Case for a Regional Wood Recycling Facility. The Officer went through the report and highlighted points contained therein.</p> <p>In response to a question raised by a Member, the Officer said it was intended for the facility to be 'green' with a low</p>	

carbon footprint, and that the majority of the machines would be electric powered.

A Member asked whether there was the potential to generate income from the facility, and would it assist the Council in hitting its recycling target.

The Officer said improved recycling targets was one of the benefits of the facility for participating LA's, it would also provide clarity for panel board manufacturers in terms of consistency around specification and options for income.

A brief discussion ensued when the Officer clarified points raised by Members.

The Committee **AGREED** to recommend that the report which contained information relating to the business affairs of persons other than the Authority be accepted, and the Outline Business Case to support the development of the Regional Wood Waste Recycling Facility to the next stage be supported (Option 1).

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: JOINT SCRUTINY COMMITTEE
(BUDGET MONITORING) –
23rd NOVEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR S. HEALY (CHAIR)

Councillors M. Cook
G.A. Davies
L. Elias
P. Edwards
K. Hayden
W. Hodgins
J. Hill
J. Holt
M. Holland
G. Paulsen
J.C. Morgan
K. Pritchard
T. Smith
B. Summers
S. Thomas
H. Trollope
B. Willis
L. Winnett

**WITH: Managing Director
Chief Officer Resources
Corporate Director Regeneration & Community
Services
Corporate Director Education
Chief Officer Commercial
Head of Community Services
Scrutiny & Democratic Officer/Advisor**

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors L. Parsons, D. Bevan, T. Sharrem, H. McCarthy, M. Cross, C. Meredith, T. Baxter (co-opted Member) and A. Williams (co-opted Member).</p>	
No. 3	<p><u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u></p> <p>The following declarations of interest were reported:</p> <p>Councillors J. Hill & B. Summers - Item No. 4 Revenue Budget Monitoring - 2020/2021, Forecast Outturn to 31 March 2021 (as at 30 September 2020) – (<i>Silent Valley</i>)</p> <p>Councillor W. Hodgins - Item No. 4 Revenue Budget Monitoring - 2020/2021, Forecast Outturn to 31 March 2021 (as at 30 September 2020) – (<i>Aneurin Leisure Trust</i>)</p> <p>Councillor J.C. Morgan - Item No. 4 Revenue Budget Monitoring - 2020/2021, Forecast Outturn to 31 March 2021 (as at 30 September 2020) – (<i>Tredegar HLF</i>)</p> <p>Councillor P. Edwards - Item No. 4 Revenue Budget Monitoring - 2020/2021, Forecast Outturn to 31 March 2021 (as at 30 September 2020) – (<i>Markets</i>)</p>	
No. 4.	<p><u>JOINT SCRUTINY COMMITTEE (BUDGET MONITORING)</u></p> <p>The Minutes of the Joint Scrutiny Committee meeting held on 28th September, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 28th SEPTEMBER, 2020</u></p>	

	<p>The action sheet arising from the Joint Scrutiny (Budget Monitoring) Committee held on 28th September, 2020 was submitted, whereupon:-</p> <p>The Committee AGREED, subject to the foregoing, that the Action Sheet be noted.</p>	
No. 6	<p><u>REVENUE BUDGET MONITORING -2020/2021, FORECAST OUTFURN TO 31 MARCH 2021 (AS AT 30 SEPTEMBER 2020)</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGEED to recommend that the report be accepted and Members provide appropriate challenge to the financial outcomes in the report. (Option 1)</p>	
No. 7	<p><u>CAPITAL BUDGET MONITORING, FORECAST FOR 2020/2021 FINANCIAL YEAR (AS AT 30 SEPTEMBER 2020)</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGREED to recommend that the report be accepted and Members:-</p> <ul style="list-style-type: none"> • Continue to provide appropriate challenge to the financial outcomes in the report; and • Note the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding. (Option 1) 	
No. 8	<p><u>USE OF GENERAL AND EARMARKED RESERVES 2020/2021</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGREED to recommend that the report be accepted and Members considered the use of general and earmarked reserves for 2020/21; and</p>	

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| <ul style="list-style-type: none">• Consider the impact of the £0.248m adverse variance for 2020/2021 would have on the budgeted contribution to the General Reserve;• Note the forecast decrease of the General Reserve in 2020/2021 to £6.387m, being 4.72% of net revenue expenditure (above the 4% target level);• Continue to challenge budget overspends and implement appropriate service Action Plans, where required. | |
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Maintenance of general reserves at an adequate level is crucial to the Council being able to meet future liabilities arising from risks for which specific provision has not been made.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: COMMUNITY SERVICES SCRUTINY COMMITTEE –
13TH OCTOBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR C. MEREDITH (CHAIR)

Councillors M. Cook
S. Healy
W. Hodgins
J. Holt
H. McCarthy
J. Millard
G. Paulsen
K. Pritchard
T. Sharrem
B. Summers
L. Winnett

**Education and Learning Scrutiny Committee
Members (Without Voting Rights)**

Councillors H. Trollope
D. Bevan
J.C. Morgan
T. Smith
S. Thomas

**WITH: Corporate Director Regeneration & Community Services
Interim Corporate Director Education
Education Transformation Manager
Head of Community Services
Property Services Manager
Scrutiny & Democratic Officer/Advisor**

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from:-</p> <p>Councillor M. Moore Councillor G. Collier Councillor L. Parsons</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were made.</p>	
	<p><u>REVIEW INTO WATER SUPPLY QUALITY IN SCHOOLS</u></p> <p>Due to the need to consider the following item as a matter of urgency, the Chair of the Committee has confirmed that the following matter can be considered under the Provisions of Paragraph 4(b), Section 100(b) of the Local Government Act, 1972.</p> <p>Consideration was given to the joint report of the Corporate Director Regeneration and Community Services and the Interim Corporate Director Education.</p> <p>The Chair reminded everyone that Members of the Education and Learning Scrutiny Committee had been invited to the meeting as observers due to the cross cutting nature of the report and therefore in line with the Constitution the Education and Learning Scrutiny Committee was not permitted to vote.</p> <p>In response, a Member felt that the decision to stop Members of the Education and Learning Scrutiny Committee being able</p>	

to vote on the decision of the report was an interpretation of the rules of the Constitution. The Member was of the opinion that it was an instruction from the Leadership of the Council to prevent Members from voting.

The Chair noted the comments and advised that the matter be taken up with the Leadership of the Council.

At the invitation of the Chair, the Corporate Director Regeneration and Community Services informed that the purpose of the report was to update Members on the outcome of the review carried out by Integrated Water Services (IWS) in light of the water quality issues experienced in our schools during the period of closure due to COVID-19.

The Corporate Director advised that the Council had taken a pro-active and comprehensive approach to the reopening of schools from a health and safety perspective, including water testing in accordance with the Approved Code of Practice (ACOP) L8 and Health & Safety Executive (HSE) specific advice. The safety of the children and staff across all school sites was a priority to the Council.

The closure of schools during lockdown was the longest period schools had ever been closed. The Corporate Director noted that normally schools are only closed for a period of five to six weeks during the summer holidays. This period of school closures was unprecedented and lessons had been learned across a number of services.

The Corporate Director advised that Integrated Water Services (IWS) was the firm appointed to undertake the review. The scope of the review included selecting 12 school sites from the 29 schools sites in the Borough. The schools selected were reported as follows:-

1. Blaen-y-Cwm Primary School
2. Bryn Bach Primary School
3. Brynmawr Foundation School
4. Canolfan yr Afon (Riverside) School
5. Coed-y-Garn Primary School
6. Ebbw Fawr Primary / Pen-y-Cwm Special School
7. Ebbw Fawr Secondary School

8. St Mary's Church in Wales Primary School
9. Sofrydd Primary School
10. Tredegar Comprehensive School
11. Willowtown Primary School
12. Ystruth Primary School

A summary of the IWS review was detailed in Appendices 1 and 2 of the report and the Corporate Director outlined the key recommendations identified by IWS as follows:-

- 1) Investigate a suitable on-line monitoring Legionella program. To allow data information to be stored accessed and audited more efficiently.
- 2) Undertake more intensive training of staff involved in the Legionella monitoring testing program, particularly in the area of water system flushing.
- 3) Review our Legionella risk assessments to ensure that they are sufficiently up to date to comply with the legislation.
- 4) Analyse the IWS information, and implement areas of good practice.
- 5) Reconsider suitability of "normal" Legionella Risk Management Policy in the light of the on-going Covid19 situation, particularly in the area of system flushing.

The Corporate Director added that these recommendations formed the basis of an action plan to be taken forward.

The Corporate Director Regeneration and Community Services noted that the IWS review suggested that schools should not be closed due to high TVC results. However, the Council felt that high TVC sample results could indicate Legionella contamination and therefore further resampling was undertaken until the Legionella test results were obtained. The Corporate Director felt that the Council had gone further than suggested and it needed to be recognised that the Legionella Control legislation was implemented differently in terms of a specific policy among organisations which still complied with the legislation.

It was the view of the Technical, Health & Safety and Environmental Health officers, in consultation with Education

colleagues that the approach to reopening schools was managed in an effective and safe manner.

Although, the Corporate Director acknowledged that there are lessons to be learned from COVID-19, which would strengthen the Council's practices and procedures going forward.

The Corporate Director further referred to the options for recommendation and noted the financial implications of the preferred Option. He pointed out that the software would need to be procured and also additional staff resources may be needed in order to ensure the increased level of monitoring and training which would be required. However, these would be reviewed and revised accordingly once the system was in place. Any additional revenue costs would be identified as a cost pressure within the Corporate Landlord budget, pending consideration of additional revenue funding being allocated in the 2021/2020 budget review process.

The Education Transformation Manager concurred with the comments raised by the Corporate Director and advised that she fully supported the response to school testing. The Manager added that the response was undertaken with the best interest of staff and pupils in mind. It was noted that going forward there would be an action plan in place which would need to be adhered to and picked up with existing and new staff.

At this juncture the Chair welcomed questions/observations from Members.

In response to a question raised in relation to contractors being invited to attend this meeting, it was confirmed that they had not been invited.

A Member expressed concern that the report had not been presented to full Council as it impacted all Elected Members. The Member also raised concerns to the significant findings outlined in the report attached at Appendix 1 and was of the opinion that this Council failed to safeguard pupils and staff in schools.

The Member further referred to issues at a local school in relation to the position of the windows above sinks. She

advised that it had been informed that the position of the window with no blinds could have had an impact on the levels of legionella in the water and felt that although costs would be incurred in addressing some issues it was important going forward to prevent further legionella in school systems.

The Interim Corporate Director advised that there were lessons to be learned, although this was a corporate response, the Education Directorate acted quickly to ensure schools were safe in terms of health and safety for pupils and staff to attend.

The Education Transformation Manager advised that she had been aware of the discussions with officers who had felt that the heat from the window directed onto the taps could have contributed to the elevated levels in the water. However, this would be addressed as part of the ongoing maintenance of the school.

The Member thanked the Manager for the update and stated that it was important that the Council was compliant with procedures in place. This issue had been massive failure for our children and staff and it was important it be addressed to prevent further problems in the future.

The Corporate Director Regeneration and Community Services stated that there was no suggestion or evidence in the report which informed that the Council had 'failed' or had 'failings'. The Council took a precautionary approach to ensure that staff and pupils were safe. The Corporate Director added that there was no requirement for Councils to have a legionella policy as the Council's overall Health and Safety Policy covered Legionella along with a range of other matters and it was important to ensure that all records and training were kept up to date.

The Corporate Director Regeneration and Community Services felt that the comment 'failing' should be challenged

and reiterated that pupils and staff were never at risk. The Council had followed the Corporate Health and Safety Corporate Policy and the Review had identified some good practices which the Council had felt should be taken on board going forward. However, the Corporate Director reiterated that there was no evidence that the Council had failed pupils and school staff.

Another Member raised concerns around the report and felt that the findings clearly identified significant gaps in the management plans across Blaenau Gwent in terms of the legionella testing processes and records in place. The Member noted statements from the report which included the legal policy had not been provided, risk assessments out of date and no clear lines of processes for the group or schools. The reopening of schools was headline news and the First Minister made it a clear priority and given that the Council had three months to prepare for the safe opening, the Member did not understand how there were delays. The Member recalled at the time that the Executive Member for Education had stated that it was disappointing for pupils who had planned to return to schools, however the Council's top priority was the safety of the pupils and staff. The Member felt that if the reopening of schools was a top priority the schools should have opened as expected following the announcement from the First Minister.

The Interim Corporate Director Education reiterated the point made by the Corporate Director that there was no specific requirement to have a dedicated legionella policy. The process was covered in the Health and Safety Policy and this was the same in the majority of local authorities.

The Interim Corporate Director added that in June there was a great deal of uncertainty around the re-opening schools and schools had been repurposed for key worker families and vulnerable children. There was a short space of time to ensure that from a health and safety aspect that schools were reopened effectively. At this point the Council instigated the testing work, however, there were a number of other local authorities undertaking similar testing which had identified some issues with the water supply in some schools.

The Interim Corporate Director advised that the 12 schools identified in the report were not a random sample. These

schools had been identified with positive test results for TVC or legionella and following dialogue with IWS the contractor, the work had been undertaken independently.

The Interim Corporate Director also added that the comments made by the Executive Member for Education in the communication was correct, the Council's health and safety requirements was a top priority for the Council and the approach taken had been to ensure that the schools were safe for staff and learners. The Interim Corporate Director stated that although there was a delay in opening of some schools the work was delivered and it was the view of officers that the priority had been met. Importantly, all schools reopened during the summer term.

In response to further concerns raised it was advised that this was unprecedented times and schools had not been closed for such long periods of time. The Council worked closely with schools and all advice and guidance was followed, however, due to the length of the closure normal practices had not been adequate, therefore positive test results had been received. The Interim Corporate Director added that this was an unprecedented situation and the Council had recognised lessons to be learned and the action plan would be taken forward to prevent similar issues in the future.

The Education Transformation Manager added that there had been a great deal of preparatory work undertaken with schools prior to June including the maintained flushing regimes and all schools had provided evidence. However, the Manager reiterated that these regimes would not have been sufficient enough due to length of closure. The availability of contractors was limited due to furlough staff and priority work only being undertaken in light of COVID-19. If tests had been undertaken prior to schools opening these tests would have been invalid. The Manager concurred that the Council acted as promptly as it could as no one wanted see further school closures. The schools had appreciated the support the Council had put in place to ensure their safe opening.

A Member advised that positive feedback had been received from schools in terms of the support received. The Interim Corporate Director Education added that the Planning Group

meeting held during school closures continued when opened and feedback from meetings had always been positive from head teachers. The Education Transformation Manager further reiterated that the schools had appreciated the support and quick outcomes to the issues.

The Manager advised that officers from Education, Technical Services and Environmental Health had ensured the findings were fully explained and the reason for actions to be put in place.

Another Member raised concerns around comments raised by the Corporate Director which appeared to differ from the report presented. The Member felt that the report clearly indicated that the Council had not met standards.

The Member also referred to the decision to not allow all Members to vote at this meeting and noted his disappointment that it had not been presented to the Joint Safeguarding Scrutiny Committee. The date of meeting had been revised and Members had been given only 3 days, including the weekend to read the report ahead of the Scrutiny Committee which was promptly followed by an Executive for the report to be approved. The Member stated that legionella was a serious disease and it was paramount that the Council had adequate testing regimes in place which were carried out accordingly.

The Member was of the opinion that the report had not been presented in its entirety. Another Member concurred and felt that the report and discussions had been staged to ensure the review was presented in a positive way.

The Corporate Director Regeneration and Community Services advised that the report received by the Council had been shared in full with Members.

Another Member stated that the issues faced were a safeguarding matter and he concurred that the report had not been presented to the recent Joint Safeguarding Scrutiny

Committee. The Member advised that schools had received excellent support, however, the appropriate systems and policy had not been followed which prevented opening following the announcement by the First Minister.

In response to the concerns raised the Corporate Director Regeneration and Community Services reiterated that a robust testing regime had been undertaken with a risk approach to ensure all schools were safe and able to open. The Corporate Director advised that there was regular monitoring in place, however the schools had been closed for a longer period of time. The review did not identify any failings in terms of the testing regime or the approach to reopening albeit issues around record keeping were highlighted.

The Property Services Manager provided an explanation of the processes in place to check water quality and reiterated that the school closures were unprecedented and unplanned.

A Member felt that there was a need to be realistic in terms of recent events as across the Country there was a lockdown in place, many staff had been furloughed, travel was permitted to essential journeys only and schools were closed for many more weeks than the normal summer holidays. There had been lessons learned from the review and an action plan had been developed. The Member stated that it was disrespectful that some Members felt it appropriate to refer to the exercise as 'cover up'. The correct procedures were undertaken during very uncertain times. The Member was disappointed that Members felt that the questioning of the report was staged as it had not been discussed prior to the meeting.

A Member did not accept that the findings had been presented in full and felt that both elected Members and the public was being misguided.

Another Member welcomed the opportunity to scrutinise the report and action plan. However, the Member proposed that the action plan be rolled out across all corporate buildings and not just in schools. The Member concurred that health

and safety was a corporate issue and therefore should be addressed corporately. The Member further added that if the Policy to address corporate health and safety issues needed to be amended, he suggested it be scrutinised by the appropriate Scrutiny Committee and any amendments be presented to Council for approval.

The Corporate Director Regeneration and Community Services felt that it would be beneficial that the action plan be rolled out across all corporate buildings and this was the intention of the Action Plan. The Corporate Director advised that the Policy would need to be presented to the Corporate Overview Scrutiny Committee if there were changes to the Council's overall Health and Safety Plan or if a separate policy were to be prepared.

In response to comments made in relation to safeguarding concerns, a Member stated that this was not a safeguarding issues, it was a health and safety matter related to technical issues.

Further points were raised in relation to the report and its findings and although there was a clear action plan to be put in place going forward the report was damaging for the Council. The concerns were reiterated around the timeframes in which the report had been presented to Scrutiny and then for approval to Executive. It was felt that this was inappropriate as clear timelines needed to be in place to ensure adequate time for Members to give consideration to such important matters.

Another Member referred to the 6 monthly updates to be presented and suggested they be submitted on a quarterly basis. The Corporate Director Regeneration and Community Services agreed that this could be undertaken and the Chair felt it appropriate to discuss at the next Agenda Setting Meeting to be included in the Forward Work Programme.

A Member asked when was health and safety in our schools not a safeguarding risk to children. The Member stated that if procedures or policies were not adhered to it would cause a safeguarding risk.

The Interim Corporate Director Education advised that the primary responsibility of the Joint Safeguarding Scrutiny Committee was in relation to Child Protection and that Health and Safety responsibilities in relation to water testing were aligned to the Technical Services Department. He also that the work undertaken was a corporate response and officers worked tirelessly to respond to the situation. The respective teams across the Council worked together during the emergency response, including staff being redeployed from other service areas. The Interim Corporate Director noted the report which detailed the need to build on capacity and strengthen resources. These actions would ensure our approach to water testing would improve moving forward.

It was thereupon proposed that the Action Plan detailed in Appendix 3 be applied across all Council buildings in respect of Health and Safety being a Corporate responsibility and the Policy be presented to the appropriate Scrutiny Committee to be considered accordingly prior to any changes being approved by full Council.

This course of action was AGREED.

RESOLVED, subject to the foregoing that the report be accepted and Option 2 namely, the appropriate review changes be implemented, particularly in light of COVID-19 which was still prevalent within the Country, and localised lockdowns could result in schools full or partial closures, which could result in further water quality issues.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: COMMUNITY SERVICES SCRUTINY COMMITTEE –
19TH OCTOBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. MOORE (CHAIR)

Councillors C. Meredith
M. Cook
S. Healy
W. Hodgins
J. Holt
J. Millard
G. Paulsen
K. Pritchard
B. Summers
L. Winnett

WITH: Corporate Director Regeneration and Community Services
Head of Community Services
Team Leader Neighbourhood Services
Team Manager Street Scene
Team Manager Natural Environment
Senior Engineer Land Drainage
Scrutiny & Democratic Officer/Advisor

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> No apologies for absence were reported.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u>	

	No declarations of interest or dispensations were made.	
No. 4	<p><u>COMMUNITY SERVICES SCRUTINY COMMITTEE</u></p> <p>The minutes of the Community Services Scrutiny Committee held on 21st September, 2020 were submitted.</p> <p>A Member referred to Item No. 7 on Page 10 of the minutes, namely a Member's comment that the 'introduction of the new system in 2015 had been a success', and said he did not agree with the statement. He said in his opinion when the scheme was introduced it was a complete failure with many problems being experienced across the Borough, and that the scheme was thrust upon the LA with no time to undertake a pilot scheme. As a result he could not support approval of the minutes with the inclusion of that comment.</p> <p>The Scrutiny Officer/Advisor undertook to seek advice on this matter.</p> <p>Another Member then referred to the next paragraph, namely the question whether green waste included the Borough's social housing providers; and said a response had not been reported.</p> <p>The Team Leader Neighbourhood Services confirmed that this information would be provided.</p> <p>Following a brief discussion;</p> <p>The Committee AGREED that approval of the minutes be <u>DEFERRED</u>.</p>	
No. 5	<p><u>ACTION SHEET</u></p> <p>There were no actions arising from the Community Services Scrutiny Committee meeting held on 21st September, 2020.</p>	
No. 6	<p><u>FORWARD WORK PROGRAMME: 7TH DECEMBER 2020</u></p>	

	<p>The Forward Work Programme for the meeting scheduled to be held on 7th December, 2020 was submitted.</p> <p>A Member said she understood from previous discussions that it was agreed that a report on straying animals would be submitted to the next meeting.</p> <p>The Scrutiny Officer/Advisor confirmed that a request for a report had been received and undertook to discuss with the relevant Officer.</p> <p>Another Member said it was his understanding that it had been agreed to meet with farmers twice yearly to discuss issues, and suggested that an update be sought from the farmers in terms of what measures they have in place, prior to a report being submitted.</p> <p>In response the Team Manager Street Scene explained that it had been agreed to meet with local farmers individually to discuss issues, rather than as a collective, and this had commenced. C2BG also had a list of farmers to contact when reports of straying animals were received. In terms of the report due to be submitted to the Scrutiny Committee, he understood that this related to fly grazing, however, if a wider report to include straying animals was required then this could be considered.</p> <p>A Member referred to the report that was submitted to the special Scrutiny Committee the previous week re The Review of Water Supply Quality in Schools, where it was proposed that the Action Plan detailed in the Appendix be applied to all Council buildings. He asked whether this would be included in the Committee's FWP.</p> <p>In response the Chair confirmed that an Executive decision was awaited on the report.</p> <p>The Committee AGREED, subject to the foregoing, that the report be noted.</p>	
<p>No. 7</p>	<p><u>BIODIVERSITY AND ECOSYSTEM RESILIENCE FORWARD PLAN (2019-2022) 2019/20 ANNUAL REPORT</u></p>	

Consideration was given to report of the Head of Community Services.

The Team Manager Natural Environment presented the report which provided an update on how the Council was meeting its statutory duties under the Environment (Wales) Act 2016. In order to comply with the Act a Biodiversity and Ecosystem Resilience Forward Plan (Appendix 1) was adopted by Council, and the report provided an overview of annual progress against the Plan.

The Officer said the delivery mechanisms for the Plan was Service Area Action Plans; Environment Champions network and advice from the Natural Environment Team. Progress in 2019/20 by Service Area against the delivery mechanisms and activity plan for 2020/21 was shown in Appendix 2.

He confirmed that 4 quarterly Environment Champions meetings had been held, with ten champions in the network representing all Service Areas and Councillors. Councillor Lee Parsons was the Council's Member Champion.

In terms of the review of progress, the Forward Plan (2019-22) had not been changed, however, minor amendments have been made to accurately reflect the Service Area structure, recognising that Organisational Development sits within Commercial Services.

A Member asked whether the funding currently in place was sufficient to continue to progress the Plan.

The Officer said he was confident that working collaboratively with our neighbouring Authorities, that funding would continue to be secured. He was pleased to report that funding had recently been secured through Resilient Gwent to bring in extra resources which enabled recruitment of a Behaviour Change Officer, jointly with Monmouthshire CC, to support the Team, and also a Local Nature Partnership Coordinator was appointed in February and making excellent progress. A lot of work was being done to tackle problem areas and change the way we do things in order to enhance biodiversity. He also reported that the Council's Ecologist had moved on, however,

another appointment had been made in-house and was progressing well.

Another Member referred to the crisp pack recycling initiative and asked whether Officers could look at options to extend this as a way of reducing black bag waste.

The Team Leader Neighbourhood Services said there were a number of outlets within the Borough that took empty crisp packs, and undertook to consider options.

A Member also referred to an 'eco bricks' project undertaken at a local primary school and asked that consideration be given to extending this initiative further.

The Team Leader Natural Environment said this was an excellent example of recycling the materials we use every day and putting them to good use, and he would be keen to grow this initiative through the schools programme.

A Member referred to grassed areas within residential areas set aside for biodiversity, and said these areas should be identified more clearly.

In response the Officer reported that funding had been secured through Welsh Government's Nature Partnership Funding, for the provision of IT and training that would help to map these areas. He confirmed that grassland areas being used formally for recreational activities etc, would continue to be cut on a regular basis. However, a more relaxed cutting approach would be taken of other areas as much as possible to allow for biodiversity, but the Officer agreed that people needed to know why this approach was being taken.

Another Member referred to the letter received from Welsh Government's Chief Planner, and asked whether the Council had refused any planning applications on the grounds of Planning Policy Wales 10.

The Officer said the Council's Planners would be able to provide a more accurate response. However, he was not aware of any applications being refused specifically on the grounds of PPW10.

	<p>The Committee AGREED to recommend that the report be accepted and the Annual Report and activity recommended this year be approved, to meet the Section 6 Duty (Option 2).</p>	
<p>No. 8</p>	<p><u>FLOOD RISK MANAGEMENT PLAN (2016- 2022)</u></p> <p>Consideration was given to report of the Head of Community Services.</p> <p>The Senior Engineer Land Drainage presented the report which updated Members on progress of delivery of the Council's Flood Management Plan 2016-2022, and summarised progress made on the objectives and measures since its adoption and approval by Welsh Government in 2016. The Plan highlighted the hazards and risk of flooding and set out how the Authority would work with other parties and local communities to manage the risks.</p> <p>The Officer went through the report and highlighted points contained therein. He reported that due to the severe storms encountered at the end of the year and early 2020 the Council was unable to complete a scheme anticipated to cost £40,000, with a grant value of £34,000. However, Welsh Government has agreed that this money could be carried over to the 2020-2021 budget.</p> <p>A Member referred to the repairs needed to be undertaken following Storm Dennis, in particular the repairs needed on the Ebbw Fach River embankment at Duffryn Park, and asked how many of the repairs had been completed.</p> <p>In response the Team Manager Street Scene confirmed that Welsh Government funding had been secured to undertake repair works. A schedule of works had been established, and the Officer confirmed that the Ebbw Fach River embankment was included.</p> <p>The Chair said there had been repeated incidents of flooding recently, which was extremely stressful for residents, and said it would be beneficial for Members to have information on works being undertaken.</p>	

In response the Head of Community Services undertook to provide Members with a schedule of works.

A Member referred to the tree planting initiative at Parc Bryn Bach and asked whether any other sites in the Borough had been identified for tree planting.

The Team Manager Natural Environment said it was not easy to find large areas of land within the Borough suitable for tree planting. Tree planting was included in our programme for improvement, and potential sites were always being explored, however, it was also important to maintain our existing stock. The Officer confirmed that work was also being undertaken with the PSB exploring funding to commission a Green Infrastructure Strategy.

A Member referred to section 4.7 of the report, namely removal of rubbish from rivers, and said in his opinion NRW seemed to be pushing responsibility of cleaning rivers, unless in the case of an immediate threat of flooding, onto the Council or volunteers in the community.

In response the Senior Engineer explained that as the law stood, it was the responsibility of the landowner to maintain the stretch of river passing through their land, unless there was information to say otherwise. NRW has responsibility for flood protection, and would place flood defences on the river to protect communities, but in terms of maintenance, i.e. cleaning/removal of rubbish, this was the responsibility of the landowner.

In response to a question raised by a Member in relation to section 4.5 of the report, the Officer explained that the scheme referred to was on the main River Ebbw by Ebbw Vale rugby ground. There were 3 culverts in the area that needed repairs, but the severe weather prevented the final culvert repair works being undertaken. However, the Officer confirmed that this scheme had now been completed.

The Member then referred to the fact that SuDS applications were currently being sent to Caerphilly CBC for approval, and the Head of Community Services confirmed that this arrangement was currently under review.

	<p>Another Member asked whether the Section liaised with Community Services in terms of maintenance of storm drains, and identifying where cleaning was required in order to prevent flooding.</p> <p>The Senior Engineer said the Section worked closely with Community Services. Camera equipment was used to survey gullies, and there was a maintenance schedule in place, however, due to the extensive number of throughout the Borough compared to the resources available, focus tended to be on ones that were known to be problematic.</p> <p>The Committee AGREED to recommend that the report be accepted and progress made over the previous 12 months be noted (Option 1).</p>	
<p>No. 9</p>	<p><u>NEW COUNCIL DEPOT PROPOSALS</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to report of the Head of Community Services.</p> <p>The Team Leader Street Scene presented the report which provided an update on progress related to the development of a new Council Depot and proposed suitable candidate sites to be explored as part of the next stage, the development of an Outline Business Case (OBC).</p> <p>The Officer then went through the report and highlighted points contained therein. He confirmed that work on a number of activities had taken place to confirm the requirements for a new depot, which included exploring any</p>	

recent examples of other councils relocating and building a new depot, and investigating any likely collaboration opportunities. He then referred Members to the options for recommendation, namely Section 3.3 which outlined the preferred option of the Officers Working Group.

A discussion ensued when the Officer clarified points raised by Members in relation to potential alternative sites; electric vehicles and the infrastructure required; and the financial viability of the proposal.

In response to a question raised by a Member regarding the existing Central Depot, the Officer confirmed that a new site would provide an opportunity for expansion to provide for any future collaborative working arrangements. He confirmed that all Members' comments would be considered by the Officer Working Group.

The Committee AGREED to recommend that the report which contained information relation to the financial/business affairs of persons other than the Authority be accepted and:-

- i. One of the four sites identified in section 3.2 of the report be approved to move forward to a business planning stage.
- ii. WRAP be commissioned to undertake the business planning stage for the chosen site; and
- iii. A further report be presented for consideration on the outcomes of the business plan.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: REGENERATION SCRUTINY COMMITTEE –
21st OCTOBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HILL (CHAIR)

Councillors P. Edwards
G.A. Davies
J. Millard
J.C. Morgan
J.P. Morgan
L. Parsons
K. Rowson
B. Willis
S. Healy (substitute)
M. Cook (substitute)

AND: Corporate Director of Regeneration & Community Services
Head of Regeneration & Development
Team Manager Regeneration Opportunities
Team Leader Thriving Communities
Business & Regeneration Manager
Service Manager Development & Estates
Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors L. Elias and H. McCarthy.</p>	

	<p>It was reported that Councillors S. Healy and M. Cook was in attendance acting as substitutes for Councillors G. Collier and M. Holland. However, should Councillor Collier or Holland attend the meeting, then Councillors Healy and Cook would leave.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>	
No. 4	<p><u>REGENERATION SCRUTINY COMMITTEE</u></p> <p>The minutes of the special Regeneration Scrutiny Committee held on 23rd September, 2020 were submitted.</p> <p>Councillors P. Edwards and J.C. Morgan asked that their names be recorded against approval of the minutes.</p> <p>The Committee AGREED, subject to the foregoing, that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 23rd SEPTEMBER, 2020</u></p> <p>There were no actions arising from the special meeting of the Regeneration Scrutiny Committee held on 23rd September, 2020.</p>	
No. 6	<p><u>FORWARD WORK PROGRAMME: 2ND DECEMBER 2020</u></p> <p>The Forward Work Programme for the meeting scheduled to be held on 2nd December, 2020 was submitted.</p> <p>It was reported that ‘Report Submitted By’ on the first page should be amended to read Councillor John Hill, Regeneration Scrutiny Committee.</p> <p>A Member referred to the Information Pack items, namely the Business Improvement District (BID) Update report and asked that this be brought into the FWP moving forward.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted.</p>	Chair/ Scrutiny Officer

<p>No. 7</p>	<p><u>TOWN CENTRE TASK AND FINISH AND ECONOMIC RESPONSE FOLLOWING COVID-19</u></p> <p>Consideration was given to the report of the Team Manager Regeneration Opportunities.</p> <p>At the invitation of the Chair, the Team Manager Regeneration Opportunities presented the report which provided Members with an update on the work of the Task and Finish Group and sought agreement to re-establish the Task and Finish group to continue their work on a Town Centre Strategy.</p> <p>The Officer said in December 2019 the Regeneration Scrutiny approved a report to establish a Town Centre Task and Finish Group with the membership as follows:</p> <p>Councillor Joanna Wilkins Councillor Keri Rowson Councillor Wayne Hodgins Councillor Phil Edwards Councillor John Morgan Councillor Lee Parsons Councillor John Hill</p> <p>The membership ensured that all town centres had representation at a local level, and two meetings of the group were held prior to the Covid lockdown period.</p> <p>In terms of membership of the Group moving forward, the Officer reported that at the Council's AGM Councillor Joanna Wilkins was appointed Executive Member for Environment and as a result would no longer sit on the Regeneration Scrutiny Committee. However, despite this there still remained sufficient representation for the towns across the remaining Members of the Task and Finish Group.</p> <p>The Officer reported that during March the Council was invited by the Deputy Minister for Housing and Local Government to submit an application to receive revenue funding support, and each LA across Wales was able to access up to £25,000 through the Welsh Government Transforming Towns programme. The money was</p>	

earmarked for spend on possible options which included developing masterplans; digital projects and provisions; community/stakeholder engagement; empty property/enforcement work; green infrastructure audit; place branding.

It was therefore proposed to take forward an overall place branding approach for Blaenau Gwent which will be supported by each of the towns and the areas they most want to 'shout' about. This would also be supported through the investigation of how a digital approach could support the traditional 'bricks and mortar' trading. Additional to the place branding work, an agreed programme of marketing and communications to support the town centres would be developed and put into action, with support from the Town Centre Forums.

The Officer also reported that a Town Centre Business Development Officer had recently been appointed to commence on the 1st November, 2020. This post would be key in taking forward the work of the Task and Finish Group, and delivery of the Town Centre Strategy; and supporting town centre businesses.

The Officer then went through the Options highlighted in the report and confirmed that in advance of the first Task and Finish Group meeting, Members would be provided with a briefing note of previous discussions, along with a short presentation at the start of the meeting to refresh previous discussions and confirm the next steps. This meeting would also include discussion and agreement on timescales for the Task and Finish Group and reporting of outcomes.

A Member said he welcomed the report, and the appointment of a Town Centre Business Development Officer. In terms of membership of the Group he said he was happy to represent Abertillery moving forward, with the agreement of Members.

The Committee AGREED to recommend that the report be accepted and re-establish the Task and Finish Group (with the existing membership); and recommence their consideration of the Town Centre Strategy. The Group would revisit previous areas considered to ensure that they

	<p>aligned with any COVID-19 adaptations that may be required, but the focus would be upon the remaining areas not yet discussed with a view towards concluding the work of the Task and Finish Group as soon as possible. (Option 1)</p>	
<p>No. 8</p>	<p><u>BRYNMAWR AND NANTYGLO MASTERPLAN</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the Team Manager Regeneration Opportunities.</p> <p>The Team Manager Regeneration Opportunities presented the report which provided an update on the Masterplan commissioned for key sites within Brynmawr and Nantyglo, and sought endorsement on a proposed series of recommendations.</p> <p>The Officer said Brynmawr was the focal point for the communities of the Upper Ebbw Fach Valley. However, as with all town centres, the sustained fall in footfall presented a real challenge, and therefore a focus on projects and measures to attract people in the area was important. The defined study area straddled both the Brynmawr and Nantyglo wards with the key principles of the study focusing specifically on key strategic sites. Development scenarios and routes to market have been identified for each of the sites, and consultants have also carried out market analysis against each of the development options; developed initial schematics for each of the scenarios, and carried out consultation activity which included Blaenau Gwent Officers, Member engagement and public consultation.</p> <p>A Member said he welcomed the report, but stressed the importance of flexibility within the Masterplan moving</p>	

forward to take into account development of any further potential sites.

In response the Officer assured that the document would be fluid, and said it provided a foundation and the principles on which each site and decision would be taken forward.

A brief discussion ensued when the Officer clarified points raised by Members.

The Committee AGREED to recommend that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted, and endorsed the findings of the Brynmawr and Nantyglo Masterplan and agreed to the next steps for work to be undertaken in the following areas:-

- Development of funding applications to support further activity (site investigations, site acquisition and demolition);
- Continued dialogue with key stakeholders; and
- Further develop potential development options for the Brynmawr Boilerhouse (delivery model, funding options, future use). (*Option 2*)

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: EDUCATION & LEARNING SCRUTINY
COMMITTEE – 3RD NOVEMBER, 2020**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR H. TROLLOPE (CHAIR)

Councillors: J. Holt
D. Bevan
M. Cook
M. Day
W. Hodgins
C. Meredith
J.C. Morgan
J.P. Morgan
L. Parsons
T. Smith
B. Summers
S. Thomas

Co-opted Member

T. Baxter

AND: Interim Corporate Director of Education
Strategic Education Improvement Manager
Service Manager Inclusion
Education Transformation Manager
Youth Services Manager
Press & Publicity Officer
Scrutiny & Democratic Officer / Advisor

ALSO: Representatives of EAS
Ed Pryce, Assistant Director EAS
Sarah Davies, Principal Challenge Advisor EAS

ITEM	SUBJECT	ACTION
No. 1	<u>SIMULTANEOUS TRANSLATION</u>	

	<p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors G. Collier and L. Elias.</p> <p><u>Co-opted Member</u> A. Williams</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillors Wayne Hodgins and Lee Parsons declared an interest in Item 9 – Outcome of the Leisure Review and Performance Monitoring for the Aneurin Leisure Trust.</p>	
No. 4	<p><u>EDUCATION & LEARNING SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Education & Learning Scrutiny Committee Meeting held on 15th September, 2020 were submitted, whereupon:-</p> <p>A Member reported that two points had been omitted from the previous minutes:</p> <ul style="list-style-type: none"> • Regular updates regarding COVID-19 within Education and the County Borough. • Regular COVID-19 testing for teachers. <p>The Interim Corporate Director of Education said he would address these issues under item 10 Education Directorate Response to COVID-19.</p> <p>The Committee AGREED, subject to the foregoing, that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 15TH SEPTEMBER, 2020</u></p> <p>The action sheet arising from the meeting of the Education & Learning Scrutiny Committee held on 15th September, 2020 was submitted.</p> <p>The Committee AGREED that the action sheet be noted.</p>	

<p>No. 6</p>	<p><u>FORWARD WORK PROGRAMME – 15TH DECEMBER, 2020</u></p> <p>Consideration was given to the report of the Chair of the Education & Learning Scrutiny Committee.</p> <p>The Chair spoke to the report and invited comments from Members.</p> <p><u>Management of Pupil Places and the School Estate 2019/20</u></p> <p>A Member requested that information regarding schools with increasing numbers of surplus places be included in the report. The Interim Corporate Director of Education said the report would focus on surplus places and also include where there were sufficiency issues in schools.</p> <p><u>Improving Schools</u></p> <p>In relation to improving schools a Member enquired if all the information and dialogue would be included in the report to look at how schools were improving. The Interim Corporate Director of Education assured Members that the report would cover schools causing concern and Members would be fully appraised of progress made.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and endorse Option 2; namely that the Education & Learning Scrutiny Committee Forward Work Programme for the meeting on 15th December, 2020 be approved.</p> <p>Tim Baxter, Co-opted Member, left the meeting at this juncture.</p>	
<p>No. 7</p>	<p><u>OUTCOMES 2019-2020: FOUNDATION PHASE, KEY STAGE 2, KEY STAGE 3, KEY STAGE 4</u></p> <p>Consideration was given to the report of the Interim Corporate Director of Education and the Assistant Director EAS which was presented to inform Members of Welsh Government: School Performance Reporting Arrangements for 2019-2020, provide an overview of national outcomes as context and provide anonymised local data where available.</p>	

	<p>The Assistant Director EAS spoke to the report and highlighted the main points contained therein and advised Members that due to the pandemic the Welsh Government had cancelled all statutory data collections at foundation phase, key stage two and key stage 3 and relaxed the reporting arrangements from schools to local authorities so the data was not the same as in previous years.</p> <p>In response to a Member’s question regarding old data, the Assistant Director EAS said that the reason why there was no current update to this data was that the Welsh Government had suspended the processes for sharing that data back to local authorities.</p> <p>A Member commented that the figures in the report did provide some information moving forward and felt that science needed to be improved in most secondary schools. He raised concerns that youngsters had not been able to sit exams in the summer and potentially this could happen again next year and enquired if extra support would be put in place for youngsters when they sit A level exams in two years’ time. The Assistant Director EAS agreed with the Member’s comment that learners had missed out on sitting exams and said learners would need additional support put in place by schools, even if schools were temporarily closed and would have to employ distance and blended learning either with the whole school or small cohorts within the school as they self-isolate. The well-being of learners was a priority to re-engage them with learning.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the report as provided be accepted.</p>	
<p>No. 8</p>	<p><u>SUMMARY OF INSPECTION OUTCOMES FOR EDUCATIONAL ESTABLISHMENTS – AUTUMN TERM 2019 AND SPRING TERM 2020</u></p> <p>Consideration was given to the report of the Interim Corporate Director of Education and Strategic Education Improvement Manager which was presented to provide Members with important performance monitoring information regarding the inspections undertaken by ESTYN of educational establishments.</p>	

The Strategic Education Improvement Manager spoke to the report and gave an overview of the three schools inspected by ESTYN:-

- Brynmawr Foundation School
- Cwm Primary School
- Ysgol Gymraeg Bro Helyg

A Member said that the two primary schools had received good reports but raised serious concerns regarding Brynmawr Foundation School in relation to important shortcomings particularly in literacy and numeracy and leadership management. The Principal Challenge Advisor EAS said the key fundamentals in this report were around leadership and teaching and learning. Leadership had been significantly strengthened at the school, the Headteacher had appointed a Deputy Headteacher and a further two additional assistant Headteachers. There had been a deficit of professional learning but she advised Members that during the pandemic the school had continued to engage with the EAS through professional learning. The school had engaged with the National Middle Leadership Development Programme for all of its middle leaders and its senior leaders were used as part of that facilitation team and this work was still ongoing. She assured Members that Brynmawr Foundation School had a very robust distance and blended learning plan which was being shared regionally. It was important for Members to know that the schools causing concern meetings had continued to ensure effective evaluation of the work on the ground and to identify professional learning needs.

The Interim Corporate Director of Education reiterated that SCC sessions with Brynmawr Foundation School and other schools causing concern had been held. Leadership at the school had been strengthened, but he felt that it would take time for improvements to impact on the school and would keep Members updated on the progress made.

In response to a Member's question regarding no library provision at the school, the Interim Director of Education said that there were schools that did not have an active 'normal' library, but learners were not disadvantaged as they had access to this provision via wither quiet spaces or through digital means.

Councillor Cook left the meeting at this juncture.

The Chair referred to the accelerated reader programme and felt it was beneficial for learners' wellbeing to have a quiet safe room to read and hold a physical book.

The Interim Corporate Director of Education said there were other opportunities within schools to ensure learners had environments in schools that were conducive to breakout periods, and this would also be taken forward to the 21st Century Schools Programme. Brynmawr Foundation School would be a priority project for investment as part of the Band B programme.

The Principal Challenge Advisor supported the Director's comments and said that although Brynmawr Foundation School did not have a dedicated library it used those resources widely across the school and within classroom settings. She reassured Members that as part of their development planning, the school was bringing accelerated reader into their school as part of the intervention work around literacy.

The Committee AGREED to recommend that the report be accepted and endorse Option 1, namely the report as provided be accepted.

No. 9

OUTCOME OF THE LEISURE REVIEW AND PERFORMANCE MONITORING FOR THE ANEURIN LEISURE TRUST

Councillors Wayne Hodgins and Lee Parsons declared an interest in the following item and remained in the meeting.

Consideration was given to the report of the Interim Corporate Director of Education which was presented to provide Members with an update on the outcome of the Leisure Trust Review.

The Youth Services Manager spoke to the report and highlighted the main points contained therein. She advised Members on the outcome of the Leisure Trust Review and clarified the client function was now aligned within the Education Portfolio. There was also an opportunity for

Members to scrutinise the proposed future monitoring performance arrangements of the Aneurin Leisure Trust.

Councillor Clive Meredith left the meeting at this juncture.

The Chair enquired regarding the asset transfer for the Metropole Theatre in Abertillery. The Youth Services Manager said that this process had been put on hold due to the pandemic and was now scheduled to take place by April 2021.

In response to a Member's question regarding the Metropole, the Youth Services Manager said that it was currently in a holding situation by the Trust. They had made a successful application to the Arts Council, which now funded all the workforce at the Metropole until the end of March.

A Member enquired regarding any intended future closures of facilities being reported to this Committee, the Interim Director of Education said that as part of the recommendation a 6 monthly progress report would be presented to this Committee and would cover any implications associated with COVID-19 on leisure provision across the County Borough. There had been financial implications associated with loss of income, however, the Leisure Trust were reporting and were managing their loss of income through reducing expenditure associated with staffing implications and furlough etc. He felt that there was no reason at this point in time to be discussing potential loss of services.

A Member referred to previous Working Groups and Task and Finish groups on libraries whereby one of the recommendations had been for libraries to be used as community hubs and enquired if this had been taken up. The Interim Director of Education said the provision of community hubs across the County Borough was very much a part of the key strategic agenda. There would be benefits from both a user perspective and the library's perspective to ensure that this provision is protected moving forward. Libraries existed in most town centres and were supportive of community need, there was also potential for digital developments and to use the staff skill sets such as supporting people in relation to the provision of Revenue

	<p>and Benefits applications, etc. He felt that this was the right approach and informed Members that work was ongoing to take advantage of those community settings.</p> <p>The Youth Services Manager agreed with the Director's comments and added that the Trust were meeting fortnightly with the Council to develop this approach and all libraries were being considered.</p> <p>A Member commented that the library in his Ward had a post office provision once a week. The Interim Director of Education said this was a prime example of how a community hub could work when co-located with library provision.</p> <p>The Chair enquired regarding reporting arrangements, the Interim Director of Education confirmed that along with the 6 monthly progress reports, other reports may be presented by exception to this Committee throughout the year.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1, namely the report's update and proposals for future reporting arrangements be accepted.</p>	
<p>No. 10</p>	<p><u>EDUCATION DIRECTORATE-RESPONSE TO COVID-19</u></p> <p>Consideration was given to the report of the Interim Corporate Director for Education which was presented to provide Members with an opportunity to scrutinise the Education Directorate's response to the COVID-19 situation, particularly supporting the schools during the emergency period.</p> <p>The Interim Corporate Director for Education spoke to the report and highlighted the main points contained therein. A verbal update had been delivered to September's Committee, however, this report provided more background context and a current view of the response.</p> <p>In response to a Member's question regarding testing of school staff, the Education Transformation Manager said there were three testing methods:-</p>	

1. Aneurin Bevan University Health Board portal for access to testing.
2. Staff testing protocol within the local authority whereby schools and individual staff members were able to self-refer for tests on a daily basis. With priority access to testing centres including Rodney Parade in Newport.
3. Incident Management Team option with representation from Public Health Wales to look at significant clusters or potential outbreaks as a result of school based transmissions.

Effective processes were in place to ensure that staff could access testing within a timely manner. The staff testing protocol which was delivered via Civil Contingencies ensured that access to tests was on the same day as referral. The process had been fast and highly effective to date. The Education Transformation Manager reassured Members that as part of health and safety considerations all schools had Covid secure risk assessments, which were regularly reviewed when positive cases were identified within schools.

A Member enquired regarding the high transmission rates within the community and what measures were in place to combat transmission at school start and finish times. The Education Transformation Manager said that all schools had stringent measures in place including a visitor's protocol. Engagement with parents was ongoing either virtually or via the telephone and access to schools was restricted unless absolutely necessary. Handbooks and guidance had been issued to parents and staggered start times and one way systems at some sites had been introduced. Effective measures were in place to limit parent engagement on site and to ensure that parents moved offsite in a timely manner when collecting and dropping off pupils. The Council's Communications team supported schools with regular key messages to parents and raising awareness.

In response to a Member's question regarding an update on PPE, the Education Transformation Manager assured Members that there were no issues with shortages of PPE at any settings. There had been a national shortage in production and distribution of gloves in the early stages of

the Pandemic but the Directorate had effectively planned and managed the allocation and distribution of PPE for all school sites and no school had been negatively affected.

The Interim Director of Education added that some funding from the Welsh Government for face coverings for pupils had been received, however, the funding was not sufficient to cover the cost of two face coverings per pupil and had been complemented by the Directorate.

The Education Transformation Manager informed Members that distribution of face coverings was based on availability. A second delivery was expected soon and all secondary pupils should have at least two face coverings for the remainder of the autumn term with an additional two face coverings being distributed early within the spring term.

A Member enquired regarding transport providers maintaining daily records of pupils' journeys to ensure they comply with the test, trace and protect strategy. The Education Transformation Manager said this was continuing and all data logged from the transport providers. This data was used as part of the contact tracing process for positive cases in schools, there were spot checks and quality assurance checks around that information to look at improvements to the recording of data and information within the transport provision.

A Member raised concerns regarding staff testing as they were on the frontline and felt that staff should be given the opportunity to be tested at least once a month. The Education Transformation Manager said that regular testing would go against Public Health Wales policy. Tests should only be accessed if staff were symptomatic. However, from a staffing perspective if there were significant concerns with regard to potential outbreaks the Directorate could instigate an Incident Management Team response and look at an approach via that means. But at this point in time the Directorate could not offer regular testing unless staff were symptomatic or there were potential public health implications.

The Chair enquired with the increase of home tuition, if that impacted on domestic abuse incidents. The Interim Director of Education said that in the summer term EHE numbers

stood at 54, since September that had increased by 28 learners and this was being monitored closely. With regard to domestic abuse, he assured Members that Operation Encompass had continued throughout the emergency period.

The Strategic Education Improvement Manager said there had been an increase in the number and frequency of incidents involving individual pupils and they had continued to monitor the situation during lockdown arrangements. She confirmed that as part of the performance report an update would be provided at the next Joint Safeguarding Committee.

Councillor Wayne Hodgins left the meeting at this juncture.

A Member commented that with increased transmission rates, there were a number of youngsters who had been told to self-isolate who were not abiding by the guidance and enquired if the Education Directorate were liaising with Social Services and the Police regarding these issues. The Interim Director of Education had drafted correspondence to all parents across the county borough to highlight the current situation in terms of COVID-19. The correspondence covered a request for parents to consider compliance with the regulations around COVID-19, if there was a lack of compliance in a non-school setting, especially where learners were self-isolating, that would have an impact upon school settings. The Directorate had reinforced the importance of compliance with national lockdown firebreak regulations particularly in non-school settings.

The Education Transformation Manager said that where issues of non-compliance had been identified in relation to self-isolation, the Directorate worked closely with Environmental Health colleagues, the Youth Service and the Police to follow up and address any particular issues to limit the impact on schools. Documentation had been strengthened to highlight the self-isolation periods and to give clarity regarding potential implications for non-compliance.

Councillor Bob Summers left the meeting at this juncture.

Strategic
Education
Improvement
Manager

The Youth Services Manager informed Members that the usual Youth Workers had been deployed to work as Detached Teams in the towns working closely with the police. She reported that in the main young people were adhering to the lockdown and had an understanding of the consequences if rules were broken. She asked that Members contact her directly if there were any issues in a particular area.

The Strategic Education Improvement Manager said that in relation to pupil safety regarding groups congregating and having a negative impact upon the running of the school, the Directorate could hold a Safer Schools meeting which could be called under the Crime and Disorder Act with a view to putting in place an appropriate plan for that particular setting.

The Chair raised concerns regarding transmission rates in relation to youths congregating whilst awaiting test results, he said a virtual meeting with Police had been held in relation to Anti-Social Behaviour.

Another Member reiterated concerns regarding parents not following the Council's and school advice in relation to their children self-isolating. There were instances of inside gatherings and he felt that parents needed to be responsible to avoid the spread of infection into schools. The Interim Director of Education said these issues had been discussed at Gold Command but they had little or no direct influence over parental and community based non-compliance issues. Where services were aware of non-compliance issues such as group gatherings or lack of social distancing, these issues could be reported to Environmental Health and where there were contraventions these would also be reported to the Police.

The Youth Services Manager reassured the Member that Youth teams were out in the community advising young people of what was expected of them and were working closely with the police in communities.

The Chair commented that several incidents had been reported to the Police, the fire brigade had been called out twice and a class for autistic children at Bedwellty Park had

been disrupted, but accepted that the Council were doing everything they could to address these issues.

The Education Transformation Manager said they were working closely with Environmental Health Officers, Community Safety and the Police and when issues were reported this was followed up by an Environmental Health visit with parents. Environmental Health were also looking at potential enforcement action where there were significant public health risks as a result of people not abiding by the self-isolation requirements. The Directorate was doing all it could to ensure public compliance with guidelines.

The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that Members scrutinised the information detailed within the report and recommend to the Executive Committee that the Directorate continues to work closely with all organisations, schools and the police in combating COVID-19.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SOCIAL SERVICES SCRUTINY
COMMITTEE – 5TH NOVEMBER, 2020**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR S.C. THOMAS (CHAIR)

Councillors: K. Rowson
D. Bevan
G.A. Davies
P. Edwards
K. Hayden
J. Holt
M. Moore
G. Paulsen
T. Smith
B. Summers

AND: Corporate Director of Social Services
Head of Children’s Services
Head of Adult Services
Communications & Policy Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors G. Collier, G.L. Davies and L. Elias.</p> <p>The Chair said that Councillor Elias had requested that the Director of Social Services pass on his thanks to the Head</p>	

	of Adult Services and her team for their help and quick response to a recent matter.	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>SOCIAL SERVICES SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Social Services Scrutiny Committee Meeting held on 17th September, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>FORWARD WORK PROGRAMME – 10TH DECEMBER, 2020</u></p> <p>Consideration was given to the report of the Chair of the Social Services Scrutiny Committee.</p> <p>The Committee AGREED that the report be accepted and endorse Option 2; namely that the Social Services Scrutiny Committee Forward Work Programme for the meeting on 10th December, 2020 be approved.</p>	
No. 6	<p><u>UPDATE ON STRATEGY TO SAFELY REDUCE THE NUMBERS OF CHILDREN LOOKED AFTER</u></p> <p>Consideration was given to the report of the Director of Social Services which was presented to update Members on the progress made in relation to the implementation of the Safe Reduction of Children Looked After Strategy 2017-2020.</p> <p>The Head of Children’s Services spoke to the report and highlighted that the Strategy to Safely Reduce the numbers of Children Looked After had three objectives:-</p> <ol style="list-style-type: none"> 1. To support families to stay together. 2. To manage risk confidently and provide support at the edge of care. 3. To provide affordable high quality placements. 	

In response to a Member's question regarding foster carers, the Head of Children's Services said that it had been a challenge over the summer for the recruitment campaign. Heads of Service across Wales had been developing a national approach for local authorities to recruit foster carers. The brand 'Foster Wales' had been developed and funding of £300,000 had been allocated by the Welsh Government to support the 22 local authorities, and an official launch would take place next year. The number of foster carers in Blaenau Gwent remained constant, however, enquiries had increased in January/February 2020 but slowed in March due to the pandemic. The challenge for the Service was to transfer enquiries into approved foster carers as not all applications were successful. Consultation had been undertaken with existing foster carers regarding how they had been supported over the summer and the feedback had been extremely positive.

A Member enquired regarding the £400,000 overspend on legal costs, the Head of Children's Services explained that there were many different elements to each case and some may need a number of independent assessments that were commissioned through the court such as assessments of parents or of a sibling group. Another part of that overspend was the full year costs associated with external legal services as the Council's Child Care Solicitor had left the Authority. The Legal Department had gone through the procurement process to enquire if neighbouring authorities were interested in taking on this legal work, at that time there had been no take up of the offer, however, a neighbouring authority had since expressed an interest and the Directorate were now exploring this option.

In response to a Member's question regarding the Integrated Care Fund monies and how the Directorate was meeting the three objectives, the Head of Children's Services said that the Welsh Government had given verbal confirmation that the Integrated Care Fund would continue up to April/March 2022. In relation to meeting the three objectives, this was evidenced by a reduced number of children coming into care and demonstrated the important work of the Supporting Change Team in supporting families and how to manage risk confidently. As there was further work to be carried out, the Directorate was in the process of developing a five year strategy.

With regard to legal fees a Member felt that the Welsh Government should look at legal fees with a view to providing support for local authorities. He also enquired if collaboration with other authorities to bear part of the costs would take place. The Head of Children’s Services said that each local authority had to manage their own budgets in relation to every aspect, including legal costs. In relation to collaboration with a neighbouring authority, work gathering information on the numbers of court applications made over the last five years was being undertaken to help the neighbouring authority manage capacity. Work was also being undertaken to identify how costs were attributed to solicitor’s fees, assessments commissioned during the court process and application fees to the court. When collated all the information would be provided to the neighbouring authority and discussions would be ongoing.

The Chair said that given the complexity and nature of the legal cases it was difficult for local authorities to be able to procure legal services at a lesser cost and felt that collaboration with partners may help alleviate some of the burden.

With regard to recruitment of Child Care Solicitors, the Director of Social Services said that it was difficult to recruit legal professionals into local authorities as the Council was competing against private companies who paid higher wages.

Members felt that it was a positive report with great strides being made in safely reducing the number of Children Looked After, but there were still some concerns regarding legal costs.

The Committee AGREED to recommend that the report be accepted and endorse Option 1, namely that the information contained within the report be accepted.

No. 7

REGIONAL PARTNERSHIP UPDATE

Consideration was given to the report of the Director of Social Services which was presented to update Members on the work and decisions taken over the last 9 months by the Regional Partnership Board, developed under statutory

guidance Part 9 of the Social Services and Wellbeing (Wales) Act 2014 (SSWB Act).

The Director of Social Services spoke to the report and highlighted the main areas that had occupied the Regional Partnership Board:-

- Coronavirus outbreak across partner agencies and the effect on services.
- The continuation of the Transformational Offer beyond 2021.
- The reallocation of underspend for 2019/20.
- The continuation of the Integrated Care Revenue and Capital Funds.
- Integrated Winter Plan for 2020/21.

In response to a Member's question regarding the impact on child and adult mental health services, the Director of Social Services said that it had been difficult to deliver the service in the same way as before the pandemic as there had been less face to face contact. During the first lockdown there had been an increase in mental health issues for adults and children and he felt that there would be some additional pressures on the system as a result of this. It was important to continue to deliver the service going forward and to continue to make face to face contact and by other social media means.

A Member referred to the verbal agreement for Transformational funding up to 2022 and enquired what impact next year's Welsh Assembly elections may have on this funding. The Director of Social Services said that because of the Welsh Assembly elections next May this had been a transitional period to allow any incoming or existing party to be able to make decisions whether the funding continued going forward. The Directorate had been evaluating programmes to evidence the clear benefits of each and what outcomes they could achieve for families and communities living within the Gwent region. The Director felt confident that similar funding would continue for the transitional year and this would protect some services.

On a point of clarity the Director of Social Services said that the offer in Gwent related to four areas derived from the priority areas within the Area Plan. The fifth bullet point on

paragraph 2.9 related to the development of workforce planning and organisational development to underpin transformation activity and was to support the four themes.

The Chair enquired regarding the relationship between the Authority and the private sector residential settings and if there was an improved exchange of information with regard to possible Covid-19 outbreaks within those care homes. The Director of Social Services said that an excellent relationship had developed with the private sector care homes with regular feedback from commissioners, Environmental Health Officers were also in contact with private sector care homes to provide advice and guidance. Information was gathered regarding staff and residents within care homes and if there were any positive cases an enhanced testing regime was carried out within those care homes. In relation to supported living and extra care facilities there was also good information sharing, but less so with sheltered accommodation as they did not receive as much support. If an outbreak was reported in a particular facility support was requested from Public Health Wales for lab technicians from Rodney Parade to carry out testing within that facility. At the same time Environmental Health Officers would provide guidance regarding what measures needed to be put in place to protect other residents of the facility.

In response to a Member's question regarding track and trace, the Director of Social Services said that track and trace was particularly important in relation to sheltered accommodation complexes, as they would advise the Authority of an outbreak and testing would be requested from Public Health Wales for that complex to ensure there was no spread of the virus.

The Head of Adult Services said that the service was providing practical support across all its care facilities i.e. sheltered housing, care homes, domiciliary care, and supported living. The level of daily contact within sheltered housing schemes was lower than care homes, however, additional measures had been put in place. Social Workers had been ringing residents known to the service to provide additional support in relation to wellbeing and also offer any other support services. The Officer felt it was important for Members to know that tenants in a sheltered housing

	<p>scheme were provided with the same level of support as residents of other care facilities.</p> <p>The Chair commented that track and trace was essential particularly in relation to people living within non extra care settings who move about freely in the community.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1, namely that the decisions of the Regional Partnership Board be supported.</p>	

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: AUDIT COMMITTEE – 17th NOVEMBER, 2020

REPORT OF: DEMOCRATIC SUPPORT OFFICER

PRESENT: COUNCILLOR S. HEALY (VICE-CHAIR IN THE CHAIR)

Councillors D. Davies

J. Hill

W. Hodgins

J. Holt

K. Rowson

B. Summers

S. Thomas

H. Trollope

L. Winnett

WITH: Managing Director
Chief Officer Resources
Senior Business Partner – Capital and Corporate Accounting
Professional Lead – Internal Audit
Service Manager Accountancy
Audit & Risk Manager
Corporate Director Social Services
Corporate Director Regeneration & Community Services
Head of Legal & Corporate Compliance
Data Protection & Governance Officer
Branch Secretary - UNISON

AND: **Audit Wales**
Mike Jones
Dave Rees
Derwyn Owen

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillor M. Cross.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declarations of interest were reported:</p> <p>Councillor B. Summers - Item No. 6 Statement of Accounts for 2016/17, 2017/18 & 2018/19</p> <p>Councillor J. Hill - Item No. 6 Statement of Accounts for 2016/17, 2017/18 & 2018/19</p> <p>Item No. 7 External Audit of 2016/17 Statement of Accounts – Blaenau Gwent County Borough Council</p> <p>Item No. 8 External Audit of 2017/18 Statement of Accounts – Blaenau Gwent County Borough Council</p> <p>Item No. 9 External Audit of 2018/19 Statement of Accounts – Blaenau Gwent County Borough Council</p>	
No. 4	<p><u>AUDIT COMMITTEE</u></p> <p>The minutes of the special Audit Committee held on 29th September, 2020 were submitted.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET</u></p> <p>The Action Sheet arising from the meeting of the Audit Committee held on 29th September, 2020 was submitted, whereupon:</p>	

Business Resource Centre Decommissioning

The Managing Director apologised to Members regarding the delay in this matter coming back to Committee, which was due to other areas of work as a result of the pandemic. However, the Managing Director assured Members that a report would be submitted to the next meeting to outline lessons learned from the BRC report and how we deal with decommissioning buildings in the future.

In terms of the question raised at the previous meeting regarding the planning application, the Corporate Director Regeneration & Community Services confirmed that an application for change of use had been approved had the site had been sold to Dragon Recycling, and they were currently undertaking refurbishment of the site to begin their recycling activities.

RESOLVED, subject to the foregoing, that the Action Sheet be noted.

No. 6

STATEMENT OF ACCOUNTS 2016/17, 2017/18 & 2018/19

Consideration was given to report of the Chief Officer Resources.

The Chief Officer Resources presented the report, and pointed out that Items 6, 7, 8 & 9 on the agenda related to the Council's accounts for 2016/17, 2017/18 and 2018/19. Item No. 6 reported the Council's statement of accounts covering all three years, with Items 7, 8 & 9 being Audit Wales reports, which included their opinion for each set of accounts. The Chief Officer Resources suggested that Item Nos. 6, 7, 8 & 9 on the agenda be considered together.

She said Members would recall during September 2017 Audit Wales received correspondence raising concerns regarding the Council's relationship with Silent Valley Waste Services. An Audit Wales investigation has been ongoing and as a

result the Auditor General has been unable to provide opinion on the Council's accounts for the three years referred to. Whilst Audit Wales continue to examine a number of matters relating to the Council's historic relationship with Silent Valley, which they intend to report on in due course, they do not now consider any of the ongoing matters to be material to the Audit General's opinion on the Council's Financial Statements. An audit opinion has therefore been provided, and the Statement of Accounts for the three years (2016/17, 2017/18 & 2018/19) have been presented to Committee for approval.

The Chief Officer Resources reported that for 2016/17 and 2017/18 the Auditor General considered the pension contributions paid on behalf of the Chief Finance Officer and the Corporate Director for Environment & Regeneration for their roles as Directors on Silent Valley Waste Services appeared to be contrary to law, and considered that the Council should have disclosed the nature and impact of the additional pension contributions but failed to do so. Further detail on this opinion was provided in the Audit Wales reports at Items 7 and 8, and explained that whilst the value of the transactions identified in the Accounts were relatively small, the assessment of materiality could also be affected by certain quality issues, such as legal and regulatory requirements as well as political sensitivity. This was the case with Senior Officers' Remuneration Note considered to be material to its nature rather than value, and as result materiality level of £1 has been applied. Given this low level of materiality, Audit Wales expect this level of disclosure to be correct since it was publishing individuals' remuneration and making this information publicly available. As result of this, it was the Auditor General's intention to issue a modified or qualified opinion on the Council's financial statements for 2016/17 and 2017/18, and the 2018/19 opinion as unqualified.

The Chief Officer Resources said the Council had sought independent legal advice on this matter, and whilst it was

accepted that there were procedural errors in the way in which employer pension contributions were administered, it was considered that these did not have the effect of rendering the payments contrary to law.

In addition to the above issue, the Audit Wales' reports also highlighted the corrected and uncorrected misstatements identified as part of the audit of accounts. For 2016/17 & 2017/18 the misstatements have been corrected within the respective Statement of Accounts. For 2018/19 there were a small number of misstatements that remain uncorrected. All misstatements have been considered previously by the Audit Committee who agreed with the Officer recommendation not to amend the misstatements identified in 2018/19 on the basis that these would not have a material impact on the accounting statements.

Whilst a qualified opinion on the accounts for 2016/17 and 2017/18 was disappointing, the Officer was pleased that the Auditor General was now in a position to provide an opinion that confirmed, with the exception of those pension contribution payments highlighted, that for each of the three years the Council's financial statements provide a true and fair view of the financial position of Blaenau Gwent County Borough Council as it stood at 31st March each year; and have been properly prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.

The Chief Officer Resources concluded by recommending that the Audit Committee, after due consideration, approve the 2016/17, 2017/18 and 2018/19 Statement of Accounts in line with the preferred option outlined at 3.1 of the report.

A Member said given the fact that this matter was referred to the Police by Audit Wales, and then referred back to Audit Wales, he said Members needed to be clear on whether it would be appropriate to agree the Statement of Accounts. He referred to the issue of pension contributions, and the fact that the Council had sought independent advice, and asked why the independent legal advice had not been provided to

Members within the report.

In response the Chief Officer Resources said the legal advice received was clear, and was similar in certain aspects to the advice of Audit Wales, however, the Council had a different opinion on the interpretation of the advice provided.

The Member asked whether the independent legal advice was contrary to that of Audit Wales in respect of members of staff receiving pension contributions from the Authority, whilst representing outside bodies.

The Chief Officer Resources said the independent advice received stated that whilst the payment in relation to Silent Valley Directorship should have been treated as a separate pension pot, it did not necessarily make the payments unlawful.

The Member then referred to Item No. 7 and the pension contributions totalling £4,975 and asked whether this was the total cost over a number of years, or the costs for the 2016/17 financial year.

In response the Chief Officer Resources said the Audit Wales report referred to years 2016/17 and 2017/18, so the amount referred to was the pension contributions paid for both individuals in those financial years.

The Member said when reading Item No. 7 he was incensed that, while being a previous Deputy Leader and Leader of the Council, that the information did not come before Members, and this was clearly an issue within the report, bearing in mind that this issue was reviewed in March 2012, November 2016 and in 2017, and on this basis he found it difficult to support the reports.

A Member asked whether the reports could be signed-off in

the absence of the Chair, and the Chief Officer Resources confirmed that the Vice-Chair would be in a position to sign-off the accounts on behalf of the Committee, as Chair of this meeting.

The Vice-Chair said if the Committee agreed the reports, he would be prepared to sign-off on behalf of the Council.

Another Member said he was concerned that the pension contributions had not been identified previously, and sought clarity on who paid the pension contributions, as the accounts registered with Companies House for Silent Valley Waste Services show them as paying pension contributions. He also referred to the significant variations in the Director's remunerations over the years, particularly the significant increase in 2017.

The Chief Officer Resources explained that Silent Valley Waste Services accounts registered with Companies House would reflect the fact that they paid pension contributions on behalf of their employees, and confirmed that they never paid pension contributions in the LGPS in relation to the two individuals, as these were paid by the Council.

In relation to the variations in Director's remunerations, the Audit Wales Officer explained that the significant increase in that particular year (2017) was due to a termination payment to the then Managing Director.

A Member enquired as to the costs of the independent legal advice, and the Chief Officer Resources undertook to provide this information.

Another Member asked why the Council paid the pension contributions to the two individuals in their roles on an outside organisation, and how many years this had been happening. In response the Chief Officer Resources said this was an

**Chief
Officer
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historic issue. When Silent Valley Waste Services was established the Council agreed that the Directors nominated to the Board would be paid an addition to their pay for undertaking that role, and at that time as it was classed as an addition to pay, it was pensionable. In the interim the arrangements changed and it became less part of the individuals' role from the Council, and became separate employment, and at that time the Council should have treated the payments differently. However, this was not done, and whilst this was accepted as a mistake, it was not considered that the payments were unlawful.

The Member asked whether the Council could reclaim the pension contributions, and the Chief Officer Resources that Silent Valley Waste Services had been asked for reimbursement of the payments made but declined, stating that the individuals were employees of the Council at that time. They reimbursed the Council for the Directors' fee but not the pension contributions.

The Audit Wales Officer pointed out that Audit Wales were not suggesting that any fraud had taken place. The issues related to the fact that the Council had not, in the past, put adequate governance arrangements in place over the relationship between itself and Silent Valley, and failed to define the roles to be performed by the Officers concerned or determine what the remuneration of roles should be, and the position of pensions.

The Head of Legal & Corporate Compliance said in terms of reclaiming any potential monies due, at this point it would not be advisable to comment on any possible future legal action or repayment. However, she assured the Audit Committee that these matters would be considered.

A Member stated that Audit Wales have stated that the accounts could be signed-off. However, he said this was a

serious issue and assured that the investigation would continue and the outcome would be reported back to the Audit Committee for Members to consider.

The Audit Wales Officer said in terms of the continuing investigation, he said it was likely that the report would include greater detail on the issue of pensions, and other issues, however, it was considered that those issues do not impact on the Auditor General's opinion on the financial statements.

A Member referred to the inadequacy of the governance arrangements between the Council and Silent Valley over a period of years, and said it was important to point out that previous reports that came before Members were written by Senior Officers of the Council, and some of those Senior Officers would have been in receipt of the pension contributions; and Audit Wales have stated that this was unlawful. Whilst the Council has taken advice to the contrary, the Member said the fact that this has not been reported to Members, in his opinion somewhat weakened the significance of that advice. He said the public would be interested in this issue and would likely be of the opinion that an addition to pay would have been sufficient for the role, without the pension payment on top, and that this was done without the knowledge of elected Members. On the basis of the concerns outlined he found it difficult to support approval of the accounts. In relation to the continuing investigation by Audit Wales he asked when a report could be expected.

The Audit Wales Officer reported that the audit work was nearing completion, and the provisional findings and conclusions have been drafted. In the first instance, the relevant extracts of the document would be circulated to those who are answerable within it, to provide opportunity for them to correct any factual inaccuracies to the extent that it related to themselves or their actions. Once that has been undertaken any following any amendments that may be

necessary, the document would be sent to the Council as a consultation draft, and the Council would have the opportunity to comment on it at that stage, and it was anticipated that this would be early next year.

In response the Member asked whether the report could include a timeline of the significant events, i.e. when the issue was reported to Council, and when the Police investigation was launched etc., as it would be beneficial for Members to have this information when making judgement on the report.

A Member said he would support sign-off of the accounts, subject to assurance that the governance arrangements would be strengthened moving forward.

In response the Managing Director reminded Members that a review of the governance arrangements for Silent Valley Waste Services was undertaken in late 2017, and new arrangements put in place at the end of March 2018, hence the reason that year's accounts were not qualified because some of the issues identified had to be corrected preventing sign-off of the previous two years' accounts. In conclusion the Managing Director said a review had already been undertaken and arrangements put in place, and this would hopefully be reflected by Audit Wales in their full report that Council would receive in due course.

The Audit Wales Officer confirmed that there had been significant changes and improvements made in the governance arrangements, and many of the issues likely to be reported on had been dealt with and this would be highlighted in our report.

A discussion ensued when a Member expressed concern that the Council had not taken the advice provide by Audit Wales.

The Chief Officer Resources said the Council were not going against the advice of Audit Wales, it was more of a difference of opinion in relation to some of the transactions within the 2016/17 and 2017/18 accounts being deemed unlawful.

The Audit Wales Officer said whilst there was a difference of opinion on the question of lawfulness, there was no difference of opinion on the issue of governance matters and the need to improve, and those opinions have been taken on board and the Council has taken action.

Prior to Members making a decision, the Audit Wales Officer undertook to formerly report the findings. He said the first thing to point out was that the Auditor General's opinion for all three years, was that the Accounts were a true and fair reflection of the Council's financial position. For 2016/17 and 2017/18, except for the pension payments and ongoing work, it was the Auditor General's opinion that the ongoing work would not affect his audit opinion. However, Certificate of Completion of the Audit would remain open on all three years to allow us to continue the work referred to, and provide assurance to Members that a report would be available. He said when the report was completed the Certificate would be issued and the audits would be closed.

He concluded that the audits for 2016/17 and 2017/18 had already been reported to previous Audit Committees, and felt it was important to point out that whilst Audit Wales stated that the Council acted outside the regulations and contrary to law, this was not to say that anything illegal has been undertaken. In relation to the 2018/19 accounts, he said this was a very standard report with a clear audit opinion and again this had been reported to Committee previously.

A Member proposed that in light of the Auditor's General opinion highlighted at Section 2.6 of the report, that the statements give a true and fair view of the financial position of

	<p>Blaenau Gwent County Borough; and that the financial statements have been properly prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom, a Member proposed that Option 1 be approved with the addition that a further report be received from Audit Wales in due course.</p> <p>The proposal was seconded.</p> <p>Upon a vote being taken it was</p> <p>RESOLVED that the Statement of Accounts for the years 2016/17, 2017/18 & 2018/19 be approved and a further report be received from Audit Wales in light of the Auditor's General opinion highlighted at Section 2.6 of the report, that the statements give a true and fair view of the financial position of Blaenau Gwent County Borough; and that the financial statements have been properly prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.</p>	
No. 7	<p><u>EXTERNAL AUDIT OF 2016/17 STATEMENT OF ACCOUNTS – BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></p> <p>Consideration was given to the report of Audit Wales.</p> <p>RESOLVED that the report be noted.</p>	
No. 8	<p><u>EXTERNAL AUDIT OF 2017/18 STATEMENT OF ACCOUNTS – BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></p> <p>Consideration was given to the report of Audit Wales.</p> <p>RESOLVED that the report be noted.</p>	
No. 9	<p><u>EXTERNAL AUDIT OF 2018/19 STATEMENT OF ACCOUNTS – BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></p>	

	<p>Consideration was given to the report of Audit Wales.</p> <p>RESOLVED that the report be noted.</p>	
No. 10	<p><u>ANNUAL GOVERNANCE STATEMENT</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Audit and Risk Manager presented the Annual Governance Statement for 2019/20 which provided an assessment of the effectiveness of the Authority's governance arrangements.</p> <p>The Officer spoke to the report and highlighted points contained therein.</p> <p>RESOLVED that the report be accepted and the Annual Governance Statement be approved and adopted (Option 1).</p>	
No. 11	<p><u>THE ANNUAL REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES 2019/2020</u></p> <p>Consideration was given to report of the Head of Legal & Corporate Compliance.</p> <p>The Head of Legal & Corporate Compliance presented the report which informed Members of the Council's performance with regard to complaints to the Public Services Ombudsman for Wales.</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>RESOLVED that the report be accepted and the Audit Committee note that the process for the monitoring of complaints was robust and the performance information provided reflected these practices (Option 1).</p>	
No. 12	<p><u>WAO ACTION PLAN UPDATE</u></p> <p>Consideration was given to report of the Corporate Director of Social Services.</p>	

	<p>The Corporate Director of Social Services presented the report which updated Members on the formation of the Corporate Safeguarding Leads group and the developments in respect of the Welsh Audit Office (WAO) recommendations following their review of the arrangements of the corporate arrangements for the safeguarding of children.</p> <p>The conclusion of the WAO review was that the Council had made limited progress in addressing previous recommendations and proposals for improvement, and safeguarding arrangements were not consistent enough to provide assurance across all areas.</p> <p>The Corporate Director reported that as a direct result of the COVID 19 pandemic the Action Plan in response to the WAO recommendations has been amended to allow for the timescales for the completion of the actions to be extended.</p> <p>RESOLVED that the report be accepted and the WAO revised Action Plan timescale be approved (Option 1).</p>	
<p>No. 13</p>	<p><u>AUDIT WALES CERTIFICATE OF COMPLIANCE FOR THE AUDIT OF BLAENAU GWENT COUNTY BOROUGH COUNCIL'S ASSESSMENT OF 2019-20 PERFORMANCE</u></p> <p>Consideration was given to report of the Head of Governance and Partnerships.</p> <p>The Chief Officer Resources presented the Audit Wales Certificate of Compliance following the audit of the Council's Assessment of 2019-20 Performance.</p> <p>RESOLVED that the report be accepted and the Audit Committee note the compliance certificate dated October 2020.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SOCIAL SERVICES SCRUTINY
COMMITTEE – 10TH DECEMBER, 2020**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR S.C. THOMAS (CHAIR)

Councillors: K. Rowson
D. Bevan
G.A. Davies
P. Edwards
K. Hayden
W. Hodgins
J. Holt
M. Moore
G. Paulsen
T. Smith
B. Summers

Executive Member for Social Services

Councillor J. Mason

AND: Corporate Director of Social Services
Head of Children’s Services
Head of Adult Services
Service Manager, South East Wales Adoption Service
Communications & Policy Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	No apologies for absence were reported.	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>SOCIAL SERVICES SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Social Services Scrutiny Committee Meeting held on 5th November, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>INTEGRATED CARE FUND (ICF) UPDATE 2019/20</u></p> <p>Consideration was given to the report of the Head of Adult Services which was presented to provide an overview on the current allocation of funding for projects monitored by the Social Services Department and funded via the Welsh Government Integrated Care Fund (ICF) as at November 2020.</p> <p>The Head of Adult Services spoke to the report and advised Members that the Welsh Government had given a verbal update for a further extension of the fund for the transition year (2021/22), however, official confirmation of the exact allocation had not yet been received. The four key areas of the ICF were:-</p> <ul style="list-style-type: none"> • Older people with complex needs and long term conditions including dementia • People with Learning Disabilities • Children with Complex Needs due to disability or illness • Carers, including young carers <p>With regard to projects ranked as a high/critical priority, the Chair enquired if the Regional Partnership Board and Regional Partners had made concerted efforts to raise concerns with the Welsh Government on the detrimental impact removal of the funding would have on these projects. The Head of Adult Services said that both the Director of</p>	

Social Services and the Executive Member for Social Services as representatives on the Regional Partnership Board had, for the last two years, continually highlighted the concerns. Risk rating of the projects had provided a clear understanding of the impact moving forward and the final report on the risk rating and the financial pressures had been reported back to the Regional Partnership Board.

In response to a Member's question regarding how the impact of staff leaving could affect the running of the services, the Head of Adult Services said this had been a challenge all through the ICF projects, but with assurances from the Welsh Government for funding for the additional year, staff had not left in significant numbers but this was a high risk in relation to any grant funded programme.

In relation to posts a Member enquired about the differential between wte (whole time equivalent) posts and fte (full time equivalent) posts. The Head of Adult Services clarified the differential between the two; a number of posts were part time and some staff who had part time permanent posts within the Local Authority may be working full time by making up the hours using ICF funding.

A Member requested an update on the proposed extension to Augusta House, Ebbw Vale. The Head of Adult Services said initially there had been a delay due to the pandemic, but plans had been reviewed and gone back out to Planning. Exploratory work in relation to the groundworks were already underway.

In response to a Member's question regarding Blaenau Gwent's funding allocation for Adult Services and Children's Services, the Head of Adult Services explained that the allocation and bidding process can be complex as there were both revenue and capital funding streams within the investment plan of ICF. Since 2014 there had been bidding rounds every year, if a project that was suitable for ICF and aligned to the strategic priorities of the local authority, then a bid was submitted to the Regional Partnership Board. Some projects were regional so Blaenau Gwent's proportion of grant monies would be less, as it could be split five ways. In relation to Children's Services and the critical numbers of children they support, some of the grant monies

	<p>allocated could be contributed to support wider Gwent projects.</p> <p>The Director of Social Services explained that in 2014 when the Integrated Care Fund first started, it had been around older adults, funding for complex children came into being from 2016, historically a lot of the funding had gone to older people and adult services, only lately had the Authority been able to apply for children's funding this could be part of the reason for the differential of the funding allocation.</p> <p>In relation to the recommendations, a Member enquired if neighbouring authorities had alternative approaches for consideration. The Head of Adult Services said that no alternative approaches had been raised by neighbouring authorities, if Blaenau Gwent wanted to do anything specifically different then that would be presented to the RPB for discussion.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the actions currently underway to evaluate the future impact of the cessation of the ICF funded posts and services be approved.</p>	
<p>No. 6</p>	<p><u>NATIONAL ADOPTION SERVICE ANNUAL REPORT 2019/20</u></p> <p>Consideration was given to the report of the Director of Social Services which presented the performance of the South East Wales Adoption Service (SEWAS) and the National Adoption Service (NAS) for 2019/20.</p> <p>The Service Manager, South East Wales Adoption Service spoke to the report and highlighted the main points contained therein. The key areas of the report covered:-</p> <ul style="list-style-type: none"> • Children placed and waiting for adoption; • Demand for adoptive placements and adopter recruitment; • Life journey materials; and • Adoption Support. 	

The National Adoption Service (NAS) was formed in 2014 with the remit to improve recruitment, waiting times for children and improve options support.

Shortage of Adopters

In relation to recruitment of adopters a Member said that now a Recruitment Officer was in post, the Authority needed to be proactive in its attempts to recruit adopters, there needed to be some form of advertising to attract people to visit the website i.e. adverts on roundabouts etc. The Service Manager said that improvements to the website had been undertaken and the combination of social media and the website were attracting visits and also mentioned that a national campaign had taken place in October. The Head of Children's Services said SEWAS had a clear plan of attending events to raise awareness in the community throughout the year, unfortunately a lot of those events had been cancelled due to the pandemic.

The Chair proposed that to meet the needs of the service further advertising options for recruitment of adopters be explored.

The Committee AGREED this course of action.

A Member enquired what support was in place for adopters in relation to training. The Service Manager advised Members that there was a four day full training programme before the assessment started.

In relation to the shortage of adopters, a Member enquired if there was a national shortage or was the shortage just in South East Wales. The Service Manager said that some regions did better than others, but there were peaks and troughs. Some regions, after approving adopters, had delays matching adopters with children, this was not the case with SEWAS which was in part due to the quality of the assessments undertaken to get the right people, which helped to match them quickly.

The Chair and Scrutiny Members expressed their thanks to the staff and officers for all their hard work and diligence during the challenging year.

	<p>The Committee AGREED, subject to the foregoing, to recommend that the report be accepted and endorse Option 1, namely that to meet the needs of the service further advertising options for recruitment of adopters be explored.</p>	
<p>No. 7</p>	<p><u>FORWARD WORK PROGRAMME: 21ST JANUARY 2021</u></p> <p>Consideration was given to the report of the Chair of the Social Services Scrutiny Committee.</p> <p>After a brief discussion,</p> <p>the Committee AGREED that the report be accepted and endorse Option 1; namely that three additional reports be prepared and included in the Social Services Scrutiny Committee Forward Work Programme;</p> <ul style="list-style-type: none"> i. An update report on legal costs associated with the service, the report to include anonymised case studies; ii. Report on the use of consultants and with particular focus on costs and benefits associated within the service; and iii. An update report on vulnerable children during COVID-19 with focus on issues arising from school closures, to be presented to the meeting on 11th March, 2021. 	
	<p>As this was the last meeting of the Social Services Scrutiny Committee for 2020, the Executive Member for Social Services took the opportunity to thank Members for the support given to Senior Management and staff that support the Scrutiny Committee in its work, especially in this challenging and difficult period and for the professional way Members approach the very important work of the Social Services Committee.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: CORPORATE OVERVIEW SCRUTINY
COMMITTEE – 11TH DECEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR S. HEALY (CHAIR)

Councillors: M. Cook
P. Baldwin
G.A. Davies
L. Elias
J. Hill
H. McCarthy
J.P. Morgan
G. Paulsen
T. Smith
S. Thomas

AND: Corporate Director of Social Services
Corporate Director of Regeneration & Community Services
Corporate Director of Education
Chief Officer – Commercial
Chief Officer - Resources
Head of Organisational Development
Head of Governance & Partnerships
Press & Publicity Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<u>APOLOGIES</u>	

	<p>The following apologies for absence were received from:-</p> <p>Councillor G. Collier Councillor M. Cross Councillor C. Meredith Councillor L. Parsons Head of Community Services</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Corporate Overview Scrutiny Committee Meeting held on 11th September, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>TREASURY MANAGEMENT MID-YEAR REVIEW REPORT - 1ST APRIL 2020 TO 30TH SEPTEMBER 2020</u></p> <p>Consideration was given to the report of the Chief Officer Resources which was presented to give Members the opportunity to scrutinise the Treasury Management activities carried out by the Authority during the first half of the 2020/21 financial year.</p> <p>The Chief Officer Resources spoke to the report which provided Members with the opportunity to scrutinise the Treasury Management activities carried out by the Authority under delegated powers of the Chief Officer Resources during the period 1st April to 30th September, 2020 in accordance with the CIPFA Treasury Management Code of Practice. The Chief Officer noted that despite the financial climate in relation to the pandemic, the Authority had performed well in terms of its Treasury Management activities during the first half of the year and outlined the work undertaken as detailed in the report.</p>	

	<p>The Chief Officer Resources advised that the interest payments made had been minimised as far as possible with the average rate of interest of 0.67% being below the benchmarked rate which showed good performance. The Council had also not been exposed to any financial losses as a result of the current difficult economic climate.</p> <p>At this juncture, the Chair invited questions/observations from Members.</p> <p>A Member asked if the Authority still invested in fossil fuel and the Chief Officer Resources confirmed that there were no direct investments with fossil fuel companies. The Chief Officer noted previous discussions and informed that the pension fund had changed the strategy to move away from investments in fossil fuels and the Council's own Investment Strategy was being reviewed.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2, Members scrutinised the treasury management activity undertaken during the 2020/2021 financial year and no comment was provided prior to its submission to full Council.</p>	
No. 6	<p><u>HEALTH AND SAFETY ANNUAL REPORT</u> <u>01/04/2019 – 31/03/2020</u></p> <p>Consideration was given to the report of the Head of Organisational Development which was presented to give Members the opportunity to scrutinise and challenge information and recommendations to mitigate concerns and risks on the Authority's Health and Safety and Fire Safety at work performance for 2019/20.</p> <p>The Head of Organisational Development advised that the report would normally be presented during the July to September period, however due to the emergency response to the pandemic it had been delayed. The report provided the Committee with an opportunity to scrutinise and challenge recommendations made to mitigate concerns and risks on the Authority's Health and Safety and Fire Safety at work performance for 2019/20. The Officer added that overall performance was good and these findings were detailed in Appendix 1 of the report.</p>	

	<p>The Appendix outlined good performance along with areas of concerns and actions to be undertaken to address these matters. It was added that the report did not include any of the Health and Safety response to the emergency response to the Covid-19 pandemic. This information would form part of the report reviewing for 2020/2021.</p> <p>The Head of Organisational Development referred to the appendix and a correction of the figures for Social Service – there had been 50 accidents which was still a decrease on the year before.</p> <p>The Committee noted the information accordingly.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1, Members of the Corporate Overview Scrutiny Committee supported the detailed report and the actions recommended to mitigate areas of concern.</p>	
<p>No. 7</p>	<p><u>PREPARATIONS FOR EU TRANSITION</u></p> <p>Consideration was given to the report of the Head of Governance & Partnerships and the Policy Officer which was presented to provide Members with an update on the preparatory work undertaken during the EU Transition Period.</p> <p>The Head of Governance and Partnerships spoke to the report which provided an update on the preparatory work undertaken during the EU Transition Period. The Officer noted that the UK had left on the 31st January, 2020 and entered a transition period until 31st December, 2020. The Head of Governance and Partnerships advised that there still remained a level of uncertainty on the full implications of exiting the EU would have on local authorities. The Officer Core Planning Group had continued to meet during the pandemic to facilitate EU transition preparations and regular information had been received from the Welsh Local Government Association and Welsh Government in relation to the overall national picture. The Officer added that information from the Home Office regarding the EU Settlement Scheme was also being received and the Local Authority was represented on the WLGA Brexit Coordinator network.</p>	

The Head of Governance and Partnerships continued that the core officer planning group developed an impact and risk assessment to identify and respond to the local risks and opportunities associated with leaving the EU. An action plan had been established for Blaenau Gwent which was linked to the Action Plan developed by Welsh Government.

The Officer further spoke to the report and gave a detailed overview of the key activities, expected public outcomes and forward planning as detailed in the report.

At this juncture the Chair invited questions from Members.

In response to a question raised about the financial implications, the Head of Governance and Partnerships advised that the worst case scenario was being planned for as the Authority was not sure on the deal to be received. The Officer added that the scenarios were based on known evidence and intelligence gathered. It was anticipated that the outcome of the deal would be felt in phases.

The Corporate Director Regeneration and Community Services added that the Authority was uncertain of the impact on local businesses or the financial impact, however, any implications would be in the medium term and it would be monitored. The Corporate Director noted that a key issue for the Authority was the shared prosperity fund. This would be divided via the UK Government, therefore it was important to ensure there was local democracy.

Another Member noted the importance of the overlap of projects funded via Europe which would need to be continued.

The Head of Governance and Partnerships added that all this information would be provided as it developed via reports to this Committee.

A Member asked if there were groups working within communities.

	<p>The Head of Governance and Partnerships confirmed that there were groups which worked within our communities. The Core Officer Planning Group supported individuals to engage in the settlement scheme via community groups, education settlings and also digital support via libraries.</p> <p>The Policy Officer added that as at 30th September, 2020 980 EU Nationals had applied to the Settlement Scheme. The deadline was 30th June, 2021 and work would continue to ensure people were registered.</p> <p>Another Member anticipated that the next report could provide opportunities for Blaenau Gwent and the Officer advised that part of the Core Officer Working Group was to look for opportunities and to understand where they are and any associated risks.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2, progress made during the transition period be noted and specific comments or recommendations prior to the report being presented to the Executive for approval and update reports be received as part of its forward work programme.</p>	
<p>No. 8</p>	<p><u>CORPORATE COMMUNICATIONS STRATEGY PERFORMANCE MONITORING</u></p> <p>Consideration was given to the report of the Chief Officer Commercial which was presented for Members to consider the performance of the Communication Strategy with focus on the impact of the strategy during COVID-19 Pandemic from March to September 2020.</p> <p>The Chief Officer Commercial spoke to the report which outlined the performance and impact of the Communication Strategy during COVID19 Pandemic and outlined the key points as contained in the report.</p> <p>A Member noted the excellent work undertaken by the Communications Team, however he had hoped that there would be a more proactive approach from the Leader of the Council.</p>	

	<p>The Member advised that Leaders of neighbouring authorities had been featured in news reports during the pandemic, although the Leader of the Blaenau Gwent Council had not been seen during these unprecedented times. The Member added that as Leader it was important that key messages were given by the Leader to ensure our communities had confidence in the Council and was able to put a name to the face.</p> <p>The Chair felt that there had been no reason for the Leader of the Council to take part in Welsh news reports. The Member referred to the high cases of Covid-19 in Blaenau Gwent and asked was this not a reason for the Leader of the Council to address our residents, as other Leaders had done in Merthyr Tydfil, Newport, Torfaen and Rhondda Cynon Taff.</p> <p>Another Member concurred with the comments raised and stated it was not just about television appearances but also about radio and newspaper articles. The Member was of the opinion that public confidence during these uncertain times was critical and although the work of the Communications Team was outstanding there was a need for political input. The public preferred to see comments from a political point of view not a Council's spokesperson.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1, the performance of the Communication Strategy be noted, particularly on the impact of the strategy during COVID19 Pandemic. The period covered will be from March to September 2020.</p>	
<p>No. 9</p>	<p><u>COMMERCIAL STRATEGY PERFORMANCE MONITORING</u></p> <p>Consideration was given to the report of the Chief Officer Commercial which was presented for Members to consider the performance of the Commercial Strategy and focus on the impact of the strategy on the period from March to September 2020.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1, the performance of the Commercial Strategy during the period March 2020 – September 2020 be noted.</p>	

No. 10 **SICKNESS ABSENCE PERFORMANCE**

Consideration was given to the report of the Head of Organisational Development which was presented to provide Members with the opportunity to scrutinise and challenge the sickness absence performance for 2019/20.

The Head of Organisational Development advised that the report provided Members with an opportunity to scrutinise and challenge the sickness absence performance for 2019/20. It also outlined the continued actions to support improvement in attendance and recognised the positive attendance of the majority of the workforce.

The Head of Organisational Development added that the overall year end outturn figure for the Council of 13.91 days per full time equivalent employee which was 13.48 days excluding Covid-19 sickness. This was an increase from the previous year's outturn of 12.66 days and exceeded the target set of 11 days. This information was further detailed in the appendices attached to the report. The Officer further referred to historical measures put in place to improve attendance and ongoing measures in an attempt to address attendance.

A Member raised concerns around the continued increase in sickness within the Authority and referred to the work of the Task and Finish Group which had seen little improvement in the figures. However, although there was a pandemic which would affect sickness levels it was felt that sickness levels remained very high across the Council.

The Head of Organisational Development advised that the Policy had been fundamentally reviewed and it was concluded that it was fit for purpose by the Task and Finish Group. The iTrent HR system provides detailed information to managers to enable the management of sickness absence.

In response to further concerns around sickness levels and performance it was advised that the information was presented to CLT on a quarterly basis and formed part of the Performance and Finance report which was presented to Corporate Overview Scrutiny Committee on a quarterly basis.

	<p>A further question was raised in relation to individual departments sickness levels being monitored, the Head of Organisational Development advised that each Directorate would be reviewing the top 20 cases. Last year reports were considered at the respective Scrutiny Committees with an overarching report presented to the Executive.</p> <p>A Member asked if Blaenau Gwent could work in collaboration with a neighbouring Authority to ascertain how they addressed sickness levels. It was confirmed that this exercise was undertaken as part of the Task and Finish Group work.</p> <p>In response to a request to bring further reports through the political process, it was stated that the Authority was responding to Covid-19 at present and capacity would be an issue.</p> <p>The Committee AGREED that the report be accepted and endorse Option 1, the Scrutiny Committee having scrutinised the sickness absence performance information and the ongoing actions to support improved attendance within the Council identify any further areas for improvement in order to drive forward performance improvement.</p>	
<p>No. 11</p>	<p><u>MEDIUM TERM FINANCIAL STRATEGY</u> <u>2021/2022 TO 2025/2026</u></p> <p>Consideration was given to the report of the Chief Officer Resources which was presented to Members to gain approval of the Medium Term Financial Strategy (MTFS) and provides Members with the latest assessment of the Council's financial position over the next 5 years.</p> <p>The Chief Officer Resources spoke to the report and provided a detailed overview of the key points as outlined in the report and appendices.</p>	

	<p>The Committee AGREED that the report be accepted and endorse Option 1, as follows:-</p> <ul style="list-style-type: none"> • considered and agreed the MTFS; • noted the forecast funding gap for the period of the MTFS; • the cost pressures identified at Appendix 1 of the MTFS be noted; and • the progress update within the Strategic Business Reviews attached at Appendix 2 of the MTFS be noted. 	
<p>No. 12</p>	<p><u>FORWARD WORK PROGRAMME –</u> <u>22ND JANUARY, 2021</u></p> <p>Consideration was given to the report of the Chair of the Corporate Overview Scrutiny Committee.</p> <p>A Member requested a report on consultancy fees be presented to a future Committee. It was advised that this had been requested and agreed at the Regeneration Scrutiny Committee. However, the Member felt that as this was a corporate issue the overarching report should be presented to the Corporate Services Committee. The Member was aware that a report had also been requested by the Social Services Scrutiny Committee, therefore it was suggested that information be presented to respective Scrutiny Committees with an overarching report to the Corporate Services Committee.</p> <p>The Chief Officer Resources agreed to this course of action.</p> <p>Another Member referred to CCTV progress reports and noted that it had not been included on the FWP. The Chief Officer Resources advised that these reports were planned on the Forward Work Programme, however it would be presented later in the year and not the January meeting.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and endorse Option 2, the Forward Work Programme be agreed for the meeting 22nd January 2021, as presented.</p>	

Agenda Item 27

Executive Committee and Council only

Date signed off by the Monitoring Officer: 14.01.2021

Date signed off by the Section 151 Officer: 08.01.2021

Committee:	Council
Date of Meeting:	28th January, 2021
Report Subject:	Treasury Management Mid-Year Review Report - 1st April 2020 to 30th September 2020
Portfolio Holder:	Councillor N. Daniels – Leader/Executive Member - Corporate Services
Report Submitted by:	Rhian Hayden, Chief Officer Resources
Report Written by:	Joanne Watts, Business Partner Finance

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	19.11.20				11.12.20		28.01.21	

1. Purpose of the Report

- 1.1 The purpose of the report is to give Members the opportunity to consider the Treasury Management activities carried out by the Authority during the first half of the 2020/21 financial year.

2. Scope and Background

- 2.1 The report provides a summary of the Treasury Management activities carried out under delegated powers by the Chief Officer Resources in the period 1st April to 30th September 2020 in accordance with the CIPFA Treasury Management Code of Practice.

- 2.2 Treasury Management can be defined as:

“The management of the local authority’s cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

- 2.3 The primary requirements of the CIPFA Code of Practice are currently as follows:

- a. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council’s treasury management activities.
- b. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.

- c. Receipt by the Council of an annual Treasury Management Strategy report (including the annual investment strategy report) for the year ahead, a mid-year review and an annual review report of the previous year.
- d. Delegation by the Council of responsibilities for implementing and monitoring Treasury Management policies and practices and for the execution and administration of treasury management decisions, which in this Council is now the Chief Officer Resources.
- e. Delegation by the Council of the role of scrutiny of Treasury Management strategy and policies to a specific named body which in this Council is the Corporate Overview Scrutiny Committee.

2.4 This report is therefore presented to Council to provide a mid-year review report (attached as Appendix 1) of the Treasury Management activities for the 2020/2021 financial year, in accordance with (c) above

3. **Options for Recommendation**

3.1 Option 1 (preferred option)

Members note the activity undertaken during the first half of the 2020/2021 financial year and accept the record of performance and compliance achieved during the first half of the 2020/21 financial year.

3.2 Option 2

Members note the activity undertaken during the first half of the 2020/2021 financial year and do not accept the record of performance and compliance achieved during the first half of the 2020/2021 financial year.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 The report is written under legislation the Local Government Act 2003), Welsh Government guidance and CIPFA codes of practice.

4.2 This report also supports the Corporate Plan Priority of being an efficient Council.

5. **Implications Against Each Option**

Impact on Budget (short and long term impact)

5.1.1 The Authority has complied with the CIPFA Treasury Management in the Public Services: Code of Practice 2017 and in doing so has strived for effective risk management and control, whilst at the same time pursuing best value as far as possible.

- 5.1.2 The Authority has effectively managed credit risk throughout the period, so ensuring that it has not been subjected to any financial loss as a result of the pandemic
- 5.1.3 The Authority has maximised investment returns as far as is possible whilst managing the associated risk and minimised borrowing costs throughout the period.
- 5.1.4 Investment returns of £3,000 have been achieved with an average interest rate of 0.07%. This is above the benchmark rate of -0.07% this is reflective of the impact the pandemic has had on the bank base rate and in turn the market interest rates offered for investments. The annual budgeted investment interest for the full year is £43,000. This is unlikely to be achieved this financial year, however the amount of interest paid has also significantly reduced which will counteract this.
- 5.1.5 An average interest rate of 0.67% has been paid on temporary borrowings against a benchmark of 1.00%, amounting to £159,000 for the six-month period. The budget for interest paid on short term borrowing is £660,000 for a full year - the full year interest payable is likely to be well within this budget.
- 5.1.6 A summary of the Treasury Management activities for the period are shown in the table below:

	Value	Interest	Average Interest Rate
	£m	£	%
Short Term Loans raised	108	159,000	0.67%
Short Term Investments made	242	3,000	0.07%
Long Term debt outstanding 30/9/20	97.9		3.63%
Short Term debt outstanding 30/9/20	46.2		0.58%

5.2 Risk including Mitigating Actions

- 5.2.1 The main risk in relation to Treasury Management is that of credit risk and protecting the Authority's cash. This is effectively managed through the Authority's risk averse Treasury Management policy that seeks to protect the capital sum rather than maximise investment returns.
- 5.2.2 From September 2020 the Debt Management Account Deposit Facility (DMADF) started offering negative interest rates on investments placed with them. This limited the investment opportunities available to the Authority. Ultimately, there is a risk that, the Authority could exceed the limit it is able to hold in its own bank account. In order to mitigate this the Authority has signed up to a Public Sector Money Market fund in line with its

Investment Strategy counterparty list. Furthermore, the Authority will continue to monitor other investment opportunities in the second part of the year. In addition, it is proposed that the existing Investment Strategy be amended and the amount able to be held in the Authority's bank account be increased from £6 Million to £10 million in order to mitigate this in full.

- 5.2.3 There is relatively little risk of increases or decreases in bank rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations.

5.3 *Legal*

- 5.3.1 The report is written under legislation (the Local Government Act 2003), Welsh Government guidance and CIPFA codes of practice.

5.4 *Human Resources*

- 5.4.1 There are no direct staffing implications to report. Staff directly involved with Treasury Management activities will continue to monitor the credit situation on a daily basis, and will notify the Chief Officer Resources accordingly. Any consequential changes required to be made to the borrowings or investment strategy as a result will be reported to the Council.

6. **Supporting Evidence**

6.1 *Performance Information and Data*

- 6.1.1 During the first half of the 2020/2021 financial year, due to the advantageous interest rates, the Authority entered into long term debt arrangements of £9m with the Public Works Loan Board (PWLB)/ other public authorities. These arrangements were made either to replace maturing loans or to finance capital expenditure.

- 6.1.2 Despite the financial climate in relation to the pandemic, the Authority has performed well in terms of its Treasury Management activities during the first half of the year, as detailed in the report and summarised below:

- a. Investment returns of £3,000 have been achieved in the period with an average interest rate of 0.07%. This is above the benchmark rate of -0.07% but reflects the impact the pandemic has had on the bank base rate and in turn the market interest rates offered on investments. The annual budgeted investment interest is £43,000, this is unlikely to be achieved, however the amount of interest paid has also significantly reduced which counteracts this in its entirety.
- b. An average interest rate of 0.67% has been paid on temporary borrowings against a benchmark of 1.00%, amounting to £159,000 for the six month period. The budget for interest paid on short term borrowing is £660,000 for a full year - the full year interest payable is likely to be well within this budget. The interest payable by the

Authority has therefore been minimised as far as possible and is evidence of good performance.

- c. All of the Treasury limits and Treasury Management prudential indicators set for the financial year have been complied with during the year.
- d. No institutions in which investments were made during the period had any difficulty in repaying investments and interest in full, so the Authority has not been exposed to any financial loss as a result of the difficult economic climate. However, the Debt Management Account Deposit Facility (DMADF) started offering negative interest rates from September 2020 on investments placed with them. This limits the investment opportunities available to the Authority. The Authority will continue to monitor other investment opportunities, however proposes an increase in the amount able to be held in the Authority's bank account from £6 Million to £10 million to avoid exceeding the current limit.

6.2 *Expected outcome for the public*

6.2.1 The Council's Treasury Management activities support delivery of services to the public.

6.3 *Involvement (consultation, engagement, participation)*

6.3.1 Members of the Corporate Overview Scrutiny Committee and full Council are involved in developing and monitoring compliance with the Council's Treasury Management Strategy.

6.4 *Thinking for the Long term (forward planning)*
n/a

6.5 *Preventative focus*

6.5.1 The Authority's Treasury Management policy prioritises protecting the capital sum rather than achieving higher interest returns

6.6 *Collaboration / partnership working*
n/a

6.7 *Integration(across service areas)*
n/a

6.8 *EqIA(screening and identifying if full impact assessment is needed)*
n/a

7. Monitoring Arrangements

7.1 As the nominated Committee, Council will receive three reports in every annual cycle:-

- A Treasury Management Policy report prior to the start of every financial year
- A mid-year progress report on Treasury Management activity
- An end of year out turn report on Treasury Management activity.

Background Documents /Electronic Links

- *Appendix 1*
- *Appendix A*
- *Appendix B*

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

1. INTRODUCTION AND BACKGROUND

The Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management 2009 was adopted by this Council in February 2010 and this Council fully complies with its requirements. The Code was revised in 2011 and further revised in 2017.

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the Council of an annual treasury management strategy report (including the annual investment strategy report) for the year ahead, a mid year review and an annual review report of the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions, which in this Council is the Chief Officer Resources.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specified named body which in this Council is the Corporate Overview Scrutiny Committee.

Treasury management in this context is defined as:

"The management of the local authority's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

The purpose of this report is to meet one of the above requirements of the CIPFA Code, namely the mid-year review report of treasury management activities, for the financial year 2020/21.

2. THIS TREASURY MANAGEMENT MID YEAR REVIEW REPORT COVERS

- ❖ Economic Background during the period
- ❖ Interest Rate Forecast
- ❖ Treasury Advisors
- ❖ The Council's treasury position as at 30 September 2020;
- ❖ Borrowing and investment rates for the first half of 2020/21;
- ❖ Mid-year review of the borrowing strategy 2020/21;
- ❖ Borrowing outturn for the first half of 2020/21;
- ❖ Debt rescheduling for the first half of 2020/21;

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

- ❖ Compliance with treasury limits and Prudential Indicators for the first half of 2020/21;
- ❖ Mid-year review of the investment strategy for 2020/21;
- ❖ Investment outturn for the first half of 2020/21;
- ❖ Other treasury management issues.

3. ECONOMIC BACKGROUND DURING PERIOD

As expected, the Bank of England's Monetary Policy Committee kept Bank Rate unchanged on 6th August. It also kept unchanged the level of quantitative easing at £745bn. Its forecasts were optimistic in terms of three areas:

1. The fall in GDP in the first half of 2020 was revised from 28% to 23%. This is one of the largest falls in output of any developed nation.
2. The peak in the unemployment rate was revised down from 9% in Q2 to 7½% by Q4 2020.
3. It forecast that there would be excess demand in the economy by Q3 2022 causing CPI inflation to rise above the 2% target in Q3 2022

It also squashed any idea of using negative interest rates, at least in the next six months or so. It suggested that while negative rates can work in some circumstances, it would be "less effective as a tool to stimulate the economy" at this time when banks are worried about future loan losses. It also has "other instruments available", including QE.

In addition, Brexit uncertainties ahead of the year-end deadline are likely to be a drag on recovery. The wind down of the initial generous furlough scheme through to the end of October is another development that could cause the Bank to review the need for more support for the economy later in the year. Admittedly, the Chancellor announced in late September a second six month package from 1st November of government support for jobs whereby it will pay up to 22% of the costs of retaining an employee working a minimum of one third of their normal hours. There was further help for the self-employed, freelancers and the hospitality industry. However, this is a much less generous scheme than the furlough package and will inevitably mean there will be further job losses from the 11% of the workforce still on furlough in mid September.

Overall, the pace of recovery is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one after a sharp recovery in June through to August which left the economy 11.7% smaller than in February. The last three months of 2020 are now likely to show no growth as consumers will probably remain cautious in spending and uncertainty over the outcome of the UK/EU trade negotiations. If the Bank felt it did need to provide further support to recovery, then it is likely that the tool of choice would be more QE.

There will be some painful longer term adjustments as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown up how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.

The Financial Policy Committee (FPC) report on 6th August revised down their expected credit losses for the banking sector to "somewhat less than £80bn". It stated that in its assessment "banks have buffers of capital more than sufficient to absorb the losses

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

4. INTEREST RATE FORECASTS

The Council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Group Interest Rate View 11.8.20		Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month average earnings		0.05	0.05	0.05	0.05	0.05	-	-	-	-	-
6 month average earnings		0.10	0.10	0.10	0.10	0.10	-	-	-	-	-
12 month average earnings		0.15	0.15	0.15	0.15	0.15	-	-	-	-	-
5yr PWLB Rate		1.90	2.00	2.00	2.00	2.00	2.00	2.10	2.10	2.10	2.10
10yr PWLB Rate		2.10	2.10	2.10	2.10	2.20	2.20	2.20	2.30	2.30	2.30
25yr PWLB Rate		2.50	2.50	2.50	2.60	2.60	2.60	2.70	2.70	2.70	2.70
50yr PWLB Rate		2.30	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.50	2.50

The coronavirus outbreak has done huge economic damage to the UK and economies around the world. After the Bank of England took emergency action in March to cut Bank Rate to first 0.25%, and then to 0.10%, it left Bank Rate unchanged at its meeting on 6th August (and the subsequent September meeting), although some forecasters had suggested that a cut into negative territory could happen. However, the Governor of the Bank of England has made it clear that he currently thinks that such a move would do more damage than good and that more quantitative easing is the favoured tool if further action becomes necessary. As shown in the forecast table above, no increase in Bank Rate is expected within the forecast horizon ending on 31st March 2023 as economic recovery is expected to be only gradual and, therefore, prolonged.

The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably relatively even, but is subject to major uncertainty due to the virus.
- There is relatively little UK domestic risk of increases or decreases in Bank Rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- **UK** - second nationwide wave of virus infections requiring a national lockdown
- **UK / EU trade negotiations** – if it were to cause significant economic disruption and a fresh major downturn in the rate of growth.
- **UK - Bank of England** takes action too quickly, or too far, over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

- A resurgence of the **Eurozone sovereign debt crisis**. The ECB has taken monetary policy action to support the bonds of EU states, with the positive impact most likely for “weaker” countries. In addition, the EU recently agreed a €750bn fiscal support package. These actions will help shield weaker economic regions for the next year or so. However, in the case of Italy, the cost of the virus crisis has added to its already huge debt mountain and its slow economic growth will leave it vulnerable to markets returning to taking the view that its level of debt is unsupportable. There remains a sharp divide between northern EU countries favouring low debt to GDP and annual balanced budgets and southern countries who want to see jointly issued Eurobonds to finance economic recovery. This divide could undermine the unity of the EU in time to come.
- Weak capitalisation of some **European banks**, which could be undermined further depending on extent of credit losses resultant of the pandemic.
- **US – the Presidential election in 2020**: this could have repercussions for the US economy and trade relations.

Upside risks to current forecasts for UK gilt yields and PwLB rates

- **UK** - stronger than currently expected recovery in UK economy.
- **Post-Brexit** – if an agreement was reached that removed the majority of threats of economic disruption between the EU and the UK.
- The **Bank of England is too slow** in its pace and strength of increases in Bank Rate and, therefore, allows inflationary pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.

5. TREASURY ADVISORS

The Council uses external treasury management advisors. The Council recognises that responsibility for Treasury Management decisions remains with the Authority at all times and will ensure that undue reliance is not placed upon our external service providers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

The Council retendered for the provision of Treasury Management advisory services as a result of the existing contract expiring on 30th April 2017. This resulted in the appointment of Link Asset Services for a period of two years until 20th April 2019, with an option to extend for a further two years, this option has been exercised by the Chief Officer Resources and Link have been appointed to the 30th April 2021.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

6. TREASURY POSITION AS AT 30 SEPTEMBER 2020

The Council's debt and investment position at the beginning of the year and the end of the half year was as follows:

This illustrates that the total debt outstanding as at 30 September 2020 was £144.2 million, comprising of long term debt of £97.9 million and short term debt of £46.2 million.

	31March 2020 Principal	Average Rate/ Return	30Sept 2020 Principal	Average Rate/ Return	Increase/ (Decrease) in Borrowing
	<u>£000</u>		<u>£000</u>		<u>£000</u>
Fixed Rate Funding:					
- PWLB	79,430	4.71%	76,996	4.05%	(2,430)
- Market Loans	14,000	1.67%	17,000	1.38%	3,000
Variable Rate Funding:					
- Market (LOBO *)	4,000	4.5%	4,000	4.50%	0
Total Long Term Debt	97,430	4.10%	97,996	3.63%	566
Short Term Loans(<365 days)	60,699	0.86%	46,199	0.58%	(14,500)
Total Debt	158,129	2.86%	144,195	2.68%	(13,934)
Investments:					
- Short Term	0		5,100		5,100
Total Investments	0		5,100		5,100

* LOBO – Lenders Option Borrowers Option. This loan has a fixed rate for the first two years of 3.85%. The remaining period of the loan (which we are now in) has a rate of 4.5%, but the lender can increase this rate at six month intervals.

7. BORROWING AND INVESTMENT RATES IN 2020/21

The following table displays a selection of interest rates prevailing as at 1st April 2020 and 30th September 2020.

	01/04/2020	30/09/2020
Bank Base Rate	0.10%	0.10%
7 day LIBID	0.01%	-0.07%
PWLB 10 year Maturity	1.47%	1.47%
PWLB 15 year maturity	1.78%	1.78%
PWLB 25 year maturity	2.03%	2.76%

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

8. MID YEAR REVIEW OF THE BORROWING STRATEGY FOR 2020/21

The Treasury Management Strategy Statement for 2020/21 was approved by Council in March 2020. The Borrowing Strategy adopted as part of this was as follows:

To utilise the Authority's overdraft facility:

To fund unexpected daily cash deficits;
To fund temporary cash shortfalls where there are no other sources of funding available within the marketplace.

To borrow over the short term:

To fund temporary cash shortfalls;
To maintain a suitably balanced maturity profile; to make short term savings required in order to meet budgetary constraints;
In anticipation of securing longer term loans at more attractive rates.

To borrow over the long term:

To reduce the Authority's average cost of borrowing;
To maintain a stable, longer term portfolio;
To maximise the potential for future debt rescheduling.

If appropriate to avoid all new external borrowing:

To maximise savings in the short term;
To run down temporary investment levels;
To minimise exposure to interest rate and credit risk.

Given the significant cuts to public expenditure and in particular to local government funding, the Authority's borrowing strategy continues to address the key issue of affordability without compromising the longer term stability of the debt portfolio. With short term interest rates generally much lower than long term rates, it can be cost effective in the short term to either use internal resources, or to borrow short term loans instead.

However, due to the current climate and the PWLB rates reducing to record lows, the Authority has been able to borrow in recent months into the longer term at affordable rates. This has allowed the Authority to be able to reduce long term borrowing costs and reduce overall treasury risk. The benefits of short term borrowing will be monitored regularly against the potential for securing advantageous longer term rates when the opportunity arises.

Borrowings undertaken during the period (see section 9 below) have been done so in accordance with this strategy and in the current economic climate it is considered that the approved strategy is still fit for purpose and therefore no revisions are proposed.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

9. BORROWING OUTTURN FOR THE FIRST HALF OF 2020/21

Long Term Borrowing

Definition

Long term borrowing relates to debt taken out for a period of greater than one year. It is taken out for periods of 1 year up to 50 years. This borrowing is required to finance capital expenditure undertaken in the year that is funded through:

- Borrowing approvals from Welsh Government, known as un-hypothecated supported borrowing (USB), for which revenue support for the borrowing costs is provided through the revenue support grant;
- Prudential borrowing, for which borrowing costs are funded through revenue savings.

Total outstanding as at 30th September 2020

The total long term debt outstanding as at 30th September 2020 was £97.9 million. This is made up of debt taken from the Public Works Loan Board (PWLB), from other local authorities (through the market place), and from the market (LOBO). This debt is due to be repaid within the following years:

Maturing Within	£000s
1YR	232
1-2YRS	5,697
2-3YRS	10,919
3-4YRS	8,764
4-5YRS	14,051
5-6YRS	1,876
6-10YRS	23,438
10-15YRS	5,962
15+ YRS	27,057
Total	97,996

New borrowings for the First Half of 2020/21

Due to advantageous interest rates, during the first half of 2020/21, the Authority entered into long term borrowing of £ 9 million.

Short Term Borrowing

Definition

Short term borrowing relates to debt taken out for a period of less than one year i.e. it will all be fully repaid within a year. These short term loans are taken out to manage the Authority's short term cash flow i.e. to fund deficits in cash flow on a daily basis pending receipt of income from grants or other sources, or pending the taking out of longer term debt to fund capital expenditure whilst we wait for advantageous longer term borrowing opportunities. Current short term borrowing rates are very low and are forecast to stay at these levels for the medium term. The Authority is therefore taking advantage of such rates and is borrowing short term to fund its capital expenditure and maturing debt until such time the market indicates that long term rates are more advantageous.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

Total outstanding as at 30th September 2020

The total short term debt outstanding as at 30th September 2020 was £46.2 million. This is made up of debt taken from other local authorities through the market place.

New borrowings for the First Half Year of 2020/21

Appendix A lists the short term loan activity during for the first half year and shows that over the period a total of £60.7 million loans were brought forward from the previous year and £48.0 million of new short term loans were raised. A total of £62.5 million of these loans were repaid during the first half year, leaving a balance outstanding as at 30th September 2020 of £46.2million.

The following table gives a summary which shows that the average rate of interest paid was in line with the benchmark.

	Total Value of Loans during the period	Average Loan	Interest paid during the period	Average Interest Rate	Benchmark Interest Rate *
Short Term borrowing	£108M	£2.5M	£159K	0.67%	1.00%

* Benchmark = 1.0% Budgeted interest rate for short term borrowings

7. DEBT RESCHEDULING

No debt rescheduling was undertaken during the period.

8. COMPLIANCE WITH TREASURY LIMITS

During the financial year the Council operates within the treasury limits and Prudential Indicators set out in the Treasury Strategy Statement 2020/21, approved by Council in July 2020.

Operational Boundary for external debt

The Council resolved that this limit be set at £166.5 million for 2020/21. The average level of borrowings to the 30th September 2020 was £144 million, this is well below the limit

The operational boundary can be exceeded on an occasional basis, and this is to be expected due to cash flow fluctuations. Sustained breaches however, would indicate that either the limit has been set too low, or that the Authority is breaching its prudential boundaries and that corrective action needs to be taken.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

Monitoring of the operational boundary is undertaken on a daily basis and any such continual breaches would be investigated and a recommended course of action reported to Council.

Authorised Limit for external Debt

The Council resolved that this limit be set at £181 million for 2020/21. The Authorised Limit is set having regard to the operational boundary above.

The average level of borrowings for the first half year to the 30th September 2020 was £144 million, so well within the limit set.

The Authorised Limit must not be breached.

Maturity Structure of Fixed Rate Borrowing

The Council resolved the following limits for the maturity structure of fixed rate borrowings for 2020/21;

	Upper Limit	Lower Limit	Actual as at 30/09/ 2020
under 12 months	20%	0%	0.24%
12 months and within 24 months	20%	0%	5.81%
24 months and within 5 years	50%	0%	34.43%
5 years and within 10 years	75%	0%	25.83%
10 years and above	95%	5%	33.69%

The actual debt maturity profile at 30th September 2020 is well within the limits set.

Upper Limit on Variable Interest Exposure

Council resolved the upper limit on variable rate exposures for 2020/21 should be set at 30% of outstanding long term debt. This strategy limits the proportion of interest which is subject to variable rate terms and hence protects the Council against increased costs in times of rising interest rates.

The actual level of variable borrowings is £4 million (LOBO) which equates to 4% of the outstanding long term debt as at 30th September 2020, so is well within the limit set.

9. MID YEAR REVIEW OF INVESTMENT STRATEGY FOR 2020/21

The Annual Investment Strategy for 2020/21 adopted by Council in March 2020 was to maintain only temporary, short term investments and to make those investments in accordance with anticipated cash flow requirements (including the investing of sums borrowed at prevailing low interest rates in anticipation of capital spending). The Council's investment priorities are:

- a. the security of capital;
- b. The liquidity of its investments.

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

The Council also aims to achieve the optimum return on its investments commensurate with proper levels of security and liquidity. The risk appetite of this Council is low in order to give priority to the security of its investments.

In order to ensure that the Authority's investments are secure and that risk is minimised an investment matrix is used to determine investment counterparties, which factors in Fitch and Moody's credit ratings, credit default swap (CDS) spread data, and credit rating agency comments.

Currently, the only approved investment counterparties available to the Authority are Barclays, the Authority's bank, Lloyds Bank, the Debt Management Account Deposit Facility (DMADF) and other local Authorities. The DMADF started offering negative interest rates from the 25th September 2020, so it is no longer viable to place cash in this facility. As a result the Authority has signed up to a Money Market fund in line with the counterparty list. Whilst interest rates receivable on these counterparties is low the security of the capital sum is high and there is no cost associated with placing cash there.

It is also proposed to revise the investment strategy for the second half of the year as the limit on the amount of money that can be held in the Authority's bank is £6million, however it is proposed to increase this to £10 million

This strategy has been adhered to in determining the investments for the first half of 2020/21 outlined in section 11 below.

10. INVESTMENT OUTTURN FOR THE FIRST HALF OF 2020/21

Appendix B gives details of the investments made during the first half of the year, and the following table gives a summary, which shows the Authority's average rate of return was below the benchmark.

	Total Value of Investments during period	Average Investment	Investment Returns	Average Rate of Return	Benchmark Return *
Internally Managed	£242M	£2.9M	£3k	0.07%	-0.07%

* Benchmark = 7 day LIBID

- 0.07%

No institutions in which investments were made had any difficulty in repaying investments and interest in full during the year.

11. OTHER TREASURY MANAGEMENT ISSUES

None to report

APPENDIX 1

TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2020/21

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List of Temporary Lenders 2020/2021

APPENDIX A

LENDER	NEW LOAN VALUE	RATE %	REPAYMENT DATE	DURATION OF LOAN DAYS	INTEREST DUE TO 30/09/2020	PRINCIPAL REPAYED 2020/2021	PRINCIPAL OUTSTANDING AS AT 30/09/2020
BG CARE AND REPAIR	199,000	0.10	CALL		99.77		199,000
LONDON BOROUGH OF EALING	2,000,000	0.97	22/04/2020	364	1,116.16	2,000,000	
NOTTINGHAMSHIRE PCC	3,000,000	0.95	06/07/2020	364	7,495.89	3,000,000	
HYNDBURN BOROUGH COUNCIL	1,000,000	0.95	01/06/2020	364	1,587.67	1,000,000	
HYNDBURN BOROUGH COUNCIL	1,000,000	0.93	20/07/2020	364	2,802.74	1,000,000	
CUMBRIA COUNTY COUNCIL	3,000,000	0.82	15/04/2020	148	943.56	3,000,000	
SHROPSHIRE COUNCIL	3,000,000	0.84	08/06/2020	185	4,694.79	3,000,000	
WEALDEN DISTRICT COUNCIL	3,000,000	0.82	08/04/2020	117	471.78	3,000,000	
TENDERING DISTRICT COUNCIL	1,000,000	0.80	21/05/2020	182	1,095.89	1,000,000	
TENDERING DISTRICT COUNCIL	1,000,000	0.80	28/07/2020	182	2,586.30	1,000,000	
SOUTH LANARKSHIRE COUNCIL	1,000,000	0.85	23/06/2020	183	1,932.88	1,000,000	
CARMARTHENSHIRE COUNTY COUNCIL	3,000,000	0.75	09/04/2020	91	493.15	3,000,000	
BROXBORNE BOROUGH COUNCIL	2,000,000	0.90	21/07/2020	182	5,473.97	2,000,000	
SHROPSHIRE COUNCIL	1,500,000	0.90	21/07/2020	182	4,105.48	1,500,000	
SOUTH KESTEVEN DISTRICT COUNCIL	2,000,000	0.85	22/05/2020	120	2,375.34	2,000,000	
BASINGSTOKE & DEAN BOROUGH COUNCIL	5,000,000	0.85	11/05/2020	111	4,657.53	5,000,000	
SOUTH LANARKSHIRE COUNCIL	3,000,000	0.83	30/06/2020	130	6,139.73	3,000,000	
ESSEX COUNTY COUNCIL	5,000,000	0.83	17/06/2020	121	8,754.79	5,000,000	
NORTHERN IRELAND HOUSING EXECUTIVE	5,000,000	0.92	15/07/2020	124	13,232.88	5,000,000	
VALE OF GLAMORGAN COUNCIL	2,000,000	1.05	08/03/2021	364	10,528.77		2,000,000
VALE OF GLAMORGAN COUNCIL	2,000,000	1.05	15/10/2020	202	10,528.77		2,000,000
EAST RIDING OF YORKSHIRE COUNCIL	3,000,000	1.00	20/08/2020	153	11,589.04	3,000,000	
ESSEX COUNTY COUNCIL	3,000,000	0.90	29/05/2020	60	4,290.41	3,000,000	
WARRINGTON BOROUGH COUNCIL	5,000,000	2.00	07/04/2020	13	1,643.84	5,000,000	
B/F Raised in previous years still outstanding	60,699,000				108,641.13	56,500,000	4,199,000

LINCOLNSHIRE COUNTY COUNCIL	5,000,000	0.95	20/05/2021	364	17,308.22		5,000,000
BRIDGEND COUNTY BOROUGH COUNCIL	2,000,000	0.90	16/06/2021	364	5,227.40		2,000,000
RYEDALE DISTRICT COUNCIL	1,000,000	0.87	28/05/2021	364	2,979.45		1,000,000
SOUTH KESTEVEN DISTRICT COUNCIL	2,000,000	0.70	27/11/2020	182	4,794.52		2,000,000
PCC HAMPSHIRE	2,000,000	0.37	28/09/2020	94	1,905.75	2,000,000	
HAMPSHIRE FIRE AND RESCUE AUTHORITY	1,000,000	0.37	28/09/2020	94	952.88	1,000,000	
STAFFORDSHIRE COUNTY COUNCIL	3,000,000	0.35	19/08/2020	61	1,754.79	3,000,000	
NORTH TYNESIDE COUNCIL	3,000,000	0.40	15/01/2021	184	2,564.38		3,000,000
HERTSMERE BOROUGH COUNCIL	5,000,000	0.55	20/07/2021	364	5,424.66		5,000,000
TENDRING DISTRICT COUNCIL	2,000,000	0.15	19/10/2020	94	624.66		2,000,000
CRAWLEY BOROUGH COUNCIL	5,000,000	0.35	19/02/2021	186	2,157.53		5,000,000
HINCKLEY & BOSWORTH DIST. COUNCIL	3,000,000	0.50	30/07/2021	364	2,547.95		3,000,000
CARMARTHENSHIRE COUNTY COUNCIL	3,000,000	0.20	28/01/2021	184	1,068.49		3,000,000
EAST RIDING OF YOURKSHIRE COUNCIL	3,000,000	0.20	22/02/2021	186	690.41		3,000,000
EAST NORTHAMPTONSHIRE DC	3,000,000	0.05	30/11/2020	94	139.73		3,000,000
NEW FOREST DISTRICT COUNCIL	1,500,000	0.20	18/03/2021	181	106.85		1,500,000
HAMPSHIRE COUNTY COUNCIL PENSION FUND	2,500,000	0.20	18/03/2021	181	178.08		2,500,000
HAMPSHIRE COUNTY COUNCIL	1,000,000	0.20	18/03/2021	181	71.23		1,000,000
Total Raised during the Period	48,000,000				50,496.98	6,000,000.00	42,000,000.00

Total Value of Loans

108,699,000

159,138.11 62,500,000.00 46,199,000.00

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INVESTMENTS 2020/2021

APPENDIX B

DATE	BORROWER	VALUE	RATE %	REPAYMENT DATE	DURATION OF INVESTMENT DAYS	INTEREST RECEIVED DURING PERIOD	INVESTMENTS RECEIVED BACK DURING PERIOD	INVESTMENTS AS AT 30/09/2020
BT								
2020/21								
01/04/2020	THURROCK COUNCIL - ESSEX	6,000,000	0.250	07/04/2020	6	246.58	6,000,000	
01/04/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.055	06/04/2020	5	37.67	5,000,000	
01/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.080	09/04/2020	8	105.21	6,000,000	
03/04/2020	DEBT MANAGEMENT OFFICE	3,000,000	0.060	08/04/2020	5	24.66	3,000,000	
03/04/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.080	15/04/2020	12	131.51	5,000,000	
06/04/2020	DEBT MANAGEMENT OFFICE	2,000,000	0.035	08/04/2020	2	3.84	2,000,000	
06/04/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.045	09/04/2020	3	18.49	5,000,000	
07/04/2020	DEBT MANAGEMENT OFFICE	1,000,000	0.045	09/04/2020	2	2.47	1,000,000	
07/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.050	14/04/2020	7	57.53	6,000,000	
14/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.055	17/04/2020	3	27.12	6,000,000	
14/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.060	20/04/2020	6	59.18	6,000,000	
15/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.080	22/04/2020	7	92.05	6,000,000	
17/04/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.080	24/04/2020	7	92.05	6,000,000	
20/04/2020	DERBYSHIRE COUNTY COUNCIL	1,000,000	0.150	11/05/2020	21	86.30	1,000,000	
21/04/2020	DEBT MANAGEMENT OFFICE	2,000,000	0.075	27/04/2020	6	24.66	2,000,000	
22/04/2020	CALDERDALE COUNCIL	1,200,000	0.120	28/04/2020	6	23.67	1,200,000	
24/04/2020	DEBT MANAGEMENT OFFICE	3,000,000	0.080	30/04/2020	6	39.45	3,000,000	
27/04/2020	OFFICE POLICE CRIME COM DEVON & CORNWALL	2,000,000	0.120	30/04/2020	3	19.73	2,000,000	
30/04/2020	OFFICE POLICE CRIME COM DEVON & CORNWALL	4,000,000	0.400	07/05/2020	7	306.85	4,000,000	
30/04/2020	PCC FOR DORSET	3,000,000	0.450	07/05/2020	7	258.90	3,000,000	
01/05/2020	PCC FOR THAMES VALLEY	1,000,000	0.150	07/05/2020	6	24.66	1,000,000	
01/05/2020	CALDERDALE COUNCIL	2,700,000	0.200	14/05/2020	13	192.33	2,700,000	
05/05/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.040	11/05/2020	6	26.30	4,000,000	
05/05/2020	CALDERDALE COUNCIL	1,000,000	0.120	22/05/2020	17	55.89	1,000,000	
07/05/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.040	12/05/2020	5	27.40	5,000,000	
11/05/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.040	15/05/2020	4	21.92	5,000,000	
13/05/2020	CALDERDALE COUNCIL	1,300,000	0.100	21/05/2020	8	28.49	1,300,000	
14/05/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.040	15/05/2020	1	5.48	5,000,000	
15/05/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.040	19/05/2020	4	17.53	4,000,000	
15/05/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.040	22/05/2020	7	30.68	4,000,000	
19/05/2020	DEBT MANAGEMENT OFFICE	1,000,000	0.040	29/05/2020	10	10.96	1,000,000	
21/05/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.040	29/05/2020	8	35.07	4,000,000	
21/05/2020	CALDERDALE COUNCIL	1,600,000	0.120	29/05/2020	7	36.82	1,600,000	
22/05/2020	DEBT MANAGEMENT OFFICE	2,000,000	0.030	26/05/2020	4	6.58	2,000,000	
28/05/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.020	08/06/2020	11	24.11	4,000,000	
29/05/2020	PCC DORSET	2,100,000	0.120	04/06/2020	6	41.42	2,100,000	
29/05/2020	PCC DORSET	400,000	0.120	04/06/2020	6	7.89	400,000	
01/06/2020	PCC WEST YORKSHIRE	2,000,000	0.120	02/06/2020	1	6.58	2,000,000	
01/06/2020	PCC DORSET	500,000	0.120	04/06/2020	3	4.93	500,000	
04/06/2020	PCC DORSET	1,000,000	0.120	12/06/2020	8	26.30	1,000,000	
04/06/2020	PCC DEVON & CORNWALL - EXETER	1,500,000	0.120	4/06/2020	1	4.93	1,500,000	
03/06/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.020	08/06/2020	5	16.44	6,000,000	
04/06/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.020	09/06/2020	5	13.70	5,000,000	
08/06/2020	DEBT MANAGEMENT OFFICE	5,500,000	0.020	15/06/2020	7	21.10	5,500,000	
12/06/2020	CALDERDALE COUNCIL	1,200,000	0.060	22/06/2020	10	19.73	1,200,000	
12/06/2020	CALDERDALE COUNCIL	1,300,000	0.060	26/06/2020	14	29.92	1,300,000	
15/06/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.020	17/06/2020	2	6.58	6,000,000	
17/06/2020	CALDERDALE COUNCIL	700,000	0.060	26/06/2020	9	10.36	700,000	
17/06/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.010	23/06/2020	6	6.58	4,000,000	
01/07/2020	PCC DEVON & CORNWALL - EXETER	2,000,000	0.060	02/07/2020	1	3.29	2,000,000	
19/06/2020	CALDERDALE COUNCIL	1,100,000	0.060	29/06/2020	10	18.08	1,100,000	
23/06/2020	CALDERDALE COUNCIL	1,500,000	0.040	30/06/2020	7	11.51	1,500,000	
25/06/2020	PCC DEVON & CORNWALL - EXETER	600,000	0.070	26/06/2020	1	1.15	600,000	
25/06/2020	PCC DEVON & CORNWALL - EXETER	200,000	0.070	26/06/2020	1	0.38	200,000	
01/07/2020	PCC LINCOLNSHIRE	1,200,000	0.280	06/07/2020	5	46.03	1,200,000	
26/06/2020	DEBT MANAGEMENT OFFICE	3,000,000	0.010	30/06/2020	4	3.29	3,000,000	
30/06/2020	PCC DORSET	3,000,000	0.080	01/07/2020	1	6.58	3,000,000	
02/07/2020	PCC DORSET	1,300,000	0.080	03/07/2020	1	2.85	1,300,000	
03/07/2020	DEBT MANAGEMENT OFFICE	6,000,000	0.010	06/07/2020	3	4.93	6,000,000	
10/07/2020	DEBT MANAGEMENT OFFICE	2,000,000	0.010	15/07/2020	5	2.74	2,000,000	
30/07/2020	CALDERDALE COUNCIL	1,000,000	0.030	17/08/2020	18	14.79	1,000,000	
05/08/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.010	10/08/2020	5	6.85	5,000,000	
07/08/2020	CALDERDALE COUNCIL	1,800,000	0.020	29/08/2020	21	20.71	1,800,000	
10/08/2020	DEBT MANAGEMENT OFFICE	4,000,000	0.010	14/08/2020	4	4.38	4,000,000	
11/08/2020	THURROCK COUNCIL - ESSEX	1,500,000	0.070	25/09/2020	45	129.45	1,500,000	
12/08/2020	THURROCK COUNCIL - ESSEX	1,000,000	0.040	14/09/2020	33	36.16	1,000,000	
17/08/2020	THURROCK COUNCIL - ESSEX	1,000,000	0.020	29/09/2020	42	34.52	1,000,000	
17/08/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.010	19/08/2020	2	2.74	5,000,000	
17/08/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.010	21/08/2020	4	5.48	5,000,000	
19/08/2020	LONDON BOROUGH OF ISLINGTON	2,000,000	0.050	20/08/2020	1	2.74	2,000,000	
24/08/2020	THURROCK COUNCIL - ESSEX	2,000,000	0.030	25/09/2020	32	52.60	2,000,000	
14/09/2020	THURROCK COUNCIL - ESSEX	1,000,000	0.020	28/09/2020	14	7.67	1,000,000	
03/09/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.020	07/09/2020	4	10.96	5,000,000	
07/09/2020	DEBT MANAGEMENT OFFICE	5,000,000	0.010	15/09/2020	8	10.96	5,000,000	
07/09/2020	CALDERDALE COUNCIL - HALIFAX	800,000	0.030	24/09/2020	17	11.18	800,000	
10/09/2020	CALDERDALE COUNCIL - HALIFAX	600,000	0.020	12/10/2020	32			600,000
10/09/2020	THURROCK COUNCIL - ESSEX	500,000	0.020	12/10/2020	32			500,000
15/09/2020	DEBT MANAGEMENT OFFICE	3,000,000	0.010	21/09/2020	6	4.93	3,000,000	
18/09/2020	DEBT MANAGEMENT OFFICE	3,000,000	0.010	24/09/2020	6	4.93	3,000,000	
21/09/2020	DEBT MANAGEMENT OFFICE	2,000,000	0.010	29/09/2020	8	4.38	2,000,000	
24/09/2020	CALDERDALE COUNCIL - HALIFAX	2,000,000	0.030	15/10/2020	21			2,000,000
25/09/2020	THURROCK COUNCIL	2,000,000	0.030	26/10/2020	31			2,000,000
	BARCLAYS BANK SAVINGS ACC (to 30/09/2020)	4,055,492	0.00			0.00		
		242,155,492				2,884.85	233,000,000.00	5,100,000.00
	Average Investments	2,917,536						
	Interest Received					2,884.85		
	Average Interest Rate %		0.07					

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Agenda Item 28

Date signed off by the Monitoring Officer: 5.01.2021

Date signed off by the Section 151 Officer: 4.01.21

Committee: **Council**

Date of Meeting: **28th January 2021**

Report Subject: **Domestic Abuse, Violence and Sexual Violence Policy**

Portfolio Holder: **Councillor Nigel Daniels, Leader / Executive Member Corporate Services**

Report Submitted by: **Andrea J. Prosser – Head of Organisational Development**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
x	26.11.20				22.01.21		28.01.21	

1. Purpose of the Report

- 1.1 The purpose of this report is to seek approval from Council to adopt the Domestic Abuse, Violence and Sexual Violence Policy (“the amended policy”) (Appendix 2) which incorporates the current Violence against Women, Domestic Abuse and Sexual Violence policy (VAWDASV) (“the existing policy”) (Appendix 1) and proposed revisions.

2. Scope and Background

2.1 Title of policy

The amended policy is entitled: “Domestic Abuse, Violence and Sexual Violence Policy” which represents a change from “Violence Against Women, Domestic Abuse and Sexual Violence Policy”. It is a requirement of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“VAWDASV”) that all devolved public sector employers have a work place policy for Violence against Women, Domestic Abuse and Sexual Violence. The amended policy fulfils that requirement but the title of the amended policy makes clear that this policy is not exclusive to women, in recognition that men, women and non-binary individuals are victims of violence, domestic abuse and sexual violence. This demonstrates that the amended policy is free from gender bias and that all individuals suffering from domestic abuse/violence are covered, and supported by, a policy which is applicable to them, irrespective of gender.

2.2 Scope of policy

The amended policy applies to Council and school based employees.

2.3 Key changes to the Policy

The aim of the amendments is to ensure that effective and practical support mechanisms are in place across the Authority to assist victims of domestic abuse/violence and include;

- Definitions and key legislation
- Leave, up to 5 days paid safe leave and other supportive measures for victims
- Details the role of the manager

3. **Options for Recommendation**

The Corporate Leadership Team considered this report on the 26th November 2020 and support the proposed amendments to the Policy.

This report is to be considered at the Corporate Overview Scrutiny Committee meeting on 22nd January and any comments will be provided verbally to Council.

3.1 **Option 1:** (preferred option) That Council considers and approves the revisions to Policy.

3.2 **Option 2:** That Council provides comment and suggest any further amendments/additions to the Policy.

4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Statutory Responsibilities**

As outlined at 2.1 above, it is a requirement of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“VAWDASV”) that all devolved public sector employers have a work place policy for Violence against Women, Domestic Abuse and Sexual Violence.

4.2 **Blaenau Gwent Well-being Plan**

The amended policy, by offering increased support to victims of domestic abuse/violence helps to promote the following aspects of the Blaenau Gwent Well-being Plan:

- Safe and friendly communities
- To encourage and enable people to make healthy lifestyle choices in the places that they live, learn, work and play.

5. **Implications Against Each Option**

5.1 **Impact on Budget**

There is no direct cost to the amendment of this policy. There will be costs associated where a member of staff needs to take safe leave and the post will need to be covered.

5.2 **Risk**

Failure to amend the policy would mean non-compliance by BGCBC with Welsh Government’s request for Local Authorities to become role models, helping to support victims and survivors of domestic abuse, in terms of following Neath Port Talbot’s example and other good practice which exists e.g. Joint Council for Wales (JCW) Joint Statement on Domestic Abuse, GMB’s Work to Stop Domestic Abuse, Workplace Policy, and Unison’s Domestic Violence and Abuse: a Trade Union issue – a Unison Guide.

5.3 **Legal**

As above, it is a requirement of VAWDASV that all devolved public sector employers have a work place policy for Violence against Women, Domestic Abuse and Sexual Violence.

5.4 **Human Resources**

The amended policy, by enabling BGCBC to act as a role model, in terms of providing increased practical support to employees who are affected, in accordance with good practice could: improve employee well-being; aid employee recruitment and retention; reduce absences from work resulting from acts of domestic abuse/violence; and assist in improving any performance issues.

6. **Supporting Evidence**

6.1 **Performance Information and Data**

Statistical Information from the British Crime Survey Statistical Bulletin indicates the following:

Domestic abuse:

- Will affect 1 in 4 women and 1 in 6 men in their lifetime
- Leads to, on average, two women being murdered each week and 30 men per year
- Accounts for 16% of all violent crime (Source: Crime in England and Wales 04/05 report), however it is still the violent crime least likely to be reported to the police
- Has more repeat victims than any other crime (on average there will have been 35 assaults before a victim calls the police)
- Is the single most quoted reason for becoming homeless (Shelter, 2002)
- In 2010, the Forced Marriage Unit responded to 1735 reports of possible Forced Marriages.

In addition, approximately 400 people commit suicide each year who have attended hospital for domestic abuse injuries in the previous six months, 200 of these attend hospital on the day they go on to commit suicide.

6.2 **Expected outcome for the public**

Members of the public external to the Authority may be attracted to an employer, which endorses good practice and acts as a role model by providing increased support for victims of domestic abuse/violence. This may also contribute positively to the Council's reputation among members of the public.

6.3 **Involvement (consultation, engagement, participation)**

Consultation, engagement and participation regarding the amended policy has been internal to the Council, along with the Trade Unions who are supportive of the amended policy.

6.4 **Thinking for the Long term (forward planning)**

The amended policy is intended to provide increased support to all Council and school based employees and the clear aim and aspiration of the amended policy is that, long-term (and short-term), victims of domestic abuse/violence will be assisted by it, particularly by the additional supportive measures proposed.

6.5 Preventative focus

The amended policy aims to train staff regarding how to identify victims of domestic abuse/violence, where possible, so that if they seek support and assistance, they can receive it as soon as possible with the aim of preventing further domestic abuse/violence.

6.6 Collaboration / partnership working

The amended policy promotes collaboration in terms of multi-agency / partnership working, which would be necessary, for example, if information had to be shared in terms of safeguarding vulnerable children.

6.7 Integration (across service areas)

The additional support proposed by the amended policy is intended (among other aims and aspirations) to try to reduce absences from work resulting from acts of domestic abuse/violence and assist in improving any performance issues by offering practical support to employees who are affected. This could positively impact on all service areas.

6.8 EqIA (screening and identifying if full impact assessment is needed)

The amended policy promotes equal opportunity.

7. Monitoring Arrangements

7.1 It is recognised that due to confidentiality issues and sensitivities around cases of violence, domestic abuse and/or sexual violence, monitoring and evaluation is not always easy. However, the following information may be recorded and shared with the Violence Against Women and Domestic Abuse Team in Welsh Government:

- How the Policy has been promoted and staff awareness raised;
- Details of planned training and/or numbers of staff who have completed training; and
- The number of hits on the Blaenau Gwent intranet page hosting the workplace policy.

Background Documents /Electronic Links

Appendix 1 - Violence against Women, Domestic Abuse, Sexual Violence Policy (“existing policy”)



VAWDASV Policy -
May 2018.docx

Appendix 2 - Violence, Domestic Abuse and Sexual Violence Policy (“amended policy”)



Domestic Abuse,
Violence and Sexual V



Cyngor Bwrdeisdref Sirol
Blaenau Gwent
County Borough Council

Violence Against Women, Domestic Abuse & Sexual Violence Policy



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: May 2018 Review: May 2020

CONTENTS

1. POLICY STATEMENT	2
2. EQUALITY STATEMENT	3
3. INTRODUCTION.....	3
4. POLICY AIMS AND OBJECTIVES.....	4
5. SCOPE.....	4
6. DEFINITION.....	4
7. IMPACT OF DOMESTIC VIOLENCE/ABUSE ON THE WORKPLACE	6
8. EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE/ABUSE	6
9. THE ROLE OF MANAGERS.....	6
10. THE ROLE OF ORGANISATIONAL DEVELOPMENT.....	7
11. THE ROLE OF THE COMMUNITY SAFETY MANAGER (POLICY TEAM LEADER).....	7
12. THE ROLE OF THE TRADE UNION.....	7
13. CONFIDENTIALITY AND SECURITY.....	7
14. RIGHT TO PRIVACY	8
15. ANTI-DISCRIMINATION	8
16. PERPETRATORS OF DOMESTIC VIOLENCE AND ABUSE.....	8
17. IMPLEMENTATION	9
18. LINKS WITH OTHER POLICIES.....	9
19. PERFORMANCE MEASURES	10
20. HELP AND SUPPORT	10

1. POLICY STATEMENT

Domestic abuse is a serious social and criminal problem that accounts for almost a quarter of all violent crime and has significant human and financial consequences for individuals, families, communities and society as a whole.

Blaenau Gwent County Borough Council recognises that its employees will be amongst those affected by domestic abuse either as: a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a domestic homicide or as an individual who perpetrates domestic abuse.

The Council believes that domestic violence is unacceptable and a breach of human rights since everyone has the right to live free from fear and abuse. We are committed to developing a workplace culture in which there is zero tolerance for domestic violence, sexual violence and domestic abuse in all its forms and recognises that the responsibility for such abuse lies with the perpetrator.

The Council is committed to reducing domestic abuse and this policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse and where there are concerns that an employee may be the perpetrator of domestic abuse.

By developing an effective Workplace Domestic Violence and Abuse Policy and working to mitigate the risks related to domestic abuse, we will create a safe workplace and we will also send out a strong message that domestic abuse is unacceptable.

Through the effective implementation of this Workplace Policy and its commitment to partnership working to tackle domestic abuse and domestic violence, the council is able to demonstrate its commitment to tackling this issue. The Council wishes to be the employer of choice – it believes that this domestic abuse policy will help it to retain valued staff and improve employee performance and morale.

2. EQUALITY STATEMENT

Blaenau Gwent County Borough Council acknowledges that domestic violence and abuse can occur in all areas of society. The Council recognises that domestic abuse is an equalities issue and that some employees may face additional barriers and issues in seeking help because of their ethnic background, religion, age, sexual orientation, disability or gender which might make them feel particularly vulnerable when talking about their situation.

Any employee training on the subject of domestic violence will incorporate an appreciation of these issues and how to effectively manage them.

Blaenau Gwent County Borough Council has completed an Equalities Impact Assessment on this workplace policy which is available on request.

3. INTRODUCTION

Blaenau Gwent County Borough Council recognises that domestic violence and abuse is a significant issue in today's society. Statistics indicate that every year across the UK at least three million women experience violence/abuse and many more are living with the legacies of past abuse. Two women a week are killed and one in six men is affected, and it is also known that 90% of children are in the same or adjacent room when domestic abuse is occurring.

It is further recognised that whilst the majority of victims are women, men are also subjected to domestic violence and/or abuse, as are women and men in same sex relationships.

The Council acknowledges that some of its employees will be amongst those affected – either as an individual who is living with domestic violence and/or abuse or as an individual who perpetrates violence and/or abuse.

Blaenau Gwent Local Service Board has identified tackling domestic abuse as a priority in the Single Integrated Plan, under the Fair and Safe Theme. The responsibility for the delivery of the LSB commitments rests with the Domestic Abuse and Sexual Violence Forum. The Forum has an Action Plan that sets out the breadth of activity commissioned to tackle this issue.

4. POLICY AIMS AND OBJECTIVES

This Policy sets out the approach of the Council to its employees experiencing domestic violence or abuse.

The Council and the Trade Unions are committed to ensuring support is available to employees who are experiencing or surviving domestic violence or abuse.

The main aims and objectives of this policy are to:

- Increase awareness of the main issues associated with domestic violence and abuse.
- Positively assist and support employees who are experiencing or surviving domestic violence and abuse.
- Provide guidance and assist managers in supporting employees who are experiencing domestic violence and abuse in their personal lives – whether as a victim or as a perpetrator.
- Reduce absences from work resulting from domestic violence and abuse; and assist in improving performance by offering practical support to employees who are affected.
- Help everyone (including managers and elected members) recognise potential victims or perpetrators of domestic violence and/or abuse and to provide a supportive environment for them.
- Reinforce that Blaenau Gwent County Borough Council is committed to the principle that domestic violence and abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse.

There is currently no legislation which enables an employer to intervene if made aware that an employee is experiencing domestic violence and/or abuse, however the Council does have a responsibility under the Health and Safety at Work Act 1974 to provide a safe working environment. Additionally, Equality legislation places an onus on Public Sector organisations to demonstrate fair treatment for all in the delivery of policy and services.

5. SCOPE

All employees of the Council have the potential to be either a survivor or a current victim of domestic violence/abuse. Likewise, it is possible that perpetrators of domestic violence/abuse are employed by the Council. This policy applies to all workers who may benefit from increased awareness of the scale of the issue and what support is available.

6. DEFINITION

The definition of abuse, violence against women and sexual violence which informs this policy and procedure is set out in the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. This addresses all forms of gender-based violence, domestic abuse and sexual violence however particular forms of violence are disproportionately experienced by women and girls.

Domestic Abuse and Violence – Home Office

The cross-government definition of domestic violence and abuse is:

any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. (For example, this can include abuse and violence perpetrated by sons, daughters, grandparents or any other person who has a close or blood relationship with the victim).

The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

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

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

Violence against women – United Nations

Any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

Sexual Violence – United Nations

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.

The Council recognises that domestic abuse is rarely confined to a single incident and typically forms a pattern of coercive or controlling behaviour.

Domestic violence/abuse can manifest itself through a variety of actions such as:

- Physical assault or threats of physical assault (e.g. slapping, pushing, kicking, punching, stabbing or destruction of personal property);
- Sexual assault or threats of sexual assault;
- Emotional or psychological abuse (e.g. intimidation, verbal abuse, humiliation, not allowing friends or relatives to visit);
- Denial of rights or restriction of personal freedom (e.g. with-holding money or medical help);
- The imposition of social isolation or movement deprivation.

7. IMPACT OF DOMESTIC VIOLENCE/ABUSE ON THE WORKPLACE

Domestic abuse can lead to a variety of problems such as low self esteem, social exclusion, disturbed patterns of eating and sleeping, lack of confidence, depression, extreme anxiety, alcohol and substance misuse, self harm and suicide. The social and economic consequences of domestic violence can include homelessness, loss or separation from family friends, isolation, loss of employment, debt and destitution.

In adopting this policy the Council recognises that domestic abuse is not a private matter and can impact greatly on an individual's working life. Research shows that 75% of domestic abuse victims are targeted at work. It is often possible for perpetrators to use workplace resources, such as telephones, e-mail and other means, to threaten, harass or abuse their current or former partner.

It is known that domestic abuse can affect performance and productivity. The effects of domestic abuse can include decreased productivity, lateness, stress, absenteeism, errors and increased employee turnover. This can have an impact on financial resources and service delivery.

Colleagues may also be affected; they may be followed to or from work, or subject to questioning about the victim's contact details or location. They may have to cover workers while they are off work, try to fend off the abuse and may fear for their own safety.

8. EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE/ABUSE

Employees who make it known to Blaenau Gwent County Borough Council that they are experiencing domestic violence/abuse will be treated in a sympathetic and supportive manner. They will not be judged by other employees and will be encouraged to help themselves out of their abusive circumstances, having due regard for their personal safety and that of their children, where applicable.

Employees can seek advice and support from their line manager. Organisational Development provides a range of supportive and signposting services as set out at [Appendix 1](#), which include:

- [Occupational Health Service](#)
- Trade Union representatives should also be able to provide advice and support □ Other specialist service providers
- [Live Fear Free](#)

Employees who recognise or suspect that a colleague is living in an abusive situation at home should speak in confidence to their line manager. Employees should recognise that they are NOT counsellors and should be wary of promising more than they can deliver in terms of support. They should also consider their own wellbeing, as they may be putting themselves in danger if the abuser becomes aware of their support.

9. THE ROLE OF MANAGERS

Managers should appreciate how difficult it may be for an employee to discuss their personal circumstances and should always offer support in a sensitive and non-judgemental manner. They should also remember that, very often, signs of abuse will not be visible and that an individual may leave their abusive environment only to return again sometime in the future.

Where a manager suspects that an employee is experiencing domestic violence/abuse, they can contact their Organisational Development Business Partner for advice before any discussion takes place with the employee. Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity. Employees should never be pressured into disclosing any personal information that they do not feel comfortable sharing.

Managers may consider implementing reasonable measures which would protect the safety of employees who are experiencing domestic violence/abuse. For example, employees who are concerned for their safety while travelling between work and home, or whilst at work, may benefit from a temporary change of hours or place of work.

Managers should offer ongoing support to employees who are experiencing domestic violence/abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare.

Employees who are experiencing domestic violence/abuse may demonstrate poor punctuality, attendance, work performance and productivity. Managers should be aware that these factors may be symptoms of domestic violence/abuse and take appropriate steps to try and establish this prior to instigating any disciplinary procedures.

10. THE ROLE OF ORGANISATIONAL DEVELOPMENT

The Organisational Development Division provides a range of supportive services accessible for potential victims of domestic violence/abuse. Organisational Development Business Partners can also support managers in the management of cases of domestic violence/abuse.

11. THE ROLE OF THE COMMUNITY SAFETY MANAGER (POLICY TEAM LEADER)

To raise awareness of the policy and to organise and develop training in conjunction with the Organisational Development Division.

12. THE ROLE OF THE TRADE UNION

The Trade Union Representative will provide support to their members in dealing with cases of domestic abuse/violence.

13. CONFIDENTIALITY AND SECURITY

Discussions between a manager and an employee who is experiencing domestic violence/abuse will be treated in confidence. However, in some circumstances this confidence

may need to be broken in order to protect children or Adults at Risk in conjunction with Corporate Safeguarding policies, or where the employer needs to act to protect the safety of employees.

In circumstances where the Council has to breach confidentiality it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, it will discuss with the employee why it is doing so and it will seek the employee's agreement where possible.

As far as possible, information will only be shared on a need-to-know basis.

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Employees experiencing domestic abuse may choose to be accompanied at meetings by a colleague, trade union representative or a friend.

Employees should be reminded never to divulge personal information about colleagues to callers. On occasions, an employee who is being subjected to domestic violence and/or abuse may ask for telephone calls or personal visits to be directed through a colleague. This should happen only where the colleague is comfortable with such action and any such calls/visits should be reported to the appropriate line manager with the individual's consent.

14. RIGHT TO PRIVACY

The Council respects employees' right to privacy. Whilst the Council strongly encourages victims of domestic abuse to disclose domestic abuse for the safety of themselves and all those in the workplace, it does not force them to share this information with us if they do not want to. The Council does however require perpetrators of domestic abuse to declare any related prosecutions.

15. ANTI-DISCRIMINATION

The Council will not discriminate against anyone who has been subjected to domestic abuse both in terms of current employment or future development. If an employee discloses domestic abuse during disciplinary procedures in relation to performance, absenteeism, etc, then this will be taken into account. If it is felt that the issue can be resolved by addressing the support or safety needs of the employee the disciplinary process may be suspended.

16. PERPETRATORS OF DOMESTIC VIOLENCE AND ABUSE

Where a manager is aware that an employee is perpetrating abuse during working hours the matter should be discussed urgently with the Organisational Development Division.

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. The Council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

The Council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a serious matter and as such may invoke disciplinary proceedings in line with Council or School Policy.

Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or the whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

If a colleague is found to be assisting an abuser in perpetrating the abuse, for example, by giving them access to facilities such as telephones, e-mail or fax machines this will be taken seriously and as such may invoke disciplinary proceedings in line with Council or School Policy.

Any individual who is cautioned or convicted of a criminal offence may be subject to the Council's or Schools Disciplinary Procedure. Blaenau Gwent County Borough Council and School Governing Bodies therein reserves the right to consider implementing its Disciplinary Procedure should an employee's activities outside work have an impact on their ability to perform the role for which they are employed, or where their actions are likely to bring the Council or School into disrepute. This applies particularly to those individuals who work with the public, with children or with Adults at Risk. Any individual who is violent to or abusive of, their partner and who is concerned by this behaviour should seek support and help from an appropriate source, such as Occupational Health and other specialist services.

17. IMPLEMENTATION

A training programme in line with VAWDASV National Training Framework will be delivered to all Managers to raise awareness of domestic/ violence/abuse and the understanding of this policy and guidance.

Managers are responsible for raising the awareness of all employees of the policy.

All employees will be made aware of the policy and supporting information by means of the Council newsletters/publications, noticeboards, leaflets and the Intranet.

18. LINKS WITH OTHER POLICIES

This policy links with the following Council policies:

- Work-life Balance/Family Friendly policies
- Managing Attendance
- Management of Violence and Aggression in the Workplace
- Health and Safety
- Schedule of Leave
- Bullying and Harassment
- Capability Policy
- Disciplinary Code
- Alcohol and Drug Policy
- Strategic Equality Scheme
- Safeguarding

19. PERFORMANCE MEASURES

It is recognised that due to confidentiality issues and sensitivities around cases of violence against women, domestic abuse and sexual violence, monitoring and evaluation is not always easy. However the following information will be recorded and shared with the Violence Against Women and Domestic Abuse Team in Welsh Government:

- How the Policy has been promoted and staff awareness raised;
- Details of planned training and/or numbers of staff who have completed training; and
- The number of hits on the Blaenau Gwent intranet page hosting the workplace policy.

20. HELP AND SUPPORT

- **Occupational Health (Workforce Wellbeing)**

For details contact your Business Partner in the [Organisational Development Division](#).

- **Trade Unions**

Contact your Trade Union Representative

- **All Wales Academy**

Welsh Government has developed an e-learning module to raise awareness regarding violence against women, domestic abuse and sexual violence. This is available on the All Wales Academy, our online learning platform. It is anticipated that it will take approximately 45 minutes to complete the course.

Please click on the link below or paste it into your browser:

<https://learning.wales.nhs.uk/course/view.php?id=219>

Your login/username will be your personal reference number (found on your pay slip) prefixed with BGCBC e.g. **BGCBC123456** and your initial password is **Welcome1%**

If you are asked to enter an enrolment key it is **Blaen15%**

A helpdesk is available to assist with any username/password issues.

Email: elarning@wales.nhs.uk

Telephone: 01443 848636

- **Phoenix Domestic Abuse Services**

Phoenix Domestic Abuse Services is a registered charity established in 2002 to provide a free and confidential information and support service to those affected by domestic abuse within the borough of Blaenau Gwent.

Helpline: 01495 291202

Email: info@phoenixdas.co.uk

Website: <http://www.phoenixdas.co.uk>

- **Live Fear Free**

Live Fear Free is a Welsh Government website, providing information and advice for those suffering with domestic abuse, sexual violence and other forms of violence against women.

Helpline: 0808 8010 800 (24 hour, 365 days per year)

Email: info@livefearfreehelpline.wales

Website: <http://www.livefearfree.gov.wales/>

- **The Dyn Project**

The Safer Wales Dyn project provides support to Heterosexual, Gay, Bisexual and Trans men who are experiencing Domestic abuse from a partner. The Safer Wales Dyn helpline lets you speak confidentially to someone who can listen to you without judging your situation. We can give you support to deal with the problems faced and tell you if there are any services already available in your area. All calls to this line are free & confidential.

Helpline: 0808 801 0321 (Mon: 10am-4pm, Tues: 10am-4pm, Wed: 10am-1pm)

Email: support@dynwales.org

Website: <http://www.dynwales.org/>

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Domestic Abuse, Violence & Sexual Violence Policy



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: October 2020 Review: October 2025

Version Control

This document is intended for:

- Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By
November 2020	Awarding up to 5 days paid Safe Leave as a supportive measure for staff experiencing Domestic Abuse, Violence and Sexual Violence.	Council

This document may be reviewed and amended at any time and without consultation in response to legal requirements, in line with best practice or in response to an organisational requirement and where the changes do not affect the spirit or intent of the document.

Contents

1. Policy Statement	3
2. Scope	3
3. Policy Aims and Objectives	3
4. Definitions and Key Legislation	4
5. Impact of Domestic Abuse/Violence on the Workplace	6
6. Employees experiencing Domestic Abuse/ Violence.....	7
7. Leave, Time Off Work and other Supportive Measures for Victims	7
8. The Role of Managers.....	8
9. Perpetrators of Domestic Abuse/Violence.....	9
10. Training & Awareness Raising	10
11. Confidentiality.....	10
12. Right to Privacy	11
13. Equality Statement	11
14. Performance Measures	11
15. Data Protection.....	12
16. Help and Support	12

1. Policy Statement

Domestic abuse, violence and sexual violence (“domestic abuse/violence”) are serious social and criminal problems that account for almost a quarter of all violent crime and have significant human and financial consequences for individuals, families, communities and society as a whole.

We recognise that some of our employees will be amongst those affected by abuse either as a survivor or currently living with domestic abuse/violence, , someone who has been impacted by a domestic homicide or as an individual who perpetrates domestic abuse/violence. We are committed to developing a workplace culture in which there is zero tolerance for domestic abuse/violence in all its forms and recognise that the responsibility for such abuse lies with the perpetrator.

We will endeavour to take all possible steps to help combat the reality of domestic abuse/violence through prevention, protection and support for those employees affected by these issues.

Through the effective implementation of this policy and its commitment to multi-agency and partnership working to tackle domestic abuse/violence, we are committed to tackling this issue.

2. Scope

This policy applies to Council and School based employees.

3. Policy Aims and Objectives

We recognise that domestic abuse/violence are significant issues in today’s society and that we have a duty of care to ensure our employees work in a safe environment where risks to health and well-being are considered and dealt with effectively. In conjunction with the Joint Trade Unions we are committed to ensuring support is available to employees who are experiencing or surviving acts of domestic abuse/violence.

The main aims and objectives of this policy are to:

- Positively assist and support employees who are experiencing acts of domestic abuse/violence.
- To increase awareness of the training available and issues associated with all forms of violence and abuse.
- Provide guidance and assist managers in supporting employees who are victims of acts of domestic abuse/violence in their personal lives, and in terms of offering access to counselling and other support to employees perpetrating domestic abuse/violence who seek help from us.

- Reduce absences from work resulting from acts of domestic abuse/violence; and assist in improving any performance issues by offering practical support to employees who are affected.
- Help everyone (including managers and elected members) through training and understanding to recognise potential victims or perpetrators of acts of domestic abuse/violence and to provide a supportive environment for them.
- Reinforce the commitment to the principle that any form of violence or abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse.

4. Definitions and Key Legislation

It is a requirement of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“VAWDASV”) that all devolved public sector employers have a work place policy for Violence against Women, Domestic Abuse and Sexual Violence. This policy fulfils that requirement but is not exclusive to women, also including men and non-binary individuals. This policy covers: all forms of gender based violence, domestic abuse and sexual violence in recognition that both men, women and non-binary individuals are victims of violence; threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation; and also forced marriage.

The definition of abuse, violence against women and sexual violence, as set out in VAWDASV, addresses all forms of gender-based violence, domestic abuse and sexual violence; however women and girls disproportionately experience particular forms of violence.

Domestic Abuse and Violence – Home Office

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. (For example, this can include abuse and violence perpetrated by sons, daughters, grandparents or any other person who has a close or blood relationship with the victim).

The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

Domestic violence/abuse can manifest itself through a variety of actions such as:

- Physical assault or threats of physical assault (e.g. slapping, pushing, kicking, punching, stabbing or destruction of personal property);
- Sexual assault or threats of sexual assault;

- Emotional or psychological abuse (e.g. intimidation, verbal abuse, humiliation, not allowing friends or relatives to visit);
- Denial of rights or restriction of personal freedom (e.g. withholding money or medical help);
- The imposition of social isolation or movement deprivation.

We recognise that domestic abuse/violence is rarely confined to a single incident and typically forms a pattern of coercive or controlling behaviour.

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

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

Violence against women – United Nations

Any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

Sexual Violence – United Nations

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.

Gender-based violence

'Violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation; female genital mutilation; forcing a person (whether by physical force or coercion by threats or other psychological means) to enter into a religious or civil ceremony or marriage (whether or not legally binding)'.

Honour based abuse

Honour based abuse is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

Key Legislation

We acknowledge key legislation relevant to violence at work, including:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Reporting of injuries, Diseases and Dangerous Occurrences Regulations 1995
- Health and Safety (Consultation with Employees) Regulations 1996
- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) 2015 Act
- Well-Being of Future Generations (Wales) Act 2015
- Social Services and Wellbeing (Wales) Act 2014
- Equality Act (2010)

5. Impact of Domestic Abuse/Violence on the Workplace

Domestic abuse/violence can lead to a variety of problems such as low self-esteem, social exclusion, disturbed patterns of eating and sleeping, lack of confidence, depression, extreme anxiety, alcohol and substance misuse, self-harm and suicide. The social and economic consequences of domestic abuse/violence can include homelessness, loss or separation from family friends, isolation, loss of employment, debt and destitution.

In adopting this policy we recognise that domestic abuse/violence is not a private matter and can impact greatly on an individual's working life. It is often possible for perpetrators to use workplace resources, such as telephones, e-mail and other means, to threaten, harass or abuse.

It is known that domestic abuse/violence can affect performance and productivity. The effects can include decreased productivity, lateness, stress, absenteeism, errors and increased employee turnover. This can have an impact on financial resources and service delivery.

Colleagues may also be affected; they may be followed to or from work, or subject to questioning about the victim's contact details or location. They may have to cover employees while they are off work, try to fend off the abuse and may fear for their own safety.

6. Employees experiencing Domestic Abuse/ Violence

Employees who make it known to us that they are experiencing domestic abuse/violence will be treated in a sympathetic and supportive manner. They should not be judged by other employees and will be encouraged to help themselves out of their abusive circumstances, having due regard for their personal safety and that of their children, where applicable.

Employees can seek advice and support from their manager. In addition, we provide a range of supportive and signposting services, which include:

- [Occupational Health Service](#)
- [Employee Assistance Programme](#) offering counselling services
- Trade Union representatives should also be able to provide advice and support
- Other specialist service providers
- [Live Fear Free](#) helpline

Further details can be found in the [Help and Support](#) section.

Employees who recognise or suspect that a colleague is living in an abusive situation at home should speak in confidence to their manager. Employees should recognise that they are NOT counsellors and should be wary of promising more than they can deliver in terms of support. They should also consider their own wellbeing, as they may be putting themselves in danger if the abuser becomes aware of their support.

7. Leave, Time Off Work and other Supportive Measures for Victims

We are committed to supporting any employee experiencing domestic abuse/violence as follows:

Safe Leave

Safe Leave – up to 5 days paid safe leave pro rata is available to employees experiencing domestic abuse/violence for reasons including, but not limited to:

- Seeking Safe Housing
- Visiting legal advisors or support agencies for re-housing, to make alternative childcare arrangements, including meetings with schools, or other relevant appointments.
- Financial support

In addition, managers should also explore other measures supportively and sympathetically, which may include:

- Financial support, to prevent financial coercion, i.e. paying the victim's wages into a different bank account.
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser in a customer-facing role.
- Redeployment or relocation.
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including flexible working.
- Access to counselling/support services in paid time and the Occupational Health Service.
- Access to courses developed to support survivors of domestic abuse/violence, for example, The Freedom Programme or assertiveness training.

Managers will respect the right of staff to make their own decision on the course of action at every stage, subject to us being able to accommodate them via the above supportive measures.

8. The Role of Managers

Managers should appreciate how difficult it may be for an employee to discuss their personal circumstances and should always offer support in a sensitive and non-judgemental manner.

The role of the manager is to:

- Identify employees experiencing difficulties as a result of domestic abuse/violence where possible (for example, using regular performance coaching, or by fostering an open management culture that enables team members to disclose sensitive issues);
- Provide support in the first instance, including specific advice on the options available, but also recognising the limitations of their role (referring to professional counsellors or experts where necessary);
- Protect confidentiality in all instances (excepting the requirements of Safeguarding and/or protecting other employees);
- Refer individuals to the appropriate internal or external source of help and support;
- Ensure that the safety of all employees in the team is protected;
- Enable the affected employee to remain productive and at work during a difficult period in their domestic life, for example by utilising the available policies;
- Raise awareness of the policy to all employees;
- Keep training up to date in line with the National Training Framework relating to VAWDASV.

Where a manager suspects that an employee is experiencing domestic abuse/violence, they can contact the Organisational Development Team for advice before any discussion takes place with the employee. Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity but employees should never be pressured into disclosing any personal information that they do not feel comfortable sharing. In agreement with the staff member, another member of staff may be appointed as a nominated point of contact for the employee to support them further. This person will also provide guidance for line managers and union representatives who are approached by staff who are being abused.

Managers may consider implementing reasonable measures, which would support employees who are experiencing domestic abuse/violence as per section 7 above.

Employees who are experiencing domestic abuse/violence may demonstrate poor punctuality, attendance, work performance and productivity. Managers should be aware that these factors may be symptoms of violence and/or abuse and take appropriate steps to try and establish this prior to instigating any formal procedures.

9. Perpetrators of Domestic Abuse/Violence

Where a manager is aware that an employee is perpetrating abuse during working hours the matter should be discussed urgently with the Organisational Development Team.

Domestic abuse/violence perpetrated by employees is not accepted under any circumstances. We recognise that we have a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

We view the use of violence and abusive behaviour by an employee, under any circumstances, as a serious matter and as such will likely invoke the disciplinary procedure.

Where appropriate, action will need to be taken to minimise the potential for perpetrators to use their position or work resources to establish details or the whereabouts of their potential victims. This can include a change of duties or withdrawing access to certain computer programmes.

If a colleague is found to be assisting an abuser in perpetrating abuse, for example, by giving them access to facilities such as telephones or e-mail, this will be taken seriously and as such is likely to invoke the disciplinary procedure.

Any individual, who is prosecuted, convicted or cautioned in respect of a criminal offence, may to be subject to the Disciplinary Procedure. We therein reserve the right to implement the Disciplinary Procedure should an employee's activities outside work have an impact on their ability to perform the role for which they are employed, or where their actions are likely to bring the Council/School into disrepute. Any individual who is violent to others or abusive should seek support and help from an appropriate source.

10. Training & Awareness Raising

We are committed to ensuring all managers are aware of domestic abuse/violence and its implications in the workplace.

All employees will be made aware of this policy and supporting information by means of newsletters/publications, noticeboards, and the Intranet.

A training programme in line with VAWDASV National Training Framework is delivered as part of an ongoing rolling programme to raise awareness of violence and/or abuse and the understanding of this policy and guidance.

All employees are required to undertake the VAWDASV training, available at a level in-line with their role. Managers should confirm with new employees that they have completed the training appropriate to their role as part of their induction/probationary period.

Information, briefings or awareness raising sessions will ensure that all managers are able to:

- Identify, where possible, if an employee is experiencing difficulties because of domestic abuse/violence.
- Respond to disclosure in a sensitive and non-judgemental manner.
- Provide initial support – be clear about available workplace support.
- Discuss how the organisation can contribute to safety planning.
- Signpost to other organisations and sources of support.
- Understand that they are not counsellors.

11. Confidentiality

Discussions between a manager and an employee who is experiencing domestic abuse/violence will be treated in confidence. However, in some circumstances this confidence may need to be broken in order to protect children or adults at risk in conjunction with Corporate Safeguarding policies, or where the employer needs to act to protect the safety of employees.

In circumstances where we have to breach confidentiality, we will seek specialist advice before doing so. If we decide to proceed in breaching confidentiality after having taken advice, we will discuss with the employee why we are doing so and will seek the employee's agreement where possible.

As far as possible, information will only be shared on a need-to-know basis.

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Employees experiencing domestic abuse/violence may choose to be accompanied at meetings by a colleague or trade union representative.

Employees are reminded of the importance of not divulging personal details of other employees, such as addresses, telephone numbers or shift patterns. This is paramount when dealing with honour based abuse cases.

If an employee does not wish to discuss the detail of the domestic abuse/violence with their manager, the manager should advise them of other specialist agencies they can speak with as outlined in the help & support section of this policy.

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

12. Right to Privacy

We respect employees' right to privacy. Whilst we strongly encourage victims of domestic abuse/violence to disclose for the safety of themselves and all those in the workplace, we will not force them to share this information if they do not want to. We do however; require perpetrators of domestic abuse/violence to declare any related prosecutions, convictions or cautions.

13. Equality Statement

We acknowledge that domestic abuse/violence can occur in all areas of society. We recognise that domestic abuse/violence is an equalities issue and that some employees may face additional barriers and issues in seeking help because of their ethnic background, religion, age, sexual orientation, disability or gender, which might make them feel particularly vulnerable when talking about their situation.

Any training on the subject of domestic abuse/violence will incorporate an appreciation of these issues and how to overcome the barriers presented to these individuals.

We will not discriminate against anyone who has been subjected to domestic abuse/violence both in terms of current employment or future development. If an employee discloses domestic abuse/violence during disciplinary procedures in relation to performance, absenteeism, etc. this will be taken into account. If it is felt that, the issue can be resolved by addressing the support or safety needs of the employee the disciplinary process may be suspended.

14. Performance Measures

It is recognised that due to confidentiality issues and sensitivities around cases of violence, domestic abuse and/or sexual violence, monitoring and evaluation is not

always easy. However, the following information may be recorded and shared with the Violence Against Women and Domestic Abuse Team in Welsh Government:

- How the Policy has been promoted and staff awareness raised;
- Details of planned training and/or numbers of staff who have completed training; and
- The number of hits on the Blaenau Gwent intranet page hosting the workplace policy.

15. Data Protection

When an individual experiences domestic abuse/violence and is receiving support, any personal data collected will be processed in accordance with the relevant data protection policy. Data collected from the point at which we become aware of the issue is held securely and accessed by, and disclosed to, individuals only for the purposes of providing the necessary support.

16. Help and Support

- **Occupational Health & Employee Assistance Programme**

For details on Occupational Health, employees should contact their Manager or Organisational Development Team. Further information can also be found on the Organisational Development page of the intranet.

The Employee Assistance Programme employs professionally qualified Counsellors and Information Specialists, who are experienced in helping people to deal with all kinds of practical and emotional issues such as Wellbeing, family matters, relationships, debt management, workplace issues, and much more.

Telephone: **0800 174319**

- **All Wales Academy**

Welsh Government has developed an e-learning module to raise awareness regarding violence against women, domestic abuse and sexual violence. This is available on the All Wales Academy, the Council's online learning platform and is a mandatory training requirement. It is anticipated that it will take approximately 45 minutes to complete the course.

Please click on the link below or paste it into your browser:

<https://learning.wales.nhs.uk/course/view.php?id=219>

Your login/username will be your personal reference number (found on your pay slip) prefixed with BGCBC e.g. **BGCBC123456** and your initial password is **Welcome1%**

If you are asked to enter an enrolment key, it is **Blaen15%**

A helpdesk is available to assist with any username/password issues.
Email: elarning@wales.nhs.uk
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- **Phoenix Domestic Abuse Services**

Phoenix Domestic Abuse Services is a registered charity established in 2002 to provide a free and confidential information and support service to those affected by domestic abuse within the borough of Blaenau Gwent.

Helpline: 01495 291202
Email: info@phoenixdas.co.uk
Website: <http://www.phoenixdas.co.uk>

- **Live Fear Free**

Live Fear Free is a Welsh Government website, providing information and advice for those suffering with domestic abuse, sexual violence and other forms of violence against women.

Helpline: 0808 8010 800 (24 hour, 365 days per year)
Email: info@livefearfreehelpline.wales
Website: <http://www.livefearfree.gov.wales/>

- **The Dyn Project**

The Safer Wales Dyn project provides support to Heterosexual, Gay, Bisexual and Trans men who are experiencing Domestic abuse from a partner. The Safer Wales Dyn helpline lets you speak confidentially to someone who can listen to you without judging your situation. We can give you support to deal with the problems faced and tell you if there are any services already available in your area. All calls to this line are free & confidential.

Helpline: 0808 801 0321 (Mon: 10am-4pm, Tues: 10am-4pm, Wed: 10am-1pm)
Email: support@dynwales.org
Website: <http://www.dynwales.org/>

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Agenda Item 29

Executive Committee and Council only

Date signed off by the Monitoring Officer: 14.01.2021

Date signed off by the Section 151 Officer: 115.01.2021

Committee: **Council**

Date of Meeting: **28th January, 2021**

Report Subject: **Trans Equality Policy**

Portfolio Holder: **Councillor Nigel Daniels Leader / Executive Member – Corporate Services.**

Report Submitted by: **Andrea J Prosser – Head of Organisational Development.**

Report Written by: **Dominic Dickson – Senior HR Business Partner.**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
09/12/20	10/12/20				22/01/21		28/01/21	

1. Purpose of the Report

- 1.1 The purpose of this report is to seek approval from Council to implement the Trans Equality Policy.

2. Scope and Background

- 2.1 The Trans Equality Policy has been developed to supplement existing policies and to ensure that employees who do not identify with their birth assigned gender have the right to equal treatment and protection from discrimination at work, and managers are clear about their individual roles and responsibilities for supporting colleagues who are transitioning whilst in the workplace.
- 2.2 The implementation of the Trans Equality Policy will evidence that Blaenau Gwent County Borough Council is committed to supporting employees undergoing, or planning to undergo, gender reassignment and transition. It will also show the Council and Schools aim to eliminate discrimination based on Gender Identity, whilst creating a culture of respect for human rights and where our employees feel valued.
- 2.3 This Policy has been developed in respect of all employees of the Council, including School based employees and subject to approval will be recommended to School Governing Bodies for adoption.
- 2.4 The Trans Equality Policy has been developed in line with the Equality Act 2010, and the Gender Recognition Act 2004.

3. **Options for Recommendation**

The Corporate Leadership Team considered this report and Policy on the 10th December and support the approval and implementation of the Policy, and it is to be considered at the Corporate Overview Scrutiny Committee on 22nd January, 2021, with any comments provided verbally to Council.

3.1 **Option 1: (preferred option)** Council to consider the Policy and approve its implementation.

3.2 **Option 2:** That Council provides comment and suggest any further amendments/additions to the Policy.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Statutory Responsibilities**

As outlined at 2.4 above, this policy has been developed to supplement existing policies and is in line with the Equality Act 2010, which makes it unlawful to discriminate against, or treat someone unfairly because of gender reassignment. The policy has also been developed in line with the Gender Recognition Act 2004, which places a proactive duty on public organisations to promote equality of opportunity, foster good relations and eliminate unlawful discrimination between individuals who have the protected characteristic of gender reassignment and individuals who do not.

4.2 **Blaenau Gwent Well-being Plan**

The policy, by offering increased support to Trans Employees helps to promote the following aspects of the Blaenau Gwent Well-being Plan:

- Safe and friendly communities
- To encourage and enable people to make healthy lifestyle choices in the places that they live, learn, work and play.

5. **Implications Against Each Option**

5.1 **Impact on Budget**

There is no direct cost to the implementation of this policy.

5.2 **Risk**

Should Blaenau Gwent County Borough Council not implement a Trans Equality Policy, it could prove more difficult to evidence at an Employment Tribunal that an employee has not been discriminated against based on gender reassignment, which is a protected characteristic under the Equality Act 2010.

5.3 **Human Resources**

The implementation of the Trans Equality Policy, would evidence that the Council and Schools are a Trans-Inclusive Workplace, enabling Trans employees to feel supported. The policy aims to provide support and guidance to the Trans employee and manager alike to support during this process.

6. **Supporting Evidence**

6.1 **Involvement (consultation, engagement, participation)**

Consultation, engagement and participation regarding the development of the policy has been internal to the Council, along with the Trade Unions who are supportive of the policy.

6.2 **Thinking for the Long term (forward planning)**

The policy is intended to provide increased support to all Council and school based employees and the clear aim and aspiration of the policy is that, long-term (and short-term), Trans employees will be supported and assisted by it.

6.3 **EqlA (screening and identifying if full impact assessment is needed)**

The newly developed policy supplements existing policies in promoting equal opportunity.

7 **Monitoring Arrangements**

7.1 In Wales, the Equality Act 2010 (Wales) Regulations 2011 places a specific legal duty upon public authorities that requires the Authority to have effective arrangements in place to monitor equality and have in place systems to gather, analyse and publish employment monitoring data. No information will be published, or used in any way that identifies an individual.

7.2 The policy will be monitored regularly and reviewed in line with OD's Policy Schedule.

Background Documents /Electronic Links

Appendix 1 – Trans Equality Policy



Trans Equality
Policy.docx

Appendix 2 – EqlA



EqlA Screening
Trans Equality Policy

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Trans Equality Policy



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: xx Review: xx

Version Control

This document is intended for:

- Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By

This document may be reviewed and amended at any time and without consultation in response to legal requirements, in line with best practice or in response to an organisational requirement and where the changes do not affect the spirit or intent of the document.

Contents

1. Policy Statement	3
2. Definition	3
3. Scope	4
4. Legislation	4
5. Equality	5
6. Support.....	6
7. Adjustment of Records	6
8. Time off Work.....	7
9. Period of Transition	8
10. Recruitment.....	10
Redeployment/Retirement	10
References and Certificates.....	11
Qualifications/Professional Registration.....	11
Disclosure and Barring Service.....	11
11. Monitoring	11
12. Responsibilities	11
13. Dignity at Work	12
Appendix 1 – Support and Advice.....	13
Appendix 2 – Support Plan	15

1. Policy Statement

- 1.1 The Trans Equality Policy has been developed to ensure that employees who do not identify with their birth assigned gender have the right to equal treatment and protection from discrimination at work, and managers are clear about their individual roles and responsibilities for supporting colleagues who are transitioning whilst in the workplace.
- 1.2 For the purpose of this policy, 'we', 'us' and 'our' refers to the Council and Schools.
- 1.3 Blaenau Gwent County Borough Council is committed to supporting employees undergoing, or planning to undergo, gender reassignment and transition.
- 1.4 We will seek to not only eliminate all discrimination based on Gender Identity, but also create a working environment based on good relations between all employees, with a shared commitment to respecting diversity and difference. In addition, we will seek to ensure that its work environment enables employees to work to their full potential, provide a place where there is a culture of respect for human rights, and where employees feel valued.
- 1.5 This Policy is based on the principle that we will ensure that no transgender person will be treated less favourably on the grounds that they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex. We respect an individual's right to self-identify as male, female, or non-binary and we commit to recognising all employees as the gender in which they choose to present.
- 1.6 This policy has been developed in line with ACAS Guidance on Gender Reassignment, the Equality Act 2010, and alongside the Council's Strategic Equality Plan 2020-2024.

2. Definition

- 2.1 Although it is difficult to identify an exact number of individuals within the UK, there is a large number of individuals whose gender identity does not match their birth assigned gender, also known as Gender Dysphoria.
- 2.2 The term 'Trans' is used as a generic term referring to individuals who identify as transgender, transsexual, and transvestite and we will not discriminate against employees on the grounds of any of the identities under the trans umbrella.
- 2.3 Trans or 'transgender' describes individuals whose gender identity differs from their sex assigned at birth. They are umbrella terms covering individuals who:
 - are intending to undergo, are undergoing, or have undergone gender reassignment at any stage;
 - identify as having a gender different from that which they were assigned at birth and are planning or have had medical interventions such as hormones or surgery;

- identify as having a gender different from that which they were assigned at birth, but who are not planning any medical intervention; and/or,
 - Are non-binary – that is, they are not solely male or female. They may define themselves as both, neither or something entirely different. They may or may not have medical interventions to align their body with their non-binary gender identity.
- 2.4 Some Trans individuals want their body to match their gender identify, and will undergo a process of gender reassignment. However, the term transgender also covers those who cannot, or have decided not to undergo medical treatment. When referring to ‘gender identity’, this covers both the identities of individuals living in the gender of their birth sex, and the identities of transgender individuals. We recognise there is no right or wrong way to transition and are committed to supporting each individual in their decisions.
- 2.5 Trans individuals will self-identify. How they choose to describe themselves must be respected. If in doubt, always ask the individual how they wish for you to address them.

3. Scope

- 3.1 This policy applies to all employees and potential employees of the Council and School based employees.

4. Legislation

- 4.1 This policy has been developed in line with the legal obligations under The Equality Act 2010 and the Gender Recognition Act 2004.
- 4.2 The Equality Act 2010 (EqA 2010) makes gender reassignment a protected characteristic in its own right, and defines gender reassignment as applying to someone who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) to realign their gender by changing physiological or other attributes of their sex.
- 4.3 The EqA 2010 makes it clear that it is not necessary for an individual to have obtained medical intervention to gain protection; it is a personal process of moving away from a person’s birth gender to their preferred gender.
- 4.4 The term “transgender” is applied when someone has the protected characteristics of gender reassignment.
- 4.5 The EqA 2010 protects individuals based on gender reassignment from direct and indirect discrimination and harassment. This includes discrimination by association and discrimination against individuals perceived to have the protected characteristics of gender reassignment. All employees have a duty to respect others in line with the EqA 2010.

- 4.6 The Gender Recognition Act 2004 (GRA 2004) provides Trans individuals (aged over 18) with the opportunity to obtain legal recognition in their acquired gender by being issued with a gender recognition certificate (GRC). Anyone with a GRC will be legally recognised as their acquired gender, this means the person will acquire the rights and responsibilities of their acquired gender from the date of recognition. However, not all Trans individuals will choose to apply for a GRC and it is not our policy to ask a member of staff or job applicant if they have a GRC, or to ask to see a GRC. Asking a colleague or job applicant if they have, or asking to see, a GRC is not permitted; and could be regarded as harassment, and will be dealt with under the relevant Council/ Schools policies.
- 4.7 The GRA 2004 also places a proactive duty on public organisations through the Public Sector Equality Duty (PSED) to promote equality of opportunity, foster good relations and eliminate unlawful discrimination between individuals who have the protected characteristic of gender reassignment and individuals who do not.

5. Equality

- 5.1 We will not discriminate on the grounds of gender identity in the way we recruit and select employees and will ensure that transgender employees have equal access to all forms of training and development opportunities. We will ensure that there is no discrimination on the grounds of gender identity in relation to dismissal of employees. Abuse, harassment or bullying (e.g. name-calling, derogatory jokes, unacceptable or unwanted behaviour and intrusive questions) will be treated seriously, and should be dealt with under the relevant Dignity at Work Policy and Disciplinary Policy. Harassment also includes persistent and/or malicious use of the incorrect pronoun or “dead naming” (i.e. calling someone by their birth/pre-transition name after they have changed their name).
- 5.2 We recognise that stereotyped gender roles can be harmful to Trans individuals, who may feel constrained to behave in ways, or work in areas that are traditionally considered appropriate for their registered sex at birth (or appropriate for their role during and after gender transition). Encouragement and support will be given to any employee who is trying to step outside the constraints of stereotypes in any area of our work.
- 5.3 Transgender employees have equal rights and equal access to benefits. This includes equal recognition of their partner and family, and they must not be discriminated against on the grounds of gender or marital/civil partnership status.

Such Benefits include:

- Paternity Leave and Parental leave
- State pensions (received at a date relating to their age and gender once Gender Recognition Certificate received)
- Passing on pensions rights to partner/children

6. Support

- 6.1 Employees planning to undergo gender reassignment are encouraged to speak to their manager or someone else in confidence, as early as possible before they wish to transition in order that we can provide the necessary support.
- 6.2 The first step will be to work together, with the help of Organisational Development, to develop a plan of how the employee's transition to a new gender will be accommodated in the workplace. This may take some time and will usually involve a number of discussions at which the employee's needs and feelings will be explored together with all of the work implications.

Things for managers to consider include:

- The expected timescales of any medical or surgical procedures (if the employee is proposing to undergo surgery)
 - The amount of time off that may be required for treatment and/or possible side effects from any medication
 - The expected point or phases of change of name, personal details and gender
 - Whether the employee wishes to inform colleagues themselves or would prefer others to do this
 - Discussing with the employee changes to their employment records
 - What other support the employee may need
 - Use of single sex facilities
 - Any other matters, which may include redeployment, suitable alternative employment and retirement on medical grounds in exceptional circumstances.
- 6.3 It should be noted, however, that there is no requirement for a Trans individual to inform their employer of their gender reassignment status and we will not in any way penalise any employee for failing to make their transitioning status known to their manager, colleagues or Organisational Development, or for any delays in making this information known.
- 6.4 Equally, the employee transitioning should appreciate that they cannot expect that we will be able to make reasonable adjustments on their behalf if we are unaware of their status.

7. Adjustment of Records

- 7.1 For the purposes of the Data Protection Act 2018, gender reassignment and any information relating to an individual's gender history would constitute 'sensitive data' which can only be processed for certain specified reasons, as set out in the Act.
- 7.2 We will respect any request for anonymity and will seek to update our records to include the chosen name and gender identified by the individual upon request, whether or not we are in receipt of any legal notice of change, and will agree for this change to take place at an agreed time.

- 7.3 As transgender individuals have not been able to gain legal recognition of their 'new' gender in the past, it may be necessary for some records (e.g. relating to pensions) to include a reference to legal sex.
- 7.4 After transition, any new records for the individual shall refer only to the new name and acquired gender. Records pre-dating transition will be updated. Wherever possible, details of previous name and gender should be deleted, as it would be discriminatory not to do so unless their retention is justified and proportionate.
- 7.5 Managers should be mindful that it is inappropriate to request evidence of name and gender change and unlawful to disclose an employee's transgender status without their consent.
- 7.6 If legal notice in the form of a Gender Recognition Certificate; Statutory Declaration of Name Change or Deed Poll is provided, then access to records showing the change of name and any other details associated with an employee's transgender status (i.e. records of absence for medical treatment) should be restricted to appropriate employees who 'need to know' for specific reasons. This refers to those directly involved in the administrative process i.e. the individuals Line Manager, Organisational Development, Payroll or Pensions section. Failure to update and maintain records to reflect the employees' transition could result in unlawful disclosure of the employees' transition.

8. Time off Work

- 8.1 A Trans employee undergoing medical and surgical procedures relating to gender reassignment may require time off from work. There are specific rules under the Equality Act 2010 governing those undergoing gender reassignment. Employees undergoing this procedure should not be treated less favourably than they would be treated if absent due to sickness or injury.
- 8.2 Managers should be aware that it might not be straightforward for Trans employees to provide evidence of medical appointments. For example, provision of a letter from a gender identity clinic may in itself be quite revealing and intrusive. Therefore, medical proof should not necessarily be a requirement for consideration of time off work to be granted.
- 8.3 The manager should show the same flexibility as for someone undergoing any other treatment or operation. For individual appointments, employees should follow the normal policy for medical appointments. As a matter of good practice, managers should offer flexibility to employees who take annual leave or rearrange working hours in order to attend additional appointments i.e. electrolysis. Managers should remember that it would constitute unlawful discrimination if they treat an employee that is undergoing gender reassignment less favourably than someone absent for some other medical reason.
- 8.4 Complications may arise as a result of medical treatment for gender reassignment resulting in prolonged incapacity for work. As with any long-term illness, the employee will be supported and monitored by their manager, with advice from Occupational

Health and Organisational Development. If incapacity continues beyond normal expectations for the process undergone, the relevant Attendance Management Policy will give guidance to managers on how to proceed. This will include options to consider reasonable adjustments; redeployment; retirement on medical grounds; or the potential for dismissal, in the same way as any other person who becomes unfit for employment due to ill health.

- 8.5 We will provide support for employees returning after a break caused by medical and surgical treatment, and will adopt a flexible approach which endeavours (whenever possible) to meet the individual needs of employees who are recuperating. It may be appropriate to discuss a phased return to work in accordance with the relevant Attendance Management Policy.
- 8.6 Time off related to an employee's transition will not be taken into account when considering them for promotion, pay progression or in relation to a redundancy situation.

9. Period of Transition

- 9.1 An employee who has taken the decision to go through the transition process can request a meeting with their manager and/or a member of Organisational Development to inform them of their decision. Whilst there is no statutory requirement, they may wish to be accompanied by a trade union representative or work colleague.
- 9.2 Topics that could be discussed are provided below, however this is not an exhaustive list and the employee must feel comfortable at all times, and a Support plan is attached (please see Appendix 2).

Toilet / Changing Facilities

A Trans employee should be free to select the facilities appropriate to the gender in which they present. For example, when a Trans individual starts to live in their acquired gender on a full time basis they should be afforded the right to use the facilities appropriate to the acquired gender role. A Trans employee should be granted access to 'men only' or 'women only' areas according to the sex in which they permanently present. Under no circumstances should they be expected to use the facilities of their former gender.

For non-binary individuals, this might mean using a combination of different facilities or gender-neutral or accessible facilities.

Dress Code

Managers should allow flexibility in dress codes to accommodate the process of transition from one sex to another. All Trans employees can expect to have any requests treated in the utmost confidence and will be responded to in confidence. It is essential that the individual grants permission before their status is discussed with any third party. Where uniforms are worn, a workplace uniform that corresponds to the employees chosen identity will be provided at a time agreed with the employee if applicable.

Communication

Managers should not inform colleagues, elected members, service users or the public that an employee is intending to undergo; is undergoing or has undergone gender reassignment, without the employees' explicit agreement.

Occupational Health/Employee Assistance Programme

Employees who intend to transition will be offered the opportunity for a referral to the Occupational Health Service for advice and support. We also offer an Employee Assistance Programme, for which details are available on the intranet, for those who wish to discuss their transition with an independent service.

- 9.3 The employee undergoing transition will have the right to request a meeting with colleagues in their area of work at which their status as a transitioning employee is explained. At this meeting, the manager will support the employee. The transitioning employee may choose if they wish to answer questions from other employees. If such a meeting takes place, then all those involved will be bound by the same rules of confidentiality given above. The status of the employee undergoing transition will not be discussed with any third party without the prior consent of the employee who is changing gender. Failure to observe these rules of confidentiality may result in formal action under the relevant Disciplinary Policy.
- 9.4 Following the date chosen by the transitioning employee, any remaining information will be changed to reflect their new gender identity; employee lists, organisational charts, post trays, door signs, and all other relevant information will be changed. The name of the employee who has undergone transition will not be inappropriately withheld from any list; omission can be embarrassing. Other considerations for discussion could include identification passes, contact details, email addresses, formal records, website references, or any other matter raised by the employee undergoing transition.
- 9.5 For employees working alongside the person, there may be some training and support needs. It may be useful to look at these on two levels – specific issues regarding the employee and broader awareness about gender reassignment. During the meeting, it is recommended that managers should:
- Include sufficient information to convey the facts
 - Not go into too much detail
 - Respect the wishes of the transgender employee and their right to medical confidentiality in terms of discussing detailed personal matters
 - Pitch the information at a level and style appropriate to the audience involved
 - Remember to include the name that the employee wishes to be known by in their new gender.
 - Remind employees of their duty to maintain confidentiality and that we are committed to creating a working environment in which all employees are treated fairly and with dignity and respect.
 - Provide details of how colleagues might seek further information, should they need to

10. Recruitment

- 10.1 In most cases, the gender of an individual has no bearing on their ability to do their job. We are committed to ensuring that there is no discrimination against potential employees in the recruitment process. There is no obligation for a Trans individual to disclose their status as a condition of employment. Moreover, non-disclosure, or subsequent disclosure, will not be grounds for dismissal.
- 10.2 If an employee has transitioned prior to joining us and has disclosed this, we should not mention their transsexual history. This includes employees selected for promotion. Indeed, this could constitute a criminal offence in the case of someone who has obtained a Gender Recognition Certificate. Any forms and documents relating to transgender status that are provided during the interview and resulting procedures will be considered confidential and should be restricted to appropriate employees and the individual themselves.
- 10.3 Where there is a genuine occupational requirement for a job to be carried out by a particular sex, it will be necessary for the Trans individual to disclose their status to the panel. Exemptions are as follows:
- If the job involves conducting personal searches pursuant to statutory powers. If the issue does arise then we must consider whether another employee could carry out the tasks.
 - If the job involves working in a private home, where there would be close physical or social contact, or knowledge of the intimate details of a person's life and we can show that individuals would object.

These exceptions will not apply where the individual has obtained a Gender Recognition Certificate. Where an employee intending to undergo gender reassignment currently holds a position in a single sex role or environment prior to a change of gender, it could be beneficial for all involved if discussions take place around redeployment. In these circumstances, options should be discussed early in order to agree a satisfactory arrangement.

Redeployment/Retirement

- 10.4 A employee who is undergoing gender reassignment may ask for support to search for redeployment opportunities, or for ill-health retirement. This will include options to consider reasonable adjustments; redeployment; retirement on medical grounds, or where all other options have been exhausted, potential dismissal. Prior to any discussions regarding dismissal, please seek advice from Organisational Development.
- 10.5 An employee may seek support to change jobs, if they feel working in a different role may support them as a transgender individual. Management may support this, where suitable alternative roles are available, as a reasonable adjustment as required under the Equality Act 2010.
- 10.6 Alternatively, the employee may wish to apply for internal vacancies when roles they deem suitable are advertised.

References and Certificates

- 10.7 Where we receive a reference request for an existing employee who has transitioned, we will respect the employee's privacy and only respond using the employee's correct name and gender in the reference.
- 10.8 Disclosure on sickness absence will not include time taken off for medical appointments related to transition. This information is strictly confidential and managers must be very careful how they record this information in order to avoid a disclosure of the information.
- 10.9 When we request a reference, we will make the request using the prospective employee's correct name and gender since transitioning. Previous names or gender identity will not be mentioned unless the Trans individual specifically asks (in writing) for this to be done.

Qualifications/Professional Registration

- 10.10 If the manager has to keep evidence of professional status or qualifications, they should discuss with the employee concerned how to retain such evidence on file – if, for example, certificates are in the employee's original name – so as not to compromise or breach disclosure of protected information.

Disclosure and Barring Service

- 10.11 If disclosure from the Disclosure and Barring Service (DBS) is required as part of the recruitment process, applicants must disclose any previous names and/or gender to the DBS. Trans applicants may make use of the special application procedure established by the DBS so that their previous name is not disclosed to us.

11. Monitoring

- 11.1 In Wales, the Equality Act 2010 (Wales) Regulations 2011 places a specific legal duty upon public authorities that requires the Authority to have effective arrangements in place to monitor equality and have in place systems to gather, analyse and publish employment monitoring data. No information will be published, or used in any way that identifies an individual.

12. Responsibilities

- 12.1 We will ensure that:
- Equality for Trans employees is included in their Gender Equality Scheme and where equality policies refer to discrimination on grounds of sex; this also refers to discrimination on grounds of gender identity and gender reassignment in line with the Gender Reassignment Regulations and The Equality Act.
 - Trans issues are included in all equality training, as far as reasonably practicable.

- Employees and managers are aware of our statutory responsibilities in relation to gender reassignment (and other relevant legislation) as an employer and service provider.

13. Dignity at Work

- 13.1 We will seek to provide a supportive environment for those who make claims of discrimination or harassment. This includes challenging discriminatory behaviour by employees, managers or service users. Acts of discrimination (direct or indirect) on the grounds of gender identity, harassment, victimisation or abuse will be treated seriously, and will not be tolerated. Any employees witnessing any discriminatory behaviour towards a trans employee, including harassment or bullying must report it to us. All complaints will be treated in confidence.
- 13.2 Employees who feel they are being discriminated against on grounds of gender identity by other employees/ members of the public/ service users should raise the matter under the relevant Dignity at Work Policy.

Appendix 1 – Support and Advice

Support and advice is available from the following organisations:

https://www.beaumontsociety.org.uk/	Beaumont Society is a support network supporting the better understanding of transgender, transvestism and gender dysphoria.
www.facebook.com/groups/tsmucardiff	T*MSU (Trans + Social Meet Up) is a mutual support and social group for all Gender Diverse / Trans* gender, their family, friends, supporters and allies, in and around Cardiff .
https://www.equalityadvisoryservice.com/	Equality and Advisory Support Service (EASS) has a helpline that advises and assists individuals on issues relating to equality and human rights, across England, Scotland and Wales
https://www.equalityhumanrights.com/en	Equality and Human Rights Commission (EHRC) is a statutory body with responsibility for protecting, enforcing and promoting equality rights across all protected characteristics
https://www.gires.org.uk/	Gender Identity Research and Education Society (GIRES) provides information for trans individuals, their families and the professionals who care for them.
http://www.gendertrust.org.uk/	Gender Trust supports all those affected by gender identity-related issues in their work.
http://genderedintelligence.co.uk/	Gendered Intelligence work predominantly with the transgender community and those who impact on transgender lives. They particularly specialise in supporting young transgender individuals aged eight to 25.
https://www.inclusiveemployers.co.uk/	Inclusive Employers are leading UK inclusion and diversity experts, working with employers to create inclusive workplaces.
https://www.mermaidsuk.org.uk/	Mermaids provide support specifically for families and children on gender identity matters.
http://www.pflag.co.uk/	Parents and Friends of Lesbians and Gays (PFLAG) is a support organisation that provides free support to parents, family and friends of LGBT individuals in the UK.
https://www.pinktherapy.com/	Pink Therapy is an independent therapy organisation working with gender and sexual diversity clients.

www.stonewallcymru.org.uk	<p>Stonewall Cymru is the all-Wales Lesbian, Gay, Bisexual and Transgender (LGBT) Charity. Their aim is to achieve equality for LGBT individuals at home, at school and at work.</p>
www.reporthathe.victimsupport.org.uk/rainbow-bridge/	<p>Rainbow Bridge is a Victim Support run service that specifically supports victims of domestic abuse who identify as Lesbian, Gay, Bisexual and Transgender.</p>
https://www.facebook.com/breaking.binary/	<p>Breaking the Binary provides a safe space for non-binary individuals of all identities in South Wales.</p>
https://www.lgbtcymru.org.uk/	<p>The LGBT Cymru Helpline is a free and professional caring service for Lesbian, Gay, Bisexual & Transgender individuals in Wales aiming to offer support and information to the LGBT community. Offering a free telephone helpline, and low cost Counselling service.</p>

Appendix 2 – Support Plan

TRANSITIONING SUPPORT PLAN

This is a template support plan. Depending on your circumstances, one or more steps may not be required. Equally, one or more additional steps may need to be considered.

The process of drawing up this action plan should be led by the employee and no action must be taken without the agreement of the employee. You should ask questions, listen, and understand the needs, concerns and wishes of the transitioning employee and seek further advice as necessary to ensure the employee is effectively supported during their transition.

Previous name/title/pronouns	
New name/title/pronouns	
Role	
Line manager/point of contact (if different)	

Actions	Details	Date completed
Expected timescale		
Return to work following transition		
Consider need for temporary change to job role	Nature of change (duties/hours/location) Phased return?	
Consider need for permanent change to job role	Nature of change (duties/hours/location)	
Consider confidentiality	Who is responsible? Consider what information the employee wants disclosed (see below)	
Consider data protection	Consider lawful and specific conditions for processing Consider data protection principles e.g. data minimisation, purpose limitation What old records need to be retained (if any)? Privacy notice required? Ensure information is handled in strict confidence and in accordance with the Authority's Data Protection policy Identify which, if any, pre-transition records need to be retained	
Informing managers:	Who will tell them?	

Actions	Details	Date completed
HR business partner senior manager line manager (if not point of contact)	Will employee be there? When? Where? What will they be told?	
Informing close colleagues (add description/list of colleagues told)	Who will tell them? Will employee be there? When? Where? What will they be told? Method of communication (in person?, by email)?	
Informing other employees	Who will tell them? Will employee be there? When? Where? What will they be told? Method of communication (in person?, by email)?	
Informing third parties (e.g. suppliers, customers, clients, contractors (add description/list))* *Only where relevant	Who will tell them? Will employee be there? When? Where? What will they be told? Method of communication (in person?, by email)?	
Consider whether support and information from external organisations is required/desirable	What support? What information? What are the best organisation(s) to provide this?	
Use of facilities: toilets showers changing rooms other	Which facilities? From when? Who else needs to be aware/informed?	
Dress/uniform: Is new uniform required?	Is new uniform required? If yes, from when?	

Actions	Details	Date completed
Is there any expected flexibility in uniform required?		
Consider need for occupational health/employee assistance programme referral	If yes, by whom?	
Consider need for absence	How long and when? Any staff cover required?	
Consider need for ongoing support	Agree frequency and timing of meetings with the transitioning employee With whom?	
Consider if any training on transgender equality is required	If yes, for whom? Training organised and delivered?	
Identify which records and systems need to be amended to show a change of name/gender	Complete table below	

Records and systems

Changes required	Who will do this?	When?	Date completed
Internal			
OD (HR & Payroll) records			
ID/Name badge			
Email address			
IT systems (computer logins, intranet, other)			
Staff lists			
Staff rota if applicable			
Other			
External/third party			
HMRC			
Pension provider			
Payroll provider			
Qualifications/certificates			

Disclosure and Barring Service			
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Meetings

Date	Comments	Actions	Date of next meeting

Medical appointments and absences

Date	Description/reason

UNDERSTANDING EACH PROTECTED CHARACTERISTICS

For further information and definitions on related issues e.g. discrimination, harassment, and victimisation please consult the Equality Glossary provided with this toolkit.

Race	For the purpose of the Equality Act 2010 ' <i>race</i> ' includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (e.g. Black Britons).
Disability	Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.
Sex (e.g. inequality between males & females)	It is unlawful to discriminate against people because of their gender. We should prevent discrimination in recruitment and selection, determining pay, training and development, selection for promotion, discipline and grievances, countering bullying and harassment. Many employers have also found that making changes to their working practices makes good business sense and helps them attract the best people, including provisions for flexible working for people with caring responsibilities.
Age	The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if you can justify it, i.e. if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.
Sexual Orientation	Legal protection from discrimination on the basis of sexual orientation applies to everyone, whatever their sexual orientation. This form of discrimination includes being treated less favourably because; you are lesbian, gay, bisexual or straight; people think you are lesbian, gay, bisexual or straight; or you are associated with someone who is lesbian, gay, bisexual or straight, for example a friend, relative or colleague. The law applies to direct and indirect discrimination as well as to harassment and victimisation.

Religion/Belief	In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Humanism is a protected philosophical belief but political beliefs would not be protected.
Gender reassignment status	The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change their gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live permanently as a man but does not undergo any medical procedures. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured. Medical procedures for reassignment such as hormone treatment should not be treated as a ‘lifestyle’ choice.
marriage and civil partnership	Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
pregnancy and maternity	A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.
Welsh Language	The Welsh Language Act 1993 places a legal duty on public authorities to promote the use of the Welsh Language and to treat the Welsh and English languages equally. It offers the public the right to choose which language to use in their dealings with the Council. It recognises that Members of the public can express their views and needs better in their preferred language. It recognises that enabling the public to use their preferred language is a matter of good practice, not a concession. It sets out how the Council will implement that principle in the provision of bilingual services to the public in Wales, taking account of the developing linguistic nature of the County Borough.

Equality Impact Assessment Template Form

Description of Assessment *(Please specify below)*

EQIA Screening on Policy – “Trans Equality Policy”

Responsible Directorate *(Please specify below)*

Organisational Development

Responsible Officer *(Please specify below)*

Assessment Date *(Please specify below)*

Staff Involved in Assessment *(Please specify below)*



PART 1: SCREENING EXERCISE TO IDENTIFY ADVERSE IMPACT

Does this 'Option' have a <u>positive or an adverse impact</u> on any of the following protected characteristics? <i>(please complete all)</i>	<i>If yes</i>	Please describe what the impact will be?	What is the significance of the impact?	If low, please explain this 'significance' rating. <i>(if 'high' please complete template below)</i>	
Race	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Disability	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	

Sex	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	→	Positive	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low	
Age	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Sexual Orientation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Religion and Belief	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Gender Reassignment Status	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	→	Positive	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low	
Marriage and Civil Partnership	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Pregnancy and Maternity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	
Welsh Language	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			<input type="checkbox"/> High <input type="checkbox"/> Low	

PART2: ‘High Significance’ Adverse Impact Template Form

For each protected characteristics where an adverse impact has been identified and this impact has a high significance, a template form must be complete. Therefore, if an option is identified as having a highly significant adverse impact on ‘Race’ and ‘Religion and Belief’ a template form must be complete for each protected characteristics.

Which Protected Characteristics

Sex

Gender Reassignment Status

Please briefly explain why you have identified this protected characteristic as having a high ‘significance’ rating

Sex – In line with the Gender Reassignment Act 2004, it is felt this policy will have a positive impact on those who have obtained legal recognition, in the form of a Gender Reassignment Certificate. BGCBC is committed to not discriminating against people because of their gender, including Trans employees. This policy covers recruitment and selection, pay progression, selection for promotion, countering bullying and harassment, and redundancy selection.

Gender Reassignment Status – The Trans Equality Policy will have a highly positive impact on those who identify under the Trans umbrella. The Policy is based on the principle that we will ensure that no transgender person will be treated less favourably on the grounds that they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex. The policy outlines a number of supportive actions, along with making it apparent that any employee undergoing a gender reassignment process should not be treated less favourably than they would be treated if absent due to sickness or injury.

Please briefly explain how the identified impact is likely to affect people?

The policy impact is unlikely to affect other people, other than those who identify as Trans.

What further information do you think is necessary understand, support or mitigate the impact of this ‘option’? *E.g. collection of secondary evidence, undertaking primary research, consulting/engaging with affected people*

As the impact is positive there is less research to undertake to understand the impact concerned. BGCBC will continue to work with external agencies and partners who are able to provide specialist support, expertise, and guidance in relation to the remit of the policy.

What possible action can be taken to reduce or mitigate [any potential](#) adverse impacts of this options(and any associated effects)?

This policy has a positive impact, and therefore there are no mitigation actions.

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Agenda Item 30

Date signed off by the Monitoring Officer: 14.01.2021
Date signed off by the Section 151 Officer: 08.01.2021

Committee: **Council**

Date of Meeting: **28th January, 2021**

Report Subject: **Information Security Policy**

Portfolio Holder: **Councillor Nigel Daniels, Leader of the Council/Executive Member Corporate Services**

Report Submitted by: **Rhian Hayden, Chief Officer Resources**

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair *	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	7/1/21				22/01/21		28/01/21	Information Governance Forum – 18/12/20

1. **Purpose of the Report**
 - 1.1 To provide Members with the revised Information Security Policy and recommend its adoption by the Council

2. **Scope and Background**
 - 2.1 The attached document is the proposed Information Security Policy for the Council which sets out the approach the Council has adopted to develop, manage & improve Information Security to ensure our valuable information resources are properly protected.
 - 2.2 The draft Policy has been revised and updates / replaces a number of the Council's current policies including:-
 - Information Security Policy Statement
 - Antivirus Policy
 - Clear Desk Policy
 - Disposal of IT Equipment Policy
 - Information Assets Protection Policy
 - Third Party Access Policy
 - 2.3 The Policy applies to all Blaenau Gwent County Borough Council employees, Schools, volunteers, Members, contractors, third parties and all other authorised users with access to the Council's information assets.
 - 2.3 The Policy identifies the general principles of Information Security i.e. confidentiality, integrity & availability, explains the roles and responsibilities of

all parties with access to the Council's information and details the Council's expectations in ensuring that information remains secure.

- 2.4 The Policy emphasises that all security breaches must be reported immediately.

3. **Options for Recommendation**

- 3.1 **Option 1:** (preferred option) The Council considers and approves the attached Information Security Policy.

Option 2: The Council comment and suggest amendments/additions to the Policy prior to approval.

- 3.2 The Policy was considered by the Information Governance Forum on 18th December, 2020 and CLT on 7th January 2021, both supported the proposed policy.

It will be considered by the Corporate Overview Scrutiny Committee on 22nd January, 2021.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Statutory Responsibility:**

Information Security takes full account of a range of legislation, including the Data Protection Act and General Data Protection Regulation, governing the manner in which information and data is managed and protected.

5. **Implications Against Each Option**

5.1 *Impact on Budget*

There is no direct impact upon the budget as a result of implementing this policy however compliance with the policy will minimise data breaches and avoid financial penalties that could be imposed by the Information Commissioner.

5.2 *Risk*

Failure to comply with the Information Security Policy could result in loss or unintended disclosure of the Council's information assets resulting in significant reputational damage and imposition of financial penalties.

Development & implementation of and compliance with the Information Security Policy will mitigate this risk by ensuring all parties understand their responsibilities and the Council's expectations.

5.3 *Legal*

Information Security takes full account of a range of legislation, including the Data Protection Act and General Data Protection Regulation, governing the manner in which information and data is managed and protected.

5.4 *Human Resources*

The Policy applies to all Blaenau Gwent County Borough Council employees, Schools, volunteers, Members, contractors, third parties and all other authorised users with access to the Council's information assets.

Failure to comply with this policy may lead to disciplinary action.

6. **Supporting Evidence**

6.1 *Performance Information and Data*

n/a

6.2 *Expected outcome for the public*

Development, implementation & compliance with the Information Security Policy will provide assurance to the public that their personal, sensitive information held by the Council is secure and used appropriately.

6.3 *Involvement (consultation, engagement, participation)*

The Policy was developed in consultation with the Council's Information Governance Forum.

6.4 *Thinking for the Long term (forward planning)*

Compliance with the Policy will minimise the likelihood of data breaches. The Policy will be reviewed on an annual basis to ensure it remains appropriate.

6.5 *Preventative focus*

Compliance with the Policy will minimise the likelihood of data breaches.

6.6 *Collaboration / partnership working*

n/a

6.7 *Integration (across service areas)*

The Policy applies to information users in all service areas.

6.8 *EqIA (screening and identifying if full impact assessment is needed)*

The Policy has no impact on protective characteristics.

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

Compliance with the policy will be monitored through the Council's performance management arrangements. Data Breaches will be reported to the Data Breach Group who will determine whether incidents should be reported to the Information Commissioners Office.

Background Documents /Electronic Links

Appendix 1 – Information Security Policy

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Cyngor Bwrdeisdref Sirol
Blaenau Gwent
County Borough Council

Information Security Policy



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Issued: February 2021 Review: January 2022

CONTENTS:		Page No:
1.	AIMS OF POLICY	2
1.1	SCOPE	2
1.2	INTENTION	2
1.3	GENERAL PRINCIPLES	3
1.4	THREATS AND VULNERABILITIES	4
1.5	ROLES AND RESPONSIBILITIES	4
1.6	CHALLENGES & REPRESENTATIONS	4
1.7	CONFIDENTIALITY	4
1.8	NEED TO KNOW	5
1.9	CLEAR WORKSTATION PRACTICES	5
1.10	CLEAR SCREEN PRACTICE	5
1.11	SYSTEMS ACCESS AND PASSWORDS	5
1.12	CORPORATE ASSETS (SOFTWARE/HARDWARE)	6
1.13	OVERSIGHT OR EAVESDROPPING	7
1.14	DISPOSAL OF DEVICES AND INFORMATION	7
1.15	BREACHES OF SECURITY	7
1.16	CONTRACTORS/THIRD PARTIES	7
1.17	REMOTE WORKING/MOBILE DEVICES	8
1.18	PHYSICAL SECURITY	8
1.19	HOME DRIVES & STORAGE OF FILES/DATA	9
1.20	COMPLIANCE	9
2.	COMPLIANCE WITH THE WELSH LANGUAGE SCHEME	10
3.	IDENTIFICATION SECTION	10

1.0 AIMS OF POLICY

1.1 SCOPE

- 1.1.1 This policy applies to all Blaenau Gwent County Borough Council employees, schools, volunteers, members, contractors, third-parties and all authorised users with access to our information assets. They are referred to as 'users' throughout this policy.
- 1.1.2 It sets out the approach Blaenau Gwent County Borough Council have adopted to develop, manage and improve Information Security and ensure that our valuable information resources are properly protected against loss or compromise.
- 1.1.3 Where this policy refers to other standards, procedures and guidelines they must be read in conjunction with this policy.
- 1.1.4 Within the context of Information Security, the term 'information' includes data and any form of communication recorded or transmitted in transcript, verbally, manually or electronically. In terms of tangible assets, Information Security principles extend to paper documents, computer files, electronic records, data sticks, CDs, drives or any other storage or processing medium.
- 1.1.5 Blaenau Gwent County Borough Council recognise that users access various social media platforms, the internet and forums both as part of their business-operation and within their personal lives. In conjunction with this policy all users are expected to read, understand and adhere to the Social Media policy.

1.2 INTENTION

- 1.2.1 Information Security is different to 'Information Governance' which embraces a much broader set of administrative procedures necessary to manage the entire life of information from origin, through processing, to disposal. However, Information Security is an integral component of Information Governance and for this to be effective, a consistent, well organised and properly administered information structure must be established in all working environments throughout the organisation.
- 1.2.2 Blaenau Gwent County Borough Council adopts the view that information should be open unless its sensitive or personal. This is because sharing of information is critical to our day to day business decision making and helps other agencies use our information to develop innovative solutions and inform policy making. Open Data principles do not apply to sensitive or personal information, and it's critical that security arrangements are in place to prevent accidental sharing of this.
- 1.2.3 Every aspect of carrying out our business involves Information Security considerations, therefore it remains the responsibility of all people who work for or partner with Blaenau Gwent County Borough Council to safeguard our information resources and ensure that all necessary protective measures are in place to prevent its loss or damage.
- 1.2.4 In applying this policy, it is also important that the breadth of protective security principles relating to information, IT, personnel and physical security are fully integrated to create

sufficient depth and resilience to complement business continuity requirements and guard against all prevailing threats.

1.2.5 Finally, Information Security must take full account of a range of legislation (including DPA and GDPR) governing the manner in which information and data is managed and protected. A common theme is 'confidentiality' and, to remain legally compliant, obligations are placed upon staff to ensure that information is protected.

1.3 GENERAL PRINCIPLES

1.3.1 The organisation cannot function without information, processes and networks that combine to create a complicated data infrastructure. From this it is important to identify the more sensitive operational, financial or business information that requires specific protection and to develop measures to prevent, detect and mitigate loss or compromise.

1.3.2 There is always a need to balance the needs of the business operation with the need to keep sensitive and confidential data secure. Every attempt will be undertaken to do this electronically and seamlessly, but there is still a need to adopt measures that preserve:

- Confidentiality – ensuring that information is accessible only to those authorised to have access, and protecting assets against unauthorised disclosure. Unauthorised access will not be tolerated.
- Integrity – safeguarding the accuracy and completeness of information, and protecting assets from unauthorised or accidental modification
- Availability – ensuring that authorised users have access to information and associated assets to carry out their duties effectively.

1.3.3 Another significant aim is to reinforce 'confidentiality' and 'need to know' principles. Information supplied in confidence, used to support business operations or connected with other sensitive business activities, must be treated in a confidential manner and only imparted to others in the official course of duties on a strict 'need to know' basis. This requirement is supported by legislation including:

- Data Protection Act 2018 / GDPR - requires personal data to be properly safeguarded and not disclosed unless properly authorised and justified. It also requires us to state the legal basis under which we gather, retain and use data along with allowing the data subject the right access to see the information and ensure its accuracy.
- Computer Misuse Act 1990 (and amendments within The Serious Crime Act 2015) – renders it illegal to gain access to or use a computer without authority.
- Freedom of Information Act 2000 - provides for disclosure of non-personal data, subject to exemptions including the prevention and detection of crime.

1.3.4 You must act honourably at all times and protect the reputation of the council.

1.4 THREATS AND VULNERABILITIES

In adopting relevant protective measures, the nature of threats and vulnerabilities must be considered.

- 1.4.1 Much of the work of Blaenau Gwent County Borough Council is of interest to others and, while the organisation must operate as an open public service, it is important to protect sensitive assets and guard against undesirable elements including cyber-attacks and, in some cases, the media.
- 1.4.2 As well as external vulnerabilities, the organisation and its users must avoid, deter, and counter unauthorised or illegal internal activity including any deliberate or accidental act or omission which could lead to loss of or compromise information.

1.5 ROLES AND RESPONSIBILITIES

- 1.5.1 All Blaenau Gwent County Borough Council users have a duty of care to ensure security is maintained. When data is processed as part of a business requirement they must ensure it is safe and secure at all times and is only distributed to the correct people.
- 1.5.2 Any security issues identified or suspected must be reported to the Data Protection Officer through the escalation procedures (dataprotection@blaenau-gwent.gov.uk) as well as the Information Security Officer via security@blaenau-gwent.co.uk
- 1.5.3 All users are responsible for ensuring their Blaenau Gwent County Borough Council equipment including laptops, mobiles and tablets are secure and are never left unattended, particularly in public places.

1.6 CHALLENGES & REPRESENTATIONS

- 1.6.1 Challenges and representations concerning this policy should be directed to the Senior Information Risk Owner (SIRO) and Information Security Officer at security@blaenau-gwent.co.uk

1.7 CONFIDENTIALITY

- 1.7.1 Information has uses beyond the normal day to day job, and Blaenau Gwent County Borough Council operates a policy of opening up key data for others to use for a variety of different reasons, not least of all to inform critical decisions on the levels of service provision.
- 1.7.2 However, much of the information in Blaenau Gwent County Borough Council is sensitive because of its operational, business or personal content, and where this is the case strict rules of confidentiality apply.
- 1.7.3 Sensitive and personal information is available to relevant staff and partner agencies to do their jobs, and is provided for official use only. Communication of sensitive or personal information to anyone not authorised to receive it is **strictly not permitted**, and disciplinary action will be taken against anyone who wilfully uses or discloses this information.

1.7.4 All printing of documents must be kept to a minimum, and only printed if there is an absolute business need.

1.8 NEED TO KNOW

1.8.1 As an employee of Blaenau Gwent County Borough Council it is normal for you to encounter personal, confidential information. You will be required to sign a confidentiality agreement to this effect – normally as part of your employment contract. It goes without saying that this confidentiality must be protected. This includes information that is stored and displayed electronically, held in documents or publications and over the telephone or in conversations. Therefore, users must not discuss or divulge any information to anyone else, other than those who have to a need to know and must not use information for any other purpose than it was intended.

1.9 CLEAR WORKSTATION PRACTICES

1.9.1 Blaenau Gwent County Borough Council works in a very agile way, and as a result much of its information is electronic. However, where paper documents are used they must be managed in a way that prevents unauthorised access to sensitive information. This includes securing physical information in appropriate cabinets when not in use, particularly outside normal working hours. It's also important to make sure that paper documents taken away from the office are stored separately from desirable items like laptops or other mobile devices.

1.10 CLEAR SCREEN PRACTICE

1.10.1 Password protected screen savers must be activated when you leave your laptop or mobile device to prevent unauthorised access to information or systems. Be aware that mobile devices are desirable and can be the target for thieves. Make sure they are all password protected and that screen locks are activated if they haven't been accessed for 30 seconds.

1.11 SYSTEMS ACCESS AND PASSWORDS

1.11.1 Users and third parties are only permitted access to files and systems for which they have been specifically authorised. Access permissions are set up at the time of employment, and must be reviewed when there is a restructure, change of job or change of system. It's the responsibility of the manager to ensure this is done, and it's your personal responsibility to inform your manager immediately if you find you have access to anything you shouldn't see. Having unauthorised access to information does not entitle you to view it.

1.11.2 Passwords and other security processes are in place as part of the normal security arrangements and no attempt must be made to bypass them.

1.11.3 Passwords must not be divulged to others, nor written down.

1.11.4 Your password should not comprise of obvious names or dates that could easily be associated with you.

1.12 CORPORATE ASSETS (SOFTWARE/HARDWARE)

- 1.12.1 You will be prevented from loading unauthorised software onto any Blaenau Gwent County Borough Council's systems or devices. This is a critical part of Blaenau Gwent County Borough Council's security arrangements and you must not attempt to alter/amend/compromise the security in any way.
- 1.12.2 Anti-Virus software runs on either a server or workstation and monitors network connections looking for malicious software. All computer devices connected to the Blaenau Gwent County Borough Council network shall have anti-virus software installed, configured so that the virus definition files are current, routinely and automatically updated, and the anti-virus software must be actively running on these devices. All files on computer devices will be scanned periodically for viruses.
- 1.12.3 You must not prohibit anti-virus or updates on any software from running, or bypass, exploit or deliberately avoid updates from running, as this will be deemed to be a violation of this policy and subject to disciplinary. This is not restricted to antivirus software and includes patches and updates to all software and hardware owned by the Council.
- 1.12.4 Approved/licenced software and/or Blaenau Gwent County Borough Council's corporate information must not be downloaded, copied, shared, compromised, deleted, or distributed in any way that may have the potential to cause the council harm.
- 1.12.5 If you require additional software as part of your role, please raise with the SRS Service Desk.
- 1.12.6 Line of business systems (email, HR/Payroll etc) must only be used for business purposes.
- 1.12.7 The internet is a business tool, and activity is monitored. Please refer to the Acceptable Use Policy for more information.
- 1.12.8 Email and messaging services (including but not limited to Microsoft Teams, Skype, etc) are business tools, and all communications should be conducted in a professional manner as you are representing Blaenau Gwent County Borough Council. Spam (chain email) is not to be forwarded on, and any suspicious email (phishing email) should not be opened, and referred to security@blaenau-gwent.co.uk for investigation.
- 1.12.9 You will be provided as part of your role computer equipment, and potentially a mobile phone. You must look after these devices and not leave them unattended, or unlocked. You must not attach/connect any unapproved third party hardware to your Blaenau Gwent County Borough Council equipment. If you require access to additional equipment or require third party hardware to be connected to your devices, you must request this via SRS Service Desk.
- 1.12.10 Corporate equipment should not be used to store personal information.
- 1.12.11 The Social Media policy should be referred to prior to presenting the council on any social media platform, and should be read in conjunction with this policy.

1.13 OVERSIGHT OR EAVESDROPPING

- 1.13.1 When discussing or processing issues of a sensitive nature on Blaenau Gwent County Borough Council premises or in public, extra care must be taken to avoid oversight of mobile computing devices, or eavesdropping on conversations.
- 1.13.2 When working remotely, be mindful of meetings and telephone conversations you are having in the home environment. Make sure that your door is shut when discussing confidential/corporate issues so that members of your family/third parties are not able to hear the detail of that conversation.
- 1.13.3 When attending a confidential call through MS Teams, either in the office or working remotely, a headset connected to your laptop must be used for the call. This is to avoid eavesdropping of calls and the two-way conversation being heard by third parties.

1.14 DISPOSAL OF DEVICES AND INFORMATION

- 1.14.1 Mobile devices must be disposed of by the SRS when they become obsolete. The SRS have a contract for this that ensures devices are wiped and correctly disposed of using approved methods. You must not attempt to dispose of mobile devices yourself. Please contact SRS Service Desk for old equipment to be collected.
- 1.14.2 All sensitive/corporate paper documents must be shredded using the onsite Confidential Waste bins provided and not put in the general paper waste facilities.
- 1.14.3 All printing of documents must be kept to a minimum, and only printed if there is an absolute business need.
- 1.14.4 This section of the policy should be read in conjunction with the Record Retention and Disposal Policy.

1.15 BREACHES OF SECURITY

- 1.15.1 Any security incident or occurrence that has the potential to compromise the organisation, staff, information or other assets, must be reported immediately to –
- Your Line Manager;
 - The Data Protection Officer - dataprotection@blaenau-gwent.co.uk
 - Information Security Officer - security@blaenau-gwent.co.uk

1.16 CONTRACTORS/THIRD PARTIES

- 1.16.1 Contractors and Third Parties must agree to adhere to this policy before access to Blaenau Gwent County Borough Council's Information Assets or Sites is provided.
- 1.16.2 All contractors and third parties must sign a Non Disclosure Agreement prior to accessing Blaenau Gwent County Borough Council's sites, systems or network.

- 1.16.3 Contractors and Third Parties' access to Information Assets or Sites must be the minimum necessary to achieve business purposes.
- 1.16.4 Contractors and Third Parties must connect to Blaenau Gwent County Borough Council network in a secured way.
- 1.16.5 Contractors and Third Parties that breach Blaenau Gwent County Borough Council's policies, procedures or contractual clauses will be subject to termination of contract or criminal proceedings if deemed appropriate.
- 1.16.6 On termination of contract, Contractors and Third Parties must relinquish any assigned software licences and passwords to 3rd party systems and must also return any Blaenau Gwent County Borough Council or related asset(s) issued during the contract, including-
- Information Assets (paper records, laptops, files, removable media, hard drives, mobile phones, End User Devices etc.);
 - Access control software, hardware tokens, ID, passes etc.

1.17 REMOTE WORKING/MOBILE DEVICES

- 1.17.1 When working remotely users must make all reasonable efforts to secure the data and assets of Blaenau Gwent County Borough Council. Remote users should not leave their equipment unlocked or unattended at any time.
- 1.17.2 Remote workers must keep Information Assets in a locked area, cupboard or safe, out of plain sight, out of the reach of children and animals, away from any sources of heat, cold, or liquid.
- 1.17.3 When working remotely, be mindful of meetings and telephone conversations you are having in your environment. Make sure that your door is shut or nobody can eavesdrop when discussing confidential/corporate issues so that members of your family/third parties are not able to hear the detail of that conversation.
- 1.17.4 Users must immediately report any incidents that involves loss, theft, or compromise of an asset or loss or corruption of data.

1.18 PHYSICAL SECURITY

- 1.18.1 All visitors to Blaenau Gwent County Borough Council must sign in at reception and be accompanied throughout the duration of their visit. Users are encouraged to challenge people they don't recognise to ensure they are authorised to access sites.
- 1.18.2 To ensure the physical security of Information Assets users should –
- Keep Information Assets in a locked area, cupboard or safe, out of plain sight, out of the reach of children and animals, away from any sources of heat, cold, or liquid.
 - When using public transport Blaenau Gwent County Borough Council Information Assets must not be left unattended.

- When transported in a car or vehicle, Blaenau Gwent County Borough Council Information Assets must be out of plain sight and not left unattended. Equipment should not be left in a vehicle overnight.
- Take reasonable care when transporting Blaenau Gwent County Borough Council Information Assets in hand luggage, bags, and backpacks and not leave them unattended.

1.18.3 As part of your role, users will be issued with an ID badge/access card. This card will provide you entry only into the areas you are permitted. Users should not try to gain access to areas where their card does not provide access. Under no circumstances should a user allow another person to use their ID card to gain access into a building/area.

1.18.4 Lost cards should be reported immediately to a line manager and access to the card should be disabled.

1.19 HOME DRIVES & STORAGE OF FILES/DATA

1.19.1 Each employee of Blaenau Gwent County Borough Council will have access to their own storage area, called a “Home Drive”. Home Drives are part of the corporate network and are to be used for business purposes only.

- Personal photographs and files/data are not to be stored in this location.
- Files/data relating to your operational performance, or staff records can be stored here to avoid other persons viewing this information.
- All files/data relating to normal business activity should be saved on the network drives.

1.20 COMPLIANCE

1.20.1 If a Blaenau Gwent County Borough Council Employee, Members, Contractor or Third Party breaches this policy, Blaenau Gwent County Borough Council may:

- Restrict or terminate the User’s right to use Information Assets;
- Withdraw or remove any material uploaded by that User in contravention of this policy;
- Disclose information to law enforcement and regulatory agencies and take legal action;
- Take such other action as it deems appropriate, including up to and including dismissal through the disciplinary procedure.

Blaenau Gwent County Borough Council reserves the right to monitor employee, members, contractor, and third party activity across all Information Assets owned by the council.

2.0 COMPLIANCE WITH THE WELSH LANGUAGE SCHEME

2.1 This Policy will comply with the organisation's Welsh Language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Language Scheme.

3.0 IDENTIFICATION SECTION

Policy Title:	Information Security Policy
Policy Owner:	Senior Information Risk Owner
Department Responsible:	All
Links to other Policies/Procedure:	<ul style="list-style-type: none">• Data Protection Policy• Acceptable Usage Policy• Information Governance Polices• Social Media Policy• Record Retention & Disposal Policy• Cyber Security Incident Response Policy
Policy Implementation Date:	1 February 2021
Next policy review date:	January 2022

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Agenda Item 31

Date signed off by the Monitoring Officer: 14.01.2021
Date signed off by the Section 151 Officer: 08.01.2021

Committee: **Council**

Date of Meeting: **28th January, 2021**

Report Subject: **Acceptable Usage Policy**

Portfolio Holder: **Councillor Nigel Daniels, Leader of the Council/ Executive Member Corporate Services**

Report Submitted by: **Rhian Hayden, Chief Officer Resources**

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	7/1/21				22/01/21		28/01/21	Information Governance Forum – 18/12/20

1. **Purpose of the Report**
 - 1.1 To provide Members with an opportunity to scrutinise the revised Acceptable Usage Policy and recommend its adoption by the Council.
2. **Scope and Background**
 - 2.1 The attached document is the proposed acceptable Usage Policy for the Council which provides guidance and an overview of the Council's expectations on the acceptable usage of systems, resources & work spaces.
 - 2.2 The draft Policy has been revised and updates / replaces the Council's current policies:-
 - Email Acceptable Use
 - Internet Acceptable Use
 - 2.3 The Policy applies to all Blaenau Gwent County Borough Council employees, Schools, volunteers, Members, contractors, third parties and all other authorised users with access to the Council's information assets.
 - 2.4 It identifies the general principles and mandatory controls that are required and applies to all information, hardware devices and data within Blaenau Gwent County Borough Council.

3. **Options for Recommendation**

3.1 **Option 1:** (preferred option) The Council considers and approves the attached Acceptable Usage Policy.

Option 2: The Council comment and suggest amendments/additions to the Policy prior to approval.

3.2 The Policy was considered by the Information Governance Forum on 18th December, 2020 and CLT on 7th January, 2021, both supported the proposed policy.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Statutory Responsibility:**

This policy contains mandatory controls that are required in order to meet regulation and standards including:

- Data Protection Act 2018 / GDPR - requires personal data to be properly safeguarded and not disclosed unless properly authorised and justified. It also requires us to state the legal basis under which we gather, retain and use data along with allowing the data subject the right access to see the information and ensure its accuracy.
- Computer Misuse Act 1990 (and amendments within The Serious Crime Act 2015) – renders it illegal to gain access to or use a computer without authority.
- Freedom of Information Act 2000 - provides for disclosure of non-personal data, subject to exemptions including the prevention and detection of crime.

5. **Implications Against Each Option**

5.1 *Impact on Budget*

There is no direct impact upon the budget as a result of implementing this policy however compliance with the policy will help to keep the Council's information assets safe, minimise data breaches and protect the Council's reputation.

5.2 *Risk*

Unacceptable Usage of the Council's assets may result in loss or compromise of information assets and have a detrimental impact upon the reputation of both individuals and the Council.

Development & implementation of and compliance with the Policy will mitigate this risk by ensuring all parties understand their responsibilities and the Council's expectations.

5.3 *Legal*

This policy contains mandatory controls that are required in order to meet regulation and standards including:

- Data Protection Act 2018 / GDPR

- Computer Misuse Act 1990 (and amendments within The Serious Crime Act 2015)
- Freedom of Information Act 2000

5.4 *Human Resources*

The Policy applies to all Blaenau Gwent County Borough Council employees, Schools, volunteers, Members, contractors, third parties and all other authorised users with access to the Council's information assets.

Failure to comply with this policy may lead to disciplinary action.

6. **Supporting Evidence**

6.1 *Performance Information and Data*

n/a

6.2 *Expected outcome for the public*

Development, implementation & compliance with the Acceptable Usage Policy will provide assurance to the public that their personal, sensitive information held by the Council is secure and used appropriately.

6.3 *Involvement (consultation, engagement, participation)*

The Policy was developed in consultation with the Council's Information Governance Forum.

6.4 *Thinking for the Long term (forward planning)*

Compliance with the Policy will ensure that the Council's Information Assets are secure and the Council's reputation maintained. The Policy will be reviewed on an annual basis to ensure it remains appropriate.

6.5 *Preventative focus*

Compliance with the Policy will minimise the likelihood of Unacceptable Usage of the Councils assets.

6.6 *Collaboration / partnership working*

n/a

6.7 *Integration (across service areas)*

The Policy applies to users in all service areas.

6.8 *EqIA (screening and identifying if full impact assessment is needed)*

The Policy has no impact on protective characteristics.

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

Compliance with the policy will be monitored through the Council's performance management arrangements.

Background Documents /Electronic Links

Appendix 1 – Acceptable Usage Policy



Issued: February 2021 Review: January 2022

CONTENTS:		Page No:
1.	Aims of the Policy	2
1.1	Scope	2
1.2	Roles & Responsibilities	3
1.3	Challenges & Representations	3
1.4	Clear Workstation Practices	3
1.5	Clear Screen Practice	3
1.6	Corporate Assets (Software / Hardware)	3
1.7	<u>Email</u>	5
1.8	<u>Internet</u>	5
1.9	Remote Working / Mobile Devices	6
1.10	User IDs and passwords	6
1.11	Unacceptable use	6
1.12	Monitoring	7
1.13	Compliance	7

1.0 Aims of Policy

1.1 Scope

1.1.1 This policy applies to all Blaenau Gwent County Borough Council employees, Schools, volunteers, members, contractors, third parties and all authorised users with access to our information assets. They are referred to as 'users' throughout this policy.

1.1.2 This policy contains mandatory controls that are required in order to meet regulation and standards including:

- Data Protection Act 2018 / GDPR - requires personal data to be properly safeguarded and not disclosed unless properly authorised and justified. It also requires us to state the legal basis under which we gather, retain and use data along with allowing the data subject the right access to see the information and ensure its accuracy.
- Computer Misuse Act 1990 (and amendments within The Serious Crime Act 2015) – renders it illegal to gain access to or use a computer without authority.
- Freedom of Information Act 2000 - provides for disclosure of non-personal data, subject to exemptions including the prevention and detection of crime.

1.1.3 It is intended to provide you with guidance and understanding of acceptable usage of systems, resources and workspaces within the organisation.

1.1.4 This policy and the statements contained within apply to all information, hardware devices and data, within Blaenau Gwent County Borough Council.

1.1.5 Where this policy refers to other standards, procedures and guidelines they must be read in conjunction with this policy.

1.1.6 Failure to comply with certain statements within this document may result in the council being subject to penalty fines or regulatory action and could lead to disciplinary action being taken.

1.2 Roles and Responsibilities

- 1.2.1 All Blaenau Gwent County Borough Council users have a duty of care to ensure security is maintained. When data is processed as part of a business requirement they must ensure it is safe and secure at all times and is only distributed to the correct people.
- 1.2.2 Any security issues identified or suspected must be reported to the Data Protection Officer through the escalation procedures (dataprotection@blaenau-gwent.gov.uk) as well as the Information Security Officer via security@blaenau-gwent.co.uk
- 1.2.3 All users are responsible for ensuring their Blaenau Gwent County Borough Council equipment including laptops, mobiles and tablets are secure and are never left unattended, particularly in public places.

1.3 Challenges & Representations

- 1.3.1 Challenges and representations concerning this policy should be directed to the Senior Information Risk Owner (SIRO) and Information Security Officer at security@blaenau-gwent.co.uk

1.4 Clear Workstation Practices

- 1.4.1 Blaenau Gwent County Borough Council works in a very agile way, and as a result much of its information is electronic. However, where paper documents are used they must be managed in a way that prevents unauthorised access to sensitive information. This includes securing physical information in appropriate cabinets when not in use, particularly outside normal working hours. It's also important to make sure that paper documents taken away from the office are stored separately from desirable items like laptops or other mobile devices.
- 1.4.2 Blaenau Gwent County Borough Council users should not leave any documents on their desks or workstations overnight.

1.5 Clear Screen Practice

- 1.5.1 Password protected screen savers must be activated when you leave your laptop or mobile device to prevent unauthorised access to information or systems. Be aware that mobile devices are desirable and can be the target for thieves. Make sure they are all password protected and that screen locks are activated if they haven't been accessed for 30 seconds.

1.6 Corporate Assets (Software / Hardware)

- 1.6.1 Use of corporate systems is granted subject to the users understanding & acceptance of the following statements:
- 1.6.2 Individuals must undergo security awareness education upon hire and at least annually. It is the responsibility of management to ensure this is completed.

- 1.6.3 Any security issues identified or suspected must be reported to the Data Protection Officer through the escalation procedures (dataprotection@blaenau-gwent.gov.uk) as well as the Information Security Officer via security@blaenau-gwent.co.uk
- 1.6.4 Data created & stored on corporate systems remains the property of Blaenau Gwent County Borough Council
- 1.6.5 Corporate resources or devices are not to be used for personal use or business use that implicates illegal activity.
- 1.6.6 Monitoring and auditing may be performed on systems and user activity.
- 1.6.7 Access credentials including but not limited to passwords, door entry cards, PINs and ID badges must not be shared, divulged, published, copied or written down.
- 1.6.8 It is a disciplinary offence to attempt to circumvent or by-pass information security controls and policies.
- 1.6.9 Corporate devices, including workstations, PCs, laptops, and mobile phones must be screen locked or logged off when not in use or unattended.
- 1.6.10 You must not attach/connect any unapproved third party hardware to your Blaenau Gwent County Borough Council equipment. If you require access to additional equipment or require third party hardware to be connected to your devices, you must request this via SRS Service Desk.
- 1.6.11 You will be prevented from loading unauthorised software onto any Blaenau Gwent County Borough Council's systems or devices. This is a critical part of Blaenau Gwent County Borough Council's security arrangements and you must not attempt to alter/amend/compromise the security in any way.
- 1.6.12 Approved/licenced software and/or Blaenau Gwent County Borough Council's corporate information must not be downloaded, copied, shared, compromised, deleted, or distributed in any way that may have the potential to cause the council harm.

1.7 Email

- 1.7.1 Use of Email systems is granted subject to the users understanding & acceptance of the following statements:-
- 1.7.1 Email access may be revoked at any time if access is abused or is no longer necessary.
- 1.7.2 Email is primarily for business communication and purposes.
- 1.7.3 Email traffic and content is subject to monitoring and should not be considered private.
- 1.7.4 Users using corporate email represent the business in their behaviour and communications. Individuals must not discuss, divulge, publish or post information that may compromise the council's interests or bring the council into disrepute.
- 1.7.5 Email encryption method must be used when transferring confidential data externally. Please contact the SRS Service Desk if you require assistance with the email encryption process.
- 1.7.6 The forwarding of chain-mails, unsolicited 'spam' emails or suspicious email is prohibited.

1.8 Internet

- 1.8.1 Internet access is granted subject to the users understanding & acceptance of the following statements:-
- 1.8.2 Internet access to certain websites is granted to users for business use.
- 1.8.3 Internet websites may be blocked depending on their content or category.
- 1.8.4 Internet access to certain websites is based on job roles or department requirements. As such, some individuals will have different access to others.
- 1.8.5 Internet access may be revoked at any time if it is abused or is no longer deemed necessary.
- 1.8.6 Occasional personal internet use is allowed at the discretion of management, and personal browsing should only be undertaken at the end of the users working day/shift.
- 1.8.7 Internet usage, traffic and content is subject to monitoring.
- 1.8.8 Individuals using corporate internet connections represent the business in their behaviour and communications. Individuals must not discuss, divulge, publish or post information that may compromise the council's interests or bring the council into disrepute.
- 1.8.9 Users will only access appropriate content using Blaenau Gwent County Borough Council technology and not intentionally visit sites or news groups that are obscene, indecent or advocate illegal activity.

- 1.8.10 Do not attempt to bypass Blaenau Gwent County Borough Council web filters.
- 1.8.11 Users will use social media appropriately by making themselves aware of the Social Media policy.
- 1.8.12 Users will not put Blaenau Gwent County Borough Council information including anything that is sensitive / personal information onto online forums, blogs or social networking sites.
- 1.8.13 Users will only use approved Blaenau Gwent County Borough Council social media accounts for official business and where appropriate, use Blaenau Gwent County Borough Council branding and a professional image or persona on such accounts.
- 1.8.14 Users must be aware that their social media content may be available for anyone to see, indexed by Google and archived for posterity.

1.9 Remote Working / Mobile Devices

- 1.9.1 When working remotely users must make all reasonable efforts to secure the data and assets of Blaenau Gwent County Borough Council. Remote users should not leave their equipment unlocked or unattended at any time.
- 1.9.2 Remote workers must keep Information Assets in a locked area, cupboard or safe, out of plain sight, out of the reach of children and animals, away from any sources of heat, cold, or liquid.
- 1.9.3 When working remotely, be mindful of meetings and telephone conversations you are having in your environment. Make sure that your door is shut or nobody can eavesdrop when discussing confidential/corporate issues so that members of your family/third parties are not able to hear the detail of that conversation.
- 1.9.4 Users must immediately report any incidents that involves loss, theft, or compromise of an asset or loss or corruption of data.

1.10 User IDs and passwords

- 1.10.1 Users will protect usernames, staff numbers, ID badges and passwords appropriately.
- 1.10.2 Users will create secure passwords following best practice guidance.
- 1.10.3 Users will not logon to/or attempt to access any Blaenau Gwent County Borough Council system using another user's credentials.

1.11 Unacceptable use

- 1.11.1 Users will not trade or canvass support for any organisation on official premises, whether it is for personal gain from any type of transaction or on behalf of external bodies.
- 1.11.2 Users will not send messages or material that solicit or promote religious, political or other non-business-related causes, unless authorised by Blaenau Gwent County Borough Council.

- 1.11.3 Users will not create or transmit any offensive, obscene or indecent images, data or any data capable of being resolved into obscene or indecent images or material on Blaenau Gwent County Borough Council corporate assets or network.
- 1.11.4 Users will not create or transmit any material which is considered to facilitate harassment, bullying and/or victimisation of a user within Blaenau Gwent County Borough Council
- 1.11.5 Users will not provide unauthorised views or commitments that could appear to be on behalf of Blaenau Gwent County Borough Council.
- 1.11.6 Users will not use any type of applications and/or devices to circumvent management or security controls.
- 1.11.7 Users will not access personal webmail accounts on Blaenau Gwent County Borough Council equipment.
- 1.11.8 Users will not download photographs, music, video or other media-related files for non-business purposes or store such files on network drives
- 1.11.9 Users will not access or try to access data or physical areas within Blaenau Gwent County Borough Council where the user knows or ought to know that they should have no access
- 1.11.10 Users will not carry out hacking activities
- 1.11.11 Users will not intentionally or recklessly introduce any form of spyware, computer virus, data-interception, password-detection or other potentially malicious software onto Blaenau Gwent County Borough Council's network, systems, corporate devices, etc
- 1.11.12 Users will not use any information that they access or obtain as part of their role for any other purpose other than what their role permits.

1.12 Monitoring

- 1.12.1 Blaenau Gwent County Borough Council records and monitors the use of its assets (hardware and software) under the Regulation of Investigatory Powers Act (2000) for the purposes of:
- 1.12.2 The effective and efficient planning and operation of its assets (hardware and software)
- 1.12.3 Investigation, detection and prevention of infringement of the law, this policy or other council policies
- 1.12.4 Investigation of alleged misconduct by users

1.13 Compliance

- 1.13.1 If a Blaenau Gwent County Borough Council Employee, Members, Contractor or Third Party breaches this policy, Blaenau Gwent County Borough Council may:
- Restrict or terminate the User's right to use Information Assets;

- Withdraw or remove any material uploaded by that User in contravention of this policy;
- Disclose information to law enforcement and regulatory agencies and take legal action;
- Take such other action as it deems appropriate, including up to and including dismissal through the disciplinary procedure.

Version Control

Author	Version	Date	Comment
Information Security Manager	2021_1	January 2021	

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Agenda Item 32

Council only

Date signed off by the Monitoring Officer: N/A

Date signed off by the Section 151 Officer: N/A

Committee: Council

Date of Meeting: **28th January, 2021**

Report Subject: **Memberships Report**

Portfolio Holder: **Councillor N. Daniels – Leader/
Executive Member – Corporate Services**

Report Submitted by: **Democratic Services**

Report Written by: **Democratic Services**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
							28/01/21	

1. **Purpose of the Report**
 - 1.1 To present a list of Memberships for consideration and determination by Members of the Council.

2. **Scope**
 - 2.1 **ANEURIN BEVAN COMMUNITY HEALTH COUNCIL**

To appoint a replacement representative on the above.
 - 2.2. **SRS STRATEGIC BOARD**

To appoint Councillor J. Wilkins as the representative to replace Councillor N. Daniels on the above Board.
 - 2.3 **CORPORATE OVERVIEW SCRUTINY COMMITTEE**

To appoint Councillor J. Holt to replace Councillor L. Parsons on the above Committee.

3. **Options for Recommendation**
 - 3.1 To consider the above.

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