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Contact:/Cysylltwch â: Gwasanaethau Democraidaidd



THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

Dydd Iau, 23 Medi 2021 Dydd Iau, 23 Medi 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, 30ain Medi, 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, ond mae angen o leiaf 3 diwrnod gwaith o hysbysiad ymlaen llaw os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

2. YMDDIHEURIADAU

Derbyn ymddiheuriadau.

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

- 3. DATGANIADAU BUDDIANT A GODDEFEBAU**
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- 6. PWYLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWYDDEDU CYFFREDINOL (MATERION CYNLLUNIO)** 51 - 64
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Derbyn cwestiynau, os oes rhai, gan y cyhoedd.

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2021.

To: J. Holt (Cadeirydd)
M. Day (Deputy Chair)
P. Baldwin
D. Bevan
G. Collier
J. Collins
M. Cook
M. Cross
N. Daniels
D. Davies
G. A. Davies
G. L. Davies
P. Edwards
L. Elias
D. Hancock
K. Hayden
S. Healy
J. Hill
W. Hodgins
M. Holland
J. Mason
H. McCarthy
C. Meredith
J. Millard
M. Moore
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

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 29TH JULY, 2021</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR J. HOLT (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
 - M. Holland
 - J. Mason
 - H. McCarthy, B.A. (Hons)
 - C. Meredith
 - J. Millard
 - M. Moore
 - J. P. Morgan
 - L. Parsons
 - G. Paulsen
 - K. Pritchard
 - K. Rowson
 - T. Sharrem
 - T. Smith

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

AND: Managing Director
 Corporate Director of Social Services
 Corporate Director of Education
 Chief Officer Commercial & Customer
 Head of Legal & Corporate Compliance
 Head of Community Services
 Head of Regeneration
 Head of Organisational Development
 Service Manager – Accountancy
 Communications, Marketing & Customer Access
 Manager
 Team Manager – Trading Standards

<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, W. Hodgins, J. C. Morgan, B. Thomas, Corporate Director of Regeneration & Community Services and the Chief Officer Resources.</p>	

3. DECLARATIONS OF INTEREST AND DISPENSATIONS

The following declarations of interest were reported:

Item Nos. 59-61 – Longlisting JNC Officers, Shortlisting JNC Officers, Appointments Committee JNC Officers
Bernadette Elias – Chief Officer Commercial & Customer

4. CHAIR'S ANNOUNCEMENTS

(a) Condolences

Condolences were expressed to:

- Councillor Bernard Willis and his family whose daughter, Kym Lewis had sadly passed away. Kym had been Bernard's consort during his year as Mayor.
- The family of former Borough Councillor and Mayor, Gareth Morgan, M.B.E on his sad death.
- The family of former County Borough Councillor and Town Councillor, Bob Pagett on his sad death.

Members and officers paid their respects with a minute's silence

Tributes were paid to former County Borough Councillor and Town Councillor, Bob Pagett. It was reported that Bob had served as a Town Councillor for Nantyglo and Blaina since the late 1970's up until the present day and during this time had served as Mayor on several occasions. Bob had cared deeply about his community and would be sadly missed.

The Leader of the Labour Group echoed the comments made and said that Bob had been a very loyal servant to the County Borough. He also paid tribute to Kym Lewis. Kym had served as Mayor's Consort when her father, Councillor Bernard Willis had been appointed Mayor. Kym had been a fantastic ambassador for Blaenau Gwent in this role and would be sorely missed.

RESOLVED that appropriate letters be sent.

(b) Congratulations

Congratulations were extended to:

- The 'A' Level Team at Blaenau Gwent Learning Zone, Coleg Gwent. The team had won a prestigious bronze award at the Pearson Teaching Awards Further Education Team of the Year 2021, for the valuable contribution made by the teaching staff and the difference that had made to young people in the area.

An appropriate letter had been sent to Coleg Gwent.

- Defence Employer Recognition Scheme – Gold Award: Notification had been received from the Ministry of Defence advising that Blaenau Gwent had achieved Gold status under the Defence Employer Recognition Scheme. This was a prestigious award and Blaenau Gwent was one of only 127 organisations who were adjudged to reach the required standard.

(iii) Chair's Appeal 2021/2022

The Chair announced that her chosen Appeal for 2021/2022 would be the Blaenau Gwent Foodbank. This organisation had played a vital borough wide role supporting the vulnerable throughout the course of the pandemic.

5 – MINUTE BOOK – MARCH – JUNE 2021

36.

The Minute Book for the period March – June 2021 was submitted for consideration.

It was unanimously,

RESOLVED that the minutes be approved and confirmed as a true record of proceedings.

37. MEMBERS QUESTIONS

Question No. 1

The following question was received from Councillor Hedley McCarthy and was responded to by Councillor Joanne Wilkins, Executive Member for Environment:

Question:

“Could the Executive Member explain to Council what urgent action was to be taken to ameliorate the unacceptable noise nuisance from Blackwood Engineering at Glandwr Industrial Estate?”

Response:

The Environmental Health Team had confirmed receipt of one noise complaint from a local resident relating to this matter. The Management Team at the company was co-operating with the Council to address some of the specific noise related issues that had been raised and had proposed a series of actions to deal with these matters which, it was hoped would resolve the on-going and outstanding noise issues. However, as this was an on-going investigation it was not appropriate at this current time to comment any further.

Supplementary Question:

No supplementary question was presented.

Question No. 2

The following question was received from Councillor Phillip Edwards and was responded to by Councillor Nigel Daniels, the Leader of the Council:

Question:

“When would the delegating of powers during the pandemic, including the Gold Group, come to an end?”

	<p>Response:</p> <p>The additional delegation to officers came to an end on 24th June, 2020 when the suspension of Council Committees was lifted. However, the Gold Group had continued to operate as part of the national and regional response to the pandemic but since 24th June it had operated in parallel to the normal democratic arrangements. The Gold Group was stood down in May 2021, following the standing down of the Gwent Strategic Co-ordinating Group.</p> <p>Supplementary Question:</p> <p>No supplementary question was presented.</p>
<p>38.</p>	<p><u>PUBLIC QUESTIONS</u></p> <p>There were no questions submitted by members of the public.</p>
<p>39.</p>	<p><u>PROPOSED COUNCIL FORWARD WORK PROGRAMME 2021-2022</u></p> <p>Consideration was given to the proposed Council Forward Work Programme 2021-2022.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely that the Council Forward Work Programme 2021/2022 be approved.</p>
<p>40.</p>	<p><u>ANNUAL SCRUTINY REPORT 2020/2021</u></p> <p>Consideration was given to the report of the Service Manager Performance & Democratic.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely, the ‘scrutiny activity’ that had been undertaken by each</p>

Scrutiny Committee during 2020/21 be approved and the report published on the Blaenau Gwent website.

41. SCHEDULE OF MEMBERS REMUNERATION 2021/2022

The report of the Head of Organisational Development was submitted for consideration.

In the absence of the Chair of the Democratic Services Committee, the Vice-Chair advised that the Democratic Services Committee had considered and agreed both reports and proposed that Item Nos. 41 and 42 be approved simultaneously.

A Member referred to a previous meeting of the Council held in May whereby she had asked the Leader about the case whereby a Member had been appointed to two paid positions and said at that time the Leader had denied knowledge of this case. The Member concluded by asking whether these monies had now been repaid to the Council as paragraphs 2.3 and 2.6 of the Schedule of Members Remuneration indicated that only one senior salary was payable to a Member of the authority.

The Leader of the Council on a point of correction advised that the Member had misinterpreted his comments and clarified that he had not denied knowledge but had said at that time that he was genuinely not aware of the case. However, he had subsequently been made aware of the area referred to and confirmed that the additional allowance which was being paid to a Chair who was in receipt of a special responsibility allowance, was permissible within the regulations.

The Member said that she found that this was confusing and contradictory to the information contained in the Schedule of Members Remuneration, specifically paragraphs 2.3 and 2.6 i.e. that only one senior salary was payable to a member of the authority and concluded by stating that whilst the Leader indicated that he had been unaware of the case, this could be taken that he was denying knowledge of it.

The Leader of the Council raised a point of order and stated that being 'unaware' and 'denying' were grammatically two different things and could be interpreted differently. He affirmed that he had

been unaware of the case and this had been a genuine comment made at that time. However, he had been subsequently assured by both the Monitoring Officer and the Chief Officer Resources that a Member in receipt of a Committee Chair Band 3 (the level that Scrutiny Committee Chairs were paid) could be in receipt of a salary from another organisation.

The Leader of the Labour Group said that he was under the assumption that it was the Leader who made the appointments to these external positions and said it was important that there was transparency, particularly for the public regarding senior responsibility allowances.

The Leader of the Council advised that he was content to go on record that he had recommended that the individual in question be appointed to that particular body because of his experience and knowledge. The organisation in question was a crucial partner and he believed the Member was the best individual to undertake this role. It was pointed out that this appointment had been wholly endorsed by his colleagues and endorsed when the Committee structure and outside bodies were approved by Full Council.

The Leader of the Labour Group said whether the individual was the best person for the role was not the issue, the issue was that the individual was in receipt of two salaries and if the Leader had recommended that the individual be appointed to the post, then he had been aware of the situation and said he should apologise to his colleague for stating that he had been unaware. He concluded by stating that the public had a right and deserved to know what was happening in the Council.

The Leader of the Council said that in this instance he did not feel he needed to apologise because when he had made the comments at the time, he could not genuinely recall the case and had to be prompted by officers. He stated that his comments at that point in time were honest and truthful and for that honesty and truthfulness he made no apology and said that he also made no apology for the decision taken to appoint the individual to perform that particular role.

It was unanimously,

	<p>RESOLVED that the report be accepted and Option 1 be endorsed, namely, the Schedule of Members Remuneration for 2021/22 be agreed and published.</p>
42.	<p><u>STATEMENT OF PAYMENTS MADE TO ELECTED MEMBERS 2020/2021</u></p> <p>The report of the Head of Organisational Development was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely, in order to comply with relevant legislation that the Statement of Payments Made to Members during 2020/21 be published.</p>
43.	<p><u>WORKFORCE STRATEGY 2021-2026</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>At the invitation of the Chair, the Head of Organisational Development explained that the purpose of the report was to seek endorsement of the Workforce Strategy 2021-2026. It was noted that the Council's Organisational Development Strategy 2015 -2020 focussed strategically on preparing the Council and its workforce for transformation and change, and successfully promoted the 'one Council' approach, supported the transformation of the organisation in response to financial efficiency which included a review of services and the introduction of new and alternative service delivery models.</p> <p>This 5-year strategy focussed on the future, integrating the Council's vision, objectives and financial planning arrangements. It would link service outcomes with the workforce required to deliver them and would have an on-going understanding of how the workforce should look in the future through continual review, re-alignment and measurement of how outcomes were achieved. It would also support the workforce to transition from responding to the</p>

emergency situation in relation to the pandemic Covid-19 and act as a key lever to facilitate cultural change.

The strategy had been developed from workforce information, staff surveys, and engagement and consultation with key stakeholders and trade unions and the suggestions that had been made had influenced the development of the strategy. The Head of Organisational Development concluded by advising that the strategy would have an annual action plan which, would be monitored through the Corporate Leadership Team and the Corporate Overview Scrutiny Committee.

The Leader of the Labour Group referred to paragraph 2.2 of the report which stated that “the New Operating Model would introduce modern working practices, would seek to enhance employees’ working experience, maximise performance and productivity and deliver the greatest value to the organisation....” and asked whether this statement was reliable.

He continued by explaining that the situation currently being experienced in the Planning and Building Control Sections was disgraceful. The public were being told that the Council would become a modern local authority, with aspirations to create new housing and become a low carbon authority. However, there were people in the County Borough complaining bitterly about the ridiculous amount of time it currently took for applications to be considered. He requested that Corporate Leadership Team and the political Leadership implement measures to address this situation.

The Leader of the Labour Group concluded by stating that with regard to the report, he had made his comments previously at the Scrutiny Committee and supported endorsement of the recommendation.

The Leader of the Council commenced by stating that he was aware of the current situation being experienced within the service but said he believed that this was the correct strategy for the Council. The Trade Unions had supported the strategy and had raised no reservations regarding the strategy or any other areas of the authority. He continued by stating that he was aware that work was progressing to improve the digital service in relation to the Planning Department which would help support remote and agile working,

however, this was being addressed at an operational level at present.

The Managing Director advised that the Leader of the Labour Group had raised some important points. There was work on-going at present with this particular service to provide support to place it on a stronger footing. However, there were very specific circumstances in this service which had caused the issues being experienced which needed to be addressed and the situation improved. The digital solution formed part of this measure together with the provision of support to staff to return to work.

The Managing Director assured Members that work on-going at an operational level to improve this situation but it was important to recognise that this was one service area and this did not, therefore, signify that this was the incorrect service delivery model for the Council but meant that additional support would be required to be provided for that service during this transition period.

The Leader of the Labour Group expressed his appreciation to the Managing Director for her response but pointed out that the situation currently being experienced in section ran contrary to the report. He urged that temporary staffing arrangements be put in place to ease the situation and address it as a matter of urgency.

The Managing Director advised that the service had employed additional agency staff but there were real challenges in obtaining staff with the required skill sets. However, the Service Manager and senior officers were doing everything they could to address this current situation.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the proposed draft Workforce Strategy 2021 – 2026 be supported and endorsed.

44. DIVERSE COUNCIL DECLARATION

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

The Chief Officer Commercial and Customer spoke briefly to the report which presented the Diverse Council Declaration for approval. Members were advised that Welsh Government was committed to increasing diversity across all aspects of public life and this included tackling the barriers which prevented individuals' active participation in local democracy.

Paragraph 2.4 of the report set out the number of expectations on the Council to support diversity within the democratic process and also with political parties to support the process of becoming a councillor and providing support for councillors once they became elected. Paragraph 2.5 outlined the additional expectations as part of the Local Government and Elections Act.

The Chief Officer continued by advising that an action plan would be developed which would span up to and beyond the Local Elections 2022 and this would be presented to the Democratic Services Committee for consideration prior to approval at Council on 30th September. It was noted that in some of the areas, the Council was already making some progress for example, flexibility of business via remote attendance at meetings.

A Member welcomed the report and asked who would be developing the action plan and whether the public would be consulted on the plan prior to it being presented to the Democratic Services Committee. He pointed out that the Council needed to be actively engaging with people to ascertain what they perceived the barriers were to becoming a councillor were.

The Chief Officer Commercial and Customer advised that initial discussions had taken place with the Equalities Officers to make those connections with certain under-represented groups to ascertain their views. In addition, the current Digital Democracy Bid included work with 16-25 year olds to understand their experiences and barriers they faced connecting with the democratic arrangements and some of this learning would help support the development of the plan. The Citizens Panel was a further

opportunity to engage and engagement would take place through other identified networks as there were various aspects of the declaration that different groups could take forward. It was noted that some initial research had been collated with individuals in the County Borough and all this information would be collated and considered. The Chief Officer added that the views of Members would be considered via the democratic process.

A Member welcomed the declaration and stated to illustrate the Council's commitment requested an undertaking from the Leader that Members would be given an opportunity to discuss the Welsh Audit of Commemoration which had been approved by Welsh Government in November 2020.

The Leader confirmed that he was content for this document to be discussed.

Another Member expressed his concern regarding digital democracy and his experience of virtual meetings as he felt that these were not helpful or practical and said that vigorous consultation should take place with members of the public and Councillors.

A Member said she agreed with the report but would like some form of recognition within the action plan for meetings to be held outside of the working day, especially scrutiny committees because she felt that this would attract a much younger element of the community especially working women with young children to apply to become a councillor.

The Leader of the Council in proposing that the Option 1 be endorsed highlighted that a regular review and staggering of meeting times had been captured in the 'expectations' section of the report and this would form part of the action plan that would be considered.

It was unanimously,

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

- Sign up to the Diverse Council Declaration as set out in Appendix 1.

- Agree that an action plan be developed to address the required areas of being a diverse Council.
- The action plan be presented to Democratic Services Committee for consideration and sign off before being approved at Council on 30th September, 2021.

45. MOVE TO REGIONAL PUBLIC SERVICE BOARD (PSB)

Consideration was given to the report of the Managing Director.

The Managing Director spoke in detail to the report which sought approval for Blaenau Gwent to join the other Councils in Gwent and statutory partners to form a Regional PSB. The report also provided an update on the progress made in relation to a regional well-being assessment and well-being plan, the formation of the regional scrutiny committee and the development of a local delivery partnership in Blaenau Gwent to ensure local priorities continued to be a focus in the County Borough.

The Well-being of Future Generations (Wales) Act 2015 focussed on improving the social, economic, environmental and cultural well-being of Wales. The Act set out a collective well-being duty on specified public bodies to act jointly via Public Service Boards (PSBs) to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the well-being goals.

The existing PSB structure included within Appendix 1 of the report highlighted that in Gwent currently there were 5 PSB's centred on the 5 local authority areas and those PSB's brought together local authorities and statutory and non-statutory partners to act collaboratively to produce the well-being plan and assessments as set out in legislation. The next local well-being assessments were due in May 2022 and there was a requirement for the new Well-being Plans to be published by May 2023.

The Act also made provisions for two or more PSB's to merge and proposals for the creation of a Regional PSB for Gwent were brought forward for all 5 PSB's to be merged into one Regional PSB and local PSB's disbanded. However, the PSB had agreed to continue to focus on local priorities through local delivery partnerships.

The Managing Director continued by advising that Appendix 2 of the report set out the proposed structure of the Regional PSB and paragraph 2.9 detailed the benefits associated with this change.

If the proposal to move to a single Regional PSB was approved, the first task to be undertaken would be a Gwent wide Wellbeing Assessment by May 2022 and the publication of a Regional Wellbeing Plan by May 2023. It was noted that there were two years remaining on the current Well-being Plan for Blaenau Gwent and this would continue to be delivered and overseen by the local delivery partnership and the work of the PSB and scrutiny of the existing Well-being Plans would continue through local scrutiny in each individual area until 2023 to ensure that priorities were delivered. Operating parallel to this arrangement, a regional scrutiny structure would be set up in advance of May 2022.

Council was advised that colleagues in Gwent had already considered and endorsed the move towards a Regional PSB and the statutory and non-statutory partners had also endorsed the report. Blaenau Gwent's Public Service Board Scrutiny Committee had considered and agreed the report earlier that week at which debate had ensued in terms of administrative support and cost, the legal basis for the move to this arrangement and Members were keen to receive further information in terms of how the scrutiny arrangements were to be set up. In addition, there was a clear assurance sought that the focus on local priorities would not be lost if this proposal was approved and that Members would be involved in the development of regional scrutiny arrangements. The Managing Director advised that with those assurances, the Scrutiny Committee had supported the report.

The Leader of the Labour Group commended the proposal and said he was pleased that the local arrangement was to be maintained. However, he had viewed the recording of the Public Service Board Scrutiny Committee earlier that day and expressed his concern that the Chair of the Committee had commented that there were no Labour Members present but did not provide the reason for this.

The Leader of the Labour Group said that he wished to place on record the reason that Labour Group representatives had not been present was because the Majority Independent Group had decided to convene a meeting which conflicted with the original time of the

PSB Scrutiny Committee. Whilst this meeting had been rescheduled it then conflicted the pre-arranged Labour Group meeting. He pointed out that he had immediately responded on the day the notice was received to advise of the situation and was told that the meeting would be proceeding. He had then, subsequently written to the clerk and Managing Director to advise them both and said he felt that his Group deserved the same due respect as the Majority Independent Group because it could have been perceived that the Labour Group had decided not to attend this Committee when in fact there had been a valid reason for this absence.

The Chair of the Committee advised that he had already sent an apology to the clerk who had notified him of the reason for the absence on that day but unfortunately, he did not have the opportunity to open his emails until following the Committee meeting.

The Leader of the Council advised that there was no malice intended when the meeting was re-arranged – similar to the arrangements of the Labour Group, the Majority Independent Group also held pre-arranged meetings on a Tuesday prior to each Council meeting. However, he had requested a 30-minute delay on the commencement of the PSB Scrutiny Committee due to the weight of the Council agenda which would not have been dealt with in the allotted timescale. He had not considered that a 30-minute delay was too excessive and it had been diarised a week previously. However, he had not realised that this had conflicted with a Labour Group meeting – no-one had contacted him and only on the day of the meeting it had been brought to his attention. He reiterated that this re-arrangement had not been undertaken with any malice intended.

A Member welcomed the report but had some concerns regarding a Regional PSB. He felt that Blaenau Gwent had been losing out when it came to health, in particular and said he hoped the Regional PSB would have more influence and power to supply the public with the actual services that they required.

Another Member said that he was dismayed that he had been unable to attend the PSB Scrutiny Committee and that this was not the first time there had been clashes of meetings this year. He asked what assurance could be given that Members would have sight of all the minutes of the Regional PSB within a reasonable timescale

in order that they could be scrutinised. At present, there was a one-way process with Members only having sight of agendas and not the minutes and said he hoped that the new Regional PSB would operate a two-way process.

The Leader of the Council commenced by stating that this was of equal concern across all partners and said that for such a large strategic body ensuring that scrutiny was correct from the beginning was absolutely essential. Scrutiny managers were jointly considering the rationale behind the formation of regional scrutiny and the local scrutiny arrangements would continue for a period of time. As this was such a large strategic entity, he suspected that scrutiny managers would be considering the effectiveness of scrutiny (whilst not losing local emphasis) because there would be an opportunity to consider and discuss major issues on a Gwent wide basis. He reiterated, that it was absolutely crucial that the scrutiny process was fit for purpose and due diligence be given to the issues that needed to be discussed and, therefore, it was imperative that there were appropriate checks and balances.

The Chief Officer Commercial and Customer advised that the arrangements for regional scrutiny were being progressed and would be subject to a further report and confirmed that the local scrutiny arrangements would remain. It was noted that as part of the regional scrutiny arrangements there would be a clear connection to the local aspect and connections between the Chair of the Scrutiny Committee and Regional PSB.

A Member expressed concern that there needed to be someone with very strong views fighting the corner for Blaenau Gwent to impress the effects positive or negative for Blaenau Gwent, particularly as there may potentially be votes taken at these regional meetings.

Another Member said that she was dubious regarding a collaborative PSB because she valued Blaenau Gwent as an individual and no two authorities were the same and was concerned that Blaenau Gwent may be forgotten within the main strategic purposes of the group. At present local arrangements would continue and this welcomed which, included third sector representation and she asked whether this third sector contribution would remain within the new scrutiny structural arrangements.

The Managing Director confirmed that regional scrutiny would allow for the voluntary sector representation to continue as it would with the local delivery partnership in Blaenau Gwent.

The Deputy Leader of the Minority Independent Group advised that he had raised questions and concerns at the PSB Scrutiny Committee the previous day about the structure of the Regional PSB and that a move to a larger Gwent Public Service Board could potentially result in job losses affecting Blaenau Gwent staff. He pointed out that he had abstained from voting at this meeting because he felt that by moving to a larger Gwent wide organisation would be a step towards ending another Blaenau Gwent entity. He requested that a recorded vote be taken for the public record.

The Leader of the Council proposed that Option 1 be endorsed. This proposal was seconded.

The Leader of the Labour Group advised that he had previously been appointed to this Board and said that some of the Members may not have so many concerns if they were aware of how the Board operated. He pointed out that the strategic element of the Regional PSB and working with partners could be useful for resolving potential issues within the community and he saw this as a positive.

The Leader of the Council concurred with the comments made by the Leader of the Labour Group. He felt that this proposal would genuinely be of benefit for Blaenau Gwent and Gwent in general particularly, in relation to discussions around major issues and assured Members that all partners were treated equally from a political perspective within the group. He pointed out that the relationship with the Health Board continued to grow strong for obvious reasons and said that these were working links that were not going to be broken.

The Leader continued by stating that whilst the authority was moving to a Gwent wide PSB, local delivery partnerships would be formed to focus more acutely on the issues that were crucial locally and this mechanism would provide a greater understanding of the overarching work of the PSB. It was noted that a proportion of the work of the local partnerships would feed into the wider picture so there would be a two-way flow of information. It was also equally important that the right people both politically and professionally were appointed to the local partnership and the Regional PSB.

There were linkages between the current PSB and the Scrutiny Committee with the Chair and Vice-Chair who had been invited to attending these meetings for considerable period of time, however, a similar process had not been adopted by the other local authorities, therefore Blaenau Gwent had and would continue to influence agendas.

Following a lengthy discussion, a recorded vote was taken for the public record.

The Leader of the Council, thereupon proposed that Option 1 be endorsed. This proposal was seconded.

In Favour of Option 1 – Councillors P. Baldwin, D. Bevan, J. Collins, M. Cook, M. Cross, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, L. Elias, D. Hancock, K. Hayden, S. Healy, J. Hill, J. Holt, J. Mason, H. McCarthy, C. Meredith, M. Moore, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, T. Sharrem, T. Smith, B. Summers, G. Thomas, S. Thomas, H. Trollope, J. Wilkins, D. Wilkshire, B. Willis, L. Winnett

Against Option 1 – Councillors M. Holland, J. Millard, K. Pritchard

Abstention – Councillor P. Edwards

The vote on Option 1 (preferred option) was carried.

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

Recommendation 1: To move to a regional PSB as outlined in the report with the importance of maintaining strong local partnerships.

Recommendation 2: To establish regional scrutiny and the developing arrangements, and to receive further details as appropriate.

Recommendation 3: The local assessment of well-being, to be agreed by 5th May 2022, would be part of the PSB Scrutiny Committee work programme for 2021/22.

Recommendation 4: To support the proposed regional PSB terms of reference (Appendix 5), and requirements to make any relevant changes to committee structures and constitution.

Recommendation 5: The development of Local Delivery Partnerships to be considered in local scrutiny work programmes.

Recommendation 6: To continue to support Scrutiny of the [current Well-Being Plans](#) to 2023 through existing local partnership Scrutiny arrangements.

46. UPDATED CONCERNS AND COMPLAINTS POLICY

Members considered the report of the Head of Legal and Corporate Compliance.

The Head of Legal and Corporate Compliance advised that Complaints Standards Authority (CSA) had produced a model Concerns and Complaints Policy and there was an expectation that public authorities would adopt the model policy to ensure consistency of complaints handling throughout Wales. The policy had been presented to the Audit and Governance Committee on 29th June and the comments made by that Committee including the final comments from the Ombudsman had been included in the policy. Therefore, the policy that had been presented was the model policy with slight local adaptations.

It was reported that in future, the Council would need to provide the Complaints Standards Authority with data on a quarterly basis and this information would need to be reported into the Governance and Audit Committee twice yearly i.e. October and April.

It was noted that the reference to complaints within the policy related to service complaints and the regime relating to conduct complaints remained unchanged. In addition, the Civic Centre address referred to in the policy document would be updated to the service address, which had recently changed.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Concerns and Complaints Policy be adopted and a complaints report be presented to the Governance and Audit Committee on a bi-annual basis in October and April each year.

47. ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES 2019/2020

Members considered the report of the Corporate Director of Social Services.

At the invitation of the Chair, the Corporate Director of Social Services spoke briefly to the report and advised that it was a statutory responsibility of the Director of Social Services to assess the effectiveness of the delivery of Social Services and produce an Annual Report which formed part of the Annual Council Reporting Framework.

Owing to the pressures that Social Services were under to respond to the emergency Covid pandemic, the Welsh Government had agreed to postpone the development of the Annual Report 2019/20. However, it had subsequently been agreed by Welsh Government that the outstanding 2019/20 report be developed and approved as well as a separate report for 2020/21 which would be presented to Council later in the year (autumn).

The headline updates relating to Children's and Adult Services were contained in paragraph 6 of the report. The Corporate Director concluded by advising that the Social Services Scrutiny Committee had endorsed Option 1.

A Member requested that his appreciation be placed on record for the work undertaken by the department throughout the course of the pandemic. Staff had gone beyond expectations and said that the work undertaken by the department was exemplary and requested that appreciation be passed onto all staff.

The Leader of the Labour Group echoed these comments and said that this had been a magnificent achievement and he also requested that his appreciation and congratulations for a job well done.

	<p>It was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the detail contained within the Annual Report of the Director of Social Services 2019/20 be approved.</p>
<p>48.</p>	<p><u>LICENSING ACT POLICY</u></p> <p>Consideration was given to the report of the Service Manager Public Protection.</p> <p>The Executive Member Regeneration & Economic Development spoke briefly to the report and proposed that Option 1 be endorsed. This proposal was seconded.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely that the revised Licensing Act Policy be approved.</p>
<p>49.</p>	<p><u>HIGHWAYS CAPITAL WORKS PROGRAMME 2021-2022</u></p> <p>Consideration was given to the report of the Head of Community Services.</p> <p>The Head of Community Services spoke to the report which provided an updated position and progress on the capital programme 2017/2021 and presented options for the 2021/22 work programme. He explained that to date £4.4m had been made available through Welsh Government grants and prudential borrowing to provide improvements to the highway network and the focus of these works for the last 3 years had been on the residential highways which made up 74% of the network.</p> <p>The overall percentage of poor conditioned un-classified roads pre-commencement of works was 17%. As a result of the previous three years this figure had been maintained at 11.4%. To date 82</p>

residential highways had been resurfaced along with priority works to the A & B classified roads.

£602,000 was currently available in the capital programme 2021/22 and it was intended to concentrate on the worst condition residential highways in each ward. Another option along with roads in each ward, was to look at priority A & B roads at a total cost of £912,000 which would leave a shortfall of £310,000. It was noted that the current level of the capital programme contingency fund was £1.26m and if this additional funding was agreed, this would reduce the contingency to £950,000.

The Head of Community Services concluded by stating that the preferred option was Option 2.

A Member asked whether Councillor's recommendations would be considered as part of the process because he had made previous recommendations to the department which had not been acknowledged.

The Head of Community Services said he could only apologise if this had been the case and confirmed that whilst the policy had been adopted, if Members had specific concerns these were considered and the matrix re-evaluated in line with those concerns. To date this had happened on several occasions and he undertook to pursue the specific concern raised by the Member and contact him following the meeting.

Another Member expressed his concern regarding the physical size of certain wards and pointed out that Sirhowy Ward was the largest ward in the County Borough and required more than one road being addressed. However, he felt that some smaller wards were given priority and requested that the process be reviewed going forward.

The Leader of the Labour Group said that ward Councillors had made representations and received confirmation that a change had been made but the current schedule did not reflect this and sought clarification whether this would be changed. The Head of Community Services confirmed that the schedule would be amended to reflect the agreed change.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 2 be endorsed, namely:

Option 2: As Option 1 (Highest Priority Residential Road in each Ward [16 total] & Blaenant Industrial Estate Road – Estimated Total Cost £602,000) plus A & B Priority Roads & Highway Safety Works – Estimated Total Cost £912,000

A & B Priority Roads:

- **A4048 Heathfield Full Reconstruction Works**
- **A4046 Cwm Bypass Resurfacing**

Highway Safety Traffic Management Works:

- **Crash Barrier Replacement at A4281 Garnlydan**
- **Crash Barrier Replacement at A467 Abertillery**

50. FREEDOM OF THE BOROUGH CROSS PARTY WORKING GROUP

Consideration was given to the report of the meeting held on 20th July, 2021.

The Leader of the Labour Group proposed that the report and the recommendations contained therein be endorsed.

A Member proposed that the application to bestow the Freedom of the Borough on the Royal British Legion be acceded to. This organisation had supported an army of volunteers for over 100 years and had taken care of the both former and serving armed forces personnel. This proposal was seconded.

Other Members commented as follows in relation to bestowing the Freedom of the Borough on the former Councillors Malcom Dally and Brian Scully:

- Concern was expressed regarding bestowing Freedom of the Borough on former Councillors and that it was inappropriate to reward Councillors for the role that they were paid a salary to undertake because this would send the wrong message out to staff and residents and could be detrimental for staff morale.

- Councillors were remunerated for carrying out their roles and the former Councillors long service could be commemorated instead with a certificate/award.
- These senior former Councillors had not been remunerated during the time they had undertaken the role and this in itself was not much of an argument when the Freedom was bestowed recently on a professional sports person, he had been recognised for his achievements in sport and not for being paid. The Member concluded by supporting the recommendations of the Working Group.
- In previous years, the Freedom of the Borough had been bestowed on a former Councillor for his long service and also a former officer of the authority, therefore a precedent had already been set.
- A Member said he wished to place on record his appreciation to the former Councillors for their long service to the County Borough – over 40 years of service was to be applauded but his view was to bestow the Freedom of the Borough was a step too far. The role of a Councillor was a paid position and this was reward enough. He proposed that the applications to bestow the Freedom of the Borough on former Councillors Scully and Dally be not acceded to.
- These former Councillors had served the County Borough well for years had been stalwarts and had worked hard during their time in office and, therefore, proposed that the Working Group recommendations be endorsed.
- A Member said she would like to place on record that she did not know or have knowledge of either to the two former Councillors but had listened to the comments made. She said their length of service was to be highly commended but pointed out that the Freedom of the Borough was the highest accolade that the authority could bestow and did not agree with the principle of bestowing Freedom of the Borough on former Councillors.
- Freedom of the Borough had been bestowed on former Councillor Rex Herbert because he had served continuously for 52 years and had been the longest serving Councillor in

Wales and the U.K. at that time. He had also served as Mayor on two occasions. However, times had changed and the reputation of Councillors was perceived differently and the rewarding of Councillors for their service would not be forgiven by the public.

- The Leader of the Labour Group said that these nominations were submitted in good faith and this debate was embarrassing because it was within the public domain. The fact that Freedom of the Borough had been bestowed on former Councillor Rex Herbert had set a precedent as he was a serving Councillor who had also received payment to undertake the role, therefore, there was no differential.

In reply to a question regarding conferring the Freedom of the Borough on the Royal British Legion, the Head of Legal and Corporate Compliance advised that this had been conferred previously to another organisation and the honour would be conferred on the corporate body and one of their representatives would accept the honour on behalf of the organisation.

In reply to a further question, the Head of Legal and Corporate Compliance advised that the Working Group had only made a recommendation to Council, therefore, no decision had legally been taken at this point, it was a matter for Council to determine.

Councillor Millard left the meeting at this juncture.

Following a lengthy debate,

It was unanimously,

RESOLVED that the application to bestow the Freedom of the Borough on the Royal British Legion be acceded to.

It was proposed and seconded that a recorded vote be taken in respect of bestowing the Freedom of the Borough on former Councillors Brian Scully and Malcolm Dally:

In Favour of Bestowing the Freedom of the Borough on former Councillors Brian Scully and Malcolm Dally – Councillors P. Baldwin, D. Bevan, M. Cross, P Edwards, L. Elias, K. Hayden, H.

McCarthy, K. Pritchard, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett

Against Bestowing the Freedom of the Borough on former Councillors Brian Scully and Malcolm Dally – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, J. Holt, J. Mason, C. Meredith, M. Moore, L. Parsons, G. Paulsen, K. Rowson, B. Summers, G. Thomas, J. Wilkins

Abstention – Councillor M. Holland

FURTHER RESOLVED, subject to the foregoing, that the applications to bestow the Freedom of the Borough on former Councillors Brian Scully and Malcolm Dally be not acceded to.

51. MEMBERSHIPS REPORT

Consideration was given to:

(a)

Aneurin Bevan Community Health Council

- to appoint two representatives to the above.

The Leader advised that he had received no nominations for this position at this point in time.

(b)

Advisory Panel for Local Authority School Governors

The following recommendations were made by the Panel on 21st June, 2021 to appoint:

Blaen-y-Cwm Primary School – Stephen Connolly

Willowtown Primary School – Judith Waring

Ebbw Fawr Learning Community – Adam King

Glanhowy Primary School – Councillor T. Smith

Upon a vote being taken it was unanimously,

(c)	<p>RESOLVED that the above appointments be endorsed.</p> <p><u>Local Government Association – General Assembly</u></p> <p>To note the appointment of the Leader and Deputy Leader to the above.</p> <p>RESOLVED accordingly.</p>
52.	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>Consideration was given to the time of future Council meetings.</p> <p>RESOLVED that future meetings of Council commence at 10.00 a.m.</p>
----	<p><u>MOTION - 999 EMERGENCY SERVICES DAY 2021</u></p> <p>Due to the need to consider this item as a matter of urgency, the Chair of the Council confirmed that the matter could be considered under the Provisions of Paragraph 4(b), Section 100(b) of the Local Government Act, 1972.</p> <p>It was unanimously,</p> <p>RESOLVED that:</p> <ul style="list-style-type: none"> - Support for the UK’s annual national ‘Emergency Services Day’ which would be held on 9th September and which was supported by Her Majesty Queen Elizabeth II be recorded. - Sincere appreciation for the two million people who work and volunteer in the NHS and emergency services today be recorded. - It was agreed to fly the official flag of the ‘Emergency Services Day’ above the town hall on 9th September each year to mark 999 Day.

	<p>A Member requested that the motion should also acknowledge those emergency services workers that had lost their lives during the pandemic.</p> <p>FURTHER RESOLVED accordingly.</p> <p>Councillor J. Collins left the meeting at this juncture.</p>
<p>53.</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>54.</p>	<p><u>CHARITABLE LAND, FORMER YSGOL GYMRAEG, KING STREET, BRYNMAWR</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 & Community Services.</p> <p>A Ward Member welcomed the report and said that this was long overdue. The area was currently in a dilapidated condition and he looked forward to the development of the site.</p> <p>It was unanimously,</p>

	<p>RESOLVED 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 following be agreed by the Council acting as Trustees:</p> <ol style="list-style-type: none"> 1) The Trustees apply for a 'scheme'. 2) That any income from the sale of the school site would equally benefit Blaen-y-Cwm school, St Mary's Church in Wales School and St Mary's Catholic School.
<p>55.</p>	<p><u>EBBW VALLEY RAILWAY</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>The report of the Corporate Director of Regeneration & Community Services was submitted for consideration.</p> <p>At the invitation of the Chair, the Head of Regeneration spoke in detail to the report and highlighted the salient points contained therein. The officer explained that the report provided details of the Loan Agreement and Quadripartite Agreement. This proposal would be a joint venture between the Council and the organisations named therein.</p> <p>It was noted that the Quadripartite Agreement detailed the roles and responsibilities of each of the partners to successfully deliver the rail project. In addition, an Implementation Agreement was a contractual document that sat under the Quadripartite Agreement which would deal with the delivery of the project</p> <p>The Head of Regeneration continued by outlining the roles and responsibilities of each of the partner organisations as detailed in paragraph 2.9 of the report. The document clearly set out that</p>

Welsh Government were responsible for the provision of the loan and the financial liability for programme including overspend risks beyond the loan amount. Welsh Government would also continue to lobby UK Government Department of Transport for additional funding to facilitate the Phase II work (Abertillery Spur).

The Head of Regeneration concluded by advising that the Regeneration Scrutiny Committee had considered the report and had supported Option 1.

The views of Members were, thereupon, sought (summarised below) and were responded to by the Managing Director, Head of Regeneration, Service Manager – Accountancy, Executive Member Regeneration & Economic Development:

- The Leader of the Labour Group expressed his concern that the decision that had been made at the Regeneration Scrutiny Committee had been without full knowledge of the Quadripartite Agreement. He asked, should this proposal be agreed whether a press release would be issued to the public (as this was a confidential report not within the public domain) and if so, whether this would disclose the fact that if there was any shortfall or financial liability associated with the loan that Welsh Government would be responsible.

The Executive Member – Regeneration & Economic Development clarified that the Council would not incur any financial liability for the loan or if there was a shortfall, this would be responsibility of Welsh Government. Discussions would need to take place with Welsh Government regarding the funding aspects but the public would be assured that no financial liability would be borne by Blaenau Gwent County Borough Council.

- The Leader of the Labour Group referred to paragraph 6.1.2 of the report and asked whether Welsh Government would mitigate the impact upon the Council's minimum revenue provision or whether this burden would have to be borne by the Council.

The Service Manager – Accountancy confirmed that there would be an impact on the minimum revenue provision but the Asset Development Fee which would be paid to the Council

would offset this cost, so there would be no increase in the minimum revenue provision. Ministers had agreed the annual budget allocated to Transport for Wales would be sufficient to cover the Asset Development Fee in the event that passenger revenue was not sufficient.

- The Leader of the Labour Group referred to the initial report that had been considered by Council in March that made reference to the fact that the modelling demonstrated that the income from 2 trains per hour on the Ebbw Valley line would cover repayments. However, he pointed out that as far as he was aware no modelling had been carried out and as this was public funding there should have been modelling carried out on the proposal. In addition, he requested information relating to patronage numbers.

The Head of Regeneration confirmed that the economic arguments had been set out in the WelTAG report developed for the Frequency Enhancement and Welsh Government was satisfied that the investment in the dualling was value for money. It was noted that this study had included patronage numbers. It was pointed out that if the Welsh Government was unsure regarding the viability of the proposal, it would not have been included within The Wales Transport Strategy 2021.

The Leader of the Labour Group said he would have liked to have sight of this modelling especially as consideration was being given to a 50-year loan because there could be potential future financial implications that the loan could have on the Council. He also expressed his concern that the Abertillery Spur had not been included as part of the proposal and said that this needed to be lobbied for.

The Head of Regeneration explained that a parcel of land for the Phase II works had been recently been acquired however, Welsh Government would continue to lobby UK government for additional funding to facilitate the Abertillery Spur. It was noted that the line for the Abertillery Spur had been identified as a section of U.K. government line and a final decision was awaited.

- Another Member said he was grateful for the additional information which had been supplied. However, the Scrutiny

Committee had made a decision and expressed his concern that it seemed that this decision was being overruled by officers. He stated that if this was standard practice there would be no need for scrutiny in the future.

He continued by pointing out that there should have been public consultation undertaken regarding the proposal and expressed his concern that there was no guarantee that the Abertillery Spur would come to fruition. He added that 60% of travellers using the line came from outside of Blaenau Gwent and asked the reason why Caerphilly and Newport had not been contacted to share some of the responsibility.

The Managing Director confirmed that officers had not overruled the Scrutiny Committee, there had been a clear debate at this meeting and Members had asked to have sight of the legal document given the scale of the project. Whilst legal documentation was normally not provided as part of reports, due consideration had been given to the view of the Scrutiny Committee and this document had been supplied as an appendix to the Council report, therefore, the Scrutiny Committee's request had been acceded to.

With regard to contacting Caerphilly and Newport, the loan had only been offered to Blaenau Gwent. The report demonstrated that assurances had been provided that Blaenau Gwent would not be taking all the risk, any financial liabilities would be the responsibility of Welsh Government.

- A Member expressed his concern that the Quadripartite Agreement had not been reviewed from a legal perspective and that the report did not provide details of an impact assessment on how the proposal would impact on residents, staff, the environment, businesses and the Council including the impact on the bus services in the Ebbw Fawr Valley or in the Tredegar area.

The Managing Director confirmed that a considerable amount of legal work had been undertaken on the proposal. However, she acknowledged the point made regarding the impact assessment but pointed out that 4 trains per hour into Ebbw Vale had been included as a priority within the Council's

Corporate Plan and this proposal was being brought forward as an agreed Council priority.

The Managing Director added that the WeITAG process had included very detailed technical assessments and had assessed the impact across a range of measures before Welsh Government had decided to proceed with the proposal.

The Member asked whether the impact assessment could be made available and asked how this proposal would impact particularly on the town of Ebbw Vale as people would travel out of town.

The Head of Legal and Corporate Compliance provided an assurance that external reputable legal advisors had been involved in drafting the Quadripartite Agreement between parties and officers were satisfied that the risk to the Council was the lowest it possibly could be in the circumstances. The agreement had been underwritten and guaranteed by Welsh Government.

- Another Member raised the following points:

- How 'water tight' was the legal agreement so there would be no financial burden placed on the residents of Blaenau Gwent in the future.
- Why had there been no collaboration with other Councils on the agreement because these areas would benefit more from the proposal.
- This proposal would affect the Council's borrowing going forward and asked why hadn't Welsh Government given a grant as opposed to a loan because this would restrict borrowing going forward and loans were less favourable from a credit perspective.
- Why had the Abertillery Spur not been included as part of the proposal. With the recovery from the pandemic how realistic would it be to receive the funding for the Abertillery Spur from UK Government.

- Details of the impact assessment should be provided particularly, detailing the impact that this proposal would have on towns.
- The full documentation should have been provided for Members to peruse at the Scrutiny Committee.

The Service Manager – Accountancy explained that details of the loan including borrowing would be reported as part of the 6 monthly Treasury Management report (the next scheduled report was due in the autumn) and the prudential indicators would also be reviewed to take account of this funding. However, it was pointed out that because funding would be received to repay the borrowing, the impact of the loan would be mitigated.

The Head of Regeneration reiterated that the land for the Abertillery Spur had recently been acquired for the provision of a terminus which had enabled Welsh Government to lobby UK Government for funding for the Abertillery Spur. Funding for these Phase II works had not been included in the loan because UK government owned the line. It was noted that the Burns Report had identified pieces of infrastructure that could be of economic benefit to an area which could be used to environmentally enhance transport across the U.K.

In reply to a concern raised, the Managing Director confirmed that the Abertillery Spur still formed part of the Cardiff Capital Region City Deal phase 2 proposals. It was noted that the funding from CCRCD would be for the design proposals because Transport for Wales would be implementing the scheme itself.

- A Member expressed his concern and reiterated the earlier concerns that Blaenau Gwent would be taking on all the burden and he was unsure why Network Rail could not have bid for the infrastructure and Blaenau Gwent became involved at the stage of the Phase II Abertillery Spur works. He was unsure whether the proposal would be value for money as an assessment had not be undertaken regarding patronage and expressed his concern that more people would travel out of Blaenau Gwent than into the area.

- Clarification regarding the cost of the land that had been purchased in Abertillery was sought together with the implications, if the Abertillery Spur did not materialise.

The Head of Regeneration advised that a transport grant had been used to purchase the land and provided details of the cost, the purchase figure had been included in a report that had been presented to Council earlier in the year. If the Abertillery Spur did not materialise the land would be used for other purposes.

The Managing Director stated that there was a Welsh Government commitment to achieve 4 trains per hour to Ebbw Vale and this was the reason why Welsh Government was pursuing the project and providing the loan. A WelTAG technical assessment had concluded investment into the line would achieve value for money.

With regard to partnership working, the Council had had a very short timescale in which to respond to the offer of the Welsh Government loan – it was noted that a grant had been sought but at that point in time only a loan was on offer. The loan had only been offered to Blaenau Gwent and due to the imminent start date of the project (this summer) if discussions had taken place with other parties this would have delayed the project. The Managing Director reiterated that Welsh Government would take on any financial liabilities and the proposal had to move at pace to deliver the benefits for the community.

- Reference was made to the creation of Community Hubs and that people were now working from home and yet capacity on trains was being increased.
- This was a once in a generational investment which needed to be considered positively and consideration should be given to the message it would send to the funders if the Council did not want to invest in the people or communities or infrastructure to support the green economy which was the way forward. He was content that the Quadripartite Agreement provided the necessary assurances that the loan would be re-paid.

- A Member said that he resided near a railway line and in his opinion 4 trains per hour were too many and would end up unviable especially with people working from home.
- The Leader of the Labour Group said that there should have been consultation on the proposal to ascertain what the people thought about the increase in the train service.

Following a lengthy discussion, the Leader of the Labour Group, thereupon, proposed that **Option 2 be endorsed for the following reasons:**

- **It was felt that Newport and Caerphilly would benefit (probably more than Blaenau Gwent) and were not being invited to share the risk.**
- **The loan did not include funding for the Abertillery Spur which was promised but was still as far off as it ever was, particularly in light of a projected reduction in capital spend as a direct financial consequence of the pandemic.**
- **The administration had not demonstrated enough clear positives for Blaenau Gwent alone to enter into a 50-year project.**
- **Blaenau Gwent had a number of other much higher priorities such as the current backlog of much needed repairs to highways and drainage etc.**
- **The loan had the potential to negatively impact on future borrowings for the Council.**
- **No data/evidence had been produced to show that the cash box would be sufficient fund the loan, which after all, was public money.**
- **There had been no public consultation regarding this proposal.**

This alternative proposal was seconded.

A recorded vote was, therefore, requested.

The Executive Member – Regeneration & Economic Development proposed that Option 1 be endorsed. He felt that the Council was safeguarded in terms of the agreement and said that this was an opportunity and not a liability. The proposal would not only improve

the line to Ebbw Vale Phase I works it would be a catalyst to gain Phase II, the Abertillery Spur This proposal was seconded.

The Leader of the Labour Group raised a point of order and said that he would have welcomed the Executive Member contributing to the debate on such an important issue.

The Executive Member indicated that he felt that the points that had been raised had been covered as part of the report.

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

Against of Option 1 – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, H, McCarthy, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

As there was no stated intention from any Member present to vote in a different way, it was agreed that the vote be reversed for Option 2.

In Favour of Option 2 – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, H, McCarthy, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

Against Option 2 – Councillors M. Cook, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, J. Holt, C. Meredith, M. Moore, L. Parsons, G. Paulsen, K. Pritchard, K. Rowson, B. Summers, J. Wilkins.

The vote on Option 1 was, thereupon carried.

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

- (i) That the terms of the Quadripartite Agreement as set out in the report be accepted and the Council entered into the agreement to deliver the works to the Ebbw Valley Railway.

	<ul style="list-style-type: none"> (ii) The terms of the Implementation Agreement in line with the Quadripartite Agreement be accepted and the Council entered into the agreement to deliver the works to the Ebbw Valley Railway. (iii) TfW (Transport for Wales) to provide professional services to the Council in respect of this project be directly appointed. (iv) That the membership of the Liaison Committee for Blaenau Gwent be agreed. 	
<p>56.</p>	<p><u>ADDITIONAL HIGHWAYS MAINTENANCE WORKS 2021-2022</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>The report of the Head of Community Services was submitted for consideration.</p> <p>The Head of Community Services spoke briefing to the report and advised that if Option 2 was endorsed, the cost of £320,000 would be funded from the Council's General Reserve.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to the financial or business affairs of any particular person (including the authority) be accepted and Option 2 be endorsed, namely that:</p>	

	<p>The necessary works across all 16 wards be identified and a tendering exercise be undertaken with a private contractor to acquire a cost of highways patching works per sq. metre. Targeting around 400 sq. metres of highways repairs per ward covering residential roads in all 16 wards.</p>	
<p>57.</p>	<p>The Chief Officer Commercial & Customer declared an interest in Item Nos 59 – 61 and left the meeting at this juncture.</p> <p>Item numbers 57 - 62 were, thereupon, considered simultaneously.</p> <p><u>SHORTLISTING – JNC OFFICERS</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 Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 29th March, 2021.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the decisions contained therein be noted.</p>	
<p>58.</p>	<p><u>APPOINTMENTS COMMITTEE – JNC OFFICERS</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</p>	

	<p>information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 13th April, 2021</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the post be offered to Luisa Munro-Morris on a salary in accordance with JNC 3 (£63,742 - £70,115).</p>
<p>59.</p>	<p><u>LONGLISTING – JNC OFFICERS</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 Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 19th May, 2021.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the decisions contained therein be noted.</p>
<p>60.</p>	<p><u>SHORTLISTING – JNC OFFICERS</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</p>

	<p>information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 9th June, 2021.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the decisions contained therein be noted.</p>
<p>61.</p>	<p><u>APPOINTMENTS COMMITTEE – JNC OFFICERS</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 Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 17th June, 2021.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the post be offered to Bernadette Elias on a salary in accordance with JNC 5 (£73,137 - £80,450).</p>
<p>62.</p>	<p><u>APPEAL COMMITTEE</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</p>

<p>information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p>	
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Consideration was given to the report of the meeting held on 30th April, 2021.

It was unanimously,

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

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
22ND JULY, 2021**

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
T. Smith
B. Thomas
G. Thomas
L. Winnett
D. Wilkshire

WITH: Service Manager Development and Estates
Team Manager – Development Management
Team Manager – Built Environment
Planning Officer
Head of Legal and Corporate Compliance

AND: Public Speakers
Agent: Russell Pryce
Shop Row, Blaina, NP13 3DH

Agent: Peter Barnes
Rhes Yr Ysgol 1 – 7 Cwmcelyn Road, Blaina

Supporter: Mr Andrew Pugh
Rhes Yr Ysgol 1 – 7 Cwmcelyn Road, Blaina

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 Councillor B. Willis.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interest was raised:-</p> <p><u>Councillor L. Winnett</u> Item No. 4 – Planning Applications Report C/2020/0168 Rhes Yr Ysgol 1 - 7 Cwmcelyn Road Blaina NP13 3LT Retention of one detached and six semi-detached 2 storey houses (not constructed in accordance with planning approval C/2014/0257)</p>	
No. 4	<p><u>PLANNING APPLICATIONS REPORT</u></p> <p>Consideration was given to the following:-</p> <p><u>C/2021/0160</u> <u>Shop Row, Blaina, Abertillery, NP13 3DH</u> <u>Two Pairs of Semi Detached Dwellings and Replacement Accesses</u></p> <p>The Planning Officer outlined the application which related to 4 dwellings and replacement accesses at Shop Row, Blaina. An overview of the application was provided with the assistance of photographs and diagrams.</p>	

The Planning Officer advised that the site fell within Flood Zone C2 as defined by the Development Advice Maps (DAM) which underpins national planning policy Technical Advice Note 15: Development and Flood Risk and provided the Committee with an explanation as detailed in fig 8 of the report. It was added that both TAN 15 and the subsequent Welsh Government letter to Chief Planning Officers regarding Planning Policy on Flood Risk and Industry Changes provided strict advice on residential development which was classed as a highly vulnerable development in a C2 zone flood plain. The Planning Officer noted that NRW have advised that the application should be refused on planning policy grounds unless there are overriding reasons why planning permission should be granted. The Planning Officer fully acknowledged the argument outlined in the supporting statement that the latest NRW maps identified the site as not being at risk of flooding. However, it was stated that these maps had not yet been nationally adopted for planning purposes.

The Planning Officer thereupon noted the recommendation that the application be refused on flooding grounds. However, if the Committee was minded to set aside the policy objection and support the application contrary to Tan 15 and local plan policies, it was requested that further technical advice be sought from NRW on the suitability on the submitted flood consequence assessment before the application was determined to ensure the Local Authority could be satisfied that any potential flooding could be managed. Also any additional appropriate conditions be added in terms of ecology and highways as noted in the report.

At the invitation of the Chair, Mr. R Pryce, Agent in support of the application addressed the Committee. Mr. Pryce advised that careful consideration had been given to the flood risk of the proposed development and confirmed that he was fully satisfied. The dwellings would be an extension to the homes already in the area and be of similar plot sizes of those in the vicinity. Mr. Pryce added that the garden and home design was acceptable to the officer and highways had no objections.

The development would continue the existing footpath access to the frontage and the design would minimise the carbon footprint of the houses with structures that minimise heat loss. The development would also include low carbon heating systems, solar PVs and electric charging pumps for electric vehicles.

Mr. Pryce noted that the development was acceptable in all respects besides the policy based flood risk objections, however, thought had been given to the strong material planning considerations in this instance. Mr. Pryce referred to the detail contained in the report in respect of planning granted to the previous owners which had been accepted in line with the current nation flood risks policy. Whilst the flood risk policy had attracted greater scrutiny in recent years, Mr. Pryce pointed out that there had been no change since the December 2014 application had been submitted and advised that NRW did not make any objections at that time. The NRW and Welsh Government are in the process of accepting the new mapping and the revised policy was available on NRW website which stated that this site was not included in the revised plans. The new mappings would be available in the summer.

It was further informed that a site visit was made in 2013 to ascertain the exact source of the flooding and following investigations it was concluded that the flood risk was minimal. The latest evidence confirmed the site was not at risk of flooding and the approval of this development would not undermine planning policies. Mr. Pryce had hoped that Members would recognise there was special circumstances for this application and warrant approval for the development.

A Ward Member concurred with the comments raised and advised that this area had never been known to flood. The Member appreciated the Planning Officer's advice in the report, however on this occasion the Ward Member felt that NRW had been wrong in their findings. The land as it stands at present was unattractive and it was felt that the development would bring the area in line with surrounding homes. The Ward Member felt that there were no other overriding issues which would prevent this application from being granted and welcomed that conditions be added to the application.

The Ward Member also referred to the walking trail behind the proposed development and felt it was important that this be maintained. The Ward Member thereupon asked the Committee to grant planning permission on this occasion.

Members concurred with the Ward Member that there had not been any flooding in this particular area and did not see an issue with the application. The Vice-Chair advised that the current LDP Plan identified the area for housing and the development would increase the new homes available in Blaenau Gwent.

In response to concerns raised in relation to new maps not being provided by NRW, it was suggested that the decision be deferred until the Committee had sight of the maps. The Ward Member confirmed that the maps were available on the NRW website, however could not be presented to the Committee as part of this application.

The Service Manager Development and Estates reiterated that the revised maps are available on NRW website, although there was an intention to change the maps they had not yet been adopted by the Welsh Government. Therefore, the as the plans had not yet been adopted the recommendation was based on the information available as it stands at present.

In response to a question raised in relation to other improvements to be made, the Planning Officer advised that in terms of improvements it was felt that plot 4 was a little unbalanced compared to the properties and the Officer would like to see extra greenery on plot 4 and suggested a hedgerow to the northern boundary, however such matters could be easily conditioned if Members were minded to approve the application.

Another Member welcomed the report and felt that the Planning Officer had pointed out the problem with the flood risk. The Member felt if approval had been granted previously although the same flood risk applied, the Ward Member did not see any reason to refuse this application if the developers are mindful of the issues they can ensure that the necessary needs could be accommodated.

The Service Manager Development and Estates advised that if the application was granted that the Planning Officer be delegated powers to attach the relevant conditions to deal with any issues which may arise. If the applicant did not agree with the conditions, it would come back to the Planning Committee for consideration.

It was unanimously

RESOLVED that the planning application be **APPROVED** with authority granted to officer to agree appropriate planning conditions.

C/2020/0168

Rhes Yr Ysgol 1 - 7 Cwmcelyn Road Blaina NP13 3LT
Retention of one detached and six semi-detached 2
storey houses (not constructed in accordance with
planning approval C/2014/0257)

The Team Manager – Development Management advised that the planning application sought permission to retain seven houses erected on the former Cwmcelyn School site located off Cwm Celyn Road, Blaina. The Team Manager advised that planning permission was granted for the development on appeal in April 2015 subject to 12 conditions, however following investigations of an anonymous complaint received in November 2018 it was realised that there were additional discrepancies between the development which had approved and that implemented on site. However, by this point in time almost all the houses had been completed and sold.

The Team Manager detailed the key points of the application with the assistance of photographs and diagrams as outlined in the report. Reference was made to the consultation undertaken and it was hoped that all these matters had been addressed. The Team Manager provided an overview of the detailed planning assessment undertaken and conditions which had been imposed on the application.

In conclusion, the Team Manager Development appreciated that this was a complicated matter. Following receipt of a complaint regarding the development it was established that several elements of the development had not been implemented as approved. The extent of the discrepancies was agreed with the developer that the only practical means of addressing the issue was to submit a planning application for the retention of the houses as built. The application had been considered carefully and relevant consultees had been given the opportunity to consider whether the application to retain the houses could be supported from their various specialist perspectives. It was reported that of all the identified issues it was concluded that the development as implemented does not raise any significant visual, landscape, drainage, geotechnical nor infrastructure concerns. However, there remained two substantive highway related issues, the gradients of the driveways and the inadequate visibility splays at the vehicular access/egress points. The highways engineer was of the opinion that 'as built' driveway gradients far exceed current standards and that there would be a high risk of vehicles sliding off the drives in icy/inclement weather. He also advises that the lack of adequate visibility splays at the point of access onto the public highway was a significant concern and would constitute a danger to highway users, particularly pedestrians that might be walking along the footpath. Therefore, it was recommended that the development as implemented was unacceptable for highway safety reasons and the Team Manager fully acknowledged that the Planning Authority was faced with making a very difficult decision which could have severe and long lasting consequences on the applicant company and the owners of the individual properties.

The Team Manager referred to the recommendation for refusal and felt that Members must carefully consider whether they are prepared to:-

- a) adopt a high risk approach by approving a form of development which clearly does not meet adopted standards and is viewed by the highways authority as being unacceptable on highway safety grounds (which in itself could be used by third parties in the future to argue over the justification and acceptance of further unacceptable development in the Borough); or
- b) accept the advice of its highway officers and refuse the application on the basis that the potential consequences of approving a form of development that poses a potential danger to users of the adopted highway cannot be supported - irrespective of the consequences such a decision may have on the developer and current owners.

The Chair invited Mr. A. Pugh, resident to address the Committee. Mr. Pugh informed that he was speaking on behalf of the residents and Mr. P. Barnes would speak on behalf of developers. Mr. Pugh explained that he and his neighbours are shocked that this had been allowed to happen as the houses as been lived in since September 2018. The residents were unaware of the issues and thought the homes purchased were all above board and legal. Mr. Pugh stressed that if the application was refused the costs to residents would be significant.

In response, to issues raised in relation to highways, it was reported that there had not been any accidents in the area for the last 3 years or any incidents of cars being scratched. It was asked if some kind of traffic calming measure could be placed in the area to alleviate the highway concerns.

Mr. Pugh made a passion plea on behalf of residents to the Committee to give serious consideration to application.

The Ward Member addressed the Committee and advised that this development had been contentious from the original date of application. There had been issues raised in relation to parking at the time and the Committee agreed with these concerns and refused the application. However, it was approved by the Planning Inspectorate on appeal. Although there are parking issues in the area, the Ward Member disagreed with the Highways Officer as the visibility splay from the wall depended on the type of car.

The Ward Member was confused as to how residents were able to secure mortgages on the properties as the Council should make such matters available upon searches.

At the time of development building control had visited the site and meetings had been held on site with Ward Members. However, even after the complaint was received a mortgage was obtained on the last house to be sold and the Ward Member stressed that solicitors had also not picked up these issues for their respective clients. If the Committee turned this application down the residents would suffer and the Ward Member stated her constituents were the innocent parties. The Ward Member reiterated the costs of the homes to residents and the financial impact such a loss would have on families.

The Ward Member appreciated that the decision placed before Committee was hard, however she reiterated that this was no fault of the residents who currently reside in the properties and the financial loss would be significant.

At this juncture, the Chair invited Mr. P. Barnes to speak to the Committee.

Mr. Barnes thanked Members for the opportunity to address the Committee and wanted to point out that the Team Manager Development stated that the development commenced in 2018 and there were no issues until completion. However, Mr. Barnes advised that this was not the case and reported that an officer from the Local Authority visited the site early-mid 2017 and spent 20 minutes on site walking around. The site visit had been in response to a report that the buildings were too high, following the visit the levels of the two dwellings already built were accepted and the developers was informed that if there were any issues the enforcement officer would be in touch.

Mr. Barnes accepted the comments raised by the Ward Member in respect of the people to suffer on this occasion would be the homeowners as their properties hold no value due to no planning permission. Mr. Barnes noted the report and felt it dealt solely with the controls of the planning permission and did not address the decision to be made by the Committee. If the application was refused the home owners would be left with worthless properties. In response to these issues, Mr. Barnes had worked with the developer to try to find a solution to the highway concerns and most important visibility splays. It was proposed that the contractor would be willing to lower the walls of Nos 2-7 to 1015 mm which would ensure visibility from the slopping drives. Mr. Barnes felt that this would relieve some issues, if the home owners were in agreement for the contractor to carry out the works.

In response to statements made, the Service Manager Development and Estates clarified that this was a Planning Committee and planning merits should be considered. The building regulations are dealt with under the building act and therefore both roles are separate. In terms of paperwork, the Service Manager advised that the Council did not sign off paperwork for mortgages. The Service Manager suspected that when the homes were purchased a solicitor undertook a search and although it was seen that there was a planning permission on the site and there was a house on site, it was then naturally assumed they both go together, but on this occasion, this was not the case.

In terms putting a charge on the property to highlight a breach. The Service Manager advised that this would not happen until an enforcement notice was served or the Local Authority placed a marker on the files in the registration system. It was added that before that happened the planning application to retain the houses was submitted and that was the reason no marker had been flagged up the Council. Therefore, the Service Manager was of the view that this was not the fault of the Council as by the time the Council became involved the homes were largely occupied.

The Team Manager Development referred to the compromise put forward by the Agent and advised that the Agent and Developers had been asked numerous times if they wished to put forward any mitigation action. The Team Manager was disappointed that the action had been raised at Committee following a great deal of work undertaken by officers and after numerous discussions with the Agent.

The Team Manager expressed concern as the Agent had only proposed to undertake work to Nos 2-7 and not No. 1, however this property had the same issues.

The Team Manager – Built Environment advised that it would be difficult to make a decision without plans and concurred with the concerns raised by the Team Manager in relation to No. 1 Cwmcelyn Road.

The Vice-Chair stated that no Local Authority or Elected Member wished to put such stress and financial burden on residents. The Vice-Chair asked if the application could be deferred until the works was undertaken and then make a decision on the application. The Service Manager Development and Estates confirmed that this course of mitigating action could be taken forward, however there would be no guarantee that the works would be acceptable.

	<p>Mr. Barnes agreed to prepare suitable drawings, however the consent of the home owners would be needed before works could be commenced. Therefore, Mr. Barnes reiterated that he would be happy to make appropriate adjustments, but the householders would need to be in agreement.</p> <p>The Vice-Chair felt it would be in the best interest of the residents to allow the developer to undertake the works as at present their homes hold no value.</p> <p>The Ward Member felt that there was a need for the retaining wall to be reduced to ensure there was adequate visibility splay. The Team Manager – Built Environment noted the concerns of the Ward Member, however it was confirmed that following an inspection the visibility splay was compliant.</p> <p>Thereupon, the Vice-Chair proposed that the application be deferred to allow dialogue with the contractor and relevant officers in respect of the works to be undertaken at the site to alleviate the highways concerns</p> <p>This proposal was seconded and upon a vote being taken it was unanimously</p> <p>RESOLVED that the planning application be <u>DEFERRED.</u></p> <p>Councillor L. Winnett did not take part in the voting.</p>	
<p>No. 5</p>	<p><u>PLANNING APPEAL UPDATE:</u> <u>LAND REAR OF PARK HILL, TREDEGAR</u> <u>REF: C/2017/0193</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. 6</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE: JULY 2021</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 advised that a request had been made to local Members to put forward the case in relation to Charles Street, Tredegar, however no response had been received. Therefore, it was confirmed that the Local Authority would not contest the appeal and a copy of the relevant report and minutes had been forwarded for information.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 7</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 25TH MAY, 2021 – 9TH JULY, 2021</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>A Member raised concerns in relation to the ongoing planning permission at Marine Street, Cwm. A Ward Member asked if officers could refuse further planning permission or ensure the owner takes forward the appropriate works on the site. The site was in a very poor state of repair and it was a local eyesore.</p> <p>It was confirmed that the application had already been approved for the period of 5 years and the Team Manager Development advised that a site visit had been undertaken and the state of the land did not warrant a 215 Notice being serviced, however the Team Manager suggested discussions with the owner to request that the land was developed although no timescale could be placed on this request.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

No. 10 **ENFORCEMENT CLOSED CASES BETWEEN
25TH MAY, 2021 TO 8TH JULY, 2021**

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 12, Schedule 12A of the Local Government Act 1972 (as amended).

Consideration was given to the report of the Service Manager Development & Estates.

RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL
SUBJECT: EXECUTIVE COMMITTEE – 21ST JULY, 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: Managing Director
 Corporate Director Social Services
 Head of Regeneration
 Head of Community Services
 Head of Organisational Development
 Chief Accountant
 Service Manager – Young People and Partnerships
 Head of School Improvement and Inclusion
 Head of Legal and Corporate Compliance
 Press Officer

AND: Mr. P. Sykes, Aneurin Leisure Trust

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 were received.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest and dispensations raised.</p>	
	<p><u>MINUTES</u></p>	
No. 4	<p><u>SPECIAL EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 9th June, 2021.</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 23rd June, 2021.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	

DECISION ITEMS – CORPORATE SERVICES

No. 6

**PROPOSED EXECUTIVE COMMITTEE
FORWARD WORK PROGRAMME 2021-2022**

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

RESOLVED that the Executive Forward Work Programme 2021-2022 be presented to the July Executive.

No. 7

GRANTS TO ORGANISATIONS

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

The following grants were received following publication of the report:-

ABERTILLERY

Abertillery Ward - Councillor N. Daniels

1.	Old Tyleryans RFC	£100.00
2.	Abertillery Belles FC	£100.00
3.	Bishop Street Allotments	£70.00
4.	Adam Street Allotments	£70.00
5.	Abertillery Senior Netball Club	£70.00
6.	Tillery Dragons Junior Netball	£70.00
7.	Abertillery BG RFC	£100.00
8.	Abertillery Cricket Club	£100.00
9.	Abertillery Town Band	£100.00
10.	Abertillery Bluebirds FC	£100.00
11.	Abertillery Ladies Orpheus	£70.00
12.	Abertillery Excelsiors FC	£100.00
13.	Abertillery Excelsiors Juniors FC	£100.00
14.	Ebbw Fach Choir	£70.00

Llanhilleth Ward - Councillor N. Parsons

- | | | |
|----|-----------------------------------|------|
| 1. | Llanhilleth & District Bowls Club | £100 |
| 2. | Abertillery Excelsiors AFC | £100 |

Six Bells Ward - Councillor D. Hancock

- | | | |
|----|---|------|
| 1. | Six Bells Tenants & Residents Association | £100 |
|----|---|------|

EBBW VALE**Beaufort Ward - Councillor G. Thomas & S. Healy**

- | | | |
|----|--|------|
| 1. | Chair of the Council's Charity Appeal | £100 |
| 2. | Beaufort Tenants and Residents Association | £500 |
| 3. | Raglan Terrace WOAP | £100 |
| 4. | Beaufort Hill Ponds & Woodlands Preservation Soc | £100 |
| 5. | Beaufort Male Choir | £100 |
| 6. | Beaufort hill Primary School | £150 |
| 7. | Ebbw Vale Works Museum | £100 |

Cwm Ward - Councillor G. Davies & D. Bevan

- | | | |
|-----|----------------------------------|------|
| 1. | Cwm Lighting Committee | £500 |
| 2. | New Cwm Institute | £500 |
| 3. | Cwm Livestock Society | £200 |
| 4. | Cwm Boxing Club | £200 |
| 5. | Cwm Scouts | £200 |
| 6. | Cwm Weightlifting Club | £200 |
| 7. | TK's & Community Group | £300 |
| 8. | Cwm Pigeon Club | £200 |
| 9. | Cwm British Legion Poppy Appeal | £200 |
| 10. | Cwm Primary School PTA | £200 |
| 11. | Waunllwyd & Victoria Events | £500 |
| 12. | Waunllwyd OAP | £300 |
| 13. | Waunllwyd Youth & Community Club | £300 |
| 14. | RTB Football Club Junior Section | £200 |
| 15. | Tirzah Baptist Church | £100 |
-

	<p>RESOLVED accordingly.</p> <p>FURTHER RESOLVED, subject to the foregoing that the report be accepted and the information contained therein noted.</p>	
<p>No. 8</p>	<p><u>WORKFORCE STRATEGY 2021-2026</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>The Head of Organisational Development spoke to the report which provided the Executive with the opportunity to consider and challenge the draft Workforce Strategy 2021-2026. The Officer outlined the key points of the report and referred to Appendix 1 which detailed the Draft Strategy.</p> <p>In response to a question raised, it was confirmed that the action plan would be monitored through Corporate Overview and Executive.</p> <p>The Leader also asked how the consistency of the workforce engagement would be monitored. The Head of Organisational Development advised that the first year was focussed on agile working, and there is a dedicated engagement plan to support. This included webinars for managers and workshops to engage staff - the processes would be monitored/ discussed by the Corporate Leadership Team. There is also a Corporate Communication Plan which includes a dedicated element for staff. The Officer added that the processes in place would continue to be reviewed and there was an annual review of the agile working arrangements which would engage the workforce.</p> <p>RESOLVED that the report be accepted and the proposed draft Workforce Strategy 2021-2026 be supported prior to be presented to Council for endorsement (Option 1).</p>	

**DECISION ITEM –
REGENERATION AND ECONOMIC DEVELOPMENT MATTERS**

No. 9

COMMUNITY MUNICIPAL INVESTMENT

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

The Head of Regeneration provided a detailed overview of the report which sought approval to take forward Community Energy Investment as a financial instrument to fund low carbon energy generation infrastructure and technology to provide energy and heat to Blaenau Gwent residents and businesses.

The Executive Member for Regeneration and Economic Development welcomed the report and noted that this was the initial stage of the pilot and overtime further reports would be presented to inform the Executive how the programme was progressing. The Executive Member stated that one of the major costs to residents and businesses was energy and this pilot looked to reduce these overheads, therefore the investment in renewable energy and how energy was produced was key to the Authority. This was an excellent investment opportunity for residents and businesses and the Executive Member hoped that this project would secure energy savings going forward.

RESOLVED that the report be accepted and Option 1; namely - proceed with Launching a Community Bond:-

- a) Proceed with the SocialRes Project and work towards development of a Community Bond offer.
- b) This would include undertaking initial due diligence of the legal agreements and overall approach but funding was available through abundance in order to carry out the required evaluation
- c) By pursuing Option 1 the Council would gain access to lower cost, financial investment to support with development of pipeline projects outlined in the Energy Prospectus 2019.
- d) This could be used to replace or alongside Public Works Loan Board (PWLB) funding. If the pilot was successful further bond offers could be considered in the future.

	<u>DECISION ITEM – EDUCATION MATTERS</u>	
No. 10	<u>LOCAL GOVERNMENT EDUCATION SERVICES SAFEGUARDING POLICY</u> Consideration was given to the report of the Corporate Director Education. RESOLVED that the report be accepted and the draft policy as presented be approved (Option 1).	
	<u>DECISION ITEMS – ENVIRONMENT MATTERS</u>	
No. 11	<u>COMMUNITY ASSET TRANSFER – DEIGHTON FIELD & SIRHOWY GARDENS, TREDEGAR – TREDEGAR TOWN COUNCIL</u> Consideration was given to the report of the Corporate Director Regeneration and Community Services. RESOLVED that the report be accepted and the transfer of the two areas on a 99-year lease with no break clause be permitted (Option 3).	
No. 12	<u>POSITION REPORT – STRAYING ANIMALS</u> Consideration was given to the report of the Corporate Director Regeneration and Community Services. The Head of Community Services provided a detailed overview of the report and reported issues of straying animals within the County Borough. The Head of Community outlined the scale of the issue and locations where problems were frequently reported. The Head of Community Services also referred to the Action Plan which had been developed in conjunction with officers and stakeholders to resolve incidents. It was advised that the report was a multi-departmental report and the Action Plan clearly set out those responsible for each action. The Head of Community Services informed that the Community Services Scrutiny Committee had supported Option 2 and raised points which was included in the Action Plan. The Scrutiny Committee also asked that cost implications be reported to monitor the costs of the scheme.	

The Executive Member for Environment stated that this was a position statement, a starting point in an attempt to resolve the issues of straying animals across the Borough.

The Executive Member added that the Scrutiny Committee was keen to be involved in the process and although formal meetings had not taken place due to the pandemic, the Executive Member informed that she had met with individuals informally to discuss various concerns. These meetings are key and the Executive Member was keen to recommence meetings with Members going forward.

The Leader noted that the Executive had been involved in the Working Group and was aware of the good work being pursued across the Council and welcomed the commitment of the Executive Member to address these issues.

The Deputy Leader concurred with the comments raised and noted that these were concerns regularly raised by residents. The Deputy Leader welcomed the action plan and the commitment of the Executive Member.

The Executive Member for Social Services further concurred with the comments raised and thanked the Executive Member for Environment on the progress made in relation to straying animals across Blaenau Gwent.

RESOLVED that the report be accepted and the Executive made recommendations for changes to the approach/Action Plan as set out in the report be approved (Option 2).

CHANGE OF AGENDA ORDER

MONITORING ITEMS – EDUCATION

No. 19 ANEURIN LEISURE TRUST PERFORMANCE AND MONITORING REPORT (APRIL 2020 – MARCH 2021)

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

The Service Manager – Young People and Partnership outlined the performance of the Aneurin Leisure Trust and clarified the future performance monitoring arrangements in place between the Trust and Council. The Service Manager noted the work which had been prioritised since April and the response to Covid-19. In terms of monitoring performance, the Service Manager referred the Executive to the visual scorecard which had been developed by the Trust. The current reporting arrangements, along with the new governance structure would ensure that the performance of the Trust was transparent and accountable. The reports would be presented to CLT, Scrutiny Committee, Executive and the new Joint Strategic Partnership Group on a six monthly basis.

The Service Manager further advised that the working relationship between the Council and Aneurin Leisure Trust had greatly improved during phase 2 of the review. This positive working relationship had continued to improve throughout lockdown into the re-opening phase. This had been enhanced through the weekly structured meetings between the link officer and senior managers in the Trust during the first six months of lockdown.

The Leader welcomed Mr. P. Skyes, Aneurin Leisure Trust to the Executive and Mr. Sykes welcomed the working arrangements between the Trust and Education.

The Executive Member for Education wished to thank the Trust for their hard work and support given to the Council during the last 18 months. The Executive Member looked forward to building on the relationship with the Trust as the Council and the Trust moved forward into more business as usual working arrangements.

	<p>The Leader concurred with the comments raised and commended the Trust on the work undertaken as the facilities within sports centres, libraries and adult education centres were excellent. The Leader welcomed the enhanced working relationship between the Council and Trust which was an example of positive partnership working.</p> <p>RESOLVED that the report be accepted along with the annual performance and the proposals for future reporting arrangements (Option 1).</p>	
No. 18	<p><u>EDUCATION DIRECTORATE – RECOVERY AND RENEWAL PLAN</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted, associated documentation and proposed course of action (Option 1).</p>	
No. 20	<p><u>IMPROVING SCHOOLS PROGRAMME 2021</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Head of School Improvement and Inclusion spoke to the report which provided an overview of the schools that had been inspected, including schools that had presented as a cause for concern, their progress and the work delivered or currently underway to continue to support their improvement.</p> <p>The Head of School Improvement and Inclusion further noted to the process for school categorisation which had not taken place since 2020 and referred to Appendix 1 which identified the significant process made in schools during recent times.</p> <p>The Executive Member for Education welcomed the overall progress made in relation to schools causing concerns. There had been positive progress made in Sofrydd Primary School, Abertillery Learning Community and Brynmawr Foundation School and the Executive Member felt the actions taken with concerns at the River Centre was more than appropriate at this stage.</p>	

The Leader concurred with the comments raised which echoed discussions with the EAS in terms of schools in Blaenau Gwent.

RESOLVED that the report be accepted and information contained therein be noted (Option 2).

MONITORING ITEMS – CORPORATE SERVICES

No. 13 END OF YEAR 2020/21 FINANCE AND PERFORMANCE REPORT

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

The Head of Organisational Development referred to recent discussions at the Corporate Overview Scrutiny Committee in relation to sickness absence. The Officer wished to provide an update on the end of year figure which was 11.67 days taken per employee which was a decrease in 2.24 days per employee compared to the previous year. This was an improved position. The Head of Organisational Development added that if Covid-19 related sickness was removed from the figure it would be 9.98 days per employee. This being a further reduction of 1.69 days. The Head of Organisational Development added that a report reviewing sickness absenteeism performance would be presented to Corporate Overview in the Autumn.

The Leader noted the improved performance, however there was further progress to be made and asked how the Executive could be assured that there was a consistent approach to monitoring sickness absenteeism.

In response, it was reported that quarterly monitoring reports were presented to the Corporate Leadership Team and these reports would then be considered at their respective Departmental Meetings. During the last year the sickness levels had been regularly reviewed and OD colleagues had assisted managers in the process. The Head of Organisational Development suggested that monitoring and consistency would feature as part of the sickness absenteeism report.

The Managing Director reiterated that sickness absence was monitored quarterly by the Corporate Leadership Team to ensure a consistent appropriate was being undertaken, particularly in relation to long terms absences. The Managing Director had hoped that the improvements made could be built upon going forward to further reduce the sickness absenteeism across the organisation.

The Managing Director further referred to the report which detailed end of year performance and stated that it had been a year like no other. During Quarter 1 the Authority had been severely impacted by the pandemic with major changes for staff and schools. The Managing Director wished to express thanks to all staff who had shown outstanding commitment during the pandemic. Also, the Managing Director referred to the strong partnerships which had been formed with the Trust and Tai Calon as well as the wider across Gwent. It was hoped that these partnerships would be continued.

The Leader echoed the comments raised and expressed thanks to everyone across the organisation. The Leader also referred to the pace in which the changes had been made and it was hoped that this pace would also be continued.

RESOLVED that the report be accepted and the information contained therein be noted (Option 1).

**MONITORING ITEMS –
REGENERATION AND ECONOMIC DEVELOPMENT**

**No. 14 DEVELOPMENT OF BUSINESS ENERGY MODEL TO ENABLE
BUSINESS PARKS TO ACHIEVE NET ZERO OUTCOMES**

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

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

<p>No. 15</p>	<p><u>COVID-19 RECOVERY – ECONOMY</u></p> <p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</p> <p>RESOLVED that the report be accepted and any additional avenues of engagement and/or actions be endorsed (Option 1).</p>	
	<p><u>MONITORING ITEMS – ENVIRONMENT</u></p>	
<p>No. 16</p>	<p><u>FLOOD RISK MANAGEMENT PLAN (2016- 2022)</u></p> <p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</p> <p>RESOLVED that the report be accepted and the progress made over the previous 12 months be noted (Option 1).</p>	
<p>No. 17</p>	<p><u>LOCAL AIR QUALITY PROGRESS REPORT</u></p> <p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</p> <p>RESOLVED that the report be accepted and the content of the 2019 Air Quality Progress Report for Blaenau Gwent CBC in relation to the continued monitoring and ongoing review of air quality within Blaenau Gwent by the Environmental Health Section in fulfilment of the Authority’s statutory duties in compliance with Part IV of the Environment Act 1995 be noted.</p>	

MONITORING ITEM - SOCIAL SERVICES

No. 21 **SAFEGUARDING PERFORMANCE INFORMATION FOR SOCIAL SERVICES AND EDUCATION – 1ST APRIL TO 31ST MARCH 2021**

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

The Corporate Director Social Services referred to the report which provided safeguarding performance during the first 12 months of pandemic and assured the Executive that the safeguarding process and visits had continued through the pandemic to ensure that children were kept as safe as possible the same as every other year.

RESOLVED that the report be accepted and the approach and information detailed in the report be noted (Option 1).

EXEMPT ITEMS

DECISION ITEMS – ENVIRONMENT MATTERS

No. 23 **CENTRE OF OPERATIONS - PROJECT UPDATE AND OUTLINE BUSINESS CASE**

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).

	<p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</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 as detailed in the report be approved.</p>	
No. 24	<p><u>ADDITIONAL HIGHWAYS MAINTENANCE WORKS 2021 – 2022</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 Head of Community Services.</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 as detailed in the report be approved.</p>	

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE COUNCIL**
SUBJECT: **SPECIAL EXECUTIVE COMMITTEE – 26TH JULY, 2021**
REPORT OF: **DEMOCRATIC & COMMITTEE SUPPORT OFFICER**

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

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
 Corporate Director Social Services
 Chief Officer Resources
 Chief Officer Commercial
 Head of Community Services
 Head of Legal and Corporate Compliance
 Communications and Marketing Manager

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>	

<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from Councillor D. Davies.</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest and dispensations raised.</p>	
	<p><u>MONITORING ITEMS – CORPORATE SERVICES</u></p>	
<p>No. 4</p>	<p><u>REVENUE BUDGET MONITORING – 2020/2021 PROVISIONAL OUTTURN</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>The Leader advised the reports had been considered at the Joint Scrutiny Committee and asked the Chief Officer Resources to provide an update of discussions from the meeting.</p> <p>The Chief Officer Resources outlined the report which updated the Executive on the provisional outturn against revenue budget for the financial year 2020/2021 across all portfolios. The Chief Officer noted the table which indicated that the provisional outturn was lower than the budget by £2.639m across all services. This was after an initial net contribution to specific reserves of £8.5m. It was added that in reviewing the year end position, and in support of the Council’s financial resilience, a further transfer to earmarked reserves of £1.2m had been made with the balance of £1.4m transferring to General reserves. The Chief Officer advised that due to the continued response and the recovery to be taken forward with regard to the pandemic additional reserves had been allocated.</p> <p>The Chief Officer spoke to the report detailing the hardship funding the Authority had received from Welsh Government, Covid support payments made to schemes which had been administered by the Authority on behalf of Welsh Government and summarised the favourable and adverse variances across all portfolios.</p>	

The Chief Officer Resources pointed out the provisional outturn indicated that school balances increased to £3.7m with only one school currently in a deficit position and reported that schools had seen a similar impact on their budget as the Council during the pandemic and additional funding had been being provided by Welsh Government. This funding supported schools in their response to Covid-19, however, the Chief Officer added that this was a one-year benefit and did not answer the ongoing cost pressures the school and Council would face in ongoing years.

The Chief Officer Resources further spoke to the report and provided an overview of the Bridging the Gap Programme.

The Chief Officer Resources noted discussions at the Joint Budget Scrutiny Committee and advised that a request had been made by Members that future reports so Members could understand the impact of Welsh Government funding received against specific budgets. It was reported that at present the information was detailed against respective Portfolios, therefore this amendment to would be made going forward. The Chief Officer added that the Committee had agreed to recommend the preferred Option 1,

The Leader welcomed the report and outturn figure for the year which had been challenging across the public sector. The Leader felt that the Authority and other authorities had handled the situation very well and was pleased to report this position.

The Leader added that over the last few years, building on the Council's financial resilience was key for this administration and it was felt that this report positioned the Authority well to deal with any risks that may arise. There were areas which need to be looked at and adverse variance addressed and the Leader reported that he was happy to take this forward with the respective Portfolio Holder and Chief Officer Resources. However, there was no major area of concern and there was mitigating circumstances for the adverse variances which was no reason for concern.

RESOLVED that the report be accepted and the appropriate challenge to the financial outcomes in the report was provided (Option 1).

No. 5

CAPITAL BUDGET MONITORING, PROVISIONAL OUTTURN FOR 2020/2021 FINANCIAL YEAR (AS AT 31ST MARCH 2021)

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

The Chief Officer Resources provided the Executive with an overview of each Portfolio's provisional outturn capital expenditure against funding approvals for the 2020/2021 financial year. The Chief Officer reported that the overall provisional financial position as at 31st March, 2021 indicated a £161k underspend against a total in year capital budget of £17.78m and detailed the short and long term impact on the budget as outlined in the report.

With regard to the Joint Budget Scrutiny Committee discussions, the Chief Officer Resources reported that discussions had been around the overspending areas and confirmed that concerns had been addressed.

RESOLVED that the report be accepted and

- a) the appropriate challenge to the financial outcomes in the report. Was provided; and
- b) the appropriate financial control procedures agreed by Council continue to be supported; and
- c) the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding be noted.

No. 6

USE OF GENERAL AND EARMARKED RESERVES 2020/2021

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

The Chief Officer Resources spoke to the report which detailed information in relation to the draft outturn reserves position for 2020/2021. It was noted that the overall level of both general & specific/earmarked reserves had increased during the year from £14.7m to £28.6m, an increase of £13.9m and the Chief Officer noted the factors which had contributed to the increase.

The Chief Officer Resources advised that the position of reserves provided a buffer to deal with unexpected future issues. The significant elements of the earmarked sums related to grant funding held in respect of specific projects or services that would be utilised in delivering the relevant service outcomes. The Chief Officer anticipated that in future years it was probable that there would be restrictions on public spending in order to mitigate the extraordinary levels of borrowing incurred by Central Government in dealing with Covid-19. The Chief Officer felt that it was prudent to retain the appropriate levels of earmarked and general reserves to assist with such a funding situation that potentially could be similar to that experienced during the last decade during the years of austerity.

The Chief Officer Resources reported that the Joint Scrutiny Committee understood the need to maintain good prudence going forward in respect of reserves to ensure good financial resilience of the Council.

The Leader advised that there was regular monitoring of reserves by respective portfolio holders and collectively by the Executive. The monitoring of reserves had been enhanced in the last few years which had strengthened the financial resilience of the Council. The level of reserves had not been nowhere near where they should be and although current levels are more favourable further work was needed to ensure the Authority was in a better position for the future. The Leader concurred that at some point in time the monies distributed to Welsh Government and other governments from Central Government would need to be addressed, however Leader had hoped that it would not be as severe as austerity years and the responsible politicians must do all they can to ensure that going forward the Authority was prepared to cater for future budgets.

RESOLVED that the report be accepted and

- a) considered the use of general and earmarked reserves during 2020/2021;
- b) the significant increase in general and earmarked reserves as a result of the exceptional circumstances in the 2020/2021 financial year be noted;

- c) the draft outturn position of the General Reserve at £7.820m represents 5.78% of net revenue expenditure, above the 4% target level be noted;
- d) the need for ongoing prudent financial management given the potential for future public spending restrictions required to fund the impact of Covid-19 be considered; and
- e) the continued challenge to budget overspends was given and implement appropriate service Action Plans, where required.
- f) The maintenance of usable reserves at an adequate level was crucial to the Council being able to meet future liabilities arising from risks for which specific provision has not been made.

No. 7

BRIDGING THE GAP (BTG) PROGRAMME 2021/2022

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

The Chief Officer Resources spoke to the report which provided an update on the Strategic Business Reviews, including the provisional outturn for 2020/2021 and latest assessment of the financial achievement for 2021/22 onwards. The Chief Officer Resources advised that the Programme would continue to be reviewed to ascertain any changes in the assumptions. If there was a need for such changes these would be reflected in the Medium Term Financial Strategy and be presented to Members in the autumn.

The Chief Officer Resources noted the questions raised in the Joint Budget Scrutiny Committee which had been addressed.

The Leader noted the report and advised that the next report to be considered alongside the Medium Term Financial Strategy would be key to the Bridging the Gap Programme. The Leader had hoped the report would provide a full understanding of the impact of Covid-19 on the planned strategic business reviews and welcomed any new streams to be considered.

RESOLVED that the report be accepted and the appropriate challenge to the Bridging the Gap programme was provided (Option 1).

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE COUNCIL**
SUBJECT: **SPECIAL EXECUTIVE COMMITTEE –**
1st SEPTEMBER, 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 Regeneration and Community Services
Chief Accountant
Chief Officer Commercial & Customer
Head of School Improvement and Inclusion
Head of Legal and Corporate Compliance

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>The following apologies for absence were received:-</p> <p>Managing Director Corporate Director Education Head of Organisational Development</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest and dispensations raised.</p>	
	<p><u>DECISION ITEM – EDUCATION MATTERS</u></p>	
No. 4	<p><u>PROPOSAL TO CONSULT ON AN INCREASE IN CAPACITY AT PEN Y CWM SPECIAL SCHOOL</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Head of School Improvement and Inclusion advised that the report provided the outcomes of the statutory notice/objection period in relation to the proposal to increase the capacity at Pen y Cwm Special School. The report also detailed the next steps as part of the statutory processes which was required in line with the School Organisation Code and the associated decision making processes. The Head of School Improvement and Inclusion further spoke to the report and provided an overview of the statutory notice period outcomes and the consultation process.</p> <p>The Executive Member welcomed the report which would benefit the children and young people of Blaenau Gwent who access Pen y Cwm Special School.</p>	

The Executive supported the report and it was felt that Pen y Cwm Special School was a much needed facility which benefited Blaenau Gwent and wider communities as well as ensuring that local children and young people were able to access such an excellent facility in Blaenau Gwent.

RESOLVED that the report be accepted and agreed the associated documents to proceed to Decision Notification stage (which was required within 7 days of the decision being made, as per the Welsh Government School Organisation Code (2018, version 2). (Option 1)

DECISION ITEMS - CORPORATE SERVICES MATTERS

No. 5

REQUEST FOR ADDITIONAL ANNUAL LEAVE DAY FOR WORKFORCE

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

The Chief Officer Commercial & Customer advised that the report sought agreement from the Executive of a request made by the Joint Trade Unions (Unison, GMB and Unite) to grant an additional day's leave for the workforce (other than those staff employed by schools), as a one off, for 31st December, 2021. The Chief Officer added that the Joint Trade Unions had raised the proposal at the consultation meeting with the Corporate Leadership Team and the Executive on the 28th July, 2021. The Joint Trade Unions felt that an additional day's leave would acknowledge the excellent work carried out by staff in response to the Covid 19 pandemic.

The Leader welcomed the report and reiterated that the Joint Trade Unions had put this request forward to Executive and CLT which was readily agreed as it was an appropriate way for the Council to acknowledge the outstanding work which had been undertaken during the pandemic.

RESOLVED that the report be accepted and the Executive supported the Trade Union's request and granted the 31st December, 2021 (this year only) as an additional day's leave for the workforce (other than those staff employed by schools). (Option 1).

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: JOINT EDUCATION & LEARNING AND SOCIAL SERVICES SCRUTINY COMMITTEE (SAFEGUARDING) – 8TH OCTOBER, 2020

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR H. TROLLOPE (CHAIR)

Councillors: S. Thomas
 D. Bevan
 M. Cook
 G.A. Davies
 G.L. Davies
 P. Edwards
 L. Elias
 K. Hayden
 W. Hodgins
 J. Holt
 J.C. Morgan
 L. Parsons
 T. Smith
 B. Summers

AND: Corporate Director of Social Services
 Interim Corporate Director of Education
 Strategic Education Improvement Manager
 Service Manager for Development & Commissioning
 Service Manager, Children’s Services
 Safeguarding in Education Manager
 Communications & Policy Officer
 Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
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>Apologies for absence were received from Councillors M. Day, G. Collier, C. Meredith, M. Moore, G. Paulsen and T. Sharrem.</p> <p><u>Co-opted Member</u> Alun Williams</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>JOINT EDUCATION & LEARNING AND SOCIAL SERVICES SCRUTINY COMMITTEE (SAFEGUARDING)</u></p> <p>The Minutes of the Joint Education & Learning and Social Services Scrutiny Committee (Safeguarding) Meeting held on 2nd December, 2019 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 - 2ND DECEMBER, 2019</u></p> <p>The action sheet arising from the meeting of the Joint Education & Learning and Social Services Scrutiny Committee (Safeguarding) held on 2nd December, 2019 was submitted, whereupon:-</p> <p><u>COVID-19</u></p> <p>A Member expressed disappointment that there had been no discussion with the Chair and Lead Officers in the Authority regarding the COVID-19 situation and the knock on effect in relation to the Education Directorate and felt that Members should be kept fully informed of the situation.</p> <p><u>Water Testing & Quality</u></p>	

A Member commented that a joint meeting between the Community Services Scrutiny Committee and the Education & Learning Scrutiny Committee was to be arranged. As the host Committee, only Members of the Community Services Scrutiny Committee would have voting rights, and Members of the Education & Learning Scrutiny Committee would not. He felt strongly that water testing and quality was a safeguarding issue and should be considered at this Committee.

The Interim Corporate Director of Education said that it had been decided to hold a Joint Scrutiny Committee meeting between the two Scrutiny Committees as Community Services had Corporate Landlord responsibilities.

Another Member commented that as a Safeguarding Committee it was important that Members were aware of the position in relation to how decisions were made and who by and that the right decisions were being made and followed correctly.

The Interim Corporate Director of Education said that the water quality issue had delayed the reopening of some schools and an independent investigation to review processes had been carried out. A report would be presented to the Joint Scrutiny Committee highlighting a number of areas for development and improvement moving forward.

The Member reiterated his disappointment regarding voting rights for the Education & Learning Scrutiny Members. The Chair also felt strongly that Members of the Education & Learning Scrutiny Committee should have voting rights on this issue.

The Democratic & Scrutiny Officer said she would take these points back to the Head of Governance & Partnerships.

The Chair and Vice felt that a meeting with the Managing Director and Leadership of the Council should be arranged to discuss this issue.

Another Member raised further concerns regarding the Local Government Education Services report written in

Democratic
& Scrutiny
Officer

	<p>June 2020 in relation to the responsibilities of safeguarding. He felt that issues within schools such as health & safety, water quality and COVID-19 were all safeguarding issues and were the responsibility of the Education & Learning Scrutiny Committee and as such Members of the Education & Learning Scrutiny Committee should be involved in any decisions being made.</p> <p>The Interim Corporate Director of Education said the primary responsibility of the Joint Safeguarding Committee was around child protection. In relation to water testing these procedures would largely fall under Health & Safety Regulations and was aligned to the work of Technical Services e.g. Legionella. Therefore, it had been necessary to arrange a Joint Scrutiny Committee to consider discussion from Members of both Committees.</p> <p>The Chair felt that a Joint Scrutiny Committee with full voting rights for all Members should have been arranged. The Interim Corporate Director of Education said that he would take these comments back to Democratic Services in advance of the Joint Scrutiny Committee meeting.</p> <p>The Committee AGREED this course of action.</p> <p>A Member pointed out that no child had been at risk as a stringent testing regime had been put in place and schools had remained isolated until that testing had been concluded. He felt that learners' educational settings had been protected and it would be appropriate to wait for the findings of the report for discussion at a future meeting.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	Interim Corporate Director of Education
No. 6	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 10.00 a.m.</p>	
No. 7	<p><u>360 DEGREE SAFE ONLINE SAFETY POLICY FOR SCHOOLS</u></p> <p>Consideration was given to the report of the Interim Corporate Director of Education which presented the 360</p>	

Degree Safe Cymru Online Safety Policy for schools and sought Members' views on the policy template prior to the adoption of the model policy for schools.

The Safeguarding in Education Manager spoke to the report and highlighted the main points contained therein. The policy was provided by Southwest Grid for Learning who work in partnership with the Welsh Government and was intended to ensure that learners were able to use the internet and related communications appropriately and safely. The policy templates were extremely comprehensive and covered a whole range of considerations for online safety and schools were permitted free use of the policy to adapt to suit their particular setting. Other pre-existing policies within schools would be superseded upon the implementation of this policy.

The Chair enquired what safeguarding tools were available for parents to put on their children's devices. The Safeguarding in Education Manager said that the Welsh Government regularly updated their 'Keeping Safe Online' website and would include a link to the website within the Policy document. The Corporate Director of Social Services said that the Gwent Safeguarding Board website also gave advice in a simple format on parental controls in relation to mobile and computer devices. He would liaise with the Safeguarding in Education Manager to forward the online link to parents.

The Strategic Education Improvement Manager echoed the Director's comments and said that during the COVID-19 situation a protocol for streaming online teaching etc. had been developed to support parents and some form of communication from schools could be passported onto parents to support them with this issue.

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

- that the Welsh Government 'Keeping Safe Online' link be forwarded to parents and included within the Policy document; and
- the policy be recommended for approval by the Executive Committee.

No. 8

LOCAL GOVERNMENT EDUCATION SERVICES
SAFEGUARDING POLICY

Consideration was given to the report of the Interim Corporate Director Education and the Safeguarding in Education Manager which was presented to provide Members with the opportunity to scrutinise the Local Government Education Services Safeguarding Policy following its annual review.

The Safeguarding in Education Manager spoke to the report and highlighted the following updates to the policy:-

- 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.

A Member raised concerns regarding the pressure on home life such as financial issues, job losses etc. and the changing dynamics at home with many parents homeworking. He enquired how feedback from these situations could be captured as this could lead to future increases in children looked after. The Service Manager, Children's Services reassured Members that those referrals with safeguarding concerns, i.e. child protection, abuse or neglect, regardless of the COVID-19 pandemic were responded to appropriately, and for those children who were at home because of the lack of school provision nothing had alerted the local authority to any safeguarding concerns.

The Member referred to the wider implications of safeguarding and how the stresses of the workplace going into the family home were affecting children's lives in general. The Service Manager, Children's Services said that additional funding via the Child Development Fund had been made available and was specifically targeted at those

children that had suffered as a result of COVID-19, either educationally, emotionally or through holistic well-being. The Directorate would be looking at these cohorts of children in conjunction with Families First and Flying Start. There would be an opportunity to look at statutory settings as well. The additional funding would help explore what alternative support could be put in place for those children who may have suffered at a lower level, through non attendance at school and through the social isolation they may have experienced while schools were closed.

A Member raised concerns regarding increased COVID-19 rates and protecting school staff, some were waiting up to one week for results, whilst remaining in school looking after pupils. He enquired if there was a way to ensure school staff had regular testing similar to staff in care homes. The Director of Social Services said that over the last week the rate was down to 83 per 100,000 so there was progress in reducing the rate in communities. In relation to the UK portal people may not be able to access tests locally and discussions were being held with the Welsh Government to find a solution. A further lab in the Newport area to enable an additional 20,000 tests per day to be carried out was being developed to come on line in November. Many people, not just in Education but across Council services would need to stay at home whilst awaiting test results. This issue existed across the UK and until test results could be turned around within the 72 hour target then there would be issues throughout the winter period.

Councillor Tommy Smith left the meeting at this juncture.

A Member commented that whilst he supported the policy he had concerns regarding the COVID-19 Annex in relation to the mixed messages parents received regarding isolation of children with siblings who attended a different school. He enquired if clear information could be relayed to parents to enable them to make appropriate decisions to protect their children without the fear of repercussions. The Director of Social Services said there had been confusion regarding mixed messages across the UK, he clarified that if a child tested positive then that child needed to self-isolate and stay off school along with any siblings. If a child had been in contact with someone who in the school was positive then that child would have to self-isolate but their siblings would

not, so a contact of a contact did not need to self-isolate and could continue to attend school. This was national advice and guidance, however, he accepted parental decisions if parents had concerns with their children attending school during the pandemic.

The Member reiterated that the Council should relay to parents that if they had any concerns or doubts they should take appropriate action without the fear of repercussions. He felt that this would give parents an element of self-choice. The Interim Director of Education said that the Directorate liaised with Environmental Health colleagues when a positive case had been identified and clear advice was given to the family and was also followed up by the Test, Trace and Protect element. In relation to non-attendance at school due to the emergency COVID-19 situation there was no intention of penalty notices being issued at this point in time. He referred to the national advice and guidance and said the Council had adhered to the national arrangements.

A Member raised concerns regarding children who should be self-isolating, being allowed out in the community by their parents whilst awaiting test results. He felt that some parents were putting youngsters health at risk by allowing them out in the community. This could be considered as neglect and enquired if Social Services and the Police, who had responsibility for fines, were looking at this issue.

The Service Manager, Children's Services said that she would air on the side of caution if Members were minded to send a generic message to parents with regards to those children that may be asymptomatic, symptomatic or even tested positive that are being allowed out into the community. She pointed out that the responsibility was not with the school after children had been told to self-isolate, it was a parental decision if parents were concerned for the safety of their children. The Service Manager advised Members that it would be better to try a supportive approach to encourage parents to keep their children in school and point out the ramifications for not following national guidelines. If the behaviour continued the Directorate could liaise with the local Community Engagement Officers on the ground to further advise whether it would meet the criteria

	<p>for a safeguarding concern and ultimately a joint visit with the police, but this would depend on other factors.</p> <p>The Service Manager advised that she would look back at the referrals from Quarters 1 and 2 to check if any had identified children that were out in the community when they should have been self-isolating. She would also liaise with Families First, the lower tier preventative services, to check if they had received any referrals of a similar nature.</p> <p>The Committee AGREED this course of action.</p> <p>A Member commented that no matter what action was taken there would always be exceptions, this was a difficult situation with parents unsure of what approach to take.</p> <p>The Strategic Education Manager said that she would work with Social Services colleagues to identify pinch points where such incidents may happen when children were not in school.</p> <p>The Committee FURTHER AGREED to recommend that the report be accepted and endorse Option 1, namely that the draft policy as presented in Appendix 1 be accepted.</p>	<p>Service Manager, Children's Services</p>
<p>No. 9</p>	<p><u>SAFEGUARDING PERFORMANCE INFORMATION FOR SOCIAL SERVICES – 1ST APRIL 2019 TO 31ST MARCH 2020</u></p> <p>Consideration was given to the report of the Corporate Director of Social Services and Service Manager, Children's Services which was presented to provide scrutiny Members with safeguarding performance information and analysis from Children's Social Services from 1st April 2019 to the 31st March 2020.</p> <p>The Strategic Education Improvement Manager provided an overview to Members on the reasons why the Education Directorate had been unable to provide performance information to be included in the report at this time.</p> <p>The Chair said that he understood the need for Headteachers and staff to focus on operational challenges within schools during the pandemic and accepted the</p>	<p>Democratic & Scrutiny</p>

<p>reasons why the routine collection of performance data was not available at this time. He requested that the briefing note be circulated to Members.</p> <p>The Committee AGREED this course of action.</p> <p>The Service Manager, Children’s Services spoke to the report and highlighted the main points contained therein. She explained that due to the pandemic the information contained in the performance report was historic information. It was reported that throughout the four quarters there was consistency with regard to referrals and the Service Manager reassured Members that safeguarding remained a priority for Children’s Services and safeguarding responsibilities continued for those children that had been deemed at risk.</p> <p>A Member commented that safeguarding had been one of a number of recommendations from Estyn when Blaenau Gwent Education Services had been in special measures and enquired when safeguarding was last reviewed by Estyn. The Interim Director of Education said that since the Council had been removed from special measures, termly meetings with the Local Authority and Estyn Link Inspectors were held and periodically safeguarding featured on the agenda whereby Link Inspectors were advised of any developments such as policy updates etc. At the last Estyn monitoring visit they had recognised that good progress had been made against the recommendation that had been put in place against safeguarding procedures. Estyn now regulated local authorities on a wider education perspective as part of the Local Government Education Services (LGES) framework.</p> <p>The Strategic Education Improvement Manager said that in relation to the Local Government Education Services (LGES) framework the Directorate had completed their Self Evaluation of which safeguarding was a key component under the leadership and management aspect of that framework. She enquired if Members wanted a future report in terms of the safeguarding extract from the Self Evaluation to be prepared for a future meeting.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely</p>	Officer
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	<ul style="list-style-type: none"> • that the briefing note on reasons why the Education Directorate had been unable to provide performance information to be included in this report at this time be accepted; and • a report on the safeguarding extract from the Self Evaluation be prepared for a future meeting. 	
<p>No. 10</p>	<p><u>ADULT SAFEGUARDING REPORT 1ST APRIL 2019 TO 31ST MARCH 2020</u></p> <p>Consideration was given to the report of the Director of Social Services which was presented to provide Scrutiny Members with Safeguarding Performance information relating to Adult Services from 1st January 2020 to the 31st March 2020 for the 4th quarter of the financial year and also the information of the financial year 1st April 2019 to 31st March 2020.</p> <p>The Service Manager for Development & Commissioning spoke to the report and highlighted the main points contained therein. There was a similar position to Children’s Services, historically the trends remained static and the Department were still working closely with key partners. He reassured Members that with the different ways of working communication with care homes and partner agencies was maintained on a regular basis, working with providers, offering financial support in terms of referrals and discussions around testing. In domiciliary care, agencies were working together to develop contingency plans, working through the risk management process with regard to a spike in the second wave. The Department continued to support care homes and work closely with health colleagues and partners. Currently there was a stable workforce which continued to support providers in extremely challenging circumstances.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that Members accept the report as provided.</p>	

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SPECIAL REGENERATION SCRUTINY COMMITTEE
9TH JUNE, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HILL (CHAIR)

Councillors G.A. Davies
M. Cook
M. Cross
P. Edwards
K. Hayden
S. Healy
W. Hodgins
J.C. Morgan
C. Meredith (*substituting for S. Healy*)
K. Rowson
B. Willis

AND: Corporate Director Regeneration & Community Services
Head of Regeneration & Development
Service Manager Business & Regeneration
Team Manager, Connected Communities
Marketing & Communications 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 reported for Councillor L. Parsons and the Corporate Director of Social Services.</p>	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interest was reported:</p> <p>Councillor G. Paulsen – Item No. 5 Community Renewal Fund (CRF)</p>	
<p>No. 4</p>	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings continue to be held at 10.00 a.m.</p>	
<p>No. 5</p>	<p><u>COMMUNITY RENEWAL FUND (CRF)</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 Corporate Director Regeneration & Community Services.</p> <p>The Team Leader Connected Communities presented the report which provided an update on the Community Renewal Fund and associated local project assessment process. The report also outlined the proposed project shortlist that would form the Blaenau Gwent CRF application to UK Government; and recommend that the Executive formally endorse BGCBC involvement in the Regional Employability Project Proposal (CELT). The reported also provided an update in respect of the UK Levelling Up Fund and the Council’s submission preparation, and further details of this bid would be subject to a further report.</p>	

The Officer then went through the report and highlighted the key points contained therein.

A Member asked whether there would be opportunity to work with RSL's to potentially bring in investment for the Borough's housing estates.

The Officer explained that the timescale for submitting applications was challenging as they had to be submitted by 20th May, 2021. RSL's would have been provided the opportunity to put forward proposals but none were received.

In response to a further question raised by the Member, the Officer said the funding was available for pilot projects deliverable within 2021/22. The UK Government would then learn from these projects and test the different approaches on a 1 year basis.

Another Member asked whether it was possible to combine some of the projects listed in the report. The Officer said it would be up to individual partners to start those discussions, but unfortunately the tight timescales did not allow for that to happen. The Officer also confirmed that all projects were scored against the same criteria based on local strategic priorities.

A Member referred to the figure highlighted in section 2.18 of the report and asked how this would be allocated. He also referred to the CELT and enquired as to the functions of the group and the Council's representation.

He then referred to the fact that the successful projects would receive funding in two tranches, and asked there would be any funding implications for the Council in drawing down the second tranche of funding in the event of the project not delivering the anticipated outcomes.

In response the Corporate Director Regeneration & Community Services said the funding identified in section 2.18 of the report would be used to support development of the CRF. In relation to CELT he said this stemmed from work happening across the region and was established to look at employability programmes. If the report was

endorsed, the Council would sit on that group and ensure that discussions at a regional level are replicated locally.

The Team Leader Connected Communities confirmed that a plan would be put in place to safeguard the risk of non-delivery of a project to prevent recovery of any monies.

In response to a comment made by a Member regarding engagement with local businesses, the Officer pointed out that this was one of many funds administered by UK Government and WG over the last year in response to the Covid pandemic. She confirmed that Officers had continued to engage and support the business community, and whilst this activity had been held via Microsoft Teams due to Covid restrictions, she was confident that the support provided during the last year had been beneficial to local businesses.

A Member referred to section 5.2.3 of the report, namely staff resources, and the Corporate Director confirmed that a piece of work was being done to determine what resources were needed. He said when the initial stage was completed and targeted projects had been agreed, then discussions would take place with UK Government officials regarding the delivery arrangements for projects, and at this point the Council would have a clearer understanding of the scale of resources required.

A discussion ensued when a Member asked whether it was intended to seek Members views on projects, and the Corporate Director confirmed that when the CRF was set up, the next stage would be Member engagement around certain options for the Level Up Fund.

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 supported Option 2, namely:-

- That the Scrutiny Committee recommend approval by the Executive Committee of the proposed project shortlist which would form the Blaenau Gwent CRF application to UK Government; and

	<ul style="list-style-type: none">• That the Scrutiny Committee recommend approval by the Executive, involvement in the Regional Employability Project Proposal (CELT).	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: EDUCATION & LEARNING SCRUTINY
COMMITTEE – 22ND JUNE, 2021**

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

PRESENT: COUNCILLOR H. TROLLOPE (CHAIR)

Councillors: J. Holt
M. Cook
M. Day
L. Elias
S. Healy
J. Hill
J.C. Morgan
T. Smith
B. Summers
D. Wilkshire

Co-opted Member

T. Baxter

AND: Corporate Director of Education
Head of School Improvement & Inclusion
Strategic Education Improvement Manager
Service Manager Education Transformation &
Business Change
Service Manager – Young People and Partnerships
Press & Publicity Officer
Scrutiny & Democratic Officer / Advisor

ALSO: Aneurin Leisure Trust
Phil Sykes, Director of Operations

Representative of EAS

Hayley Davies-Edwards, Principal Challenge 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:-</p> <p>Councillor Derrick Bevan Councillor Clive Meredith</p> <p>Service Manager Inclusion</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor Stewart Healy declared an interest in item 10 - Aneurin Leisure Trust Performance and Monitoring Report (April 2020 – March 2021).</p>	
No. 4	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held on a Tuesday at 10.00 a.m.</p>	
No. 5	<p><u>SPECIAL EDUCATION & LEARNING SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Special Education & Learning Scrutiny Committee Meeting held on 1st April, 2021 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>EDUCATION & LEARNING SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Education & Learning Scrutiny Committee Meeting held on 20th April, 2021 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 7	<p><u>ACTION SHEET – 20TH APRIL, 2021</u></p>	

The action sheet arising from the meeting of the Education & Learning Scrutiny Committee held on 20th April, 2021 was submitted, whereupon:-

Grants Awarded to Education Directorate

A Member enquired why the amount of funding received for Tredegar Comprehensive School was nearly double the funding received for Brynmawr Foundation School and Abertillery Learning Community. The Corporate Director of Education said he would look into the variances and report back to the Committee.

In response to a Member's question regarding how PDG Challenge Advisors would interact and challenge Headteachers, the Corporate Director of Education explained that the Challenge Advisors would work closely with the schools to make sure that there was appropriate use of this funding across the schools and ensure that the resource was used effectively to support those learners who were targeted, in line with the grant criteria.

A Member referred to the differences shown in the PDG amounts, these grants were based on the number of free school meal pupils within schools and felt that an item could be put forward on the interventions in different schools and how it was helping free school meal pupils progress. The Member referred to the percentage of free school meals in Blaenau Gwent and enquired if this could be looked at, as he felt that not all free school meal children were having what they were entitled to and this affected grants going into schools. He felt that information regarding free school meal entitlement was difficult to find on the Blaenau Gwent website and the link for applications should be more prominent. He also raised concerns that free school meal assessments were now carried out every 3 years.

The Corporate Director of Education said that in relation to the situation around free school meals and the way that is assessed within schools, a lot of work had been carried out during the pandemic which had resulted in a significant increase associated with eligibility around free school meals. The latest position was that in the region of 1,700 children were now entitled to free school meals and the

Director of Education

situation was being closely monitored. The Director advised Members that there was probably a 30 to 40% increase in terms of families and children entitled to free school meals due to the impact associated with COVID around the socio-economic status of the area. In relation to the Member's first point, one of the briefing notes outlined some of the areas for potential spend on the Pupil Development Grants so that Members were appraised of the way that resource could be used to support learners both from an FSM and CLA perspective across the school estate. The Director would provide anonymised information regarding this matter to Members and also ensure that the link for applications for FSM was made more prominent on the website.

Director of Education

In response to a Member's question regarding what percentage of families were claiming FSM, the Director reported that the percentage was in the region of 30% but stressed it was a fluid situation and subject to change. The Member commented it was important to engage with those families not claiming their entitlement as this was money that the families, the schools and the Education service was losing. The Service Manager Education Transformation & Business Change said they were working closely with the schools in order to get the message out to parents and liaising with schools when new eligibility came online, they worked closely with both the Benefits and Performance sections and held discussions with schools who in turn picked up the discussions with parents around ensuring they take up their entitlement to apply for FSM. Regular messages around the eFSM application rounds were circulated via the schools directly, via their parent communication channels, the team also picked up a significant number of calls. She advised there was a lot of communication, information and plans in place to support those parents and to look to engage newly eligible families.

A Member commented that with so much support in place why families were not claiming their entitlement to FSM, and enquired if it was due to the perceived stigma attached to FSM. The Director of Education said this could be an issue, however, there were services in place to try to address this issue such as the Catering service who work closely with schools around cashless catering so that the learner was not identified as being a free school meal pupil. There were

	<p>also direct payments to families so there was no way of identifying directly those families that were receiving the entitlement.</p> <p>With regard to direct payments a Member enquired if checks were made that families receiving direct payments were actually paying for free school meals for their children. The Service Manager Education Transformation & Business Change said that the eligibility was managed in partnership with the Benefits Section, then working with schools to ensure that those pupils were accessing free school meals. She advised that schools do provide additional support as do Catering when there were financial issues for families.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	
<p>No. 8</p>	<p><u>PROPOSED SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2021-22</u></p> <p>Consideration was given to the report of the Chair of Education and Learning Scrutiny Committee.</p> <p>The Chair advised that this was a fluid document and could be subject to change.</p> <p>A Member commented that the report on Section 106 Agreements was an information item and felt that this should be an agenda item for Committee so that Members gain a better understanding of the benefits of Section 106 Agreements, how the money was utilised and how they link with Education, Planning and Regeneration Directorates.</p> <p>The Chair proposed that the report on Section 106 Agreements be withdrawn from the information pack and be presented to a future meeting of the Committee as an Agenda item.</p> <p>This course of action was AGREED.</p> <p>A Member enquired if there were any reports on the Forward Work Programme regarding the large turnover of Headteachers in Blaenau Gwent and also home schooling as this impacted on pupil attendance. The Corporate</p>	

Director of Education said that as part the Forward Work Programme there were reports on both school pupil attendance and exclusions that would feature as part of the Inclusion and Improving Schools reports, there would also be updates in terms of where we are with leadership, potential changes and recruitment in those schools that are a cause for concern.

The Member referred to the EAS and enquired regarding value for money. The Corporate Director of Education said there was a good working relationship with the EAS who worked closely with the School Improvement and Inclusion team. A report had been presented to Committee previously that highlighted value for money, which was based upon two key variables i.e. whether performance was increasing and standards improving and if that was being done with less resources. The Director felt that both the Authority and the EAS were improving standards with reducing budgets during the period of public sector austerity.

The EAS Principal Challenge Advisor reiterated the Director's comments and added that she was excited to be working with the new Education Directorate and Leadership team in Blaenau Gwent. She reassured Members that the partnership, which was how the Welsh Government saw the relationship moving forward, was healthy and strong. They held regular meetings and had excellent opportunities to look at the roles the Local Authority and the EAS played to ensure that the support for schools was tailored in the right way.

The Committee AGREED that the report be accepted and endorse Option 1; namely that the Education & Learning Scrutiny Committee Forward Work Programme 2021-22 be approved; and

FURTHER AGREED that the information item on Section 106 Agreements be presented to a future meeting of the Committee as an Agenda item for consideration.

No. 9

EDUCATION DIRECTORATE – RECOVERY AND RENEWAL PLAN

Consideration was given to the report of the Head of School Improvement and Inclusion and the Service Manager Education Transformation and Business Change which was presented to provide Members with an opportunity to scrutinise the Education Directorate's identified priorities for recovery and renewal, as part of the response to the COVID-19 situation.

The Head of School Improvement and Inclusion spoke to the report and highlighted the main points contained therein.

A Member referred to pupil behaviour in schools and felt this should have been referenced in the report. The Head of School Improvement and Inclusion said that learner's emotional states including their behaviour and the potential impact that could have on other learners was a key priority. The report contained overarching statements of the key areas and these would be broken down into much more detailed plans i.e. learner wellbeing, emotional, behaviour etc.

The Service Manager Education Transformation & Business Change reiterated this point and said that this linked into the learner theme and also the school operations and support for schools around behaviour in the form of risk assessments and staffing etc. and felt this was a cross cutting aspect that would feature as part of the detailed action plans around a number of these different impact areas.

A Member commented that it was good to see whole school wellbeing and mental health support being given priority, and also to see support for vulnerable learners and ALN reform feature so prominently, and that parental engagement, which he felt was absolutely crucial was also listed. He felt the plan accurately reflected the Local Authority responding to current and future changes.

With regard to PPE and face masks in schools a Member commented that the Authority needed to be clearer on the guidance as there was uncertainty on wearing face masks in classrooms and corridors. The Service Manager Education Transformation & Business Change stressed

there was clear guidance that in all secondary schools in classrooms and in communal areas, where two metre social distancing could not be maintained, that pupils wear face coverings and this applied across the school estate. If there were significant issues which were presented and schools feel that under risk assessment that they could manage and put in place additional control measures, then the team could look to review that with the school. There had been significant engagement with primary and secondary schools, special schools and all through schools and that guidance had been clearly relayed and was reinforced at every opportunity. If there were any particular concerns the Member had the officer offered to discuss these outside of the meeting.

A Member referred to the identified key impacts on education on page 55 and said that in relation to safeguarding, voluntary third sector involvement, preventative health measures and Covid-19 control measures, the report stated there had been little or no engagement and he felt this was inaccurate as there had been a lot of engagement with youngsters and their parents during the pandemic i.e. ensuring free school meals were delivered, schools making sure that youngsters were engaging and enquiring after their wellbeing, making sure they had the right equipment etc. He raised concerns with the narrative in the report and that it did not pick up on the variances between schools, and that the improvements and good work that had taken place in schools had not been referenced in the report i.e. digital technology. He also referred to the curriculum for Wales and felt it was up to schools to progress this and look at how the curriculum fits within their own areas. He felt there was room for improvement within the plan.

The Chair agreed with the Member's comments and added that through personal experience delivering free school meals etc. he felt that community interaction had been strong and working together the community understood what schools were doing.

The Corporate Director of Education agreed with the Chair and Member's comments that the partnership working around Covid had been outstanding on a number of levels. However, in relation to the narrative on safeguarding it

mentioned limited access to on-site school support and he explained that this related to occasions where there had been a move to blended learning and on-site support for learners throughout Covid had been limited. With regard to the Recovery and Renewal plan it would not be a one size fits all approach, there would be differentiated approaches based upon the needs of learners right across the school estate and would be a series of bespoke solutions based on schools and the individual learners needs. He added that the focus in the plan was not just about recovery, it was also about renewal and part of that would be learning from experiences in dealing with the Covid-19 pandemic. Blended learning and the way learners were supported through ICT were a direct result of being in the pandemic situation, which had instigated significant positive digital change across the school estate.

The Service Manager Education Transformation & Business Change said it was a very high level impact assessment which was in its infancy and they were still working with schools to support the response. With regard to the key impact - voluntary third sector and charity work and engagement – this was based around engagement on school sites as opposed to the work around recovery that was undertaken during the course of the last academic session and prior to that. Community support had been invaluable particularly around delivery of free school meals etc. and felt this highlighted where there were gaps from a school community perspective, there was normally a significant level of engagement with various charities and voluntary third sector partners etc., however, they had been unable to go into school sites due to the restrictions around Covid.

For clarification the Chair said that the words ‘school based’ should be included in the key impact - voluntary third sector and charity work and engagement.

This course of action was AGREED.

Members felt that the overarching report should have included the good work that had been undertaken such as digital improvements etc. The Head of School Improvement and Inclusion reiterated these were high level statements and there would be action plans built around each of these

focusing on the way schools move forward as well as the way the Local Authority can support schools and work with the EAS to move forward with all of the areas. She advised that the plan would be based on the needs of each individual school and Headteacher representatives from each of the clusters would also be working on the plans.

The Service Manager Education Transformation & Business Change added that they did capture within the impact assessment, areas of notable success and would continue to do this, the learning would inform the development of the plan going forward. She felt that the report reflected the stage at which the impact assessment and planning process were at and the detail was being progressed at this point in time.

In response to a Member's question regarding how the EAS would address the issue of looking at assessing where pupils were at the moment and where they needed to be in readiness to sit their GCSE's, the Principal Challenge Advisor said the Welsh Government had announced that Estyn inspections would not resume until the spring, performance measures had been suspended again and the EAS were seeking as much information as possible regarding the progress of learners. After Easter schools would make some baseline tests to try and look at progress children had made to see where they are now and where they needed to be and that would happen at individual school level. The EAS would have professional discussions with Headteachers in a very detailed and specialised way, about the systems that were taking place within schools to assure the Headteacher that assessment was accurate for the age and the stage of the child and that the right judgement was made about the child's progress. She advised that the Welsh Government had been out to consultation between January and April with a new working approach on school improvement and accountability systems, which explained and set out, in detail, the role of each tier within the system. The role of schools, within the system, was to ensure that self-evaluation and school development planning was accurate and so there were proposed ways of working based on overarching principles within the consultation document. For scrutiny, this would mean that the EAS were proposing to meet with every school in the autumn term, some in Blaenau Gwent, to trial

a new professional dialogue i.e. a school's own self-evaluation accuracy, the systems for self-evaluating and how schools were generating the most important areas for improvement. A key part of that would be the accuracy of tracking and assessment within schools, and Headteachers and the Council could be assured that schools were holding accurate information on children and were able to identify any issues.

With regard to the consultation document the Principal Challenge Advisor said there was a move away from the hard edged data in looking at provision in schools to a more qualitative triangulated range of multi-dimensional data, including children's voice, parents voice and lessons. This was the steer from Welsh Government and the auspice in which the EAS would be working towards in the coming months. She would share the consultation document with Members for their information.

A Member referred to the new ALN Bill due in September and the Service Manager Inclusion leaving the Authority and enquired how this would be managed moving forward. The Corporate Director of Education said that a report had previously been presented to Scrutiny outlining the preparedness for ALN reform and that this report had given Members assurances that the Authority was well prepared for the September implementation. He expressed thanks to the Service Manager Inclusion for all the work he had undertaken in preparing the Authority for ALN reform and also his work around the inclusion agenda. There was now an opportunity for recruitment, and building on experiences from appointing the Head of School Improvement and Inclusion an approach had been agreed to offer the post on a secondment basis across the school estate. The benefits of this approach would be that it would provide a CPD opportunity for a member of staff and also give the Local Authority the opportunity to see how the member of staff settled into the role. The Director was looking to initiate the recruitment process in the near future to ensure capacity for the move towards implementation from September 2021.

The Member referred to the timing of the secondment as the school would need to replace the successful candidate which could be a Headteacher or Deputy Headteacher for the secondment period and this could take a considerable

amount of time. The Director said it may not necessarily be a Headteacher or Deputy Headteacher that applied for the position, it could be for example an Additional Learning Needs Co-ordinator or specialist in the Inclusion field. There was no intention to destabilise any school arrangements with this appointment and they would work closely with the schools to ensure there was continuity.

The Head of School Improvement and Inclusion said that with regard to capacity and to be able to support schools, in particular senior leadership, to ensure they had everything in place to meet the needs of the new ALN Bill, Tredegar Comprehensive School had received some additional funding for extra capacity to go out and work specifically with schools in this regard.

A Member raised concerns that with school inspections no longer taking place, how the improvements made to the two schools that were categorised as a cause for concern would be acknowledged moving forward. The Principal Challenge Advisor said categorisation had been suspended for another year and gave assurances that schools would continue to receive the right level of support, the EAS were proposing as a region that they would still have that professional discussion with the Headteachers and the levels of support the school would have for the coming year would be determined in those discussions. The local Authority, the EAS, the Headteachers and senior leaders would all look at the school's needs to ensure that the right number of days were agreed, this could be in the region of 5 days with additional days added if the school needed more support.

In relation to the schools causing concern categorised as red, this was still a statutory process and the EAS would need to follow this process to ensure that those schools were supported and that their progress was reported to Members and to all stakeholders. However, the colour categorisation would no longer be reported as one of the limits of categorisation was that a school could be improving in the background, but actually it could still be categorised as red without those improvements being recognised by the community. She felt there was now an opportunity for the schools in Blaenau Gwent that were improving to showcase their improvements by working with parents, the Council's

Corporate Communications section and local press to get their school improvement information into local forums to keep the community informed. She referred to the literacy festival at Brynmawr Foundation school and said that was exactly the kind of news that needed to be out in the community.

The Corporate Director of Education said that progress was being made particularly with the two schools that were currently in an Estyn category. With regard to communication and the improvements that were being made for both of these schools, Corporate Communications worked closely with these schools to get positive messages out in the community. He referred to the fantastic literacy festival at Brynmawr Foundation school which had received national TV coverage and said that was one strand of the work that Corporate Communications were supporting. He advised that Estyn had recently announced that core inspections were being suspended but Monitoring Visits would continue to take place and that was the opportunity for the Inspectorate to assess the progress that was being made. This would give those schools the opportunity to demonstrate progress and provide encouragement for their respective improvement journeys.

The Head of School Improvement and Inclusion commented that there had been weekly meetings with schools to ensure that as much information as possible was in the local press and also that the literacy festival was shared with all the Headteachers in the last joint Headteachers meeting and all of the schools were able to participate and join in with a number of the activities. She felt this was another way of promoting across the school estate the fantastic work that was going on.

The Strategic Education Improvement Manager said that changing perception can be very challenging and a number of strategies had to be involved and through the work of Corporate Communications they were working to support the schools to engage better with their parents. She gave an example that Abertillery Learning Community had requested that they facilitate a meeting in relation to launching their school prospectus.

The Chair referred to the recruitment of the Service Manager Inclusion and suggested that the Education Directorate liaise with the Social Services Directorate as this post linked in with the Social Services Directorate. The Corporate Director of Education said there was a good relationship between the Directorates and he was looking to build on this collaborative work e.g. through the Bridging the Gap work on early intervention and prevention.

A Member referred to the two weekly involvement in shaping the Curriculum for Wales on page 75 and enquired how they would ensure that this was implemented in the correct way. The Head of School Improvement and Inclusion said the new curriculum gave schools the freedom to shape the curriculum to meet the needs of their local school communities. They were working closely with the EAS to ensure they had the right training to put in the support for school to school working and to broker that support that different schools would need. This ensured that provision was in place to enable schools to be empowered to develop the curriculum in the way they wanted.

The Principal Challenge Advisor said the EAS had a national programme to deliver on behalf of the Local Authority. The Local Authority, Headteachers, Deputy Headteachers and senior leaders had all been part of the national programme and that programme was now being delivered to middle leaders within Blaenau Gwent. She referred to the professional discussions and the information gained from these discussions such as what are the schools strengths, what are the areas for development etc. and most of that would be delivered via a school to school delivery model whereby one school supported another.

The Member commented that school to school working was working well with schools helping each other. He felt that self-evaluation had made a massive difference in education.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the report, associated documentation and proposed course of action be accepted; and

	<p>FURTHER AGREED that the words ‘school based’ be included in the key impact - Voluntary/Third Sector/Charities work and engagement - Opportunities to engage partners have been restricted significantly due to operational implications associated with COVID-19.</p>	
<p>No. 10</p>	<p><u>ANEURIN LEISURE TRUST PERFORMANCE AND MONITORING REPORT (APRIL 2020 – MARCH 2021)</u></p> <p>Councillor S. Healy declared an interest in the following item and remained in the meeting.</p> <p>Consideration was given to the report of the Corporate Director of Education and the Service Manager – Young People and Partnerships which was presented to update Members on the performance of the Aneurin Leisure Trust and to clarify the future performance monitoring arrangements.</p> <p>The Service Manager Young People and Partnerships spoke to the report and highlighted the main points contained therein.</p> <p>The Chair commented on the improved relationship between the Council and the Trust and said this was beneficial to the community. The Director of Operations of the Trust said there had been a team effort all round, Blaenau Gwent Council had openly engaged with the Trust to get a better relationship. He added that the Trust’s staff had done outstandingly well in supporting the Council’s response through the Covid period.</p> <p>In response to a Member’s question regarding hubs in Libraries, the Director of Operations said they had worked closely on this project from start to finish and he felt there were no disadvantages as local residents could now use the service on their doorstep, it was also good for libraries as it opened up a whole new audience.</p> <p>The Chair enquired regarding the possibility of leisure centres so that the service could open more than one day a week. The Director of Operations said this could potentially present a problem in relation to staffing. The decision for only opening one day a week was only for the first month, from 21st June until 24th July and this was due to occupancy</p>	

numbers with social distancing in place, from the 25th July they would move to the new phase and reopen fully.

A Member commented that it was an excellent report and was pleased to note that staff had been redeployed to help with the Covid response and wanted to put on record his thanks that Bedwellty House had been opened as a Covid vaccination centre for the residents of Tredegar as the new hospital was still under construction. He was also pleased to note that the Trust were now accessing grant funding and hoped this would help to bring the facilities up to standard and be successful going forward.

Another Member commented that he felt the Trust was now in a different place from 2-3 years ago and gave credit for the work undertaken in the turning the Trust around. He said that staff morale was much better and the relationship with schools had also improved.

The Corporate Director of Education agreed with the Members comments on the progress that had been made and said he had attended the sport centres recently to look at the recent developments that had taken place within the fitness areas and felt the work undertaken there was cutting edge and the developments places the ALT well for the future. He felt there was professionalism and commitment from staff across the board and expressed his appreciation to the Director of Operations and the Service Manager Young People and Partnerships for building the improved relationship between the Council and the Trust.

The Director of Operations thanked the Corporate Director for his comments and said that the Service Manager was an outstanding link between the Trust and the Council and had been a real help throughout the whole process. He felt that the new alignment with education was working really well and the Trust was very excited about the future.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that Members scrutinised the annual performance and the report's proposals for future reporting arrangements be accepted.

No. 11

IMPROVING SCHOOLS PROGRAMME 2021

Consideration was given to the report of the Corporate Director of Education, the Head of School Improvement and Inclusion and the Strategic Education Improvement Manager which was presented to provide Members with an overview of those schools that have been inspected in the period, including those schools that have presented as a cause for concern, their progress and the work delivered or currently underway to continue to support them to improve.

The Corporate Director of Education spoke to the report and highlighted the main points contained therein.

The Chair enquired regarding the turnaround at the River Centre for students to get back into mainstream schooling. The Corporate Director of Education said the River Centre was a 64 place school with 40 turnaround places and 24 permanent places and one of the considerations that needed to be developed and strengthened was the work undertaken around the 40 turnaround places. There were concerns that learners were not being placed back into mainstream settings with the support they needed and this was a consideration linked to the pre-warning notice letter. He added that a Service Agreement was being developed. It would be a tripartite partnership arrangement between the Local Authority, the River Centre and the receiving school and he felt that the school needed to demonstrate more of a collaboration approach with partners in terms of working towards the return of learners back into mainstream settings and this was a priority piece of work to take forward.

A Member commented that it was quite concerning that the River Centre had gone from Amber to Yellow and was now in the position of a warning notice. He referred to para 4.1.2.3 school pupil capacity and admission arrangements for learners and said there had been an on-going issue with administrative paperwork i.e. on some occasions the correct paperwork had not been forwarded to the River Centre for them to be aware of potential problems and also when pupils returned to mainstream settings the paperwork had not followed and enquired if these issues had been addressed.

The Corporate Director of Education felt that the categorisation of the River Centre previously as a Yellow school was a historic reflection on the status of the performance at the school and this categorisation was questionable. The Governing Body had been strengthened with three LA appointed Governors supporting the work of the Governing Body. Admission arrangements featured as part of the pre-warning notice letter and he felt more engagement from the school was needed, they were not currently engaging in the Additional Learning Needs Panel arrangements. The administrative paperwork was being produced but he felt that the school needed to participate at ALN Panel when learners were being discussed for potential placement within the River Centre and again this was part of the pre-warning notice letter and that needed to be resolved with the school.

The Head of School Improvement and Inclusion had been in discussions with the Headteacher to identify and resolve any ongoing issues and felt it was important that a member of the senior leadership team was involved in all the discussions so they were aware of pupils that were potentially going to be placed at the River Centre. From September, the service was looking to resume dual placements where pupils were placed in the River Centre for four days a week and then back in their original school for one day a week and this would be part of supporting those young people to be able to go back into mainstream schooling.

The Principal Challenge Advisors pointed out that from the perspective of categorisation, the school's admission arrangements were not part of that discussion and so the EAS were unable to make any judgements in relation to admission arrangements as part of the categorisation discussion. There were aspects of leadership of the school during the pandemic, where there was less clarity around the school's provision for learners. She also pointed out that the school was not under an official warning notice but had received a pre-warning notice letter from the Corporate Director of Education. There were now strong plans in place to support the school and move it forward.

The Member again referred to the administrative paperwork as it was important that the correct paperwork was

administered with the pupil's records so that the school was aware of potential issues before the pupil attended the school. He felt that this issue needed to be improved in order to help pupils go back into mainstream education.

The Chair said this had been a problem for a number of years and had hoped that it was improving and that meetings were held to discuss children attending the school. He felt it was especially important for out of county placements going to the River Centre so that the school had all the correct information regarding that pupil.

The Head of School Improvement and Inclusion confirmed that meetings were held to discuss the information regarding a child attending the River Centre but unfortunately members of the River Centre staff were not always present and that was an issue they were trying to resolve as that was the opportunity to share the paperwork and discuss any issues. On some occasions the statutory paperwork was provided but the River Centre had requested additional paperwork and this could lead to GDPR issues which they were trying to resolve so that from September there would be no further issues.

The Chair suggested that a further report on the River Centre regarding the numbers of learners that go back into mainstream education be prepared. The Corporate Director of Education said that he would ensure that the Improving School reports that were presented to Committee would contain narrative that outlined the progress that was being made around the 'revolving door' turnaround arrangements at the River Centre.

The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the report as provided be accepted.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: REGENERATION SCRUTINY COMMITTEE –
30TH JUNE, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HILL (CHAIR)

Councillors G.A. Davies
M. Cook
P. Edwards
K. Hayden
S. Healy
W. Hodgins
J.C. Morgan
L. Parsons
G. Paulsen
K. Rowson

AND: Corporate Director Regeneration & Community Services
Service Manager Business & Regeneration
Team Manager, Regeneration Opportunities
Marketing & Communications Officer
Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
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> Apologies for absence were reported for Councillor B. Willis and the Head of Regeneration & Development.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u>	

	No declarations of interest or dispensations were reported.	
No. 4	<p><u>REGENERATION SCRUTINY COMMITTEE</u></p> <p>The minutes of the special Regeneration Scrutiny Committee held on 28th April, 2021 were submitted.</p> <p>A Member referred p.7 of the minutes, i.e. the Officer's response to a question raised by a Member regarding the rail link improvements and the £70m loan. He said he had listened to the recording of the meeting, and reported that the Officer did not refer to the £70m in her response, but stated that 'this was separate money for each Local Authority to work on projects alongside the railway renewal'.</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 – 28TH APRIL, 2021</u></p> <p>The Action Sheet arising from the special meeting of the Regeneration Scrutiny Committee held on 28th April, 2021 was submitted, whereupon:-</p> <p><u>Cardiff Capital Region City Deal Performance Review 2020/21 Q4</u></p> <p>A Member referred to page 8 of the minutes of the previous meeting when a Member asked who would be responsible for any shortfall in funding should passenger numbers not meet the loan repayments. He said as the Officer was unable to respond at that time it was requested that it be noted as an action point.</p> <p><u>Locations for electric vehicle charging points</u></p> <p>A Member pointed out that there were currently no locations identified for Tredegar.</p> <p>In response the Team Manager Regeneration Opportunities explained that these were the original sites identified as the most affordable under the funding for the scheme. However, work was currently ongoing with City Deal for</p>	

	<p>additional charging points, to include Tredegar, and also the provision of charging points at taxi ranks throughout the Borough.</p> <p>The Officer said she did not know the exact number of additional charging points at this time, but she reported there were companies willing to install them free of charge for a commercial return, and this option was also being explored. However, it was likely there would be a minimum of 2 charging points per taxi rank.</p> <p>A Member asked whether members of the public would be able to use the charging points at taxi ranks, and the Officer said this was unlikely due to safety reasons with the movement of taxis etc, and the requirements of the traffic regulation orders that would be required. The Officer also pointed out that signage was part of the programme and these would be erected prior to the charging points going live.</p> <p>The Corporate Director Regeneration & Community Services said a briefing note on electric vehicle charging points would be beneficial for Members.</p> <p>A Member asked that Ward Members be consulted on the proposed locations for charging points moving forward, and the Team Leader Regeneration Opportunities confirmed that consultation would take place with Members in advance of any areas being identified.</p> <p>In relation to the Members Briefing Session, the Corporate Director reported that TFW had yet to confirm a date.</p> <p>The Committee AGREED, subject to the foregoing, that the Action Sheet be noted.</p>	
<p>No. 6</p>	<p><u>PROPOSED SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2021-22</u></p> <p>Consideration was given to the proposed Scrutiny Committee Forward Work Programme for 2021-22.</p> <p>A Member suggested that the Aneurin Bevan Report be put back to coincide with submission of the Tredegar Town</p>	

Centre Report/THI Report. He also suggested that a visit to 10 The Circle be arranged when the Covid restrictions are lifted.

Another Member said a report on the Borough's commercial units should be brought forward, in light of recent issues regarding the new lease arrangements.

A brief discussion ensued when the Corporate Director pointed out that details of arrangements between the Council and individual companies would not be included in the Annual Industrial Property Performance report. The report provided an overall position in terms of reviewing leases and the number of people who had converted to the new lease arrangements as part of the Bridging the Gap programme agreed by Council. However, a specific report on lease arrangements and what had been agreed by Council could be drafted.

A Member referred to the recent presentation to Members on the Community Renewal Fund and Shared Prosperity Fund, and requested that bids for Levelling Up Funding be reported to Scrutiny prior to submission to Central Government.

The Corporate Director reported that a decision on the bids submitted for Community Renewal Funding would hopefully be received later in July, and a report on the approved bids would be submitted to the September meeting of the Committee.

In relation to bids for Levelling Up Funding, these would be subject to separate reports to Scrutiny seeking agreement on the type of projects to be submitted.

In response to a further question, the Corporate Director explained that the deadline for submission of bids for Community Renewal Funding was the end of July, but he could not provide a specific date.

In relation to Levelling Up Funding he could not provide a deadline for the next round of bids, however, the end date for the Fund was 2023/24. He also stressed the importance

of only submitting bids that were ready to go as it was a very competitive process.

The Corporate Director said he was unable to provide any details of the Shared Prosperity Fund, but the Community Renewal Fund was a potential precursor to that Fund. However, a successful bid for CRF did not mean automatic access to Shared Prosperity Funding. He assured that Members would be informed when further information on the Shared Prosperity Funding was received.

A Member requested a report on the number of jobs that had been created/lost and the impact of the Covid pandemic on unemployment levels in Blaenau Gwent.

In response the Service Manager Business & Regeneration said this information linked with the Covid 19 Recovery report further on the agenda in terms of building mechanisms to monitor how the work of the Council was supporting the community in job creation and safeguarding of jobs.

The Member said an annual report on job figures would be helpful, and the Officer said this information could be highlighted within the regular performance reporting mechanism.

Another Member referred to the date for submission of the Blaenau Gwent Replacement LDP report, and asked whether this was feasible given to the delay in the process.

The Corporate Director said this was the timeline currently being worked to, however, due to current pressures within the Planning Service this may change. The Council had a delivery agreement with Welsh Government and Officers were working hard to meet that deadline.

In relation to previous comments around employment figures, he said the Performance Report could be used to draw out specific information, and the Covid 19 Recovery report on the agenda would be lifting some key headline data around unemployment rates and benefit claimant rates which could be used to analyse our recovery.

	<p>The Committee AGREED, subject to the foregoing, that the report be accepted and the Forward Work Programme for 2021-22 be approved (Option 2).</p>	
<p>No. 7</p>	<p><u>COMMUNITY MUNICIPAL INVESTMENT</u></p> <p>Consideration was given to report of the Team Manager Regeneration Opportunities.</p> <p>The Team Manager Regeneration Opportunities presented the report which sought approval to progress Community Energy Investment as a financial instrument to fund low carbon energy generation infrastructure and technology to provide energy and heat to Blaenau Gwent residents and businesses.</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>A Member asked whether the Council would still be able to access EU funding, and what return people could expect on their investment.</p> <p>In response the Officer said a Member Briefing Session on European Funding would be beneficial. In terms of this funding, it was originally through Horizon 2020, and while the UK has left Europe there was agreement that the UK could continue to participate in this funding arrangement. This was also the case with Horizon European, its successor in the programme.</p> <p>In terms of the rate of return that could be expected, this was for the Council to determine. It was aimed to be below the Public Works Loan Board rate which tended to be between 2-4%. The Council would agree a rate slightly below that rate, and that would be the return given to residents.</p> <p>A Member referred to section 2.4 of the report and asked whether the bond fund could be used to provide loans.</p> <p>The Officer said the bond fund was a benefit for the Council to utilise rather than going to a bank or prudential borrowing.</p>	

The Member then referred to section 2.5 and asked who would be responsible for approving projects.

The Officer said some Authorities had taken the approach of stating a specific project, or the Council may want to take a more generic approach, and state that money would go towards a number of projects included within our Energy Prospectus, with the assurance of a business case. However, the risk would be with the Council to undertake those projects and have the money to repay the borrowing, so it was important not to access any money until projects were ready to proceed. The Council's normal structures could be used to govern that process.

A Member referred to the potential impact on projects should an investor decide to pull their money.

In response the Officer said bonds would normally be invested for a set period of time, generally 5 years. However, should an investor want to withdraw their money it would go back to the platform through Abundance and the bond would be re-advertised.

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

A Member expressed concerns regarding the financial impact on the Authority in the event of the company failing, and asked whether the funding would be underwritten.

In response the Officer explained that the company was a platform to facilitate the investment, and the money was for the Council to invest. The Council's failure to deliver the project was the biggest risk to investors, however, this would be made clear as part of due diligence processes and discussions with our Legal Section.

The Committee AGREED to recommend that the report be accepted and the Scrutiny Committee:

- Endorse Option One as the preferred way to proceed;
- Due diligence be commenced alongside the Head of Legal and Corporate Compliance together with the Chief Officer Resources;

	<ul style="list-style-type: none"> • Endorse the launch of Community Municipal Bonds subject to due diligence and final sign off of the necessary agreements delegated to the Head of Legal and Corporate Compliance in consultation with the Chief Officer Resources; and • That the Chief Officer for Resources be delegated to determine the date of the formal launch of the bond, bond length period and bond issue rate so long as it is below the PWLB rate. 	
<p>No. 8</p>	<p><u>DEVELOPMENT OF BUSINESS ENERGY MODEL TO ENABLE BUSINESS PARKS TO ACHIEVE NET ZERO OUTCOMES</u></p> <p>Consideration was given to report of the Team Manager Regeneration Opportunities.</p> <p>The Team Manager Regeneration Opportunities presented the report which provided details of the background to the project, and progress made as a demonstrator of the Welsh Government Smart Living Programme. The report also provided an overview of the newly established Whole System Business Research Innovation for Decarbonisation (WBRID) Project, and an overview of the Blaenau Gwent WBRID Competition.</p> <p>Members welcomed the report.</p> <p>The Committee AGREED to recommend that the report be accepted and the information contained therein be noted.</p>	
<p>No. 9</p>	<p><u>COVID-19 RECOVERY – ECONOMY</u></p> <p>Consideration was given to report of the Service Manager Business & Regeneration.</p> <p>The Service Manager Business & Regeneration presented the report which provided Members with a summary of work undertaken and proposals to support economic ‘recovery’ within Blaenau Gwent.</p> <p>The Officer went through the report and highlighted points contained therein.</p>	

A Member said he would have liked to have seen a link into current employability programmes in Blaenau Gwent, that could provide training opportunities to help businesses identify any skills gaps moving forward.

In response the Service Manager Business & Regeneration said the Council had very good relationships with a number of partners in this area, and existing networks would continue to play a key part in this work.

The Chair referred to previous comments and said it would be interesting to know how many businesses were in operation prior to the Covid pandemic and how many were still in operation.

The Officer confirmed that analysis of this data was a key part of the work currently being undertaken in terms of identifying the impact of Covid on local businesses.

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

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: JOINT EDUCATION & LEARNING AND SOCIAL SERVICES SCRUTINY COMMITTEE (SAFEGUARDING) – 14TH JULY, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR H. TROLLOPE (CHAIR)

Councillors: S. Thomas
D. Bevan
M. Cook
G.A. Davies
M. Day
P. Edwards
L. Elias
K. Hayden
S. Healy
J. Hill
W. Hodgins
J. Holt
J.C. Morgan
J.P. Morgan
K. Rowson
T. Smith
B. Summers

AND: Corporate Director of Social Services
Corporate Director of Education
Head of School Improvement & Inclusion
Safeguarding in Education Manager
Safeguarding Team Manager, Children's Services
Communications & Policy Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
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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. Paulsen, T. Sharrem and D. Wilkshire.</p> <p><u>Co-opted Member</u> T. Baxter</p> <p>Head of Children’s Services Strategic Education Improvement Manager Service Manager, Children’s Services (Safeguarding) Service Manager Education Transformation & Business Change.</p> <p>It was reported that Alan Williams, Co-opted Member, had resigned due to ill health, the Chair and Members expressed their appreciation for his contribution to the Joint Safeguarding Scrutiny Committee and the Education & Learning Scrutiny Committee and requested that a letter of appreciation be forwarded to him.</p> <p>This course of action was AGREED.</p> <p>In relation to the Co-opted Member vacancy, the Corporate Director of Education would liaise with the diocese and other colleagues on a suitable appointment as soon as possible.</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>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 10.00 a.m.</p>	
No. 5	<p><u>JOINT EDUCATION & LEARNING AND SOCIAL SERVICES SCRUTINY COMMITTEE (SAFEGUARDING)</u></p>	

	<p>The Minutes of the Joint Education & Learning and Social Services Scrutiny Committee (Safeguarding) Meeting held on 26th April, 2021 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
	<p>A Member raised concerns on the late receipt of an updated agenda item and requested that in future an explanation be provided with the updated item when circulated at short notice for Members to be aware of the amendments. The Director of Education explained that the narrative in the report remained the same but the Appendix had been amended to include the Education updates in relation to graphs.</p>	
<p>No. 6</p>	<p><u>ACTION SHEET – 26TH APRIL, 2021</u></p> <p>The action sheet arising from the meeting of the Joint Education & Learning and Social Services Scrutiny Committee (Safeguarding) held on 26th April, 2021 was submitted.</p> <p>The Committee AGREED that the action sheet be noted.</p>	
<p>No. 7</p>	<p><u>SAFEGUARDING PERFORMANCE INFORMATION FOR SOCIAL SERVICES AND EDUCATION – 1ST APRIL TO 31ST MARCH 2021</u></p> <p>Consideration was given to the report of the Service Manager, Children’s Services and the Strategic Education Improvement Manager which was presented to provide Scrutiny Members with safeguarding performance information and analysis from Children’s Social Services and Education from 1st April 2020 to the 31st March 2021.</p> <p><u>Social Services information</u></p> <p>The Safeguarding Team Manager, Children’s Services spoke to the report and highlighted the main points contained therein.</p> <p>A Member commented on police being the highest referrer and referred to para 6.3.2 of the report regarding processes developed between Education and the Youth Offending</p>	

Service to tackle anti-social behaviour in schools and felt this could be extended further between schools, police and the community. He also referred to para 6.3.4 the number of bullying incidents identified by children and young people as an issue that required close monitoring and felt this could potentially be spilling out into the community causing further police referrals.

Another Member commented that the figures for referrals had increased throughout the year, which could be due to the pandemic, but referrals from the Youth Services were decreasing considerably.

The Safeguarding Team Manager responded that she would raise the points above with the appropriate colleagues.

The Corporate Director of Education said there had been a slight decrease of overall referrals from the Youth Services and felt this was due to less face to face contact with children and young people.

A Member referred to page 19 - Figure 2.8: relates to review conferences and the percentage held within timescale shows 100% for Q1 and Q4, 84.4% for Q2 and 96.2% for Q3. The data provided does not give rise to concern. The Member requested that the last sentence "the data provided does not give rise to concern" be reworded. The Safeguarding Team Manager agreed to amend the wording in this sentence.

In relation to the high number of police referrals, a Member felt that not all of the referrals needed to be referred to Social Services. The Safeguarding Team Manager said that it depended on the nature of the referral.

Another Member raised concerns regarding police referrals and enquired if there was a follow up process with the Community Safety Team and Social Services Directorate as he felt that some anti-social behaviour was caused by repeat offenders. The Safeguarding Team Manager confirmed that police did visit anti-social behaviour repeat offenders to try to reassure communities. The Community Safety Team were proactive in trying to work with communities and other professionals to reduce anti-social

behaviours. If a Social Worker was made aware of a particular behaviour of a child via a police referral, then support would be put in place to reduce that behaviour. The Member felt there should be more co-operation between agencies as there were more and more families needing support.

The Director of Social Services explained that if there were vulnerable adults involved then Children's Services would link in with Adult Services and Adult Services would then visit the vulnerable individual.

The Director referred to the previous point regarding the sentence "the data provided does not give rise to concern" and advised Members of the rationale for that statement, he said there had been a dip in quarter 2 performance during the summer months due to the pandemic. In relation to Children's Services and anti-social behaviour the focus was on the child and the family rather than the wider community. They worked closely with the Community Safety Team to determine if a pattern of anti-social behaviour was developing. With regard to referrals, the Director advised Members that a police officer was now part of the Information, Advice and Assistance Service (IAA) and they reported back to police when referrals to Social Services were not appropriate and this helped to filter out unnecessary referrals.

A Member referred to para 7.4 Preventative focus - the work undertaken by the Social Services Directorate looks to promote a preventative approach to practice through early identification and intervention. Having a proactive rather than reactive approach to service planning can also help with planning resources. He enquired what successful approaches were being used to reduce numbers as he felt that the figures were not coming down. The Director of Social Services explained that in relation to safeguarding they were slowly moving in a different direction more towards contextual safeguarding. At present safeguarding concentrated on the individual and the family but there were other areas where children became vulnerable outside of the home environment and contextual safeguarding looked at other areas such as school, peer groups and the neighbourhood where the individual lived. He advised that a lot of work was being undertaken across Gwent around

contextual safeguarding and they were trying to introduce this across the Gwent region to start to look at other areas of communities where potentially children could become vulnerable such as a Park, and may need to start to tackle that environment to make it safer for that child rather than tackle the child and the family themselves. This was some of the work being progressed over the next year and would be a change in culture for practitioners to consider other environments that a child may be in, which could potentially make them vulnerable.

The Member enquired if there was sufficient capacity and resources available for the move to contextual safeguarding. The Director responded that with regard to resources it would be the case of working closely with other Directorates such as the Community Services and Regeneration Directorate in relation to parks etc. to ensure that they consider how to make parks safer for vulnerable children. Working closely with different Directorates would ensure that safeguarding, and particularly the contextual safeguarding element, was seen as important to the whole Authority. From a Social Services perspective, the Director felt that sufficient resource was available but it was important to ensure that Directorates work closely together to try and tackle problems in unsafe environments within the communities.

The Chair suggested that a Members Briefing session be arranged in relation to the new way forward, however, a Member felt it would be more appropriate for a report to be presented to the Scrutiny Committee in the first instance and proposed that a report in relation to contextual safeguarding be presented to a future meeting of the Scrutiny Committee.

This course of action was AGREED.

A Member reminded Members of the services of Connect Gwent who were a free and confidential service to help and support victims of crime and anti-social behaviour and would post the telephone number on the chat for Members information.

Education information

A Member enquired what was the extent of cyber bullying experienced in schools. The Head of School Improvement & Inclusion said that nearly all schools were using the “My Concern” system and the Local Authority had access to a dashboard to look at the whole school estate and identify the reasons for incidents such as cyber bullying and racial bullying etc. and could identify any difficulties in particular areas or schools and provide the relevant training and support to those schools who needed it.

With regard to paragraph 6.3.7 Operation Encompass - Figure: 4.5 Domestic Abuse incidents, a Member referred to the numbers quoted and pointed out that the number of high, medium and low risk children did not add up to the total of 185 children. The Head of School Improvement & Inclusion said she would check these numbers with the Strategic Education Improvement Manager and report back to the Member.

Another Member referred paragraph 6.3.4 bullying incidents and enquired what form of strategy had been put in place to address the issue. The Head of School Improvement & Inclusion said schools had very stringent measures in place and the MyConcerns system supported schools as bullying incidents could be recorded on that system to help schools track and identify a pattern of repeated behaviour. She advised that schools were using a restorative justice approach, working with the young person who may be exhibiting bullying behaviours and also working with any victims to try to restore those relationships, and using preventative measures to ensure that those behaviours change and that families were also involved.

The Director of Education advised Members that the anti-bullying policy was in place and schools had responded well. With regard to the Education data he pointed out that the period between January and April was a disruptive period for Education and reassured Members that the full data set for Education from the 1st April onwards would be presented to Members at the Joint Scrutiny Committee in the autumn term to provide Members with the full range of data and information for scrutiny purposes.

With regard to the Anti-bullying Strategy a Member enquired if all Blaenau Gwent schools were going through

Head of
School
Improvement
&
Inclusion

	<p>the process to attain the anti-bullying quality mark and how many schools already had the quality mark at the moment. The Head of School Improvement & Inclusion said that not all the schools were going for this specific quality mark, several schools were going for the Rights Respecting quality mark, which encompassed anti-bullying strategies and had the ethos of valuing and respecting everyone in the school. She advised there were lots of different schemes and systems and she would gather the relevant data to find out exactly what quality mark each school was pursuing. The Member felt this would provide evidence to parents and pupils to have confidence that staff were fully trained and aware of bullying issues.</p> <p>The Director of Education felt this would provide a picture of those schools that were looking for accreditation against those initiatives and could also be fed back to the Scrutiny Committee.</p> <p>With regard to Operation Encompass, the Chair requested information on what type of referrals were being made, the Head of School Improvement & Inclusion would gather this information for Members.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the approach and information detailed in the report be accepted; and</p> <p>FURTHER AGREED that a report in relation to contextual safeguarding be presented to a future meeting of the Scrutiny Committee.</p>	<p>Head of School Improvement & Inclusion</p> <p>Head of School Improvement & Inclusion</p>
<p>No. 8</p>	<p><u>LOCAL GOVERNMENT EDUCATION SERVICES SAFEGUARDING POLICY</u></p> <p>Consideration was given to the report of the Corporate Director of Education and the Safeguarding in Education Manager which was presented to provide Scrutiny Members with the opportunity to scrutinise the Local Government Education Services Safeguarding Policy following its annual review.</p> <p>The Safeguarding in Education Manager spoke to the report and highlighted the main points contained therein.</p>	

A Member referred to paragraph 6.1 of the report and commented on bullet point 5 - Basic training requirements for all staff and volunteers - and felt this should be enhanced training and not basic. The Safeguarding in Education Manager agreed that the word basic did not capture the level of training involved and clarified that it was an agreed level of training that all members of education settings should have, it was a comprehensive level and that all practitioners were fully aware of their responsibilities for safeguarding and what they needed to do if there was a concern and how to report that concern.

Another Member supported the view that the word 'basic' in relation to training requirements should be amended.

This course of action was AGREED.

The Corporate Director of Social Services advised Members that they were looking at corporate training i.e. three tier training, there would be a basic level, a medium level and an enhanced level of training. They were currently assessing the level of staff and Member involvement and what level of training would be required and were hoping to bring forward a training programme shortly.

In response to a Member's question regarding the timing of the removal of the annex for responding to Covid from this year's policy. The Safeguarding in Education Manager explained that last year an annex was attached to outline how safeguarding would operate during the early stages of the Covid pandemic. It was a supplementary annex to the policy to guide schools on what they needed to do to maintain contact with vulnerable learners as schools were in a new situation in relation to school closures. As those procedures mirror the content of the safeguarding policy it was felt that the annex could now be removed, but should future situations arise in relation to Covid the Safeguarding in Education Manager would issue timely advice for safeguarding arrangements.

A Member enquired if it was appropriate for Headteachers to also be the Designated Senior Person (DSP) with responsibility for safeguarding. The Safeguarding in Education Manager said that Headteachers were often a DSP and were supported by a deputy and felt they were

	<p>well placed to coordinate the safeguarding arrangements in their schools. She continued that Headteachers in Blaenau Gwent schools had good relationships with their staff and had created a culture of openness amongst their staffing group and felt there was no barrier to feeling comfortable speaking with Headteachers. Anyone raising a concern could feel assured by talking to someone with a good level of safeguarding experience. The message, reiterated through training was always to report concerns to the DSP.</p> <p>A Member stated that from a previous meeting with Estyn when the DSP was the Headteacher and the second DSP was the Deputy Headteacher, it was suggested that it may be appropriate to designate a third person, in case the Head and Deputy were both unavailable.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the draft policy be amended and reference to the word 'basic' in relation to safeguarding training be amended.</p>	
<p>No. 9</p>	<p><u>SAFEGUARDING SELF-EVALUATION OUTCOMES</u></p> <p>Consideration was given to the report of the Strategic Education Improvement Manager which was presented to provide Members of the Joint Safeguarding Scrutiny Committee with an opportunity to scrutinise the findings of ongoing self-evaluation and business planning processes undertaken within the Education Directorate, across the Council and with key partners.</p> <p>The Head of School Improvement & Inclusion spoke to the report and highlighted the main points contained therein.</p> <p>The Chair felt that the policy should put emphasis on pupil's voice as pupils raise safeguarding concerns to teachers through this system.</p> <p>A Member referred to paragraph 6.1.1. bullet point 3 - Recent work to respond to community safety issues, counter potential terrorism and extremist behaviours has progressed well, for example, the Safer School Partnership, and the Respect and Resilience Action Plan, and felt that extremist behaviours were being witnessed in communities. He gave an example of off-road motorcycles being driven</p>	

towards cars and people feeling terrorised. He suggested the Head of School Improvement & Inclusion raise these issues in her meetings with colleagues.

A Member referred to the new ALN Bill and commented that this was a massive change for schools on how they worked in this area and enquired if the policies, procedures and appropriate training for schools was in place in readiness for the implementation of the Act. The Head of School Improvement & Inclusion said the Inclusion team had worked hard, particularly with ALN Co-ordinators, so they understood what was needed in relation to the new ALN requirements, particularly around the Individual Development Plans (IDP's). The ALN Co-ordinators had responsibility for training other staff and Tredegar Comprehensive School had been commissioned to support Headteachers and Senior Leadership Teams over the next academic year with regard to processes etc. The Inclusion Team and ALN support workers were all fully trained on the requirements of the Act and were able to support Blaenau Gwent schools. The EAS had trained all their Challenge Advisors who would be School Improvement Partners from September and they would also be able to support teachers and senior leaders.

The Corporate Director of Education said that in relation to ALN reform a report had previously been presented to the Education & Learning Scrutiny Committee around ALN readiness from a Blaenau Gwent perspective. The Welsh Government were taking a pragmatic approach from September around ALN implementation which he felt would be well received across the sector. In relation to capacity within the Education Directorate the Head of School Improvement and Inclusion would be working full-time for the Council from 1st September, 2021, and he felt there was sufficient capacity within the team to roll out ALN reform. He reassured Members that recruitment to the vacant post of Service Manager Inclusion was planned for the autumn term.

The Chair enquired if it would be beneficial for the EAS to add a standard item on ALN and new reforms to the agenda for Governing Body meetings. The Head of School Improvement and Inclusion would discuss this with Governor Services.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the report as presented be accepted.	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SPECIAL REGENERATION SCRUTINY COMMITTEE
- 15TH JULY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HILL (CHAIR)

Councillors G.A. Davies
M. Cross
G.L. Davies
P. Edwards
K. Hayden
S. Healy
W. Hodgins
J.C. Morgan
L. Parsons
G. Paulsen
K. Rowson
T. Smith (*sub for B. Willis*)
S. Thomas (*sub for H. McCarthy*)

AND: Corporate Director Regeneration & Community Services
Head of Regeneration
Owen Ashton
Press and Communications 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>The following apologies for absence were received:-</p> <p>Councillor H. McCarthy Councillor B. Willis</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>	
	<p><u>EBBW VALLEY RAILWAY</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 of Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</p> <p>A Member noted that although the report had been deemed exempt some information was already in the press. The Member acknowledged the reason for the exemption, however he felt that due to the matters being considered and in the interest of the public the information should not be of an exempt nature. It was important that the Council was open and transparent with such transactions and the Member disagreed with the report being exempt.</p> <p>The Corporate Director Regeneration and Community Services advised that the original report presented to Council was exempt and could not comment on how the information was in the public domain. The report considered a commercial arrangement and contractual details held between individual parties which were confidential.</p>	

A further concern was raised that there was no legal representative at the meeting and it was paramount when considering such matters that a legal officer be in attendance.

The Corporate Director Regeneration and Community Services spoke to the report which gave details of the loan agreement, risks identified and the contracting arrangements and the agreement of responsibilities between Welsh Government, Transport for Wales (Rail), Transport for Wales and the Council.

At this juncture the Chair invited questions from the Scrutiny Members.

A Member referred to the costings detailed in the report and the Corporate Director confirmed that any monies required to support alternative funding would be provided by Welsh Government.

The Member referred to the initial report presented to Council in March 2021 and advised that concerns had been raised in relation to the alternative funding which could fall back on Blaenau Gwent tax payers and noted that this had now been addressed. The Corporate Director advised that any alternative monies would now be met by Welsh Government.

Concerns were raised as Members had not been presented with the full analysis of passenger usage and if the revenue made from the additional trains would be sufficient to warrant the scheme. It was felt that if this scheme failed it would be a reputational risk to the Council and a Member proposed that the full analysis be presented to Members.

The Corporate Director Regeneration and Community Services advised that there would be no risk to the Council as the scheme was being funded by Welsh Government and Transport for Wales. The Corporate Director noted that there was a national risk following COVID-19 around the resilience of public transport. The agile working arrangements taken forward by many organisations would see passengers accessing travel at different times.

The Corporate Director advised that going forward both Welsh Government and Transport for Wales were comfortable with the scheme and any risks had been taken away from the Local Authority. The Welsh Government was aware that the Ebbw Valley Rail Line had less frequency than other lines and investment was needed to bring this up to the standard of other valleys.

In response to concern raised in relation to the lack of information presented, the Corporate Director Regeneration and Community Services advised that all the necessary information, to make a decision was contained in the report. In terms of passenger numbers, this data would not make a difference to the Authority as Welsh Government were content with the data and it was Welsh Government's intention to invest in public transport and address carbon footprint, therefore from an officer perspective, the Corporate Director confirmed there was no issues.

Further concerns were raised in the differing information presented from March and the lack of monies now reported for the Abertillery spur. It was felt that due to this significant change it was important that all documentation be presented to ascertain how these decisions were reached.

Another Member felt that all the relevant safeguards had been taken forward by the Authority and welcomed the improved rail service and connectivity to Newport. The Member appreciated concerns raised in relation to monies to be used for the scheme, however he was confident that no burden would be placed on Blaenau Gwent.

In relation to the Abertillery spur, the Corporate Director Regeneration and Community Services stated that there had been no change in the intention for Abertillery. It was hoped, as detailed in the March report that this would be delivered if the monies were available.

Members reiterated concerns that it was important for the full document be presented as issues had been raised with previous projects where not all the information had been presented to Members. A Member noted the lack of passengers on trains and felt that it would be a struggle to fill a further 4 trains and therefore the data should be presented to provide Member with these assurances.

Another Member welcomed the opportunity to improve public transport which would enhance the communities of Blaenau Gwent. The Member reiterated the officer's comments and stated that there was no risk to the Blaenau Gwent tax payers. Another Member concurred with the comments raised and noted that the monies had been guaranteed in writing by Welsh Government.

A further Member felt that this opportunity should be welcomed as it would improve public transport in and out of the Borough.

The Member agreed that the scheme improved public transport for the communities of Blaenau Gwent, however, the Member felt it was important that the evidence on how the decision was reached be available for scrutiny by Members.

Another Member noted that the scheme was welcomed by all Members and therefore there should be no issue if all documentation was presented.

The Chair referred to the options for consideration and an amendment to the options was proposed

At this juncture, Option 3 was proposed:-

The report be deferred in such a time that the full documentation could be presented to Members in order to fully scrutinise.

This alternative proposal was seconded.

A recorded vote was, therefore, requested.

In Favour of the proposed Option 3 – Councillors P. Edwards, M. Cross, K. Hayden, S. Thomas, J.C. Morgan, T. Smith

Against the proposed Option 3 – Councillors J. Hill, G.A. Davies, G.L. Davies, S. Healy, W. Hodgins, G. Paulsen, L. Parsons, K. Rowson

The vote on the proposal was not carried.

The Chair thereupon proposed Option 1 (preferred option).

This proposal was seconded.

A recorded vote was, therefore, requested.

Against Option 1 (preferred option) – Councillors P. Edwards, M. Cross, K. Hayden, S. Thomas, J.C. Morgan, T. Smith

In favour Option 1 (preferred option) – Councillors J. Hill, G.A. Davies, G.L. Davies, S. Healy, W. Hodgins, G. Paulsen, L. Parsons, K. Rowson

The vote on Option 1 (preferred option) was carried.

Councillor M. Cook was not permitted to take part in the vote as he had left the meeting prior to Option 3 being proposed.

The Committee AGREED to recommend, 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.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: CORPORATE OVERVIEW SCRUTINY
COMMITTEE – 16TH JULY, 2021**

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

PRESENT: COUNCILLOR S. HEALY (CHAIR)

Councillors: M. Cook
P. Baldwin
G. Collier
M. Cross
L. Elias
J. Hill
J. Holt
C. Meredith
J.P. Morgan
G. Paulsen
T. Smith
S. Thomas

AND: Managing Director
Corporate Director of Social Services
Corporate Director of Regeneration & Community Services
Corporate Director of Education
Chief Officer Resources
Head of Organisational Development
Service Manager, Customer Experience & Transformation
Service Manager Performance & Democratic
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
	The Chair reminded Members and Officers that this was the first test meeting of the new Hybrid system, Members and Officers would be attending remotely from home and in person from the General Offices and advised that any problems would be addressed as they arise.	

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>There were no apologies for absence reported from Members.</p> <p>An apology for absence was received from the Chief Officer Commercial and Customer.</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>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 10.00 a.m.</p>	
No. 5	<p><u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Corporate Overview Scrutiny Committee Meeting held on 16th April, 2021 were submitted.</p> <p>A Member advised that, as noted in the minutes, he had still not received a response from the Director of Regeneration & Community Services and this was the third month awaiting a response to his request for information. The Chair suggested that the Member speak directly with the Director of Regeneration & Community Services following this meeting.</p> <p><u>CCTV</u></p> <p>A Member requested clarity on when the progress report on CCTV would be presented to the Corporate Overview Scrutiny Committee. The Chair confirmed that a progress report on CCTV was included on the Forward Work Programme for the next meeting of this Committee on 10th September, 2021.</p>	

	<p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>PROPOSED SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2021-22</u></p> <p>Consideration was given to the report of the Chair of the Corporate Overview Scrutiny Committee which presented the Corporate Overview Scrutiny Work Programme for 2021-22 (Appendix 1) and to seek approval from Committee.</p> <p>A Member referred to climate change and although it was not a subject for this Committee, he felt that every agenda should include information regarding climate change. The Service Manager Performance & Democratic advised Members that from September 2021 the standard report template would contain a section on decarbonisation that will then be reported into all Committees.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the Corporate Overview Scrutiny Committee Forward Work Programme 2021-22 be agreed.</p>	
No. 7	<p><u>WORKFORCE STRATEGY 2021-2026</u></p> <p>Consideration was given to the report of the Head of Organisational Development which was presented to give Members of the Corporate Overview Scrutiny Committee the opportunity to scrutinise and challenge the draft Workforce Strategy 2021-2026 (Appendix 1).</p> <p>The Head of Organisational Development spoke to the report and highlighted the main points contained therein which included that the draft Workforce Strategy was a five year strategy focusing on the future, linking service outcomes with the workforce required to deliver those outcomes and planning for the workforce for the future.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the proposed draft Workforce Strategy 2021-2026 be supported to progress for endorsement at Council.</p>	

No. 8

END OF YEAR 2020/21 FINANCE AND PERFORMANCE REPORT

Consideration was given to the report of the Service Manager Performance and Democratic which presented to the Corporate Overview Scrutiny Committee the end of year position of the Finance and Performance Report for the year 2020/21 (attached at Appendix 1).

The Service Manager Performance & Democratic spoke to the report and highlighted the main points contained therein.

A Member commented that undoubtedly good work had been undertaken throughout the year, particularly during the pandemic and clearly some of the financial aspects of the report were made in good budgetary conditions. He felt that Bridging the Gap needed to be tested properly and was mindful that Welsh Government hardship funding had enabled the Council to deliver the budget.

A Member referred to absenteeism and enquired if there had been any improvement during the past year of the pandemic. The Head of Organisational Development said absenteeism had reduced as a result of homeworking. A review was being undertaken on the figures and performance over the last year and a report would be presented to the Corporate Overview Scrutiny Committee in September.

A Member raised concerns regarding absenteeism in the Planning and Building Control sections in relation to site visits. Another Member also raised the issue of absenteeism across the Council, even though absenteeism was reducing he felt this still needed to be addressed as the Council were buying services in from Agencies in Torfaen and Cardiff regarding Planning and Building Control issues. The Head of Organisational Development said the figures contained in the report were the end of year position from April 2020 to March 2021 and reiterated that a report reviewing sickness absence performance would be presented to this Committee in September. She acknowledged that there were absences in Building Control

and service continuity plans were being developed by the Directorate.

The Managing Director said there was a specific issue in that service that the Director of Regeneration & Community Services and his team were looking into, overall sickness absence figures across the Council were falling.

The Director of Regeneration & Community Services said that within the department there were a particular set of circumstances in Building Control and in Planning. In relation to Building Control, the Service Manager Development and Estates had advised Members via a note of the unique set of circumstances where all four Building Control Officers were absent for different reasons and in order to maintain a service to the community, arrangements had been put in place with some neighbouring Councils in relation to plan checking, which was a reciprocal arrangement and did not affect the service to residents. He confirmed that agency support had been secured in relation to Building Control, there were two at present and this would allow on-site inspections to be undertaken and provide a service as good as could be expected within the current circumstances. In relation to Planning, determining planning applications was a key priority and some consultancy support had been brought in to help process the planning applications, he advised that this had been undertaken in the past during particular peaks of planning applications. The Director assured Members that the situation was being addressed and explained that absences were not across the entire department, there had been two different sets of circumstances that had happened at the same time.

With regard to Planning a Member commented that residents had raised concerns that they were paying planning fees, only for decisions to be made at meetings without a site visit taking place and enquired if this was the usual practice. The Director of Regeneration & Community Services said the Member maybe referring to a pre-application consultation whereby applicants could discuss their planning applications with Planning Officers in advance of submission to get a steer on whether the application would meet planning criteria.

	<p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the information as presented be accepted.</p>	
<p>No. 9</p>	<p><u>MINIMUM REVENUE PROVISION (MRP) POLICY REVISION</u></p> <p>Consideration was given to the report of the Chief Officer Resources which was presented to consider a proposed change to the Authority's Minimum Revenue Provision (MRP) policy and the impact this will have on the minimum revenue provision going forward.</p> <p>The Chief Officer Resources spoke to the report and highlighted the main points contained therein.</p> <p>Councillor P. Baldwin left the meeting at this juncture.</p> <p>A Member enquired regarding the cost of engaging Treasury Advisors, Link Asset Services, to conduct a review of the current MRP policy. The Chief Officer Resources did not have the exact figure to hand but estimated that it was in the region of £2,000 to £3,000 and would be funded via the Resources service budget.</p> <p>The Member raised concerns that this was pushing debt into the future for later administrations. He felt that given the good settlements that this Authority had received from the Welsh Government that the Council should be doing more to mitigate cost pressures themselves. He had concerns regarding future Authority administrations being able to use prudential borrowing in more austere budgetary conditions. The Member quoted from a previous MRP report where Members had been informed that "during the MRP reduction period up to 2022/23 the Authority would have a longer period of time to plan and implement longer term transformational savings that would contribute towards mitigating the MRP increase at the end of year five". He felt that this report now showed that that was a complete failure.</p> <p>The Chief Officer Resources did not agree with the Members comments and said they had identified and achieved a significant level of efficiencies and savings during the five year period and had been faced with</p>	

additional unexpected cost pressures in addition to the MRP.

The Member was aware that the Chief Officer Resources was not in post at the time of the previous MRP report, but commented that Members had taken the decision to support, in the knowledge that this Council would find a way of mitigating those cost pressures coming in 2022/23, and felt that the administration had failed to do that and had to enter into another MRP agreement going forward which would put debt on to future generations to come. The Member could not support the report and would propose an alternative recommendation following further debate.

Another Member also felt this was storing up debt for future generations. He quoted point 5.1.5. from the report - For the purpose of this report the Authority's future capital expenditure estimates have not been included in the analysis and all options are based on the CFR position as at 31 March 2021 – and enquired if the £70 million that the Authority was borrowing and the payback of £1.4 million was not included in these calculations. The Chief Officer Resources explained that this change in policy would not impact on the actual debt repayment made every year. The £70m proposed loan from the Welsh Government was not included in the calculations for two reasons, the first was that the Council had yet to agree to accept the loan on a long term basis and the second reason was that if Council did agree to accept the loan, an income stream had been identified that would offset the MRP charge for that loan, therefore, it would have a neutral impact on the net MRP calculation going forward.

A Member commented that having listened to the Chief Officer Resources presentation of the report and opposing arguments and considering the positive impact of the report the Member proposed Option 2, this proposal was seconded.

In response, the Member reiterated that the figures would increase moving forward and the burden was going to be felt by future generations. The Member again referred to the previous report that the Council would do all it could to mitigate cost pressures and consider additional resources for the future. The proposal looked positive for the first five

year period but up to 2033 the figures would increase and future Council administrations would be saddled by debt and felt that the Council could mitigate cost pressures using the favourable settlements received from the Welsh Government.

The Member proposed the following alternative recommendation:-

- That the Council take the opportunity to deal with the situation now, using monies, following a better settlement from the Welsh Government, and not to store debt for the future.

This alternative recommendation was seconded.

A recorded vote was, therefore, requested.

In Favour of the alternative recommendation – Councillors S. Thomas, M. Cross, L. Elias and T. Smith.

Against the alternative recommendation – Councillors S. Healy, M. Cook, G.A. Davies, J. Hill, J. Holt, C. Meredith, J.P. Morgan and G. Paulsen.

Councillor G. Collier abstained from voting.

The vote on the alternative recommendation was not carried.

The Chair, therefore, proposed Option 2 (preferred option). This Option was seconded and therefore,

the Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that Members scrutinised the proposals and recommend to Executive / Council to support the change of the supported borrowing element of the MRP from 2% straight line to a 50-year annuity basis and to changing the unsupported borrowing element of the MRP from an individual asset annuity basis to a weighted average annuity basis. This change is to be applied from 1st April 2021.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: DEMOCRATIC SERVICES COMMITTEE –
16TH JULY, 2021**

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

PRESENT: COUNCILLOR J.C. MORGAN (CHAIR)

Councillors B. Summers (Vice-Chair)
J. Collins (Executive Member)
G. Collier
G.A. Davies
M. Day
K. Hayden
S. Healy
L. Parsons
K. Pritchard

Scrutiny Chairs and Vice-Chairs

Chair and Vice-Chair of Education Scrutiny Committee

Councillors H. Trollope & J. Holt

Chair and Vice-Chair of Social Services Scrutiny Committee

Councillor S. Thomas & K. Rowson

Vice-Chair of Community Services

Councillor C. Meredith

Chair of Regeneration Scrutiny Committee

Councillor J. Hill

**AND: Chief Officer Resources
Service Manager, Performance & Democratic
Organisational Development Manager Payroll, Health & Safety**

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>The following apologies were received from:-</p> <p>Statutory Head of Democratic Services Councillor T. Sharrem</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>A Member asked if Elected Members who received a remuneration for their various activities needed to declare an interest in their respective outside representations. The Chief Officer advised that Members could declare an interest, however the Chief Officer felt that there was not a need on this occasion as no decisions were being required.</p> <p>The following declarations of interest was made:-</p> <p><u>Item No. 7</u> <u>Statement of Payments made to Members in 2020/2021</u></p> <p>Councillor M. Day – Tai Calon Board Member Councillor G.A. Davies – Tai Calon Board Member Councillor J. Hill – Brecon Beacons National Park Councillor B. Summers – Silent Valley Board Councillor C. Meredith – Police and Crime Panel</p>	
No. 4	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 9.30 am and proposed that as there was a little flexibility with Democratic Services Scrutiny Committee that the date be altered accordingly to ensure there was no clash in the Council Diary to allow for the meeting to proceed at 9.30 am.</p>	
No. 5	<p><u>DEMOCRATIC SERVICES COMMITTEE MINUTES</u></p>	

	<p>Consideration was given to the minutes of the meeting held on 22nd March, 2021.</p> <p>The Committee AGREED that the Minutes be received as a true record of proceedings.</p>	
<p>No. 6</p>	<p><u>ACTION SHEET - 22ND MARCH, 2021</u></p> <p>Consideration was given to the Action Sheet from the meeting held on 22nd March, 2021.</p> <p>The Organisational Development Manager Payroll, Health & Safety outlined the Action Sheet and noted the responses accordingly.</p> <p><u>Payments to Representatives on Outside Bodies</u></p> <p>A Member referred to payments made to Elected Members on outside organisations and felt that these should all be published. The Chief Officer Resources advised that the information was not requested as part of the publication requirements of the Independent Remuneration Panel however if Members wished the information to be included it would be at the discretion of the respective organisation and therefore the Authority could ask, however it may not be disclosed.</p> <p>The Committee AGREED that the attempts be made to obtain the information for inclusion on future reports. Upon clarification the Committee specified that the request related to Tai Calon.</p> <p>The Committee, subject to the foregoing AGREED the Action Sheet.</p>	

<p>No. 7</p>	<p><u>STATEMENT OF PAYMENTS MADE TO MEMBERS IN 2020/2021</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>The Organisational Development Manager Payroll, Health & Safety spoke to the report which sought approval of the publication of the Statement of Payments made to Members for 2020/2021. The report outlined the reporting requirements for the publication of the annual schedule of payments made to Members for 2020/21. The Officer advised that the Council was required to produce an annual schedule of payments which had been made to its members and co-opted members.</p> <p>An overview of the information contained in Appendix 1 was provided. The Organisational Development Manager Payroll, Health & Safety noted an amendment to the Appendix in terms of the amount paid from Brecon Beacons National Park. The Officer confirmed that the amount was £4,000.92 and the report had been updated in readiness for consideration at Council.</p> <p>The Committee AGREED that the report be accepted and to publicise the statement of payments made to Members (Option 1).</p>	
<p>No. 8</p>	<p><u>SCHEDULE OF MEMBERS REMUNERATION 2021-22</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>The Organisational Development Manager Payroll, Health & Safety spoke to the report which detailed the Schedule of Members Remuneration for 2021-22 and provided an overview of the proposed schedule for Blaenau Gwent County Borough Council provided at Appendix 1. The report outlined the Schedule which included the arrangements for the payment of salaries, allowances and fees to all members and co-opted members.</p>	

<p>The Organisational Development Manager Payroll, Health & Safety noted a change in Appendix 1 and confirmed that T. Edwards had now been appointed Chair of the Audit and Governance Committee. The Officer added that this amendment had been made to the report to be considered at full Council.</p>	
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<p>The Committee AGREED that the report be accepted and it was agreed that the Schedule of Members Remuneration for 2021/0222 be published (Option 1).</p>	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: JOINT SCRUTINY COMMITTEE
(BUDGET MONITORING) – 26TH JULY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. COOK (VICE-CHAIR IN THE CHAIR)

Councillors D. Bevan
P. Baldwin
M. Cross
G.A. Davies
G.L. Davies
M. Day
L. Elias
P. Edwards
K. Hayden
J. Hill
L. Parsons
G. Paulsen
C. Meredith
J. Millard
M. Moore
H. McCarthy
K. Rowson
T. Smith
B. Summers
S. Thomas
H. Trollope
B. Willis
L. Winnett

WITH: Managing Director
Chief Officer Resources
Corporate Director Education
Corporate Director Social Services
Head of Community Services
Chief Officer Commercial & Customer
Service Manager Neighbourhood Services
Service Manager Accountancy
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 reported for Councillors S. Healy, J.C. Morgan, D. Wilkshire and T. Sharrem.</p>	
No. 3	<p><u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u></p> <p>The following declarations of interest were reported:-</p> <p>Councillor B. Summers – Item No. 7 - Revenue Budget Monitoring 2020/2021 Provisional Outturn (Silent Valley)</p> <p>Councillor M. Cook - Item No. 7 - Revenue Budget Monitoring 2020/2021 Provisional Outturn (Silent Valley)</p> <p>Councillor P. Edwards - Item No. 7 - Revenue Budget Monitoring 2020/2021 Provisional Outturn (Markets)</p>	
No. 4	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings of the Scrutiny Committee continue to be held at 10.00 a.m.</p>	
No. 5.	<p><u>JOINT SCRUTINY COMMITTEE (BUDGET MONITORING)</u></p> <p>The minutes of the Joint Scrutiny Committee meeting held on 15th March, 2021 was submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>ACTION SHEET – 15TH MARCH, 2021</u></p>	

	<p>The action sheet arising from the Joint Scrutiny (Budget Monitoring) Committee held on 15th March, 2021.</p> <p><u><i>Festival Park</i></u></p> <p>A Member referred to page 12 of the minutes of the previous meeting where the Corporate Director ‘advised that the monies paid were part of a reverse lease arrangement’. The Member asked whether this arrangement was still ongoing.</p> <p>The Head of Community Services undertook to investigate and report back to the next meeting.</p> <p><u><i>Civil Parking Enforcement</i></u></p> <p>A Member expressed concern regarding the level of income being generated from fixed penalty notices.</p> <p>In response the Head of Community Services confirmed that the outcomes for the service in the first year followed the business case put forward in 2019 and the model adopted by the Council. However, a review of the past 12 months would be undertaken and reported to the relevant Scrutiny Committee towards the end of the year.</p> <p>The Committee AGREED, subject to the foregoing, the Action Sheet be noted.</p>	
<p>No. 7</p>	<p><u>REVENUE BUDGET MONITORING 2020/2021</u> <u>PROVISIONAL OUTTURN</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Chief Officer Resources presented the report which provided details on the:</p> <ul style="list-style-type: none"> • Provisional outturn position at the end of 2020/2021 • Details of significant adverse variances • Provisional outturn for Fees & Charges • Progress on the achievement of the Bridging the Gap Projects for 2020/2021 	

The report formed part of the financial reporting framework to Members.

The Officer went through the report in detail and highlighted the key points contained therein. The overall financial position across all portfolios at 31st March 2021 was a favourable variance of £2.639m (1.7%), against a total revenue budget of £152m. However, the figures were provisional and subject to external audit. The outturn was a significant improvement on the forecast financial position at the end of December 2020, at which time the forecast was a favourable variance of £0.6m.

The Table 1 at section 5.1.3 of the report highlighted the provisional outturn across all Portfolios.

The Chief Officer reported that following a review of the year end position, and in support of the Council's financial resilience, a further transfer to earmarked reserves of £1.2m had been made with the balance of £1.4m transferring to General reserves.

A Member said this was the most favourable financial position he had seen since becoming an elected Member, and thanked his colleagues at Welsh Government for their support during the Covid pandemic. He said every facet of the budget had been put in place with the support of WG Hardship Funding. However, he pointed out the support received had highlighted the volatility of the Council, and without that financial support, he said the Council would be in a serious position.

He also questioned the political decisions taken within the Environment Portfolio which showed a significant adverse variance in light of the positive financial position of the Council.

The Member also questioned the need for a second HWRC, particularly in light of the shortfall in income expected in relation to the sale of recyclate materials. He said in his opinion, the concerns and pressures within the service should have formed the basis of the decision to open a second HWRC facility.

Another Member referred to the one-off financial support provided by Welsh Government highlighted at section 5.1.8 of the report, and asked whether any unspent monies in relation to social distancing signage would have to be returned to WG.

The Chief Officer Resources said she was unaware of the terms and conditions of the funding relating to social distancing signage. However, she explained that if the funding was hypothecated, any unspent monies would have to be returned, but if the funding was un-hypothecated it could be retained by the Council and spent elsewhere.

In response to a question raised by a Member regarding the £500 payment to care workers, the Chief Officer Resources said this payment would also be made to care workers within the private sector operating within Blaenau Gwent.

The Member then referred to section 5.1.30 and questioned the adverse variance within the winter maintenance budget.

The Service Manager Neighbourhood Services explained that part of adverse variance related to additional equipment that was required. He also pointed out that whilst snowfall during the winter was minimal, it was a cold winter, with the gritting team out sometimes twice a day, which increased standby payments and out of hours.

A Member referred to previous comments in relation to the need for a second HWRC facility, and pointed out that recycling was driven by targets set by WRAP and Welsh Government. The Council had responded, and to date had not incurred any financial penalties as a result of not achieving these targets. He said residents wanted an additional facility because the site at New Vale lacked capacity to cope with demand at the site, and when fully operational, the second HWRC would have a positive impact on the fly tipping currently being experienced within the Borough. He said the Council needed to ensure that residents had every opportunity to recycle in order to achieve its targets and prevent any potential fines being imposed.

In response a Member said the Council had to measure what was needed as a resource against what we could afford. He recalled that when a second HWRC was initially proposed during the previous administration a number of senior Officers were adamant there was no need for a second facility. He concluded that on the basis of the figures, in his opinion, one HWRC facility was sufficient.

A Member requested that additional information be provided in future reports on the level of WG Hardship Funding that had been received against each budget.

The Chief Officer Resources confirmed that this would be provided in future reports.

In response to a further question, the Chief Officer said 2020 was an unexpected year for everyone, and a pressured year for the Council in terms of delivering services. She had significant concerns at the beginning of the year around the financial impact of the pandemic, but due to the one-off financial support received from Welsh Government the Council were able to weather the storm, and along with other LA's, were able to set aside money to hopefully support our financial resilience moving forward, and enable us to deal with any unexpected pressures in short to medium term. However, the Chief Officer said she had longer term concerns as the UK Government had borrowed significant amounts of money to support its response to the pandemic, and that borrowing would have to be paid back at some point. As a result, potentially our future settlements from UK Government to Welsh Government may be impacted in the medium to longer term and may not be as positive as predicted, and therefore it was important to have sufficient reserves.

A brief discussion ensued regarding the cost of recycle materials when the Service Manager Neighbourhood Services explained that costs were driven by market forces and there had been a significant decrease in the value of all materials. There were still disposal costs associated with the materials which did not reduce in line with sales.

	<p>The Committee AGREED to recommend that the report be accepted provided the appropriate challenge to the financial outcomes in the report.</p>	
<p>No. 8</p>	<p><u>CAPITAL BUDGET MONITORING PROVISIONAL OUTTURN FOR 2020/2021 FINANCIAL YEAR (AS AT 31ST MARCH, 2021)</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Chief Officer Resources presented the report which provided details on the provisional outturn financial position to 31st March 2021 across all portfolios, and details of any significant adverse and/or favourable variances. The report formed part of the quarterly financial reporting framework to Members.</p> <p>The Officer went through the report and highlighted points contained therein. The overall provisional financial position as at 31st March 2021 indicated a £161k underspend against a total in year capital budget of £17.78m. The overall position across all Portfolios was shown in the table at section 5.1.1 of the report.</p> <p>A Member asked whether any capital schemes had been significantly delayed due to the Covid pandemic.</p> <p>The Chief Officer Resources said she was not aware of any capital schemes that had been significantly delayed. The pandemic had impacted on costs, but not on implementation of projects.</p> <p>The Head of Community Services said the fact we were able to continue major contracts during the pandemic was credit to the Contractors and staff. He reported that moving forward into quarter 1 some of the overspends were less than envisaged and he anticipated a more favourable report during quarters 1 and 2.</p> <p>Members thanked staff within the Community Services section for their hard work throughout the pandemic.</p> <p>A Member requested an update on the final account for the Roseheyworth HWRC construction, and the Chief Officer</p>	

	<p>Resources confirmed that this would be reported to a future meeting of the Committee.</p> <p>The Committee AGREED to recommend that the report be accepted, and:</p> <ul style="list-style-type: none"> i. Provided appropriate challenge to the financial outcomes in the report; ii. Continue to support appropriate financial control procedures as agreed by Council; and iii. Noted the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding be noted. 	
<p>No. 9</p>	<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 Chief Officer Resources presented the report which outlined the draft outturn reserves position for 2020/2021 as at 31st March, 2021, subject to audit.</p> <p>The Officer went through the report and highlighted points contained therein. The level of the Council's general reserve disclosed in the statutory accounts for the financial year ended 31st March, 2020 was £6.399m which equated to 4.73% of net revenue expenditure (as reported in the 2019/2020 Revenue Outturn forms). The current 4% target level of general reserves was £5.414m.</p> <p>Appendix 1 provided details of the total earmarked reserves held at the start of the 2020/2021 financial year (£8.272m) with actual reserve movements to the end of quarter 4 (31st March 2021). The level of earmarked reserves was determined in accordance with the agreed reserves protocol. The level of earmarked reserves available to the Authority increased by £12.509m in 2020/2021.</p> <p>The Officer confirmed that for those reserves utilised to fund actual expenditure to 31st March, 2021 (£1.022m), details of the expenditure funded was provided in</p>	

Appendix 2, and details of additional amounts transferred to earmarked reserves (£13.687m) are provided at Appendix 3.

A Member asked whether the Council would be audited in the future on how we spent the Welsh Government Hardship Funding, and potentially criticised for putting money into reserves.

In response the Chief Officer said Audit Wales would look at our level of reserves as part of their review of the end of year accounts. She was confident that the funding received from Welsh Government was spent appropriately, and that the Council continued to respond and incur expenditure in relation to the Covid pandemic. However, she pointed out that was not the reason for determining the level of reserves.

A brief discussion ensued when a Member referred to Appendix 2 and asked why the Sports Council of Wales expenditure of £29,700k for refurbishment of the changing rooms at Abertillery Sports Centre had come out of reserves.

In response the Corporate Director for Education explained that this was a bid submitted by Aneurin Leisure Trust, and under the terms of the commissioning arrangement the funding came to the Council and was held by us. However, he confirmed that the project had been taken forward and the works were completed.

In response to a further question in relation to the expenditure for specialist commercial advice on Silent Valley, the Chief Officer Resources said it was felt prudent to establish a reserve whilst undertaking a review of Silent Valley and set aside some money for external independent advice whilst undertaking due diligence.

A Member referred Appendix 2, page 82 and questioned the definition around Section 106 Agreements.

The Head of Community Services explained Section 106 Agreements could be used to support any additional or upgrading of the existing highway infrastructure required as part of a new school development.

The Corporate Director of Education also pointed out that Section 106 Agreements could also be used to support the existing school estate, i.e. if there was a new housing development in a school catchment area, an element of Section 106 funding could be used to secure additional school infrastructure, buildings and capacity to accommodate extra pupils expected as a result of the new development. He confirmed that as part of the Education & Learning Scrutiny Committee FWP a report would be submitted outlining how education had benefitted from Section 106 Agreements.

In response to a further question regarding the £21k outlined in Appendix 2 for Section 106 Agreements, the Head of Community Services said this funding would have been awarded on the basis of specific works as laid out in the planning permission.

The Committee AGREED to recommend that the report be accepted and considered the use of general and earmarked reserves during 2020/2021 and:

- i. Noted the significant increase in general and earmarked reserves as a result of the exceptional circumstances in the 2020/2021 financial year;
- ii. noted that the draft outturn position of the General Reserve at £7.820m represented 5.78% of net revenue expenditure, above the 4% target level;
- iii. Considered the need for ongoing prudent financial management given the potential for future public spending restrictions required to fund the impact of Covid-19; and
- iv. Continue to challenge budget overspends and implement appropriate service Action Plans, where required.

Maintenance of usable reserves at an adequate level was crucial to the Council being able to meet future liabilities arising from risks for which specific provision has not been made.

No. 10

BRIDGING THE GAP (BTG) PROGRAMME 2021/2022

Consideration was given to report of the Chief Officer Resources.

The Chief Officer Resources presented the report which provided an update on the Strategic Business Reviews, including the provisional out-turn for 2020/2021 and latest assessment of the financial achievement for 2021/22 onwards.

The Officer then went through the report and highlighted points contained therein.

A Member referred to the railway improvement loan and asked whether the Minimum Revenue Provision (MRP) would apply.

In response the Chief Officer said if the railway investment and loan was agreed, it would impact on the MRP going forward. However, the income we expect to receive from Transport for Wales to fund the loan would mitigate the MRP increase going forward.

A Member expressed concern regarding the financial implications should the expected level of income not be generated.

The Chief Officer said she understood that in the event of insufficient fare income, part of Welsh Government responsibilities was to provide sufficient funding via TFW to enable them to fund the asset development fee to the full amount.

The Member asked whether this would include MRP, and the Officer confirmed that the impact on MRP would be same.

In response to a further question the Chief Officer confirmed all Bridging the Gap proposals would be subject to an impact assessment.

The Committee AGREED to recommend that the report be accepted and provided appropriate challenge to the Bridging the Gap programme.

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Agenda Item 21

Executive Committee and Council only

Date signed off by the Monitoring Officer: 13.09.2021

Date signed off by the Section 151 Officer: 20.09.2021

Committee:	Council
Date of Meeting:	30th September, 2021
Report Subject:	Treasury Management Annual Review Report 1st April, 2020 to 31st March, 2021
Portfolio Holder:	Councillor Nigel Daniels, Leader/Executive Member - Corporate Services
Report Submitted by:	Rhian Hayden, Chief Officer Resources
Report Written by:	Joanne Watts, Business Partner

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	19/8/2021				21/09/2021		30/09/2021	

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 2020/2021 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 2020 to 31st March 2021 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 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 an annual review report (attached as Appendix 1) of the Treasury Management activities for the 2020/2021 financial year.

3. **Options for Recommendation**

3.1 Option 1 (preferred option)

Members note the treasury management activity undertaken during the 2020/21 financial year and accept the record of performance and compliance achieved during the year

3.2 Option 2

Members note the treasury management activity undertaken during the 2020/2021 financial year and do not accept the record of performance and compliance achieved during the 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 in compliance with legislation (the Local Government Act 2003), Welsh Government guidance and CIPFA codes of practice.

4.2 The topic in the report also supports the Corporate Plan Priority of being an ambitious and innovative council delivering the quality services we know matter to our communities

5. **Implications Against Each Option**

5.1 *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 credit crisis.
- 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 £8,000 have been achieved with an average interest rate of 0.04%. This is slightly lower than the benchmark rate (based on market forces) of 0.08% but reflects the fact that the bank base rate is at an all-time low and the Authority can no longer invest in counterparties that pay a higher rate, due to credit rating reductions. The estimate for investment interest was zero.
- 5.1.5 An average interest rate of 0.83% has been paid on temporary borrowings against a benchmark rate (based on market forces) of 1.00%, amounting to £265,000. The estimate for interest on short term borrowing was £594,000.
- 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	166	265,000	0.83%
Short Term Investments made	400	8,000	0.04%
Long Term debt outstanding 31/3/21	170.334		2.08%
Short Term debt outstanding 31/3/21	65.315		1.72%

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

5.3 *Legal*

5.3.1 The Council carries out Treasury Management activities in compliance with the Local Government Act 2003, and in accordance with the CIPFA Treasury Management Code of Practice and Welsh Government guidance.

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 Over the past few years the credit rating agencies have downgraded a number of financial institutions such that they no longer meet the Authority's required approved criteria.

6.1.2 Despite this financial climate, the Authority has performed well in terms of its Treasury Management activities during the year, as detailed in the report and summarised below:

- a. Investment returns of £8,000 have been achieved with an average interest rate of 0.04%. This is slightly lower than the benchmark rate of 0.08% but reflects the fact that the Authority cannot invest in counterparties that pay higher rates, due to credit rating reductions. This is however in line with the Authority's risk averse policy whereby the security of the capital sum is the number one priority at the expense of more competitive investment returns.
- b. An average interest rate of 0.83% has been paid on temporary borrowings against a benchmark of 1.00%, minimising as far as possible the interest payable by the Authority. This is therefore 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.

6.1.3 Towards the end of 2020/21, the Authority received a specific interest-free loan from the Welsh Government of £70 million to finance capital expenditure in relation to the rail track project. This was treated initially as a short-term loan in the Authority's Accounts as at 31st March 2021. The value of loans raised & investments made in the year reflect this.

6.1.4 Following the approval of the Ebbw Valley Railway report by Council on 29 July 2021, the Authority is in a position to alter the treatment of the rail loan to a long-

term loan beginning from 2020/21, which will be reflected in the final Statement of Accounts.

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 ***Decarbonisation and Reducing Carbon Emissions***

It should be noted, that local authority investing, incorporates Environmental, Social and Corporate Governance (ESG) metrics into credit rating agency assessments and a growing number of financial institutions and fund managers/money market funds promote ESG products. Therefore, where appropriate the Authority considers ESG factors when setting up any investment arrangements. For example, we would avoid investing in companies linked with fossil fuels.

6.9a ***Socio Economic Duty Impact Assessment*** (complete an impact assessment to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).

See 6.8 above

6.9b ***Equality Impact Assessment*** (screening and identifying if full impact assessment is needed)

N/A

7. **Monitoring Arrangements**

State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements

- 7.1 As the nominated Committee, Council will receive a minimum of 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 ANNUAL 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 annual review report of treasury management activities, for the financial year 2020/21.

2. THIS TREASURY MANAGEMENT ANNUAL REVIEW REPORT COVERS

- ❖ economic Background during the period
- ❖ the Council's treasury position as at 31st March 2021;
- ❖ borrowing and investment rates for 2020/21;
- ❖ annual review of the borrowing strategy 2020/21;
- ❖ borrowing outturn for 2020/21;
- ❖ debt rescheduling for 2020/21;
- ❖ compliance with treasury limits and Prudential Indicators for 2020/21;
- ❖ annual review of the investment strategy for 2020/21;
- ❖ investment outturn for 2020/21;

APPENDIX 1

TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

3. ECONOMIC BACKGROUND DURING PERIOD

PWLB rates are based on, and are determined by, gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation and the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of interest rates and bond yields in financial markets over the last 30 years. Gilt yields fell sharply from the start of 2020 and then spiked up during a financial markets melt down in March 2020 caused by the pandemic hitting western countries; this was rapidly countered by central banks flooding the markets with liquidity. Once the UK vaccination programme started making rapid progress in the new year of 2021, gilt yields and PWLB rates started rising sharply as confidence in economic recovery rebounded. Financial markets also expected Bank Rate to rise.

At the close of the day on 31 March 2021, all gilt yields from 1 to 5 years were between 0.19 – 0.58% while the 10-year and 25-year yields were at 1.11% and 1.59%.

HM Treasury imposed two changes of margins over gilt yields for PWLB rates in 2019/20 without any prior warning. The first took place on 9th October 2019, adding an additional 1% margin over gilts to all PWLB period rates. That increase was then, at least partially, reversed for some forms of borrowing on 11th March 2020. A consultation was then held with local authorities and on 25th November 2020, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three-year capital programme. The new margins over gilt yields are as follows: -.

- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
- **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
- **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)

There is likely to be only a gentle rise in gilt yields and PWLB rates over the next three years as the Bank Rate is not forecast to rise from 0.10% until March 2024 as the Bank of England has clearly stated that it will not raise rates until inflation is sustainably above its target of 2%; this sets a high bar for Bank Rate to start rising.

Change in strategy during the year – the strategy adopted in the original Treasury Management Strategy Report for 2020/21 approved by the Council in March 2020 was subject to revision during the year, due to the agreement by Welsh Government to issue the Authority with a specific loan in relation to the Rail Track project, this resulted in the Operational Boundary and the Authorised limits being amended accordingly.

APPENDIX 1

TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

4. TREASURY POSITION AS AT 31st MARCH 2021

The Council's debt and investment position at the beginning and the end of the year was as follows:

This illustrates that the total debt outstanding as at 31st March 2021 was £235.649 million, comprising of long term debt of £170.334 million and short term debt of £65.315 million.

	31 March 2020 Principal	Average Rate/ Return	31 March 2021 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%	76,764	4.05%	(2,666)
- Market Loans	14,000	1.67%	17,000	1.38 %	3,000
Variable Rate Funding:					
- Market (LOBO *)	4,000	4.5%	4,000	4.5%	0
<i>Rail & Town Centre Loan</i>	0	0	72,570	0.00%	72,570
Total Long Term Debt	97,430	4.10%	170,334	2.08%	72,904
Short Term Loans(<365 days)	60,699	0.86%	65,315	0.52%	4,616
Total Debt	158,129	2.86%	235,649	1.72%	77,520
Investments:					
- Short Term	0		84,870		84,870
Total Investments	0		84,870		84,870

* 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.

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TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

5. BORROWING AND INVESTMENT RATES IN 2020/21

The following table displays a selection of interest rates prevailing as at 1st April 2020 and 31st March 2021.

	01/04/2020	31/3/2021
Bank Base Rate	0.10%	0.10%
7 day LIBID	0.01%	0.08%
PWLB 10 year Maturity	2.34%	1.91%
PWLB 15 year maturity	2.64%	2.20%
PWLB 25 year maturity	2.85%	2.39%

6. ANNUAL REVIEW OF THE BORROWING STRATEGY FOR 2020/21

The Treasury Management Strategy Statement for 2020/21 was approved by Council in July 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.

Borrowings undertaken during the period (see section 7 below) have been done so in accordance with this strategy and has focused on short term borrowings in order to minimise borrowing costs. Current short term borrowing rates continue to be very low (despite the change to PWLB rates) and are forecast to stay at these levels for the foreseeable future. The Authority is therefore taking advantage of such rates and is predominantly borrowing short term to fund the remainder of its capital expenditure and maturing debt until such time the market indicates that long term rates are more advantageous. Throughout the 2020/21 financial year long term rates started to fall,

APPENDIX 1

TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

Welsh Government awarded the Authority a specific interest-free loan in relation to the Rail Track project, this resulted in longer term borrowing increasing by £70million.

In the current economic climate, it is considered that the approved strategy is still fit for purpose and therefore no revisions are proposed.

7. BORROWING OUTTURN FOR 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 31st March 2021

The total long term debt outstanding as at 31st March 2021 was £170.334 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	5,698
1-2YRS	10,920
2-3YRS	10165
3-4YRS	15,451
4-5YRS	3276
5-6YRS	12,610
6-10YRS	16,429
10-15YRS	12,961
15+ YRS	82,824
Total	170,334

New borrowings for 2020/21

During 2020/21, the Authority did take £73m long term debt, predominantly from Welsh Government, this related to a specific loan in relation to the Rail Track project..

Short Term Borrowing

Definition

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TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

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 foreseeable future. The Authority is therefore taking advantage of such rates and is borrowing short term to fund the remainder of its capital expenditure and maturing debt until such time the market indicates that long term rates are more advantageous.

Total outstanding as at 31st March 2021

The total short term debt outstanding as at 31st March 2021 was £65.3 million. This is made up of debt taken from other local authorities through the market place.

New borrowings for 2020/21

Appendix A lists the short term loan activity during the year and shows that over the period a total of £60.8 million loans were brought forward from the previous year and £105 million of new short term loans were raised. A total of £100.5 million of these new loans were repaid during the year (including the brought forward loans) leaving a balance outstanding as at 31st March 2021 of £65.3 million.

The following table gives a summary which shows that the average rate of interest paid was well within 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	£165.815M	£2.81M	£265k	0.83%	1.00%

* Benchmark = budgeted interest rate for new borrowings 1.00%

7. DEBT RESCHEDULING

No debt rescheduling was undertaken during the period.

8. COMPLIANCE WITH TREASURY LIMITS

During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Treasury Strategy Statement 2020/21, approved by Council in March 2012.

APPENDIX 1

TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

Operational Boundary for external debt

The Council resolved that this limit be set at £237 million for 2020/21 (£167 million prior to receipt of rail loan). The level of borrowings on the 31st March was £236 million this is within the required limit.

The operational boundary can be exceeded on an occasional basis, this is likely to be due to the volume of payments being made in relation to capital spend at the year end and the delay in receiving grant funding this is therefore 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.

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 £258 million for 2020/21 (£183 million prior to receipt of rail loan). The Authorised Limit is set having regard to the operational boundary above.

The average level of borrowings for the year to the 31st March was £149 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 31/3/2021
under 12 months	20%	0%	3.34%
12 months and within 24 months	20%	0%	6.41%
24 months and within 5 years	50%	0%	16.96%
5 years and within 10 years	75%	0%	17.05%
10 years and above	95%	25%	56.23%

The actual debt maturity profile at 31st March 2021 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 2.35% of the outstanding long term debt as at 31st March 2021, so is well within the limit set.

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TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2020/21

9. ANNUAL REVIEW OF INVESTMENT STRATEGY FOR 2020/21

The Annual Investment Strategy for 2020/21 adopted by Council in March 2021, 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.

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.

This strategy has been adhered to in determining the investments for 2020/21 outlined in section 10 below.

10. INVESTMENT OUTTURN FOR 2020/21

Appendix B gives details of the investments made during the year, and the following table gives a summary, which shows the Authority's average rate of return was below the benchmark.. This is in line with the Authority's risk averse policy whereby the security of the capital sum is the number one priority at the expense of competitive investment returns.

	Total Value of Investments	Average Investment	Investment Returns	Average Rate of Return	Benchmark Return *
Internally Managed	£400M	£3.0	£7.8k	0.04%	0.08%

* Benchmark = 7 day LIBID

0.08%

No institutions in which investments were made had any difficulty in repaying investments and interest in full during the year.

List of Temporary Lenders 2020/2021

APPENDIX A

DATE	LENDER	NEW LOAN VALUE	RATE	REPAY DATE	DURATION OF LOAN	INTEREST DUE TO 31/03/21	PRINCIPAL REPAYED 2020/21	PRINCIPAL OUTSTANDING AS AT 31/03/2021
			%		DAYS IN 2020/21			
B/F	01/04/2020							
01/06/2012	BG & CAERPHILLYCARE AND REPAIR	315,000	0.10	CALL	365	232.73		315,000
24/04/2019	LONDON BOROUGH OF EALING	2,000,000	0.97	14/08/19	21	1,116.16	2,000,000	
08/07/2019	NOTTINGHAMSHIRE PCC	3,000,000	0.95	04/04/19	96	7,495.89	3,000,000	
03/06/2019	HYNDBURN BOROUGH COUNCIL	1,000,000	0.95	18/04/19	61	1,587.67	1,000,000	
22/07/2019	HYNDBURN BOROUGH COUNCIL	1,000,000	0.93	22/07/19	110	2,802.74	1,000,000	
19/11/2019	CUMBRIA COUNTY COUNCIL	3,000,000	0.82	02/07/19	14	943.56	3,000,000	
06/12/2019	SHROPSHIRE COUNCIL	3,000,000	0.84	03/07/19	68	4,694.79	3,000,000	
13/12/2019	WEALDEN DISTRICT COUNCIL	3,000,000	0.82	03/04/19	7	471.78	3,000,000	
21/11/2019	TENDERING DISTRICT COUNCIL	1,000,000	0.80	26/04/19	50	1,095.89	1,000,000	
28/01/2020	TENDERING DISTRICT COUNCIL	1,000,000	0.80	07/08/19	118	2,586.30	1,000,000	
23/12/2019	SOUTH LANARKSHIRE COUNCIL	1,000,000	0.85	03/06/19	83	1,932.88	1,000,000	
09/01/2020	CARMARTHENSHIRE COUNTY COUNCIL	3,000,000	0.75	24/05/19	8	493.15	3,000,000	
21/01/2020	BROXBORNE BOROUGH COUNCIL	2,000,000	0.90	17/06/19	111	5,473.97	2,000,000	
21/01/2020	SHROPSHIRE COUNCIL	1,500,000	0.90	18/06/19	111	4,105.48	1,500,000	
23/01/2020	SOUTH KESTEVEN DISTRICT COUNCIL	2,000,000	0.85	08/07/19	51	2,375.34	2,000,000	
21/01/2020	BASINGSTOKE & DEAN BOROUGH COUNCIL	5,000,000	0.85	10/06/19	40	4,657.53	5,000,000	
21/02/2020	SOUTH LANARKSHIRE COUNCIL	3,000,000	0.83	03/07/19	90	6,139.73	3,000,000	
17/02/2020	ESSEX COUNTY COUNCIL	5,000,000	0.83	21/05/19	77	8,754.79	5,000,000	
13/03/2020	NORTHERN IRELAND HOUSING EXECUTIVE	5,000,000	0.92	11/11/19	105	13,232.88	5,000,000	
09/03/2020	VALE OF GLAMORGAN COUNCIL	2,000,000	1.05	31/05/19	341	19,619.18	2,000,000	
27/03/2020	VALE OF GLAMORGAN COUNCIL	2,000,000	1.05	23/05/19	197	11,334.25	2,000,000	
20/03/2020	EAST RIDING OF YORKSHIRE COUNCIL	3,000,000	1.00	24/04/19	141	11,589.04	3,000,000	
30/03/2020	ESSEX COUNTY COUNCIL	3,000,000	0.90	28/08/19	58	4,290.41	3,000,000	
25/03/2020	WARRINGTON BOROUGH COUNCIL	5,000,000	2.00	10/04/19	6	1,643.84	5,000,000	
B/F Raised in previous years still outstanding		60,815,000				118,669.98	60,500,000	315,000
NEW LOANS 2020/21								
21/05/2020	LINCOLNSHIRE COUNTY COUNCIL	5,000,000	0.95	20/05/2021	315	40,993.15		5,000,000
17/06/2020	BRIDGEND COUNTY BOROUGH COUNCIL	2,000,000	0.90	16/06/2021	288	14,202.74		2,000,000
29/05/2020	RYEDALE DISTRICT COUNCIL	1,000,000	0.87	28/05/2021	307	7,317.53		1,000,000
29/05/2020	SOUTH KESTEVEN DISTRICT COUNCIL	2,000,000	0.70	27/11/2020	182	6,980.82	2,000,000	
26/06/2020	PCC HAMPSHIRE	2,000,000	0.37	28/09/2020	94	1,905.75	2,000,000	
26/06/2020	HAMPSHIRE FIRE AND RESCUE AUTHORITY	1,000,000	0.37	28/09/2020	94	952.88	1,000,000	
19/06/2020	STAFFORDSHIRE COUNTY COUNCIL	3,000,000	0.35	19/08/2020	61	1,754.79	3,000,000	
15/07/2020	NORTH TYNESIDE COUNCIL	3,000,000	0.40	15/01/2021	184	6,049.32	3,000,000	
21/07/2020	HERTSMERE BOROUGH COUNCIL	5,000,000	0.55	20/07/2021	254	19,136.99		5,000,000
17/07/2020	TENDRING DISTRICT COUNCIL	2,000,000	0.15	19/10/2020	94	772.60	2,000,000	
17/08/2020	CRAWLEY BOROUGH COUNCIL	5,000,000	0.35	19/02/2021	186	8,917.81	5,000,000	
31/07/2020	HINCKLEY & BOSWORTH DIST.COUNCIL	3,000,000	0.50	30/07/2021	244	10,027.40		3,000,000
28/07/2020	CARMARTHENSHIRE COUNTY COUNCIL	3,000,000	0.20	28/01/2021	184	3,024.66	3,000,000	
20/08/2020	EAST RIDING OF YOURKSHIRE COUNCIL	3,000,000	0.20	22/02/2021	186	3,057.53	3,000,000	
28/08/2020	EAST NORTHAMPTONSHIRE DC	3,000,000	0.05	30/11/2020	94	386.30	3,000,000	
18/09/2020	NEW FOREST DISTRICT COUNCIL	1,500,000	0.20	18/03/2021	181	1,487.67	1,500,000	
18/09/2020	HAMPSHIRE COUNTY COUNCIL PENSION FU	2,500,000	0.20	18/03/2021	181	2,479.45	2,500,000	
18/09/2020	HAMPSHIRE COUNTY COUNCIL	1,000,000	0.20	18/03/2021	181	991.78	1,000,000	
05/10/2020	CITY & COUNTY OF SWANSEA	3,000,000	0.12	03/02/2021	121	1,193.42	3,000,000	
03/12/2020	NEXUS - NORTH EAST COMBINED AUTHORITY	3,000,000	0.20	03/06/2021	119	1,956.16		3,000,000
23/10/2020	BRIDGEND COUNTY BOROUGH COUNCIL	5,000,000	0.05	25/01/2021	94	643.84	5,000,000	
27/11/2020	SOUTH KESTEVEN DISTRICT COUNCIL	3,000,000	0.15	17/05/2021	125	1,541.10		3,000,000
30/11/2020	TENDRING DISTRICT COUNCIL	2,000,000	0.15	28/05/2021	122	1,002.74		2,000,000
30/11/2020	EAST NORTHAMPTONSHIRE DC	3,000,000	0.15	14/06/2021	122	1,504.11		3,000,000
27/11/2020	CLEVELAND FIRE AUTHORITY	2,000,000	0.15	28/06/2021	125	1,027.40		2,000,000
28/10/2020	SOUTH LAKELAND DISTRICT COUNCIL	3,000,000	0.10	06/04/2021	155	1,273.97		3,000,000
21/12/2020	WEST YORKSHIRE COMBINED AUTHORITY	5,000,000	0.23	21/09/2021	101	3,182.19		5,000,000
15/01/2021	WARWICK DISTRICT COUNCIL	3,000,000	0.10	15/07/2021	76	624.66		3,000,000
25/01/2021	BRIDGEND COUNTY BOROUGH COUNCIL	5,000,000	0.10	26/07/2021	66	904.11		5,000,000
28/01/2021	CARMARTHENSHIRE COUNTY COUNCIL	3,000,000	0.02	28/04/2021	63	103.56		3,000,000
15/02/2021	HYNDBURN BOROUGH COUNCIL	2,000,000	0.14	14/02/2022	45	345.21		2,000,000
22/02/2021	OLDHAM MBC	5,000,000	0.08	23/08/2021	38	416.44		5,000,000
12/02/2021	SOUTH GLOUCESTERSHIRE COUNCIL	5,000,000	0.04	19/08/2021	48	263.01		5,000,000
22/03/2021	SOUTH DERBYSHIRE DISTRICT COUNCIL	3,000,000	0.10	21/03/2022	10	82.19		3,000,000
26/03/2021	SOUTH KESTEVEN DISTRICT COUNCIL	2,000,000	0.20	25/03/2022	6	65.75		2,000,000
	Total Raised During the Period	105,000,000				146,569.03	40,000,000	65,000,000
	Total Value of Loans	165,815,000				265,239.01	100,500,000	65,315,000
	Average Loan	2,810,424						
	Interest Paid	265,239						
	Average Interest Rate	0.83%						

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22/01/21	DEBT MANAGEMENT OFFICE	2,000,000	0.01		29/01/2021	7	3.84	2,000,000	0
01/02/21	PCC DORSET	1,500,000	0.02		05/02/2021	4	3.29	1,500,000	0
09/02/21	CALDERDALE COUNCIL	2,000,000	0.02		26/02/2021	17	18.63	2,000,000	0
10/02/21	LONDON BOROUGH OF NEWHAM	6,000,000	0.01		19/02/2021	9	14.79	6,000,000	0
15/02/21	CALDERDALE COUNCIL - HALIFAX	1,800,000	0.01		26/02/2021	11	5.42	1,800,000	0
26/02/21	PCC DEVEON & CORNWALL - EXETER	4,000,000	0.02		05/03/2021	7	15.34	4,000,000	0
19/02/21	CALDERDALE COUNCIL	1,600,000	0.02		19/03/2021	28	24.55	1,600,000	0
22/02/21	PCC WEST YORKSHIRE	1,000,000	0.01		26/02/2021	4	1.10	1,000,000	0
23/02/21	DEBT MANAGEMENT OFFICE	2,000,000	0.01		26/02/2021	3	1.64	2,000,000	0
24/02/21	SOUTH SOMERSET DISTRICT COUNCIL	1,000,000	0.05		24/03/2021	28	38.36	1,000,000	0
05/03/21	PCC DORSET	4,500,000	0.02		08/03/2021	3	7.40	4,500,000	0
04/03/21	PCC DORSET	1,000,000	0.02		12/03/2021	8	4.38	1,000,000	0
04/03/21	PCC DEVEON & CORNWALL - EXETER	1,000,000	0.02		05/03/2021	1	0.55	1,000,000	0
04/03/21	PCC DEVEON & CORNWALL - EXETER	1,000,000	0.02		05/03/2021	1	0.55	1,000,000	0
26/03/21	PCC FOR DEVON & CORNWALL	4,000,000	0.07		07/04/2021	6	46.03	0	4,000,000
26/03/21	SOUTH SOMERSET DISTRICT COUNCIL	5,000,000	0.08		28/04/2021	6	65.75	0	5,000,000
29/03/21	WOKINGHAM BC	2,000,000	0.04		30/06/2021	3	6.58	0	2,000,000
30/03/21	THURROCK COUNCIL - ESSEX	6,000,000	0.09		30/06/2021	2	29.59	0	6,000,000
30/03/21	PCC SUSSEX	2,000,000	0.04		28/05/2021	2	4.38	0	2,000,000
	BARCLAYS SAVINGS ACCOUNT	4,281,460				365	1,884.33		
	LLOYDS CALL ACCOUNT INTEREST	4,000,000				166	226.71	4,000,000	
31/03/21	WARRINGTON BOROUGH COUNCIL	6,000,000	0.03		30/06/2021	1	4.93	0	6,000,000
30/03/21	PCC DEVEON & CORNWALL - EXETER	2,000,000	0.05		09/04/2021	2	5.48	0	2,000,000
30/03/21	PCC DORSET	5,000,000	0.05		09/04/2021	2	13.70	0	5,000,000
30/03/21	WOKINGHAM BC	4,000,000	0.04		30/06/2021	2	8.77	0	4,000,000
30/03/21	LLOYDS 32 DAY NOTICE	6,000,000	0.03		01/04/2021	2	9.86	0	6,000,000
30/03/21	DEBT MANAGEMENT OFFICE	20,000,000	0.00		20/04/2021	2	0.00	0	20,000,000
30/03/21	DEBT MANAGEMENT OFFICE	8,000,000	0.00		20/04/2021	2	0.00	0	8,000,000
30/03/21	PCC SUSSEX	4,000,000	0.06		28/05/2021	2	13.15	0	4,000,000
31/03/21	DEBT MANAGEMENT OFFICE	3,000,000	0.00		21/04/2021	1	0.00	0	3,000,000
	PUBLIC SECTOR DEPOSIT FUND	6,000,000				148	1,066.25		6,000,000
		400,381,460					7,840.33	313,100,000.00	83,000,000.00
	Average Investments	3,010,387							
	Interest Received	7,840							
	Average Interest Rate %	0.04%							

Agenda Item 22

Executive Committee and Council only

Date signed off by the Monitoring Officer: 13.09.2021

Date signed off by the Section 151 Officer: 20.09.2021

Committee: **Council**

Date of Meeting: **30th September, 2021**

Report Subject: **Assessment of Performance 2020/21**

Portfolio Holder: **Councillor Nigel Daniel Leader / Executive Member
Corporate Services**

Report Submitted by: **Gemma Wasley, Service Manager Performance and
Democratic**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	26/08/21	16/09/21			21/09/21	22/09/21	30/09/21	

1. Purpose of the Report

The purpose of the report is to present the Council's Assessment of Performance 2020/21 (attached at Appendix 1) for consideration.

The Assessment of Performance 2020/21 fulfils the statutory obligations placed on the Council as part of the requirements of the Local Government Measure (Wales) 2009.

It is to be noted that the Local Government (Wales) Measure 2009 has been replaced by the Local Government and Elections (Wales) Act 2021 therefore this Assessment of Performance will be the last under these regulations.

In future the Council will still be required to develop reports on the progress made against the Corporate Plan and also implementation of the Well-being of Future Generations (Wales) Act.

2. Scope and Background

In July 2020, Council approved a refreshed Corporate Plan 2020/22. The Plan was reviewed as part of the response and learning to date from COVID 19 and what the Council is aiming to achieve by the end of the Plan in 2022.

This resulted in some amendments being made to the Outcome Statements in order to better demonstrate the contribution different areas across the Council will contribute to achieving them, enhancing the 'One Council' approach. The Corporate Plan 2020/22 Outcome Statements are:

- **Protect and enhance our environment and infrastructure to benefit our communities**
- **Support a fairer sustainable economy and community**

- **To enable people to maximise their independence, develop solutions and take an active role in their communities**
- **An ambitious and innovative council delivering the quality services we know matter to our communities**

All Council planning is aligned to the Corporate Plan.

There is a statutory requirement for the Assessment of Performance to be translated and published by 31st October each year. This is then subject to external audit by Audit Wales.

The Council is required to undertake an assessment of performance of the previous year. Appendix 1 details the progress the Council has made during 2020/21 and also includes an assessment of the work undertaken as part of the response to the global pandemic, COVID 19.

3. **Options for Recommendation**

- 3.1 Both Corporate Overview Scrutiny Committee and Executive Committee have considered the Assessment of Performance 2020/21.

Any comments from these meetings will be fed into Council verbally.

Option 1

Approve the retrospective progress made and included within the Council's Assessment of Performance for 2020/21 and be assured that it fulfils all required statutory legislative requirements.

Option 2

As above but provide amendment to the document before approval.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

The Assessment of Performance 2020/21 provides retrospective information on the activity that has been undertaken by the Council over the past year.

There is a statutory requirement under the Local Government (Wales) Measure 2009 to undertake an assessment of performance and for this information to be publically available by 31st October each year.

The Well-being of Future Generations (Wales) Act requires the Council to develop and report on Well-being Objectives.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

There are no direct financial implications arising from this report. Financial information for 2020/21 is included within the Assessment of Performance provided at appendix 1.

5.2 ***Risk including Mitigating Actions***

There is a reputational risk if the Assessment of Performance 2020/21 is not approved by Council and published before the statutory deadline of 31st October 2021.

The Assessment of Performance is subject to external audit by the Audit Wales who will assess for compliance against the Local Government (Wales) Measure 2009.

5.3 ***Legal***

There is a statutory requirement as part of the Local Government (Wales) Measure 2009 to develop an annual assessment of performance and have this published by 31st October each year.

The Well-being of Future Generations (Wales) Act 2015 has a statutory requirement to develop a set of Well-being Objectives. The Assessment of Performance includes the Well-being Objectives and an assessment of them.

5.4 ***Human Resources***

There are no direct staffing implications arising from this report. All activity to implement the Assessment of Performance is identified within the relevant business plan and monitored as part of the quarterly Joint Finance and Performance Report.

6. ***Supporting Evidence***

6.1 ***Performance Information and Data***

The Council has a requirement to measure a number of national performance indicators known as Public Accountability Measures (PAMs). The PAMs consist of a small set of “outcome focussed” indicators. They reflect those aspects of local authority work which local authorities agree are considered to be important in terms of public accountability. All Councils in Wales are required to submit their performance against the PAMs. This information has been included within the Assessment of Performance at appendix 1.

6.2 ***Expected outcome for the public***

To provide the public with information with regard to how the Council is performing and what activity is being undertaken for the people of Blaenau Gwent.

6.3 ***Involvement (consultation, engagement, participation)***

Information to populate the report is taken from officer business plans. Engagement remains a key priority for the Council and the Well-being Objectives / Improvement Objectives are intended to ensure that all services are focussed on their customers and communities through strong engagement and communication.

6.4 ***Thinking for the Long term (forward planning)***

The Well-being Objectives / Improvement Objectives look to implement activity that would impact communities in the longer term.

6.5 ***Preventative focus***

The Assessment of Performance looked to undertake preventative activity i.e. people to remain in their own home for as long as possible.

6.6 ***Collaboration / partnership working***

Collaboration is a key activity for the Council and where possible, collaborative activity is taking place.

6.7 ***Integration (across service areas)***

The Assessment of Performance is integrated as it identified activity for officers across the Council with business plans identifying how the work would be undertaken.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

Decarbonisation and current activity is included within the Assessment of Performance. A key action under the theme, '*Protect and enhance our environment and infrastructure to benefit our communities*', is, '*To be carbon neutral by 2030*'.

6.9a ***Socio Economic Duty Impact Assessment***

The report does not include any 'strategic decisions' as defined by the Socio-economic Duty. Therefore, a Socio-Economic Duty Assessment was not required.

An assessment will be required when formulating and agreeing the new priorities as part of the next Corporate Plan from 2022 onwards.

6.9b. ***Equality Impact Assessment***

An EqIA has been undertaken on the Assessment of Performance 2020/21 and no negative impacts against the protected characteristics have been identified.

7. ***Monitoring Arrangements***

7.1 The Corporate Plan priorities and activity have been included within the business plans of directorates. These are monitored on a quarterly basis and reported through the Joint Finance and Performance Report to Corporate Overview and Executive Committees.

Background Documents

- *Appendix 1 – Assessment of Performance 2020/21*



Cyngor Bwrdeisdref Sirol
Blaenau Gwent
County Borough Council



Blaenau Gwent Assessment of Performance 2020/21

Foreword

Blaenau Gwent is a place like no other. At the head of the Gwent Valleys Blaenau Gwent provides a unique and vibrant environment to live, work and play. With a heritage that is firmly based on an industrial past, we are a place that is changing to respond to new economic opportunities. The Tech Valleys Vision, Valleys Regional Park and Cardiff Capital Regional Deal combined with new transport links including the soon to be completed Heads of the Valley Road and rail routes to Cardiff bring a bright future. Together with the amazing location and surrounding parkland our people and communities make Blaenau Gwent great. Our people have influenced on the local, national and international stage in art, sport and politics for many generations – putting Blaenau Gwent on the map for all the right reasons.

The role of Blaenau Gwent County Borough Council and its partners is to maximise on the assets we have, doing more with less and doing it better. It is right that we recognise the challenges we face. The decline of heavy industry continues to impact on employment prospects and intergenerational opportunities. We face issues with health and wealth inequality, the rise of online shopping and the impact on our town centres and social issues affecting our families and young people.

The Covid-19 pandemic has been devastating globally and will have a significant detrimental impact on the economy and the way we live, work, learn and socialise for the foreseeable future. The Council has had to respond to this unprecedented situation and has done so at pace, bringing an innovative approach to problem solving and changes in service delivery, ensuring that the health and well-being of our residents and communities has been the driver for our decision making and actions.

As a Council we face increasing demand and costs for some of our services but we are tackling these issues head on with our partners, businesses and the local community. We are looking at how we spend our money to achieve the best outcomes for our residents, we are supporting new and existing businesses, we are looking at our assets to achieve new income streams and we are removing barriers to enable residents to access what they need. All in all, we are looking forward to a positive future.

Blaenau Gwent Vision -

Proud Heritage

Strong Communities

Brighter Future

Councillor Nigel Daniels, Leader of the Council and Michelle Morris, Managing Director Blaenau Gwent County Borough Council, A Year in Summary 2020/21

This Assessment of Performance 2020/21 provides a self-reflection of the past year implementing the Council's Corporate Plan and Well-being Objectives as well as the Well-being of Future Generations (Wales) Act. We have started to adapt practices and case studies and examples have been provided throughout the document to showcase the positive work that we are undertaking as a Council.

The Council is embracing the principles of the Well-being of Future Generations (Wales) Act 2015 (known as the 'Act') and is starting to adapt the way that it works. As part of this, we are working collectively to adapt the culture of the organisation and embed the ethos of the Act into all that we do. It is recognised however that we are still in the early years of implementing the Act and there is still more to do over the coming years.

In 2021 the Local Government and Elections (Wales) Act came into force. This Act is a substantial piece of legislation covering electoral reform, public participation, governance and performance and regional working. It is designed to be a more streamlined, flexible, sector-led approach to performance, good governance and improvement. The intention is for councils to be proactive in considering how internal processes and procedures should change to enable more effective planning, delivery and decision-making to drive better outcomes. The Council is actively working to implement this Act which will also replace the current improvement duty for principal councils set out in the Local Government (Wales) Measure 2009.

The Corporate Plan is a very important strategic document for the Council which clearly sets out our priorities and how we will target our limited resources in order to support these objectives. The political leadership are keen that the priorities in the plan align with what local people have told us is important to them during public engagement events, in particular that they want strong and clean communities and they want to see our economy grow for the wellbeing of our future generations. Education and Social Services continue to be priorities as we work to improve standards in our schools so that all children and young people reach their full potential and we continue to look after the most vulnerable people in our communities against increasing demand for these services.

Notable service activity from the year 2020/21 is identified throughout this document.

COVID 19

On 23rd March 2020, the UK Government announced an unprecedented UK-wide 'lockdown' in order to limit the spread of the Covid-19 virus. This resulted in the Council moving to the delivery of Critical Services only (as defined in the Emergency Management Plan), redeploying staff into these services, and ceasing all democratic meetings with immediate effect.

The declaration of a national health emergency led to the establishment of Emergency Planning arrangements in the region, under the Civil Contingencies Act 2005. The Gwent Strategic Co-ordinating Group (SCG) was convened for its first meeting on 14th March 2020. The SCG is chaired by Gwent Police and includes the Local Health Board, all five local authorities and Category One Responders.

In accordance with our Emergency Planning arrangements the GOLD Group was established in Blaenau Gwent and commenced meetings on 19th March 2020. This comprises of all members of the Corporate Leadership Team, supported by the Civil Contingency Manager and

Communications Manager. The strategic aim of GOLD remains to delay and mitigate as far as practicable the spread and impact of Coronavirus within our community.

Heads of Service and Service Managers were convened as the Emergency Response Team, to support GOLD, with the Aneurin Leisure Trust, Tai Calon, GAVO and Joint Trade Unions also members of the Team. These Groups continue to meet to ensure the proper management of the emergency response in Blaenau Gwent.

When the lockdown began the Council shifted its sole focus to the emergency response. This resulted in delivery of only critical services with other available resources being redeployed to support the response. A particular focus was Adult Social Services, supporting some of the most vulnerable in the community, refuse collection and recycling and public protection, with all Councils taking on significant new enforcement responsibilities under the Coronavirus legislation.

The response involved:

- School closures and the creation of School Hubs to support key workers, by providing childcare for their children, and vulnerable learners.
- Supporting families eligible for Free School Meals (FSM) with over 2,000 supported.
- The creation of the locality response teams to provide an offer of support for the 3,521 shielding residents and 1,353 vulnerable residents (over 70 or living alone). This work included support to the delivery of weekly food boxes, arranging shopping, collection of prescriptions and befriending calls etc.
- Unprecedented support provided to local businesses, enabling them to access Government financial support schemes, with the aim of protecting our local economy from the worse impact of the Pandemic.
- Staff working from home with very low attendance in the office. This has been supported by the rapid deployment of Microsoft TEAMS which is enabling the Council to work in a totally different way based on running virtual teams and meetings.
- Suspending formal council and committee meetings at the end of March. The AGM was held, virtually, on 2nd April 2020.
- Elected Members undertaking their roles whilst working remotely.

The Welsh Government and local government have had a shared commitment to work in partnership. This shared leadership was demonstrated and strengthened throughout the crisis with an unprecedented level of dialogue and engagement and openness.

The medium to long term financial consequences of the pandemic for local business and the public sector is not yet fully known. Certainly the impact on the Council's finances in 2020/21 would have been significant without the additional support provided by the Welsh Government to fund the additional costs of dealing with the emergency and the loss of income experienced as a direct consequence of the pandemic (£11.9m). This financial support when combined with additional unbudgeted grants and reduced costs, due to closure of buildings and new ways of working, has meant that we are reporting a favourable financial position at the year-end which has enabled us to enhance our reserves to deal with unexpected issues / pressures in future.

COVID 19 Recovery and Moving Forward

In an emergency the Council would normally deal with the response and then move into recovery phase to support the community back to normal. What is clear is that dealing with Covid-19 is very different. As a Council we will need to continue to respond to the pandemic, ensuring the safety of staff and the community as well as moving towards recovery. There is a Recovery Co-ordination Group (RCG) leading the recovery

work in Gwent and also a local recovery group within the Council. As part of this the Council will need to take a community leadership role in understanding the impact of the pandemic on the community and identifying the interventions that need to be put in place to support recovery – this includes recovery for the local economy. Recognising that this is a task that will be delivered in partnership with other organisations across the Region. Locally the Council will look to focus on four priority areas:

- Learners;
- Community;
- Economy; and
- Workforce.

Blaenau Gwent also needs to continue to be part of the wider regional and national work to recover and create a stronger future.

The nature of the emergency has meant that the Council has had to support both response and recovery side by side, placing a further demand on resources.

It is also the case that so much about the way we live our lives has changed and we will not simply return to normal once Covid-19 is under control. There is now the opportunity for the Council to build on the positive work over the past 18 months with the expectation being that we do not seek to return to the way things were before but harness the positive aspects of the response to strengthen and modernise the Council, adopting new working practices and challenging how we did things before, in order to map out an ambitious future, create a stronger organisation and to sustain the strong relationships forged with our communities and partners. It will not be a case of delivering services as we have done before, service delivery will have to change to take into account the learning from the pandemic as well as continuing to work proactively to plan for any potential future 'peaks.'

Despite the impact that the pandemic has had, it is possible to identify positive experience and good practice from the way the Council and community has responded in Blaenau Gwent. It is clear there is a real opportunity to hold onto these positives and to not simply return to normal but to build on our work to create a stronger and more resilient organisation and community.

The areas where this can be demonstrated include:

- the way the Council has adopted new technology and modern working practices at pace, enabling it to continue operating with staff and Elected Members almost entirely working from home.
- The targeted support provided to the more vulnerable in our communities with services coming together into multi-functional teams and working very effectively with partners and community and voluntary groups.
- The strong use of data and information to build our business intelligence about our community and the increase in digital service delivery and contact to ensure we can continue to deliver services in a way that is safe for staff and residents.
- There has been strong support for local businesses – which will need to continue – and a step change in how we communicate with our residents about service changes and the decisions being made by the Council, resulting in a real sense of a better connection with the community and an appreciation of the work of key front-line staff.

The next steps will be really important to ensure we use this experience to build that stronger organisation and Place in Blaenau Gwent, rather than simply reverting to normal.

Purpose of the Report

The purpose of the report is to present the performance of the Council at the end of the reporting period 2020/21. This sets out the key activities and measures used to monitor our performance of the Council's Corporate Plan.

In July 2020, Council approved a refreshed Corporate Plan 2020-22. The Plan was reviewed as part of the response and learning to date from COVID 19 and what the Council is aiming to achieve by the end of the Plan in 2022. This resulted in some amendments being made to the Well-being Objectives in order to better demonstrate the contribution different areas across the Council will contribute to achieving them, enhancing our one Council approach. The overall emphasis of each Well-being Objective has not changed and this includes the supporting activity beneath the Objectives still being aligned to our business planning, monitoring and reporting processes.

The global pandemic has also provided the opportunity to consider if everything previously prioritised was still important and if any areas of importance needed to be highlighted e.g. climate change. It was agreed that a refresh of our corporate priorities should be undertaken to reflect the impact of the pandemic and ensure the focus of business planning up to 2022 delivers on the outcomes needed to support the community and local economy.

From these considerations, the Corporate Plan 2020-22 Outcome Statements are:

- **Protect and enhance our environment and infrastructure to benefit our communities**
- **Support a fairer sustainable economy and community**
- **To enable people to maximise their independence, develop solutions and take an active role in their communities**
- **An ambitious and innovative council delivering the quality services we know matter to our communities**

There are new areas of activity identified in the refresh including our ambition to become a low carbon Council and Borough; the opportunity to accelerate agile working and the successful deployment of technology to improve how we work and the impact we have, as an organisation, on the environment.

In order to meet the statutory legislative requirements', the Council has implemented the following:

- **The Well-being of Future Generations (Wales) Act 2015:** the report uses the priorities within the Council's Corporate Plan as its Well-being Objectives.
- **Local Government (Wales) Measure 2009:** the report also uses the priorities within the Council's Corporate Plan as its Improvement Objectives.

All of these areas have supporting actions and measures which are monitored as part of the Council's business planning process. The Corporate Plan has been strategically aligned to the Public Service Boards Well-being Plan and also identifies how each area supports the progression of the Well-being Goals.

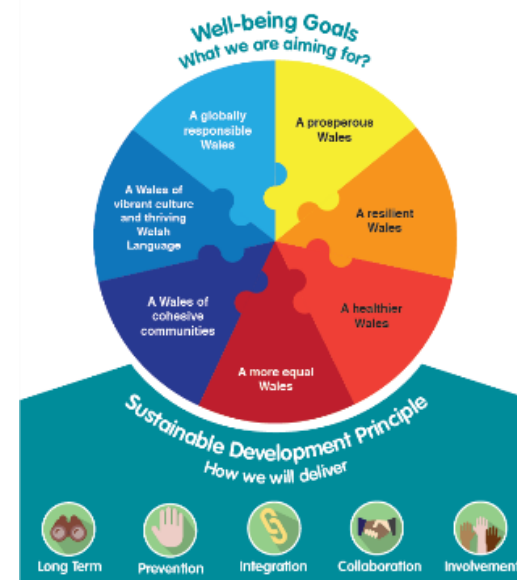
Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 is ground-breaking legislation which aims to improve the social, economic, environmental and cultural well-being of Wales. The vision of this legislation is expressed in the seven National well-being goals.

The Act also puts a duty on public bodies to apply the sustainable development principle which states they “must meet the needs of the present without compromising the ability of future generations to meet their own needs”. The sustainable development principle is made up of the five ways of working.

Working with the Public Service Board to improve the well-being of Future Generations

Blaenau Gwent Public Service Board (PSB) was established in April 2016 as part of the Well-being of Future Generations Act 2015. It is a partnership of key public bodies that, by working together, have a huge responsibility to create a place we want to live in now and in the future. As a PSB we agreed our Well-being Plan in April 2018 and it was published on Friday 4th May 2018, in-line with statutory guidance.



Our plan was the result of a comprehensive programme of involvement and collaborative work to develop a coherent plan for delivering well-being. It prioritises five key well-being objectives to take forward, in order to bring about positive changes for local people and communities.

Further information on the development of the plan can be found in the plan itself and its supporting documents which are available on our website by following the link: <http://www.blaenaugwentpsb.org.uk/well-being-plan.aspx>

The PSB is working towards five well-being objectives as outlined in their Well-being Plan 2018-23:

- The best start in life for everyone
- Safe and friendly communities
- Look after and protect the natural environment
- Forge new pathways to prosperity
- Encourage healthy lifestyles

The PSB has developed a Strategic Work Programme which was signed off in January 2020. This Work Programme has identified five High Level Actions to be taken forward:

- First 1,000 days and Early Years Pathfinder;
- Building a healthier Gwent / Integrated Well-being Networks;
- Climate Change;
- Blaenau Gwent Sustainable Food Programme; and

- Foundational Economy.

Each of the high level actions has an identified PSB Sponsor.

Regional Gwent Public Service Board

The Act also provides for two or more PSBs to be able to merge if it would assist them in contributing to the achievement of the well-being goals. There have been discussions at the Gwent-wide leadership group 'G10' and at each PSB about the merger of the Gwent PSBs to form a single regional PSB. The decision to do this must be agreed by each of the individual PSBs as the statutory bodies. Each PSB in the Gwent region has agreed this in principle. The PSBs and G10 have also considered the importance of maintaining strong local partnerships in each area to support delivery of the Well-Being Plan and also other partnership work.

The drivers for the change to a regional approach and Plan considered by the G10 leadership were:

- improving the well-being of people across Gwent by strengthening governance, accountability, improving collaborative working and supporting a clearer partnership landscape;
- providing the catalyst for a regional well-being assessment and well-being plan that maintains local accountability.
- opportunities to align partnership legislation and PSB statutory duties for a more strategic overview of areas such the Crime and Disorder Act, Violence Against Women Domestic Abuse and Sexual Violence (VAWDASV) and the Children's Act.
- opportunity to develop regional scrutiny arrangements.
- opportunity of aligning the focus of both the Regional Partnership Board (RPB) and PSB that will reduce duplication of activity, align strategic priorities and much closer collaboration over assessment, planning and delivery functions.
- The approach supports the Welsh Government review on 'strategic partnerships' and specifically recommendation 3 of the recent Audit Wales Review of Public Services Boards.

The current Well-Being Plans (2018-2023) form the delivery arrangements for the next two years and these will continue to be delivered by the local partnerships (One Newport; The Blaenau Gwent We Want; The Caerphilly We Want; Our Monmouthshire; Torfaen Public Services Board) supported by the regional PSB, and scrutinised by partnership Scrutiny Committees in each of the local areas.

On 21st July 2021 Council approved:

- To move to a regional PSB as outlined in the report with the importance of maintaining strong local partnerships;
- To establish regional scrutiny and the developing arrangements, and to receive further details as appropriate;
- The local assessment of well-being, to be agreed by 5th May 2022, will be part of the PSB Scrutiny Committee work programme for 2021/22;
- To support the proposed regional PSB terms of reference and requirements to make any relevant changes to committee structures and constitution;
- The development of Local Delivery Partnerships to be considered in local scrutiny work programmes; and
- To continue to support Scrutiny of the current Well-being Plans to 2023 through existing local partnership Scrutiny arrangements

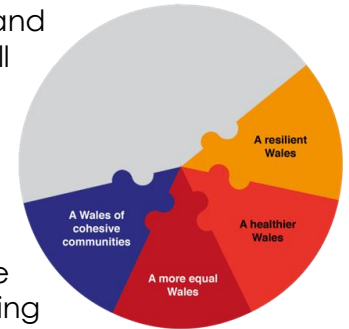
Arrangements for local delivery are still being explored in order to build on and strengthen the local partnerships already in existence that has supported the Blaenau Gwent PSB.

To enable people to maximise their independence, develop solutions and take an active role in their communities

Why this is important

The Council wants to encourage and support people to make healthy lifestyle choices to enable children, young people and families to thrive. Research has proven people demonstrating positive healthy behaviours from birth through their life will lead to greater independence, and people being free from complicated health conditions later in life and reducing costs to public services. This in turn could reduce demand on services and ensure the services that are provided are high quality, efficient and responsive to local people's needs.

With reduced funding and increasing demand on services the Council can no longer do everything it has done in the past. The focus must be on those actions that will have the greatest impact. Safeguarding the most vulnerable people in the community continues to be a top priority for the Council alongside transforming the aspirations of residents and valuing fairness and equality in everything we do.

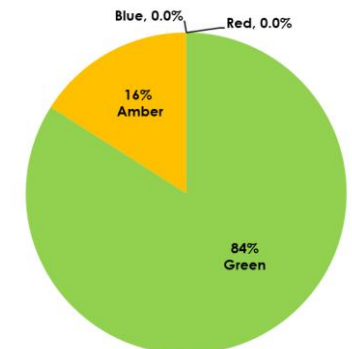


Priorities

- To improve accessibility, provision of information and advice to enable people to support their own well-being;
- To work with people and families to make sure they have a say in achieving what matters to them;
- To intervene early to prevent problems from becoming greater;
- To promote and facilitate new ways of delivering integrated responsive care and support with partners;
- To continue our programme of public engagement and respond in a timely and effective way to feedback;
- To build a collaborative culture between services, partners and communities working together and with people directly to shape and deliver services. i.e. (Community Asset Transfers);
- To put effective safeguarding arrangements in place to protect people from harm; and
- To develop a partnership approach to maximising income reducing the impacts of Poverty.

Overview 2020/21

Throughout 2020/21 there has been progress in the implementation of the priorities supporting delivery of this objective but it is recognised that there is still further work to do to fully implement the aims and objectives. As at 31st March 2021, the Council evaluated performance and activity against this objective as mainly successful as 84% of the actions were green (on target) and 16% amber (behind target with manageable issues). This objective remains high on the Council agenda. The Council is looking to address the areas that will have a long term benefit, ensuring that the needs of people of all ages and future generations are at the centre of service design and delivery.



Some key areas of activity include:

The **Council's Safe Reduction of Children Looked After Strategy** 2017-2020 has three clear objectives:

1. To support families to stay together;
2. To manage risk confidently and provide support at the edge of care; and
3. To provide affordable high quality placements.

Each of the objectives has a number of actions aligned to them and these actions are embedded within the Council's business planning. Since the implementation of this strategy the Local Authority has seen a very slow but steady decrease in the numbers of children becoming looked after. Despite the pandemic significant progress has been made in relation to implementing the objectives of the Strategy.

The Blaenau Gwent Safe Reduction of Children Looked After Strategy has been independently evaluated by Worcester University. The findings acknowledge the considerable work undertaken in relation to implementing the strategy. It concluded that the strategy and its underpinning objectives are broadly appropriate at the current time. The report highlights areas of progress towards meeting the objectives and the considerable challenges related to taking the strategy forward, not least in relation to developing and sustaining a stable, highly trained workforce and creating and sustaining a range of high quality, flexible local placements. The report offers twenty main recommendations grouped around six themes:

1. Strategy development;
2. Workforce issues;
3. Partnership working;
4. Placement capacity;
5. Interventions; and
6. Strategy implementation.

The recommendations have been considered and have been translated into actions under the 3 objectives which underpin the refreshed 2020 - 2025 Strategy.

The **Regional Partnership Board** has been focused on how organisations had worked collectively during the Coronavirus pandemic and what had worked well, not so well and any future lessons.

The Integrated Care Fund is currently governed via the Regional Partnership Board (RPB) structures and the grant funding is administered through the ICF performance monitoring unit within Aneurin Bevan University Health Board (ABUHB). The fund can be accessed by sectors that support the priorities of the Regional Partnership Board (RPB) and the overarching population needs assessment for Gwent. The grant supports the delivery of the key priorities in the areas of:

- 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

There continues to be close working with partnership organisation delivering ICF capital projects. As a region we are able to fully deliver Year 3 of our Capital Investment Plan, albeit delivery timeframes have slipped due to the impact of the pandemic on procurement and contracting. Our own proposal for Augusta House is one such project that has slipped and is now likely to be completed hopefully by the end of 2021.

The current Blaenau Gwent ICF allocation for revenue is £950,275 (Adult Services) and £372,909 (Children Services). The allocation of capital ICF for BG is currently £544,979 - (£375,829 – Adult Services and £169,150 – Children Services).

Within Blaenau Gwent we have been successful and proportionate in accessing this fund since its inception. Projects we have developed have been aligned to our strategic priorities including both the 'Living Independently in Blaenau Gwent in the 21st Century' Strategy and the Safe Reduction in Children Looked After Strategy alongside the wider cultural changes required following the implementation of the Social Services and Wellbeing (Wales) Act 2014 and Welsh Government's new long term plan for health and social care 'A Healthier Wales' including alignment to the 'Gwent transformational offer'.

The Welsh Community Care Information System (WCCIS) funding will no longer be provided via the ICF governance mechanism and has therefore been removed from the guidance and allocation letter. The £2million previously utilised for WCCIS implementation has been repurposed for a new priority area 'Safe accommodation for children with complex, high end emotional and behavioural needs'. This priority area has been introduced in direct response to the Children's Commissioner for Wales' report, No Wrong Door and in line with current Ministerial priorities.

In response to this priority area, and the invitation for applications, a regional proposal to develop a children's residential home at Windmill Farm, Newport was submitted to Welsh Government on 10th February 2021. This is an integrated model of delivery using ICF Capital. The proposal also sets out the opportunity of exploring joint commissioning methodologies for a wider cohort of children with complex needs.

The Gwent RPB was successful in receiving £13.4 million to support:

- The development of early intervention and prevention services (Integrated Wellbeing Networks);
- The development of primary and community care services (Compassionate Communities);
- The redesign of child and adolescent emotional and mental health services (Iceberg model);
- The development of an integrated 'Home First' discharge model; and
- The development of workforce planning and organisational development to underpin transformational activity.

An additional £10 million across Wales was announced by the Minister for Health and Social Services on the 24th January 2020 for Regional Partnership Boards, the Board agreed that this funding be equally split between Health and Social Services on a 50:50 basis and subsequently was shared equally between the Gwent local authorities. An additional £191K was allocated to Blaenau Gwent on top of the £133K from the Winter Plan to flexibly spot purchase step up/step down beds, to purchase additional domiciliary care packages, to purchase additional social work capacity over bank holidays and weekends and funding for hiring an additional 4x4 vehicle for adverse weather conditions. There were also some separate bids for additional health capacity locally and some Gwent wide bids for equipment e.g. single handed hoists.

The joint **My Support Team (MyST)** between Blaenau Gwent and Monmouthshire provides a multi-disciplinary intensive therapeutic fostering service for Children Looked After. The Team work intensively with children currently in residential care with the aim of bringing them back to live closer to Blaenau Gwent and be placed with foster carers or family members. The Team also works with those children in care who present with complex needs and are at risk of going into residential care, to prevent this from happening.

At the heart of the MyST is the relationship developed between workers with the children and their support networks. The small numbers the MyST work with at any one time allows their work to be very intensive, providing 24/7 support to the child and their carers.

It should be noted that throughout the COVID 19 pandemic, MyST continued to provide direct interventions to young people during lockdown, including 24 hours on call and managed risky complex situations and young people. Four children were stepped down from residential care during extremely difficult conditions (three of them in the first lockdown period and one during the summer of 2020).

Throughout 2020/21 the Social Services Directorate responded to the **COVID-19** pandemic as well as continuing service delivery to ensure that the most vulnerable residents and children continued to get the care and support they required, both in their own homes and registered settings. The significant input from staff and volunteers at all levels across organisations was extremely positive which enabled services to adapt to change in working conditions and was key to the response across Blaenau Gwent and the region.

Children's Services

- The Information, Advice and Assistance (IAA) service was maintained throughout the pandemic and prioritised home visits to safeguarding investigations, children on the Child Protection Register, Children Looked After and care leavers and those children on the 'edge of care'.
- Child Protection Conferences, Core Groups and Reviews were undertaken virtually as have all Court attendances. However, contested Court Hearings and Final Hearings were postponed. A number of digital platforms have been used to undertake these virtual meetings. These have included teleconferencing, SKYPE and Microsoft TEAMS.
- The number of Children Looked After stands at 200 (down from a high of 237). The My Support Team has continued to engage with the most complex children in residential care by providing face to face support in line with public health guidance. The service also saw a decrease in the numbers of children in residential care reduce from a high of 18 down to 13.
- Children's Services have been able to continue working throughout the pandemic outbreak and meet the needs of our children and families. Three Flying Start children's hubs remained open for children of keyworkers throughout the pandemic. Some of the Families First staff have been redeployed to help the Supporting Change Team to support those children on the 'edge of care' as this is one of our highest priorities and seen as an even higher risk area during the COVID-19 crisis.

Adult Services

- The Information, Advice and Assistance (IAA) service was maintained throughout the pandemic and have prioritised home visits to families and individuals to undertake safeguarding investigations.
- At the outset of the pandemic day services and the respite care facility had to close to ensure the safety of the most vulnerable people and to maintain social distancing and to ensure resources were concentrated at caring for people in their own homes and care homes. However, a respite facility was available in case of an emergency to prevent carer breakdown.

- The service successfully redeployed staff from community options to care homes and home care teams to provide cover when staff became sick or more residents require 1:1 support due to isolation. There was a reduction in the care families required from domiciliary care agencies. This has been principally driven by family members providing care while they are off work and the fear that domiciliary care staff may transmit the virus into their homes. It is felt that demand will increase as more people return to work.
- From the start of lockdown Adult Services had to be available 7 days a week to ensure the service could react appropriately to the issues being faced i.e. getting recovering COVID-19 patients home, ensuring care homes and domiciliary care agencies were being supported and provided with PPE, and reacting and supporting NHS colleagues to maintain bed capacity within the hospital system. This meant staff working on the wards at community and acute hospitals including working on the COVID-19 wards.

Progress has been made with the **Corporate Parenting Board (CPB) Action Plan** throughout 2020/21.

An audit was concluded in October 2020 to identify children looked after who were at risk of exploitation which showed that between January 2019 and September 2020:

- 14 children had been identified as being at risk of exploitation.
- 10 children were deemed at risk Child Sexual Exploitation (9 children were female and 1 child was male).
- 3 children were believed to be at risk of 'Missing' (1 was female and 2 were male).
- 1 child was deemed at risk of Child Criminal Exploitation.

The audit concluded that the social work teams involved had recognised exploitation risks and were effectively working with the children to help reduce these risks by holding regular risk assessment meetings to monitor and review the potential risks of exploitation. Additionally, Multi Agency Child Exploitation (MACE) meetings are held on a quarterly basis.

At the end of academic year 2019-2020, 162 children of statutory school age were looked after by Blaenau Gwent local authority. The majority of children who are looked after by Blaenau Gwent continue to be educated within Blaenau Gwent and attend mainstream schools. A small proportion of our children looked after attend more specialist education settings. Just over half of our children looked after have additional learning needs and 20% have a statement of special educational needs.

During academic year 2019-20, a total of 15 young people who were looked after by Blaenau Gwent completed their statutory school studies. All but 2 children were awarded recognised qualifications in Summer 2020. All 15 children are engaged in post 16 learning opportunities. Of the young people who were looked after and completed their statutory studies in summer 2020 half had additional learning needs and 2 had a statement of special educational needs.

A new Supported Lodgings advertising and promotion scheme has been developed and is run by Llamau and funded by the Housing Support Grant. There have been 3 new supported lodging providers recruited by the Authority in a short time. There has been the creation of 10 young person flats in Tredegar that has housed 17 clients to date. Unfortunately, 1 bedroom flats are still in short supply across the Authority and desperately needed.

A review of the '**Living Independently in Blaenau Gwent in the 21st Century**' Strategy was due to have been undertaken during 2020/21 at the end of the 15-year lifespan with a view to relaunching a further 5 to 10-year strategy from April 2022. Unfortunately, this work was impacted by the

COVID pandemic and capacity within Adult Services to undertake this significant and important task. However, the Local Authority has recently worked with colleagues in Aneurin Bevan University Health Board (ABUHB) to secure funding, via the Welsh Government Transformation Grant, to employ a project lead to support this review. The post will implement a partnership approach to both the revision of the Living Independently in Blaenau Gwent in the 21st Century' Strategy and the ABUHB Place Based Care Strategy.

The Council has an active role in trying to reduce the impact of **poverty** across Blaenau Gwent. Free School Meals monitoring systems are working well, the application round opened bi-weekly throughout the school closures, for newly eligible families to apply for the provision. Effective Partnership work between Education and Benefits assists with the process of reviewing applications and determining eligibility. Processes have also been put in place for providing Free School Meal direct payments to families, that have been asked to self-isolate as a result of being a contact of a COVID-19 case. The number of adults (aged 18+) receiving a service in the community who receive a direct payment has decreased this year, with 120 in receipt in 2019/20 and 113 in receipt in 2020/21.

The **Safeguarding** service developments continued despite the pandemic. The police restructured the Public Protection Service allowing the development of local, multi-agency, all age safeguarding, early intervention and prevention hubs. These hubs were piloted in Newport and Blaenau Gwent and led to improving:

- early information sharing;
- timely decision making;
- improved quality of PPN referrals;
- improved integrated service responses to children and families; and
- timeliness of referral pathways and effectiveness of support and interventions offered by the Early Intervention Projects.

The various meetings required under the Wales Safeguarding Procedures have continued to take place but by virtual means. This has seen greater participation of partners, however some children and families initially struggled to engage with the process. The department saw this process as crucial so worked with these families to engage. The Regional Safeguarding Board continued to meet virtually and increased its frequency to monthly to ensure safeguarding data is regularly monitored and so that partner agencies could share intelligence on emerging safeguarding issues in the region. The board led on raising awareness of the need to report safeguarding concerns across the region and lobbied Welsh Government to take a national approach to this.

Sustainable Development

Long Term	<i>The initial Safe Reduction of Children Looked After Strategy was a 3-year strategy and is due to end this year. It is recognised that the refreshed strategy needs to be longer term in recognition of the significant work required to continue and maintain the downward trend in numbers of children looked after.</i>
Prevention	<i>The Living Independently Strategy promotes preventative services including reablement and assistive technology as a model that promotes personal independence and management of a person's own well-being. The strategy delivers a preventative and early intervention approach to minimise the escalation of need and dependency on statutory services.</i>
Integration	<i>Both the Integrated Care Fund and transformation grant funded projects provide the opportunity to test innovative practices and work collectively to progress integration and partnership working across the Gwent region. All Integrated Care Fund projects focus as much as possible on how Health and Social Services can integrate to provide a seamless service model for recipients of health and social care provision.</i>
Collaboration	<i>Blaenau Gwent has its own local, multi-agency, all age safeguarding, early intervention and prevention Hub with elements shared such as health and education jointly with Caerphilly. The hub serves both children and adults and whilst early days the initial feedback is mainly positive.</i>
Involvement	<i>Two consultation exercises have been undertaken with foster carers in the last 12 months and this has produced good evidence that foster carers feel supported and have received a good service from the placement and locality teams.</i>

Performance Indicators – Owing to the review undertaken on the Corporate Plan in 2020, the national indicators will be provided to support the implementation of the objective. The national Social Services Performance Framework for 2020/21 has been deemed an experimental year by Welsh Government. A review will be undertaken nationally to consider the information returned across all 22 local authorities.

Performance Indicator	Outturn 2018/19	Outturn 2019/20	Outturn 2020/21	Trend	Comments
The number of contacts for adults received by statutory social services during the year	3,511	3,941	4,572	↑	The department continues to see an increasing demand for support and includes where we have seen increasing pressures due to the COVID 19 pandemic.
The number of contacts for adults received by statutory social services during the year where advice or assistance was provided	2,979	3,333	4,255	↑	
The total number of packages of reablement completed during the year	Not available		232	N/A	No trend data available as not previously collated
The total number of services for adults started during the year (residential, domiciliary and day care and short breaks)	380	414	310	↓	This reduction in new services being offered is as a direct consequence of impact of pandemic and ability for our most vulnerable to access provisions outside of their home i.e. day centres / care homes / respite due to COVID restrictions.
The total number of reports of an adult suspected of being at risk received during the year	491	518	532	↓	These numbers fluctuate in a month by month basis but a proportion of the increases during 20/21 will be attributed to COVID related incidences and outbreaks across social care settings.
The number of contacts for children received by statutory social services during the year	3,823	4,183	4,512	↑	The number of contacts received has increased year on year. However, the number of those contacts receiving statutory advice and assistance has decreased. This demonstrates that referrals are being successfully rerouted to our preventative services
The number of contacts for children received by statutory social services during the year where advice or assistance was provided	908	638	623	↑	
Number of Children with a care and support plan at 31 st March 2021	576	669	556	↓	These numbers fluctuate according to demand. It is impossible to attribute one factor to the rise and fall as it is predicated on a set of complex socio economic factors
The total number of children on the Child Protection Register during the year	107	115	96	↑	The number has declined over the past 3 years which indicates that much work is being done to reduce risk preventing the need for children's names being placed on the CPR

Case Studies

Frailty Team, Blaenau Gwent County Borough Council and Aneurin Bevan University Health Board



Immediate access to information, better team working, and improved communications are just some of the benefits that have been gained by an integrated frailty team since they began using WCCIS (Welsh Community Care Information System).

The Community Resource Team (CRT), made up of staff from Blaenau Gwent County Borough Council and Aneurin Bevan University Health Board, launched a pilot project to use WCCIS as a single system for managing referrals.

Prior to the pilot, the referral process was complicated with a number of systems and points of access in use. Initially referrals would be routed through the Gwent Frailty Programme Single Point of Access who would log the information on the Gwent Frailty system and transmit to the CRT who would then transfer the referral to be logged on WCCIS.

For example, a hospital occupational therapist may log a reablement request via the Single Point of Access and the Gwent Frailty Portal but the adaptation to the home, which would be a social services function, would need be requested via WCCIS. Now all referrals for the majority of CRT functions come through the Blaenau Gwent Adult Social Services Information, Advice and Assistance Team and are logged in one place.

“Managing everything on one system has so many benefits and the transition was fairly easy as most staff were used to using WCCIS...You don't have to log onto separate systems for information which means it's far more efficient and there is better communication, particularly for patients who are no longer receiving requests for multiple information from multiple people. There is better team working and it eliminates duplication.”

Around 50 staff were involved in the pilot to move to the one system approach.

Carers Engagement Team

The Carers Engagement Team work with carers to provide support to them in time of need.

Many calls have been received after seeing the Facebook Post. Carers are saying that they are relieved to know that there is a service available specific to them and their needs and concerns. Most concerns, throughout the pandemic, have been around caring for individuals that live separately and when one or both parties fall in to the high risk category. Carers have appreciated having the opportunity to talk their concerns through, to know who to contact and how to get help should they need it going forward.

Lady A contacted the team as she had concerns about getting food deliveries arranged for her vulnerable brother and sister-in law as she was self-isolating. Her brother and sister-in law had carers to the home four times a day and relied on getting their meals delivered. Lady A had tried and failed to get an online delivery slot and local volunteers in Tredegar couldn't cover the Six Bells area. The team considered the information they had on local information and services and were able to provide list of services that were able to help.

Lady B contacted the service as she was worried that her Carers Allowance would be affected as she was having to step back from a lot of her practical support. The service contacted Carers Wales on Lady B's behalf. The response was that emotional support was being recognised as part of the 35hrs carers support.

Some positive comments into the service have included:

- *"It's been so good to have had someone to talk to about all of this – so glad this service exists"*
- *"I feel so much better now I've spoken with you and been able to talk it all through with someone – feel clearer about what I can do now"*
- *"I am so thankful for your time. I can't believe there is someone interested in me and who has truly listened to my side of the story"*
- *"So glad for the phone call, I've really enjoyed talking to you"*
- *"It's frightening and I'm glad to be able to talk to somebody"*
- *"Thank you for thinking of me, I wasn't expecting anyone to ring"*

Supporting Change Team

Throughout the pandemic, the team has continued to be fully operational; with an increased compliment of staff re-deployed from early intervention and prevention services. Where at all possible, staff have maintained home visits supporting children and families to continue living together safely. Where it has not been possible to visit families in their own homes, due to the family's own vulnerabilities, staff have maintained regular contact via telephone and through the use of video conference calling.

The Community Connector Service has been adapted with the Community Connector now providing home-based activity packs to vulnerable families to keep children occupied during this difficult time. Telephone contact has been maintained between the Education Support Service, Families and School Professionals to ensure that children are as equipped as possible to return to school when they re-open. The Family Group Conference Service has been maintained and where feasible conferences have been coordinated virtually.

The Placement Team

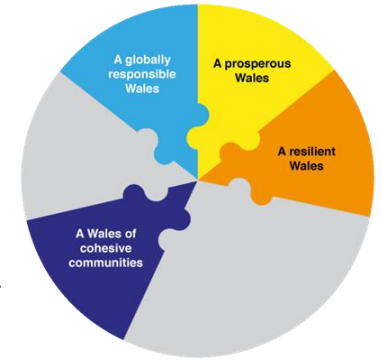
The team recently had the opportunity to deliver a small token of thanks and appreciation to all of the foster carers in Blaenau Gwent. They shopped on-line to purchase small gifts and put together gift bags for the carers and the children to enjoy. This has hopefully helped to support the valuable work our foster carers are doing during this very difficult time. Certainly the response was really positive with a number of carers emailing their thanks, as the example below shows.

"Hope you're all well. Just wanted to say thank you for the Easter gifts we received today. I was in a bit of a fluster when the lady came to drop them off as I was doing a video call with CP and the guardian, but it was such a nice surprise for us all – Thank you". [Feedback from a Foster Carer]

Protect and enhance our environment and infrastructure to benefit our communities

Why this is important

Blaenau Gwent has a rich heritage and its buildings and countryside are part of Blaenau Gwent's attractiveness as a place to live, work and visit. The local environment should be used to help improve the health and well-being of families and communities and be enhanced for future generations to continue to enjoy. There is also a real desire to see the communities where people live kept clean, tidy and useable, creating areas that people can be proud of. Through focusing on delivering against the main priorities set out in the Corporate Plan we can begin to transform Blaenau Gwent into a more prosperous and welcoming area that celebrates its heritage and plays its part on the regional and national stage. We will continue to invest in our neighbourhoods so that they are places where people are proud to live. The environment remains as a high priority for the community.



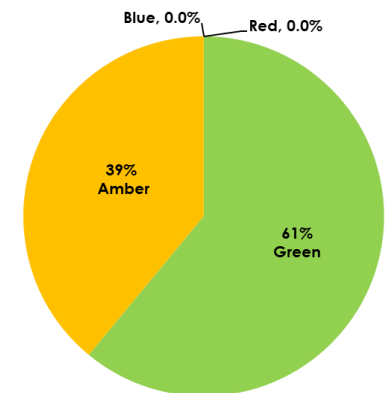
Priorities

- To re-invest in highways maintenance particularly improvements to our residential roads, streets and pavements;
- To increase rates of recycling to enable us to achieve national targets;
- To re-invest in environmental services to address the issues created by fly-tipping, dog fouling, littering, grass cutting, street cleansing and pest control;
- To improve the access to and quality of open spaces for the benefit of our communities, businesses and visitors; and
- To work with partners to provide a variety of homes
- To develop an excellent digital infrastructure including internet and mobile network connectivity that can support the needs of the whole community.
- To develop a portfolio of potential energy opportunities to deliver economic, business and community benefits
- To improve the quality of our school buildings to help learners achieve great outcomes
- To be a carbon neutral Council by 2030

Overview 2020/21

Throughout 2020/21 there has been progress in the implementation of the priorities supporting delivery of the objective but it is recognised that there is still further work to do to fully implement the aims and objectives over the remainder of the Corporate Plan.

As at the 31st March 2021, the performance was evaluated as being mainly successful as 61% of the actions were green (on target) and 39% were amber (behind target with manageable issues).



The environment remains as a high priority for the community. The Council is looking to improve the area so that it is somewhere to be proud to live. Through focusing on delivering against the main priorities set out in the Corporate Plan the Council can begin to transform Blaenau Gwent into a more prosperous and welcoming area that celebrates its heritage and plays its part on the regional and national stage. Investment will continue to be made throughout Blaenau Gwent so that it is an area that people are proud to live in and be a part of.

Some key areas of activity include:

The **Highways Capital Works Programme** is an ambitious programme that looks to improve the highway infrastructure across the borough. Each year, the programme is reviewed in order to prioritise works. The 2020/21 programme provided a focus on improving the residential / unclassified network as this makes up 74% of all of Blaenau Gwent roads. Also, the majority of reactive maintenance and insurance claims relate to the unclassified network. In addition to the resurfacing of the highest priority ranked roads, other works undertaken included safety barriers, illuminated traffic signs and speed reduction measures.

The overall percentage of un-classified roads in a poor condition pre-commencement of works was 17%. As a result of the works there has been a 5.6% reduction of poor conditioned unclassified roads. The figure now stands at 11.4%.

All schemes within the Highways Capital Works Programme for 2020/21 have been completed. A Programme for 2021/22 is being developed and works are subject to Welsh Government Grant Award & Blaenau Gwent County Borough Council Capital funding provision. In 2019 the Council introduced **Civil Parking Enforcement (CPE)**. This means that the Council has the powers to enforce its own Traffic Regulation Orders (TROs), whereby any Penalty Charge Notices (parking tickets) issued carried a financial penalty.

The staffing for the service is provided by Caerphilly County Borough Council via a Service Level Agreement. The Council currently has two civil parking enforcement officers. Rhondda Cynon Taff County Borough Council provide a Penalty Charge Notice (PCN) processing service, under the name of the South Wales Parking Group. Both these vital administration arrangements are working well in supporting Blaenau Gwent civil parking enforcement.

Civil Parking Enforcement gives the Council the powers to tackle wider transport and environmental issues such as traffic congestion, road safety and to safeguard the interests of residents, blue badge holders, transport operators and local businesses. It also allows the Authority to target enforcement in key areas such as town centres and other areas where indiscriminate parking creates potential risks to pedestrians and other road users, like parking congestion in the immediate vicinity of schools. This is in line with the Council's priorities around safe and sustainable communities.

The Council would not be able to manage and enforce Traffic Regulation Orders within the Borough without an effective CPE service. Indeed, the introduction of CPE has allowed the Council to successfully monitor and target areas where complaints of illegal and dangerous parking are received. The Council receives a high volume of requests for consideration of parking enforcement.

In partnership with the LA Support Ltd the Council has worked towards improving **street cleanliness**, in line with the community and corporate priority. Against the backdrop of a difficult financial climate, Blaenau Gwent has utilised a cost effective environmental enforcement service that reinforces the Authority's zero-tolerance approach to these Environmental Offences.

For several years Blaenau Gwent was identified as having some of the dirtiest streets in Wales by annual surveys carried out by Keep Wales Tidy. Street cleanliness is consistently considered to be a priority for constituents during community engagement exercises. However, recently, the Council has been one of the top performing local Authorities in Wales for the issuing of Litter and Dog Control fixed penalty notices.

Recently the total number of litter fines has decreased and littering complaints have reduced slightly in comparison to previous years, however it does need to be noted that the service was suspended for a time owing to COVID 19.

The number of fines being issued for Dog Control Order offences has decreased slightly. While there has been a slight decrease in fines issued for dog control offences, 2019/20 saw the lowest level of complaints regarding dogs since the enforcement initiative began.

Enforcement Officers are directed to patrol specific areas based on complaints received, particularly in relation to dog control offences. Enforcement Officers work closely with the Authority's dog warden to identify and seize unattended stray dogs, which can be the cause of significant issues associated with dog fouling.

The Council has a three-year delivery project in place supporting the **regional South East Wales Resilient Uplands (SEWRU) project (2018-2021)**. This project also supports the Carbon Reduction Strategy and includes enhancement of our Upland Heath and Bog habitats which are an excellent Carbon Sink. Enhancing these habitats will improve their performance in terms of carbon sequestration, making a positive contribution to the carbon reduction strategy.

The SEWRU is a collaborative project arrangement, involving Caerphilly, Blaenau Gwent and Torfaen Councils, Natural Resources Wales, Police, Fire and Rescue Services, Gwent Wildlife Trust and the Brecon Beacons National Park. Torfaen County Borough Council is the project Lead for the collaboration.

To date the project has identified and completed several peatland restoration projects, produced common land management plans (including a detailed management plan for Mynydd Llanhilleth), restored many kilometres of commons boundary stock fencing, installed physical barriers to reduce landscape crime on commons and managed important upland heathland to reduce fire risk and facilitate conservation grazing. SEWRU is currently working with Gwent Police and other partners to update the NRMP and produce upland-focussed landscape crime management plans for each common within the project.

The Council was successful in receiving funding from Caru Cymru for a 3-year period from 2019/20 to improve the **quality of the environment** for everyone. The project emphasis is on long term behavioural change rather than continuing to rely on just cleaning up. The scheme supports projects that make environmental improvements within residential areas by developing benefits for people, businesses and their communities.

The funding application included the appointment of a Local Environmental Quality (LEQ) Officer who would work with existing Litter champions and groups along with engaging with schools and community groups to raise awareness, educate and promote Local Environmental Quality issues within the borough, raise awareness and support long term behaviour change, unfortunately this work was delayed due to the Covid pandemic.

It was identified that for the Council to have a more effective and positive impact on the scheme, a relevant strategy and supporting policies would be required to support the management of the project's aim.

In 2020 the Council approved a new **Litter and Fly-Tipping Strategy 2021-2026**. The vision for the strategy is:

“To radically reduce litter and fly-tipping so we can improve our natural habitats as well as our wild and urban landscapes, increasing pride and awareness of our local heritage and desire to keep it litter free.”

The strategy includes an action plan setting out the key actions to be undertaken during the lifespan of the strategy 2021-2026, these are set out under four themes:

- Influence
- Engage
- Adopt Best Practice
- Empower

The Council has statutory duties under the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems. In order to comply with the Act, the Council is implementing a **Biodiversity and Ecosystem Resilience Forward Plan**. Progress includes:

- Environment Champions meetings, with ten champions in the network representing all Service Areas and Councillors.
- Environment objectives included within the relevant service area business plans to monitor progress
- Blaenau Gwent leading on the Blaenau Gwent on the Move Project (PSB funded project) with associated biodiversity benefits on the Ebbw Fawr Trail.
- Paperless pay slips and expenses
- Ongoing development of outside spaces
- The inclusion of ecosystem resilience in the Local Development Plan 2018-2033
- Five Local Nature Reserves were designated in March 2019
- Engaged with 17 schools providing indoor and outdoor learning sessions linked to the natural environment
- Schools built as part of the 21st Century Schools programme built to excellent Building Research Establishment Environmental Assessment Method (BREEAM) standard.

In 2018/19 Blaenau Gwent exceeded the statutory Welsh Government **recycling** target of 58% for the first time, achieving 59.28%. In 2019/20 this success was built on and exceeded the new higher target of 64%, attaining 65.31%. The unverified figure for 2020/21 has the recycling figure to be 64.29%. The next challenge will be continuing to improve performance and working towards the 70% target which will come into force from 2024/25. This has been 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 Elected Leadership and most importantly, the residents of Blaenau Gwent. 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 Authority's, this is as a direct result of the significant improvement we have accomplished in the collection of dry recycling materials at the kerbside. The Welsh Government, through Local Partnerships, approached Blaenau Gwent to develop a regional facility for municipal wood waste reprocessing at Silent Valley. Following confirmation from Blaenau Gwent agreeing to be the Lead Authority on the project, the Welsh Government allocated funding to develop the project to an Outline Business Case (OBC). The OBC introduces a viable opportunity for the public sector to set up and operate its own waste wood recycling facility. The OBC sets out the case for public sector capital investment into a public-owned, wood waste recycling facility in South East Wales, harnessing a configuration of advanced wood recycling machinery installed in a purpose-built

processing building at Blaenau Gwent County Borough Council's (BGCBC) Silent Valley waste site. The five cases of the OBC (Strategic, Economic, Commercial, Financial and Management) explore how the proposed integrated wood recycling facility can realise significant cost savings, economic and environmental benefits for the public sector.

It is proposed that with government support in the form of capital funding, this project will enable Blaenau Gwent and participating Local Authorities to create an effective public sector investment model to create a more efficient and transparent approach to the management of its waste wood in South Wales.

Blaenau Gwent has seen a lot of investment over recent years with regards to **new build housing**. Most recently £2.1m was allocated to support the delivery of **affordable housing** at former Ebbw Vale School Site and Glanffrwyd. Development work to progress additional housing sites within Blaenau Gwent is ongoing including:

- Consideration of a residential development at the Abertillery Leisure Centre
- An options appraisal paper has been drafted in respect of Six Bells Plateau
- A development brief for the Civic Centre has been prepared and an options paper will form part of the Ebbw Vale Placemaking Plan. This will inform residential development opportunities at this site, for implementation following the civic centre demolition

The Council has been part of a number of **pilot digital projects** with a focus on the user experience and customer journey. The projects have included a number of service areas including Social Services and Community Services supporting internal awareness and capacity building in the service re-design approach. Additional training has been accessed via the WLGA with more planned. Directorate digital roadmaps are being developed, highlighting areas of opportunity for service redesign and better use of technology and systems. A prioritisation and planning exercise is underway and activity being scoped to support services included in the new operating model.

Digital infrastructure is being developed in areas of Blaenau Gwent including within town centres and other innovative projects through the GovTech Catalyst.

In December 2019 the **Energy Prospectus** was approved. The prospectus provides a mechanism through which a range of available development opportunities within Blaenau Gwent can be promoted and is a means of engaging proactively with potential investors, scheme developers, other Local Authorities and community groups in an effort to stimulate local energy development and supply. This will in turn address the fuel poverty challenges we currently face.

Through progression of the prospectus the Council had set out its aspirations of taking a pro-active approach to addressing future energy challenges. One of the key areas which will directly impact on future energy requirements is the understanding of energy infrastructure across the area. In some parts of Blaenau Gwent there are constraints within existing grid infrastructure that will impact upon the deliverability of projects. **Cardiff Capital Region City Deal** through Merthyr Tydfil County Borough Council have secured £1.3million from the Welsh Government Ultra Low Emission Vehicles (ULEV) fund to support the delivery of infrastructure to support taxis in the transition to low emission vehicles. Blaenau Gwent has identified sites where infrastructure would be required and shared details of the procurement approach taken by the Gwent Authorities.

Funding was secured in 2020/21 to carry out small scale hydro generation investigations within the wards of Cwm and Llanhilleth through the **Rural Development Programme**. Identification of sites for further investigation and up to two sites for feasibility analysis will now follow. If suitable, this work could provide the area with a small portfolio of hydro generation projects that can be considered further for investment and delivery. Discussions are ongoing with Western Power Distribution to ensure the infrastructure readiness for future business investment.

Sustainable Development

Long Term	The 21 st Century Schools Programme is a long-term investment programme that, at present, spans the period 2014 to 2034. The Band B element covers the period 2019 to 2025. Its emphasis is on delivering a school estate that is fit for purpose and contributes to raising educational standards,
Prevention	A consultant has undertaken a fundamental review of the Street Cleansing Service. The findings of the review formed the basis of the Litter and Fly Tipping Strategy and identified the key objectives, and actions to improve the local environmental quality for the future.
Integration	The development of the regional wood recycling facility required support from Technical Services, Planning, Procurement, Legal and Finance. Also integration with Chief Commercial Officer to develop the asset as a commercial opportunity.
Collaboration	The Welsh-medium Regional Planning of School Places and Demand Group have identified that a regional solution to the anticipated shortfall in Welsh-medium secondary school places is the highest priority.
Involvement	Extensive consultation was undertaken through a Street Cleansing review to provide the necessary information needed in the drafting of the Litter and Fly Tipping Strategy, this included engagement with Blaenau Gwent Member Engagement, Keep Wales Tidy, Litter Champions, External partners/Community Groups , Welsh Government and Departmental officers

Performance Indicators - Owing to the review undertaken on the Corporate Plan in 2020, the national indicators will be provided to support the implementation of the objective.

Performance Indicator	Outturn 18/19	Outturn 19/20	Outturn 20/21	Trend	Comments
Percentage of highways inspected of a high or acceptable standard of cleanliness	94%	97%	99%	↑	High standards of performance have been improved.
Average number of working days taken to clear fly-tipping incidents reported to the authority during the year	2	4	6	↓	New reporting system implemented during 2018/19. The impact was not seen until Q2 which resulted high numbers during Q1 (2018-19). In 2020-21 Q1 and Q2, high number reported due to service disruption during the initial stages of the pandemic.
Average number of calendar days taken to deliver a Disabled Facilities Grant (DFG)	207	312	373	↓	Due to capacity issues there has been a lack of capacity to deliver the grants.
Number of visits to local authority sport and leisure facilities during the year where the visitor will be participating in physical activity per 1,000 population	9115	7838	1061	↓	Figures impacted owing to the closure of the Leisure Centre because of the pandemic and then restrictions on numbers. Online classes were delivered during lockdown but capacity was not available to record the number of participants.
Percentage of principal A roads that are in overall poor condition	3.9%	2%	1.8%	↑	Improvement based on the investment of Capital money and reduction of survey length.
Percentage of principal B roads that are in overall poor condition	4.4%	4.9%	4.8%	↑	As above
Percentage of principal C roads that are in overall poor condition	14%	5.3%	5.2%	↑	As above
Percentage of food establishments which are 'broadly compliant' with food hygiene standards	95.6%	91.5%	91.2%	↔	Very minor reduction in figure
Percentage of waste reused, recycled or composted	59.28%	65.31%	64.29%*	↓	Very minor reduction in figure but exceeding Welsh Government target.

* Unverified Figure

Case Studies

New five-year council litter and fly-tipping strategy supported by Council

Blaenau Gwent Council is one of the first councils in Wales to develop its own litter and fly-tipping strategy, which has been designed to build on the successful work of its past schemes and to reduce the problem of illegal littering.

The new strategy includes a comprehensive action plan to show how the council and its partners can work together and reduce the impact of waste crime throughout the borough. There are a range of actions specifically for tackling this growing problem which include, community engagement, enforcement, education and awareness. Overall the plan will ensure the borough's residents, landowners and businesses understand their waste responsibilities.



The council has recruited over 200 Litter Champions who are provided with equipment, whilst increased partnership work (through a multi-agency approach Police, Natural Resources Wales Agency) will help identify those responsible for enviro-crime, such as fly tipping incidents. At the heart of our ambitious and vital Strategy is the need to change behaviour around litter and fly-tipping. We want to create a culture here in Blaenau Gwent where littering and fly-tipping is socially unacceptable.

Councillor Joanna Wilkins, Executive Member for the Environment says:

“Fly-tipping and littering is an awful stain on our beautiful landscape and towns. Not only is it an illegal eyesore but often adds to the risk of flooding by blocking water courses and drains. Our new litter and fly-tipping strategy will show our commitment to keeping Blaenau Gwent a clean and green environment, making it not only a great place to live and work but also to visit. As fly-tipping has been on the increase this new approach will help reduce the current yearly clean-up costs. Maintaining clean streets and our environment has been a high priority for the council for a number of years and the minority of illegal fly-tippers have a negative impact on the majority of our responsible residents. We are doing everything we can to try and stop it and I am sure the people of Blaenau Gwent will show the same commitment as we introduce this new strategy”.

The five-year bespoke strategy aims to significantly reduce the existing litter and fly-tipping issues and adhere to the document's vision:

“to radically reduce litter and fly-tipping so we can improve our natural habitats as well as our wild and urban landscapes, increase pride and awareness of our local heritage and desire to keep it litter free”.

Blaenau Gwent **Community Benefits**

Wild flower and Tree planting with ESP at Georgetown Primary School, Tredegar



Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council



'It was fantastic to be able to help out at Georgetown School, with their new plants and trees for the pupils to plant and watch grow. Helping local and community schemes is a core value for ESP, and so we were pleased to be able to be involved'.

Danilo Bettosi, Associate Director - Earth Science Partnership

Project Title: Earth Science Partnership

Contract Lead: Blaenau Gwent CBC

Project Date: April 2021



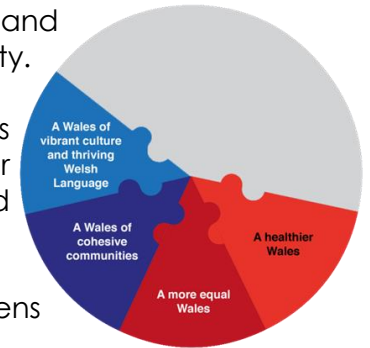
Support a fairer sustainable economy and community

Why this is important

Improving the provision of Education services is vitally important to ensure that teaching and learning in both school and community settings is achieving ambitious outcomes for all, and therefore, supporting a fairer and sustainable community.

Improvements in educational standards are complemented through investing in community and regeneration services to support a fairer and sustainable economy. This is a key strand of work Blaenau Gwent, including working with a number of regional programmes including the Cardiff Capital Region City Deal (including the Metro scheme), Tech Valleys and the Valleys Task Force.

This objective remains high on the Council's agenda. The Council is looking to support the well-being agenda of all citizens as including supporting improvements in attainment to provide opportunities to future generations.



Priorities

- Support all learners to achieve improved outcomes;
- To improve pupil outcomes, progress and wellbeing;
- Improve skills and promote digital participation;
- To work with partners to provide effective employment support and access to skills development (Apprenticeships);
- To increase the start-up business rate, retention and growth of local businesses and attract new inward investment;
- To actively participate in partnerships such as Tech Valleys and CCRCDC to attract investment; and
- To work with partners to develop a new vision for our town centres ensuring their long term future.

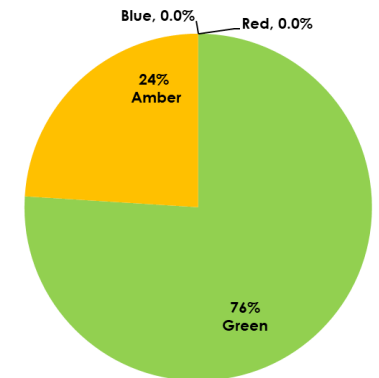
Overview 2020/21

There has been substantial progress in the implementation of this objective but it is recognised that there is still further work to do to fully implement the aims and objectives.

As at the 31st March 2021, the performance against this objective was evaluated as mainly successful as 76% of the actions were green (on target) and 24% were amber (behind target with manageable issues).

Some key activity includes:

In 2020-21 the Council appointed a permanent Corporate Director of Education and the Education Directorate has a new Leadership and Management team in place, involving greater capacity for school improvement through a newly appointed Head of School Improvement and Inclusion post. Permanent appointments have also been made to the Service Manager positions for Education Transformation and Business Change as well as Young People and Partnerships. This has created capacity and a strong team to take the Education Directorate forward, especially in the way that we support children and young people in school/college and



community settings.

Strong progress has been made on the **Welsh medium School provision** in Blaenau Gwent with the consultation concluded and implementation planned from September 2023. By 2029 the school will be fully established, with all year groups from Nursery to Year 6 operational. The full implementation of the new school will include a new 210 places Welsh-medium primary school in the Tredegar /Sirhowy valley.

The development of the school will support implementation of the **Blaenau Gwent Welsh in Education Strategic Plan (WESP)** 2017-20, which is directly aligned to both the Welsh Government's and the Council's Welsh Language strategic frameworks.

Throughout 2020/21 **Education and its schools** have had to respond to the changing requirements with regards to supporting the education of pupils throughout the pandemic. The focus for Education has clearly been supporting a safe return to school for learners and staff, however, throughout each phase of the pandemic the range of support to schools has flexed in order to respond to emerging learner and school improvement needs. The EAS, the commissioned school improvement service has worked closely with the Council, school leaders, staff and governors to support the identified needs. A high-level summary of the extensive work that is ongoing to support schools is detailed below, but clearly this is not an exhaustive list:

- Securing re-purposed school provision for key worker families and vulnerable learners throughout the COVID pandemic;
- Providing timely communication and access to virtual networks for school settings and governors, in line with the Welsh Government's Continuity of Learning Plan (CoLP);
- Supporting adaptive and innovative blended learning to enable children and young people to continue with learning in home settings;
- Providing bespoke leadership support to schools and settings with a focus on self-evaluation, quality assuring current provision and planning for return;
- Supporting circa 2,200 families entitled to Free School Meals (eFSM);
- Providing wellbeing resources and guidance materials, particularly to support remote learning;
- Continuing to provide a range of professional learning that meets the needs of the entire workforce (and governors) over the 2020-21 academic year; and,
- Support for circa 1,400 digitally disadvantaged learners with funding of £600,000+ support from the EdTech initiative.

The Welsh Inspectorate body for Education, Estyn undertook a Thematic Review across Wales to consider how Local authorities and regional consortia supported schools and PRUs in response to COVID-19. The review covered the period June to November 2020 and the report was published in January 2021. **Estyn undertook a Thematic Review** across Wales to consider how Local authorities and regional consortia supported schools and PRUs in response to COVID-19. The review covered the period June to November 2020 and the report was published in January 2021.

The report focused specifically on two aspects:

- Promoting learning – the quality of the learning offer and how has this been supported through further guidance and professional learning?
- Supporting vulnerable pupils – how did the local authority targeted services; and,
- Support to vulnerable pupils to support them to engage in learning? What barriers still exist?

In Blaenau Gwent there were two sessions convened with Estyn Local Authority Link Inspectors (LALI) during the Autumn term and they also interviewed a cohort of Blaenau Gwent's Headteachers.

The BG Estyn Thematic Review letter is positive overall and highlights four cameos of notable practice, covering;

- Strong collaboration across the Local Authority;
- Beneficial support for vulnerable pupils by the Educational Psychology service;
- The work of the local authority youth service; and,
- Effective sharing of ICT resources.

The narrative from the Estyn Thematic Review findings provides assurance that the Council/ Education Directorate has handled the emergency response well in supporting schools.

A school improvement and learner **Recovery and Renewal Action Plan** has been developed o the support for all learners, including wellbeing considerations. There is an extensive impact assessment that covers all key stakeholders and this will be used to inform the Recovery and Renewal programme of activity and business planning moving forward.

The **Youth Service** also supported young people throughout the emergency period in both school and community settings. The team liaised with secondary schools regarding support for school-age young people on a weekly basis along with the following key activities:

- Providing emotional wellbeing support for young people.
- Emergency support for young people in crisis, including the provision of food.
- Resources to support Elective Home Educated (EHE) young people and families in line with requests.
- Reviewing the 'stay at home' campaign with vulnerable 18-25 year olds (liaising with local partners such as Gwent Police).
- Providing support for young people experiencing homelessness issues.

The **Blaenau Gwent 21st Century Schools Programme** continues to deliver improvements in the school estate. The Band A programme was completed on time and to budget and generated an investment of more than £21m into the school estate, including new schools such as the Tillery Street and Six Bells Campuses that form part of the Abertillery Learning Community.

The delivery of the **21st Century Band B programme** is continuing and will be delivered over the period 2020-25. The Band B investment and new Welsh medium school will realise a further circa £26m investment into the school estate to transform the provision. The Band B planning arrangements are well underway, including the submission of business cases to WG. Moreover, the digital infrastructure has improved significantly across the schools in response to COVID and in line with the HWB EdTech initiative. The next step is to deliver a BG ICT Strategy for schools to improve T&L in the classroom.

The Welsh Government rolled out the Hwb EdTech (HET) initiative which provides a £2 million investment **ICT Infrastructure** throughout the school estate to improve access for learners to the latest in digital developments, in line with the Welsh Government's Digital Competency Framework.

The status of the ICP placed Blaenau Gwent in a strong position to further enhance infrastructure in line with the Hwb EdTech funding. This meant that we were able to incorporate the additional work programme into the ICP, and realise efficiencies in terms of both time and resources.

During the Spring-term 2020, Welsh Government announced funding to address the needs of digitally disadvantaged learners and associated device replacement in schools, including a **Hwb In-schools Infrastructure Grant Scheme (HISIG)**. This aspect of the device-based funding was initiated earlier than planned, to address issues resulting from the COVID-19 pandemic. As a result, the funding allocation for Blaenau Gwent was confirmed as £605,254. The criteria for the funding included: device replacement costs, servers, licensing to support re-build and programming of end of life (EOL) devices to meet the needs of digitally excluded learners; along with Mi-Fi units to support home-based connectivity. Despite the impact of COVID-19, which has resulted in both school access and resourcing issues, along with extensive additional planning and risk assessment requirements; excellent progress has been made in line with delivery of the ICP. In addition, sustainability planning is underway to address the associated long-term strategic priorities throughout the school estate. Schools and relevant partners have already been consulted upon and agreed key underlying principles. A detailed plan will be developed for implementation from September 2021.

The **Blaenau Gwent Learning Zone** delivers an annual performance report to the Council. The 2020 performance continued to improve overall. The transformation of post 16 provision across the County Borough has delivered:

- more post 16 learners,
- a greater range of courses, particularly for vocational provision;
- improved attainment levels, in most measures.

The partnership between the Council and Coleg Gwent has matured and a systematic approach is in place to share data at a strategic and operational level. The partnership was developed further through the establishment of a **Post 16 Partnership Board** with representation from the Education Directorate, Coleg Gwent, work based learning providers and Blaenau Gwent secondary school settings. There are also representatives from colleagues in Regeneration to encompass the broader skills and economic development agenda, contributing towards the Blaenau Gwent Employment and Skills Plan. Through this, learner experiences have been improved by providing a wider breath in the provision on offer and the curriculum being delivered by industry experts with links to companies such as Thales, TVR and Tech Valleys. the opportunities for our young people through these learner pathways into Further Education have been very much strengthened.

The Education Portfolio has also changed in 2020-21 to include the client function for the **Aneurin Leisure Trust**. This is transforming the relationship between the Council and the Leisure Trust, with a new five-year agreement in place. A Leisure and Libraries Strategic Partnership Board has been established, which is Chaired by the Leader of the Council. The ALT financial position has improved significantly and the Trust has supported the Council exceptionally well during the COVID-19 pandemic and with the community hub provision, in line with the new operating model.

As part of the **Cardiff Capital Region City Deal (CCR)**, the Council has worked closely with Transport for Wales (TfW) on a number of project components put forward as part of the Metro Plus scheme in Blaenau Gwent. This includes both the Ebbw Valley line and the Abertillery spur. The work progressing with the Metro Plus (Phase 1) work is part of a programme of 10 transport schemes which are part of the wider metro infrastructure. These Metro Plus schemes are not individual projects, but a programme of regional enabling infrastructure, to stimulate economic

growth and regeneration across Cardiff City Region, supporting the sustainable mobility of people, and improving the way people make their economic contribution. Merthyr Council is the financial host for this program.

Work is continuing on the improvements to the Ebbw Valley line to increase frequency of services and will be continuing over the next few years to enable the line to take more train capacity. The design work on the Abertillery line is being tested as part of the infrastructure and scheduling work to provide a service to Cardiff and Newport.

CCR has been awarded £1.3million from the Welsh Government Ultra Low Emission Vehicle (ULEV) Transformation Fund to assist with the transition to Low Emission across the region. One of the projects within this is the Taxi ULEV project, providing charging infrastructure on taxi ranks for the sole purpose of charging taxis.

Sites in Blaenau Gwent have been agreed as Abertillery, Brynmawr, Ebbw Vale and Tredegar. The second part of the project is to provide some electric taxis to each local authority to encourage take up of these.

As part of the CCR Blaenau Gwent have put forward 10 sites on Council owned land/car parks across the borough, to be included within the tender, for the installation of 22kw charging points. CCRCDD developed a £35million Viability Gap Fund, a targeted funding programme to bring forward new homes on key strategic housing sites across South East Wales.

CCR Investment panel received a proposal from Aspire BG to roll out the offer across the Region to provide support for Industries of the Future in 2020. The Investment panel have requested a review to be undertaken of the existing apprenticeship landscape across SE Wales, specifically focussing on Shared Apprenticeship Programme aspect and Industries of the Future. The review work will identify gaps in service delivery and business needs. We are still awaiting the outcomes of the review to understand whether the Aspire proposal will be funded. This has been delayed, but we are expecting it by the summer.

The Council continues to work with **Tech Valleys** to develop and deliver projects, including completion of the Business Park on the Works Site, development work around a Future Skills Academy and a range of other projects in development.

The **Blaenau Gwent Destination Management Plan** (BGDMP) is a strategic document that sets out priorities for tourism development in Blaenau Gwent over the period 2020-2025 and complements the new Visit Wales Tourism Action Plan over the same period.

The BGDMP aims to ensure that people, businesses and organisations work together in a coordinated way to deliver agreed targets and priorities for investment. The plan identifies six Cross Cutting Themes and five main themes and priority areas. The cross cutting themes are Business development, Challenging and changing perceptions, Partnership working, Research and Analysis, Skills and Transport. The main themes are Business Tourism; Culture, Heritage (including the Home of the NHS) and Genealogy; Events and Green/Eco Tourism (including Outdoor Activity, Trails and Town Centres).

The BGDMP and associated Action Plan have taken account of national, strategic and local trends and priorities. The Plan and Action Plan have been developed by the Destination Partnership which comprises representatives from the Private, Public and Third sectors.

As part of the Regeneration Scrutiny Committee a Town Centre Task and Finish Group has been established to consider the key areas for inclusion within the future **Town Centre Strategy**. The key areas are:

Infrastructure:

- Traffic Orders / Parking Enforcement across the Towns
- Pedestrian zones and their overall impact upon town centre viability
- Parking facilities and availability
- Town Centre Gateways and Wayfinding

Retail and Enterprise

- Recognising current challenges resulting from COVID-19
- Developing an enterprise culture to compliment other projects being delivered by the Council such as the Boxworks including the potential for pop-up town centre space that could allow test trading and supporting businesses to use start-up retail premises.
- Supporting outdoor markets
- Along with infrastructure and physical retail premises consider additional support town centre businesses may need to continue to operate.
- Identifying training and development opportunities to help businesses to operate and grow in the future

Image

- Minimising negative perceptions of town centres.
- Promoting positive news stories as much as possible
- Highlighting the essential services that are provided to our community.
- Creating a sense of place and enhance the overall town centre experience.

Digital Communications

- look at how the Council can use digital communications to promote and support town centres, exploring the use of social and digital media.
- Supporting those who want to trade online
- Installing free public Wi-Fi across the town centres

Delivery Approach

- Development of a partnership model for delivery of the strategy

Sustainable Development

Long Term	Close work with Welsh Government is ongoing to shape support programmes whilst continuing to support business on response and recovery in the long term.
Prevention	Within the Employment and skills plan there is acknowledgement of current employment, skills and attainment figures relating to the local population and our relatively weak performance comparative to other areas within the region. The plan seeks to address this by putting in place measures to address current performance.
Integration	The Business & Innovation Team have been working in conjunction with Estates, Finance, Technical Services & Legal to prepare the necessary legal documents & marketing materials for the new Hybrid Units that will be available at The Works site in early 2021. Viewings have already taken place with 5 of the 9 units at lease stage (by one Global business). The remaining 4 are being marketed and will be available during May.
Collaboration	COVID 19 has posed significant challenges for town centres - collaborative working through Town Centre Facilitator, Task & Finish Groups and partners has and will continue to be key for town centre recovery.
Involvement	CCRCDC are formally launching the Viability Gap Fund Opportunity, which may stimulate additional interest from land owners and developers to work with BGCBC to bring forward development. Engagement with existing partners on the identified sites will continue. Consultation and engagement would also form part of any planning applications associated with a given development site.

Performance Indicators - As a result of the review undertaken on the Corporate Plan in 2020, the national indicators will be provided to support the implementation of the objective. There are robust governance arrangements in place between the Council and the EAS to monitor school performance. The reporting of Council/School level performance data has been relaxed in Wales by WG due to the COVID 19 pandemic. However, Blaenau Gwent's schools Summer 2020 KS4 results improved overall and were in line with the targets set in the 4 secondary settings School Development Plans (SDPs). Preparations are well underway for KS4 Centre Determined Grades in 2021. The BG Learning Zone's Post 16 A and A/S Level results are shown below, which continue to remain strong.

Performance Indicator	Outturn 18/20	Outturn 19/20	Outturn 20/21	Quarterly Performance Trend	Comments
% achieving A-Level (Key Stage 5) A*-E	100%	100%	99.1%	↓	Small decline seen at A Level, but in line with Welsh national average.
% achieving AS-Level (Key Stage 5) A*-E	90.9%	92.7%	94.1%	↑	Upward trend in positive progression for AS Level
Percentage of empty private sector properties brought back into use during the year through direct action by the local authority	4.6%	6%	2%	↓	Decline in 2020/21 due to transferring staff resources to Covid 19 infection control work including the Empty Property Officer.
Number of additional dwellings created as a result of bringing empty properties back into use	-	12	0	↓	2019-20 Increase arose from additional number of conversions to flats within previous empty properties. No additional dwellings were created from other empty properties during the 2020/21 year.

Case Studies

Aspire Blaenau Gwent

The success of a pioneering Apprenticeship Programme that is breathing new life into the advanced manufacturing sector across two South Wales local authority areas has been recognised with a prestigious national award. **Aspire Blaenau Gwent & Merthyr Tydfil's Shared Apprenticeship Programme** won the Large Employer of the Year award at the virtual Apprenticeship Awards Cymru 2021 ceremony in June.

The Shared Apprenticeship Programme was created six years ago to tackle high unemployment and relatively low skill levels within the manufacturing industry.

The programme has directly benefited 123 apprentices as well as companies that have adopted its innovative approach. Learners are rotated around host employers to plug skills gaps by training on-the-job and working to achieve units towards their apprenticeship.

Celebrating outstanding achievement in training and apprenticeships, the Apprenticeship Awards Cymru 2021 saw 35 finalists compete in 12 categories.

Highlight of the work-based learning calendar, the awards showcased businesses and individuals who have excelled on the Welsh Government's Apprenticeship and Traineeship Programmes and gone the extra mile to achieve success during these unprecedented times. Jointly organised by the Welsh Government and the National Training Federation for Wales (NTfW), the awards had Openreach, the UK's digital network business and passionate supporter of apprenticeships, as the headline sponsor.

The Apprenticeship Programme in Wales is funded by the Welsh Government with support from the European Social Fund. Welsh Government apprenticeship programmes have benefitted 50,360 people across South East Wales since May 2016.

Aspire's Shared Apprenticeship Programme was first established in 2015 when Ebbw Vale Enterprise Zone Board identified a significant lack of employees with skills at Level 3 and above in Blaenau Gwent. Two years later, Merthyr Tydfil joined to develop its business growth and enhance skills whilst tackling unemployment.

Aspire is now working with both Coleg y Cymoedd, who link with Coleg Gwent, and Coleg Merthyr Tydfil to foster the next generation of skilled workers through apprenticeships covering Electrical Engineering, Mechanical Engineering, ICT, Applied Science, Quality Engineering as well as Business/Commercial Administration and Finance.

With a target to recruit 20 new apprentices every year, Aspire has achieved a 100% success rate through a team facilitating their employment with hosts and then dealing with any issues as they occur. More than 30 employers have engaged with the programme



Support to Businesses

The Crucial work undertaken as part of Welsh Government's £100m Tech Valleys programme in Blaenau Gwent, established to support high value, sustainable jobs, attract investment and create opportunities, has enabled companies including Insurgo Media Services to really kick on in the area.

Insurgo are tape media experts and specialists in the supply and support of tape media. They provide services to support the data throughout its lifecycle and handle environmentally-friendly data disposal for end-of-life tape. The company required additional space to support their growth plans, and have now taken on four units, two of which are newly refurbished in the business park. In 11 years the company has grown from a back bedroom business to now occupying six units on Roseheyworth, and will likely need more as time passes.

Insurgo's Managing Director Gavin Griffiths said: "Within 12 months we hope to double our current workforce of 16 as we progress our main plan to become global leaders of secure tape disposal services. We have patented technology granted in six countries, and a further 46 patents pending globally.

"We have the best environmental credentials of any tape disposal method in the world, and we're aiming to start working on the only 100% recycling method of all tape media formats in Roseheyworth. The refurbishment of the business park allows us to stay where we want to be and grow our service offering, enabling us to recruit and expand the team. It's an ideal base for us."

The extensive work at Roseheyworth involved the refurbishment of four dilapidated business units, repairing the roof, doors and windows, and adding suspended ceilings, new flooring and heating systems, creating an additional 12,386ft² / 1,150m² of floor space. The Energy Performance Certificate (EPC) rating has improved from 'G' to 'C' through the use of energy efficient aluminium double-glazed panels, void insulation, and the fitting of LED lighting throughout.

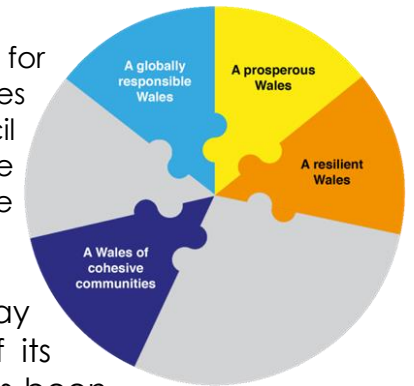
Councillor Dai Davies, Deputy Leader of Blaenau Gwent Council and Executive Member for Regeneration and Economic Development said: "The investment in Roseheyworth by Tech Valleys is really welcome news and demonstrates our commitment to working with businesses based in Blaenau Gwent. It has helped create modern premises to help these great local businesses with their expansion plans creating more job opportunities in the local area."



An ambitious and innovative council delivering the quality services we know matter to our communities

Why this is important

The Corporate Plan provides the focus for delivering lasting change for the area. It also provides the platform for transforming Blaenau Gwent into a more confident and capable Council. The ambition is to deliver better outcomes for the people of Blaenau Gwent and that ambition is underpinned by solid and sustainable plans, ensuring the Council can be held to account for what it has promised to deliver. Maximising the impact of resources to deliver those outcomes sits at the heart of this priority, including; understanding costs, controlling expenditure, maximising income and aligning resources to the needs of residents, businesses and visitors to build a Blaenau Gwent for the future.



Central to delivering this objective is looking at an approach to working in a cost effective and efficient way across the Council supported by strong leadership. The Council has worked hard to achieve 80% of its projected savings targets which has continued to support the financial resilience of the Council and has been identified as an area of good practice by Audit Wales. Clear and visible leadership has been evident throughout the past year with support to addressing the pandemic as well as implementing a new leadership development programme, put in place to support the Council's new working arrangements.

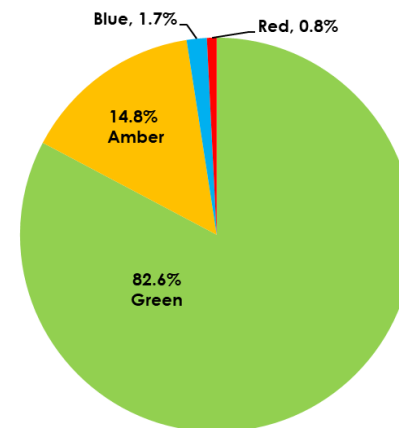
Priorities

- To demonstrate clear and visible leadership to deliver a viable and resilient Council;
- To ensure effective forward financial planning arrangements are in place to support the Council's financial resilience;
- To support and develop a workforce that has the capacity and capability to be productive and responsive to future demands;
- We will deliver online services that are simple and convenient, improving the relationship between residents, business and the council;
- COVID 19 – safe working environment for our staff and service users;
- We will work in an agile way, capturing learning and seeking continuous improvement;
- To develop a more commercial organisation to generate income and deliver cost reductions to make local services sustainable and raise money to re-invest in our priorities; and
- To be a strong and effective partner and collaborate where possible to deliver financial, business and community benefits.

Overview 2020/21

Throughout 2020/21 there has been progress in the implementation of the priorities supporting delivery of this objective but it is recognised that there is still further work to do to fully implement the aims and objectives.

As at the 31st March 2021, the performance of this objective was evaluated as being mainly successful as 82.6% of actions were green (on target), 14.8% were amber (behind target with manageable issues), 0.8% Red (significant issues) and 1.7% was blue (completed).



Some key activity includes:

The **Commercial Strategy** was approved by Council in September 2020. The Strategy brings together themes that will contribute to Blaenau Gwent Council being commercially minded and focused within the context of maintaining the Council's core purpose to provide public services delivering social value.

The response to the Covid-19 pandemic impacted the delivery of the Strategy. However, focus has been given to building on the initial 'Bridging the Gap' Strategic Business Review of third party expenditure with work being undertaken on:

- Excellence in Commissioning and Procurement; and
- Excellence in Contract and Supplier Management.

Work in the early part of 2021/22 looked to re-ignite our approach to:

- Managing commercial activities through profit and loss accounting;
- Creation of an Investment Portfolio; and
- Creation of a Commercial and Entrepreneurial Culture.

Progress of the Strategy is governed through a newly created Strategic Commissioning and Commercial Board.

The Corporate **Communications Strategy** was approved by Council in September 2020. Its main objective is to ensure that, as a commercial organisation, the Council is seen as a trusted brand delivering quality services.

Through implementing the Strategy, the Council is looking to deliver excellent, innovative and cost effective two-way communications, building a positive reputation and increasing trust and confidence that the Council is delivering services that meet resident, businesses and visitor's needs.

The Strategy has six themes, however, since the COVID 19 pandemic, focus has been on one specific theme, to 'make sure residents are informed in advance of and at times of emergency'. Informing staff and members has also been key throughout this period.

During the unprecedented challenge that the pandemic brought, and the move to remote working, meant that the importance of digital and social media became even more significant. The fast moving environment required an almost constant flow of information and content being produced by the Corporate Communications Team.

The Council's Corporate Communications Team was also a key member of Gwent Local Resilience Forum Warning and Informing Group. This group had responsibility for aligning communications and communicating key information to the residents of Gwent during the COVID-19 pandemic, ensuring a consistent approach between local partners, Public Health Wales and Welsh Government. The content was a mixture of partner material (Welsh Government, Public Health Wales, Health Board) and content created by the team using their creative skills.

The **Medium Term Financial Strategy (MTFS)** is a key element within the Council's strategic planning framework. It is this financial framework which will support the Council's financial resilience and ensure it operates sustainably.

The MTFS provides a future look over the next five years in order to:

- assess the spending requirements that the Council is likely to face;
- delivering the priorities as set out in the Corporate Plan; and
- highlights the level of cuts (reducing or stopping services) that will need to be made to ensure the Council can set a balanced budget each year.

The MTFS proposes the approach that the Council will take to respond to the financial challenges over the next five-year period. This will be an iterative process and one that will be developed and refined as the Council's funding position from Wales Government becomes clearer and strategic business reviews are further developed and implemented.

During the year, the Medium Term Financial Strategy has been reviewed, and subsequently in March 2021, Council agreed its budget for 2021/22 which included a planned contribution to reserves of £1.2m.

The provisional out-turn financial position of the Council for 2020/21 is a net favourable variance of £2.7m against a net revenue budget of £152.1m. In an unprecedented year with service delivery impacted by COVID 19 the positive variance arises for several reasons including:

- a significant amount of Welsh Government funding compensating the Council for additional costs and lost income; and
- additional grants received and underspends across services.

The positive out-turn has resulted in an increase in reserves, a move towards strengthening the Council's financial resilience.

In August 2020 the Council received its 'Supporting Financial Resilience Follow Up Review' from Audit Wales. The review sought to answer the question, 'Can the Council provide assurance that it has addressed the proposals for improvement detailed in the 2018 Supporting Financial Resilience review output?'

The main findings from Audit Wales was that, 'the Council has responded positively and is making progress against the proposals for improvement and has future work planned to fully address them'.

Audit Wales found that:

- the Council is taking steps to understand and address the reasons for its lower than average council tax collection rates and high staff costs;
- the Council has developed a central grants register and is beginning to manage grants more strategically;
- the Council is making good progress with its strategic review of fees and charges;
- the Council is strengthening its financial planning and management arrangements;
- although levels of useable reserves remain low, the Council has taken proactive steps to improve its position and the MTFS demonstrates an ongoing commitment to strengthen the General Reserve; and
- the Bridging the Gap programme is making effective use of data and further work is underway to improve the way the Council uses data.

The **UK exited the EU** on 31st Jan 2020 and entered a **transition period** until 31st December 2020, during which the UK's relationship with the EU remained largely the same as it was.

A level of uncertainty still remains as to what the full implications of exiting the EU will be for local authorities in Wales. This uncertainty, combined with the ongoing impact of the Covid19 pandemic, has impacted the scope of preparedness activity and modelling that can be undertaken at local authority level.

The Core Planning Group continued to meet during the pandemic to facilitate EU transition preparations. The Group receives information from the Welsh Local Government Association (WLGA) and Welsh Government about the national picture, as well as information from the Home Office regarding the EU Settlement Scheme (EUSS). Blaenau Gwent is also represented on the WLGA Brexit Coordinator network.

The WLGA submitted a bid to the Welsh Government's EU Transition Fund for each Welsh local authority to receive £45,000 funding during 2019/20 and 2020/21 towards corporate capacity support for resourced work on preparing for and responding to exiting the EU. The Council has received this funding to support the corporate Brexit planning work. This funding, for all 22 councils in Wales, was secured by the WLGA as part of their Brexit Transition Support Programme. A decision is awaited from Welsh Government on whether funding for local authorities will continue in 2021/22, with representations being made about the importance of the funding for councils to respond to the impact of EU transition. Monitoring the local impact and undertaking work to maximise opportunities and mitigate against any risks from the UK's exit from the EU will help to create a more resilient and prepared local authority for the public.

The **Agile Working** is aligned to the Council's new Operating Model and Working Arrangements, approved on 25th March 2021.

The Policy will look to introduce a new model of working across the Council, incorporating modern working practices, seeking to enhance employees' working experience, maximise performance and productivity and deliver the greatest value to the organisation, in terms of improving service delivery, as well as realising financial gains.

The Agile Working Policy is a key enabler in delivering the future working model. It also links to the Council's vision for sustainable development including sustainable economic growth, de-carbonisation and the health and well-being of both staff and the community.

The policy clearly sets out Corporate, management and employee responsibilities and includes:

- Designation of roles into one of three workstyles, defined as; Homeworker, Agile Worker, Service/Community Worker;
- Proposes payments to support homeworking for the Homeworker (£26 per month tax free) and Agile Worker (£12 per month tax free);
- Details the standard equipment which the Council will provide to home/agile workers. Reasonable adjustments may necessitate additional equipment
- Focuses on health, safety and welfare including employee/employer responsibilities;
- Outlines data protection, security and confidentiality requirements; and
- Demonstrates commitment to equal opportunities/reasonable adjustments and to treat staff in a fair, equitable and consistent manner and to comply with the requirements of the Equality Act 2010.

The policy will improve employee well-being, engagement and performance, aid employee recruitment and retention and reduce absences.

A **staff survey** was undertaken in 2020 to consider the impacts of COVID 19 and working remotely as well as considerations for future working. From the survey analysis it shows the majority of staff:

- rate their productivity as the same or better compared since homeworking;
- feel they are appropriately supported;
- feel they have a healthy work/life balance; and
- rate their wellbeing as fair, good or very good.

The **Test, Trace and Protect (TTP) Service** was put in place as a response to tracking COVID 19 in order to enhance health surveillance in the community, undertake effective and extensive contact tracing, and support people to self-isolate where required to do so.

Welsh Government set out its Strategy for leading Wales out of the coronavirus pandemic in May 2020 based on 3 pillars:

- The measures and evidence by which current infection levels will be judged upon and transmission rates for coronavirus in Wales;
- The principles by which proposed measures will be examined to ease the current restrictions; and
- Enhancing public health surveillance and response system to enable prevention of infection and track the virus as restrictions are eased.

Contact tracing starts with self-reporting of symptoms, followed by testing suspected cases, tracing the contacts of those who have tested positive and then protecting families, friends and communities through self-isolation.

In Wales, there exists a robust public health system delivered by local health boards. As local authorities have significant expertise in contact tracing the TTP services are being run from within local authorities unlike in England.

Blaenau Gwent TTP Service is a regional approach with four other local authorities across Gwent (Caerphilly, Newport, Monmouthshire and Torfaen) all working in partnership with Aneurin Bevan University Health Board and Public Health Wales.

The TTP service is in operation 7 days a week, 8am to 8pm, operating across bank holidays and deals with:

- New cases for tracing by Tracers, where contacts are identified;

- Contacts of positive cases identified are contacted by Advisors who carry out daily check ins over the period of isolation. The Advisors will look out for symptoms, give advice around self-isolation making sure this is maintained through the isolation period. Also link into the Locality Response Teams and Benefits Teams for the Self Isolation payment scheme;
- Backward tracing of cases;
- Heavily involved in the variant tracing; and
- Lateral Flow Testing.

In response to the pandemic, the Council put in place arrangements to support the most vulnerable within the community and those shielding by setting up **Locality Response Teams**. The Teams were established across the borough and support included the collection of medication and shopping for those that had no other support and also signposting to other agencies. Staff across the Council were redeployed to the Locality Teams and activity was monitored to ensure that the provision met demand.

Through recent learning from COVID 19 the Council has looked to establish **Community Hubs**. These will operate from Libraries to create more accessible services to the public including benefits, council tax and community services. The Hubs will deliver services in a new and modern way.

At the outset of the pandemic and the national lockdown, a decision was made, alongside other Local Authorities, to suspend the full schedule of formal **Council Committees** at the end of March 2020. Blaenau Gwent put in arrangements for the AGM to be held virtually, one of the first in Wales to do so on 2nd April. Arrangements were also put in place for Executive, Planning and Full Council to meet virtually before the Summer Recess. The full committee cycle was re-established from September 2020.

At the outset of the pandemic arrangements were put in place to provide all members with laptops to ensure that they could still take part in meetings and engage with constituents and one another. Elected Members responded to the need to move to more agile working, and did so at a pace. During the initial implementation phases there were inevitably some 'teething' problems experienced. To support Members to move to more agile working a number of activities were undertaken, including:

- Sourcing, distribution and set up of laptops for all members;
- Council implementation of Microsoft Teams;
- Specific guidance on how to set up laptops to enable the use of Microsoft Teams;
- Test session held prior to the formal Planning Committee which was the pilot for the use of Teams;
- Chairs and Vice Chairs of Scrutiny meeting held where, 'how to run a virtual meeting' was included on the agenda;
- Specific guidance and support on using emails, diary management and accessing documents;
- Offers for 'buddying' with officers of the Democratic Services Team to support members who felt this would be of value;
- Ongoing support to check in with members on any issues they were experiencing to access committee meetings; and
- Specific guidance on using Teams in the committee environment.


As part of the Council's **new Operating Model and Working Arrangements**, the Council's **Democratic Hub** will be relocated from the Civic Centre to the General Offices in Ebbw Vale. As part of this the Council Chamber needed to be relocated. This provided an opportunity for the Council to reflect on learning from COVID 19 and also to prepare for legislative requirements that would needed to be put in place as part of the Local Government and Elections (Wales) Act 2021, such as remote access, hybrid meetings and the recording of meetings.

The Council has procured a new delegate system which supports remote access enabling members, officers, the press and public the opportunity to observe a meeting remotely or attend physically. The intention of enabling remote access is to support work / life balance and to protect well-being. The arrangements should also support working members and those with parental or caring responsibilities, providing a more diverse democratic arrangement.

Sustainable Development

Long Term	The decisions made as part of the Bridging the Gap programme are designed to support the long term financial resilience of the Council and to influence the design of services for the future.
Prevention	The Commercial strategy is designed to support the needs of the Council now and in the future. It is designed to build financial resilience and to prevent the need to seek service cuts.
Integration	The Test, Trace and Protect strategy takes a whole council approach. It promotes transparency across the organisation, building best practice outside of directorate silos and promotes the maximising and sharing of skills and learning.
Collaboration	An effective partnership approach was taken to support one another throughout the pandemic, ensuring that the services that were running were appropriately supported and resourced. Partners included the Leisure Trust, Housing and the voluntary sector.
Involvement	When the Council brought its CCTV system back in-house, there was extensive involvement and consultation with Gwent Police who also represented views from town centres traders.

Performance Indicators - Owing to the review undertaken on the Corporate Plan in 2020, the national indicators will be provided to support the implementation of the objective.

Performance Indicator	Outturn 19/20	Outturn 20/21	Quarterly Performance Trend
Number of working days/shifts per full-time equivalent (FTE) local authority employee lost due to sickness absence during the year	13.9	11.6	

Case Studies

Locality Team - During the COVID 19 pandemic, when many vulnerable people were advised to shield and self isolate, Mrs X was referred to Locality Team from the foodbank. This referral was made as Mrs X was contacting the food bank constantly for food but was also ringing them to take the food back that she did not want/need. As Mrs X did not have a support network via friends or family, it was suggested that Mrs X may benefit from a buddy or good neighbour scheme. A referral was made to Cymru Creations for regular shopping support as was a referral to the Citizens Advice Bureau for a benefits check; to ensure Mrs X was getting all of the benefits to which she was entitled.

Test, Trace, Protect (TTP) - A family had been identified as contacts of someone who had tested positive for covid-19 and been told to self-isolate for 10 days. The service contacted the family to see what support was needed. It was felt that food shopping would be manageable but that support would be needed to walk the dog. Using the local volunteer list, compiled of Blaenau Gwent staff members who had offered their services to people who were shielding or self-isolating, someone was identified to support the family and walk the dog.

Community Hubs - A customer came to the Community Hub with her family who had recently moved from Hong Kong and bought a flat and a business in the area. They had a number of queries in which the team were able to directly support including:

- help amending the liability on their flat and their business rates - the service was able to make a referral in the Council Tax system so that the liability could be directly amended.
- how to register their son at a local school - the telephone number for school admissions was provided as well as information on how to register.
- how to register for a National insurance number – information provided from gov.uk website which included showing the customer the online application form
- how to register for a NHS number - advised the customer that they could register with a local GP surgery who would issue them with an NHS number.

The family were very happy with the service provided and that all of their queries had been answered.

Case Studies - Climate Change

People in Blaenau Gwent were invited to share their views and solutions for tackling the climate crisis in what was Wales' first climate assembly to discuss climate change.

The Blaenau Gwent Climate Assembly was held online during two weekends in March bringing residents together from across the borough to address the question: "What should we do in Blaenau Gwent to tackle the climate crisis in a way that is fair and improves living standards for everyone?"

10,000 households in Blaenau Gwent received written invitations to register their interest in participating. From those who applied to be involved, 50 people were then randomly selected to take part and learnt about climate issues facing their community, discussing the themes of housing, nature and transport before proposing and debating potential solutions.



Michelle Morris, Managing Director, Blaenau Gwent County Borough Council said:



"Climate change is a global issue and it's absolutely vital that we act now to protect our environment for the well-being of future generations and I am sure that the Climate Assembly will help us all focus on this. As a Council we recognise the importance of the challenges and we recently approved a new Decarbonisation Plan. We're already taking a number of actions to reduce our carbon impact such as improving the energy efficiency of our schools; our public buildings and our street-lighting and also reducing the amount of waste sent to landfill. This Plan will see us take a more strategic approach towards achieving carbon neutrality and will help us to prioritise work in a number of key areas of our operations which, with some changes, can make a significant contribution towards our carbon neutral aim."

How we keep track of what we are doing

The application of the Sustainable Development Principle and the reach of the Well-being Objectives mean changing the ways in which we work. The Council has focused on seven key corporate areas as part of implementing the Act. Below provides an update against the core set of activities that are common to the corporate governance of public bodies, recognising that there is still more to do in these areas over the coming years.

Performance management - The Council has a well-established performance management framework in place which supports all aspects of service planning, delivery and improvement. As part of this, the Council's Well-being Objectives, as identified within the Corporate Plan, have been used to shape all service planning throughout the Council. A 'golden thread' has been developed from the Corporate Plan throughout the organisation.

As part of our business planning arrangements, progression of the sustainable development principles has been included and is reported on against each Well-being Objective.

On a quarterly basis, the Council receives performance monitoring of the Corporate Plan as part of the Finance and Performance Report. Alongside this reporting, there are a number of other performance reports that are reported internally and through the democratic process.

Financial planning - The Council continually reviews its financial management and planning arrangements to enable it effectively demonstrate how we use resources to deliver sustainable long term outcomes to both current and future generations. This is especially difficult against a backdrop of annual resource allocations from central Government. Consequently, there will be a need to adapt to ongoing changes during the lifetime of these Objectives and further review them accordingly.

The Medium Term Financial Strategy (MTFS) is a key element within the Council's strategic planning framework. It is this financial framework which will support the Council's financial resilience and ensure it operates sustainably. The MTFS brings together all known factors affecting the Council's financial position and forms the basis for decision making. The MTFS includes a forward look over the next five years to assess the spending requirements the Council is likely to face when delivering the priorities as set out in the Corporate Plan, and highlights the funding requirement that will need to be made to ensure the Council can set a balanced budget each year.

Financial Management

<u>Revenue Budget</u>	Revised Budget 2020/21	Provisional Outturn 2020/21	Variance Favourable / (Adverse)
Portfolio			
Corporate Services & Financial Management & Strategy	16.730	15.408	1.322
Social Services	45.352	44.231	1.121
Education / Leisure	62.128	61.765	0.363
Economy	1.215	1.195	0.020
Sub Total (1)	125.425	122.599	2.826
Environment	25.532	25.644	(0.112)
Planning	1.118	1.170	(0.052)
Licensing	0.070	0.093	(0.023)
Sub Total (2)	26.72	26.907	(0.187)
Total	152.145	149.506	2.639

Current Revenue Budget Provisional Position:

The overall financial position across all portfolios at 31 March 2021, is a favourable variance of £2.639m (1.7%), against a total revenue budget of £152m. The figures are provisional and subject to external audit. The outturn is a significant improvement on the forecast financial position at the end of December 2020, at which time the forecast was a favourable variance of £0.6m.

Capital Budget Provisional Outturn 2020/21

The overall provisional financial position as at 31st March 2021 indicates a £161k underspend against a total in year capital budget of £17.78m.

A number of infrastructure projects are reporting an underspend at year end, the total cost of the works was less than the in-year grant approval allocated by the Welsh Government, therefore the grant allocation was not able to be claimed in full. Future year funding of £52m which consists of approved external grant and the authorities own funding will be carried forward into future financial years. The authorities own Capital Programme Funding will be carried forward to the financial year 2021/2022 in accordance with slippage procedures.

<u>Capital Budget</u>	Funding 2020/21	Future Funding	In Year Budget 2020/21	Expenditure	Variance Favourable / (Adverse)
Portfolio					
Corporate Services & Strategy	1,455,306	1,333,726	2020/21	121,580	0
Social Services	5,660,930	4,728,032	121,580	868,325	5,325
Economy	19,863,349	12,020,218	873,650	7,843,131	0
Education and Active Living	30,005,965	28,133,649	7,843,131	1,863,475	8,841
Environment	8,819,944	5,161,384	1,872,316	3,624,612	33,948
Infrastructure	3,710,982	929,843	6,658,560	2,668,503	112,636
All Portfolios	971,335	343,020	2,781,139	628,315	0
Total Capital Funding	70,427,811	52,649,872	628,315	17,617,941	160,750

Risk management – the Council's Risk Management Mission Statement is 'Blaenau Gwent County Borough Council will adopt best practices in the identification, evaluation and cost-effective control of risks to ensure that they are eliminated or managed to an acceptable level.'

To ensure that the Council meets the risk management requirements of the Well-being of Future Generations (Wales) Act 2015 in improving the social, economic, environmental and cultural well-being of Wales, our risk management approach ensures that long term risks and challenges to both service delivery and our community are considered.

The Council believes that risk management is a vital component to ensuring that it becomes a high performance organisation. We are committed to ensuring that risk management is embedded throughout the Council as managing risks will lead to more effective use of resources, direct improvements to services, customers and stakeholders, as well as improving corporate governance and performance. As part of these arrangements, the Corporate Risk Register is reviewed quarterly and reported to Members as part of the Finance and Performance Report.

Procurement – procurement activities are facilitated in compliance within existing legal obligations; predominately defined within the Public Contract Regulations (PCR's) 2015 as well as the Council's internal Contract Procedure Rules (CPRs). The Council has adopted the Welsh Procurement Policy 2012 (amended 2015) and applies these principles to all commissioning and procurement requirements. To support the implementation of the Well-Being of Future Generations (Wales) Act 2015, including Community Benefits, at the outset of each procurement, client and procurement officers determine project scope and consider opportunities for the inclusion of the Act and Community Benefits.

Corporate planning – the Council has fully aligned all of its planning to the Corporate Plan which includes the Well-being Objectives. These are central to the organisation and future work planning and strategies are aligned to these areas. The Sustainable Development Principles, Environment Act and Decarbonisation have been included within the business planning template used across all service areas. The five ways of working are also captured within the Corporate Reporting Template, this is supported by guidance which is reviewed and shared periodically.

Workforce - In the early summer we took the opportunity to pause and reflect on how the Council had responded to the initial surge in the virus. From this we identified that staff and Elected Members had responded admirably to the challenge of remote working and the investment that had previously been made in technology had stood the Council in good stead. The realisation that we can run our business and deliver services in a very different way, be more in line with modern working practices and reduce our costs and impact on the environment has opened up new opportunities for us to make a step change now and not to simply return to how we operated before. A survey of staff conducted late in 2020 shows that staff have responded positively to home working and consider that the Council has handled the change well. This shows support from staff to continue working in a more agile and flexible way and the positive impact this has had on productivity and a reduction in staff absence due to sickness.

On 25th March 2021 Council approved a new Operating Model & Working Arrangement incorporating modern working practices to enhance employees' working experience, maximise performance and productivity and deliver the greatest value to the organisation, in terms of improving service delivery, as well as realising financial gains. The Agile Working Policy is a key enabler in delivering the future working model. It

also links to the Council's vision for sustainable development including sustainable economic growth, de-carbonisation and the health and well-being of both staff and the community.

Assets – Owing to the pandemic and in line with Government guidelines, where possible, staff have been working from home in order to prevent workplace and community transmission of the virus. This meant that office based staff and Elected Members worked remotely since March 2020, moving towards digital based platforms with offices closed and staff only attending offices where necessary.

Welsh Government has an ambition for 30% of the workforce to work from home or remotely. The vision being to reduce the numbers commuting to work and keeping more people working in their local communities. The Council has an opportunity, now, to be at the forefront of delivering this national ambition by making a step change in how we work, how we deliver services and to improve access to council businesses and services for our residents.

In October 2020 Council approved a new operating model and working arrangements for the Council moving forward, this included:

- Development of a democratic facility at the General Offices;
- Development of community hubs in town centres; and
- To vacate and demolish the Civic Centre.

Since the decision, the Member Working Group along with Officers and Trade Union representatives worked to develop a model for new working arrangements, based on agile working, which will allow the organisation to operate out of its remaining offices at Anvil Court, ViTCC, General Offices and other appropriate Council buildings.

This approach supports the delivery of the Council's Corporate Plan priority to be an efficient organisation and to operate using modern working practices in a way which supports our workforce, effective service delivery and improves access to Council business for our residents. It also supports the priority to regenerate the site in Ebbw Vale opening up the opportunities for investment in new homes and community facilities in the centre of the community. The continuing of working from home will also support delivery of the Council's ambition, as set out in the Decarbonisation Plan, to reduce our carbon emissions to a point where our impact is net zero carbon.

Finally, this also supports the delivery of the Bridging the Gap Programme which seeks to reduce the cost of our corporate property estate through a process of rationalisation and introduction of more modern and efficient workplaces.

The Strategic Equalities Plan

The Council is committed to implementing the Equality Act 2010 and this is evidenced by the Blaenau Gwent Strategic Equality Plan 2020/24. The Plan was developed using research and engagement as well as developing a Member's Task and Finish Group. The plan contains the Council's Equality Objectives:

- We will be an organisation who ensures fairness and equality in everything that we do;
- We will be an equal opportunity employer with a workforce that values equality and diversity;

- We will support children and young people, particularly those with protected characteristics, to achieve their learning ambitions;
- We will promote and support safe, friendly and cohesive communities;
- We will ensure there is meaningful involvement with people who have protected characteristics and key stakeholders that represent their interests; and
- We will strive to tackle inequality caused by poverty for people who have protected characteristics.

The plan and supporting documents can be found at <http://cc-mgov-01/ieListDocuments.aspx?CId=1134&Mid=2172&Ver=4&LLL=0>

Decarbonisation

The Council supports the Welsh Government's ambition for the Welsh public sector to be carbon neutral by 2030. In order to respond to this, the Council has developed a Decarbonisation Plan 2020 to 2030 with the ambition of becoming carbon neutral by 2030. The plan sets out how we intend to deliver on this ambition over the next ten years. Alongside the plan, a Decarbonisation Programme Management Board has been established with the responsibility for overseeing the implementation of the plan including: coordination; performance management; communication; and delivery.

On page 44 is a case study detailing Blaenau Gwent's Climate Assembly which was one of the first Climate Assemblies in Wales. In March 2021, it brought together 50 people from the Blaenau Gwent area to address the question: What should we do in Blaenau Gwent to tackle the climate crisis in a way that is fair and improves living standards for everyone?

The Welsh Language Annual Report

The Welsh Language Annual Report for 2019/20 sets out the highlights and key pieces of work, which demonstrate how we, as a Council, have endeavoured to meet the requirement set by the Welsh Language Standards Compliance Notice issued in September 2015.

Standard 145 requires Blaenau Gwent County Borough Council to produce a strategy detailing how it will promote and facilitate the use of the Welsh language over the next five years. The aims of the Blaenau Gwent's Welsh Language Strategy are linked with the Welsh Government's vision to create a million Welsh speakers in Wales by 2050. In order to meet a target of 44% increase of Welsh speakers by 2050, we would need to gain an additional 2,324 Welsh speakers against the 2011 Census Blaenau Gwent baseline of 5,284. Therefore, this represents an average annual increase of 70 additional Welsh speakers, i.e. 3% of the target figure of an additional 2,324 in Blaenau Gwent for the next 33 years.

The Council has identified the following three Welsh Language Promotion objectives:

- Promote and encourage the use of the Welsh language within the families and the community;
- Increase the provision of Welsh language education and informal activities for children and young people and to increase their awareness of the value of the language; and
- Increase opportunities for people to use Welsh in the workplace. Welsh Language Promotion Strategy 2017-22.

On the 30th November 2019 the Council had a Performance Monitoring Visit from the Welsh Language Commissioner's Office. The meeting was very positive, with discussions covering the following areas of interest:

- Findings of monitoring work in 2018-19 in relation to the organisation;
- Rights in Use 2018-19, the Commissioner's 2018-19 assurance report which encourages organisations to have robust internal arrangements to ensure compliance, increase workforce capacity to improve provision, and prompt people to use services in Welsh;
- Internal arrangements to ensure compliance;
- Increasing workforce capacity;
- Prompting people to use services in Welsh;
- Increasing the use and number of speakers in Welsh; and
- Operational matters

Elected Members

Throughout the 2020/21 year members have engaged in a number of training and learning sessions as part of the Member Development Programme, which is linked to the priorities within the Council's Corporate Plan and Committee Forward Work Programmes. All Senior Salary Holders also undertook a Personal Development Review which was externally facilitated. From each of these sessions a personal action plan was developed, to be implemented throughout the coming year.

External and Internal Regulation

The Council is monitored by a number of regulatory bodies, the main of which are:

- Audit Wales;
- Care Inspectorate Wales (CIW); and
- Estyn.

The Council monitors all proposals for improvement it receives from both internal and external auditors on a quarterly basis through the Finance and Performance Report. Each of the proposals is monitored through the relevant business plan. Periodically, a review of the open proposals is undertaken and presented to Corporate Leadership Team (CLT) to consider which proposals can close as they have been completed or have moved to business as usual.

At 31st March 2021 there were 19 'live' audit reports. Of those:

- 7 reports were still at the initial stages, either being newly received or due to be taken through the Democratic process; and
- 12 reports being monitored via business plans, totalling 62 proposals for improvement being implemented.

Reports received during 2020/21 include:

Local Reports -

- Audit Wales Audit of Blaenau Gwent County Borough Council's 2020-21 Improvement Plan
- Audit Wales Supporting Financial Resilience Follow-up Review
- Care Inspectorate Wales (CIW) Local Authority Performance Review

National Audit Wales Reports –

- WCCIS
- Test, Trace & Protect
- Emergency Response
- Commercialisation
- Cyber Resilience

In order to action the proposals within these final reports, the relevant business plans include activity that should address the areas for improvement identified by the Auditor.

Well-being Statement

As part of the Well-being of Future Generations (Wales) Act 2015 all Public Bodies have a duty, under section 7 of the legislation, to publish a Well-being Statement at the same time that they publish their Well-being Objectives. As part of the review of the Corporate Plan in July 2020, each Well-being Objective has been written to contribute to the Well-being Goals and observe the requirements as outlined by the Sustainable Development Principles. Both of which is also observed through our Council Business Planning process. This Assessment of Performance 2020/21 provides detail of activity undertaken by the Council in meeting the Well-being Objectives.

Council Governance

As part of our ongoing governance arrangements, we monitor the implementation of the Corporate Plan and Well-being Objectives using a well-structured performance management framework which includes business planning, reporting and self-evaluation. The Council operates a single performance management system which includes the majority of Council planning and holds information in one place in order to avoid duplication.

Everything we do should contribute to the Council's priorities (the 'golden thread') so that all our effort and resources are linked into the delivery of the Corporate Plan. The Council's business planning framework is strategically aligned from the Corporate Plan throughout the organisation so that all staff can understand their contribution to implementation.

The corporate requirement is for all business plans to be updated at least quarterly. Achievements, challenges, PIs and progress against any internal or external regulatory proposals for improvement are then included within our Finance and Performance Report which is reported to Scrutiny Committee and Executive Committee.

Contact Information

This document is available electronically at <http://www.blaenau-gwent.gov.uk/en/council/performance/> and in hard copy by request.

Corporate Performance Team Corporate Services
Email: pps@blaenau-gwent.gov.uk

Providing Feedback

We welcome any feedback you might have about the Council's Assessment of Performance 2020/21. Your views are important to us and we want to know what information you would like to see and how you would like to see it reported. Please contact the team on the details above if you would like to give feedback on the Assessment, if there is any information you think could be considered for inclusion in the future, or if you require this document in a different format e.g. large print, Braille, audio version, etc.



Fersiwn Gymraeg

Yn unol â Chynllun Iaith Gymraeg y Cyngor, bydd fersiwn Gymraeg o'r Cynllun Gwella ar gael ar wefan y Cyngor.

This document acts as Blaenau Gwent County Borough Council's Well-being Statement, prepared under section 7 of the Well-being of Future Generations Act 2015 and related guidance issued by the Welsh Government. This Assessment of Performance outlines the Council's responsibility to publish an assessment of performance for the financial year 2020/21 as outlined in section 15 of the Local Government (Wales) Measure 2009.

The Council is satisfied that the information given in this plan is accurate based on the information available at the time of publication.

This Council's Assessment of Performance 2020/21 has been subject to an Equality Impact Assessment screening.

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Agenda Item 23

Executive Committee and Council only

Date signed off by the Monitoring Officer: 13.09.2021

Date signed off by the Section 151 Officer: 20.09.2021

Committee: **Council**

Date of Meeting: **30th September, 2021**

Report Subject: **Diverse Council Action Plan**

Portfolio Holder: **Councillor N. Daniels - Leader / Executive Member
Corporate Services**

Report Submitted by: **Gemma Wasley, Service Manager Performance and
Democratic**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	09/09/21			17/09/21			30/09/21	

- Purpose of the Report**
To present to Council the Draft Diverse Council Action Plan for approval.

- Scope and Background**

Background

Providing opportunities to become a more diverse Council can lead to better engagement with individuals and communities, in turn leading to greater levels of confidence and trust and better decision making informed by a wider range of perspectives and lived experiences.

The WLGA has committed to making a change in local government diversity at the 2022 Local Elections as it is acknowledged that despite previous action and campaigns, progress has been slow and it is recognised that there remains a lack of diversity in councils.

The evidence base, barriers and challenges to attracting more diverse councillors has been identified as:

- Time-commitment and meeting times;
- Political and organisational culture;
- Childcare and other caring responsibilities;
- Public criticism and online abuse;
- Remuneration and impact on employment; and
- Lack of diverse role models and incumbency.

On 29th July 2021, Council signed up to becoming a diverse Council to:

- Provide a clear, public commitment to improving diversity;
- Demonstrate an open and welcoming culture to all;
- Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and
- Set out an action plan of activity ahead of the 2022 local elections.

Action Plan

There are a number of expectations on Councils to support diversity in the democratic process and also with political parties / non-political groups / individuals to support the process of becoming a councillor and supporting councillors once they become elected. Some of this activity includes:

- to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities to improve diversity in local government democracy;
- a formal position calling for the introduction of resettlement grants for all councillors and senior salary holders;
- to encourage all councillors to claim any necessary allowances or expenses;
- that councils should set targets to be representative of the communities they serve at the next elections;
- to support the use of voluntary quotas for Welsh local elections; and
- the WLGA reviews the impact of voluntary quotas following the next local elections.

In addition, as part of the Local Government and Elections (Wales) Act 2021 there are expectations, including:

- job sharing in some offices in principal councils (including the offices of executive member and executive leader);
- a duty on principal councils to publish an electronic and postal address for correspondence for each council member;
- a duty on principal councils to produce a Public Participation Strategy and for it to be reviewed regularly;
- a duty on political group leaders to promote and maintain high standards of conduct by members of their group;
- electronic broadcasting of certain meetings;
- extended provision for remote attendance at local authority meetings;
- provisions enabling the maximum period of absence for each type of family absence for members of local authorities to be specified within regulations to enable the provision to be kept up to date.

As part of the above, a draft action plan has been developed and is attached at appendix 1. The action plan sets out intended activity ahead of the 2022 local elections and post elections.

Additional actions can be added to the action plan as required.

3. Options for Recommendation

3.1 *To include Recommendation(s) / Endorsement by other groups, e.g. CMT/Committees/Other groups)*

The report and action plan were considered by CLT at their meeting on 9th September who endorsed the action plan for implementation.

The report and action plan were considered by the Democratic Services Committee on 17th September 2021. The Committee AGREED to

recommend that the report be accepted and endorse Option 2; namely that the Democratic Services Committee considered the Action Plan, attached at Appendix 1, and provided comment that the wording on 2.5 of the report, bullet point one - to encourage all political parties, be amended to include political parties / non-political groups / individuals before submission to Council on 30th September for approval.

Option 1

For Council to approve the action plan, attached at appendix 1, for implementation.

Option 2

For Council to consider the action plan, attached at appendix 1, and provide comment for amendment before approval and implementation.

4. Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

The Council has a responsibility to support more diverse Councils and to work with partners and the community to encourage people from under-represented groups to stand for election. Political parties across Wales are also encouraged to support this process.

Being a diverse Council supports the Corporate Plan Objective, 'an ambitious and innovative Council delivering the quality services we know matter to our communities'.

5. Implications Against Each Option

5.1 *Impact on Budget (short and long term impact)*

There are no direct financial implications from implementing the Diverse Council Action Plan and all activity will be undertaken within current resources.

5.2 *Risk including Mitigating Actions*

There is a reputational risk to the Council if it does not support actions to becoming a diverse Council.

5.3 *Legal*

There are no legal implications arising from this report.

5.4 *Human Resources*

The WLGA is working with the Welsh Government and Councils on promoting and supporting greater diversity.

The Council is looking to address the areas required for becoming a diverse Council by implementing the action plan up to the local elections in May 2022 and beyond by providing a package of training, development and support for councillors when elected as part of the induction programme.

6. Supporting Evidence

6.1 Performance Information and Data

Blaenau Gwent data*:

Population

Total Blaenau Gwent population – 69,814.

Male population – 34,325

Female population – 35,489

Age

The median age of both the Blaenau Gwent and Wales population is 41.

Age	Blaenau Gwent	Wales
0-4	5.8%	5.8%
5-14	10.9%	11.1%
15-24	13.3%	13.4%
25-29	6.1%	6.1%
30-44	19.4%	18.6%
45-59	20%	19.9%
60-64	6.6%	6.7%
65-74	10%	9.8%
75+	7.9%	8.6%

Ethnicity

98.4% of the population are white.

0.5% are Asian or Asian British

0.1% are Chinese

0.6% have a mixed ethnicity

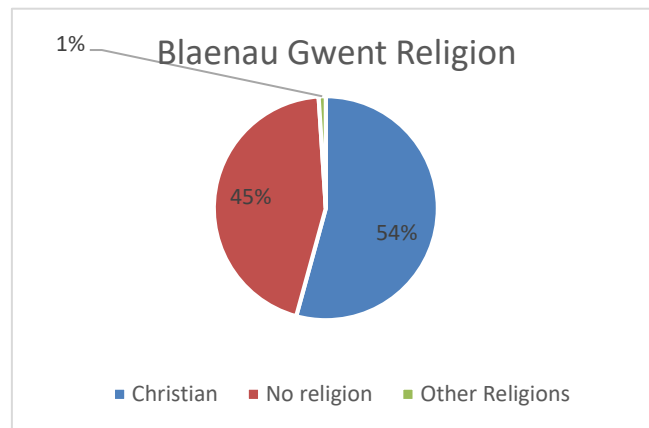
0.1% other ethnicity

0.3% did not state ethnicity

Disability

Blaenau Gwent continues to have significantly above average levels of disability with a total of 31.6% of working age people being defined as disabled (EA core or work-limiting disabled) compared to 22.8% for Wales.

Religion



- 54% of the Blaenau Gwent population identify as being Christian
- 45% have no religion
- 1% identify as a different form of religion (Muslim, Hindu, Sikh, Jewish, Buddhist, other).

Sexual Orientation

Statistics on sexual orientation for Blaenau Gwent are not available with any level of accuracy. However, the Annual Population Survey includes data on sexual identity for Wales on a calendar year basis. In 2017, this survey showed that in Wales:

- 95.0% of people identified as heterosexual;
- 1.3% as gay/lesbian;
- 0.7% as bisexual;
- 0.5% as 'other'; and
- 2.5% of people did not answer the question.

Trends across Wales are stable with no significant change.

Performance information across Wales shows that there are many underrepresented groups when looking at the makeup of local Councils.

Data shows that there remains a significant lack of diversity in Welsh councils. In Wales' local authorities:

- 28% of councillors and 29% of Cabinet members are women.
- Councillors are proportionately older than the general adult population (47% of councillors were aged 60 years or older) and a higher proportion of councillors were retired (31%).
- Only about 1.8% of councillors are Black, Asian and Minority Ethnic (BAME) compared to 4.7% for the Welsh population and few hold senior positions.
- 11% of councillors stated that they had a disability, and there remain a range of challenges for disabled people participating in the democratic process.

6.2 ***Expected outcome for the public***

It is widely acknowledged that equal representation is not only an issue of representational fairness but essential for the quality of policy development and decision making. Decisions will be better when they are taken by people with lived experience of an issue. The 'right person for the job' of councillor needs to be a member of the community they serve, in order to fully and consistently understand the lives and needs of that community.

6.3 ***Involvement (consultation, engagement, participation)***

The Council will look to be a diverse council by engaging with the community, particularly those with protected characteristics and taking learning from this engagement to enhance services moving forward.

6.4 ***Thinking for the Long term (forward planning)***

By supporting a more representative approach to democracy the Council will be supporting long term thinking.

6.5 ***Preventative focus***

By supporting a more representative approach to democracy the Council will be able to make decisions that support all aspects of the community and that won't negatively impact any underrepresented groups in the community.

6.6 ***Collaboration / partnership working***

The Council will work alongside the Welsh Government, WLGA and other Local Authorities to support diverse Councils.

6.7 ***Integration (across service areas)***

In order to develop the draft action plan a cross service area group was developed and will be maintained in order to deliver the identified actions to becoming a diverse Council.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

The action plan supports the promotion and delivery of holding remote committee meetings and using IT rather than paper to support a reduction in travel and printing.

6.9a ***Socio Economic Duty Impact Assessment (complete an impact assessment to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).***

The Professional Lead for Engagement, Equalities & Welsh Language has been involved in the development of this action plan.

The action plan looks to support those from all under represented backgrounds.

6.9b. **Equality Impact Assessment** (*screening and identifying if full impact assessment is needed*)

The Professional Lead for Engagement, Equalities & Welsh Language has been involved in the development of this action plan.

The action plan looks to support those from all under represented backgrounds.

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

The action plan will be considered by the Democratic Services Committee and approved at Council. The action plan will be implemented up to the local elections in May 2022 and beyond for those elected.

Actions will be included within the relevant business plans for quarterly monitoring.

Background Documents /Electronic Links

- *Appendix 1 Diverse Council Action Plan*

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Diversity in Democracy Programme – Action Plan

Requirement	Blaenau Gwent Action	Lead/s	Timeline
<p>Increase engagement with the public and support communication and awareness to potential candidates:</p> <ul style="list-style-type: none"> • to raise awareness of the role and activities of the Council • to provide clarity about how the public can better inform local decision making • building greater community cohesion through a greater presence at community events • creating and building upon community networks 	<p>1. Promote national marketing materials on becoming a Councillor including communication and awareness, training and development, remuneration, safe and flexible work and targeted support on the Council’s website.</p> <ul style="list-style-type: none"> • Be a Councillor website https://www.beacouncillor.wales/ • WLGA online Councillors Guide to be developed for Councillors for the 2022 elections. • National Competency framework for elected members is now being developed prior to the 2022 • LGA have produced a tool to enable women, parents and carers to become councillors https://www.local.gov.uk/twenty-first-century-councils 	Election Team Communications	September onwards
	<p>2. Promote national marketing materials on becoming a Councillor and how to vote with local engagement forums (Citizens Panel, BG Youth Network and Youth Forum, 50+ Forum, Democracy Box)</p>	Engagement Team	September onwards
	<p>3. Develop Public Participation Strategy Scheme (for compliance with duty under the 2021 Act). Encouraging people to participate in decision making and promoting awareness of how to become a Member, what membership entails, promoting / facilitating processes.</p>	Engagement Team Democratic Team Election Team Communications	September onwards
	<p>4. Recommend for Political parties to identify Diversity Champions.</p>	Group Leaders	October 21 / May 22
	<p>5. Develop a BG election plan in line with any regional or national approaches</p>	Election Team	September onwards
	<p>6. Dissemination and promotion of Welsh Government guidance / materials / educational resources for 16 and 17 year olds regarding Democracy in Wales.</p>	Engagement Team Education	September onwards
	<p>7. Publication of Council’s Constitution on the Council’s website.</p>	Monitoring Officer	In line with national work
	<p>8. Development of a Constitution guide and inclusion on the website (a requirement under the Local Government and Elections (Wales) Act 2021).</p>	Monitoring Officer	In line with national work
	<p>9. Improve awareness of opportunities to participate – promote the options available via local groups, the website and various social media platforms.</p>	Communications Democratic Team Engagement Team	May 2022 onwards
	<p>10. Provide opportunities to engage on specific topics – include forward work programmes on the Council’s Website, promote ways to engage, promote that meetings are available online</p>	Communications Democratic Team	May 2022 onwards
	<p>11. Include on the website and social media platforms the decisions being made by Committees</p>	Communications Democratic Team	May 2022 onwards
	<p>12. Work more closely with the Youth Forum to create more opportunities for young people to feed into decision making.</p>	Engagement Team Democratic Team	May 2022 onwards

Diversity in Democracy Programme – Action Plan

	<ul style="list-style-type: none"> • Identify for a young person to sit on committees. • Inform the youth forum of the topics for discussion over the year for them to highlight the areas that they feel they would like to be included with. 		
	13. Improve the feedback loop to young people who participate		
	14. Respond to the WG Race Equality Action Plan Consultation and subsequent implementation	Democratic Team Engagement Team	Spring 2021 Onwards
Provide a comprehensive training and awareness programme available through a variety of routes available for members to support them in their role.	15. Undertake a review of the Member Development Strategy identifying areas and development available for Members.	Democratic Team	January to April 2022
	16. Review areas of training and development which can be made available online, core set of training materials which can be used for all Members. <ul style="list-style-type: none"> • National e Learning modules freely available via the NHS learning@wales website to be updated for the 2022 elections 	Democratic Team	In line with Induction Programme
	17. Development of the Members Induction Programme - work with the WLGA and share good practices with other councils.	Democratic Team	Early 2022
	18. Provide the opportunity for mentoring / shadowing for newly Elected Members	Democratic Team	Post May 2022
	19. Review the Members Competency Framework	Democratic Team	January to April 2022
	20. Undertake Personal Development Reviews for Senior Salary Holders and offer to non SRAs.	Democratic Team	Post May 2022
	21. Promoting the WLGA's online "Councillor Guide" for the 2022 elections and the suite of National e-learning modules specifically developed for Members and freely available.	Democratic Team	In line with Induction Programme
Promote health and safety with Members including, lone working, providing access to counselling services, safety and wellbeing while performing their role and taking a zero-tolerance approach to bullying and harassment by members including through social networks.	22. Promote, as part of the Member Induction Programme, that members undertake health and safety training, lone working training, cyber security and social media training. online Councillors guide for handling intimidation https://www.local.gov.uk/councillors-guide-handling-intimidation	Democratic Team Health and Safety Communications	In line with Induction Programme
	23. Publish official addresses on council website rather than personal addresses for Members (where requested).	Communications Team	Post May 2022
	24. Include in the Members library the WLGA's advice and support service to individual Members who receive online abuse.	Democratic Team	October 21 / In line with Induction Programme
	25. Include in the Members library the "Personal Safety of Councillors" which has been developed by Swansea Council and the Welsh Local Government Association.	Democratic Team	In line with Induction Programme

Diversity in Democracy Programme – Action Plan

Agrees that councils should set targets to be representative of the communities they serve at the next elections	26. Undertake a diversity and inclusion survey with Members which will provide a benchmark for future elections and allow the feedback to be reviewed to support / barriers that may have been experienced by a Member during their term of office.	Elections Team Democratic Team	Post May 2022
	27. Share survey feedback with Members.	Elections Team Democratic Team	Post May 2022
Maximise opportunities for Members to work in ways that enable them to achieve a work / life balance which protects their welfare and wellbeing and allows them to manage any caring / dependency relationships.	28. Agree at AGM to have an August recess and for no formal meetings during school holidays.	Members	May 2022
	29. Provide flexibility in council business by: <ul style="list-style-type: none"> • Undertaking a review of meeting times each year with each committee at the first meeting of each cycle, including the option to stagger meeting times • Encourage members, officers, public and press to attend meetings remotely. • Promote job-sharing by executive leaders and other office holders. 	Members Democratic Team Organisational Development Communications	Ongoing and post May 2022
	30. <ul style="list-style-type: none"> • Promote the remunerations that are available to Members on the Council website and to candidates standing for Election • Promote family absence provisions. • Promote the IRPW Contribution Towards Costs of Care and Personal Assistance • Encourage all Members to claim any necessary allowances or expenses incurred. • Support the Welsh Government's and IRPW's commitment to explore Resettlement grants or 'parachute payments' payments for Members who lose their seats at election. 	Organisational Development	Ongoing and post May 2022
	31. Hold a Member awareness raising session, as part of the induction process on members remuneration and allowances		In line with Induction Programme

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Agenda Item 24

Date signed off by the Monitoring Officer: 08.09.2021
Date signed off by the Section 151 Officer: 20.09.2021

Committee: **Council**

Date of Meeting: **30th September, 2021**

Report Subject: **Amendments to the Constitution**

Portfolio Holder: **Councillor Nigel Daniels - Leader/Executive Member
Corporate Services**

Report Submitted by: **Head of Legal and Corporate Compliance/Monitoring Officer**

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair *	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	X						X	X CWG

1. Purpose of the Report

The purpose of the report is for Council to approve and adopt proposed changes to the Constitution.

2. Scope and Background

By virtue of the Local Government Act 2000 there is a statutory requirement upon Councils to adopt a Constitution. The current Constitution was last amended in 2019.

The Monitoring Officer has a duty to review the Constitution in order to ensure that it reflects the current structure and operation of Council functions and decision making.

The purpose of the Constitution is to describe functions, membership, delegated powers and procedural rules which will:-

- Enable the Council to provide clear leadership to the Community in partnership with citizens, businesses and other organisations;
- Support the active involvement of citizens in the process of local authority decision making;
- Help Councillors represent their constituents more effectively;
- Enable decisions to be taken fairly, efficiently and effectively;
- Create an effective means of holding decision makers to public account;
- Ensure that no one will scrutinise a decision in which they are directly involved;

- Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions;
- Provide a means of improving the delivery of services to the community;
- Promote the principles of democracy.

The amendments are proposed as a consequence of changes arising out of the Council's Annual General meeting, and also to reflect current operational practice and any changes in legislative requirements.

The proposed changes are summarised at appendix 1.

Details of the changes are attached on the 2019 version (current version) of the Constitution and proposed changes are shown for the purposes of clarity as tracked changes (in red).

The Constitution Working Group considered and approved the proposed amendments at a meeting held on 2nd September 2021.

3. **Options for Recommendation**

3.1 Option 1:

Consider and approve the suggested amendments and incorporate these into the existing Constitution.

Option 2:

Do not approve some or all of the amendments and revert back to the Constitutional Working Group for further consideration.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

There is a statutory responsibility upon all Councils to adopt a Constitution and keep it under review.

5. **Implications Against Each Option**

5.1 *Impact on Budget*

There are no financial implications associated with this report.

5.2 *Risk*

If the Constitution is not revised on a regular basis there is a risk of non-compliance with legislation and the risk of successful challenge in a number of areas would be increased.

- 5.3 *Legal*
There a legal duty on the Monitoring Officer to review the Constitution.
- 5.4 *Human Resources*
There are no staffing implications arising out of this report.
6. **Supporting Evidence**
- 6.1 *Performance Information and Data*
The changes are necessary to keep the Constitution up to date and relevant in accordance with the requirements of the Local Government Act 2000.
- 6.2 *Expected outcome for the public*
A Constitution that accurately sets out how the Council operates, how decisions are made and the procedures which are followed in the democratic process.
- 6.3 *Involvement (consultation, engagement, participation)*
The Constitution Working Group were consulted on 2nd September and key officers have been consulted in the past 6 weeks.
- 6.4 *Thinking for the Long term (forward planning)*
This review will ensure the Council meets its current statutory obligations and plans for the longer term, providing assurance in respect of the Council's governance arrangements.
- 6.5 *Preventative focus*
The review and amendments will lessen the risk of the Council operating *ultra vires* and reduce the chances of a successful challenge through the courts or other regulatory avenues.
- 6.6 *Collaboration / partnership working*
It should be noted that the Monitoring Officer is currently working with others on an All-Wales basis to produce an updated Constitution template which will reflect all the changes arising as a consequence of the Local Government Wales Act 2021.
- 6.7 *Integration(across service areas)*
The report potentially impacts all areas of the Council's services.
- 6.8 *EqIA (screening and identifying if full impact assessment is needed)*
There are no Equality implications in relation to the suggested amendments.
7. **Monitoring Arrangements**
- 7.1 The Constitution is published on the Council's Corporate website. Any future amendments will be subject to consultation with Heads of Service, the Corporate Leadership Team and the Constitution Working Group before proceeding to full Council for formal approval.


Background Documents /Electronic Links
See appendices attached.

Constitution Amendments Record 2021

Section	Paragraph	Page Number	Title/Area	Current Wording	Amendment	Incorporated into document?
Section 4	4.3	32	The Well-being Plan	The Well-being of Future Generations (Wales) Act 2015 places a statutory collective duty on the Council... steps to take to meet them. The first well-being plan must be set by 2018, and will replace the Single Integrated Plan. A new well-being plan will be set every five years.	Remove the crossed out bit as quite old info now.	Completed as tracked change. NOT YET ACCEPTED
	4.17	40	Remote Attendance (2011 Measure as amended by Democracy Act 2013)	The Council does not intend to operate remote attendance for its meetings at present. If in the future it is the intention to do so it will operate in accordance with the following process:	This section will be updated as part of the overall amendments being done nationally but we suggest amending now to state that we will be operating remote attendance in line with the Local	Tweaked wording as tracked changes and comment added to indicate this. NOT YET ACCEPTED

					Government (Wales) Act 2021.	
	4.27	61		Record of Attendance All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance	Again, not necessarily for now but this needs to be considered for remote meetings.	Added suggested wording as tracked change. NOT YET ACCEPTED
Section 7	7.3	79	Scrutiny Committee Remits		Move reference to ALT from Community Services and into Education and Learning	moved NOT YET ACCEPTED
Section 7	7.3	80	Scrutiny Committee Remits		Add Decarbonisation to Regeneration remit	Added NOT YET ACCEPTED
Section 7	7.3	80	Cardiff Capital Region City Deal Joint Scrutiny Committee	There shall be one at least one but maximum of two non-Executive Member nominated to represent this Council Committee	Amend the sentence. We could say that this is the Chair and Vice Chair of the Regeneration Scrutiny Committee?	Added as tracked change. NOT YET ACCEPTED
Section 7	7.3	82	Joint Education and Learning, and Children's and		Need to add Corporate	Added as tracked change. NOT YET ACCEPTED

			adults, Social Services Scrutiny Committee (safeguarding)		safeguarding arrangements	
Section 13		154/155	Portfolio Responsibilities	Leader / Executive Member Corporate Services	Suggest adding to the remit: Payroll Customer Strategy Services / C2BG / Benefits Workforce Management Digital and IT Procurement	Added with tracked changed. NOT YET ACCEPTED
Section 13		155	Portfolio Responsibilities	Leader / Executive Member Corporate Services	Change title: Deputy Leader / Executive Member Regeneration & Economic Development (currently it says Environment)	Amended as tracked changed NOT YET ACCEPTED
Section 13		156/157	Portfolio Responsibilities	Leader / Executive Member Corporate Services	Estates and Asset Management – moved to Regeneration Interface with and monitoring of Aneurin Leisure Trust – move to education	Amendments made as tracked changes NOT YET ACCEPTED

Section 17	Whole section	266	Contract Procedural Rules	 CPR's 2021-22 v1.docx	Amended Contract Procedural Rules The main changes being to the EU threshold values and SPB (Strategic Procurement Board) references to SCCB (Strategic Commercial Commissioning Board).	Completed as tracked change. NOT YET ACCEPTED
General minor			General minor Typing/Index Errors			
Several throughout			Audit Committee	Audit Committee	Governance and Audit Committee (Legislative requirement to change name)	Tracked change Not yet accepted
Section 13		227	Description of Governance and Audit Committee purpose	N/A	Include purpose to oversee service complaints as required by legislation	Tracked change Not yet accepted
Part 4 – The Register of Members Interests		332	Register of Members Interests	Material benefit of value above £10	Material benefit of value above £20	Tracked change Not yet accepted
Section 20		356	Officer's Code of Conduct	Gifts under £10	Gifts under £20	Tracked Change Not yet accepted

Section 13		166	Executive Portfolio for Environment	Remove Function of Estates and Asset Management	Remove Function of Estates and Asset Management	Tracked change Not yet accepted
Section 13		197	Executive Portfolio for Regeneration and Economic Development	Insert function of Estates and Asset Management	Insert function of Estates and Asset Management	Tracked change Not yet accepted
Section 13		189	Executive Portfolio for Environment	Insert function of Corporate Landlord	Insert function of Corporate Landlord	Tracked change Not yet accepted
General numbering anomalies						To be corrected upon agreement of final wording
Function of Democratic Services Committee		222	Democratic Services Committee	Amend wording at (a) delete "appoint" and change to "designate"	Amend wording "appoint" to "designate"	Tracked change Not yet accepted

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Constitution

September 2021



Cyngor Bwrdeisdref Sirol

Blaenau Gwent

County Borough Council

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

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BLAENAU GWENT COUNTY BOROUGH COUNCIL CONSTITUTION

SECTION 1

1. INTRODUCTION

1.1 Purpose and Content of the Constitution

1.1.1 The Constitution describes the various bodies that make up the Council, their functions, Membership and procedural rules.

1.1.2 In Section 3 (Getting Information and Getting Involved) we have provided information for members of the public and Councillors on how you can get information about the Council, and how you can get involved. We hope that this will help people who have an interest in the Council's work, or a particular matter it is dealing with, understand where they can get more information, and how they can contribute to Council activities.

1.1.3 You can get a better understanding of what each of the Council's bodies do in Sections 4 to 10 of this Constitution, including Full Council, Executive, (Overview and Scrutiny Committees), Standards Committee and Regulatory Committees. Section 11 provides information on the Management and Officer structures of the Council. Some Officers have a specific duty to ensure that the Council operates within the law and uses resources wisely. Responsibility for functions at Section 13 says which Council bodies, and which Officers have authority to make which decisions.

1.1.4 The procedural rules that apply to the different Council bodies are contained in the sections relating to those bodies, e.g. Full Council (Section 4), the Executive (Section 5) and Overview and Scrutiny (Section 7). You may find these useful if you want to attend a meeting, particularly if you want to be able to ask questions, have a matter discussed, or put your point of view.

1.1.5 Sections 18 to 20 have the Codes of Conduct and Protocols which Officers and Members have agreed to comply with. They set the standards of behaviour.

1.1.6 The Contents pages at the beginning of this Constitution provide a guide on what is in the Constitution and where you can find it.

1.2 How the Council Operates

1.2.1 The Council is comprised of 42 Councillors elected every five years. Each Councillor is democratically accountable to the residents of their electoral division as well as those who live in Blaenau Gwent. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those that did not vote for them.

1.2.2 All Councillors have agreed to follow a Code of Conduct, to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising on the Code of Conduct.

1.2.3 All Councillors meet together regularly as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall Policy Framework and set the budget each year. The Council appoints the Leader of the Council annually. The Full Council then decides the size and Membership of the Executive i.e. the role of

individual Members of the Executive and arrangements for the exercise and delegation of Executive functions. The Executive is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution, together with making decisions within the Budget and Policy Framework set by the Council.

SECTION 2

2. PURPOSE, DEFINITION INTERPRETATION AND AMENDMENT OF THE CONSTITUTION

2.1 The purpose of the Constitution is to:-

- 2.1.1 Enable the Council to provide clear leadership to the Community in partnership with citizens, businesses and other organisations;
- 2.1.2 Support the active involvement of citizens in the process of local authority decision making;
- 2.1.3 Help Councillors represent their constituents more effectively;
- 2.1.4 Enable decisions to be taken efficiently and effectively;
- 2.1.5 Create a powerful and effective means of holding decision makers to public account;
- 2.1.6 Ensure that no one will scrutinise a decision in which they are directly involved;
- 2.1.7 Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- 2.1.8 Provide a means of improving the delivery of services to the community.

2.2 Definitions in the Constitution

- 2.2.1 The Constitution of the Council is this document (Sections 1 to 23).

2.2.2 Within the Constitution the following words and phrases have the meaning set out below:

“Budget”	the overall revenue and capital budget approved by Full Council (Section 4);
“Chief Officer”	any Officer (other than a person whose duties are solely secretarial or administrative or whose duties are otherwise in the nature of support services) who forms part of the Council’s Corporate Leadership Team
“Corporate Leadership Team”	the senior management body for Officers (Section 11). It includes those Officers designated by the Head of Paid Service from time to time as Members of the Corporate Leadership Team;
“Councillor”	a person elected to the Council to represent an area (called an electoral division) within Blaenau Gwent.
“Deputy Chief Officer” (also known as Heads of Service”)	any Officer (other than a person whose duties are solely secretarial or administrative or whose duties are otherwise in the

	nature of support services) who reports directly to a Chief Officer in respect of all or most of his/her duties;
“Executive”	the Executive or a Member or Members of the Executive when exercising Executive Functions;
“Executive Decision”	any decision taken by the Executive to exercise or refrain from exercising an Executive Function. It also includes decisions made by persons or Member bodies to whom the Executive has delegated Executive functions to exercise or refrain exercising those functions;
“Executive Function”	<p>(a) Executive functions are defined by the Local Government Act 2000, subsidiary legislation and associated guidance. Any function that is not exercisable only by Full Council or delegated to another Member body is an Executive function</p> <p>(b) Contractual matters, the acquisition and disposal of land and financial support to organisations and</p>

individuals are also Executive functions.

It should be noted that Regulatory functions such as planning, licensing and building control, are not Executive functions;

“Forward Work Programme”

the Forward Work Programme is a document which lists all of the decisions that the Council and the Executive intend to take and what business the Overview and Scrutiny Committee will be considering and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered;

“Full Council”

the body where all Councillors act to exercise functions of the Council;

“Head of Paid Service”

an Officer who must be appointed by law to carry out certain functions. See Section 11 for more details. The Officer will usually have other duties and a different job title. See Section 11 for which Officer is the Head of Paid Service;

“Local Choice Functions”

there are some functions which the Council may treat as being the responsibility of the Executive (in whole or in part) or as being non-Executive, at its discretion;

“Local Government (Wales) Measure 2011”

referred to as “The Measure”. Legislation introduced, inter alia, to strengthen local democracy, deal with changes to Executive arrangements, Overview and Scrutiny, County Councils and Member payments;

“Member”

either a Councillor or a person chosen by the Council to serve on one of its Member Bodies (called a “Co-Opted Member”);

“Member Body”

any of the following:

- Full Council;
- Executive;
- An Overview and Scrutiny Committee joint arrangements;
- Licensing Committee;
- Standards Committee (or one of its Sub-Committees);

- Planning Committee;
- Appeals Panel;
- Governance and Audit Committee;
- Democratic Services Committee;

Note – references to Committee also includes Sub-Committee;

“Monitoring Officer”

an Officer who must be appointed by law to carry out certain functions. See Section 11 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 11 for which Officer is the Monitoring Officer.

“Non-Executive Functions”

any function which may only be exercised by Full Council (whether by local choice or as a matter of law) or which is delegated to a Member body other than the Executive.

“Planning Application”

any of the following:

- Application for planning permission (including renewal);

- Application for approval of reserved matters;
- Application for listed building consent;
- Application relating to trees;
- Proposal to serve an urgent works notice or acquire a listed building in need of repair;
- Application for conservation area consent;
- Application for advertisement consent;
- Application to vary or remove conditions on a planning condition;

“Policy Framework”

See Section 4.2;

“Section 151 Officer”

an Officer who must be appointed by law to carry out certain functions in relation to financial administration. See Section 11 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 11 for which Officer is the Section 151 Officer.

“Service”	one of the services provided by the Council;
“Well-Being Plan”	The Well-being of Future Generations (Wales) Act 2015 places a statutory collective duty on the Council and other public service providers and interested parties in the local area, to work in partnership through a statutory Public Services Board (PSB) to put in place a local well-being plan which sets out collective local objectives and the proposed steps to take to meet them. A new well-being plan will be set every five years.
“Council’s Well-being Objectives”	This is the Council’s business plan and identifies the key priorities that are to be implemented, based on the needs of the local community. All Council business should be informed by the priorities of this Plan.

2.3 Interpretation of the Constitution

2.3.1 We have tried to make the Constitution as clear and easy to understand as possible. Inevitably, people will have different views about what certain passages mean.

2.3.2 During meetings, the person Chairing or presiding at the meeting may interpret the relevant procedure rules.

2.3.3 In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution.

2.4 Duty to Monitor and Review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The Section 151 Officer shall be responsible for keeping under review the Financial Regulations set out in Section 16 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. He/she shall report any amendments made to Section 16 to the next available Council meeting for noting.

2.5 Protocol for Monitoring and Review of Constitution by Monitoring Officer

A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in this Section. In undertaking this task, the Monitoring Officer may:

2.5.1 observe meetings of different parts of the Member and Officer structure;

2.5.2 undertake an audit trail of a sample of decisions;

2.5.3 record and analyse issues raised with him/her by Members, Officers, the public and other relevant stakeholders; and

2.5.4 compare practices in this Council with those in comparable Authorities, or national examples of best practice.

2.6 Changes to the Constitution

2.6.1 Approval

Subject to paragraphs 2.6.2 and 2.6.3 below, the changes to the Constitution will only be approved by the Full Council after consideration of a proposal by the Constitution Working Group being advised by the Monitoring Officer .

2.6.2 Minor Changes

If, in the reasonable opinion of the Monitoring Officer, a change is:

- a. A minor variation; or
- b. Required to be made to remove any inconsistency, ambiguity or typographical correction; or
- c. Required to be made so as to put into effect any decision of the Council or its Committees or the Executive;

In which case the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect. Such changes shall be reported to the next Full Council meeting for information.

2.6.3 Legislative Change

Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer so decides or the legislation (where relevant) so provides. Such

changes shall be reported to the next Full Council meeting for information.

2.7 Suspension of the Constitution

2.7.1 Limit to Suspension

Any of the procedure rules contained in the Constitution may be suspended to the extent permitted within these rules and the law.

2.7.2 Procedure to Suspend

A motion to suspend any Rules will not be moved without notice unless at least one half of the whole number of Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in this Section.

2.8 Publication

2.8.1 The Monitoring Officer will ensure that copies of this Constitution are available for inspection at the main Council offices and on the Council's website.

2.8.2 The Monitoring Officer will provide a link to a copy of this Constitution to each Member of the Council upon delivery to him/her of that individual's declaration of acceptable of office on the Member first being elected to the Council, and thereafter ensure that an up to date version is available for inspection and published on the Council's website.

2.8.3 The Monitoring Officer will ensure that the Constitution is updated as necessary in accordance with paragraph 2.6.

SECTION 3

3. GETTING INFORMATION AND GETTING INVOLVED

3.1 Getting Information

3.1.1 Information Available to Members of the Public

(a) *When Meetings of the Member Bodies will take place*

A programme of meetings is available by contacting the Council direct or via the website.

(b) *Forward Work Programme*

From the Forward Work Programme, see what decisions will be taken by the Executive or Council and what issues the Overview and Scrutiny Committee will be considering and when these matters will be discussed.

(c) *Information Available Prior to a Meeting*

Three working days before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection at the offices of the Council and on the website. If an item is added to the agenda later, the revised agenda will be open to inspection from the time when the item is added to the agenda and any report will be made available to the public as soon as it is available and sent to Councillors.

(d) *Information Available at a Meeting*

The Council will make available to the public present at a meeting a reasonable number of copies of the

agenda and of the reports for the meeting (save during any part of the meeting to which the public are excluded).

(e) *Information Available After a Meeting*

For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.

(f) *Council's Accounts*

Inspect the Council's accounts and make views known to the external auditor (Sections 29 and 30 Public Audit (Wales) Act 2004). Under the Accounts and Audit (Wales) Regulations 2014, the accounts will be available for public inspection for twenty 20 working days after the date appointed by the auditor.

Information which is confidential or exempt (as defined in paragraphs 14.10.3 and 14.10.4) will not be disclosed to members of the public at any time.

3.1.2 Information Available to Members of the Council

- (a) Members can see any information, which is available to a member of the public.
- (b) In addition, a Member may see any information which he or she needs to know in order to fulfil his or her role as a Member of the Council (otherwise known as "need to know"). A Member will not make public information which is confidential or exempt (as defined in Section 14) without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or person(s) or organisations(s) entitled to know it.

3.1.3 Members of an Overview and Scrutiny Committee

A Member of an Overview and Scrutiny Committee may also see any document containing material relating to:

- (a) any business transacted at or meeting of the Executive;
- (b) any decision taken by an individual Member of the Executive.

An Overview and Scrutiny Member is not entitled to:

- (c) any document in draft form;
- (d) any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and is included in the Committee's Forward Work Programme.

N.B. No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

3.1.4 Information Available to Officers

The Monitoring Officer, the Section 151 Officer and the Head of Paid Services may see any papers or records held by any part of the Council or its Officers. Other Officers may see any information held by the Council provided:

- (a) they need to see the information to do their job; and
- (b) that information is processed lawfully in accordance with the Data Protection act 2018.

3.2 Getting Involved

3.2.1 Members of the Public

Members of the public can get involved in the following ways:

(a) *Voting for Councillors*

If they are over 18 years and registered as a local elector with a Council.

(b) *Suggesting Items of Business for Meetings*

A member of the public can seek to get a matter included in an agenda by:

(i) *asking the Chair of any Member Body to add an item to the agenda, subject to reasonable advance notice being given;*

(ii) *attending a meeting of the body and suggest that it looks at an issue when it is considering “items of future business relating to the functions of the Member Body”.*

(c) *Taking Part in Meetings*

(i) *Members of the public can come to and speak at any meeting which the Council has resolved should include participation by members of the public. The rules on when you may speak and for how long are contained in Section 4.*

(ii) *You can also ask Formal Questions at meetings of Full Council (Section 4).*

(d) *Views of the Public*

Under the arrangements put in place by the Authority under Section 62 of the Local Government (Wales) Measure 2011, to bring to the attention of the relevant (Overview and Scrutiny Committee) their views on any matter under consideration by the relevant Committee, the relevant Overview and Scrutiny Committee must take into account any views brought to their attention under these arrangements.

(e) *When are Meetings Open to the Public?*

Meetings will be open to the public wherever possible. The public must be excluded from meetings whenever it is likely that confidential information will be disclosed. The public may be excluded from meetings where it is likely that exempt information will be disclosed. (See Section 14.10 for definition of exempt information and Section 14.11 for definition of public interest).

(f) *Making Comments/Complaints*

- (i) A member of the public may comment or complain about Council services by:
 - (A) contacting their local Councillor;
 - (B) contacting the Member of the Executive responsible for the service;
 - (C) contacting the Officer responsible for delivering the service or their manager;
 - (D) using the Council's complaints procedure;
 - (E) contacting the Public Services Ombudsman at 1 Ffordd Yr Hen Gae,

Pencoed, CF35 5LJ. Telephone 0845 601 0987 or via the website www.ombudsman-wales.org.uk.

(ii) Comments or complaints can be made about an Officer or Member by:

(A) *Officer*

Contacting the Officer or the Officer's Manager.

(B) *Members*

If the complaint is against a Member then the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales (contact details above).

(g) *Engage with Overview and Scrutiny*

All members of the public who live or work in the area of the Council may bring to the attention of an Overview and Scrutiny Committee their views on any matter under consideration by that Committee. An Overview and Scrutiny Committee must take into account any views brought to its attention by a member of the public.

3.3 Getting Involved – Members

Members can get involved by:

3.3.1 Suggesting Items of Business for the Agenda

As a Member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following rights:

- (a) Member bodies in Column A can request that Member bodies in Column B consider or reconsider an issue.

Column A	Column B
Democratic Services Committee	Council
Overview and Scrutiny Committee	Executive

- (b) Any Member can submit a Notice of Motion to Council (Section 4) and also ask questions (Section 4).

3.3.2 Participating in Meetings

Members of the Council are entitled to attend any formal meeting of the Council, its Committees or Sub-Committees or the Executive.

- (a) The following is subject to the general rules relating to participation and speaking at Council meetings (Section 4).
 - (i) Members of the Council may attend and speak at any meetings where they are a Member of that body.
 - (ii) Where they are not a Member of that body, other than in respect of public meetings, their attendance is at the discretion of the Chair of the body. However, if the Member wishes to ask questions or speak in relation to any business then they must give 3 working days' notice of the question or point, prior to the meeting. Notice is to be given to the Chair of the body,

who may consult with Officers prior to determining whether to permit the question or point.

(iii) Executive members may only attend Scrutiny Committee meetings by invite of the Committee.

- (b) Members of the Council may be allowed to remain in the meeting for exempt items, subject to the discretion of the Chair although any personal or prejudicial interests relating to that Member needs to be highlighted.
- (c) Members of the Executive have a special role to play within the Council. They are entitled to exercise any Executive function provided the Executive function has been delegated to them by the Leader of the Council.
- (d) Attendance of non-Councillors as Co-opted Members/Expert Witnesses to attend meetings will be considered, as long as they add value in their professional role or experience to the Committee.

3.3.3 Comments and Complaints

- (a) Members may comment, subject to restrictions in the Code of Conduct for Members (Section 18) on any aspect of Council business by:
 - (i) talking to Officers;
 - (ii) talking to the Leader or Member of the Executive;
 - (iii) talking to the Chair of an Overview and Scrutiny Committee.
- (b) If a Member wishes to complain about an:
 - (i) *Officer*

The procedure set out in the Protocol on Member/Officer Relations may be used (Section 21).

(ii) *Member*

The procedure set out in Appendix 3 to Section 18 may be followed.

SECTION 4

4. FULL COUNCIL

4.1 Introduction

The Full Council is a formal meeting of all Councillors. The Full Council is required by law to take certain important decisions including setting the Council's budget and Council Tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions not the responsibility of the Executive. It will carry out some functions itself, but others will be delegated to Committees or named Officers. In Wales functions and responsibilities are prescribed by regulation.

4.2 The Policy Framework

The Policy Framework means the following plans and strategies:

- Corporate Plan (including Well-being Objectives)
- Freedom of Information Publication Scheme
- Well-being Plan
- Treasury Strategy Statement
- Local Development Plan
- Local Transport Plan
- Crime & Disorder Reduction Strategy
- Welsh Language Promotion Strategy
- Youth Justice Plan

The following strategies will be adopted by Council:-

- South East Wales Valleys Local Transport Plan
- Strategic Asset Management Plan
- Winter Maintenance Plan
- Highways Maintenance Plan
- Corporate Plans and strategies

- Procurement Strategy
- Regeneration Strategy
- Strategic Equality Plan

4.3 The Well-being Plan

The Well-being of Future Generations (Wales) Act 2015 places a statutory collective duty on the Council and other public service providers and interested parties in the local area, to work in partnership through a statutory Public Services Board (PSB) to put in place a local well-being plan which sets out collective local objectives and the proposed steps to take to meet them. A new well-being plan will be set every five years.

4.4 The Budget

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See Section 15 for how the Council can change the Policy Framework or Budget referred to it for approval by the Executive).

4.5 Housing Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Section 32 or 43 of the Housing Act 1985.

4.6 Functions of the Full Council

Only the Full Council will exercise the following functions:

- 4.6.1 adopting and changing the Constitution;
- 4.6.2 approving or adopting the Well-being Plan, Corporate Plan, Council's Well-being Objectives, Policy Framework, the Budget and any application to the National Assembly for Wales in respect of any Housing Land Transfer;
- 4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 14 of this Constitution, making decisions about any matter in the discharge of an Executive function which is covered by the Policy Framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;
- 4.6.4 appointing The Leader, Executive Portfolios, Scrutiny Committees and other Committees;
- 4.6.5 agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;
- 4.6.6 changing the name of the area or conferring the title of freedom of the Borough;
- 4.6.7 making or confirming the appointment of the Head of Paid Service and other Chief Officers/Heads of Service;

4.6.8 making, amending, revoking re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills;

4.6.9 all Local Choice Functions set out in Section 13 of this Constitution which the Council decides should be undertaken by itself rather than the Executive; and

4.6.10 all matters which by law must be reserved to the Council. For example, appointing the Chair of the Democratic Services Committee and the pay policy statement;

4.6.11 appointing representatives to outside bodies unless the appointment has been delegated by the Council.

4.7 Membership

4.7.1 All Members of the Council shall be Members of Full Council.

4.7.2 Substitution is not possible at meetings of the Council.

4.7.3 Chairing the Council

(a) The Councillor elected annually by the Council as its chair will be called the Council Chairperson.

(b) The Council Chairperson will cease to be the Chairperson if they resign, are dismissed by a vote of Full Council, cease to be a Member of the Council, or are unable to act as a Member of the Council. They continue to act as Council Chairperson after an election until their successor has been appointed.

4.7.4 Role and Function of the Council Chairperson

The Council Chairperson of the Council and in his/her absence, the Deputy Council Chairperson will have the following roles and functions;

Responsibilities of the Council Chairperson

- (i) to uphold and promote the purpose of the Constitution, and assist to interpret the Constitution when necessary;
- (ii) to preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors and the interests of the community;
- (iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive are able to hold the Executive and Committee Chair to account;
- (iv) to promote public involvement in the Council's activities;
- (v) to be the conscience of the Council; and
- (vi) to attend such civic functions as the Council and he/she determines appropriate.

4.8 Council Meetings

There are three types of Council meeting:

4.8.1 the Annual Meeting;

4.8.2 Ordinary meetings; and

4.8.3 Extraordinary Meetings.

4.9 Rules of Procedure and Debate

The Council Procedure Rules contained in the Sections below will apply to the meetings of the Full Council.

4.10 Council Procedure Rules – Annual Meeting of the Council

4.10.1 Timing and Business

In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May. The Annual Meeting will:

- (a) elect a person to preside if the Council Chairperson and Deputy Council Chairperson of the Council is not present;
- (b) elect the Council Chairperson of the Council;
- (c) elect the Deputy Council Chairperson of the Council;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Civic Chair.

4.10.2 At the Annual Meeting, the Council meeting will:

- (a) decide which Committees and Sub-Committees to establish for the municipal year;

- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) make appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive.

4.11 Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting. The order of business at Ordinary Meetings will be as follows:

- 4.11.1 elect a person to preside if the Council Chairperson and Deputy Council Chairperson are not present;
- 4.11.2 Simultaneous Translation;
- 4.11.3 Receive apologies;
- 4.11.4 receive any declarations of interest from Members;
- 4.11.5 receive any announcements from the Council Chairperson;
- 4.11.6 confirm the minutes of the last Council meeting;
- 4.11.7 confirm minutes from the Executive. Only questions relating to accuracy of the minutes may be considered;
- 4.11.8 confirm minutes from the Council's Committees. Only questions relating to accuracy of the minutes may be considered;

- 4.11.9 deal with questions from Members in accordance with Rule 4.19;
- 4.11.10 receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Council Chairperson are relevant to the Council's functions;
- 4.11.11 receive and consider reports (including recommendations / motions) and receive questions and answers on the reports including the business of joint arrangements and external organisations.
- 4.11.12 consider any other business specified in the summons to the meeting;

4.12 Extraordinary Meetings

4.12.1 Calling Extraordinary Meetings

The Proper Officer (Managing Director / Head of Paid Service) may call Council meetings in addition to ordinary meetings. Those listed below may request the Proper Officer (Managing Director / Head of Paid Service) to call additional Council meetings:-

- (a) the Council by resolution;
- (b) the Council Chairperson;
- (c) any five Members of the Council if they have signed a requisition presented to the Council Chairperson of the Council and he/she has refused to call a meeting or has failed to call a

meeting within seven days of the presentation of the requisition.

4.12.2 Business

The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from Committees, etc., except that the Council Chairperson may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.13 Time, Place and Duration of Meetings

4.13.1 Time and Place of Meetings

The time and place of meetings will be determined by the Managing Director / Head of Paid Service and notified in the summons.

4.14 Notice of and Summons to Meetings

The Managing Director / Head of Paid Service will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 14. At least 3 working days before a meeting, the Managing Director / Head of Paid Service will send a summons signed by him/her to every Member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

4.15 Chair of the Meeting

The person presiding at the meeting may exercise any power or duty of the Council Chairperson. Where these rules apply to Committee and Sub-Committee meetings, references to the Council Chairperson should instead be read as reference to the Chair of that Committee or Sub-Committee.

4.16 Quorum

The quorum of a meeting shall be one quarter of the whole number of Members. During any meeting if the Council Chairperson counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Council Chairperson. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.17 Remote Attendance (2011 Measure as amended by Democracy Act 2013)

Remote attendance at meetings will be operated in line with the Local Government (Wales) Act 2021. This will be conducted in accordance with the following process:

- (1) A Member of a Local Authority who is not present in the place where a meeting of that Authority is held (a "Member" in remote attendance) attends the meeting at any time at designated places, if all of the conditions in subsection (2) are satisfied.
- (2) Those conditions are that:-
 - (a) the Member in remote attendance is able at that time:-

- (ii) to see and hear, and be seen and heard by any Members in actual attendance;
 - (ii) to see and hear, and be seen and be heard by, any Members of the public entitled to attend the meeting who are present in that place and who exercise a right to speak at the meeting; and
 - (iii) to be seen and heard by any other members of the public so entitled who are present in that place.
 - (b) the Member in remote attendance is able at that time to hear, and be heard by, any other Member in remote attendance in respect of whom the condition in paragraph (a) is satisfied at that time;
 - (c) use of facilities enabling the conditions in paragraphs (a) and (b) to be satisfied in respect of the Member in remote attendance is not prohibited by the Standing Orders or any other rules of the Authority governing the meeting.
- (3) The Standing Orders of a Local Authority must secure that there is no quorum for a meeting of the Local Authority at any time when the number of Members in actual attendance constitutes less than 30% of the total number of Members in attendance at the meeting.
- (4) This section applies in relation to a meeting of a Committee or Sub-Committee of a Local Authority as it applies in relation to a meeting of a Local Authority.
- (5) But a person who is a co-opted Member of a Committee or Sub-Committee may not be a Member in remote attendance at a meeting by virtue of this section.

4.18 Questions by the Public

4.18.1 General

- (a) Members of the public may ask questions of Members of the Council at ordinary meetings of the Council.
- (b) The total time allocated for questions by the public should be limited to 30 minutes.

4.18.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Council Chairperson may group together similar questions.

4.18.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Governance and Partnerships no later than midday, three working days before the day of the meeting. Each question must give the name and address of the questioner.

4.18.4 Number of Questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

4.18.5 Scope of Questions

The Managing Director / Head of Paid Service and/or Head of Legal & Corporate Compliance may reject a question if it:

- (a) is not about a matter for which the Council has a responsibility or which affects the County Borough;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (d) requires the disclosure of confidential or exempt information.

4.18.6 Record of Questions

The Managing Director / Head of Paid Service or Head of Democratic Services will enter each question in a book open to public inspection and will immediately send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection. Determination of the validity of the request will be by the Monitoring Officer.

4.18.7 Asking the Question at the Meeting

The Council Chairperson will invite the questioner to put the question to the Councillor named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Council Chairperson to put the question on their behalf. The Council Chairperson may ask the question on the

questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

4.18.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Council Chairperson may reject a supplementary question on any of the grounds set out in Rule 4.18.5 above.

4.18.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Councillor to whom it was to be put, will be dealt with by a written answer.

4.18.10 Reference of Question to the Executive or a Committee

Unless the Council Chairperson decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

4.19 Questions by Members

4.19.1 On Reports of the Executive or Committee

A Member of the Council may ask the Leader or the Chair of a Committee any question without notice directly arising from a report under consideration at the Council meeting. NB. This provision is not intended to apply to items in connection with confirmation of minutes from previous meetings.

4.19.2 Questions on Notice at Full Council

Subject to Rule 4.19.4, a Member of the Council may ask:

- (a) the Council Chairperson;
- (b) a Member of the Executive;
- (c) the Chair of any Committee or Sub-Committee;

a question on any matter in relation to which the Council has powers or duties or which affects the County Borough of Blaenau Gwent.

4.19.3 Questions on Notice at Committees and Sub-Committees

Subject to Rule 4.19.4, a Member of a Committee or Sub-Committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affects the County Borough and which falls within the terms of reference of that Committee or Sub-Committee.

4.19.4 Notice of Questions

A Member may ask a question under Rule 4.19.2 or 4.19.3 if either:

- (a) they have given at least 3 working days' notice in writing of the question to the Managing Director (Head of Paid Service) / Head of Legal & Corporate Compliance.

4.19.5 Order of Questions

Questions of which notice has been given under Rule 4.19.2 or 4.19.3 will be listed on the agenda in the order determined by the Council Chairperson of the Council, Committee or Sub-Committee.

4.19.6 Content of Questions

Questions under Rule 4.19.2 or 4.19.3 must, in the opinion of the Council Chairperson:

- (a) contain no expressions of opinion;
- (b) relate to matters on which the Council has or may determine a policy;
- (c) not relate to questions of fact.

4.19.7 Response

An answer may take the form of:

- (a) a direct or oral answer at the meeting;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or

- (c) where the reply cannot conveniently be given orally, a written answer circulated within 5 working days to the questioner.

4.19.8 Supplementary Question

A Member asking a question under Rule 4.19.2 or 4.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

4.19.9 Length of Speeches

A Member asking a question under Rule 4.19.2 or 4.19.3 and a Member answering such a question may speak for no longer than five minutes unless the Council Chairperson consents to a longer period.

4.19.10 Time Allowed for Questions at Council Meetings

- (a) The time allowed for consideration of questions submitted under Rule 4.19.2 shall not, without the consent of the Council, exceed 30 minutes.
- (b) At the conclusion of the answer to the question under consideration at the expiry of 30 minutes (or such longer period to which the Council has consented) from the time when the first questioner started to speak, the Council Chairperson shall conclude the meeting.
- (c) Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

4.20 Motions on Notice

4.20.1 Notice

Except for motions which can be moved without notice under Rule 4.21 and in cases of urgency, written notice of every motion must be delivered to the Managing Director / Head of Paid Service, signed by at least 5 Members, not later than 5.00 p.m. on the fifth working day before the Council meeting at which it is to be considered. Motions received will be entered in a book open to public inspection.

4.20.2 Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order determined by the Council Chairperson.

4.20.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the wellbeing of the administrative area of the Council.

4.20.4 Motion to Remove the Leader

- (a) A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of Councillors which is at least equivalent to 15% of the total number of Councillors on the Council and which includes Councillors from at least two political groups. See Section 6.3.2.
- (b) In order for such a motion to be carried it must have the support of at least two thirds of those Members voting and present in the room at the time the question was put.

- (c) A motion to remove the Leader cannot be moved more than once in any rolling 12 month period.

4.20.5 One Motion per Member

No Member may give notice of more than one motion for any Council meeting, except with the consent of the Council Chairperson.

4.20.6 Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Council, exceed five minutes. At the conclusion of the speech being delivered at the expiry of five minutes (or such longer period to which the Council has consented) from the commencement of the Council's consideration of the first such motion, the Council Chairperson shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

- (a) if the speech to be concluded is a speech proposing a motion, the Council Chairperson shall allow the motion to be formally seconded (without comment);
- (b) if the speech to be concluded is a speech moving an amendment, the Council Chairperson shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his right of reply; and
- (c) otherwise, the Council Chairperson shall allow the mover of the motion to exercise his right of reply.

Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Council and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

4.21 Motions without Notice

The following motions may be moved without notice:

- 4.21.1 to appoint a Chair of the meeting at which the motion is moved;
- 4.21.2 in relation to the accuracy of the minutes;
- 4.21.3 to change the order of business in the agenda;
- 4.21.4 to refer something to an appropriate body or individual;
- 4.21.5 to appoint a Committee or Member arising from an item on the summons for the meeting;
- 4.21.6 to receive reports or adoption of recommendations of Committees or Officers and any resolutions following from them;
- 4.21.7 to withdraw a motion;
- 4.21.8 to amend a motion;
- 4.21.9 to proceed to the next business
- 4.21.10 that the question be now put;
- 4.21.11 to adjourn a debate;

- 4.21.12 to adjourn a meeting;
- 4.21.13 to suspend a particular Council Procedure Rule;
- 4.21.14 to exclude the public and press in accordance with the Access to Information Procedure Rules;
- 4.21.15 to not hear further a Member named under Rule 4.29.3 or to exclude them from the meeting under Rule 4.29.4;
- 4.21.16 to give the consent of the Council where its content is required by this Constitution.

4.22 Rules of Debate

4.22.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it unless the motion has been seconded.

4.22.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Council Chairperson may require it to be written down and handed to him before it is discussed.

4.22.3 Secunder's Speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

4.22.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a person explanation or point of order

no speech may exceed 5 minutes without the consent of the Council Chairperson.

4.22.5 When a Member May Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he last spoke;
- (c) if his speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

4.22.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or

(iv) to insert or add words

As long as the effect of 4.22.6(a)(ii) to 4.22.6(a)(iv) is not to negate the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been decided.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Council Chairperson will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.22.7 Alteration of Motion

- (a) A Member may alter a motion of which he has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

- (c) Only alterations which could be made as an amendment may be made.

4.22.8 Withdrawal of Motion

A Member may withdraw a motion which he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

4.22.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his amendment.

4.22.10 Motions which may be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;

- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- (h) to not hear further a Member named under Rule 4.29.3 or to exclude them from the meeting under Rule 4.29.4.

4.22.11 Closure Motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member;
 - (i) to proceed to the next business;
 - (ii) to act that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Council Chairperson thinks the item has been sufficiently discussed, he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

- (c) If a motion that the question be now put is seconded and the Council Chairperson thinks the item has been sufficiently discussed, he will put the procedural motion to the vote. If it is passed he will give the mover of the original motion a right of reply before putting his motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Council Chairperson thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.22.12 Point of Order

A point of order is a request from a Member to the Council Chairperson to rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time. The Council Chairperson will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he considers it has been broken. The ruling of the Council Chairperson on the matter will be final.

4.22.13 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present

debate. The ruling of the Council Chairperson on the admissibility of a personal explanation will be final.

4.23 State of the County Borough Debate

4.23.1 Calling of Debate

The Leader may call a state of the County Borough debate annually on a date and in a form to be agreed with the Council Chairperson.

4.23.2 Form of Debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the debate.

4.23.3 Chairing of Debate

The debate will be Chaired by the Council Chairperson.

4.23.4 Results of Debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area which work in active partnership with the Council and considered by the Leader in proposing the Budget and Policy Framework to the Council for the coming year.

4.24 Previous Decisions and Motions

4.24.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of the motion is signed by at least five Members, except in the case of new information becoming available.

4.24.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least five Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.25 Voting

4.25.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

4.25.2 Council Chairperson's Casting Vote

If there are equal numbers of voters for and against, the Council Chairperson will have a second or casting vote. There will be no restriction on how the Council Chairperson chooses to exercise a casting vote.

4.25.3 Method of Voting

Unless a recorded vote is demanded under Rule 4.25.4 the Council Chairperson will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

4.25.4 Recorded Vote

If any Member present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

4.25.5 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

4.25.6 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

4.26 Minutes

4.26.1 Signing the Minutes

The Council Chairperson will sign the minutes of the proceedings at the next suitable meeting. The Council Chairperson will move that the minutes of the previous

meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

4.26.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under Paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

4.26.3 Form of Minutes

Minutes will contain all motions and amendments in the form and order the Council Chairperson put them.

4.27 Record of Attendance

All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

Where members attend meetings virtually they must ensure their presence is known to the minute taker in order to ensure their presence is recorded.

4.28 Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 14 of this Constitution or Rule 4.30 (Disturbance by Public).

4.29 Members' Conduct

4.29.1 Speaking at Meetings

When a Member speaks at Full Council he/she must address the meeting through the Council Chairperson. If more than one Member signifies their intention to speak, the Council Chairperson will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or of personal explanation.

4.29.2 Council Chairperson Speaking

When the Council Chairperson speaks during a debate, any Member speaking at the time must stop.

4.29.3 Member not to be Heard Further

If a Member persistently disregards the ruling of the Council Chairperson by behaving improperly or offensively or deliberately obstructs business, the Council Chairperson may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

4.29.4 Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Council Chairperson may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If

seconded, the motion will be voted on without discussion.

4.29.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Council Chairperson may adjourn the meeting for as long as he thinks necessary.

4.30 Disturbance by Public

4.30.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the Council Chairperson will warn the person concerned. If they continue to interrupt, the Council Chairperson will order their removal from the meeting room.

4.30.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Council Chairperson may call for that part to be cleared.

4.31 Filming and Use of Social Media During Meetings

In meetings which are open to the public, filming and use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting. Webcasting may be provided at any public meetings/Committees.

4.32 Suspension and Amendment of Council Procedure Rules

4.32.1 Suspension

All of these Council Rules of Procedure except Rule 4.20.5, 4.25.5 and 4.26.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting. Rule 4.20.5 can only be suspended by motion on notice and the motion must have the support of at least two thirds of those Members present and voting.

4.32.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

4.33 Application to Committees and Sub-Committees

All of the Council Rules of Procedure apply to meetings of Full Council. None of the rules apply to meetings of the Executive. Only Rules 4.13 to 4.16, 4.19 to 4.22, 4.24 to 4.33 (but not Rule 4.29.1) apply to meetings of Committees and Sub-Committees.

4.34 Appointment of Substitute Members on Council Bodies

4.34.1 The substitution rules will not apply to meetings of the Executive, the Standards Committee or the Governance and Audit Committee.

4.34.2 Subject to any other restrictions elsewhere in the Constitution (see section 9 Regulatory Committees, Planning Committee), any Member of the Council will be permitted to act as a substitute on a Council Body.

4.34.3 The Head of Legal & Corporate Compliance will allow a request from a Member of a Council Body to appoint

a substitute Member, providing that substitute Member is from the same political group.

- 4.34.4 In order to be eligible to sit as substitutes on regulatory or quasi-judicial Committees or panels or staff appointments or disciplinary bodies established by the Council, Members must have received formal training in relevant procedures and the law.
- 4.34.5 Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
- 4.34.6 Substitute Members may attend meetings in that capacity only:
- (a) to take the place of the ordinary Member for whom they are designated substitute;
 - (b) where the ordinary Member will be absent for the whole of the meeting; and
 - (c) where the ordinary Member or that Member's political group has notified the Head of Legal & Corporate Compliance of the intended substitution at least one hour before the start of the relevant meeting.

SECTION 5

5. THE EXECUTIVE

5.1 Introduction

The Executive is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

5.2 Form and Composition of the Executive

The Executive will consist of:

5.2.1 the Leader of the Council (the "Leader"); and

5.2.2 at least two but not more than nine other Councillors appointed to the Executive by the Council.

NB. The requirements in relation to political balance and proportionality do not apply to the composition of the Executive.

5.3 Leader

5.3.1 Election

The Leader will be a Councillor elected to the position of Leader by the Council.

5.3.2 Term of Office

The Leader is appointed on an annual basis at the annual meeting of the Council.

5.3.3 Role of the Leader

The Leader will Chair meetings of the Executive and determine the portfolios of Members of the Executive. Further information is contained in Section 6.

5.4 Deputy Leader

5.4.1 The Council will appoint a Deputy Leader to act as Leader in the Leader's absence and may also if it thinks fit remove the Deputy Leader from the Office at any time.

5.4.2 The Deputy Leader may exercise all of the functions of the Leader where the position is vacant or where the Leader is absence or otherwise unable to act.

5.5. Other Executive Members

Other Executive Members will be Councillors elected to the position of Executive Member by the Council. Each Executive Member shall hold office until:

5.5.1 he/she resigns from that office; or

5.5.2 he/she is removed from that office by the Leader upon such notice (if any) as the Leader considers appropriate; or

5.5.3 he/she ceases to be a Councillor.

The Council may at any time appoint an Executive Member to fill any vacancies.

5.6 Delegation of Functions

The Council will determine Executive functions to:

5.6.1 the Executive as a whole;

5.6.2 a Committee of the Executive (comprising Executive Members only);

5.6.3 an individual Executive Member;

5.6.4 a Joint Committee;

5.6.5 another Local Authority or the Executive of another Local Authority;

5.6.6 a delegated Officer.

5.7 Rules of Procedure and Debate

The proceedings of the Executive shall take place in accordance with the Executive Procedure Rules in Section 5.9 below.

5.8 How does the Executive Operate?

Following the annual meeting the Monitoring Officer, in consultation with the Leader will prepare and submit for approval an Executive Scheme of Delegations setting out the delegations of Executive functions, including, where the principle has been approved as part of the Council's Executive arrangements.

5.8.1 Conflicts of Interest

- (a) If any Member of the Executive has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Section 18 of this Constitution.
- (b) If the exercise of an Executive function has been delegated to a Committee of the Executive, or an

Officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Section 18 of this Constitution.

5.8.2 Executive Meetings – When and Where?

The frequency and timing of meetings of the Executive will be determined by the Leader. The Executive will meet at the Council's main offices or another location to be agreed by the Leader.

5.8.3 Public or Private Meetings of the Executive?

The Executive will hold its meetings in public, except in the circumstances set out in the Access to Information Procedure Rules in Section 14, for example where confidential or exempt information is being discussed.

5.8.4 Quorum

- (a) The quorum for a meeting of the Executive shall be not less than 3 Councillors, including the Leader or Deputy Leader.

5.8.5 How are Decisions to be Taken by the Executive?

Executive decisions made by the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in Section 14 of this Constitution.

5.9 How are Executive Meetings Conducted?

5.9.1 Who Presides?

The Leader will preside at any meeting of the Executive or its Committees at which he is present. In his absence, the Deputy Leader will preside. In his/her absence, then a person appointed to do so by those present shall preside.

5.9.2 Who May Attend?

These details are set out in the Access to Information Procedure Rules in Section 14 of this Constitution. See also Section 3 in relation to Member participation in meetings.

5.9.3 What Business?

At each meeting of the Executive the following business will be conducted:

- (a) consideration of the minutes of the last meeting;
- (b) declarations of interest, if any;
- (c) matters referred to the Executive (whether by Overview and Scrutiny Committees or other Committees or by the Council) for reconsideration by the Executive in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Sections 7 and 15 of this Constitution;
- (d) consideration of reports from Overview and Scrutiny Committees and other Committees;
- (e) consideration of reports from Executive Committees;

- (f) reports from Officers of the Authority.

5.9.4 Consultation

All reports to the Executive from any Member of the Executive or an Officer on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of consultation undertaken with stakeholders and with the Overview and Scrutiny Committees or other Committees, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

5.9.5 Who can put items on the Executive Agenda?

- (a) The Leader will decide upon the schedule for meetings of the Executive. He/she may put any matter on the agenda of any Executive meeting whether or not authority has been delegated to the Executive, a Committee of it or any Member or Officer in respect of that matter.
- (b) Any Member of the Executive may require the Managing Director / Head of Paid Service to make sure that an item is placed on the agenda of the next available meeting of the Executive for consideration.
- (c) The Head of Paid Service, the Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of an Executive meeting and may require that such a meeting be convened in pursuance of their statutory duties.

- (d) In other circumstances, where any two of the Head of Paid Service, the Chief Officer - Resources and Monitoring Officer are of the opinion that a meeting of the Executive needs to be called to consider a matter that requires a decision they may jointly include an item on the agenda of an Executive meeting. If there is no meeting to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be considered at which the matter will be considered.

5.10 Disturbance by the Public, Filming and Use of Social Media

- 5.10.1 The provisions in Council Procedure Rules in Section 4.30 in relation to disturbance by the public may apply to meetings of the Executive.
- 5.10.2 The provisions in Council Procedure Rules in Section 4.31 relating to filming and use of social media apply to meetings of the Executive.

SECTION 6

6. THE LEADER

6.1 Election

6.1.1 The Leader will be elected by Full Council.

6.1.2 The Leader will usually be elected on an annual basis at the Annual Council meeting for a term of one year. However, where the post of Leader becomes vacant between Council elections the Leader will be elected at the next meeting of the Full Council.

6.2 Term of Office

The Leader is appointed on an annual basis at the annual meeting of the Council. The Leader is appointed for a term of one year.

6.3 Resignation, Dismissal, Disqualification and Suspension

6.3.1 The Leader may resign the position of Leader by writing to the Managing Director / Head of Paid Service.

6.3.2 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rules below.

6.3.3 The Leader shall cease to be Leader if he/she is suspended or disqualified as a Councillor, or, for other such reasons, cannot fulfil the role of Leader.

6.3.4 The Leader will cease to be Leader upon death or upon suffering any disability which will, or is likely to, prevent them

from undertaking the role of Leader for a period of three months or more.

6.4 Deputy Leader

6.4.1 Appointment

The Council may designate one of the Members of the Executive as Deputy Leader.

6.4.2 Duties of the Deputy Leader

The Deputy Leader may exercise all the functions of the Leader where the position is vacant or where the Leader is absent or is otherwise unable to act.

6.4.3 Removal from Office

The Leader may, if he/she thinks fit, remove the Deputy Leader from office at any time.

6.5 Functions and Delegated Authority

6.5.1 Membership of the Executive

The Council appoints and dismisses the Members of the Executive subject only to there being a minimum of two, and a maximum of nine Members of the Executive (not counting the Leader) at any time.

6.5.2 Role of the Leader

The Leader will chair meetings of the Executive.

6.5.3 The Executive Scheme of Delegations

The Managing Director / Head of Paid Service or Monitoring Officer in consultation with the Leader, will prepare and submit for approval an Executive Scheme of Delegations setting out the delegations of Executive functions, including where the principle has been approved as part of the Council's Executive arrangements, the Executive and thereafter keep this under review and submit updates to the Scheme, as appropriate. In addition, the Leader has powers under Section 15(4) of the Local Government Act 2000 to discharge personally or to arrange for discharge under other delegated powers, any Executive functions not covered by the Scheme for the time being.

(N.B. No Member of the Executive may have a Deputy, other than the Leader. This means that no Member of the Executive can have responsibilities which mean that they will work to, or under, another Member of the Executive, except the Leader).

6.5.4 Meetings of the Executive

Subject to the requirement to publish notice of each meeting three clear days before it takes place, and other conditions contained in Section 4 pages 43/44, the Leader can call meetings of the Executive at such times and places as he/she chooses (N.B: the Head of Paid Service, the Section 151 Officer, and the Monitoring Officer can all, should be the need arise, call meetings of the Executive as well).

6.5.5 Chairing Executive Meetings

The Leader shall chair Executive meetings. In the Leader's absence the Deputy Leader will chair. If the Deputy Leader is not available the Executive will appoint a Member of the Executive to chair the meeting on their behalf (subject to quorum).

SECTION 7

7. OVERVIEW AND SCRUTINY COMMITTEES

7.1 Introduction

7.1.1 The Council is required by law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. Overview and Scrutiny Committees should be powerful Committees that can contribute to the development of Council policies and also hold the Executive to account for its decisions. Another key part of the Overview and Scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.

7.1.2 Overview and Scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. Overview and Scrutiny Committees should not shy away from the need to challenge and question decisions and make constructive criticism.

7.2 Overview and Scrutiny Committees

In order to achieve this, the Council have appointed five Overview and Scrutiny Committees which between them will:

7.2.1 review or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's

functions whether by the Executive or another part of the Council;

7.2.2 make reports or recommendations to the Council or the Executive in connection with the discharge of any functions;

7.2.3 consider any matter which affects the Council's area or its inhabitants; and

7.2.4 exercise the right to call in or reconsider decisions made by not yet implemented by the Executive and Officers.

7.3 Role, Scope and Membership

The role, scope and membership of the Overview and Scrutiny Committees are described in the table below:-

Committee and Membership	Role and Scope
Corporate Overview	Organisational Development Communication and Marketing External Regulation - WAO Medium Term Financial Strategy Policy development & review Equalities Welsh Language Customers & Citizens Collaboration & Partnerships Civil Contingencies Performance Management Legal & Corporate Compliance Commercial Treasury Management Engagement
NB This Scrutiny Committee does not have the remit to scrutinise operational service delivery in the Environment, Social Services or Education Directorate	

Education & Learning

Education
Schools
EAS
Youth Services
Services for Young People
including Employment &
Skills
NEETs
External Regulation Estyn
Education Transformation &
21st Century Schools
Programme
Aneurin Leisure Trust

Social Services

Social Services and Well-
Being Act;
Fostering;
South East Wales Adoption
Service;
Looked after Children
Families First;
Flying Start;
Play and Early Years;
Carers including young
carers;
Commissioning and
contracts
Supporting People;
Community Options (Adult
day service provision);
Interface between Social
Care and Health;
Partnership working External
Regulation – CSSIW
Deprivation of Liberty
Safeguards

Community Services

Waste Management and Recycling
Environmental Health, Housing
Trading Standards
Bio Diversity
Travellers (Strategy and Operations)
Flood Management
Roads and Street Works
Reservoirs, Mines and Quarries
Highway Maintenance and Winter Maintenance
Street Lighting
Cemeteries
Ground Maintenance
Meals on Wheels, School Catering, Building Cleaning
Markets

Regeneration

Estates and Asset Management
Cardiff Capital Region City Deal
Strategic Projects including Energy Programme, Digital Programme etc
Economic Development
Tourism
Business Support and Enterprise
Industrial Units Portfolio
Community and Social Regeneration
Planning Policy/Local Development Plan
Town Centre Development

Employability and Skills
Development
Housing Strategy
Decarbonisation

Public Service Board Scrutiny
Committee

Well-being Assessment
Well-being Plan
Community Safety
Public Service Board
Well-being Projects

Joint Finance Scrutiny
Committee

A quarterly joint meeting of
the Scrutiny Committees to
scrutinise Financial
Performance Information.

Cardiff Capital Region City
Deal Joint Scrutiny Committee

The purpose of the joint
Committee, which consists
of members from the 10
participating Authorities, is to
oversee and coordinate the
discharge of the Council's
obligations in relation to the
City Deal and to carry out
such functions as set out in
its terms of reference. There
shall be at least one but a
maximum of two non-
Executive Member(s)
nominated to represent this
Committee.

Joint Education and Learning,
and Children's and adults,
Social Services Scrutiny
Committee (safeguarding)

Safeguarding, Performance -
Children, Adults and
education. Safeguarding
policies and procedures.
Corporate Safeguarding
arrangements

7.4 Specific Functions

7.4.1 Policy Development and Review

The Overview and Scrutiny Committees may:

- (a) assist the Council and the Executive in the development of its Budget and Policy Framework by in depth analysis of policy issues;
- (b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (c) question Members of the Executive and/or Committees and Chief Officer from the council about their views on issues and proposals affecting the area;
- (d) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working; and
- (e) consider the impact of policies to assess if they have made a difference.

7.4.2 Scrutiny

The Overview and Scrutiny Committees may:

- (a) review and scrutinise the decisions by and performance of the Executive and/or Committees and Council Officers in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) question Members of the Executive and/or Committees and Chief Officers from the Council about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or project;
- (d) make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committees and local people about their activities and performance; and
- (f) question and gather evidence from any person (with their consent).

7.4.3 Annual Report

The Overview and Scrutiny Committee must report annually to the Full Council on the activity over the year including any

recommendations for their future work programme or amended working methods if appropriate.

7.5 Head of Democratic Services

One of the roles of the Head of Democratic Services under Section 8 of The Measure is to promote the role of the Council's Overview and Scrutiny Committees and to promote support and guidance to Council Members and Officers generally about the functions of the Overview and Scrutiny Committees.

7.6 Who May Sit on Overview and Scrutiny Committees?

All Councillors except Members of the Executive may be Members of the Overview and Scrutiny Committees. However, no Member may be involved in scrutinising on decisions in which he has been directly involved.

Although an Executive Member is not a Member of a Scrutiny Committee, they may participate by invitation only. The purpose of an Executive member attending Scrutiny is to advocate for specific portfolio issues and be questioned by the Committee regarding the specific portfolio items on the agenda. The Executive Member is not in attendance to ask questions of the officers or for information.

7.7 Co-optees

Each Overview and Scrutiny Committee shall be entitled to recommend to Council the appointment of a maximum of two people as non-voting co-optees in order to provide expertise to specific areas of the Scrutiny programme. Co-optees will sit on a Committee as expert witnesses to undertake specific pieces of work. In exercising or deciding whether to exercise a co-option, the Authority must, under Section 76 of The Measure, have regard

to guidance given by the Welsh Ministers and comply with directions given by them.

Each Scrutiny Committee will consider their individual requirements and review co-optees on an annual basis to ensure they are fit for purpose. No co-optee shall remain on a Committee indefinitely.

7.8 Education Representatives

The Education & Learning Scrutiny Committee shall include in its membership voting representatives of religious faiths and of parent governors, as required by law and guidance from the National Assembly of Wales.

7.9 Who Chairs?

The arrangements included in Sections 66-75 of the Local Government (Wales) Measure 2011 will be followed for appointing persons for chairs of Overview and Scrutiny Committees.

7.10 Role of the Chair and the Overview and Scrutiny Committees

7.10.1 The role of the Chair of the Overview and Scrutiny Committees will be essential in implementing the new method of working. The Chairs will liaise with the Executive and supervise the Work Programme and identify cross cutting themes arising from the various Overview and Scrutiny Committees.

7.10.2 In summary, therefore, the Chair will:

- (a) be accountable for delivering the new way of working for scrutiny;
- (b) will meet regularly to monitor Work Programmes with the Committee and Support Officer;

- (c) will liaise with the Executive on issues affecting the Scrutiny Work Programme; and
- (d) have a responsibility for the development of a forward work programme linked to the priorities of the Council found within the Council's Well-being Objectives. It will be the responsibility of the Chair to ensure the criteria set out in the Scrutiny Development Plan is implemented in liaison with the Head of Democratic Services.
- (e) when a recommendation is added to or amended the Scrutiny Chair is required to attend the Executive Committee to present the Scrutiny Committee's recommendation to explain the rationale.

7.11 Work Programme

The Overview and Scrutiny Committees will be responsible for setting their own Work Programme and in doing so they should take into account wishes of Members of that Committee who are not Members of the largest political group on the Council. It may also consider urgent and unforeseen matters not included in the Work Programme.

7.12 Meetings

- 7.12.1 The Overview and Scrutiny Committee will meet 6 weekly.
- 7.12.2 Special meetings may be called from time to time in order to deal with call-ins (Section 7.25) where the Chair of an Overview and Scrutiny Committee and the Chair of Council agree it is necessary for that Overview

and Scrutiny Committee to consider the called in decision before the Committees next programmed meeting.

- 7.12.3 The quorum of an Overview and Scrutiny Committee will be one quarter.

7.13 Joint Overview and Scrutiny Committees

Under Section 58 of The Measure, regulations may be made to permit two or more Local Authorities to appoint a Joint Overview and Scrutiny Committee. This is set out in the Local Authority (Joint Overview and Scrutiny) (Wales) Regulations 2012.

7.14 Rules of Procedure and Debate

The Overview and Scrutiny Procedure Rules will apply to meetings of the Overview and Scrutiny Committees.

7.15 What will be the Number and Arrangements for Overview and Scrutiny Committees

- 7.15.1 The Council will have five Overview and Scrutiny Committees set out in the table in Section 7.3 and will appoint to them as it considers appropriate from time to time. The Committees may appoint smaller groups to carry out detailed examination of particular topics to report back to them. Such groups may be appointed for a fixed period on the expiry of which they shall cease to exist.

- 7.15.2 The terms of reference of the various Overview and Scrutiny Committees will be:

7.15.3 Each Overview and Scrutiny Committee will be chaired by a Chair appointed by the Council. In the absence of both the chair and deputy chair, a member appointed at the meeting will preside.

- (a) there will be cross party Membership of all Overview and Scrutiny Committees;
- (b) the Overview and Scrutiny Committees shall undertake the following:
 - (i) investigate or review a particular matter in depth and without delay, reporting their conclusions and making any recommendations to the Council or Executive as appropriate;
 - (ii) conduct research, community (and other) consultation for the purposes of analysing issues and developing where appropriate; possible options, through liaison with the area/community partnerships;
 - (iii) consider and report on mechanisms to encourage and enhance community participation in the development of service delivery options;
 - (iv) question Executive Members and Officers about their views and actions on issues and proposals affecting the County Borough;
 - (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and

- (vi) question and gather evidence from any person (with his/her consent) whilst conducting investigative and reporting processes.

7.16 Meetings of the Overview and Scrutiny Committees

The Council will determine a cycle of meetings for the Overview and Scrutiny Committees. If the Council do not set the cycle, each such Committee shall determine their own cycle of meetings. The Chair, or in their absence the Vice-Chair, may change the date or cancel meetings, or call additional meetings as they consider necessary to deal with the Committee's Work Programme. A meeting of an Overview and Scrutiny Committee may be called by the Chair (or in his or her absence, the Vice-Chair) or by the Managing Director / Head of Paid Service if he or she considers it necessary or appropriate. Any Member may sit on a Task and Finish Group if they have a specific interest or knowledge and are invited to do so, as long as there are no prejudicial interests.

7.17 Quorum

The quorum for an Overview and Scrutiny Committee shall be as set out in the Council Procedure Rules in Section 4 of this Constitution.

7.18 Agenda Items

- 7.18.1 Any Member of a particular Overview and Scrutiny Committee shall be entitled to give notice to the Managing Director / Head of Paid Service that he wishes an item relevant to the functions of that Committee to be included on the agenda for the next available meeting. Seven working days' notice of the item should be given to the Head of Democratic

Services together with sufficient information to enable the Officer to advise about the nature and purpose of the item, linked to the forward work programme criteria.

- 7.18.2 On receipt of such a request, so long as it is an appropriate matter to be considered and is appropriate to the priorities within the Council's Well-being Objectives and the Forward Work Programme, the Managing Director / Head of Paid Service will ensure that it is included on the next available agenda.
- 7.18.3 An Overview and Scrutiny Committee shall also respond, as soon as their work programme permits, to requests from the Council and/or the Executive to review particular areas of Council activity. Where they do so, the particular Overview and Scrutiny Committee shall report their findings and any recommendations back to the Executive and/or Council. The Council and/or Executive shall consider the report of the Overview and Scrutiny Committee within one month of receiving it.
- 7.18.4 If, in considering a recommendation from any scrutiny committee, the Executive partly or wholly reject a recommendation, the relevant scrutiny committee can require the relevant Executive member attend the next meeting to explain the rationale for the decision and answer any questions.

7.19 Policy Review and Development

- 7.19.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules in Section 15.

- 7.19.2 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, and Overview and Scrutiny Committee may make proposals to the Executive for developments in so far as they relate to matters within their terms of reference.
- 7.19.3 An Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expense for doing so.

7.20 Reports from the Overview and Scrutiny Committees

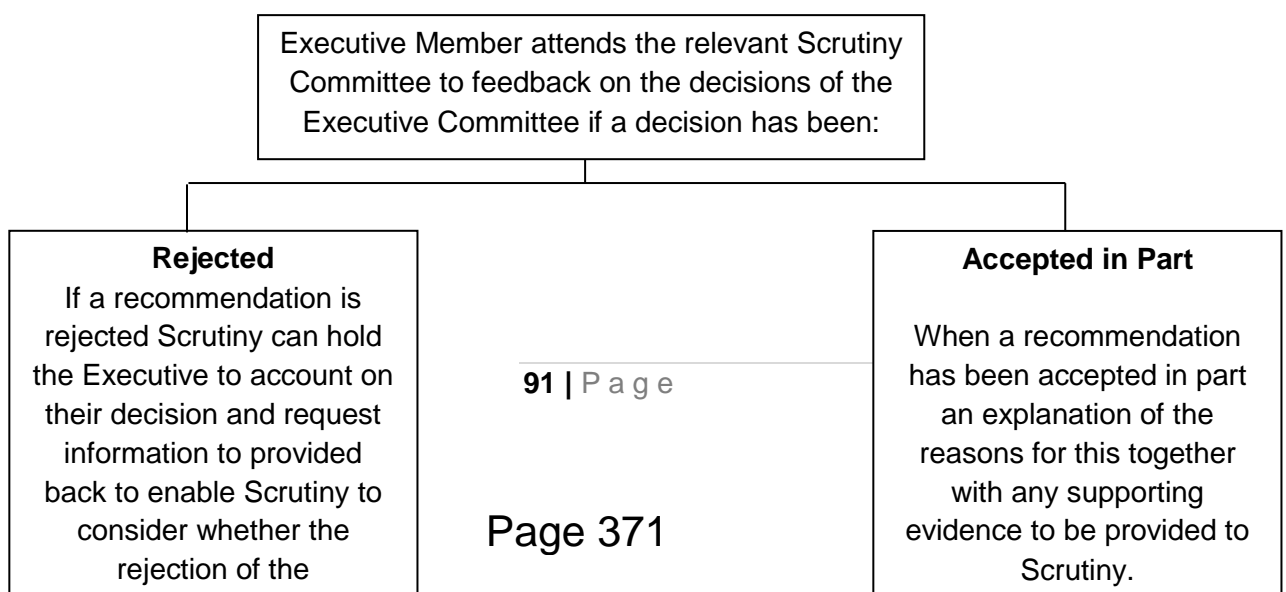
- 7.20.1 All formal reports from the Overview and Scrutiny Committees will be submitted to the Managing Director / Head of Paid Service for consideration by the Executive (if the proposals are consistent with the existing Budget and Policy Framework), or to the Council as appropriate (eg if the recommendation would require a departure from or a change to the Budget and Policy Framework).
- 7.20.2 If an Overview and Scrutiny Committee cannot agree on one single final report to the Council or Executive as appropriate, one minority report may be prepared and submitted for consideration by the Council or Executive with the majority report.

7.20.3 The Council or Executive shall consider the report of an Overview and Scrutiny Committee one month of it being submitted to the Managing Director / Head of Paid Service.

7.21 Making sure that Overview and Scrutiny Reports are considered by the Executive

Any recommendations made in respect of reports which have been considered by Overview and Scrutiny Committees will be brought back to Executive as soon as practicably possible. Where an item is not considered by the Executive within three months, the Executive will give an explanation of the reasons for the delay to the Chair of the relevant Overview and Scrutiny Committee as soon as practicable.

The Executive Committee Clerk will be required to report all decisions and supporting discussions to the Democratic and Scrutiny Officer following each Executive Committee Meeting. Where a recommendation has been accepted in part or rejected the relevant Executive Member will be expected to report this decision back to the relevant Scrutiny Committee in person. Support will be provided by the Democratic and Scrutiny Officer to the relevant Executive Member/s when they are required to attend a Scrutiny Committee.



7.22 Rights of Members of the Overview and Scrutiny Committees to Documents

7.22.1 In addition to their rights as Councillors, Members of the Overview and Scrutiny Committees have the additional right to documents and to notice of meetings as set out in the Access to Information Procedure Rules in Section 14 of this Constitution.

7.22.2 Nothing in this paragraph prevents more detailed liaison between the Executive and the Overview and Scrutiny Committees as appropriate depending on the particular matter under consideration.

7.23 Members and Officers Giving Account

7.23.1 The Overview and Scrutiny Committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any Member of the Executive, the Managing Director / Head of Paid Service and/or any Senior Officer to attend before it to explain in relation to matters within their remit:

- (a) any particular decision or series of decisions;

- (b) the extent to which the actions taken implement Council policy and/or;
- (c) their performance;

and it is the duty of those persons to attend if so required.

7.23.2 For this purpose, Senior Officer includes any Chief Officer, Deputy Chief Officer and other appropriate Senior Officer. Where there are concerns about the appropriateness of the Officer who should attend, the relevant Chief Officer shall discuss this with the appropriate Overview and Scrutiny Committee Chair or Vice-Chair with a view to achieving consensus.

7.23.3 Where any Member or Officer is required to attend an Overview and Scrutiny Committee under this provision, the Chair of that Committee will inform the Head of Democratic Services. The Head of Democratic Services will make arrangements to inform the Member or Officer, if necessary in writing, giving at least three working days' notice of the meeting at which he or she is required to attend (unless agreed otherwise). Any notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Committee.

7.23.4 Where the account to be given to an Overview and Scrutiny Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.

7.23.5 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in

consultation with the Member or Officer arrange an alternative date for attendance.

7.24 Attendance by Others

An Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 7.23 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and shall invite such people to attend.

7.25 Call-In

7.25.1 Rules

- (a) Where a decision is made by the Executive, or a Committee of the Executive or under joint arrangements, the decision shall be published by the Head of Democratic Services, including where possible by electronic means, and shall be available at the main offices of the Council normally within five clear working days of it being made. All Members of the Overview and Scrutiny Committee will be sent copies of the records of all such decisions within the same time scale, by a person responsible for publishing the decision. All relevant decisions of the Executive will be included on the next agenda for the appropriate Scrutiny Committee.
- (b) The notice of decision will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working

days after the publication of the decision, unless an Overview and Scrutiny Committee objects to it and calls it in for review.

- (c) During that period ie. the period between publication of the decision and the expiry of five clear working days, the Monitoring Officer may call-in a decision for scrutiny by an Overview and Scrutiny Committee if so requested in the specified format by five Members of that Overview and Scrutiny Committee and, shall then notify the decision taker of the call-in. He/she shall call a meeting of that Overview and Scrutiny Committee on such a date as he/she may determine, where possible after consultation with the chair or Vice-Chair of that Overview and Scrutiny Committee, and in any case within fifteen clear working days of the decision to call-in (only in exceptional circumstances will the Chair of the Overview and Scrutiny Committee consider extending this time limit).
- (d) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to Full Council. If referred to the decision maker they shall then reconsider within a further 10 clear working days, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, an Overview and Scrutiny Committee does not meet within the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny

Committee meeting, or the expiry of that further 10 working day period, whichever is the earlier.

- (f) If the matter was referred to Full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decisions to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive as a whole, or a Committee of it, a meeting will be convened to reconsider within five working days of the Council's request. Where the decision was made by an individual, the individual will reconsider within five working days of the Council's request.
- (g) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is earlier.
- (h) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are placed on its use. These are:
 - (i) an Overview and Scrutiny Committee may only call-in a total of three decisions per three month period;

- (ii) five Members of an Overview and Scrutiny Committee are needed for a decision to be called in and their signatures must be placed upon the request which must also contain valid written reasons for the call-in request;
- (iii) once a Member has signed a request for call-in under this paragraph, he/she may not do so again until the period of three months has expired;
- (i) The Monitoring Officer may veto any request for call-in if it falls outside the remit of this scheme.
- (j) Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.

7.25.2 Call-in Urgency

- (a) The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or other public interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Council Chairperson must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Council Chairperson the Deputy Council Chairperson's consent shall be required. In the absence of both, the Head of Paid Service or his/her nominee's consent should be required. Decisions taken as a matter of urgency must

be reported at the next available meeting of the Council, together with the reasons for urgency.

- (b) The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.

7.26 The Party Whip

If a Member of an Overview and Scrutiny Committee is subject to a party whip in respect of an issue to be considered by it, that Member must declare the existence of the whip and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

7.27 Procedure at Overview and Scrutiny Committee Meetings

7.27.1 An Overview and Scrutiny Committee shall consider the following business:

- (a) minutes of the last meeting;
- (b) declarations of interest;
- (c) consideration of any matter referred to that Overview and Scrutiny Committee;
- (d) responses of the Executive to reports of that Overview and Scrutiny Committee;
- (e) the business otherwise set out on the agenda for the meeting;

- (f) Consideration of agenda items for the next meeting.

The Rules of Procedure at an Overview and Scrutiny Committee will be the same as the Council Procedure Rules except that the Chair of the meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting whether a Member of an Overview and Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.

7.27.2 An Overview and Scrutiny Committee may ask people to attend to give evidence or answer questions about any items on their agenda. Meetings should be conducted in accordance with the following principles:

- (a) that the business be conducted fairly and all Members of the Overview and Scrutiny Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- (b) that those assisting by giving evidence be treated with respect and courtesy;
- (c) that the business be conducted as efficiently as possible.

7.27.3 Following any investigation or review, an Overview and Scrutiny Committee shall prepare a report, for submission to the Executive and/or Council as appropriate detailing the discussions of the Committee and its recommendations and shall make its report and findings public.

7.28 Matters within the Remit of more than one Overview and Scrutiny Committee

Where a matter for consideration by an Overview and Scrutiny Committee also falls within the remit of one or more other Committees, the decision as to which Committee will consider it will be resolved by the respective Chairs or, if they fail to agree, the Managing Director / Head of Paid Service or Head of Democratic Services.

7.29 Councillor Call for Action

- 7.29.1 The Councillor Call for Action is a mechanism for enabling elected Members to bring matters of local concern to the attention of the Council via the Scrutiny process. It should be an option of “last resort”.
- 7.29.2 Any Member may request that an item is placed on the agenda of an Overview and Scrutiny Committee for consideration.
- 7.29.3 The procedure for dealing with a Call for Action is set out in the Councillor Call for Action – Guidance for Councillor attached to these Rules at Appendix 1.

APPENDIX 1 TO SECTION 7

Councillor Call for Action – Guidance for Councillors

1. INTRODUCTION

- 1.1 The Local Government Wales Measure 2011 introduced a number of new provisions aimed at strengthening local democracy. Section 63 of the Measure introduced a provision for “Councillor Calls for Action” (CCfA) which enables Councillors to refer issues of local importance to Overview and Scrutiny Committees.
- 1.2 CCfAs are intended to enable local Councillors and their electors to obtain a response from their Council Leadership on issues of local importance. CCfAs should be regarded as one of a series of tools which elected Members have at their disposal to resolve local issues and make a positive difference in their community. Previously in Wales, only local Crime and Disorder issues could be referred by the local Member to the designated Crime and Disorder Scrutiny Committee (role undertaken by the Corporate Overview Scrutiny Committee) for action and it should be noted that these local crime and disorder referrals will remain in place under separate legislation.
- 1.3 As part of their community leadership role, Councillors have always attempted to resolve issues on behalf of their local residents and CCfAs provide an additional avenue for Councillors to follow if the normal ways of resolving an issue have not been successful and the issue meets the criteria for a referral. It should be noted that a referral under this process should be seen as a last resort after all other avenues have been exhausted.
- 1.4 CCfAs have been introduced alongside other powers for scrutiny, including powers to scrutinise a wide range of bodies not previously subject to local authority scrutiny. CCfAs are intended to enable any Member for the Council to refer to the Scrutiny Committees, ‘a local government matter’ which falls within the Scrutiny Committee’s remit.

2. **HOW SHOULD I NORMALLY ATTEMPT TO RESOLVE A LOCAL ISSUE IN MY AREA?**

- 2.1 Local issues can be resolved in a number of ways by Councillors on behalf of their residents as listed in the Welsh Government's Statutory Guidance from the Local Government Measure 2011:
- 2.1.1 informal discussions with Officers or other Councillors;
 - 2.1.2 informal discussions with partner representatives;
 - 2.1.3 referral to other "scrutiny" bodies such as Community Health Councils or internal audit committee;
 - 2.1.4 formal discussions with Officers and Councillors;
 - 2.1.5 formal letters to the Executive Members;
 - 2.1.6 asking questions at Full Council;
 - 2.1.7 submitting a motion to Full Council;
 - 2.1.8 organising public meetings;
 - 2.1.9 use of petitions;
 - 2.1.10 making a complaint;
 - 2.1.11 questions at Full Council;
 - 2.1.12 freedom of information requests;
 - 2.1.13 communication with local AMs or MPs;
 - 2.1.14 use of social media or email based campaigns.

- 2.2. This is not an exhaustive list and Councillors may choose different routes for specific issues. If an issue has not been resolved after exhausting all possible alternative routes, then a local Councillor can refer it to the appropriate Overview and Scrutiny Committee.

3. **WHAT IS A COUNCILLOR CALL FOR ACTION**

- 3.1 In order for the Committee to accept a CCfA as an agenda item for discussion at one of their meetings, the issue must affect either all or part of a Councillor's electoral area or it must affect someone who lives or works in that area.
- 3.2 A Councillor does not however need a referral from a constituent in order to start the process. It is important to recognise that a CCfA is not guaranteed to solve a given problem, though it can provide a method for discussing such problems and, through discussion, attempt to overcome them.

4. **HOW AND WHEN SHOULD MAKE A CCFA**

- 4.1 A flowchart showing the process is provided at Appendix 2. A Councillor may initiate the process by completing the form at Appendix 3. Further copies are available from the Democratic Services section. It is important that the local Councillor specifies what outcome is expected from the referral. After completion, the form should be returned to the Democratic Services section who will log and acknowledge the referral within five working days, to track its progress and forward a copy of the form to the Head of Legal and Corporate Compliance (The Monitoring Officer).
- 4.2 The Proper Officer will confirm whether or not the referral satisfies the requirements outlined in section 3 above to enable it to be placed on the agenda for discussion at a meeting of the Committee. The Proper Officer reserves the right to exclude from the agenda any matter which is vexatious, discriminatory or otherwise potentially unlawful; and the Councillor will be informed of this outcome as soon as practicable.

5. **CRITERIA TO BE FOLLOWED BY AN OVERVIEW AND SCRUTINY COMMITTEE**

5.1 It is up to the Members of the Corporate Overview Scrutiny Committee to decide whether, and in what form, to take the matter further. The Corporate Overview Scrutiny Committee will use the following criteria to decide whether or not the referral is appropriate to be considered by that Committee.

5.1.1 Is that the Corporate Overview Scrutiny Committee satisfied that all reasonable attempts have been made to resolve the issue by the local Councillor? Do the responses received by the referring Councillor demonstrate that the matter is not being progressed?

5.1.2 Has that Committee considered a similar issue recently? If so, have the circumstances or evidence changed?

5.1.3 Is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing. Relevant time pressures on resolving the CCfA should be taken into account.

5.1.4 Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the Councillor received?

5.1.5 Is this a case that is being or should be pursued via the Council's corporate complaints procedure?

5.1.6 Is it relating to a "quasi-judicial" matter or decision such as planning or licensing?

5.1.7 Is the matter an issue of genuine local concern which impacts on the local community rather than a personal matter?

5.1.8 Is this an issue currently being looked at by another form of local scrutiny?

5.1.9 And, as with all scrutiny, does the matter have the potential for scrutiny to produce recommendations which could realistically be implemented and lead to improvements for anyone living or working in the Member's electoral division?

NB: Crime and Disorder referrals should be directed to the Corporate Overview Scrutiny Committee.

5.2 If the Corporate Overview Scrutiny Committee decides not to accept the CCfA, it must inform the Councillor of the decision and the reasons for it.

5.3 If the Corporate Overview Scrutiny Committee decides to accept the CCfA, the Councillor will be informed and advised of the agreed Protocol, e.g. the Councillor will be given adequate notice (a minimum of 10 clear days) of the date of the Scrutiny Committee meeting. The Councillor will be requested to attend the Committee and informed that he/she will have five minutes in which to address the Committee. The Committee may then wish to question the Councillor further before deciding how it intends to take the matter forward. This could include:

5.3.1 asking the relevant responsible authorities to respond to the CCfA;

5.3.2 setting up a research or task and finish group to undertake a more in-depth review;

5.3.3 asking for further evidence and / or witnesses to be brought to a future meeting. The Corporate Overview Scrutiny Committee has the power to request "designated persons" such as representatives from other public bodies / agencies to attend, where relevant, and to request information.

6. **POTENTIAL OUTCOMES FROM A CCFA**

- 6.1 The Corporate Overview Scrutiny Committee could:
 - 6.1.1 determine that it is a complex issue that requires further investigation and commission a scrutiny review of the issue;
 - 6.1.2 write a response and make recommendations on the CCfA to a relevant responsible authority;
 - 6.1.3 decide that further action is not appropriate giving its reasons.
- 6.2 Once Corporate Overview Scrutiny Committee has completed its work, the Councillor who made the referral will receive a copy of any response or recommendations made.

7. **TIMESCALES FOR DEALING WITH A CCFA**

- 7.1 In exceptional circumstances, for example where there are unavoidable time constraints, a special Committee meeting may be convened.
- 7.2 Should a CCfA result in recommendations to the Executive responsible authorities, they will be requested to make a response to the recommendations within 28 days and two months respectively.
- 7.3 The Corporate Overview Scrutiny Committee will monitor implementation of any recommendations as part of its Forward Work Programme.

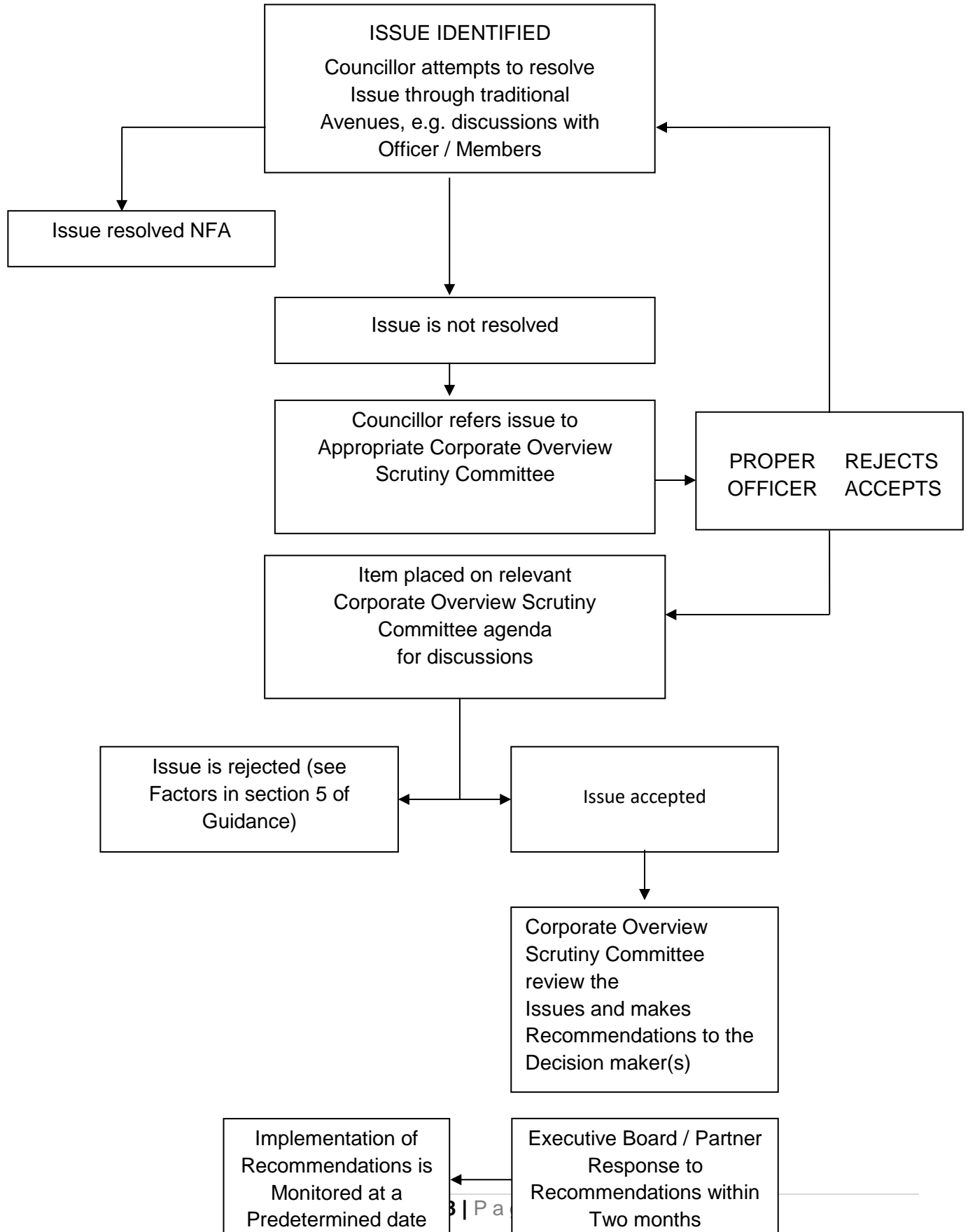
8. **REVIEW OF THIS GUIDANCE**

This guidance is based on a model prepared and approved by the Association of County Secretaries and Solicitors (ACSeS) in October 2009. ACSeS will review their model guidance in light of experience of

the use of these procedures by local authorities in Wales, and this guidance may therefore be modified accordingly.

APPENDIX 2 TO SECTION 7

Flow Chart for Councillor Call for Action



APPENDIX 3 TO SECTION 7
Councillor Call for Action Referral

For the attention of (name and title of Proper Officer)	
From	
Electoral Division	
Contact details	
Telephone	
E-mail	
SUBJECT	
Details Please briefly explain what the issue is and how it affects your electoral division.	
Action taken to date Please explain what steps have been taken, with whom, to try to resolve the issue (please tick the actions you have taken to date) or add additional.	<ul style="list-style-type: none"> ● Informal discussions with Officers or other Councillors ● Informal discussions with partner representatives ● Referral to other “scrutiny” bodies such as Community Health Councils or internal audit committee ● Formal discussions with Officers and Councillors ● Formal letters to the Executive Members ● Asking questions at Full Council ● Submitting a motion to Full Council ● Organising public meetings ● Use of petitions ● Making a complaint ● Questions at Full Council ● Freedom of Information requests ● Communication with local AMs or MPs ● Use of social media or email based campaigns
Expected Outcome Please describe the outcome you hope to gain via this referral.	
Papers attached Please list documents attached which should evidence the impact of the issue,	

the steps taken and any responses received.	
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1. The following criteria will be taken into consideration when the Corporate Overview Scrutiny Committee decide whether to progress with your CCfA:
 - 1.1 Have all reasonable attempts been made to resolve the issue? Do the responses received by you demonstrate that the matter is not being progressed?
 - 1.2 Has the Committee considered a similar issue recently – if yes, have the circumstances or evidence changed?
 - 1.3 Is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate LCDR hearing. Relevant time pressures on resolving the LCDR should be taken into account.
 - 1.4 Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response have you received?
 - 1.5 Is this a case that is being or should be pursued via the Council’s corporate complaints procedure?
 - 1.6 Is it relating to a “quasi-judicial” matter or decision such as planning or licensing?
 - 1.7 Is the matter an issue of genuine local concern, which impacts on the local community rather than a personal matter?
 - 1.8 Is this an issue currently being looked at by another form of local scrutiny?
 - 1.9 And, as with all scrutiny, does the matter referred have the potential for scrutiny to produce recommendations, which could realistically be implemented and lead to improvements for anyone living or working in your electoral division.

2. Please consider whether your referral might be considered premature by the Corporate Overview Scrutiny Committee. Consider whether other potential remedies have been exhausted, before a referral is made. Members should be aware that if a premature referral is made, the Committee is likely to refuse to deal with the issue, based on the criteria outlined above. If the Proper Officer believes that the referral is premature, he / she will advise you accordingly.

APPENDIX 4 TO SECTION 7
Public Service Board (PSB) Scrutiny Committee
Terms of Reference

Purpose of the Public Service Board

The purpose of the Public Service Board is to improve the economic, social, environmental and cultural well-being of the people living in the Blaenau Gwent area. In pursuing this purpose, the Board will deliver against the national well-being goals that are:

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

The Board will operate within sustainable development principles. This means acting in a manner that seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

This means that decision making by the board will need to take into account five key areas:

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

Purpose of the Public Service Board Scrutiny Committee

In order to assure local accountability of the Public Service Board there is a requirement to establish a designated PSB Scrutiny Committee.

The Committee will:

- a) Review and scrutinise the decisions made or actions taken by the Public Services Board;
- b) Review or scrutinise the board's governance arrangements;
- c) Make reports or recommendations to the Board regarding its functions or governance arrangements;
- d) Consider matters relating to the Board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly; and
- e) Carry out other functions in relation to the board that are imposed on it by the Act.

Specifically, scrutiny is expected to:

- Formally receive the Wellbeing Assessment and Wellbeing Plan from the Public Services Board
- Act as a statutory consultee for the Wellbeing Assessment and Wellbeing Plan
- Review the Wellbeing Plan if directed to by the Welsh Minister (who has the power of referral but not approval)

In addition to these functions the Committee can also consider:

- The effectiveness of the Wellbeing Assessment
- The effectiveness of the Wellbeing Plan
- The effectiveness of performance measurement arrangements
- The level of commitment from individual partners to the work of the Public Services Board
- The effectiveness of the Public Services Board in communicating its work, objectives and outcomes to its stakeholders
- The effectiveness of the Public Services Board in addressing the issue of pooled funding to tackle priorities

To enable it to fulfil its scrutiny function the Scrutiny Committee will be provided with evidence in the form of:

- Draft assessment of local well-being
- Draft local well-being plan
- Copies of the final versions of both

- Annual reports

It is important to recognise that the Future Generations (Wales) Act only allows there to be scrutiny of the 'corporate body' of the PSB, and not the individual members. The legislation states:

“The committee can require any member of the board to give evidence, but only in respect of the exercise of joint functions conferred on them as a member of the board under this Act.”

The Scrutiny Committee can require any statutory member of the Board to give evidence, but only in respect of the exercise of joint functions conferred on them as a statutory member of the Board under the Act. This includes any person that has accepted an invitation to participate in the activity of the Board.

The Scrutiny Committee must send a copy of any report or recommendation it makes to the Welsh Ministers, the Commissioner and the Auditor General for Wales.

Membership of the PSB Scrutiny Committee

The current make up of this Committee includes all members of the Corporate Overview Scrutiny Committee as well as the Scrutiny Chairs and Scrutiny Vice Chairs who do not sit on Corporate Overview. The Committee is to be politically balanced.

Chairing the PSB Scrutiny Committee

The PSB Scrutiny Committee meetings will be chaired by the chair of the Corporate Overview Scrutiny Committee.

Timings of Meetings

The meetings of the PSB Scrutiny Committee will be established within the current cycle of the Public Service Board in order to meet monitoring and reporting arrangements.

Rules of Procedure

The PSB Scrutiny Committee will follow the scrutiny committee arrangements as set out in the Constitution. The PSB Scrutiny Committee will operate in the same way as other Council Scrutiny Committees but will hold the PSB to

account rather than the Executive Committee. Arrangements for pre meetings and post evaluation meetings will be established as part of the committee arrangements.

Quorum will be a quarter of the membership.

The scrutiny procedure rules, 'call in' processes and arrangements for declarations of interest will apply to all meetings of the PSB Scrutiny Committee.

The Committee is able to establish task and finish groups to undertake specific time bound work and any Member may sit on these groups if they have a specific interest or knowledge and are invited to do so, as long as there are no prejudicial interests.

Recommendations to PSB

When the PSB Scrutiny Committee makes a recommendation to the PSB the Chair of the Committee will attend the next meeting of the PSB to present the reasons for the Scrutiny recommendation. The PSB is to consider all recommendations made by the PSB Scrutiny Committee and to provide a response to a future Scrutiny Committee meeting. The response needs to identify whether the recommendation has been accepted, rejected or accepted in part and the reasons for the decision. Where a recommendation has been accepted in part or rejected the relevant PSB Member will be expected to report this decision back to the PSB Scrutiny Committee in person at their next meeting detailing the discussions and setting out the reason/s for the decision.

Referrals to other Scrutiny Committees

The PSB Scrutiny Committee will operate as a stand-alone scrutiny committee, however, the four Scrutiny Committee Chairs will seek to ensure close alignment to the forward work programme of their existing Committee. The PSB Scrutiny Committee may request another Committee to undertake detailed work on a relevant issue.

Forward work programme

The Committee will establish a forward work programme. Items for inclusion on the work programme will be assessed against the criteria used by the Scrutiny Committees to determine whether an item should be included on the work programme.

However, a degree of flexibility should be incorporated in order to consider issues on an ad-hoc basis.

The Committee may request any member of the PSB to attend a Committee meeting to assist with issues under consideration.

SECTION 8

8. THE STANDARDS COMMITTEE

Composition

8.1 Membership

The Standards Committee is composed of Nine Members. Its Membership includes:-

8.1.1 Five “independent” Members, who are not either a Councillor or an Officer or the spouse of a Councillor or an Officer of this Council or any other relevant Authority as defined by the Local Government Act 2000, appointed in accordance with the procedure set out in the Standards Committee (Wales) Regulations 2001 (as amended);

8.1.2 Three Councillors other than the Leader and not more than one Member of the Executive; and

8.1.3 One Community Council Member(s).

8.2 Term of Office

8.2.1 Independent Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term not exceeding four years.

8.2.2 Members of Local Authorities who are Members of the Standards Committee will have a term of office of no more than four years or until the next ordinary local government election following their reappointment, whichever is the shorter. They may be reappointed for one further consecutive term.

8.3 Quorum

A meeting of the Standards Committee shall only be quorate when:

8.3.1 at least three Members, including the Chairperson, are present; and

8.3.2 at least half the Members present (including the Chairperson) are independent Members.

8.4 Voting

Independent Members and Community Council Members will be entitled to vote at meetings.

8.5 Chairing the Committee

8.5.1 Only an independent Member of the Standards Committee may be the Chair.

8.5.2 The Chair and Vice-Chair will be elected by the Members of the Standards Committee for whichever is the shortest period of:

- (i) not less than four years or no more than six years; or
- (ii) until the term of office of the independent Member comes to an end.

8.6 Role and Function

The Standards Committee will have the following roles and functions:

- 8.6.1 promoting and maintaining high standards of conduct by Councillors and co-opted Members of the Authority;
- 8.6.2 assisting the Councillors and co-opted Members to observe the Members' Code of Conduct;
- 8.6.3 advising the Council on the adoption or revision of the Members' Code of Conduct;
- 8.6.4 monitoring the operation of the Members' Code of Conduct;
- 8.6.5 advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.

8.7 Work Programme

The Committee will prepare a work programme, which will be reviewed and approved at each Committee meeting.

8.8 Rules of Procedure and Debate

8.8.1 The Council Procedure Rules at Section 4 will apply to the meetings of the Standards Committee Members.

8.8.2 When considering the conduct of individual Councillors, the procedures outlined in Appendix 3 to Section 18 will apply.

SECTION 9

9. REGULATORY COMMITTEES

9.1 Regulatory and Other Committees

The Council will appoint Committees to discharge the functions set out in Section 13 of this Constitution.

9.2 The Governance and Audit Committee

9.2.1 The Council will appoint a Governance and Audit Committee to discharge the functions described in Section 13 of this Constitution and in accordance with Sections 81-87 of The Measure.

9.2.2 The Committee shall comprise of Councillor Members (being at least two thirds of the Membership) and at least one Member who is not a Member of the Council (lay Member) and no more than one Member of the Executive (which Executive Member must not be the Leader).

9.2.3 The Chair of the Governance and Audit Committee is appointed by it and they cannot be a Member of the Executive but can be a lay Member and can only be a Member of an Executive group if there are no opposition groups.

9.2.4 Members of the Governance and Audit Committee may vote on any matter from the Committee.

9.3 The Democratic Services Committee

9.3.1 The Council will appoint a Democratic Services Committee to discharge the functions described in Section 13 of this Constitution.

9.3.2 The Committee shall comprise of Councillor Members but no more than one Member of the Executive (which Executive Member must not be the Leader).

9.3.3 The Chair of the Democratic Services Committee is appointed by Full Council and must not be a member of an executive group.

9.4 Other Committees and Sub-Committees

9.4.1 The Council will appoint such other Committees as it considers appropriate to the exercise of its functions. These will include a Planning and Licensing Committee.

9.4.2 Any Committee appointed by the Council may at any time appoint additional Sub-Committees and panels throughout the year. The terms of reference and delegation of powers to them shall be explicit and within the appointment Committees terms of reference.

9.5 Rules of Procedure and Debate

The Council Procedure Rules in Section 4 will apply.

9.6 Quorum

9.6.1 Regulatory Committees requirement for quorate shall be in accordance with the Council Procedure Rules in Section 4, unless there are overriding legislative requirements applicable, such as is the case in respect of the Planning part of the agenda in the Planning, Regulatory & General Licensing Committee in accordance with schedule 2A of the

Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 which states that, 'No business is to be transacted at a meeting of a committee unless at least half of the total number of members of the committee, rounded to the nearest whole number, is present'.

9.7 Substitute Members in the Planning Committee

In accordance with schedule 2A of the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 which states that, 'A relevant authority is not to appoint another of their members to act as a member of a committee in the absence of the member appointed in accordance with the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017(7)'.

SECTION 10

10. JOINT COMMITTEES

10.1 Introduction

There are a number of circumstances where the Council or the Executive is entitled to carry out certain functions jointly with another Local Authority, including to promote the economic, social or environmental wellbeing of its area.

10.2 Arrangements to Promote Wellbeing

The Executive in order to promote the economic, social or environmental wellbeing of its area may:

- 10.2.1 enter into arrangements or agreements with any person or body;
- 10.2.2 co-operate with, or facilitate or co-ordinate the activities of any person or body; and
- 10.2.3 exercise on behalf of that person or body any functions of that person or body.

10.3 Joint Arrangements

- 10.3.1 The Council may establish joint arrangements with one or more Local Authorities and/or their executives to exercise functions which are not Executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a Joint Committee with these other Local Authorities.

- 10.3.2 The Executive may establish joint arrangements with one or more Local Authorities to exercise functions which are Executive functions. Such arrangements may involve the appointment of Joint Committees with these other Local Authorities. Except as set out below, or as permitted or required by law, the Executive may only appoint Executive Members to such Joint Committees and those Members need not reflect the political composition of the Council as a whole.
- 10.3.3 The Executive may appoint Members to a Joint Committee from outside the Executive where the Joint Committee has functions for only part of the area of the Council and that area is smaller than two fifths of that Local Authority, by area or population. In such cases, the Executive may appoint to the Joint Committee any Councillor who is Member for an electoral division contained within the area. Political balance requirements do not apply to such appointments.

10.4 Access to Information

- 10.4.1 The Access to Information Procedure Rules in Section 14 apply.
- 10.4.2 If all the Members of a Joint Committee are Members of the Executive in each of the participating Authorities, then its access to information regime is the same as that applied to the Executive.
- 10.4.3 If the Joint Committee contains Members who are not on the Executive of any participating Authority, then the Access to Information Rules in Part VA of the Local Government Act 1972 (as amended) will apply.

10.5 Delegation to and from Other Local Authorities

- 10.5.1 The Council can delegate Non-Executive Functions to another Local Authority or, where those functions are the responsibility of the Executive of another Local Authority, to that Executive.
- 10.5.2 The Executive can delegate Executive functions to another Local Authority or the Executive of another Local Authority in certain circumstances.
- 10.5.3 The decision whether or not to accept such a delegation from another Local Authority is reserved to the Full Council.

10.6 Contracting Out

The Council (in respect of Non-Executive Functions) and the Executive (in respect of Executive Functions) may contract out to another body or organisation functions:

- 10.6.1 which may be exercised by an Officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994; or
- 10.6.2 under contracting arrangements where the Contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

SECTION 11

11. OFFICERS

11.1 Management Structure

11.1.1 General

The Full Council may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

11.1.2 Chief Officers

The Full Council will engage person for the following posts, who will be designated Chief Officers, which designation includes person acting temporarily in such capacity:

Post	Functions and Areas of Responsibility
Managing Director / Head of Paid Service	<ul style="list-style-type: none">• Overall corporate management and operational responsibility including overall management responsibility for Officers.• Principal advisor to the Council on general policy.• The provision of professional and impartial advice to all parties in the decision making process to the Executive, to Overview and Scrutiny Committees, the Full Council and other Committees.• Together with the Monitoring Officer, responsibility for a

system of record keeping for all the Authority's decisions (Executive or otherwise).

- Representing the Authority on partnership and external bodies (as required by statute or the Council).
- Service to the whole Council, on a politically neutral basis.
- Policy & Performance, Business Support Services, Central Democratic Support Services, Corporate Administration, Governance Support, Organisational Development, Transformation and Resilience.

Corporate Director of Regeneration & Community Services

- Highways, Transportation and Fleet Management, Waste and other Technical functions including Public Protection, Leisure and Cultural Services, Regeneration, Housing, Estates and Strategic Asset Management.

Corporate Director Social Services

- Social Services Community Care functions.
- Children's Services including child protection, looked after children and children in need.
- Safeguarding of children and adults at risk.

Corporate Director of Education

- Education Services including schools and continuing education.

Chief Officer – Resources

- Section 151 Officer. Responsibility to administer financial affairs and financial information as appropriate. Responsible for risk management, accountancy, internal audit, payments, insurance, Council Tax, commercial rates and other income. Deputy Returning Officer. Senior Information Risk Owner (SIRO).

Chief Officer – Commercial

- Responsible for provision of payroll, Human Resources, Organisational Development, Internal Health & Safety, Business Support, Joint Workforce Development Team, Customer Services (Benefits & C2BG), Communications, Workforce Management, Digital and IT, Procurement and Strategic Transformation.

11.1.3 Head of Paid Service, Monitoring Officer, Chief Officer - Resources and Head of Democratic Services

The Council will designate the following posts as shown:

Post	Designation
------	-------------

Managing Director / Head of Paid Service
Head of Paid
Service

Head of Legal & Corporate
Compliance Monitoring Officer

Chief Officer - Resources Section 151 Officer

Head of Governance and Partnerships Head of Democratic Services

Such posts will have the functions described in Sections 11.2 to 11.5.

11.2 Functions of the Head of Paid Service

11.2.1 Discharge of Functions by the Council

Section 4 of the Local Government and Housing Act 1989 imposes a duty on authorities to designate one of their Officers as Head of Paid Service. The Head of Paid Service will report to Full Council on the manner in which the discharge of the Council's functions is coordinated, the number and grade of staff required for the discharge of functions, the organisation of the Authority's staff and the appointment and proper management of the Authority's staff.

11.2.2 Restrictions on Functions

The Head of Paid Service may not be the Monitoring Officer or the Head of Democratic Services but may

hold the post of Chief Officer - Resources if a qualified accountant.

11.3 Functions of the Monitoring Officer

These are set out in Section 5 of the Local Government and Housing Act 1989 as amended.

11.3.1 Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.

11.3.2 Ensuring Lawfulness and Fairness of Decision Making

After consulting with the Head of Paid Service and Chief Officer - Resources, the Monitoring Officer will report to the Full Council or to the Executive in relation to any function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

11.3.3 Supporting the Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

11.3.4 Receiving Reports

The Monitoring Officer will receive and act on reports made by the Ombudsman and decisions of the case tribunals.

11.3.5 Conducting Investigations

The Monitoring Officer will conduct investigations into matters referred by the Ombudsman and make reports or recommendations in respect of them to the Standards Committee.

11.3.6 Proper Officer for Access to Information

The Monitoring Officer, in conjunction with the Head of Governance, will ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

11.3.7 Advising whether decisions of the Executive are within the Budget and Policy Framework

The Monitoring Officer will, in conjunction with the Chief Officer - Resources, advise whether decisions of the Executive – are in accordance with the Budget and Policy Framework.

11.3.8 Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to the Councillors.

11.3.9 Restrictions on Posts

The Monitoring Officer cannot be the Chief Officer - Resources, the Head of Paid Service or the Head of Democratic Services.

11.4 Functions of the Chief Officer – Resources (Section 151 Officer)

These are set out in Section 6 of the Local Government and Housing Act 1989.

11.4.1 Ensuring Lawfulness and Financial Prudence of Decision Making

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Officer - Resources will report to the Full Council or to the Executive in relation to an Executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

11.4.2 Administration of Financial Affairs

The Chief Officer - Resources will have responsibility for the administration of the financial affairs of the Council.

11.4.3 Contributing to Corporate Management

The Chief Officer - Resources will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

11.4.4 Providing Advice

The Chief Officer - Resources will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.

11.4.5 Give Financial Information

The Chief Officer - Resources will provide financial information to the media, members of the public and the community.

11.4.6 Advising whether Decisions of the Executive are within the Budget and Policy Framework

The Chief Officer - Resources will, in conjunction with the Monitoring Officer, advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

11.4.7 Restrictions on Posts

The Chief Officer - Resources cannot be the Monitoring Officer or the Head of Democratic Services.

11.5 Functions of the Head of Democratic Services

These are set out in Section 9 of The Measure. The functions of the Head of Democratic Services are:

11.5.1 to provide support and advice to the Authority in relation to its meetings, subject paragraph 11.5.10;

11.5.2 to provide support and advice to Committees of the Authority (other than the Committees mentioned in

paragraph 11.5.5) and the Members of those Committees, subject to paragraph 11.5.10;

11.5.3 to provide support and advice to any Joint Committee which a Local Authority is responsible for organising and the Members of that Committee, subject to paragraph 11.5.10;

11.5.4 to promote the role of the Authority's Overview and Scrutiny Committee;

11.5.5 to provide support and advice to:

(a) the Authority's Overview and Scrutiny Committee and the Members of that Committee or those Committees; and

(b) the Authority's Democratic Services Committee and the members of that Committee;

(c) to provide support and advice in relation to the functions of the Authority's Overview and Scrutiny Committee and Governance and Audit Committee to each of the following:

(i) Members of the Authority;

(ii) Members of the Executive of the Authority;

(iii) Officers of the Authority;

(d) to provide support and advice to each Member of the Authority in carrying out the role of Member of the Authority, subject to paragraph 11.5.11;

11.5.7 to make reports and recommendations in respect of any of the following:

- (a) the number and grades of staff required to discharge democratic services functions;
- (b) the appointment of staff to discharge democratic services functions;
- (c) the organisation and proper management of staff discharging democratic services functions;

11.5.8 such other functions as may be prescribed by law.

11.5.9 Restrictions on Posts

In accordance with legislative provision, the Head of Democratic Services cannot be the Head of Paid Service, the Monitoring Officer or the Chief Officer - Resources.

11.5.10 The function of providing advice about whether or how the Authority's functions should be, or should have been exercised, only applies to advice concerning the functions of the Overview and Scrutiny Committees and Democratic Services Committee.

11.5.11 Advice to a Member does not include advice in connection with their role as an Executive Member and does not include advice about a matter being or to be considered at a meeting (other than a meeting of an Overview and Scrutiny Committee) or Democratic Services Committee.

11.6 Duty to Provide Sufficient Resources to the Head of Paid Service, Monitoring Officer, Chief Officer - Resources and Head of Democratic Services

The Council will provide the Head of Paid Service, the Monitoring Officer, the Chief Officer - Resources and the Head of Democratic Services with such Officers, accommodation and other resources

as are in their opinion sufficient to allow their duties to be performed.

11.7 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Sections 20 and 21 of this Constitution.

11.8 Employment

The recruitment, selection and dismissal of Officers will comply with the Officer Employment Rules set out below.

11.9 Remuneration

Under Section 112 of the Local Government Act 1972 the Council has the power "to appoint officers on such reasonable terms and conditions as the Council thinks fit". The Council's Pay Policy Statement sets out the Council's approach to Pay in accordance with the requirements of Section 38 - 43 of the Localism Act 2011.

The Full Council will determine the level and any change in the level of the remuneration to be paid to Chief Officers. Remuneration is defined in accordance with Section 43(3) of the Localism Act 2011.

11.10 Officer Employment Procedure Rules

11.10.1 Recruitment and Appointment

(a) *Declarations*

- (i) The Council has drawn up procedures which include a requirement that any**

candidate for an appointment as an Officer must state in writing whether they have any relationship with any Councillor or Officer of the Council.

- (ii) No candidate so related to a Councillor or a Senior Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him.

(b) *Seeking Support for Appointment*

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No Councillor or employee of the Council will seek support for any person for any appointment with the Council.

11.10.2 Recruitment of Chief Officers and Deputy Chief Officers (Head of Service)

Where the Council proposes to appoint a Chief Officer or Deputy Chief Officer (Head of Service) (within the meaning of the Local Authorities (Standing Orders) (Wales) Regulations 2006) and as defined in this Constitution, and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

- (a) draw up a statement including the following:
 - (i) the duties of the Officer concerned; and

- (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the procedures mentioned in paragraph (a) to be sent to any person on request.

11.10.3 Appointment of Managing Director / Head of Paid Service

- (a) The Full Council will approve the appointment of the Head of Paid Service (Managing Director / Head of Paid Service), following the recommendation of such appointment by a Committee or Sub-Committee of the Council. The Committee or Sub-Committee must include at least one Member of the Executive.
- (b) The Full Council may only make or approve the appointment of the Head of Paid Service (Managing Director / Head of Paid Service) where no well-founded objection has been made by any Member of the Executive.

11.10.4 Appointment and Dismissal of Chief Officers, Deputy Chief Officers (Heads of Service)

- (a) In this paragraph:

“the Committee” means the Appointments Committee; and
- (b) Subject to the provisions of the Local Authorities (Standing Orders) (Wales) Regulations 2006, the

recommendation for any appointment and dismissal of the Head of Paid Service, Chief Officers, Deputy Chief Officers (Heads of Service), is the responsibility of the Committee.

- (c) At least one Member of the Executive must be a Member of the Committee and not more than half the Members of that Committee should be Members of the Executive (Schedule 3 of the Local Authorities (Standing Orders) (Wales) Regulations 2006).
- (d) Where the Committee is proposing to appoint or dismiss the Head of Paid Service, the Full Council must approve that appointment before the offer of appointment is made or must approve that dismissal before notice of dismissal is given.

11.10.5 Other Officers

- (a) Appointment and dismissal of Officers below Chief Officer, Deputy Chief Officer/Head of Service level as defined by the Local Authorities (Standing Orders) (Wales) Regulations 2006 and by this Constitution is the responsibility of the Managing Director (Head of Paid Service) or his/her nominee, and may not be undertaken by Councillors.
- (b) Councillors will not be involved in disciplinary action against any Officer below Chief Officer, Deputy Chief Officer (Heads of Service) as defined by the Local Authorities (Standing Orders) (Wales) Regulations 2006 and by this Constitution except where such involvement is necessary for any investigation or inquiry into alleged misconduct or where the Council's

disciplinary, capability and related procedures, as adopted from time to time, allow a right of appeal to Members.

11.10.6 Disciplinary Action

(a) In this paragraph “disciplinary action” includes proposed dismissal for any reason other than redundancy, permanent ill health or failure to renew a fixed term contract, planned retirement and early retirement and unsatisfactory probationary periods.

(b) *Written Procedures*

(i) Disciplinary action against the Head of Paid Service, the Monitoring Officer and the Chief Officer - Resources will be taken in accordance with the Council’s Chief Officer Procedures (this includes an officer who was employed in one of the above posts at the time of the alleged misconduct, but at the time of the proposed disciplinary action is no longer in that post).

(ii) Disciplinary action against all other Officers will be taken in accordance with the Local Conditions of Service.

(c) *Independent Person*

No disciplinary action may be taken under paragraph (b)(i) above except in accordance with a recommendation in a report made by a designated independent person under regulation 9 of the Local Authorities (Standing Orders)

(Wales) Regulations 2006 (investigation of alleged misconduct).

(d) *Suspension*

An Officer may be suspended whilst an investigation takes place into alleged misconduct. The suspension will be on full pay.

11.10.7 Appeals

None of the above shall prevent a Councillor serving as a Member of an Appeals Committee or body established to consider an appeal by:

- (a) any person against any decision relating to the appointment of that person as a Member of staff of the Authority; or
- (b) a Member of staff of the Authority against any decision relating to the dismissal of, or taking disciplinary action against, that Member of staff unless the dismissal relates to a capability issue, misconduct, some other substantial reason, some other statutory enactment or planned retirement where the Member of staff has less than six months' notice. In these instances the appeal shall be conducted by a Senior Officer.

SECTION 12

12. FINANCE CONTRACTS AND LEGAL MATTERS

12.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in Section 16 of this Constitution.

12.2 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules set out in Section 17 of this Constitution.

12.3 Legal Proceedings

12.3.1 The Head of Legal & Corporate Compliance is authorised to institute, defend, participate in or settle any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Legal & Corporate Compliance considers that such action is necessary to protect the Council's interests.

12.3.2 The Head of Legal & Corporate Compliance has delegated powers to authorise Officers to appear in court on the Council's behalf.

12.4 Authentication of Documents

- 12.4.1 Where any document is necessary to instigate any legal proceedings on behalf of the Council, it will be signed by the Head of Legal & Corporate Compliance or other person authorised by him/her, unless any enactment or otherwise authorises or requires, or the Council has given requisite authority to some other person.
- 12.4.2 Any contract with a value exceeding £50,000, entered into on behalf of the Council shall be made in writing. Subject to the Contracts Procedure Rules, such contracts must be signed by at least two Officers of the Council or made under common seal of the Council attested by at least one Officer if they exceed £50,000 in value.
- 12.4.3 In addition to any other person who may be authorised by resolution of the Council, the Proper Officer for the purposes of authentication of documents under the Local Government Acts shall be:
- (a) the Managing Director / Head of Paid Service;
 - (b) the Head of Legal & Corporate Compliance;
 - (c) any Chief Officer of the Council concerned with the matter to which the document relates; or
 - (d) any Officer authorised in writing by such Chief Officer.

12.5 Common Seal of the Council

- 12.5.1 Common Seal

- (a) The Common Seal of the Council shall be kept securely.
- (b) A decision of the Council, including decisions under delegated powers, will be sufficient authority for sealing any document necessary to give effect to the decision.

12.5.2 Sealing and Execution of Documents

- (a) Any Officer of grade JNC 2 and above shall have authority to jointly affix the Common Seal and execute under Seal any deed or document subject to at least one of the above named Officers of the Council being present and being signatories.
- (b) Any Officer with the appropriate authorised signatory status shall have authority to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.
- (c) This function can be delegated further by the named persons

12.5.3 Record of Sealing of Documents

Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made and consecutively numbered in a book to be provided for the purpose.

SECTION 13

13. RESPONSIBILITY FOR FUNCTIONS – SUMMARY

The purpose of this Section of the Constitution is to set out who is responsible for making the various decisions in the Council.

13.1 Who can be Decision Makers?

Under this Constitution, there are a number of different decision makers:

- 13.1.1 Full Council;
- 13.1.2 a Committee or Sub-Committee of Council;
- 13.1.3 the Executive;
- 13.1.4 a Committee of Executive;
- 13.1.5 a Joint Committee;
- 13.1.6 an Officer.

The Council will issue and keep up to date a record of which individual has responsibility for particular types of decisions. This record is set out in Section 13 of this Constitution.

13.2 Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:

- 13.2.1 proportionately (i.e. the action must be proportionate to the desired outcome);

- 13.2.2 due consideration and the taking of professional advice from Officers;
- 13.2.3 respect for human rights;
- 13.2.4 a presumption in favour of openness;
- 13.2.5 clarity of aims and desired outcomes;
- 13.2.6 consideration of any alternative options; and
- 13.2.7 the giving and recording of reasons for the decision and the proper recording of these reasons.

13.3 Functions fall into the following categories:

13.3.1 Functions of the Full Council

The Council is the supreme decision making body and may, with some exceptions, exercise any of the functions vested in the Council by law. It may also delegate many of those functions to a Committee, Sub-Committee or Officer. The functions of the Full Council are set out in Section 4.

13.3.2 Non-Executive Functions

These are functions which, by law, may not be the responsibility of the Executive. In some cases, only the Full Council meeting may take the decision. In other cases, the Council may delegate the responsibility for taking the decision to a Committee or an Officer.

13.3.3 “Local Choice” Functions

There are some functions which the Council may treat as being the responsibility of the Executive in whole or in part, or as being non-Executive, at its discretion.

13.3.4 Executive Functions

All other functions are Executive functions.

13.4 Other Bodies

13.4.1 Advisory Bodies

The Council and/or the Leader can also set up Advisory Committees and Joint Advisory Committees.

13.4.2 Overview and Scrutiny Committees

Overview and Scrutiny Committees are responsible for the overview and scrutiny function. They cannot exercise other functions and make decisions.

13.4.3 Officer Delegations

Officer delegations are also contained in this Section of the Constitution.

13.5 Who Decides – Non-Executive Functions?

13.5.1 The Council may decide whether to delegate Non-Executive functions to a Committee, Sub-Committee, delegated Officer or Joint Committee.

13.5.2 Where a Non-Executive function has been delegated to a Committee, the Committee may further delegate to a Sub-Committee or delegated Officer.

- 13.5.3 Where a Non-Executive Function has been delegated to a Sub-Committee, the Sub-Committee may further delegate to a delegated Officer.

13.6 Who Decides – Executive Functions?

The Council may decide whether to delegate Executive Functions to a Committee of the Executive, delegated Officer or a Joint Committee.

13.7 Removal of Delegation

- 13.7.1 Where a function has been delegated, the body that delegated the function may withdraw the delegation generally or in any particular case, and may exercise the function itself.
- 13.7.2 Where a function has been delegated, the decision maker is not required to exercise the delegation and may refer any particular matter to the body that made the delegation or any other body that has power to exercise the function.

13.8 Who May Exercise Officer Delegations?

Where a function has been delegated to an Officer(s) (“delegated Officer(s)”), the decision may be taken in the name of or on behalf of (but not necessarily personally by) such delegated Officer(s) (“authorised Officer(s)”) in accordance with arrangements made from time to time by such delegated Officer(s) for this purpose. The Officer with delegated powers can only delegate to a third party if that Officer is given delegated powers to “delegate on” that decision making.

Please see the note on Delegated Authority under ‘Delegation of Functions’ below.

Portfolio Responsibilities

Leader / Executive Member Corporate Services

Executive Business Manager Role

- Leadership Role
- Corporate Services Role, incorporating:
 - Cardiff Capital Region City Deal
 - Local Service Board / Public Service Board
 - Well Being of Future Generations
 - Reforming Local Government
 - Culture, Customs and Practices of Council
 - Policy and Performance (Strategy) and Regulatory Engagement
 - Transforming Blaenau Gwent Programme
 - Collaboration
 - Remuneration Panel
 - Member Development

Financial Management and Strategy

- Accountancy
- Revenues and Benefits
- Interface with and monitoring of the Shared Resource Service
- Audit
- Procurement
- Strategic Financial Management
- Exchequer Services
- Insurance
- Payroll
- Benefits

Corporate Services

- Equalities
- Welsh Language
- Organisational Development
- Business Support
- Policy and Performance (including, engagement, community safety and scrutiny development)

- Democratic Services
- Communications & Marketing
- Customer Services / C2BG
- Civil Contingencies
- Health and Safety
- Community Safety
- CCTV
- Legal
- Registration
- Asset Management (Supporting the Deputy Leader)
- Workforce Management
- Digital and IT
- Procurement

- **Deputy Leader / Executive Member Regeneration & Economic Development**Deputise for the Leader
- Strategic Projects including the Energy Programme, Digital Programme and Waste Procurement Programme
- Economic Development and Tourism
- Business Support and Enterprise
- Industrial Units Portfolio (Development and Management)
- Community and Social Regeneration
- Planning Policy/Local Development Plan
- Town Centre Development
- Employability
- Skills Development
- Preparing Young People for Work (supported by the Education portfolio)
- Housing Strategy (Development & Support)
- Affordable Housing Development Plan
- Estates and Asset Management (Supported by Leader)

Executive Member Environment

- Waste Management and Recycling
- Street Lighting
- Highways Maintenance and Winter Maintenance
- Transport
- Cemeteries
- Grounds Maintenance

- Meals on wheels, Schools Catering, Building Cleaning
- Markets
- Energy
- Bio Diversity
- Trading Standards & Licensing
- Environmental Health (incl. Private Sector Housing Standards Enforcement & Empty Property Strategy)
- Housing Solutions (Homelessness & Common Housing Register)
- Private Sector Housing Renewal Policy (Adaptations Grants & Improvement Loans & Domestic Energy Efficiency Schemes)
- Travellers (Strategy & Operations)
- Flood Management
- Transportation Strategy/Joint Passenger Transport Unit
- Roads and Street Works
- Road Safety
- Reservoirs, Mines and Quarries
- Highways and Engineering
- Corporate Landlord

Executive Member Education

- School Improvement and the interface and monitoring of the Education Achievement Service, Ethnic Minority Achievement Service, VI/HL Service and ALN Service
- Education Psychology Service: SEN and ALN
- Education Welfare Service
- Traveller Service
- Healthy Schools
- Youth Service
- Education Transformation and 21st Century School Programme
- School Admissions and Surplus Places
- Schools, Special School and Pupil Referral Unit
- Safeguarding in Education
- Interface with and monitoring of Aneurin Leisure Trust

Executive Member Social Services

- Social Services and Well-Being Act;
- Assessment and Case Management in Children's Services;
- Safeguarding children;
- Fostering;
- South East Wales Adoption Service;
- Residential Placements for Children;
- Families First;
- Flying Start;
- Play and Early Years;
- Carers including young carers;
- Direct Payments;
- Social Services Complaints;
- Assessment and care management in Adult Services;
- Safeguarding adults;
- Commissioning domiciliary care, residential and nursing homes;
- Supporting People;
- In house Home Care Service;
- In house Residential Home;
- In house respite provision;
- Community Options (Adult day service provision);
- Interface between Social Care and Health;
- Partnership working between Social Care, health, Police, other local authorities, third sector and independent and private sector.

Delegation of Functions

NOTE 1 – An Officer to whom a power, duty or function is delegated may nominate or authorise another officer to exercise that power, duty or function, provided that officer reports to or is responsible to the delegator.

NOTE 2 - Where the Constitution states that matters of policy are reserved to Executive or Council, approval of the introduction of basic operational policies and minor amendments to existing policy in relation to operational issues may be undertaken through delegated powers without Executive approval by the relevant Director or Head of Service and after consultation with the relevant Executive Member. If there is any doubt about whether a proposed policy requires Executive or Council approval, or if any amendment to existing policy is minor in nature, advice should be sought from the Council’s Monitoring Officer.

LEADER / EXECUTIVE PORTFOLIO FOR CORPORATE SERVICES SUBJECT TO SCRUTINY BY THE CORPORATE OVERVIEW SCRUTINY COMMITTEE

EXECUTIVE BUSINESS MANAGER ROLE

FUNCTION

DELEGATION

- | | | |
|-----|------------------------------------|---|
| 1. | Leadership of the Council | Executive
Managing Director |
| 2. | Representation with WLGA | Council |
| 3. | Constitutional Issues | |
| (a) | Policy | Council |
| (b) | Operational | Head of Legal &
Corporate Compliance |
| 4. | Public Relations & Media Interface | |
| (a) | Policy | Executive |

(b)	Operational	Corporate Director of Regeneration and Community Services
5.	Business Transformation & Business Support	
(a)	Policy	Executive
(b)	Operational	Corporate Director of Regeneration and Community Services
6.	Workplace Transformation (including rationalisation of buildings/agile working)	
(a)	Policy	Executive
(b)	Operational	Corporate Director of Regeneration and Community Services
7.	Collaboration	
(a)	Policy	Executive
(b)	Operational	Appropriate Director(s)
8.	Remuneration Panel	
(a)	Policy	Council
(b)	Operational	Chief Officer - Resources
9.	Member Development	
(a)	Policy	Executive
(b)	Operational	Managing Director
10.	Policy, Performance & Strategy and Regulatory Engagement	
(a)	General	Executive
(b)	Policy	Managing Director

LEADER / EXECUTIVE PORTFOLIO FOR COPORATE SERVICES

FINANCIAL MANAGEMENT AND STRATEGY

FUNCTION

DELEGATION

- | | |
|--|---------------------------|
| 1. Write-off of Debts | Chief Officer - Resources |
| 2. Institution of prosecutions or proceedings under any statutory provisions or the taking of any civil proceedings within the purview of the Committee. | Chief Officer – Resources |
| 3. Setting of Mortgage Interest Rates | Chief Officer - Resources |
| 4. Recovery action for arrears of Council Tax, Rates and Industrial Rates. | Chief Officer - Resources |
| 5. Rates of interest on sums recoverable – Section 1(6) Local Government Planning & Land Act 1980 | Chief Officer - Resources |
| 6. To make recommendation to the Council on the estimates required for the financial year and undertake appropriate consultation. | Executive |
| (a) To consider reports of consultation meetings | Executive |
| 7. Functions in respect of the calculation of Council Tax base in accordance with any of the following:- | |
| (a) The determination of the Council Tax base in section 33 (1) and 44 (1) of the Local Government Act 1982. | |

(b) The determination of an amount of precept from town/community councils in sections 34(3) 45(3) 48(3) and 48(4) of the Local Government Finance Act 1992.

(c) The determination of an amount required for determining an amount for the items mentioned in paragraph (a) or (b) above.

(a)-(c)	Policy	Executive
(a)-(c)	Operation	Chief Officer - Resources

8. (a) The implementation and monitoring of the Treasury Strategy Statement Chief Officer - Resources

(b) To receive and consider at least two reports in each financial year on the activities of Treasury Management. Executive

(c) To make executive decision on borrowing, investments and leasing. Chief Officer - Resources (within approved policy)

9. To approve adjustments to reserves and provisions as necessary when finalising the accounts in compliance with relevant accounting principles and the Accounting Code of Practice. Chief Officer - Resources

10. Superannuation Fund
(a) Policy Executive
(b) Operational Management Chief Officer - Resources

- 11.** The terms and the taking up of such insurance policies as may be necessary to provide adequate and cost-effective insurance cover in accordance with:-
- (a) The Authority's risk management policies Chief Officer - Resources
 - (b) Risks notified by Chief Officers Chief Officer - Resources
- 12.** Management of Authority's insurance portfolio including the approval of insurance provisions and application of the insurance reserve to risk management. Chief Officer - Resources
- 13.** Operation of bank account(s) and authorised users. Chief Officer - Resources
- 14.** Exercising 'options to tax' on property and other assets. Chief Officer - Resources
- 15.** Grants Welsh Church Fund Act, recreational and entertainments grants to voluntary organisations, senior citizens and allotments associations. Executive
- 16.** V.S.S. Grants Executive

LEADER / EXECUTIVE PORTFOLIO FOR CORPORATE SERVICES PORTFOLIO

CORPORATE SERVICES

FUNCTION

DELEGATION

- | | | |
|-----|--|--|
| 1. | Local Land Charges and Common Land | Head of Legal and Corporate Compliance |
| 2. | Pay and grading, conditions of service and HR Policy | Council |
| 3. | People Strategy | |
| (a) | Policy | Executive |
| (b) | Operational Management | Chief Officer – Commercial |
| 4. | Customer Strategy / C2BG | |
| (a) | Policy | Executive |
| (b) | Operational Management | Chief Officer – Commercial |
| 5. | Corporate Governance | |
| (a) | Policy | Executive |
| (b) | Co-ordination | Managing Director |
| (c) | Operational Management | Chief Officer |
| 6. | Policy & Performance and Regulation Engagement | |
| (a) | Policy | Executive |
| (b) | Operational Management | Managing Director |

7.	Registration of Births, Deaths & Marriages	Proper Officer for Registration of Births, Deaths & Marriages (Head of Legal)
8.	Civil Contingencies	
(a)	Policy	Executive
(b)	Operational	Managing Director
9.	Policy and Performance (including engagement, community safety and scrutiny development)	
(a)	Policy	Executive
(b)	Operational	Managing Director
10.	CCTV	
(a)	Policy	Executive
(b)	Operational	Chief Officer - Commercial
11.	Acceptance of Tenders	Relevant Director as determined by the Contract Procedure Rules (section 17)

EXECUTIVE PORTFOLIO FOR ENVIRONMENT SUBJECT TO SCRUTINY BY THE COMMUNITY SERVICES SCRUTINY COMMITTEE

FUNCTION

DELEGATION

HOUSING

- | | | |
|-----------|---------------------------------|---|
| 6. | Housing Letting and Allocations | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| 7. | Statutory duty for homelessness | |
| (a) | Homelessness Strategy | Executive Committee |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |

PRIVATE SECTOR HOUSING

- | | | |
|-----------|---|---|
| 8. | Housing Loans, Disabled Facilities Grants and Improvement Grants (including recovery of Grants) and declaration of Renewal Areas. | |
| (a) | General policy | Executive |
| (b) | Operational Management and Approval of all forms of housing repair, improvement or adaptation grants. | Corporate Director of
Regeneration and
Community Services /
Authorised Signatories |

- | | |
|--|---|
| <p>9. Functions relating to Housing Enforcement under the Housing Act 2004, including any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same</p> <p>(a) General Policy</p> <p>(b) Procedures relating to Operational Management</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p> |
|--|---|

Part 1 - Housing Conditions

- | | |
|--|---|
| <p>Section 4 – To carry out inspections to see whether any category 1 or 2 hazards exist.</p> <p>Section 4 – To be the Proper Officer to whom any official complaint about the condition of residential premises must be made.</p> | <p>Corporate Director of Regeneration and Community Services</p> <p>Corporate Director of Regeneration and Community Services</p> |
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FUNCTION

DELEGATION

- | | |
|--|---|
| <p>Section 11 – To serve an Improvement Notice for Category 1 hazard</p> <p>Section 12 – To serve an Improvement Notice for a Category 2 hazard</p> <p>Section 14 – To suspend an Improvement Notice</p> <p>Section 16 – To revoke or vary an Improvement Notice</p> | <p>Corporate Director of Regeneration and Community Services</p> <p>Corporate Director of Regeneration and Community Services</p> <p>Corporate Director of Regeneration and Community Services</p> <p>Corporate Director of Regeneration and Community Services</p> |
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Section 17 – To review a suspended Improvement Notice and give notice of the decision on a review	Corporate Director of Regeneration and Community Services
Section 20 – To make and serve a Prohibition Order in respect of Category 1 Hazards	Corporate Director of Regeneration and Community Services
Section 21 – To make and serve a prohibition order in respect of Category 2 hazards	Corporate Director of Regeneration and Community Services
Section 23 – To suspend a Prohibition Order	Corporate Director of Regeneration and Community Services
Section 25 – To revoke or vary a Prohibition Order	Corporate Director of Regeneration and Community Services
Section 26 – To review a suspended Prohibition Order and to serve notice of the decision of any review	Corporate Director of Regeneration and Community Services
Section 28 – To serve a Hazard Awareness Notice relating to a category 1 hazard	Corporate Director of Regeneration and Community Services
Section 29 – to serve a Hazard Awareness Notice for a category 2 hazard	Corporate Director of Regeneration and Community Services
Section 31 and Schedule 3 – To take action in respect of an Improvement Notice	Corporate Director of Regeneration and Community Services

Section 31 and Schedule 3 – To recover related expenses following action.	Corporate Director of Regeneration and Community Services
Sections 40 and 41 – To take emergency remedial action where there is a category 1 hazard and to serve the requisite notices	Corporate Director of Regeneration and Community Services
Section 42 – To recover expenses after taking emergency remedial action	Corporate Director of Regeneration and Community Services
Section 43 – To serve an emergency prohibition order for category 1 hazard	Corporate Director of Regeneration and Community Services
Section 46 (Housing Act 1985 S 265) – To serve a demolition order for category 1 or 2 hazards	Executive
Section 47 (Housing Act 1985, S 289) – To declare a clearance area	Executive
Sections 49 and 50 – To make a charge for enforcement action and to recover costs	Corporate Director of Regeneration and Community Services / Head of Legal & Corporate Compliance or any solicitor in the division

Part 2 – Licensing of Houses in Multiple Occupation

Section 62 – To serve a temporary exemption from the licensing requirement for HMOs	Corporate Director of Regeneration and Community Services
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Sections 64, 69 and 70 – To grant or refuse a licence for an HMO, to vary or revoke the licence. Corporate Director of Regeneration and Community Services

Section 73 – To apply for a rent repayment order, and to serve the requisite notices Corporate Director of Regeneration and Community Services

Part 3

Section 96 – To apply for a rent repayment order and to serve the requisite notices Corporate Director of Regeneration and Community Services

Part 4 – Additional control provisions in relation to residential accommodation

Sections 102, 111 and 112 – To make, vary and revoke interim management orders Corporate Director of Regeneration and Community Services

Sections 113, 121 and 122 – To make, vary and revoke final management orders Corporate Director of Regeneration and Community Services

Section 131 – Power of entry to carry out works where management order is in force, and to appoint, in writing, persons to enter the premises to carry out the work. Corporate Director of Regeneration and Community Services, Head of Legal & Corporate Compliance or any solicitor in the division.

Section 133 – To make an interim empty dwelling management order	Corporate Director of Regeneration and Community Services
Section 136 – To make a final empty dwelling management order	Corporate Director of Regeneration and Community Services
Section 139 – To serve an overcrowding notice	Corporate Director of Regeneration and Community Services
Section 144 – To revoke and vary overcrowding notices	Corporate Director of Regeneration and Community Services
Section 235 – To serve notice requiring documents to be produced	Corporate Director of Regeneration and Community Services
Section 239 – To enter premises for purposes of carrying out a survey or examination	Corporate Director of Regeneration and Community Services
Section 239 - To be the Proper Officer for determining if a survey or examination is necessary	Corporate Director of Regeneration and Community Services
Section 243 – To be the Appropriate Officer for Authorisations for Enforcement Purposes	Corporate Director of Regeneration and Community Services
Section 255 and 256 – To serve, and to revoke, an HMO declaration notice	Corporate Director of Regeneration and Community Services

FUNCTION

DELEGATION

- 10.** Functions under the Housing Act 1985 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same.
- (a) General Policy Executive
- (b) Procedures relating to Operational Management Corporate Director of Regeneration and Community Services
- (c) Implementation & Enforcement Corporate Director of Regeneration and Community Services
- 11.** Institution of prosecutions or proceedings under any statutory provisions or the taking of civil proceedings within the purview of the portfolio. Head of Legal & Corporate Compliance or any solicitor in the Council
- 12.** Acceptance of Tenders As determined by the Contract Procedure Rules (see section17)
- 13.** Functions relating to Empty Properties
- (a) General Policy Executive
- (b) Procedures relating to Operational Management Corporate Director of Regeneration and Community Services
- 14.** Functions under the Law of Property Act 1925 relating to Enforced Sale and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same
- (a) General Policy Executive

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|-----|---|--|
| (b) | Procedures relating to Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services / Head of Legal & Corporate Compliance or any solicitor in the Council |

15. Functions under all Food Safety and Food Standards Legislation where the Authority is the enforcing Authority with the exception of the following:-

- the power to register and license premises for the preparation of food under Section 19 of the Food Safety Act 1990; and
- the duty to enforce and execute Regulations (EC) No. 852/2004 and 853/2004 in relation to food business operators as further specified in regulation 5 of the Food (Hygiene) (Wales) Regulations 2006;

- | | | |
|-----|-------------------------------|---|
| (a) | General Policy | Executive |
| (b) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
| (c) | Appointment of Public Analyst | Corporate Director of Regeneration and Community Services |

16. Functions under the National Assistance Act 1948 Section 47 as amended by the National Assistance (Amendment) Act 1951 and any Regulations, Orders, Byelaws or other statutory

legislation made thereunder or replacing or amending the same.

- | | |
|---|--|
| <p>(a) General Policy</p> <p>(b) Implementation & enforcement</p> | <p>Executive</p> <p>Corporate Director of
Regeneration and
Community Services or
Corporate Director of
Social Services</p> |
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| <p>17. Functions under the Public Health (Control of Diseases) Act 1984 (as amended by the Health and Social Care Act 2008) the Health Protection (Notification) (Wales) Regulations 2010, the Health Protection (Part 2A Orders) (Wales) Regulations 2010, the Health Protection (Local Authority Powers) (Wales) Regulations 2010, and any other Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same</p> <p>(a) General Policy</p> <p>(b) Implementation & enforcement</p> <p>(c) Appointment of Proper Officers</p> | <p>Executive</p> <p>Corporate Director of
Regeneration and
Community Services</p> <p>Corporate Director of
Regeneration and
Community Services</p> |
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| <p>18. Functions under the Sunday Trading Act 1994</p> <p>(a) General Policy</p> <p>(b) Implementation & Enforcement</p> | <p>Executive</p> <p>Corporate Director of
Regeneration and
Community Services</p> |

- 19.** Functions relating to statutory nuisance and noise control and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same.
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|-----|---|---|
| (a) | General Policy | Executive |
| (b) | Procedures relating to Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
- 20.** Functions relating to pollution prevention and control measures, including Local Authority Integrated Pollution Prevention and Control [LA-IPPC] and Local Authority Pollution Prevention and Control [LAPPC] as provided for in the Pollution Prevention and Control Act 1999, and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same.
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| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Permitting of prescribed activities | Corporate Director of Regeneration and Community Services |
| (d) | Authorisation of the following actions:- | |
| | - Variation Notice | Corporate Director of Regeneration and Community Services |
| | - Revocation Notice | |
| | - Suspension notice | |
| | - Enforcement notice | |
| | - Prevention and/or remedying of pollution | |
| | - Acceptance of the surrender of a permit | |

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| (e) | Implementation & enforcement including the service of notices requiring information. | Corporate Director of Regeneration and Community Services |
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| 21. | Functions in relation to air pollution control and local air quality management (including the review and assessment of local air quality as required by the Environment Act 1995) (as amended)), and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same. | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
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| 22. | Legislative provisions in relation to contaminated land as contained in the Environmental Protection Act 1990, Environment Act 1995 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same. | |
| (a) | General Policy & Strategy | Executive |
| (b) | Implementation of Policy/Strategy | Corporate Director of Regeneration and Community Services |
| (c) | Enforcement | Corporate Director of Regeneration and Community Services |
| (d) | Implementation of remedial works, where appropriate | Corporate Director of Regeneration and Community Services |

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| (e) | Acceptance of tenders relevant to contaminated land remediation | Corporate Director of Regeneration and Community Services |
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| 23. | Legislative functions in relation to Animal Health and Welfare | |
| (a) | General Policy | Executive |
| (b) | Procedures relating to Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
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| 24. | Legislative provisions in relation to the control of dogs. | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
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| 25. | Legislative provisions in relation to the control of pests and provision of Pest Control Service. | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |

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| 26. | Health Education & Promotion Functions | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation | Corporate Director of
Regeneration and
Community Services |
| | | |
| 27. | Home Safety Functions | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation | Corporate Director of
Regeneration and
Community Services |
| | | |
| 28. | Climatological and Meteorological Services | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation | Corporate Director of
Regeneration and
Community Services |
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| 29. | Burials under section 46 Public Health (Control of Disease) Act 1984 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same | Corporate Director of
Regeneration and
Community Services |
| | | |
| 30. | Statutory duties under Weights & Measures Legislation | |
| (a) | General Policy, including fee setting | Executive |

(b)	Enforcement	Corporate Director of Regeneration and Community Services
31.	Agriculture Acts and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same	
(a)	General Policy	Executive
(b)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services
32.	Other Trading Standards Legislation/ Complementary Trading Standards Legislation	
(a)	General Policy	Executive
(b)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services
33.	Children & Young Persons Protection from Tobacco Acts and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same.	
(a)	Policy	Executive
(b)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services
34.	Consumer Advice/Education	
(a)	General Policy	Executive
(b)	Day to Day Operation	Corporate Director of Regeneration and Community Services
35.	Business Advice/Partnerships	
(a)	General Policy	Executive

(b)	Day to Day Operation	Corporate Director of Regeneration and Community Services
36.	Duty to appoint one or more persons to act as Agricultural Analysts for the Purposes of the Agriculture Act 1970 or other statutory legislation made thereunder or replacing or amending the same.	Executive
37.	Scientific Services	
(a)	Appointment of Scientific Adviser	Executive
(b)	General Policy	Executive
38.	Institution of prosecutions or proceedings under any statutory provisions or the taking of civil proceedings within the purview of the portfolio.	Head of Legal & Corporate Compliance or any Solicitor in the Council
39.	Consideration of Consultative Documents affecting the duties/functions of the portfolio.	Executive
40.	Enforcement of legislative provisions in relation to the control of litter and waste	
(a)	General Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services.
41.	Legislative provisions in relation to Abandoned Vehicles	
(a)	General Policy	Executive

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| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation & enforcement | Corporate Director of
Regeneration and
Community Services |
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| 42. | Enforcement of legislative provisions in relation to sewerage, drainage and sanitary conveniences | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 43. | Monitoring and enforcement of legislation in relation to the monitoring and control of public and private water supplies | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |

44. Legislative provisions available under the following legislation:-

- Public Health Act 1961 (as amended)
- Public Health Act (Control of Disease) Act 1984 (as amended)
- Public Health Act 1936 (as amended)
- Clean Air Act 1993 (as amended)
- Local Government (Miscellaneous Provisions) Act 1974 (as amended)
- Local Government (Miscellaneous Provisions) Act 1976 (as amended)
- Local Government (Miscellaneous Provisions) Act 1982 (as amended)
- Clean Neighbourhoods and Environment Act 2005 (as amended)
- Control of Pollution Act 1974 (as amended)
- Control of Pollution (Amendment) Act 1989
- Refuse Disposal (Amenity) Act 1978
- Environment Act 1995
- Building Act 1984
- Antisocial Behaviour Act 2003
- Slaughterhouse Act 1974
- Housing (Wales) Act 2004
- Anti-Social Behaviour, Crime & Policing Act 2014
- Public Health (Wales) Act 2017
- The Safety of Sports Grounds Act 1975
- The Fire Safety and Safety of Places of Sport Act 1987
- The Safety of Sports Grounds Regulations 1987
- The Safety of Places of Sport Regulations 1988
- Energy Act 2011
- Energy Efficiency (Private Rented Property (England & Wales) Regulations 2015
- The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007

and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same, with the exception of provisions available under the above legislation which have been specifically mentioned elsewhere in this document.

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| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |

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| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 45. | Functions under the European Communities Act 1972 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| (b) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 46. | Functions under the Health Act 2006 relating to Smoke Free Premises, Places and Vehicles and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same. | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 47. | Poisons Legislation | |
| (a) | General Policy, including fees | Executive |
| (b) | Registration of Premises | Corporate Director of
Regeneration and
Community Services |

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| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 48. | Functions under the Sunbeds (Regulation) Act 2010 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same. | |
| (a) | General Policy | Executive |
| (b) | Procedures relating to Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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 | | |
| 49. | Functions under the Climate Change Act 2008 and any Regulations, Orders, Byelaws or other statutory legislation made thereunder or replacing or amending the same. | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| (c) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
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| 50. | Public Convenience, Cemeteries and Impounding Animals | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |

51.	Acceptance of Tenders	As determined by the Contract Procedure Rules (s.17)
52.	Catering Services (including Education)	Executive
(a)	Policy	Corporate Director of Regeneration and Community Services
(b)	Operational Management	Corporate Director of Regeneration and Community Services
53.	Functions under the Caravan Site and Control of Development Act 1960 (as amended) and the Caravan Sites Act 1968	Executive
(a)	Policy	Corporate Director of Regeneration and Community Services
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services
54.	Management of Local Authority owned Caravan Sites and provisions relating to illegal encampments of Travellers	Executive
(a)	General Policy	Corporate Director of Regeneration and Community Services
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Implementation & enforcement relating to illegal encampments	Corporate Director of Regeneration and Community Services
55.	Scrap metal dealers and motor salvage operators	Executive
(a)	Policy and conditions	Executive

(b)	Licence Fees	Corporate Director of Regeneration and Community Services (subject to Scrutiny by General Licensing Committee)
(c)	Initial Grant/Renewal of Licenses – where in compliance with the appropriate policy	Corporate Director of Regeneration and Community Services
(d)	Determination of applications (new and renewals) – where not in compliance with the relevant policy	Corporate Director of Regeneration and Community Services
(e)	Licence reviews, and Appeals where an oral representation is requested	Corporate Director of Regeneration and Community Services
(f)	Enforcement	Corporate Director of Regeneration and Community Services
56.	Grounds Maintenance	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
57.	Hackney Carriage & Private Hire Vehicles	
(a)	Power to fix rates or fares for hackney carriages and private hire vehicles	Corporate Director of Regeneration and Community Services (subject to Scrutiny by General Licensing Committee)
58.	Refuse and Recycling	

(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Implementation & enforcement	Corporate Director of Regeneration and Community Services
59.	Street Cleansing	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Implementation & enforcement	Corporate Director of Regeneration and Community Services
60.	Open air Markets	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
61.	Building Cleaning	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
62.	Transport	
(a)	Local Transport Plan & Policy	Council
(b)	Operational Management	Corporate Director of Regeneration and Community Services
63.	Biodiversity Strategies	
(a)	Policy	Executive

(b)	Operational	Corporate Director of Regeneration and Community Services
64	Landscape Improvement Schemes	
(a)	Policy	Executive
(b)	Implementation	Corporate Director of Regeneration and Community Services
65	Arboriculture Services and Tree Preservation Orders	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
(c)	Issue and confirmation of Tree Preservation Orders. Applications to fell, prune or other work to a protected tree.	Corporate Director of Regeneration and Community Services in consultation with the relevant Executive portfolio Member, provided there are no objections. If objections, referral to Executive.
66	Corporate Landlord Function	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services

DEPUTY LEADER / EXECUTIVE PORTFOLIO FOR REGENERATION & ECONOMIC DEVELOPMENT SUBJECT TO SCRUTINY BY THE REGENERATION SCRUTINY COMMITTEE, EXCEPT PARAGRAPH 34 WHICH IS SUBJECT TO SCRUTINY BY THE EDUCATION AND LEARNING SCRUTINY COMMITTEE.

FUNCTION

DELEGATION

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| <p>1. Car Parking (Control Charges, etc.)</p> <p>(a) Policy</p> <p>(b) Operational Management</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p> |
| <p>2. Safe Routes to Schools</p> <p>(a) Policy</p> <p>(b) Operational Management</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services in consultation with the Director of Education</p> |
| <p>3. Functions relating to New Roads and Street Works Act</p> <p>(a) Policy</p> <p>(b) Operational Management</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p> |
| <p>4. Street Works and Consent Orders</p> <p>(a) Policy</p> <p>(b) Operational Management</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p> |
| <p>(c) Implementation & Enforcement</p> | <p>Corporate Director of Regeneration and Community Services</p> |

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| 5. | General highways matters including Highway structures including Trunk Road Agency Agreement, Highways Act 1980 | |
| (a) | Policy | Executive |
| (b) | Procedures relating to Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
| 6. | Sewers and sewerage water supplies, land drainage schemes | |
| (a) | General Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| 7. | Ebbw Valley Railway | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| 8. | Transportation Strategy (including Heads of the Valleys dualling) | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| 9. | Street (re)naming and (re)numbering schemes. | Corporate Director of Regeneration and Community Services after |

		consultation with Ward Members
10.	Alteration and provision of Street Lighting	
(a)	Policy	Executive
(b)	Operational	Corporate Director of Regeneration and Community Services
11.	Institution of prosecutions or proceedings under any Statutory Provisions or the taking of any civil proceedings within the purview of the Committee	Head of Legal & Corporate Compliance or any Solicitor in the Division
12.	Road Traffic Regulation matters, including temporary closures	Corporate Director of Regeneration and Community Services
13.	Road Safety – Traffic Management & Disabled Parking	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
14.	Provision of Bus Shelters	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
15.	Stands for Hackney Carriages (Taxi Ranks)	
(a)	Appointment of stands for hackney carriages (taxis)	Executive Committee
(b)	Implementation & Enforcement	Corporate Director of Regeneration and Community Services

16.	Service of any notices under any Statutory Provisions under the Committee's Terms of Reference	Corporate Director of Regeneration and Community Services
17.	Reservoirs, Mines, Quarries, Tips and Unstable Ground.	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
18.	Markets & Fairs	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
19.	War Memorials & Cenotaphs (other than Town or Community Councils)	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
20.	Public Transport	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Regeneration and Community Services
21.	(a) Local Development Plan	Executive/Council
	(b) Operational Management	Corporate Director of Regeneration and Community Services
22.	Making routine observations upon consultations from other bodies and agencies on planning and other applications.	Corporate Director of Regeneration and Community Services

- 23.** Economic Development, attraction of new industry, existing industrial sites and other matters of an economic development nature including marketing and promotion of sites and premises
- (a) Policy Executive
- (b) Operational Management Corporate Director of Regeneration and Community Services
- 24.** Economic Development Grants and Loans
- (a) Policy Executive
- (b) Implementation and Award of Grants / Repayable Loans Corporate Director of Regeneration and Community Services
- 25.** Commercial and Industrial Improvement Areas
- (a) Declaration of Areas Executive
- (b) Grants Corporate Director of Regeneration and Community Services
- 26.** To implement the Council's and Regional Regeneration Strategies, major regeneration projects and Associated Funding Programmes
- (a) Policy/Strategy Executive
- (b) Operational Management Corporate Director of Regeneration and Community Services
- 27.** Repayable Funding Town Centre Loan Scheme & Property Recyclable Loan Scheme
- (a) Policy Executive

<p>(b) Operational Management (Implementation and Award of Loans)</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>28. Industrial Estates Maintenance</p> <p>(a) Policy</p> <p>(b) Operational Management</p>	<p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p>
<p>29. Skills and Employability (18+)</p> <p>(a) Policy</p> <p>(b) Operational</p>	<p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p>
<p>30. Acceptance of Tenders</p>	<p>As determined by the Council's Contract Procedure Rules (s 17)</p>
<p>31. Tredegar Townscape Heritage initiative</p> <p>(a) Policy</p> <p>(b) Operational (Implementation and Award of Grants)</p>	<p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p>
<p>32. Adult and Continuing Education</p> <p>(a) Policy</p> <p>(b) Operational</p>	<p>Executive</p> <p>Corporate Director of Education</p>
<p>33. Destination Management</p> <p>(a) Policy</p> <p>(b) Operational Management</p>	<p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p>
<p>34. Management of the Council's portfolio of Industrial Units</p>	

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| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| 35. | | |
| Approval of Heads of Terms for lettings of Industrial Units when occupancy to be governed by Licence Agreement or Standard Form Tenancy Agreement (Contracted-Out of LTA 1954) | | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| 36. | | |
| Approval of Heads of Terms for lettings of Industrial Units when occupancy to be governed by Lease Agreement rather than a Licence agreement or Standard Form Tenancy Agreement (Contracted-Out of LTA 1954) | | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| 37. | | |
| Winter Maintenance | | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
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| 38. | | |
| Housing Strategy | | |
| (a) | Policy | Council |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |

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| 39. | Housing Grant administration | |
| (a) | Annual Investment Programme | Corporate Director of
Regeneration and
Community Services |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |

Function

The Disposal and Acquisitions of Land and Property Policy sets out the approved framework and detail under this Part, below is a summary of the main provisions

Delegation

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| 40. | Disposal and Acquisition of Land and Property Policy | Executive |
| | Community Asset Transfer Policy | Executive |
| (a) | To consider and approve reports which propose a disposal or purchase of land and property, including approving their valuation terms, subject to (b) below | Corporate Director of
Regeneration and
Community Services |
| (b) | Disposal of any property where value is in excess of £500,000 | Executive |
| (c) | All statutory sales and compensation | Corporate Director of
Regeneration and
Community Services |
| 41. | Arranging and agreeing small rentals, tenancies and short-term leases and extensions of leases, including approving their terms. | Corporate Director of
Regeneration and
Community Services |
| 42. | Land for Grazing | |
| (a) | Policy | Executive |
| (b) | Operational Management, including approving their terms | Corporate Director of
Regeneration and
Community Services |

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| <p>43. Easements, Licences, etc.</p> <p>(a) Policy</p> <p>(b) Operational Management, including approving their terms</p> | <p>Executive</p> <p>Corporate Director of Regeneration and Community Services</p> |
| <p>44. Village Greens</p> | <p>Corporate Director of Regeneration and Community Services</p> |

**EXECUTIVE PORTFOLIO FOR EDUCATION SUBJECT TO SCRUTINY BY THE
EDUCATION AND LEARNING SCRUTINY COMMITTEE**

FUNCTION

DELEGATION

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| <p>1. To exercise the Council’s functions as Local Education Authority subject to the exercise by School Governors of those functions stipulated in the Instruments of Government.</p> | <p>Executive</p> |
| <p>2. To consider all major issues of educational policy (including the approval and/or determination of school organisation proposals (including those which receive objections) except for those that are required to be considered by Welsh Ministers).</p> | <p>Executive</p> |
| <p>3. Pupil Services</p> | |
| <p>(a) Policy</p> | <p>Executive</p> |
| <p>(b) (i) Admission of pupils to schools</p> | <p>Corporate Director of Education</p> |
| <p>(ii) Appeals</p> | <p>Appeals Committee</p> |
| <p>(c) (i) Eligibility to home-school transport (including provision on danger grounds).</p> | <p>Corporate Director of Education</p> |
| <p>(ii) Appeals</p> | <p>Appeals Committee</p> |
| <p>(d) (i) Approval for early admission to school.</p> | <p>Corporate Director of Education</p> |
| <p>(ii) Appeals</p> | <p>Appeals Committee</p> |
| <p>(e) (i) Policy</p> | <p>Executive</p> |
| <p>(ii) Grants</p> | <p>Corporate Director of Education</p> |
| <p>(iii) Operational Management</p> | <p>Corporate Director of Education</p> |
| <p>(f) Consideration of disciplinary matters on reference by school governing bodies</p> | <p>Appeals Committee</p> |

4.	Student Awards	Corporate Director of Education
5.	Education Psychology Service	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
6.	Education Welfare Service	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
7.	Home and Hospital Tuition Services	
(a)	Policy	Executive
(b)	Determination	Corporate Director of Education
8.	Building Programme	
(a)	Policy	Executive
(b)	Construction	Corporate Director of Education
(c)	Approval of school's self help and benefaction schemes	Corporate Director of Education
9.	Building and Environmental Engineering Maintenance	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
(c)	School's self help and benefaction schemes	Corporate Director of Education
(d)	Approval of expenditure to a value of £15,000 in respect of accommodation matters – use of security firms – action to eliminate safety hazards.	Corporate Director of Education

10.	<ul style="list-style-type: none"> (a) Governor Support & Training Policy (b) Determination of Training 	<p>Executive Corporate Director of Education</p>
11.	<p>Curriculum Advice, Training & Inspection</p> <ul style="list-style-type: none"> (a) Policy (b) <ul style="list-style-type: none"> (i) Approval of parental applications to educate their children otherwise than at school. (ii) Appeals (c) Determination of GEST Programmes 	<p>Executive Corporate Director of Education</p> <p>Appeals Committee Corporate Director of Education</p>
12.	<ul style="list-style-type: none"> (a) Policy and provision for pupils with Special Education Needs. (b) Determination of distribution of S.E.N. Funding to schools in accordance with the Scheme of Local Management (c) Issue of statements of special educational need in accordance with the principles approved by the Council. 	<p>Executive Corporate Director of Education</p> <p>Corporate Director of Education</p>
13.	<p>Ethnic Minority Pupil Support</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Education</p>
14.	<p>Music Support</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Education</p>
15.	<p>Provision of Transport</p> <ul style="list-style-type: none"> (a) Policy (b) Determination (c) Operational Management 	<p>Executive Corporate Director of Education</p> <p>Corporate Director of</p>

		Regeneration and Community Services / Corporate Director of Education
16.	Consideration of consultative documents affecting the duties/functions of the Portfolio	Executive
17.	Consultation with professional associations within the Education Service	Executive
18.	School Support	
(a)	Policy	Executive
(b)	Expenditure on L.E.A. initiative, within the Budget determined by the Council	Corporate Director of Education
(c)	Determination of action to be taken by school governors in relation to school budget deficits	Corporate Director of Education
19.	Approval of temporary closure of schools	
(a)	Implementation	Corporate Director of Education
(b)	Formal warning notice to a Governing Body	Corporate Director of Education after consultation with the Executive member
(c)	Suspension of a Schools Devolved Budget	Executive
(d)	Appointment of Additional Governors	Executive
20.	School Library	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
21.	The Learning Campus	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education

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|------------|---|--|
| 22. | Playing fields and recreation grounds | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services /
Corporate Director
Education |
| | | |
| 23. | Playing fields and recreation grounds, schools if
the LEA so direct or agrees. | |
| (a) | Policy | Executive subject to
Board of Governors |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services /
Corporate Director
Education |
| | | |
| 24. | General Policy on the fixing of general charges
and letting of buildings (including waiving or
reducing of fixed charges) for the use of facilities
within the Portfolio | Executive |
| | | |
| 25. | Playschemes | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Social Services |
| | | |
| 26. | Archives | |
| (a) | Policy | Executive |
| (b) | Operational Management | Corporate Director of
Regeneration and
Community Services |
| | | |
| 27. | Museum Education | |
| (a) | Policy | Executive |

(b)	Operational Management	Corporate Director of Regeneration and Community Services / Corporate Director Education
28.	Youth Service	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
29.	Outdoor Education	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Education
30.	Allotments	
(a)	Policy	Executive
(b)	Lettings to Allotment Association	Corporate Director of Regeneration and Community Services
31.	Acceptance of Tenders	Relevant Director as determined by the Contract Procedure Rules (s.17)
32.	Interface with EAS, but not Executive role	Corporate Director of Education

**EXECUTIVE PORTFOLIO FOR SOCIAL SERVICES SUBJECT TO
SCRUTINY BY THE SOCIAL SERVICES SCRUTINY COMMITTEE**

FUNCTION

DELEGATION

<p>1. Children & Families Services</p> <p>(a) Policy</p> <p>(b) Operational</p>	<p>Executive</p> <p>Corporate Director of Social Services</p>
<p>2. Child and Adult Protection</p> <p>(a) Policy</p> <p>(b) Monitoring and Evaluation</p> <p>(c) Operational</p>	<p>Executive</p> <p>Corporate Director of Social Services and Local Safeguarding Children’s Board</p> <p>Corporate Director of Social Services</p>
<p>3. Adoption</p> <p>(a) Policy</p> <p>(b) Implementation</p>	<p>Executive</p> <p>Corporate Director of Social Services</p>
<p>4. Families First, Flying Start, Early years and play</p> <p>(a) Policy</p> <p>(b) Operational</p>	<p>Executive</p> <p>Director of Social Services</p>
<p>5.</p> <p>(a) To exercise the Council’s functions at Social Services Authority.</p> <p>(b) Statutory duties of the Director of Social Services.</p>	<p>Executive</p> <p>Corporate Director of Social Services</p>
<p>6. Strategic Planning</p>	

<ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Social Services</p>
<p>7. Special Training (In-House)</p>	<p>Corporate Director of Social Services</p>
<p>8. Emergency out of hours Social Work Service</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Social Services / Joint Arrangement</p>
<p>9. Older People & Physically Disabled People</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Social Services</p>
<p>10. Mental Health and Substance Abuse Services</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management (c) Guardianship 	<p>Executive Corporate Director of Social Services Corporate Director of Social Services</p>
<p>11. Learning Disabilities Services</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Social Services</p>
<p>12. Visually Impaired (except education)</p> <ul style="list-style-type: none"> (a) Policy (b) Operational Management 	<p>Executive Corporate Director of Social Services</p>
<p>13. Building Programme</p> <ul style="list-style-type: none"> (a) Policy 	<p>Executive</p>

(b)	Operational Management	Corporate Director of Regeneration and Community Services
14.	Social Services premises including maintenance	
(a)	Policy	Executive
(b)	Implementation	Corporate Director of Regeneration and Community Services
15.	Provisions of Transport	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Social Services
(c)	Fleet Management Provision	Corporate Director of Regeneration and Community Services
16.	Individual Care Plans and Placements	Corporate Director of Social Services
17.	Care in the Community	
(a)	Policy	Executive
(b)	Operational Management	Corporate Director of Social Services
18.	Complaints Management	
(a)	Policy	Executive
(b)	Operational Management	Director
(c)	Appeals	Appointed panel
19.	Consideration of consultative documents affecting the duties/functions of the Portfolio.	Executive
20.	Meals on Wheels	

<p>(a) Policy</p> <p>(b) Implementation</p>	<p>Executive Corporate Director of Social Services / Corporate Director of Regeneration and Community Services</p>
<p>21. Grants to Independent/Voluntary Bodies relevant to the functions of this Committee</p> <p>(a) Policy</p> <p>(b) Implementation</p>	<p>Executive Corporate Director of Social Services</p>
<p>22. Grounds Maintenance (Client) (Social Services)</p> <p>(a) Policy</p> <p>(b) Operational Management</p>	<p>Executive Corporate Director of Social Services</p>
<p>23. Statutory duty for homelessness</p> <p>Operational</p>	<p>Corporate Director of Social Services Corporate Director of Regeneration and Community Services</p>
<p>24. Acceptance of Tenders</p>	<p>Relevant Director as determined by the Council's Contract Procurement Rules</p>

PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE
(PLEASE NOTE THE PROVISIONS IN RELATION TO QUORATE
MEETINGS re PLANNING ITEMS – see Section 9, para 9.6)

<u>Function</u>	<u>Delegation</u>
1. <u>BUILDING REGULATION FUNCTIONS</u>	
Determination of Building Regulation applications (inc applications for relaxation of regs)	Corporate Director of Regeneration and Community Services
Enforcement action under Building Act 1984	Corporate Director of Regeneration and Community Services
Issue of Dangerous Structure Notice and related enforcement action	Corporate Director of Regeneration and Community Services in conjunction with the Head of Legal & Corporate Compliance
Determine level of application fees	Corporate Director of Regeneration and Community Services
To exercise powers/duties under provisions of Safety of Sports Grounds Act 1975.	

Corporate Director of
Regeneration and
Community Services

2 **PLANNING CONTROL - APPLICATIONS**

The **APPROVAL** of all planning and related applications with the exception of those listed below...

Corporate Director of
Regeneration and
Community Services

Major applications.

Major defined as residential 10 or more units; site area 0.5ha or larger; floorspace 1000sqm or greater.

Planning Committee

Where third party and the Council to enter into a S106 agreement

Planning Committee

Where a Member submits a written request that an application be heard at Committee (must be within 21 days of application appearing on weekly list and giving material planning reasons)

Planning Committee

Where, in the opinion of Corporate Director of Regeneration and Community Services, the application is of wider public interest or should be heard by Planning Committee given the circumstances of the proposal.

Planning Committee

<p>The <u>REFUSAL</u> of planning permission (or related application) where the proposal is, in the opinion of the Corporate Director of Regeneration and Community Services, clearly contrary to planning policy contained in Councils Development Plan or adopted SPG.</p>	<p>Corporate Director of Regeneration and Community Services (subject to 24 hours notification to Ward Members)</p>
<p>Refusal on grounds of lack of information</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>All other refusals of planning permission (or related application).</p>	<p>Planning Committee</p>
<p>Power to determine details submitted pursuant to conditions imposed on extant planning permission</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>Power to decline to determine planning application</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>Determination of need for Environmental Impact Assessment</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p><u>Approval / Refusal</u> of prior approvals for demolition, forestry/agricultural buildings & telecommunications development.</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>The power to “finally dispose” of application under article 25(11) of GDPO</p>	<p>Corporate Director of Regeneration and Community Services</p>
<p>Consultation from neighbouring local planning authority on any planning matter</p>	<p>Corporate Director of Regeneration and Community Services</p>

Certificates of Lawfulness for existing or proposed development

Corporate Director of Regeneration and Community Services

Certificate of Appropriate Alternative Development (CAAD)

Planning Committee

3. **PLANNING CONTROL – ENFORCEMENT**

All Enforcement Decisions

Corporate Director of Regeneration and Community Services. Alternatively, Planning Committee if, in the opinion of the Service Manager Development the case is of wider public interest, requires interpretation of policy or would otherwise be of interest to Planning Committee

4. **MISCELLANEOUS**

Appointing Officer for the purpose of Section 10(8) of the Party Wall Act 1996

Corporate Director of Regeneration and Community Services – Development in conjunction with the

Powers relating to footpaths and bridleways

Head of Legal &
Corporate Compliance

Corporate Director of
Regeneration and
Community Services in
consultation with the
Chair of Planning &
Head of Legal &
Corporate Compliance

Powers relating to protection of important
hedgerows.

Corporate Director of
Regeneration and
Community Services

5. GENERAL LICENSING

FUNCTION

1. Duty to enforce and execute Regulations (EC)852/2004 and 853/2004 in relation to food business operators as further specified in Regulation 5 of the Food (Hygiene) (Wales) Regulations 2006 in relation to the issuing, approval and refusal of licences/registration/ approval (as appropriate),
 - (a) General Policy
 - (b) Approval under EC Regulation 853/2004 (food premises processing products of animal origin)
 - (c) Implementation & Enforcement
2. Power to register and licence premises for the preparation of food under Section 19 of the Food Safety Act 1990

DELEGATION

General Licensing
Committee
Corporate Director of
Regeneration and
Community Services
Corporate Director of
Regeneration and
Community Services

- | | | |
|-----------|--|--|
| (a) | General Policy | General Licensing
Committee |
| (b) | Implementation & Enforcement | Corporate Director of
Regeneration and
Community Services |
| 3. | All functions under any of the “relevant statutory provisions” within the meaning of Part I of the Health and Safety at Work etc. Act 1974 (including any associated Regulations, Orders, Byelaws or other statutory legislation, with the exception of provisions available under the above legislation which have been specifically mentioned elsewhere in this document), to the extent that those functions are discharged otherwise than in the Authority’s capacity as an employer | |
| (a) | General Policy, including fees | Corporate Director of
Regeneration and
Community Services |
| (b) | Implementation & Enforcement | Inspectors appointed by the
Corporate Director of
Regeneration and
Community Services |
| 4. | Power to licence dealers in game and the killing and selling of game in pursuance of Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c.32); Sections 2 to 16 of the Game Licences Act 1869 (c.90), Section 4 of the Customs and Inland Revenue Act 1883 (c.10), Section 27 of the Local Government Act 1894 (c.73), and Section 213 of the Local Government Act 1972 (c.70) | |

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|-----------|--|--|
| (a) | General Policy | General Licensing Committee |
| (b) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
| 5. | Functions relating to the operation of a business under the Vehicles (Crime) Act 2001 and any Regulations, Orders, Bylaws or other statutory legislation made thereunder or replacing or amending the same | |
| (a) | General Policy | General Licensing Committee |
| (b) | Operational Management | Corporate Director of Regeneration and Community Services |
| (c) | Implementation & Enforcement | Corporate Director of Regeneration and Community Services |
| 6. | Powers to licence hackney carriage and private hire vehicles, hackney carriage and private hire vehicle driver's and private hire vehicle operators in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976:- | |
| (a) | Licence conditions/policies | General Licensing Committee |
| (b) | Licence Fees | Corporate Director of Regeneration and Community Services (subject to Scrutiny by General Licensing Committee) |

(c)	Determination of applications – where in compliance with the relevant policy	Corporate Director of Regeneration and Community Services
(d)	Determination of applications – where not in compliance with the relevant policy	Corporate Director of Regeneration and Community Services
	<i>New</i>	General Licensing Committee
	<i>Renewal</i>	Corporate Director of Regeneration and Community Services
(e)	Determination of reviews – urgent or non-contentious	Corporate Director of Regeneration and Community Services
(f)	Determination of reviews – contentious and non-urgent	General Licensing Committee
(g)	Enforcement/General Implementation	Corporate Director of Regeneration and Community Services
7.	Powers under the Police, Factories etc. (Miscellaneous Provisions) Act 1916, as amended, the House to House Collections Act 1939, the Charities Act 1992 and the Charitable Institutions (Fund Raising) Regulations 1994 in respect of street collection permits and house to house collection licences relating to charitable collections	
(a)	Policies/Licence Conditions	General Licensing Committee

- (b) Determination of applications – where in compliance with the relevant policies
Corporate Director of Regeneration and Community Services
- (c) Determination of applications – where not in compliance with the relevant policies
General Licensing Committee
- (d) Determination of review of consents
Corporate Director of Regeneration and Community Services
- (e) Enforcement/General Implementation
Corporate Director of Regeneration and Community Services

8. Street Trading

- (a) Licence conditions/policies
General Licensing Committee
 - (b) Licence Fees
Corporate Director of Regeneration and Community Services
(subject to Scrutiny by General Licensing Committee)
 - (c) Determination of applications – where in compliance with the relevant policy
Corporate Director of Regeneration and Community Services
 - (d) Determination of applications – where not in compliance with the relevant policy
- New*
General Licensing Committee Panel
- Renewal*
Corporate Director of Regeneration and Community Services

- (e) Determination of reviews – urgent or non-contentious
Corporate Director of Regeneration and Community Services
- (f) Determination of reviews – contentious and non-urgent
General Licensing Committee
- (g) Enforcement/General Implementation
Corporate Director of Regeneration and Community Services

9. Sex Shops & Sex Cinemas

- (a) Licence conditions/policies
General Licensing Committee
- (b) Licence Fees
Corporate Director of Regeneration & Community Services (subject to Scrutiny by General Licensing Committee)
- (c) Determination of all applications
General Licensing Committee
- (d) Determination of all reviews of applications
General Licensing Committee
- (e) Enforcement/General Implementation
Corporate Director of Regeneration and Community Services

10. Issue or refusal of licences/registration/approval (as appropriate), the determination of such conditions, terms or

limitations as may be appropriate and the enforcement of such conditions/terms/limitations for the following:-

- | | | |
|-----|---|---|
| (a) | Caravan Sites | Corporate Director of Regeneration and Community Services |
| (b) | Pet Shops | Corporate Director of Regeneration and Community Services |
| (c) | Animal Breeding and Boarding Establishments | Corporate Director of Regeneration and Community Services |
| (d) | Riding Establishments | Corporate Director of Regeneration and Community Services |
| (e) | Zoos and Performing Animals | Corporate Director of Regeneration and Community Services |
| (f) | Dangerous Wild Animals | Corporate Director of Regeneration and Community Services |
| (g) | Tattooing, cosmetic piercing, semi permanent skin colouring, electrolysis, acupuncture or any other cosmetic procedures of a similar nature and any other special procedures or intimate piercings* | Corporate Director of Regeneration and Community Services |

*as provided for in the Public Health (Wales) Act 2017 (including any associated Regulations, Orders, Byelaws or other statutory legislation, with the exception of provisions available under the above legislation which have been specifically mentioned elsewhere in this document)

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|-----|-----------|---|
| (h) | Petroleum | Corporate Director of Regeneration and Community Services |
|-----|-----------|---|

- | | | |
|-----|--|---|
| (i) | Explosives | Corporate Director of
Regeneration and
Community Services |
| (j) | Safety Certificates at Sports Grounds | Corporate Director of
Regeneration and
Community Services |
| (k) | Premises for Solemnisation Marriages and the
Registration of Civil Partnerships | Head of Legal &
Corporate Compliance |
| (l) | Power to Licence the use of moveable
dwellings and camping sites | Corporate Director of
Regeneration and
Community Services |

6. STATUTORY LICENSING

FUNCTION

DELEGATION

- | | | |
|-----|--|---|
| 1. | Functions under the Licensing Act
2003 (as amended) | |
| (a) | Licensing Policy | Council |
| (b) | Premise Licences and Club
Premises Certificate Applications /
variations / transfer / provisional
statements – no representations
received | Corporate Director of
Regeneration and Community
Services |
| (c) | Premise Licences and Club Premise
Certificate applications/variations/
Transfer/provisional statements –
representations received | Statutory Licensing
Committee / Sub-Committee |
| (d) | Personal Licence applications – no
representations received | Corporate Director of
Regeneration and Community
Services |

- | | | |
|-----|--|--|
| (e) | Personal Licence applications – representations received or where applicant has relevant convictions | Statutory Licensing Committee / Sub-Committee |
| (f) | Reviews of licences and certificates | Statutory Licensing Committee / Sub-Committee |
| (g) | Temporary Event Notices – no representations received | Corporate Director of Regeneration and Community Services |
| (h) | Temporary Event Notices – representations received | Statutory Licensing Committee / Sub-Committee |
| (i) | Application to vary/remove Designated Premises Supervisor – no representations received | Corporate Director of Regeneration and Community Services |
| (j) | Application to vary/remove Designated Premises Supervisor – representations received | Statutory Licensing Committee / Sub-Committee / Corporate Director - Regeneration & Community Services |
| (k) | Application for interim authorities – no representations | Corporate Director of Regeneration and Community Services |
| (l) | Applications for interim authorities – representations received | Statutory Licensing Committee / Sub-Committee / Corporate Director - Regeneration & Community Services |
| (m) | Decision to object when Local Authority is consultee, and not the relevant Authority considering the application | Corporate Director of Regeneration and Community Services |
| (n) | Enforcement/General Implementation | Corporate Director of Regeneration and Community Services |

2. Functions under the Gambling Act 2005 (as amended)

- | | | |
|-----|------------------|-------------------------------|
| (a) | Licensing Policy | Council |
| (b) | Licence Fees | Statutory Licensing Committee |

(c) Policy to permit casinos	Council
(d) Premise Licence applications/various/ Transfers and provisional statements – no representations	Corporate Director of Regeneration and Community Services
(e) Premise Licence applications/variations/ Transfers and provisional statements – representations received	Statutory Licensing Committee/ Sub-Committee
(f) Reviews of Premise Licences and Permits	Statutory Licensing Committee/ Sub-Committee
(g) Application for club gaming/club machine permits – no representations	Corporate Director of Regeneration and Community Services
(h) Application for club gaming/club machine permits – representations received	Statutory Licensing Committee/ Sub-Committee
(i) Cancellation of club gaming/club machine permits	Corporate Director of Regeneration and Community Services
(j) Cancellation of licensed premises gaming machine permits	Corporate Director of Regeneration and Community Services
(k) Application for other permits/consideration of temporary use notice	Corporate Director of Regeneration and Community Services
(l) Decision to give a counter notice to temporary use notice	Corporate Director of Regeneration and Community Services
(m) Enforcement/General Implementation	Corporate Director of Regeneration and Community Services

DEMOCRATIC SERVICES COMMITTEE

To exercise the following functions:-

- (a) To designate the Head of Democratic Services.
- (b) To consider reports by the Head of Democratic Services in accordance with Section 9(1)(h) of the Local Government (Wales) Measure 2011 (adequacy of resources to discharge democratic services functions) within 3 months and make recommendations to Council, as appropriate.
- (c) To ensure that all reports of Democratic Services Committee under Section 11 of the Local Government (Wales) Measure 2011 (recommendations regarding the adequacy of resources to discharge democratic services functions) are circulated to all Members and considered within 3 months.
- (d) To require the attendance of any Members or Officers of the Council to answer questions and invite other persons to attend meetings, as required.
- (e) To require any Member or Officer attending meetings to answer any questions (unless they are to refuse on legal grounds).
- (f) To appoint one or more Sub-Committees and to arrange for the discharge of any of its function by such a Sub-Committee.
- (g) To review and monitor the effectiveness of the Council's democratic services functions, including:-
 - The provision of support and advice to meetings of the Council, Committees, Sub-Committees and Joint Committees.
 - Promoting the role of Scrutiny.
 - The provision of support and advice to Scrutiny.The provision of support and advice to individual Councillors in carrying out their roles as Members.

- Such other democratic services functions as may be prescribed from time to time by Regulations made by the Welsh Ministers and make recommendation to Executive and Council, as appropriate.
- (h) To review the adequacy of the Council's democratic services resources and to make recommendations, where necessary.
- (i) To review and monitor the effectiveness of the Council's corporate governance and decision-making processes and the terms of the Council's Constitution and make recommendations, as necessary, to Executive and/or the Council.
- (j) Review the Role Descriptions for elected Members.
- (k) Annual reports for Members.
- (l) Remuneration Panel reports.
- (m) Remote attendance for Members/Web casting.

APPEALS COMMITTEE

Terms of Reference

Education Matters

- (i) Pupil Services – Admission of pupils to schools
- (ii) Eligibility for home to school transport
- (iii) Approval for early admission to school
- (iv) Consideration of disciplinary matters on reference from School Governing Bodies

Public Protection Matters

- (i) Tree Preservation Orders

Human Resources Matters

- (i) Appeals against disciplinary actions in respect of dismissals.

APPOINTMENTS COMMITTEE – JNC OFFICERS

Terms of Reference

- (i) Interview and Appointment of JNC Officers where appropriate.

DISCIPLINARY COMMITTEE – JNC OFFICERS

- (i) To consider disciplinary action in respect of Directors/Heads of Service/Statutory Officers

GOVERNANCE AND AUDIT COMMITTEE

PURPOSE

1. The Governance and Audit Committee should:-
 - (a) Review, scrutinise and issue reports and recommendations in relation to the Authority's financial affairs;
 - (b) Provide independent assurance of the adequacy of the risk management framework and the associated control environment;
 - (c) Provide independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment;
 - (d) Oversee the financial reporting process.
 - (e) Oversee the effectiveness of the Council's complaints process (service complaints).
2. To achieve these objectives the Governance and Audit Committee should:-
 - (a) Approve (but not direct) internal Audit's strategy, plan and performance;
 - (b) Review the planned activity and results of both Internal Audit and External Audit and receive regular reports accordingly;
 - (c) Review summary Internal Audit reports and the main issues arising, consider the adequacy of management responses, and seek assurances that action has been taken where necessary;
 - (d) Receive the annual report of the Head of Internal Control and monitor action in response to the issues raised in the report;

- (e) Consider the effectiveness of the Council's risk management arrangements and the control environment;
- (f) Approve the Council's formal policies for combating fraud and anti corruption and arrangements for special investigations, together with associated policies such as Whistle Blowing and Benefit Fraud prosecutions;
- (g) Consider arrangements for raising the profile of probity within the Council and receive ad hoc reports on any issues relating to the above;
- (h) Receive reports from the Section 151 Officer or his/her representatives on the strategic processes for financial risk, control and governance;
- (i) Seek assurances that action is being taken on risk related issues identified by auditors and regulators;
- (j) Obtain satisfaction that the Council's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it;
- (k) Ensure there are effective relationships between External and Internal audit, regulation/inspection agencies and other relevant bodies and that the value of the audit process is actively promoted;
- (l) Review the annual financial statements with the Section 151 Officer, including the level and nature of any significant errors identified, together with the Section 151 Officer's letter of representation to the External Auditor;
- (m) Review the External Auditor's opinion and reports to Members on these annual financial statements and consider the adequacy of management responses and action in relation to the issues raised by External Audit;
- (n) The Chief Officer - Resources, the Head of Financial Service, the Head of Internal Audit, the Monitoring Officer and the representative of the External Auditor will have free and confidential access to the Chair of the Committee.

- 3.** As and when appropriate, the Committee will also be provided each financial year with:-
- (a) Details of any significant amendments to the terms of reference of Internal Audit;
 - (b) The Internal Audit Plan;
 - (c) The financial statements of the Council, including the Annual Governance Statement, and audit opinion to be provided by the External Auditor;
 - (d) External audit outputs including: the Regulatory Plan; ISA260 Report to 'Those Charged with Governance'; Audit Opinion; Financial Accounts Memorandum and Annual Audit Letter; and
 - (e) Consideration of the Policy regarding the Regulation of Investigatory Powers Act.

SECTION 14

14. ACCESS TO INFORMATION PROCEDURE RULES

14.1 Scope

These rules apply to all meetings of the Council, the Executive, Overview and Scrutiny Committee, Governance and Audit Committee, Democratic Services Committee, Standards Committee, and Regulatory Committees.

14.2 Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

14.3 Rights to Attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules.

14.4 Notices of Meeting

Unless a meeting is convened at short notice, the Council will give at least three clear days' notice of any meeting by posting details of the meeting on its website.

14.5 Access to Agenda and Reports Before the Meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office and on its website at least three clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the designated

Officer shall make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection from the time the item was added to the agenda.

14.6 Supply of Copies

The Council will supply copies of:

- 14.6.1 any agenda and reports which are open to public inspection;
- 14.6.2 any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- 14.6.3 if the Managing Director / Head of Paid Service thinks fit, copies of any other documents supplied to Councillors in connection with an item

to any person either electronically or on payment of a charge for postage and any other printing and handling costs.

14.7 Access to Minutes after the Meeting

The Council will make available either electronic or hard copies of the following for a period of six years after the date of a meeting:

- 14.7.1 the minutes of the meeting or record of decisions taken by the Executive, excluding any part of the minutes of proceedings when the meeting was not open to the public because exempt or confidential information was being considered;
- 14.7.2 a summary of any proceedings not open to the public, where the minutes open to inspection would not provide a reasonably fair and coherent record;
- 14.7.3 the agenda for the meeting; and

- 14.7.4 reports relating to items when the meeting was open to the public.

14.8 Background Papers

14.8.1 List of Background Papers

The Officer preparing the report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based;
- (b) which have been relied on to a material extent in preparing the report

But does not include published works or those which disclose exempt or confidential information as defined in Rule 14.10.

14.8.2 Public Inspection of Background Papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

14.9 Summary of Public's Rights

A written summary of the public's rights to attend meetings and to inspect and copy documents will be kept at, and made available to the public at the Civic Centre, Ebbw Vale.

14.10 Exclusion of Access by the Public to Meetings

14.10.1 Confidential Information – Requirement to Exclude Public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that confidential information would be disclosed.

14.10.2 Exempt Information – Discretion to Exclude Public

(a) The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that exempt information would be disclosed.

(b) Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public, unless a private hearing is necessary for one of the reasons specified in article 6.

14.10.3 Meaning of Confidential Information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

14.10.4 Meaning of Exempt Information

Exempt information means information falling within the categories as defined by Schedule 12A of the Local Government Act 1972 as amended

NOTE: Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

14.11 Public Interest Test

14.11.1 Information which:

- (a) falls within any relevant paragraphs of the schedule to the Act stated above; and
- (b) is not prevented from being exempt by virtue of the “qualifications” above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14.11.2 The starting point is that there is a general public interest in release and the public authority has to decide whether in any particular case it would serve the interest of the public better to either disclose or withhold the information.

14.11.3 There is no legal definition of what the public interest is, but the following have been identified as some of the relevant considerations:

- (a) There is a distinction between public interest and what merely interests the public.

- (b) Does it further the understanding of and participation in the public debate of issues of the day?
- (c) Does it promote accessibility and transparency by public authorities for decisions taken by them or in the spending of public money?
- (d) Does it allow individuals and companies to understand decisions made by public authorities affecting their lives?
- (e) Does it bring to light information affecting public health and public safety?

14.12 Exclusion of Access by the Public to Reports

If the Head of Legal & Corporate Compliance thinks fit, the Council may exclude access by the public to reports which, in his or her opinion, relate to items during which, in accordance with Rule 14.10, the meeting is likely not to be open to the public. Such reports will be marked “Not for Publication”, together with the category of information likely to be disclosed and if applicable, why it is in the public interest it is considered that the information should not be disclosed.

14.13 The Forward Work Programme

14.13.1 Period of Forward Work Programme

The Forward Work Programme will be prepared by the Head of Democratic Services to cover a period twelve months. It will be updated at the end of this period.

14.13.2 Contents of Forward Work Programme

- (a) The Forward Work Programme will contain matters which the Executive, Overview and Scrutiny Committee and Full Council are likely to consider. It will contain information on:
 - (i) the timetable for considering the budget and any plans forming part of the Policy Framework and requiring Council approval, and which body is to consider them;
 - (ii) the timetable for considering any plans which are the responsibility of the Executive;
 - (iii) any individual matters on which the Executive intends to consult in advance of taking a decision, and the timetable for consultation and decision;
 - (iv) the work programme of the Overview and Scrutiny Committee.
- (b) The Forward Work Programme will be published at least 14 days before the start of the period covered. The Head of Democratic Services will publish a notice in at least one newspaper circulating in the area, stating that the Forward Work Programme has been published and giving details of where it may be consulted or obtained.

14.14 Consultation on Proposals to be considered by the Executive

- 14.14.1 At least four weeks should be permitted in the Forward Work Programme for consultation with the Overview and Scrutiny Committee and Electoral Division Members where a matter is to be considered by the

Executive and is not urgent (as defined below) or confidential or exempt (as defined in paragraph 14.10).

14.14.2 A matter may be considered urgent where the events to which it is addressed were unforeseen at the time that the last Forward Work Programme was produced and a decision is required within four weeks.

14.14.3 A decision can only be treated as urgent if the decision taker (if an individual) or the Chair of the body making the decision obtains the agreement of the Chair of the relevant Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chair of the relevant Overview and Scrutiny Committee, or if the Chair of the Overview and Scrutiny Committee is unable to act, then the agreement of the Council Chairperson or, in his/her absence, the Deputy Council Chairperson will suffice. Any decisions taken under this urgency procedure will be recorded as having been taken in the absence of consultation in the decision record.

14.15 Record of Decisions of the Executive

14.15.1 The Decision Record

(a) A written record will be made of every Executive Decision made by the Executive and its Committees (if any) and by Joint Committees and Joint Sub-Committees whose Members are all Members of a Local Authority Executive.

(b) This decision record will include a statement, for each decision, of:

(i) the decision made:

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- (ii) the date the decision was made;
- (iii) the reasons for that decision;
- (iv) any personal interest declared;
- (v) any dispensation to speak granted by the Authority's Standards Committee;
- (vi) any consultation undertaken prior to the decision.

14.15.2 Preparing the Decision Record

The Head of Legal & Corporate Compliance or his or her representative shall attend any meeting of the Executive, a Committee of the Executive or a Joint Committee or joint Sub-Committee where all its Members are Members of a Local Authority Executive, and shall, as soon as reasonably practicable after the meeting, produce a decision record.

14.16 Overview and Scrutiny Committees and other Committees and Members' Access to Documents

14.16.1 Rights of Access

Subject to paragraph 14.17.2 below, Overview and Scrutiny Committees and other Committees will be entitled to access to any document which is in the possession or control of the Executive or its Committees and which contains material relating to:

- (a) any business transacted at a meeting of the Executive or its Committees; or

- (b) any decision taken by an individual Member of the Executive.

14.16.2 Limit on Rights

Overview and Scrutiny Committees and other Committees will not be entitled to any part of a document that contains:

- (a) confidential or exempt information; or
- (b) advice provided by a political advisor or assistant unless that information is relevant to an action or decision that is being review or scrutinised or any review contained in a programme of work of the Committees.

14.17 Additional Rights of Access for Members of Overview and Scrutiny Committees

14.17.1 Rights of Access

All Members will be entitled (except where a Member has a prejudicial interest in any matter) to inspect any document which is in the possession or under the control of the Executive or its Committees and contains material relating to any business transacted at a meeting of a decision making body of the Council or by an individual Members of the Executive.

14.17.2 Limitation on Rights

A Member will not be entitled to any part of a document where:

- (a) it would disclose exempt information falling within paragraphs 12 to 18 of Part 4 of Schedule 12A of the Local Government Act 1972; or

14.17.3 Nature of Rights

These rights of a Member are additional to any other right he/she may have.

SECTION 15

15. BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

15.1 The Framework for Executive Decisions

The Council will be responsible for the adoption of its Budget and Policy Framework as set out in Section 4. Once a Budget or a Policy Framework is in place, it will be the responsibility of the Executive to implement it.

15.2 Process for Developing the Framework

15.2.1 The Executive, following detailed reports from respective Chief Officers, (following appropriate consultation with stakeholders) will present to Council, proposed plans, policies and the associated annual budgets. This will be done allowing adequate time for Council to deal with the matter and, if needed, refer the matter back to the Executive for further consideration.

15.2.2 The Council will consider the proposals of the Executive and may adopt them, amend them, refer them back to the Executive for further consideration, or substitute its own proposals in their place. In considering the matter, the Council shall have before it the Executive's proposals and any related report from an Overview and Scrutiny Committee.

15.2.3 Any amendments to the proposals of the Executive to be proposed by Members at Council may not be considered by Council unless notice of the proposed amendment has been given to the Managing Director / Head of Paid Service in writing and signed by the proposer and seconder not later than 17:00 at least 3 clear days before the date of the Council meeting.

- 15.2.4 The Council's decision will be publicised and a copy shall be given to the Leader. The notice of decision shall be dated and shall state either that the decision shall be effective immediately (if the Council accepts the Executive's proposals without amendment) or (if the Executive's proposals are not accepted without amendment), that the Council's decision will become effective on the expiry of 5 working days after the publication of the notice of decision, unless the Leader objects to it in that period.
- 15.2.5 If the Leader objects to the decision of the Council, he/she shall give written notice to the Managing Director / Head of Paid Service to that effect, prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection. Where such notification is received, the Managing Director / Head of Paid Service shall convene a further meeting of the Council to reconsider its decision and the decision shall not be effective pending that meeting.
- 15.2.6 The Council meeting must take place within 5 working days of the receipt of the Leader's written objection. At that Council meeting, the decision of the Council shall be reconsidered in the light of the objection, which shall be available in writing for the Council.
- 15.2.7 The Council shall, at that meeting, make its final decision on the matter on the basis of a simple majority. The decision shall be made public in accordance with Section 14 and shall be implemented immediately.
- 15.2.8 All policy and budget reports presented to Council for decision shall subsequently be presented to the next calendar relevant Overview and Scrutiny Committee.

15.3 Process for Developing the Budget

- 15.3.1 The Executive will follow the process set out in the Financial Procedure Rules in Section 16 of the Constitution. In addition the following process shall apply to the development of the Budget:
- (a) The Executive will publicise a timetable for making proposals to the Council for the adoption of the budget, and its arrangements for consultation after publication of the initial proposals. The Chair of the Overview and Scrutiny Committee will also be notified.
 - (b) At the end of the consultation period, the Executive will draw up firm proposals having regard to the responses to the consultation. If the Overview and Scrutiny Committee wishes to respond to the Executive in that consultation process then it may do so. The Overview and Scrutiny Committee shall report to the Executive on the outcome of its deliberations.
- 15.3.2 The Executive will take any response from the relevant Overview and Scrutiny Committee into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the Executive's response.
- 15.3.3 Once the Executive has approved the firm proposals, it will refer them at the earliest opportunity to the Council.

15.4 Decisions Outside the Budget or Policy Framework

- 15.4.1 Subject to the provisions of paragraph 15.6 (virement) the Executive, Committees of the Executive or any Officers or joint arrangements discharging Executive functions may only take decisions which are in line with the Budget and Policy Framework. If any of these bodies or persons wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget approved by Full Council, then that decision may only be taken by the Council, subject to paragraph 15.5 below.
- 15.4.2 If the Executive, Committees of the Executive, individual Members of the Executive or any Officers or joint arrangements discharging Executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Officer - Resources as to whether the decision they want to make would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget.
- 15.4.3 If the advice of either of those Officers is that the decision would not be in line with the existing budget and/or Policy Framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 15.5 (urgent decisions outside the Budget and Policy Framework) shall apply.

15.5 Urgent Decisions Outside the Budget or Policy Framework

- 15.5.1 The Executive, a Committee of the Executive or Officers or joint arrangements discharging Executive functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the budget approved by Full Council

if the decision is a matter of urgency. However, the decision may only be taken:

- (a) if it is not practical to convene a quorate meeting of the Full Council; and
- (b) if the Chair of the relevant Overview and Scrutiny Committee agrees that the decision is a matter of urgency.

15.5.2 The reasons why it is not practical to convene a quorate meeting of Full Council and the Chair of the relevant Overview and Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of the relevant Overview and Scrutiny Committee the consent of the Council Chairperson and in the absence of both the Deputy Council Chairperson of the Council will be sufficient.

15.5.3 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

15.6 Virement

Steps taken by the Executive, a Committee of the Executive, or Officers or joint arrangements discharging Executive functions to implement Council policy, shall not exceed those budgets allocated to each budget head. In the event that virement across budget heads or budgets becomes necessary or desirable, it shall be carried out in accordance with the Financial Procedure Rules in Section 16 of this Constitution.

15.7 In-Year Changes to Policy Framework

The responsibility for agreeing the Budget and Policy Framework lies with the Council and decisions by the Executive, a Committee of the Executive, or Officers or joint arrangements discharging Executive functions must be in line with it. No changes to any policy or strategy which make up the Policy Framework may be made by those bodies or individuals except those changes:

- 15.7.1 which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
- 15.7.2 necessary to ensure compliance with the law, ministerial direction or government guidance;
- 15.7.3 in relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration;
- 15.7.4 which relate to policy in relation to schools, where the majority of school governing bodies agree with the proposed change; or
- 15.7.5 for which provision is made within the relevant budget or policy.

15.8 Call-In of Decisions Outside the Budget or Policy Framework

- 15.8.1 Where the relevant Overview and Scrutiny Committee is of the opinion that an Executive decision is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and/or Chief Officer - Resources.

15.8.2 In respect of functions which are the responsibility of the Executive, the Monitoring Officer's report and/or Chief Officer - Resources report shall be to the Executive with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Executive must meet to decide what action to take in respect of the Monitoring Officer's or Chief Officer - Resources report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Officer - Resources conclude that the decision was a departure, and to the relevant Overview and Scrutiny Committee if the Monitoring Officer or the Chief Officer - Resources conclude that the decision was not a departure.

15.8.3 If the decision has yet to be made, or has been made but not yet implemented, and the advice from the and/or the Chief Officer - Resources is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the budget, the relevant Overview and Scrutiny Committee may refer the matter to the Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 10 working days of the request by the Overview and Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Officer - Resources. The Council may either.

- (a) endorse a decision or proposal of the Executive decision taker as falling within the existing Budget and Policy Framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or

- (b) amend the Council's Financial Procedure Rules or policy concerned to encompass the decision or proposal of the body or individual responsible for that Executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or
- (c) where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, and does not amend the existing framework to accommodate it, require the Executive to reconsider the matter in accordance with the advice of either the Monitoring Officer or Chief Officer - Resources.

SECTION 16

16. FINANCIAL PROCEDURE RULES

16.1 INTRODUCTION

The purpose of these Financial Regulations is to ensure:

- (a) Public accountability and high standards of financial integrity are exercised by Council in controlling the public funds and assets for which it is responsible. They govern the day to day administration of the Council's finances. They are set down to protect the interests of the Council as a whole and individual Councillors and employees.
- (b) Good sound financial management is a key element of the Council's Corporate Governance framework which helps to ensure that the Council is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.
- (c) Good financial management secures value for money, controls spending, ensures due probity of transactions and allows decisions to be informed by accurate accounting information.
- (d) Financial procedures should not be seen in isolation, but rather as part of the overall regulatory framework of the Council as set out in this Constitution.

Financial procedures apply to every Member and Officer of the Council and anyone acting on its behalf. Members and Officers have a general responsibility for taking reasonable action to provide for the security and use of resources and assets under their control, and for ensuring that the use of resources and assets is legal, is consistent with council policies and priorities, is properly authorised, and provides value for money.

Where an employee is identified in the Regulations by job title, the post holder may delegate functions to employees under their control, but they retain responsibility to the Council for the actions of those individuals.

Failure to comply with these Regulations, or the instructions issued under them or any arrangements made for the purposes of them, will constitute misconduct.

In the event of dispute as to the meaning of any of the provisions of these Financial Regulations, the matter shall be determined by the S151 Officer, whose decision shall be final.

16.2 DEFINITIONS

“Chief Officer” means the appropriate Director/Head of Service

“Committee” means the Council or the appropriate Committee of the Council (including the Executive) discharging the function

16.3 FINANCIAL MANAGEMENT - GENERAL RESPONSIBILITIES

- (a) The Full Council is responsible for approving the Budget. The budget setting process includes the approval of Prudential Indicators as requested by the CIPFA Prudential Code for Capital Finance in Local Authorities. The role of the Council is set out in this Constitution.
- (b) The role of the Executive is responsible for proposing the Budget to Full Council.
- (c) The Chief Officer - Resources shall for the purpose of Section 151 of the Local Government Act 1972 be responsible under the general direction of the Council for the proper administration of the Council’s financial affairs, and

is the professional adviser on financial matters. The Chief Officer – Resources’ responsibilities include:

- (i) the proper administration of the Council’s financial affairs;
 - (ii) advising on the corporate financial position and on key financial controls necessary to secure sound financial management;
 - (iii) providing financial information and advice to the Corporate Leadership Team, the Executive and the Council on all aspects of its activity including the presentation of appropriate financial options as necessary;
 - (iv) providing training for Members and Officers on Financial Procedures and Financial Management Standards;
 - (v) preparing and monitoring the revenue budget, capital programme and the Medium Term Financial Plan;
 - (vi) ensuring an effective Internal Audit Function and Treasury Management Function;
 - (vii) ensuring that the level of reserves is adequate to meet known financial risks facing the Council over the medium term;
 - (viii) ensuring that financial information is available to enable accurate and timely monitoring and reporting.
- (d) The Financial Regulations shall apply to schools only to the extent that the provisions are consistent with the statutory provisions and the arrangements made in relation to schools. Separate financial procedures have been incorporated into the Council’s Scheme for Financing of Schools and relate to those matters where decisions have been delegated to school governing bodies.

16.4 CODES OF PRACTICE

The Council will comply with the latest Codes of Practice for Local Authority Accountancy and Financial Administration. Any significant exceptions to this approach due to practical difficulties shall be reported to the Executive.

16.5 REVENUE EXPENDITURE ESTIMATES

Budget Setting Process

- (a) The Chief Officer - Resources in collaboration with Chief Officers shall prepare annual revenue and expenditure estimates in accordance with the Council's Medium Term Financial Strategy.
- (b) The Chief Officer - Resources shall summarise in one document the estimates as approved and submit them to a special meeting of the Executive Committee. The Executive Committee shall consider the effect of the aggregate estimates on the Council's financial resources, and shall submit its recommendations on the following matters to Council:-
 - (i) Any amendments deemed necessary.
 - (ii) The utilisation or replenishment of fund balances.
 - (iii) The rate of Council Tax to be levied.

Budget Virements

During the year, Chief Officers may need to transfer budgets from one service area to another to reflect changed service needs and priorities or to address in year overspends/unplanned expenditure or budget pressures.

For budget virements during the financial year:

- (a) Within a Portfolio – each Chief Officer should make the appropriate arrangements for values up to £250,000 between any one budget head to another for which they are responsible. These virements should be approved in writing to the relevant Portfolio Accountant. Budget virements

exceeding £250,000 will require the approval of the Executive.

- (b) Between Portfolios – Virements below £250,000 will require consultation with and agreement from the relevant Executive Members. Budget virements exceeding £250,000 will require the approval of the Executive.
- (c) Budget virements to cover planned expenditure on approved transfers of staff or services between Portfolios will not require further approval.
- (d) Council approval is required for any budget transfer, of whatever amount, where the proposed transfer will result in a change of policy, the introduction of a new service or the termination of an existing service.

Budget Monitoring Framework

The Chief Officer - Resources is responsible for:

- (a) Providing an agreed programme of budget monitoring reports to the Executive and Scrutiny Committees on a quarterly basis throughout the financial year. These reports will contain, where appropriate:
 - (i) the financial statement of the Portfolio;
 - (ii) details of any budget virements auctioned during the period;
 - (iii) action plans to address budget pressures/overspends;
 - (iv) an analysis of any major movements in expenditure between reporting periods.
- (b) Provide appropriate financial information to Chief Officers/budget holders to enable budgets to be monitored effectively.

- (c) In the event of a Portfolio budget being underspent at the end of the financial year, it will be at the discretion of the Chief Officer - Resources on the utilisation of any such underspend.

It is the responsibility of Chief Officers to:

- (a) Control income and expenditure within their service areas.
- (b) Take any corrective action necessary to avoid exceeding their budget allocation and alert the Chief Officer - Resources to any problems.

Where any sanction of a Government Department is required for expenditure, such expenditure shall not be incurred before such sanction has been obtained.

Use of Council Reserves

The Chief Officer - Resources is responsible for advising the Council/Executive on the levels of reserves for the Council. The advice will be based on a quarterly assessment. The aim will be to minimise the draw from the Council Fund Reserve.

The Council will set aside appropriate sums in reserves and provisions to fund expected and unexpected liabilities and to fund transformational projects and schemes.

16.6 CAPITAL EXPENDITURE ESTIMATES

- (a) All proposed schemes for capital works shall be the subject of detailed consideration prior to their inclusion in the Medium Term Financial Strategy.
- (b) The Managing Director / Head of Paid Service, Chief Officers and the Chief Officer - Resources shall prepare lists of proposed capital works for all services and all other services for at least the next six years. Resource

Prioritisation criteria will be applied to these lists. The lists shall be submitted to the Executive Committee and shall include:

- (i) The estimated capital costs of the scheme, in accordance with Paragraph 4(a) above.
 - (ii) The Prioritisation criteria.
 - (iii) The nature of the works to be undertaken.
 - (iv) The time scales for expenditure and completion of the scheme.
 - (v) revenue budget implications throughout the life of the capital programme.
- (c) Following consideration by Executive of the list of proposed capital schemes, the Capital Programme will require formal approval by Council.
- (d) Requests for capital funding for schemes not within the approved six year capital programme will only be considered if:-
- (i) amounts allocated to approved projects vary in order that funding can be released to another project;
 - (ii) the level of forecast capital receipts exceeds the anticipated target;
 - (iii) prudential borrowing opportunities arise through the realisation of additional revenue savings;
 - (iv) slippage funding becomes available for reallocation.
- (e) Slippage – Annually Chief Officers will be required to formally request that any unspent capital amounts allocated within the approved capital programme be slipped from one financial year to the next. All slippage requests need to include a detailed explanation to justify the amounts being slipped forward. These will then be considered by Corporate Leadership Team who will determine those schemes eligible to be slipped forward. It should not be assumed that all requests will be agreed.

- (f) Where it is necessary to arrange the virement of Capital Expenditure from one head to another within the approved Capital Programme, each Chief Officer should make the appropriate arrangements for values up to £250,000. Virements above £250,000 within a Portfolio require the approval of the Executive.
- (g) Any subsequent alterations to a scheme approved under (b) which alter the approved costs can only be incorporated after the Executive Committee's further approval is obtained.
- (h) If the lowest tender is different from the approved cost by more than £50,000 the Chief Officer shall inform the Executive Committee as required in (d).
- (i) Where any sanction of a Government Department is required for expenditure, such expenditure shall not be incurred before such sanction has been obtained.
- (j) Where a Government Department or other agency has made 100% funding available for a capital scheme, at short notice and late in the financial year, such that it would not be possible to meet the above requirements in time to enable the project to be completed by the year end, the Chief Officer shall prepare a formal report for the next Executive Committee. The Chief Officer must agree this report with the Managing Director / Head of Paid Service, the Chief Officer - Resources and the relevant Executive Member, but will then be permitted to progress procedures under the Contract Procedure Rules before the Executive Committee has met.
- (k) Where contracts provide for payment to be made by instalments, the Chief Officer - Resources shall arrange for the keeping of a contracts register, to show the state of account on each contract between the Council and the contractor, together with any other payments and the related professional fees.
- (l) Payments to contractors shall be made only on a certificate issued by the appropriate Chief Officer.

- (m) The final payment for any contract shall not be authorised until the appropriate Officer has produced to the Chief Officer - Resources or his/her nominated Officer, a detailed final account and all relevant documents.
- (n) The Chief Officer - Resources will provide an agreed programme of budget monitoring reports to the Executive and Scrutiny Committees throughout the year. These reports will include a commentary on all significant over or underspending projects, provided by the budget holder with the assistance of the Accountancy Division. This commentary will explain the reasons behind, and the context of the significant variances.

16.7 PAYMENT OF ACCOUNTS

- (a) Each Chief Officer shall provide a list to the Chief Officer - Resources or Officers authorised to certify accounts. All such authorised signatories are required to have read and understood their obligations under Financial Regulations and the Contract Procedure Rules (s.17).
- (b) All invoices or vouchers for payment must have a certification grid completed as required by the Chief Officer - Resources including confirmation that accounts have not been paid before.
- (c) The Chief Officer - Resources shall pay all account which he is satisfied are proper.

16.8 PETTY CASH IMPREST ACCOUNTS

The Chief Officer - Resources shall control arrangements for Petty Cash Imprest Accounts.

16.9 INCOME

- (a) The collection of all monies shall be under the general control of the Chief Officer - Resources and each Chief Officer must comply with his/her requirements.
- (b) Collecting Officers shall immediately issue an official receipt for all monies received.
- (c) All monies must be promptly banked.
- (d) No payments may be made out of income received and no personal cheques may be cashed out of Council money.
- (e) Each Chief Officer shall promptly furnish the Chief Officer - Resources with all details that are required by him to record all sums due and to enable the efficient rendering of accounts.

16.10 BANKING ARRANGEMENTS

- (a) The Chief Officer - Resources shall make all arrangements with the Council's bank including the operation of such banking accounts as he considers necessary. No banking accounts shall be opened without the express authorisation of the Chief Officer - Resources.
- (b) The Chief Officer - Resources shall nominate sufficient Officers of his/her Department as bank signatories and shall report these names to the Executive Committee.
- (c) All cheques, including Giro forms, but excluding cheques drawn on authorised imprest accounts, shall be ordered only on the authority of the Chief Officer - Resources, who shall make proper arrangements for their safe custody.

16.11 TREASURY MANAGEMENT

- (a) This Council adopts the recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the Code) 2001 as described in S.4 of that Code.
- (b) Accordingly, this Council will create and maintain, as the cornerstones for effective treasury management:-
- A treasury management policy statement (TMPS), stating the policies and objectives of its treasury management activities; and
 - Suitable treasury management practices (TMP), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
 - A Leasing Policy applicable to all Departments of the Council. In addition a specific Leasing Policy for Schools.
- (c) The Council will receive reports on its treasury management policies, practices and activities including as a minimum, an annual strategy and plan in advance of the year and an annual report after its close, in the form prescribed in its TMPS.
- (d) The Council delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Executive and for the execution and administration of treasury management decisions to the Chief Officer - Resources who will act in accordance with the Council's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
- (e) The Council will set annual Prudential Indicators in accordance with the approved Code of Practice. The Council will delegate responsibility for monitoring these indicators to the Chief Officer - Resources, who will report to the Council on an exceptions basis as and when necessary.

16.12 SALARIES AND WAGES

- (a) The Chief Officer - Resources shall oversee the arrangements for paying employees and former employees and shall issue or approve the form of time sheets and all other payroll documents. All time sheets, electronic forms and other payment requests shall be certified by the appropriate authorised Officer. The operational management of the payroll function is managed by the Chief Officer Commercial.
- (b) Each Chief Officer shall immediately notify the Chief Officer - Resources of all matters affecting payments to employees.
- (c) Each Chief Officer shall maintain holiday and absence records, and where applicable shall ensure that staff comply in full with the provisions of the Flexitime scheme.
- (d) All payments to employees shall comply with the approved Conditions of Service for such employees.
- (e) All Payroll and Creditors' payments must comply with Inland Revenue regulations and other taxes and guidance regarding employment status and deductions of PAYE.

16.13 STORES

- (a) Each Chief Officer is responsible for the care and custody of stores and stockholding in his/her Department.
- (b) The Chief Officer and the Chief Officer - Resources shall agree the arrangements for the control and recording of stores transactions.
- (c) The Chief Officer shall certify the accuracy of stores records as at 31st March each year in a form required by the Chief Officer - Resources. All changes to arrangements shall be agreed by the Chief Officer - Resources or their representative.
- (d) The Chief Officer - Resources shall be notified of significant deficiencies or adjustments as soon as they become

apparent which shall be certified by the Chief Officer and promptly reported to the Executive Committee.

16.14 INVENTORIES

A Chief Officer shall keep up to date inventories of all plant and equipment with an individual value of £200.00 or more by a system authorised by the Chief Officer - Resources. The Corporate Director of Regeneration and Community Services shall maintain a Council terrier of the Council's land ownerships and shall be responsible for the safe custody of title deeds and documents. Where purchases are made utilising grant arrangements in accordance with the Policies of the Council for the disposal of any Council property surplus to requirement.

16.15 DISPOSALS

Each Chief Officer shall make proper arrangements in accordance with the policies of the Council for the disposal of all property surplus to requirement.

16.16 INSURANCES

The Chief Officer - Resources shall be responsible for effecting all the Council's insurance and recoveries thereunder. Each Chief Officer shall be responsible for notifying him about all changes in risks. Each Chief Officer shall immediately notify him in writing of all incidents giving rise to potential claims and shall complete the requisite Claim Form.

16.17 INTERNAL AUDIT

The Chief Officer - Resources shall exercise an internal audit function over all financial transactions of the Council. The

responsibility of Internal Audit shall be to review, appraise and report on:-

- (a) The soundness, adequacy and application of internal controls;
- (b) The extent to which the Council's assets and interest are accounted for and safeguarded from losses of all kinds arising from:-
 - (i) Fraud and other offences,
 - (ii) Waste, extravagance and inefficient administration, poor value for money or other cause
- (c) The suitability and reliability of financial and other management data developed by the Council.

For the purpose of internal audit the Chief Officer - Resources and his/her nominated staff shall have authority to visit any establishment of the Council without prior notification to examine all accounts and supporting documents relating in any way to the finances of the Council and to require the production of any document, cash, stores and other property, and shall be entitled to require such examinations as he deems necessary in order to satisfy himself of the propriety of any matter under consideration.

16.18 FINANCIAL STATIONERY

All official receipts or other financial stationery shall be controlled under arrangements made by the Chief Officer - Resources.

16.19 IRREGULARITIES

In any case where financial irregularity is suspected the Chief Officer shall immediately inform the Head of Legal & Corporate Compliance and Chief Officer - Resources, who shall arrange any

further investigations thought necessary. If satisfied that irregularities exist they shall take appropriate action.

16.20 EXCEPTIONS

Exceptions to these Financial Regulations are permitted:-

- (a) By the Executive after considering a report from the Chief Officer (who must first liaise with the Chief Officer - Resources).
- (b) In an emergency which must first be certified as an emergency by any two of the Managing Director / Head of Paid Service or Head of Legal & Corporate Compliance or Chief Officer - Resources and a joint written report must be presented by the Chief Officer to the next available meeting of the Executive on the nature of the emergency and the expenditure involved.

16.21 RECORDS

The Chief Officer - Resources shall be responsible to the Executive for the whole of the accounting records of the council and Chief Officers shall confer with the Chief Officer - Resources before introducing any books, forms, computer systems or procedures relating to cash, stores or other accounts of the Council. It shall be the duty of the Chief Officer - Resources to see that uniform systems are, as far as practicable, adopted throughout the Departments of the Council.

16.22 ORDER FOR WORK, GOOD AND SERVICES

- (a) Official orders shall be in a form approved by the Chief Officer - Resources, and are to be signed only by Officers authorised by the appropriate Chief Officer who shall be responsible for official orders issued from his/her Department.

- (b) Official orders shall be issued for all work, goods or services to be supplied to the Council except for supplies of public utility services, for periodical payments of rent or rates, for petty cash purchases or such other exceptions as the Chief Officer - Resources may approve.

16.23 PROTECTION OF PRIVATE PROPERTY

- (a) All Chief Officers affected shall notify the Chief Officer - Resources in such form as he may require, of any case known to him where steps are necessary to prevent or mitigate loss or damage of moveable property of a third party into the possession of the Council or of that Officer, and shall forward to the Chief Officer - Resources an itemised inventory in each case, prepared in the presence of two Officers.
- (b) All valuables such as jewellery, watches and other small articles of a similar nature and documents of title belonging to a third party shall be deposited in accordance with arrangements agreed with the Chief Officer - Resources for safe custody.

16.24 SECURITY

- (a) Each Chief Officer is responsible for maintaining reasonable security at all times for all data, buildings, stocks, stores, furniture, equipment, cash etc. under the Officer's control.
- (b) Maximum limits for cash holdings shall be agreed with the Chief Officer - Resources.
- (c) Each Chief Officer will be responsible for making reasonable secure arrangements in regard to the custody and availability of keys to safes and similar receptacles in their Department.

16.25 MONEY LAUNDERING POLICY

Money Laundering is the term used for a number of offences involving the proceeds of crime or terrorism funds. The Authority has an 'Anti Money Laundering Policy' setting out procedures to be followed to prevent the use of its services for Money Laundering.

The policy applies to all employees of the Council and sets out the procedures which must be followed to enable the Council to comply with its legal obligations.

The Officer nominated to receive disclosures about Money Laundering activity is the Chief Officer - Resources.

16.26 INFORMATION SECURITY

Information is an important business asset to Blaenau Gwent County Borough Council, it is essential to the organisation's business need. Information security is achieved by implementing a suitable set of controls including policies, processes and procedures, organisational structures, software and hardware functions.

All staff are required to confirm their acceptance and adherence to the Information Security Policy and its supporting operational policies. These policies help to minimise the risks from whatever source, to the security of ICT facilities and introduce appropriate levels of controls to offer adequate protections. The policies apply to all BGCBC Members, employees and third-parties engaged in work for BGCBC.

SECTION 17

17. CONTRACT PROCEDURE RULES

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Table 1: Procurement Thresholds and Procedures for Sourcing Goods, Services & Works

NB: All external procurement related expenditure must be included within Departmental Procurement Plans and have SPB approval prior to being progressed					
Value	Buying £0 - £5,000 (Goods, Services & Works)	Low Value Procurement £5,001 - £25,000 (Goods Services & Works)	Intermediate Value Procurement £25,001 - £75,000 (Goods, Services & Works)	High Value Procurement £75,001 – EU Thresholds* (Goods, Services & Works)	Strategic Procurement Above EU Thresholds* (Goods, Services & Works)
CPR Section	CPR 27.1.1 & Appendix A	CPR 27.1.2 & Appendix B	CPR 27.1.3 & Appendix C	CPR 27.1.4 & Appendix D	CPR 27.1.5 & Appendix E
Method	Request for Quotations (RFQ)	Request for Quotations (RFQ)	Request for Quotations (RFQ)	Invitation to Tender (ITT)	Invitation to Tender (ITT)
Pre tender: Procurement Options Report (Gateway 1 Report)	No	No	Yes (SCCB)	Yes (SCCB)	Yes (SCCB)
Selection Method & Number for Goods, Services and Works	Obtain at least 2 verbal or written quotations to demonstrate that value for money is being achieved	Invite at least 3 bidders Consider using Council's Electronic Tendering System Prepare specification and award criteria	Invite at least 4 bidders using Council's Electronic Tendering System Prepare a specification and award criteria Consider Advertising on Sell2wales	Invite tenders using the Councils Electronic Tendering System Prepare a specification and award criteria Consider advertising on sell2wales	Invite tenders in accordance with the Public Contract Regulations Prepare a specification and award criteria
Opened/Received by	Nominated Officer	Nominated Officers x 2	Nominated Officers x 2 or Corporate Procurement Officer	Nominated Officer(s) & Corporate Procurement Officer	Nominated Officer(s) & Corporate Procurement Officer
Records to be completed by	Service Area RFQ details kept on file (T1), authorised by Chief Officer and retained for future reference	Service Area RFQ details recorded on file (T1), authorised by Chief Officer and retained for future reference; Authorised copy forwarded to CPU for inclusion on Contracts Register	Service Area RFQ Award Report; Authorised copy forwarded to CPU for inclusion on Contracts Register Award & rejection letters	Service Area Tender Award Report; Authorised copy forwarded to CPU for inclusion on Contracts Register Award & rejection letters	Service Area Tender Award Report, award & reject letters
Award Approvals: Tender Acceptance Report (Gateway Report 2)	(T1 retained in service area)	(T1 retained in service area and copied to CPU)	Yes (DMT) and copied to CPU	Yes (SCCB) however Contracts in excess of £2m should be referred to CLT**	Yes (SCCB) however Contracts in excess of £2m should be referred to CLT**
Awarded by	Authorised Officer	Authorised Officer	Chief Officer	Chief Officer in conjunction with Corporate Procurement	Corporate Procurement incorporating 10 day standstill
Method of Awarding	Purchase Order	Letter of Award / Contract/Purchase Order	Letter of Award / Contract / Purchase Order	Letter of Award / Legal Contract / Purchase Order	Letter of Award / Legal Contract / Purchase Order

****EU procurement thresholds for the public sector 1 January 2020 - 31 December 2021: Works & Concessions £4,733,252; Goods & Services £189,330; Light Touch Regime £663,540* **Contracts valued in excess of £2,000,000 should be referred to Corporate Leadership Team for consideration with the relevant Executive Member and Leadership and where appropriate reported to the Executive Committee for approval*****

Table 2: Waivers, Variations & Progress

All external procurement related expenditure must be included within Departmental Procurement Plans and have SCCB approval prior to being progressed				
Waivers				
Waivers are reserved for exceptional circumstances and will only be considered where good and sufficient reason has been demonstrated.				
A Waiver will not be granted simply on the grounds of convenience or because of inadequate forward planning				
	Low Value Procurement £1 - £25,000 (Goods Services & Works)	Intermediate Value Procurement £25,001 - £75,000 (Goods, Services & Works)	High Value Procurement £75,001 – EU Thresholds* (Goods, Services & Works)	Strategic EU Procurement Above EU Thresholds* (Goods, Services & Works)
Waivers (CPR 10.4)**	Chief Officer	Chief Officer/SCCB	Corporate Leadership Team (CLT). However for contracts in excess of £2m, CLT will consult with the relevant Executive Member and Leadership	N/a
Emergency Waivers (CPR 10.5)***	Chief Officer	Any two of the following: Managing Director, Head of Legal & Corporate Compliance, Chief Finance Officer (S151) and reported to the next CLT	Any two of the following: Managing Director, Head of Legal & Corporate Compliance, Chief Finance Officer (S151) and reported to the next CLT and Executive Committee. Where the value is in excess of £2,000,000, approval is subject to consultation with the relevant Executive Member and Leadership and a report must be presented by the Chief Officer to the next available meeting of CLT and/or Executive Committee as applicable.	
Variations & Progress				
Variations (CPR 51)	Cumulative values not exceeding the lower of £10,000 or 10% of the original contract sum and still within approved budget (CPR 53.1)	Cumulative values exceeding the lower of £10,000 or 10% of the original contract sum and still within approved budget (CPR 53.2)	Cumulative value exceeding the approved budget (CPR 53.3)	Variation being applied for by Corporate Procurement (CPR 53.7)
Approver(s)	Chief Officer	Chief Officer (SCCB Information Report)	SCCB	SCCB / Internal Audit
Progress Reporting (CPR 51.4)	Contracts over £500,000 with a +/- 5% slippage		Contracts over £500,000 with > 50 day over-runs	
Approver(s)	SCCB / Executive Committee / Corporate Overview Scrutiny Committee		SCCB / Executive Committee / Corporate Overview Scrutiny Committee	

EU procurement thresholds for the public sector 1 January 2020 - 31 December 2021: Works & Concessions £4,733,252; Goods & Services £189,330; Light Touch Regime £663,540

**CPR 10.4 - Waivers for Contracts valued in excess of £2,000,000 should be referred to Corporate Leadership Team for consideration with the relevant Executive Member and Leadership and where appropriate reported to the Executive Committee for approval

***CPR 10.5 Emergency Waivers for Contracts valued in excess of £2,000,000 should be referred to Corporate Leadership Team for consideration with the relevant Executive Member and Leadership

SECTION 1 – GENERAL CONSIDERATIONS

1 Introduction

- 1.1 These Contract Procedure Rules (CPRs) are made under Sections 135 of the Local Government Act 1972.
- 1.2 Contract Procedure Rules (CPRs) provide a corporate framework for the procurement of all goods, services and works for the Council. The Rules are designed to safeguard the interests of the Council and its employees and to ensure that all procurement activity is conducted with openness, probity and accountability and in accordance with the Council's Constitution, Public Contract Regulations and English Law.
- 1.3 Procurement is the process by which the Council manages the acquisition of all its goods, services and works. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of awarded contracts.
- 1.4 The Council's procurement activities are governed by detailed European and UK legislation. The law requires all Council procurement and contracting to be conducted transparently, fairly and in a non-discriminatory and disproportionate manner. In the event of statutory or other legal requirement exceeding the requirements contained within these CPRs, then statute shall take precedence over any provision within these CPRs.
- 1.5 All references to competitive tenders and quotations within these CPRs shall apply (with such changes as are appropriate) equally to circumstances where the contract involves the receipt of income by the Council or the disposal of any asset or undertaking by the Council, as they do to purchases to be made by the Council, unless specifically stated otherwise.
- 1.6 All Procurement & Commissioning activities must be incorporated into Annual Departmental Procurement Plans (DPP's) and approved by the Strategic Commissioning and Commercial Board (SCCB) in advance of inviting tenders or requesting quotations (CPR11);
- 1.7 All Procurement and Commissioning activities over £25,001 require the engagement of Corporate Procurement;
- 1.8 Tables 1 and 2 at the beginning of this document set out in summary the key requirements that must be adhered to. However, you are strongly advised to refer to the rest of this document for further guidance and to seek the advice and

support of Corporate Procurement and where legal issues arise, the advice of Legal Services as required.

2 Basic Principles

2.1 Every contract entered into by the Council (including Schools), shall be entered into pursuant to or in connection with the Council's functions and shall comply with:

- (a) All relevant statutory provisions;
- (b) The relevant European Procurement Directives (the EU Treaty, the general principles of community law and the European Union's Public Contracts Directive (2014/24/EU) implemented by the Public Contracts Regulations 2015 or such other amendment, variation or replacement Regulations in force from time to time (" Regulations");
- (c) The Council's Constitution including these CPRs, the Council's Financial Regulations and Scheme of Delegation.

2.2 All procurement procedures must:

- i. realise value for money by achieving the optimum combination of whole life costs, and quality of outcome;
- ii. be consistent with the highest standards of integrity;
- iii. operate in a transparent manner;
- iv. ensure fairness in allocating public contracts;
- v. comply with all legal requirements including European Union (EU) treaty principles;
- vi. support all relevant Council priorities and policies, including the Medium Term Financial Strategy;

3 Relevant Contracts

3.1 All Relevant Contracts must comply with these CPRs. A Relevant Contract is any arrangement made by, or on behalf of, the Council for the carrying out of works or the provision of supplies or services. These include arrangements for:

- (a) the supply or disposal of goods;

- (b) the hire, rental or lease of goods or equipment;
- (c) the delivery of services, including (but not limited to) those related to:
 - The recruitment of agency staff;
 - Commissioning of social care services;
 - Financial and consultancy services;
- (d) the execution of works
- (e) contracting activities of any partnership for which the Council is the accountable body unless the Council expressly agrees otherwise.

4 **Exempt Contracts**

4.1 The following contracts are exempt from the requirements of these CPRs:

- (a) employment contracts (this exemption does not extend to the recruitment of agency staff or external secondment arrangements);
- (b) contracts relating solely to disposal or acquisition of an interest in land and property, for which there is a separate Council protocol;
- (c) contracts for the execution of mandatory works by statutory undertakers;
- (d) advice or instruction of Counsel made by the Head of Legal and Corporate Compliance;
- (e) transactions made in relation to investments and borrowings made by the Chief Finance Officer;
- (f) award of contract for **‘emergency’** individual placements and associated support services, which may include but not be limited to; care support, development or advice to individual clients (children or adults), in order to provide for their well-being and safety as made by the Corporate Directors for Education and Lifelong Learning and Social Services in accordance with the Regulations;

NB non-emergency placements are no longer exempt of the Regulations and should be let in accordance with these CPRs and EU ‘Light Touch Regime’ (CPR27.1.6);

- (g) contracts which have been procured on the Council’s behalf:

- (i) through collaboration with other local authorities or other public bodies, where a competitive process which complies with the CPRs of the leading organisation has been carried out;
 - (ii) by a National or Regional contracting authority where the process followed is in line with the Public Contracts Regulations; or
 - (iii) under the terms of a Strategic Partnership arrangement approved by the Executive Committee;
- (h) the payment of grants to third parties;

5 Categories

5.1 These CPRs relate to five categories of procurement based on the estimated value of contracts:

- (i) Up to £5,000 (Buying)
- (ii) £5,001 to £25,000 (Low Value Procurement)
- (iii) £25,001 to £75,000 (Intermediate Value Procurement)
- (iv) £75,001 to European Union (EU) Procurement Thresholds (High Value)
- (v) Above EU Thresholds (Strategic Procurement)
 - £189,330 for the purchase of goods and services, and
 - £4,733,252 for works

(Current values are set 1st January, 2020 – 31st December, 2021)

6 Electronic Procurement and Purchasing

6.1 Aligned to the Council's continued modernisation agenda, the Chief Finance Officer via Corporate Procurement has implemented a number of electronic procurement systems that should be utilised as corporate solutions to support the cost efficient procurement of goods, works and services;

- (a) E-Procurement (sourcing, tendering and contract management)
 - (i) All Requests for Quotations (RFQ's) with an estimated value above £25,001 and all Invitations to Tender (above £75,001) must be administered electronically via the E-Procurement system.

(ii) In addition, consideration should be given to inviting all RFQ's with an estimated value over £5,001 electronically via the E-Procurement system.

(b) E-purchasing (raising purchase orders)

(i) All purchase orders issued for the provision of goods, works and services must be raised electronically via the Council's integrated E-purchasing system (Civica).

6.2 Chief Officers should contact the Corporate Procurement Manager regarding the use of electronic procurement and purchasing solutions.

6.3 In exceptional cases, where specific circumstances mean that a procurement process cannot be carried out electronically, permission to conduct a procurement process by alternative means must be obtained from the Chief Finance Officer.

7 Declaration of Interests

7.1 No Elected Member, Officer or agent of the Council shall improperly use their position to obtain any personal or private benefit from any contract entered into by the Council.

7.2 Elected Members and Employees of the Council shall comply with the requirements of Section 117 of the Local Government Act 1972 and the Elected Members and Officers Codes of Conduct as set out in the Constitution in respect of the declaration of interests in contracts with the Council.

7.3 Such interests must be declared to the relevant persons in accordance with the Council's Code of Conduct for Elected Members and Officers, contained within the Constitution, detailing how the conflict has been addressed.

8 Prevention of Corruption – Bribery Act

8.1 Bribery is a criminal offence. The Council complies with the Bribery Act 2010. The Council does not and will not, pay bribes or offer improper inducements to anyone for any purpose, nor does it or will it accept any bribes or improper inducements.

8.2 Any alleged acts of bribery must be immediately reported to the Chief Finance Officer and Head of Legal & Corporate Compliance so that appropriate action can be taken.

9 Roles and Responsibilities

9.1 Strategic Commercial Commissioning Board

9.1.1 The Strategic Commercial Commissioning Board (SCCB), is an Officer Board which provides strategic guidance to the procurement and commissioning community.

9.1.2 The goal of the SCCB is to:

- i) provide oversight and scrutiny of the Council's commercial activities, primarily Commissioning and Procurement;
- ii) review and approve commercial activities at key stages of the commissioning and procurement lifecycle;
- iii) ensure alignment with corporate priorities and objectives;
- iv) ensure adherence to constitutional requirements for all commercial activities;

9.1.3 The SCCB reserves the right to call in any officer of the Council who has failed to comply with these CPRs.

9.2 Corporate Directors & Chief Officers

9.2.1 Each Corporate Director/Chief Officer is accountable for all Procurement activity in their respective directorates. Their duties are to:

- (a) ensure compliance with the Public Procurement Regulations, Financial Regulations and these Contract Procedure Rules;
- (b) ensure the use of compliant best practice Procurement for their directorate's Procurement activity;
- (c) ensure that Procurement carried out for the execution of Works or the provision of Goods and Services are approved and covered by suitable Council terms and conditions of contract so that the responsibilities of each party are clear. If it is deemed necessary to sign up to any arrangement which deviates from the Council's standard terms and conditions advice should be sought from the Head of Legal and Corporate Compliance and the Corporate Procurement Manager.
- (d) ensure contracts are recorded in the Corporate Contracts Register as held and maintained by Corporate Procurement;
- (e) use their best endeavours to ensure that no Contract commences prior to the Terms and Conditions of Contract being signed and, where necessary, sealed;

- (f) ensure that all Contracts are awarded on the basis of the Most Economically Advantageous Tender (MEAT). Social and environmental criteria must be considered as part of the assessment process, to the extent that they relate proportionately to the subject matter of the Contract and are non-discriminatory;
- (g) identify, evaluate, record and appropriately mitigate risk (e.g. provision of performance bond, parent company guarantee and appropriate payment provisions and termination clauses within Contracts);
- (h) ensure that all Invitation to Tender documents clearly describe the Evaluation Criteria, sub criteria and weightings and that the tender evaluation is based strictly on the published criteria and weightings.
- (i) ensure immediate corrective action is taken in the event of a breach of the Contract Procedure Rules;
- (j) ensure that Contracts are not artificially underestimated or disaggregated into two or more separate Contracts where the intent is to avoid the application of the Contract Procedure Rules or Public Procurement Regulations.
- (k) ensure Purchase Orders are raised on the Corporate Financial System prior to procuring Goods, Works and Services, unless an exemption is approved by the Chief Finance Officer;
- (l) ensure that their Directorate supports and facilitates the work of the Strategic Commercial Commissioning Board.

9.3 Authorised Officers

9.3.1 Authorised Officers will comply with these Contract Procedure Rules (CPRs), the Council's Constitution and with all UK and EU legal requirements. Authorised Officers will:

- (a) take all necessary procurement, legal, financial and professional advice, taking into account the requirements of these CPRs;
- (b) keep the records required by Rule 46 of these CPRs in a manner determined by the Chief Finance Officer;
- (c) prior to letting a contract on behalf of the Council, check whether:
 - (i) the Council already has an appropriate contract in place in the Corporate Contracts Register; or

- (ii) an appropriate national, regional or other collaborative contract is already in place.
- (iii) Where the Council already has an appropriate contract in place, then this must be used unless it can be established that the contract does not fully meet the Council's specific requirements in this particular case, and this is agreed following consultation with Corporate Procurement.
- (iv) Where an appropriate national, regional or collaborative contract is available, consideration should be given to using this, provided the contract offers value for money.

(d) ensure that when any employee, either of the Council or of a service provider, may be affected by any transfer arrangement, then any Transfer of Undertaking (Protection of Employment) issues are considered and Legal and Organisational Development (OD) advice from within the Council is obtained prior to proceeding with the procurement exercise.

(e) ensure that any agents, consultants and contractual partners acting on their behalf also comply.

9.4 Failure to comply with any of the provisions of these CPRs the Council's Constitution or UK or EU legal requirements must be brought to the attention of the Managing Director, Monitoring Officer, Head of Internal Audit, or relevant Corporate Director as appropriate. Depending on the nature of the non-compliance this may result in disciplinary action being taken.

9.5 Any doubt or uncertainty as to how these CPRs are to be interpreted and any inconsistency between these CPRs and any other Council document shall be referred to the Head of Paid Service, Chief Finance Officer (section 151 Officer) & Head of Legal and Corporate Compliance (Monitoring Officer), whose decision shall be final.

9.6 A full review of these CPR's will be undertaken following any substantive change of EU or UK law. In addition, the Chief Finance Officer in conjunction with the Head of Legal and Corporate Compliance is permitted to undertake an annual refresh of the CPRs as required.

10 Waivers

10.1 Circumstances may arise where permission is required to waive one or more of these Contract Procedure Rules. Waivers are reserved for exceptional circumstances and will only be considered where good and sufficient reason has

been demonstrated. A Waiver will not be granted simply on the grounds of convenience or because of inadequate forward planning.

10.2 The Council can only waive the rules established by the Council – the Council **cannot** waive UK law or EU Procurement Regulations.

10.3 Normally the circumstances under which a Waiver can be considered are:

- i) where grant conditions of funding bodies specify appropriate alternative arrangements;
- ii) for works, supplies or services which are either patented or of such special character that it is not possible to obtain competitive prices;
- iii) where relevant UK or EU legislation not otherwise referred to in these CPRs prevents the usual procurement process from being followed.
- iv) involving such urgency that it is not possible to comply to the full extent of the CPRs such as in cases where contracts need to be awarded to take advantage of late funding opportunities or equivalent appropriate circumstances.

10.4 Additionally, these Rules may be waived or varied in an emergency situation which must be first certified on the approved form as an emergency, involving such urgency that it is not possible to comply with the CPRs; a written report must be presented by the Authorised Officer on the nature of the emergency and expenditure involved. A copy of the signed emergency certificate should be forwarded to the Chief Finance Officer and the Head of Legal and Corporate Compliance.

10.5 Depending upon the estimated value, waivers as defined in Rule10.3 may be considered following receipt of a written report from the relevant Authorised Officer as follows:

- i) Up to £25,000 may be granted by the relevant Chief Officer;
- ii) £25,001 - £75,000 may be granted by the relevant Chief Officer in consultation with the Corporate Procurement Manager;
- iii) £75,001 – Relevant EU Threshold may be granted by Corporate Leadership Team and where the contract value is in excess of £2,000,000, in consultation with the relevant Executive Member and Leadership;

10.6 Waivers as defined with Rules10.4 may be approved/certified following receipt of a written report from the relevant Authorised Officer as follows:

- i) Up to £25,000; may be approved/certified by the relevant Chief Officer;
- ii) £25,001 – £75,000; may be approved/certified by any two (2) of the Managing Director, Head of Legal & Corporate Compliance or Chief

Finance Officer (Section 151 Officer) and a report must be presented by the Chief Officer to the next available meeting of Corporate Leadership Team

- iii) £75,001 – Relevant EU Threshold*; may be approved/certified by any two (2) of the Managing Director, Head of Legal & Corporate Compliance or Chief Finance Officer (Section 151 Officer) and a report must be presented by the Chief Officer to the next available meeting of Corporate Leadership Team.

Where the value is in excess of £2,000,000, approval is subject to consultation with the relevant Executive Member and Leadership; and a report must be presented by the Chief Officer to the next available meeting of Corporate Leadership Team and/or Executive Committee as applicable.

- 10.7 Wherever a waiver is granted in accordance with CPR10, a copy of the approved Emergency Certificate and Waiver Report must be forwarded to Corporate Procurement for inclusion on the Corporate Contracts Register.

SECTION 2 – PROCUREMENT PLANNING

11 Pre-Procurement Considerations – Annual Departmental Procurement Plans

- 11.1 By the end of March each calendar year, Corporate Directors shall submit to the Strategic Commercial Commissioning Board (SCCB), a completed Annual Departmental Procurement Plan (DPP), detailing all planned procurement and commissioning activities over £5,000 for the forthcoming financial year.
- 11.2 DPPs will be used to by Corporate Procurement to inform the procurement & commissioning forward work programme, to identify collaborative opportunities, to allocate appropriate resources and to ensure all relevant legislative requirements are observed.

12 Budget Approval

- 12.1 No contract shall be let unless the expenditure involved has been included in approved capital or revenue budgets or has been otherwise approved by or on behalf of the Council.

13 External Body Grant Funding

- 13.1 Where a procurement process is funded, in whole or part, by grant funding which has been awarded to the Council by an external funding body, the Chief Officer must ensure that any rules or conditions imposed by the funding body are adhered to, in relation to the requirements of these CPRs.
- 13.2 Where there is any conflict between these CPRs and the rules or conditions imposed by the funding body, the stricter requirement should be followed.

14 Internal Providers

- 14.1 Before commencing a procurement activity, the Head of Service or Authorised Officer shall ascertain whether an in-house service provider is able to carry out the works or service.
- 14.2 Where the in-house provider is able to and has the capacity to undertake the requirements, then the instruction should automatically be allocated subject to approval of the relevant Head of Service and in accordance with any funding terms and conditions and such decisions shall be recorded in writing. If in such a case the relevant Head of Service does not wish to use the in-house provider, then they must seek approval from the Council's Corporate Leadership Team prior to the commitment of the procurement.

- 14.3 Where an in-house service is bidding in competition for the provision of goods, works or services, care must be taken to ensure a fair process between the in-house provider service and external bidding organisations.

15 Estimating Contract Values

- 15.1 All Contract Values should be calculated strictly in accordance with the Public Contract Regulations (PCRs).
- 15.2 The estimated value of a contract/procurement exercise shall be the value of the total consideration, net of VAT, which the Council expects to be payable under the contract.
- 15.3 In determining the value of the contract, the Council shall, where relevant, take account of:
- (a) Any form of option.
 - (b) The term/period of the proposed contract.
 - (c) Any rights to renew the contract/extend the contract period.
- 15.4 In determining the value of any contract where the actual term of the contract is not specified or uncertain, then the value shall be taken as equating to the value of the annual consideration multiplied by four (4) (i.e. the estimated value over a four (4) year period). Guidance should be sought from Corporate Procurement where assistance is required in estimating contract values.
- 15.5 The Council shall make the best use of its purchasing power by aggregating purchases wherever possible. In particular contracts for supplies, services or works shall not be split (disaggregated), in an attempt to avoid the applicability of these CPRs or the Regulations.

16 Approved Supplier Lists

- 16.1 In circumstances where no other suitable contract arrangement exists, Chief Officers may maintain and operate Select Lists of Contractors or Providers who have met the Council's criteria for invitations to tender. These lists being categorised according to the type of works or services (and contract values) for which each contractor/provider is approved.
- 16.2 Approved lists should only be used following consultation with the Corporate Procurement Manager.
- 16.3 Approved lists must **not** be used where they are prohibited under the Public Contracts Regulations.

17 Framework Agreements and Dynamic Purchasing Systems (DPS)

- 17.1 Framework Agreements are agreements between the Council and one, or three or more providers for the provision of goods, works or services on agreed terms for a specific period, for estimated quantities against which orders may be placed if and when required during the contracted period.
- 17.2 A DPS is a fully electronic compliant 'Approved List', which in effect operates as an open framework, whereby Economic Operators can apply for and providing they meet the specified suitability criteria, be admitted to the established DPS at any point during its term.
- 17.3 Before committing the Council to any Framework Agreement or DPS, the Chief Officer must seek written approval from the Corporate Procurement Manager.

18 Collaborative Arrangements

- 18.1 When a requirement can be fulfilled through an existing arrangement, put in place by another Organisation and the requirements of the European Procurement Rules have been complied with by that Organisation, the arrangement will be deemed to be in compliance with these CPRs. This includes purchasing through arrangements that have been entered into for example but not limited to Welsh Government, National Procurement Service Wales (NPS), and the UK Government's Procurement Service, Crown Commercial Services (CCS).
- 18.2 Before committing the Council to an arrangement as set out in 18.1, the Chief Officer must seek written approval from the Corporate Procurement Manager.

19 Preliminary Market Consultations

- 19.1 The Council may consult potential suppliers, prior to the issuing of the Invitation to Tender or Request for Quotation, in general terms about the nature, level and standard of the supply, contract packaging and other relevant matters, provided this does not prejudice any potential organisation.
- 19.2 When engaging with potential suppliers, the Council must not seek or accept technical advice on the preparation of an Invitation to Tender or Quotation from anyone who may have a commercial interest in them, and where this may prejudice the equal treatment of all potential bidding organisations or distort competition. Assistance should be sought from the Corporate Procurement Manager where consideration is being given to pre-tender market testing.

20 Community Benefits and Well Being of Future Generations (Wales) Act 2015

- 20.1 The Council is committed to achieving economic, social, cultural and environmental well-being for its residents to ensure a better quality of life for everyone, now and for generations to come.
- 20.2 For all procurements over £25,001 the Authorised Officer **must** consider the economic, social and environmental impact of the project when determining the specification and evaluation criteria to maximise the added value of procurement.
- 20.3 Authorised Officers shall seek guidance from Corporate Procurement and Economic Regeneration colleagues on how best to incorporate economic, social, cultural and environmental well-being benefits into tenders and contracts.

21 Code of Practice – Ethical Employment in Supply Chains

- 21.1 Blaenau Gwent CBC have signed up to the Welsh Government’s Code of Practice – Ethical Employment in Supply Chains, and therefore all tenders must consider the principles of the Code when compiling documentation, vetting suppliers and awarding contracts. The overarching principle of the Code is to ensure that workers in public sector supply chains are employed ethically and in compliance with both the letter and spirit of UK, EU, and international laws. The Code covers Modern Slavery and human rights abuses, Blacklisting, False self-employment, Unfair use of umbrella schemes and zero hours contracts as well as considering paying the living wage. Advice must be sought from Corporate Procurement during tender preparation to ensure processes adhere to the principles of the Code.

22 Division of Contracts into Lots

- 22.1 The Council may, where it considers appropriate decide to award a contract in the form of separate lots and may determine the size and subject matter of such lots in accordance with the Public Contract Regulations. Refer to Corporate Procurement for advice and guidance.
- 22.2 Where the Council is developing above EU/UK procurement solutions and has decided not to subdivide a contract into lots, it has a duty to provide an indication of its reasons within the procurement documentation. Refer to Corporate Procurement for advice and guidance.

23 Purchase of Vehicles and Plant

- 23.1 The Chief Officer holding the Council’s Vehicle Operator’s Licence, shall be responsible for the purchase or hire of vehicles and plant in accordance with these Contract Procedure Rules.

24 Consultants

- 24.1 The Commissioning/engagement of Consultants to work within the Council or to undertake work on behalf of the Council as part of a wider project will be subject to these CPRs and the Council's Financial Regulations;
- 24.2 Where the Council uses consultants to act on its behalf in relation to any procurement, then the Chief Officer shall ensure that the consultants carry out any procurement in accordance with these CPRs. No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to;
- 24.3 Where the Council uses consultants to act on its behalf in relation to any procurement the consultant must declare any potential conflict of interest that may arise to the Chief Officer prior to the commencement of the procurement process;
- 24.4 Where the Chief Officer considers that such a conflict of interest is significant the consultant shall not be allowed to participate in the procurement process. The Head of Legal and Corporate Compliance should be consulted in such circumstance.

SECTION 3 – PROCUREMENT DOCUMENT PREPARATION

25 Preparing Documentation

25.1 It is a requirement to produce all documentation associated with the procurement activity prior to making any offer to the market. This should include:

- a) the Specification, which should contain precise details of the requirements, be easily understood by the bidders and have clearly defined, achievable and measurable inputs, outputs or outcomes;

where appropriate for contracts under £25,000 and for all contracts over £25,001:

- b) A draft contract, including any bespoke terms and conditions that may be required over and above the standard terms and conditions of the form of contract used;
- c) Selection and award criteria (including weightings) and the proposed evaluation/scoring methodology.
- d) Where applicable, a Pre-Qualification Questionnaire (PQQ) to enable a fair and transparent means of creating a shortlist of bidders;
- e) Form of Tender
- f) Tender invitation (instructions), clearly stating the requirement to submit bids electronically, the time and date it needs to be submitted by, along with any other relevant instructions and a clear statement that

no bids will considered that have been submitted other than as instructed;

25.2 Standards

Relevant British, EU and International standards which apply to the subject matter of the contract and which are necessary to properly describe the required quality must be included with the contract.

25.3 Nominated Products

All goods and services should be specified by reference to objective, non-product specific descriptions. Equivalent goods and services are nearly always capable of being specified. However, if this is not possible on the grounds of genuine technical reasons and a particular type of product or service or method of production or delivery has to be stated, then the words “or equivalent” should always be added.

25.4 Contract Terms and Conditions

The Council’s harmonised procurement documents or conditions issued by a relevant professional body will be used. Where there is any deviation from these, the documents to be used must be reviewed by the Head of Legal & Corporate Compliance and the Corporate Procurement Manager prior to being issued. Standard contract terms and conditions and procurement templates are available upon request from Corporate Procurement.

26 Evaluation Criteria

26.1 Evaluation Criteria

- (a) In any procurement exercise the successful bid should be the one which either:
 - (i) offers the lowest price; or
 - (ii) offers the most economically advantageous balance between quality and price (MEAT).

In the latter case, the Council will use criteria linked to the subject matter of the contract to determine that an offer is the most economically advantageous, for example: price, quality, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after-sales service, technical assistance, delivery date, delivery period and period of completion.

- (b) Issues that are important to the Council in terms of meeting its corporate objectives may be used to evaluate bids. The criteria can include, for example sustainability considerations, support for the local economy or the

use of sub-contractors. The bidding organisations' approaches to continuous improvement and setting targets for service improvement or future savings could also be included. All criteria must relate to the subject matter of the contract, be in line with the Council's corporate objectives and must be objectively quantifiable and non-discriminatory.

- (c) The procurement documentation should clearly explain the basis of the decision to bidding organisations, making clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high-level criteria, how the high-level criteria are divided into any sub-criteria and the weightings attached to each of those sub-criteria.
- (d) Where a procurement procedure has both selection and award stages, the criteria used at the selection stage should not be used again at the award stage.

SECTION 4 – PROCUREMENT TENDERING PROCESS

27 Competition Requirements/Assets for Disposal

27.1 Competition Requirements

- (a) Where possible, goods, services and works should be obtained via existing approved arrangements including but not limited to:
 - i. In-house services provision
 - ii. Established corporate contracts, framework agreements and/or consortia arrangements
- (b) Where no such approved arrangements exist, the Authorised Officer must establish the total value of the procurement (including whole life costs and incorporating any potential extension periods (CPR15) and invite quotations or tenders in accordance with the following procedures:

27.1.1 Buying (Quotations) – Below £5,000

Authorised Officers should obtain a minimum of two (2) quotations to demonstrate competition and value for money.

A written record of enquiries must be made and retained in a manner approved by the Chief Finance Officer.

- Please refer to Appendix A

27.1.2 Low Value Procurement (Quotations) – Between £5,001 and £25,000

Authorised Officers must invite a minimum of three (3) quotations in order to demonstrate competition and they shall accept the lowest or most economically advantageous quotation.

Consideration should be given to using the Council's E-tendering portal.

A written record of enquiries must be made and retained in a manner approved by the Chief Finance Officer.

- Please refer to Appendix B

27.1.3 Intermediate Value Procurement (Quotations) £25,001 - £75,000

All Procurement and Commissioning activities over £25,001 require the engagement of Corporate Procurement;

Before quotations are invited, a Pre-Tender Procurement Options Report (Gateway 1 Report) must be submitted to the relevant Departmental Management Team (DMT) for approval;

Requests for quotations in excess of £25,001 must be conducted electronically via the Authority's E-tendering system as approved by the Chief Finance Officer.

Hard copy RFQ's may only be considered with the prior approval of the Corporate Procurement Manager.

Authorised Officers should consider advertising the procurement opportunity in accordance with CPR30;

Alternatively, where the opportunity is not subject to open advert, Authorised Officers must invite a minimum of four (4) quotations to demonstrate appropriate competition and they shall accept the lowest or most economically advantageous quotation.

A written record of enquiries must be made and retained in a manner approved by the Chief Finance Officer.

- Please refer to Appendix C

27.1.4 High Value Procurement (Tenders): Between £75,001 and EU Thresholds (£189,330 for goods and services or £4,733,252 for works)

Procurement and Commissioning activities require the engagement of Corporate Procurement;

Before tenders are invited, a Pre-Tender Procurement Options Report (Gateway 1 Report) must be submitted to the Strategic Commercial Commissioning Board (SCCB) for approval.

Invitations to Tender must be conducted electronically via the Authority's E-tendering system as approved by the Chief Finance Officer.

Hard copy Tenders may only be considered with the prior approval of the Corporate Procurement Manager.

Invitations to Tender must be sourced via one of the following methods:

- Selective tendering from an appropriate approved list under (CPR16);
- Sourcing from an existing Framework Agreement (CPR17) or collaborative arrangement (CPR18); or
- Competitive tendering by open advertisement (CPR30);
- Please refer to Appendix D

27.1.5 Strategic Procurement contracts invited in accordance with EU Procurement Directives – for goods and services above £189,330 and for works above £4,733,252

In the case of procurements captured within the European Union Procurement Directives and the Regulations that implement them, the Chief Officer shall consult with the Corporate Procurement Manager to determine the most appropriate procedure for conducting the procurement exercise.

Such Directives and Regulations will take precedence over these CPRs.

Before tenders are invited, a Pre-Tender Procurement Options Report (Gateway 1 Report) must be reported to the Strategic Commercial Commissioning Board (SPB) for approval.

Invitations to Tender must be conducted electronically via the Authority's E-tendering system as approved by the Chief Finance Officer.

- Please refer to Appendix E

27.1.6 Public Contract Regulations – Light Touch Regime

In addition to the established requirements listed with CPR27.1.5, The Public Contract Regulations have introduced a new light-touch regime (LTR), which is applicable to contracts within the social care, health and education sectors. Previously defined as 'Part B' services and exempt from the full Regulations, service requirements defined within Schedule 3 of the PCR's should now be procured in accordance with the LTR and these CPRs (please refer to Appendix F for further details of the effected services).

In the case of procurements that fall within the Light Touch Regime, the Chief Officer shall consult with the Corporate Procurement Manager to determine the most appropriate procedure for conducting the procurement exercise.

- LTR contracts Please refer to Appendix F

28 Reduced number of invitations

- 28.1 For procurements with a value between £5,001 and £75,000, where an Authorised Officer wishes to invite less than the prescribed numbers of organisations to bid, he /she must seek approval from the relevant Chief Officer in consultation with the Corporate Procurement Manager;
- 28.2 For procurements with a value between £75,001 and applicable EU Threshold, where an Authorised Officer wishes to invite less than the prescribed numbers of organisations to bid, he /she must seek approval from the Strategic Commercial Commissioning Board;

29 Assets for Disposal/Tenders Generating Income for the Council

- 29.1 In circumstances where the Council is permitted to sell assets, in line with the disposal policies (such as surplus Land & Property), this will generate income to the Council.
- 29.2 Authorised Officers shall be authorised to dispose of goods and materials surplus to the Council's requirements by whichever means would, in the judgement of the officers, result in the best value for the Council; examples may include;
- auction

- tender
- private sale
- transfer to another service
- donation to a not for profit organisation

29.3 Where a surplus item is likely to raise more than £1,000, the appropriate Head of Service shall be consulted before its disposal. Written tenders should be invited for any item likely to realise more than £5,000.

29.4 The Authorised Officer shall accept either the highest price or the most economically advantageous tender dependent on the stipulated award criteria, and keep a record of the tenders received and tender sums, in a manner to be determined by the Chief Finance Officer.

30 Advertising

30.1 In accordance with the principles of the Welsh Government's "Opening Doors", The Charter for SME Friendly Procurement, where practical and providing that it represents best value for the Council, consideration should be given to advertising contracts exceeding £25,001 on the Council's E-Procurement System and the Welsh National Procurement Website (Sell2wales).

30.2 Where the subject matter of the intended contract or where the anticipated audience and their expectations suggests, advertisements and associated documentation must be published bilingually in Welsh and English.

30.3 The Corporate Procurement Manager will be responsible for publishing all notices to ensure compliance with EU treaty principles.

31 Contractor Subsidies and State Aid

31.1 Where it is proposed to provide financial support to a Contractor, or where a Contractor's proposal entails financial support or benefit from the Council or another public body necessary to ensure the continuance of Contracting activity (State Aid), the advice of the Chief Finance Officer/Head of Legal and Corporate Compliance must be sought prior to advertising the opportunity or concluding the Contract.

32 Supplier Selection, Short-listing or Pre-Qualification

32.1 The Council shall only enter into a contract with a Contractor if it is satisfied as to the Contractor's competencies.

32.2 Supplier Selection criteria for shortlisting may include, but not be limited to:

- i. The eligibility of the contractor/provider.

- ii. Financial standing, including provisions for insurance to cover liability
- iii. Technical or professional capability and capacity
- iv. Health & Safety assurances
- v. Environmental /Sustainability licences

32.3 Chief/Authorised Officers should contact the Corporate Procurement Manager in advance of undertaking any form of third party shortlisting or pre-qualification.

33 Contract Terms and Conditions

33.1 Officers shall use their best endeavours to ensure that contracts are entered into on the appropriate set of Council's terms and conditions, which shall be included with each purchase order or invitation to tender. Where this is not possible, variations to the relevant Council terms and conditions and/or the terms and conditions submitted by a contractor must be reviewed by the Head of Legal and Corporate Compliance and/or the Corporate Procurement Manager.

34 Form of Tender/Quotation

34.1 For all procurements over £5,001 a Form of Tender/Quotation must be completed by all tenderers. The Form of Tender/Quotation is a covering document prepared by the Council and signed by the tenderer to indicate that it understands the tender/quotation and accepts to be bound by the technical response (if applicable), commercial schedule, terms and conditions and other requirements of participating in the exercise.

35 Liquidated damages

35.1 All contracts over £75,001 must state, if the contractor fails to meet the terms of the contract, the contractor is liable for liquidated damages, estimated by the Chief Officer as a genuine pre-estimate of the loss likely to be incurred due to the contractor's default.

36 Security for Performing Contracts

36.1 The Head of Legal & Corporate Compliance and Chief Finance Officer, in conjunction with the Chief Officer, may determine whether security is required from a contractor.

37 Corruption: Cancellation of Contracts

37.1 All contracts must state that the Council will cancel any contract and recover all resulting losses if the contractor or his employees or agents with or without his knowledge:

- (i) Does anything improper to influence the Council to give him the contract;
- (ii) Commits an offence under the Prevention of Corruption Acts 1889 to 1916 or Section 117(2) of the Local Government Act 1972.

37.2 All invitations to tender must be accompanied by a requirement for tenderers to confirm that they have not participated in any form of collusive tendering arrangements with other parties.

38 Form of Contract

38.1 All contracts shall be in a form approved by the Head of Legal and Corporate Compliance.

38.2 Chief Officers should prepare appropriate contract specification documents within one month of the award of the contract and forward to contractors for signing. The contractor should return the signed contract to the relevant Chief Officer within one month of receipt. Persistent failure to meet such deadlines may result in suspension from future procurements.

38.3 No payment shall be authorised until a formal contract is in being, or written authority is given by the Head of Legal & Corporate Compliance to make such a payment.

39 Contract Signature

39.1 Contract agreements must:

- (i) where the contract is in the form of a deed, be made under the Council's seal and attested as required by the Constitution; or
- (ii) where the contract is in the form of an agreement, either:
 - (a) be signed by at least two Officers of the Council authorised as required by the Constitution; or
 - (b) be formalised by the sending of an award letter and the subsequent issuing of a purchase order.

39.2 The Chief Officer should contact the Head of Legal & Corporate Compliance on the use of deeds and agreements to form contracts.

40 Review of Tenders and Contracts

40.1 To ensure the integrity of the procurement process:

- (a) all proposed Invitations to Tender, not in compliance with the County Borough Council's harmonised contract documentation or standard terms and conditions issued by a relevant professional body, must be reviewed by the Head of Legal & Corporate Compliance and Corporate Procurement Manager;
- (b) any proposed contract where there is any deviation from the contract terms included in the invitation to tender must be reviewed by the Head of Legal & Corporate Compliance and Corporate Procurement Manager.

41 Submission, Receipt and Opening of Tenders/Quotations

41.1 Tendering periods

Bidding organisations must be given an adequate period in which to prepare and submit a proper quotation or tender response, consistent with the complexity of the contract requirements.

The Public Contract Regulations lay down specific minimum time periods for tenders. The Corporate Procurement Manager must be consulted prior to initiating any EU procurement exercise.

41.2 Quotations (Up to £75,000)

- (a) As in CPR6.1, competitive quotations valued in excess of £25,001, must be administered electronically via the Council's E-tendering system, except where specifically exempt under CPR6.3;
- (b) Request for Quotations (RFQ's) must clearly set out the latest return date and time;
- (c) Late responses will **not** be considered.

41.3 Tenders (£75,000+)

- (a) All tenders, except those which have been approved exempt from electronic tendering, must be administered electronically via the Council's E-tendering system;
- (b) Invitations to tender must clearly set out the latest tender return date and time;
- (c) Late tenders will **not** be considered;

- (d) At least three (3) valid tenders must be received by the stipulated tender return date/time; otherwise a report seeking approval of the appropriate action must be submitted to the Corporate Procurement Manager;

41.4 Electronic Arrangements

- (a) Requests for Quotations and Pre-Qualification Questionnaires which are received electronically via the Council's E-tendering system may be opened by a minimum of two (2) Authorised Officers designated by the appropriate Chief Officer. The system will not allow any quotations to be opened until the allocated return date/time has passed.
- (b) Tenders (in excess of £75,001) which are received electronically via the Council's E-tendering system may be opened by a minimum of two (2) Authorised Officers designated by the Chief Finance Officer and appropriate Chief Officer.

41.5 Hard Copy Arrangements

- (a) In the event that "hard copy" tenders are to be accepted these must be submitted to the Corporate Procurement Manager, sealed, in a plain envelope, without any mark revealing the bidding organisation's identity and clearly and prominently marked with the word 'Tender', followed by the title of the contract.
- (b) All hard copy tenders will be held by the Corporate Procurement Manager until the tender opening date/time has been reached.
- (c) All hard copy tenders for the same contract will be opened at the same time by the Corporate Procurement Manager together with the relevant Chief Officer.
- (d) The Chief Officer must keep a record of all tender sums submitted, showing the gross price of the contract, together with any essential criteria.
- (e) The Chief Finance Officer and Chief Officers may designate Authorised Officers to be present at tender opening.
- (f) In the event that hard copy quotations are to be accepted these must be submitted in a plain envelope marked "Quotation for" followed by a description of the goods, works or services being procured.
- (g) Hard copy quotations may be received directly by Authorised Officers. All quotations must be opened together once the official return date/time has passed and in the presence of at least two (2) Authorised Officers.

- (h) The Chief Officer must keep a record of all quotations submitted, showing the gross price of the contract, together with any essential criteria.

42 Reduced Numbers of Quotations or Tenders

42.1 Where the minimum numbers of quotations or tenders stated in these CPRs have not been received, then consideration must be given to the merits of accepting any tender and/or re-running the procurement. If the contract is for a sum of less than £75,000, the decision can be taken by the relevant Chief Officer in consultation with the Corporate Procurement Manager. If the contract is for a sum in excess of £75,001, the decision must be referred to the Strategic Commercial Commissioning Board and considered in any subsequent approval request.

43 Clarification Procedures

43.1 The Council can ask bidding organisations for clarification of any details submitted as part of their bid. However, any such clarification must not involve changes to the basic features of the bidding organisation's submission.

44 Evaluation and Checking of Quotations or Tenders

44.1 Evaluation

- (a) The evaluation criteria and weightings must be predetermined and approved in advance of inviting quotations or tenders as defined in CPR26. The criteria cannot be amended once published in the Invitation to Tender (ITT) or Request for Quotation (RFQ) and must be strictly observed (at all times throughout the procurement procedure). Guidance relating to the application of evaluation criteria/weighting may be obtained from Corporate Procurement.
- (b) The evaluation of bids must be conducted in accordance with the evaluation criteria, associated weightings and approved scoring methodology as set out in the ITT or RFQ documentation, as provided to bidding organisations.
- (c) All Contracts, except Contracts where lowest price was predetermined to be the appropriate criterion, must be awarded on the basis of the offer which represents best value for money to the Council (Most Economically Advantageous Tender).
- (d) For each Contract, the Authorised Officer must form an evaluation team (minimum of two (2) suitably qualified and knowledgeable technical officers), with responsibility for evaluating tenders.
- (e) The Authorised Officer must ensure that all records relating to the Tender evaluation must be signed and dated by the relevant evaluation team member and retained for future reference.

44.2 Checking

- (a) The lowest or most economically advantageous tender must be checked for arithmetical errors and any other significant error of principle.
- (b) Where such an error(s) occurs, the tenderer shall be given details in writing (but no other information) and afforded the opportunity of confirming the tender submission as corrected or withdrawing his tender, also in writing.
- (c) Where deemed reasonable and in the best interests of the Council, the Chief Officer shall have the discretion to consider a request from the tenderer to correct genuine arithmetical errors. If the tenderer elects to amend his original tender figure to correct such errors and the corrected tender is still the lowest or most economically advantageous tender, then the tender may be adjusted and the corrected figure recommended for acceptance. If such errors result in a tender sum being reduced, then only the corrected figure may be recommended for acceptance.
- (d) If the first tender is withdrawn, the second lowest or second most economically advantageous tender is to be checked, if necessary, this tenderer must be given a similar opportunity.
- (e) The Managing Director, the Head of Legal & Corporate Compliance and the Chief Finance Officer shall determine whether any exception to the above procedure should be authorised.

45 Abnormally Low Tenders

45.1 Where as a result of identifying that the overall tendered price or costs raises significant doubts that the Contractor will be able to complete the contract within the contract terms, the Council shall require tenderers to fully explain the price or costs proposed. Where the Council determine the explanation is insufficient or believe significant doubts as to the Contractors ability to meet the requirements still exist, the Council reserve the right to reject the tender. This must be undertaken in accordance with the Regulations and in consultation with the Corporate Procurement Manager.

46 Records

46.1 The outcome of any competitive procurement process must be recorded in a manner as determined by the Chief Finance Officer and Head of Legal & Corporate Compliance;

47 Accepting and Reporting of Quotations

47.1 Acceptance of quotations up to £25,000 shall be decided by the relevant Chief Officer following receipt of a T1 report from the Authorised Officer.

47.2 Acceptance of quotations with a value between £25,001 and £75,000 shall be decided by the relevant Chief Officer/DMT following receipt of a Procurement Acceptance Report (Gateway 2 report) from the Authorised Officer.

48 Acceptance and Reporting of Tenders (£75,001 and above)

48.1 Before accepting any tender, the Chief Officer must submit a Procurement Acceptance report (Gateway 2 report) to the Strategic Commercial Commissioning Board (SCCB), stating:

- (a) a description of the project and the procurement procedure undertaken (including a summary of the evaluation criteria and basis of award);
- (b) the names and abbreviated addresses of those contractors that accepted the invitation to tender in alphabetical order;
- (c) where applicable, the rationale for excluding any contractor(s);
- (d) a summary of the tender evaluations
- (e) details of the amount of all tenders received in ascending order;
- (f) reasons why any tender has not been opened;
- (g) the name of the tenderer recommended for acceptance and the amount of the tender.
- (h) the revenue implications on the budget or the approved capital costs of the scheme, and any further details as required by Financial Regulation 4.

48.2 Additionally, where the procurement is subject to Public Contracts Regulations, contracting authorities are required to maintain the following comprehensive records of procurement activities:

- (a) contract details including value;
- (b) selection decision;
- (c) justification for use of the selected procedure;
- (d) names of bidding organisations, both successful and unsuccessful;
- (e) reasons for selection;

(f) reasons for abandoning a procedure.

48.3 Where a tender has a cumulative value in excess of £2,000,000 then the SCCB may defer the Procurement Acceptance Report to Corporate Leadership Team (CLT) for approval in consultation with the relevant Executive Member and Leadership; prior to entering into any contractual relationship.

48.4 In circumstances where the Corporate Leadership Team (CLT) in conjunction with the Head of Legal and Corporate Compliance, relevant Executive Member and Leadership, determine that the contract is of such high value and/or complexity that it is deemed appropriate, a report may be prepared for the Executive Committee to consider acceptance of the tender.

48.5 Following approval of a report in accordance with Rule48, the Chief Officer can accept the lowest or most economically advantageous tender in accordance with the approved tender evaluation criteria.

49 Award of Contract and Debriefing of Organisations

49.1 Award of Contract

(a) The Council is required to notify successful and unsuccessful bidders of the outcome of a procurement process, in writing, in as timely a fashion as possible.

(b) Where procurement has been subject to the Public Contract Regulations, a mandatory 10-day standstill period, before a contract can be awarded, will need to be included in the procurement timetable. In addition, the Council is required to publish a contract award notice in the Official Journal of the European Union (OJEU) no later than 48 days after the award of contract.

(c) All communications relating to EU procurements will be issued via Corporate Procurement.

(d) Decisions on award of contract must be made in accordance with the scheme of delegations in the Council's Constitution.

49.2 Debriefing

(a) Once the contract award decision has been made, then save for the successful tenderer, all those expressing an interest will receive a standard regret letter containing details of:

(i) award criteria and weightings;

- (ii) score that the tenderer obtained against each of the specified award criteria (where relevant);
 - (iii) name and score obtained by the winning tenderer;
 - (iv) reasons for the decision, including the characteristics and relative advantages of the successful tender;
 - (v) a precise statement in terms of the standstill period;
- (b) If any additional information is to be disclosed to tenderers, this must be agreed in advance with the Corporate Procurement Manager, taking into account the requirements of any legislation relating to the disclosure of information.
- (c) Debriefing is recommended as a means of assisting tenderers to improve their competitive performance.
- (d) For all procurements over £75,001, debriefing will be conducted by the Authorised Officer in conjunction with the Corporate Procurement Manager.
- (e) The list of points where debriefing is required or may be appropriate includes:
- (i) selection: where the candidate is not selected (short-listed) to take part in the tender process.
 - (ii) award: where the tenderer was not awarded the contract after evaluation of proposals/tender. Such debriefing should never be conducted before the contract award decision is made and all unsuccessful tenderers have been formally notified of the same. It should be made clear that the debriefing process cannot be used to change the choice of a contractor or to re-open the selection process.
 - (iii) any potential supplier is asked to withdraw or withdraws during the Procurement.
- (f) If the award of a contract is subject to the EU Public Sector Procurement Directive, there must be a standstill period of a minimum of 10 calendar days between communicating the award decision to all tenderers and conclusion of the contract.

50.1 The following contracts shall be recorded on a central contracts register hosted on the council's approved E-Procurement system and administered by Corporate Procurement:

- i) all new contracts over the value of £5,001 (low value procurement and above);
- ii) frameworks or other corporate or collaborative purchasing arrangements accessed by the Council;

50.2 It is the responsibility of the Chief Officer to ensure that their staff complies with CPR50 and that the information provided includes as a minimum:

- i) contract title
- ii) contract scope
- iii) total contract value
- iv) start and expiry dates
- v) extension options
- vi) details of whether the contract is a one-off or expected to be renewed
- vii) copies of associated approval reports (DMT/ SCCB / CLT etc.)

51 Statistical Returns

51.1 Each year the Council must make a statistical return to the UK Government for onward transmission to the European Commission concerning the Contracts awarded during the year under the Public Contract Regulations.

51.2 The Corporate Procurement Manager is responsible for this statistical return and shall make the necessary arrangements for information to be collected annually.

SECTION 5 - CONTRACT MANAGEMENT

52 Contract Management/Monitoring

52.1 Once awarded, all contracts must have an appointed Contract Manager who will be responsible for all day-to-day aspects of the Contract.

52.2 The day-to-day management of the contract shall include monitoring in respect of:

- (i) performance
- (ii) compliance with specification and contract terms
- (iii) cost

- (iv) any value for money/best value requirements
- (v) user satisfaction
- (vi) risk management
- (vii) compliance with these CPRs (i.e. reporting of progress/variations etc.)

53 Progress and Variations

- 53.1 A Chief Officer can approve interim variations to a contract when this has a **cumulative** value not exceeding £10,000 or 10% of the original sum whichever is the lower.
- 53.2 When a variation to a contract is required which will have a cumulative value exceeding £10,000 or 10% of the original contract sum, but is still within the specific approved budget for the contract, the Chief Officer shall present a detailed progress report to the Strategic Commercial Commissioning Board for information rather than approval.
- 53.3 When a variation is required which will have a cumulative value exceeding the specific approved budget for the contract, this shall not be accepted until the Strategic Commercial Commissioning Board has approved a progress report presented by the Chief Officer.
- 53.4 The appropriate Chief Officer will complete and submit contract progress reports to the Strategic Commercial Commissioning Board, Executive Committee and the Corporate Overview Scrutiny Committee on an exception basis comprising;
- (a) Contracts over £500,000 when a plus or minus 5% slippage occurs.
 - (b) All contracts over £500,000 which over-run by 50 working days.
- 53.5 The Corporate Overview Scrutiny Committee may refer contract reports to the appropriate Scrutiny.
- 53.6 All approved variation or progress reports, must be copied to Corporate Procurement for inclusion on the corporate contracts register.
- 53.7 Where a variation is being applied for by Corporate Procurement in relation to a corporate arrangement, then the application must also be scrutinised by Internal Audit, to ensure the robustness of the procedure.

54 Contractors Claims

54.1 Claims from or against contracts must be considered by the Chief Officer in consultation with the Head of Legal & Corporate Compliance and Chief Finance Officer before any decision is made and CPR 53 applies to any payment of a claim as if it was a variation.

55 Assignments and novation

55.1 Any contracts subject to potential assignment and/or novation must be referred to Head of Legal and Corporate Compliance at the earliest possible opportunity.

56 Termination of Contract

56.1 For any contract exceeding £75,001 in value, early termination must be approved by the Head of Legal & Corporate Compliance and Chief Finance Officer. Contracts with a lesser value may be terminated early by agreement prior to the expiry date or in accordance with the termination provisions set out in the contract, following consultation with the Head of Legal & Corporate Compliance.

57 Contract End

57.1 At an appropriate point, but generally at least three (3) months prior to the contract end date, the contract manager should review whether or not the contract needs to be renewed, either in its current or an amended form.

57.2 If there is no further requirement for the contract, the existing contract may be allowed to lapse. However, some contracts may require more active decommissioning. It is the responsibility of the contract manager to ensure that contracts are appropriately decommissioned and that sufficient time is allowed to achieve this.

57.3 Where there is a requirement for a contract to be renewed, then the contract manager (or other Authorised Officer) shall commence the re-procurement as set out in these CPRs.

SECTION 6 – DEFINITIONS, INTERPRETATIONS AND FLOWCHARTS

In these Rules the following definitions apply:

Approved List	A list of suitable prospective Contractors/Suppliers approved for the purposes of the supply of goods or services or the execution of works;
Authorised/Delegated Officer	Means the holder for the time being of any post named in the Scheme of Delegations as having delegated powers and duties in respect of the procurement concerned;
Award Criteria	The criteria used by the Council to evaluate the Bidders tender against the needs identified within the specification to determine the successful tender. Such criteria may comprise for example – a) Price, or total cost; b) Quality including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental and innovative characteristics and trading and its conditions; c) Organisation, qualification and experience of staff assigned to performing the contract, where the quality of the staff assigned can have a significant impact on the level of performance of the contract (and not already evaluated at PQQ stage); or d) After-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion;
Bidder(s) / Tenderer(s)	Economic Operators who are actively involved in a procurement process;
Call Off Contract	A contract awarded in accordance with the terms of an established framework (either direct award or following a further mini-competition);
Chief Officer	Means any Officer in the following categories of Officer, Managing Director, Corporate Director, Chief Officer and/or Head of Service;
Code of Conduct	The Code regulating the conduct of Officers and Members as set out in the Council's Constitution;
Community Benefits	Clauses which can be used to build a range of economic, social, or environmental conditions into the delivery of public contracts. Mandatory on all contracts with a value greater than £1m, but encouraged, on contracts above £5,001;
Competitive Dialogue Procedure	Is an EU compliant process for dealing with complex public contracts, where the delivery for the supply of goods, works or services is unknown and needs to be resolved through

	negotiation with suitable providers. Legal justification is required;
Conflict of Interests	An actual conflict, or a potential conflict, between the pecuniary or personal interests of an officer and the duties that the officer owes to the Council;
Consultant(s)	Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, who brings specialist skills or knowledge to the role, and where the Council has no ready access to employees with skills, experience or capacity to undertake the work;
Contract	Means any form of agreement (including, without limitation, official purchase orders) for the supply of goods, provision of services or carrying out of works;
Contract Award Notice	Formal notice placed on Sell2Wales and, if appropriate, OJEU giving particulars on the date the contract was awarded, the award criteria, the number of offers received, the name and address of the successful tenderer(s), and the price or price ranges paid. Contract award notices must be sent not later than 48 days after the contract in question has been awarded;
Contract Notice	Formal advert placed on Sell2Wales and, if appropriate, OJEU notifying potential suppliers about a contract opportunity;
Contractor	Means any contractor, supplier or provider with whom the Council enters into a contract for the carrying out of works, provision of services or supply of goods. Include in-house provision, and where appropriate, the relevant Sub-Contractor;
Contract Value	For the purposes of calculating the thresholds under these CPRs, the value of a contract is the estimated total value payable by the Council to a contractor over the terms of the contract, including allowable extensions. In the case of indefinite contract periods, the term of the contract is assumed to be 4 years;
Contracts Register	A central contracts register hosted on the Council's approved electronic system and administered by Corporate Procurement;
Corporate Contract	A contract let or approved by the Corporate Procurement Team to support the Council's aim of achieving Value for Money;
Corporate Procurement Team	The Council's central procurement unit charged with providing strategic direction and advice to secure Value for Money in the Council's procurement and commissioning activities;
CPR's	These Contract Procedure Rules;

Debriefing	Providing feedback to bidding organisations in terms of strengths and weaknesses of their proposals;
Dynamic Purchasing System (DPS)	A fully electronic compliant 'Approved List', which in effect operates as an open framework where Economic Operators can join at any point while the DPS is open, and they meet the Suitability Criteria.
Electronic Procurement Portal	The Council's electronic system for conducting procurement activity;
Electronic Procurement/Tendering	The procurement of all goods, services and works conducted using the Council's approved electronic system. (EtenderWales);
Electronic Auction	A repetitive process involving an electronic device for the presentation of new prices, revised downwards, and/or of new values concerning certain elements of tenders, which occurs after an initial evaluation of the tenders, enabling them to be ranked using automated evaluation methods.
EU	European Union
EU Public Procurement Directives	Rules and regulations set by the European Union with regard to procurement for public sector organisations and apply to the public works, supplies (goods) and service contracts.
EU Thresholds	EU and Government Procurement Agreement thresholds for advertisement of goods, works and services contracts as advised by the Government.
Evaluation Criteria	The publishing of detailed objectively quantifiable award criteria and sub criteria linked to the subject matter of the contract together with their weighting and the method by which you will evaluate them in the contract documents. They may include but are not limited to: Quality, price, technical merit, functional characteristics, environmental characteristics, running costs, life cycle costs, cost effectiveness, after-sales service and technical assistance, delivery date and delivery period or period of completion, security of supply, and interoperability and operational characteristics;
Evaluation Panel	A group of relevant Officers of the Council, or appropriate stakeholders, who have the technical knowledge and experience to evaluate bids received in response to a procurement exercise;
Executive	The Council's Executive as defined in the Constitution;
Framework Agreement	Means an agreement between the Council and/or other public bodies and one or more Contractors where the volumes to be delivered are not set out at the outset but which establish terms (including price) and standards under which the Contractor will enter into a Contract to provide Goods, Works and/or Services;

Goods	Covers all goods, supplies, substances and materials that the Council purchases, hires or otherwise obtains;
Grant and Grants	A sum of money paid or to be paid by the Council to a third party, and in respect of which the Council does not require the grantee to provide the Council with any Services, or Goods or carry out any Works for the Council's direct benefit. The Grant may be conditional (i.e. obligation to spend the Grant in a particular manner, to account for that spend and repay the Grant if the Grant conditions are breached);
Income Contract	Means any Contract that the Council enters into that generates income for the Council or by their operation establish a right for a Contractor or a third party to generate an income;
Invitation To Tender	A key document within the Procurement Documentation which must contain or reference, the instructions for Bidders, specification, evaluation model and other relevant materials to allow the procurement activity to be concluded successfully;
Joint Commissioning	Where the Council jointly with one or more local authorities or public bodies, enters into a contract;
Light-Touch Regime	Means the parts of the Public Contract Regulations which apply to the procurement of Contracts for 'social and other specific services' (defined at Schedule 3 of the Regulations) that are deemed to be of lower interest to cross-border competition;
Lowest Cost	In relation to a tender means the lowest price if payment is to be made by the Council, and the highest price if payment is to be made to the Council and, in either case, refers to a tender which conforms to the Council's tendering requirements;
Monitoring Officer	The officer designated by the Council as its Statutory Monitoring Officer as required under Section 5 of the Local Government and Housing Act 1989;
Most Economically Advantageous Tender	The most economically advantageous tender to the Council determined by criteria which may include quality, price, technical capacity, delivery period and or period of completion etc.
National Procurement Service (NPS)	The National Procurement Service (NPS) for Wales has been set up to enable the Welsh public sector to collaborate more closely in procuring goods and services;
OJEU	The Official Journal of the European Union in which all high value public sector contracts in the EU are advertised;
Open Procedure	Involves accepting applications and tenders from all interested parties;

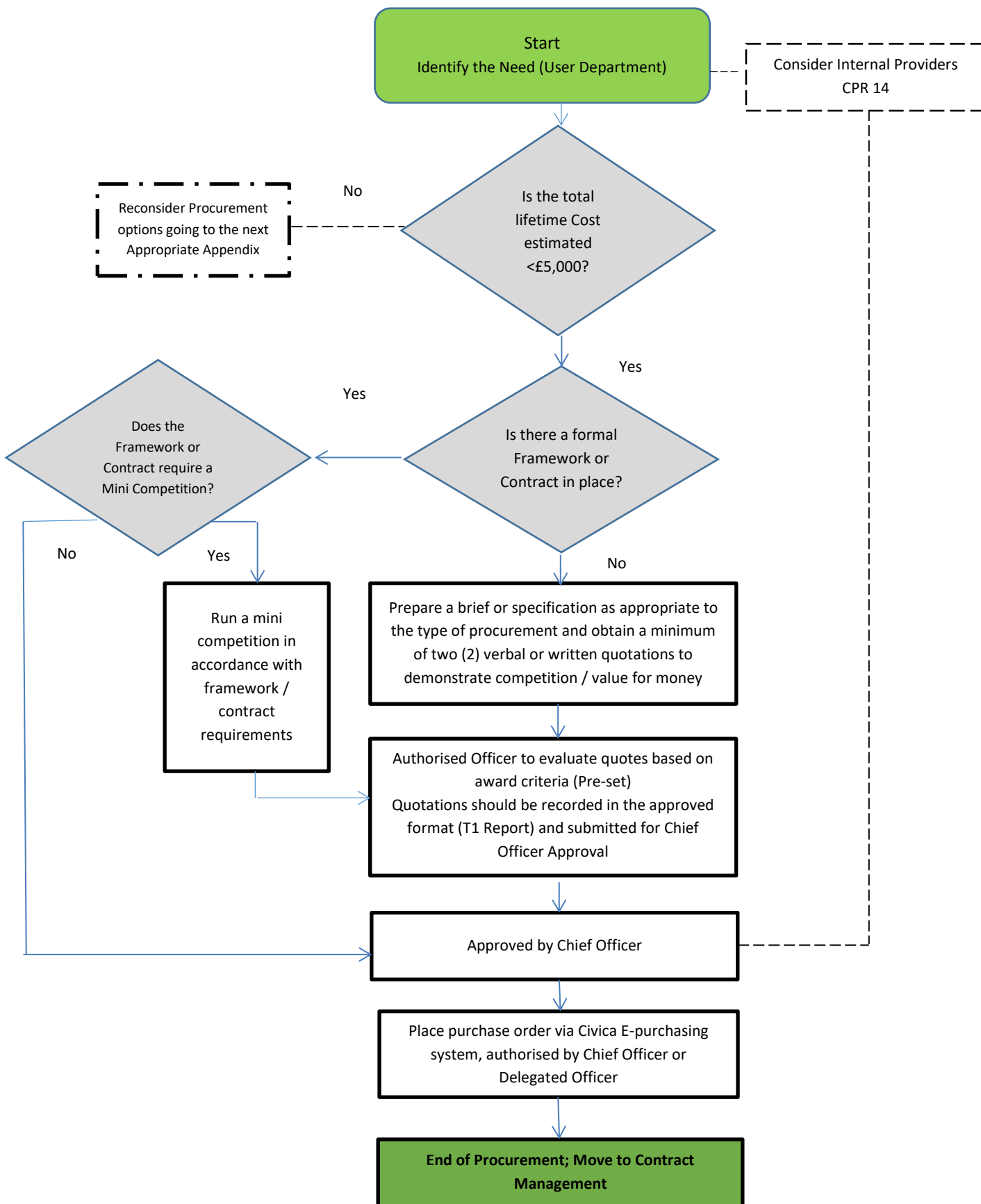
Pre-Procurement Report	The report required to be presented to the respective board and approved prior to commencing any procurement or commissioning activity;
Pre-qualification	This procedure allows the Council to restrict the number of applicants (tenderers) to whom it issues an invitation to tender. The Council is permitted to shortlist applicants by using specified short-listing criteria including economic/financial standing, capacity and capability, management, equal opportunities, sustainability and health and safety;
Procurement	Means the process by which the Council manages the acquisition of all its goods, services and works. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the contracts;
Procurement Acceptance/Contract Award Report	The report required to be presented to the respective board and then signed off by the scheme of delegation to seek authority to award a contract, extend a contract or seek a waiver to these CPRs;
Procurement Strategy	A corporate document that outlines the Council's approach to procurement and commissioning and sets out the organisations associated aims and objectives;
Purchase Order (Electronic)	An electronic order raised and authorised via the Council's P2P system;
Quality	Fitness for purposes when judging against the standards specified in the contract;
Quotation	A formal offer to supply or purchase goods or materials, execute works or provide services (including consultancy), at a stated price based on the Council's terms and conditions (£1 - £75k);
Regulations	Means the Public Contracts Regulations 2015 (as amended) and/or the Concession Contracts Regulations 2016 (as applicable) as supplemented by the EU Directives on the procurement of Goods, Works, Services and Concessions and as amended and supplemented by the European Court of Justice (often referred to as the 'EU procurement rules');
Restricted Procedure	This procedure allows the Council to restrict the number of applicants (tenderers) to whom it issues an invitation to tender. The Council is permitted to shortlist applicants by using specified short-listing criteria including their economic/financial standing, capacity and capability, management, equal opportunities, sustainability and Health and Safety;
Selection Criteria	A component of the evaluation process set out to assess the Bidders suitability to provide the requirements identified

	<p>in the ITT. This is not an evaluation of how they will provide the requirements requested, more an evaluation of their organisation's intrinsic ability to provide those services.</p> <p>Selection / Suitability Criteria may only relate to:</p> <p>a) Suitability to pursue a professional activity</p> <p>b) Economic and Financial standing</p> <p>c) Technical and Professional ability;</p>
Sell2Wales (National Procurement Web-site)	The Welsh public sectors approved portal for advertising all quotation & tender opportunities over £25k;
Services	Includes all services which the Council purchases or otherwise obtains, including advice, specialist consultancy work, agency staff etc.
Short-listing	The process of selecting bidders who are to be invited to quote or tender or to proceed to final evaluation;
Specification	A document which sets out the detailed requirements and scope of goods, services or works to be provided by the supplier. The specification should be written in a contractually enforceable manner;
Strategic Commercial Commissioning Board	The board that is responsible for providing strategic guidance to the Council's internal procurement and commissioning community.
Standstill Period	<p>The standstill period is a 10-day pause between contract award decision and the formal award of the contract. The standstill is a legal requirement which the Council must comply with. It applies to all procurements covered by the full scope of the EU Procurement Directives.</p> <p>The period allows unsuccessful bidders to obtain more information on the award of the contract. Unsuccessful bidders can take appropriate action if they believe they have been treated unfairly. The period is also known as the "Alcatel Period". Alcatel was the name of the European case which brought about the change in the law.</p>
Tender (Above £75k)	A formal offer to supply or purchase goods, or materials, execute works or provide services (including consultancy), at a stated price based on the Council's terms and conditions;
Tenderer/Tenderers	Individual, individuals, partnerships, companies or other bodies invited to submit quotes/tenders/prices for providing the Council with services, supplying goods or carrying out works;
TUPE	The Transfer of Undertakings (Protection of Employment) Regulations together with any European Council Directives including but not limited to the Acquired Rights Directive 2001/23/EC, as amended from time to time.
Value	Values 'up to' a figure include that exact figure, but excluding Value Added Tax (VAT);

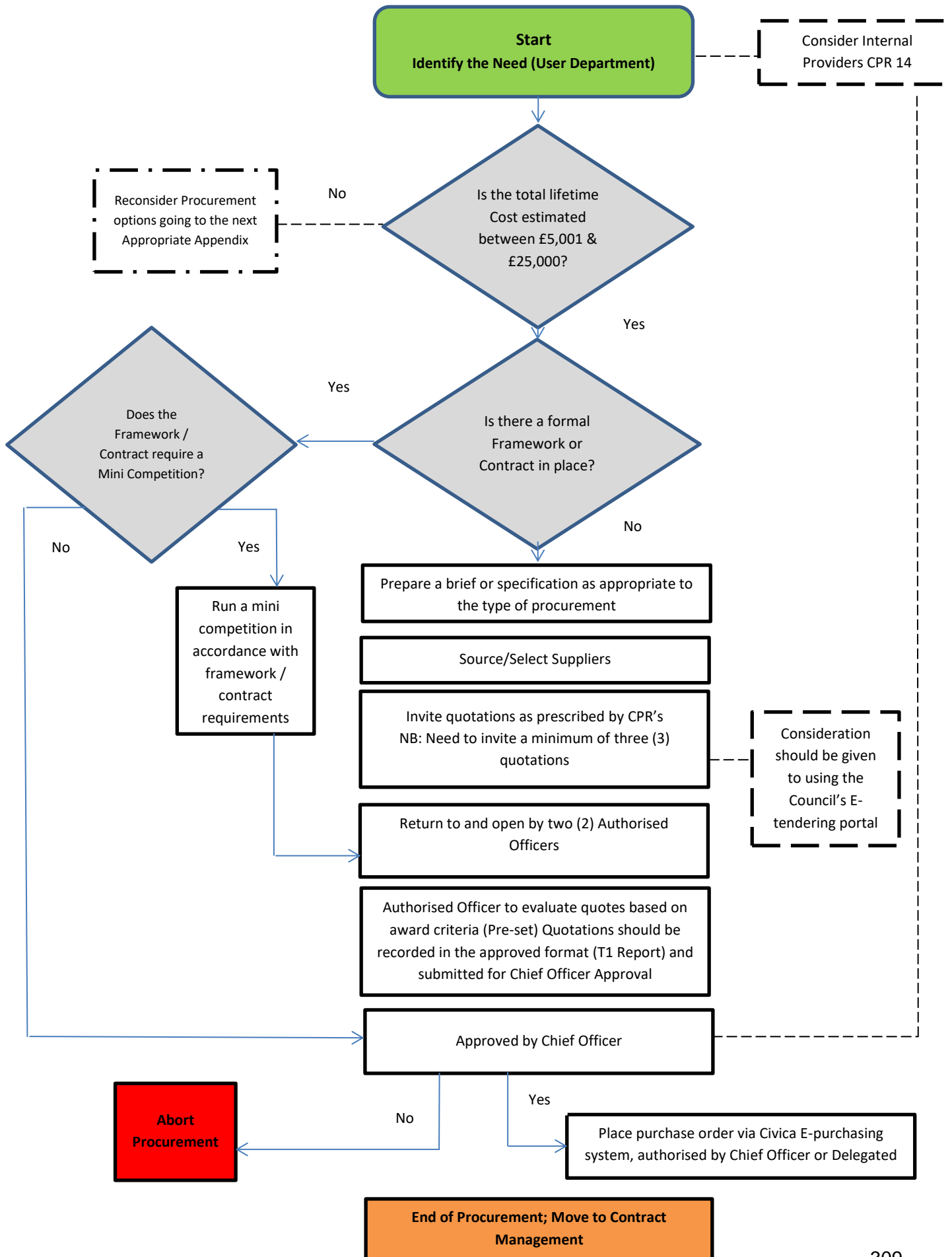
Value for Money	The optimum combination of whole-life costs, price, quality and benefits to meet the Council's requirement. Such a term equates to the EU procurement requirement of "most economically advantageous" offer as well as the duty of Best Value as defined by the Local Government Act 1999 as amended from time to time.
Variation	Means any alteration to a contract, including additions, omissions, substitutions, alterations, or changes of any other nature;
Waiver	An exception from strict compliance with Contract Procedure Rules granted in accordance with CPR10;
Whole Life Cost	Whole Life Costing is a technique to establish the total cost of ownership. It is a structured approach that addresses all the elements of this cost and can be used to produce a spend profile of the Goods, Work or Service over its anticipated lifespan;
Works	Includes all works of new construction and repairs in respect of physical assets (buildings, roads, etc.) including all those activities constituting works for the purposes of the Public Contract Regulations 2015;

Appendix A: Low Value Buying / Purchasing Up to £5,000

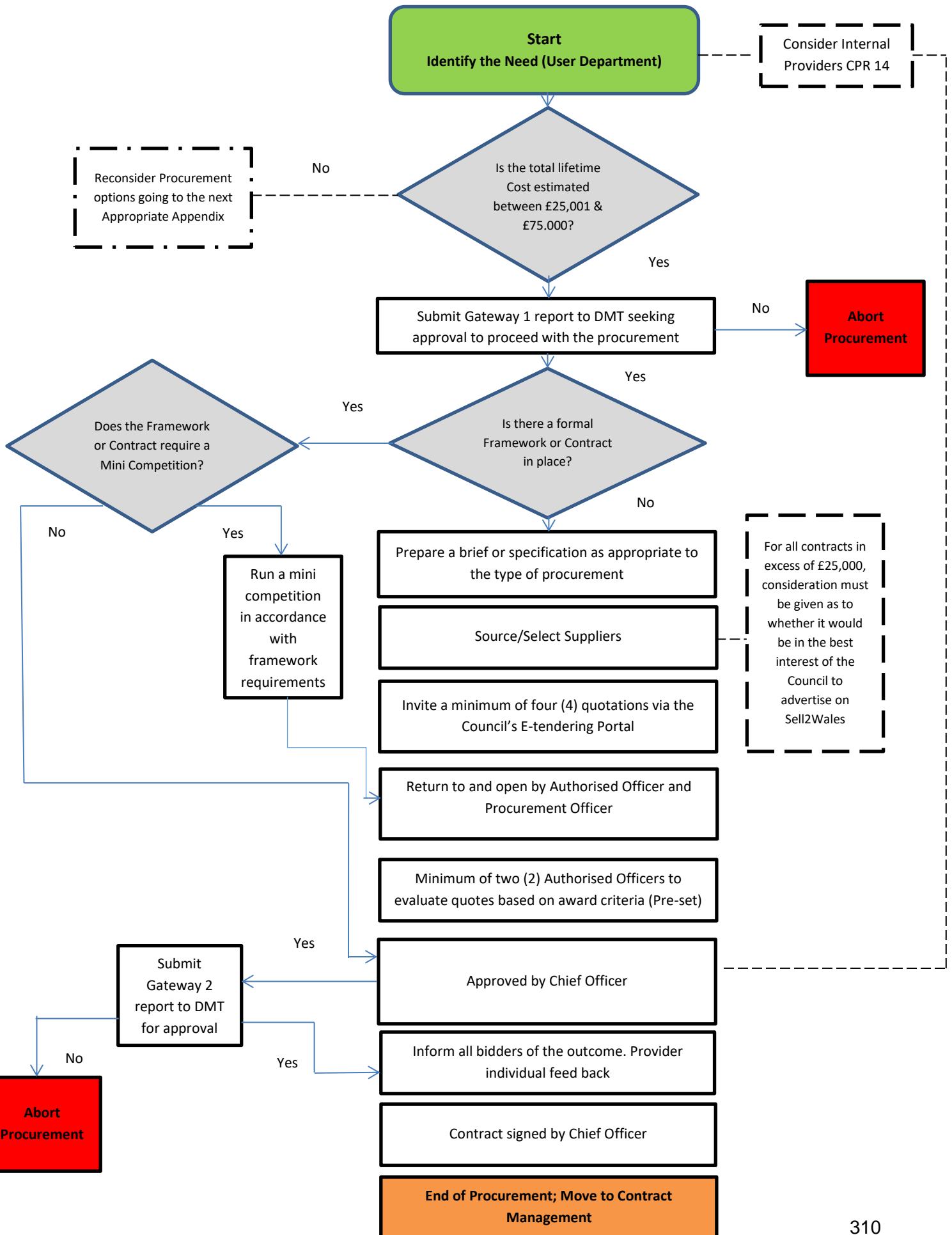
Estimating the contract value should always take into account the provisions of CPR15



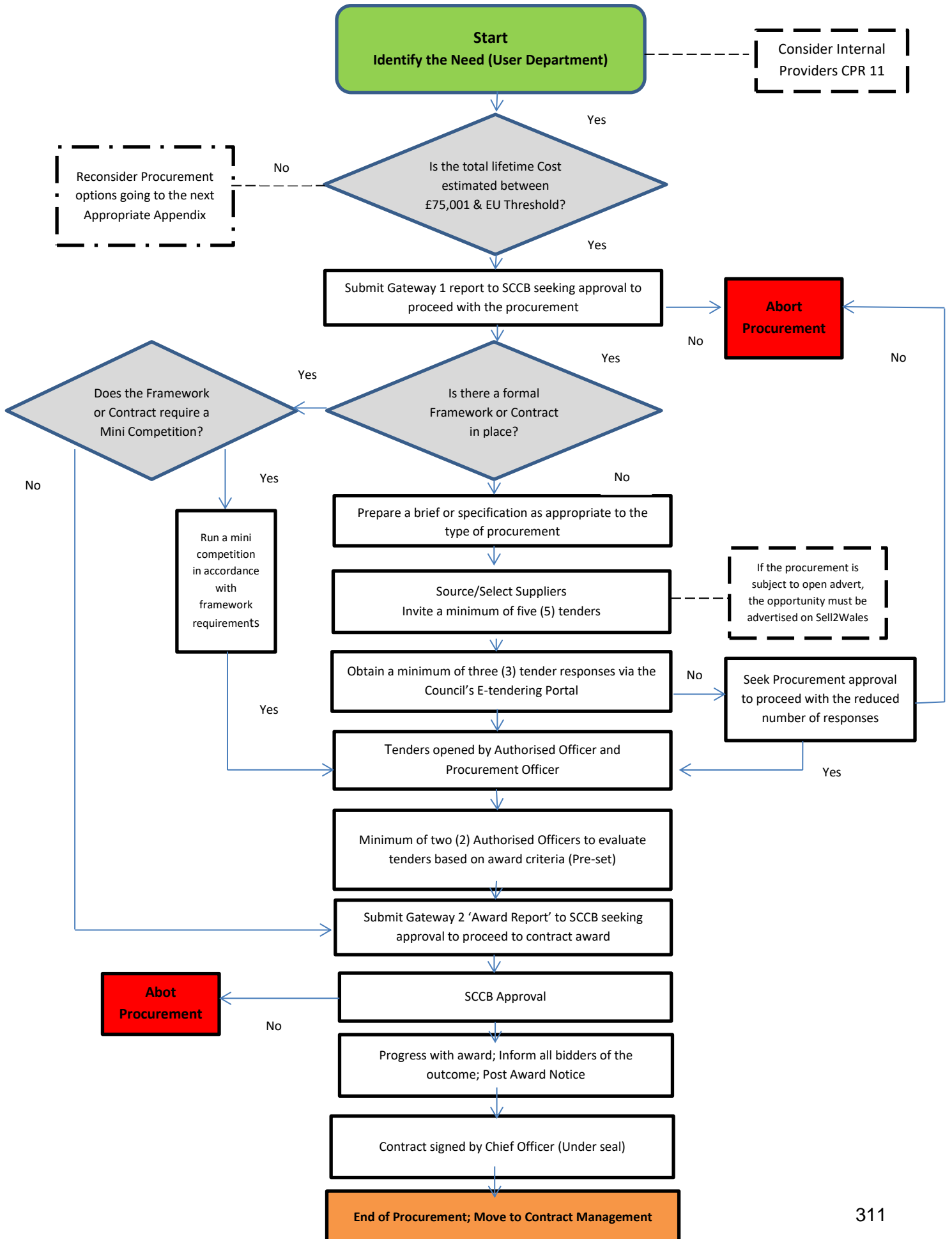
Appendix B: Low Value Procurement (Quotations) – Between £5,001 & £25,000
 Estimating the contract value should always take into account the provisions of CPR15



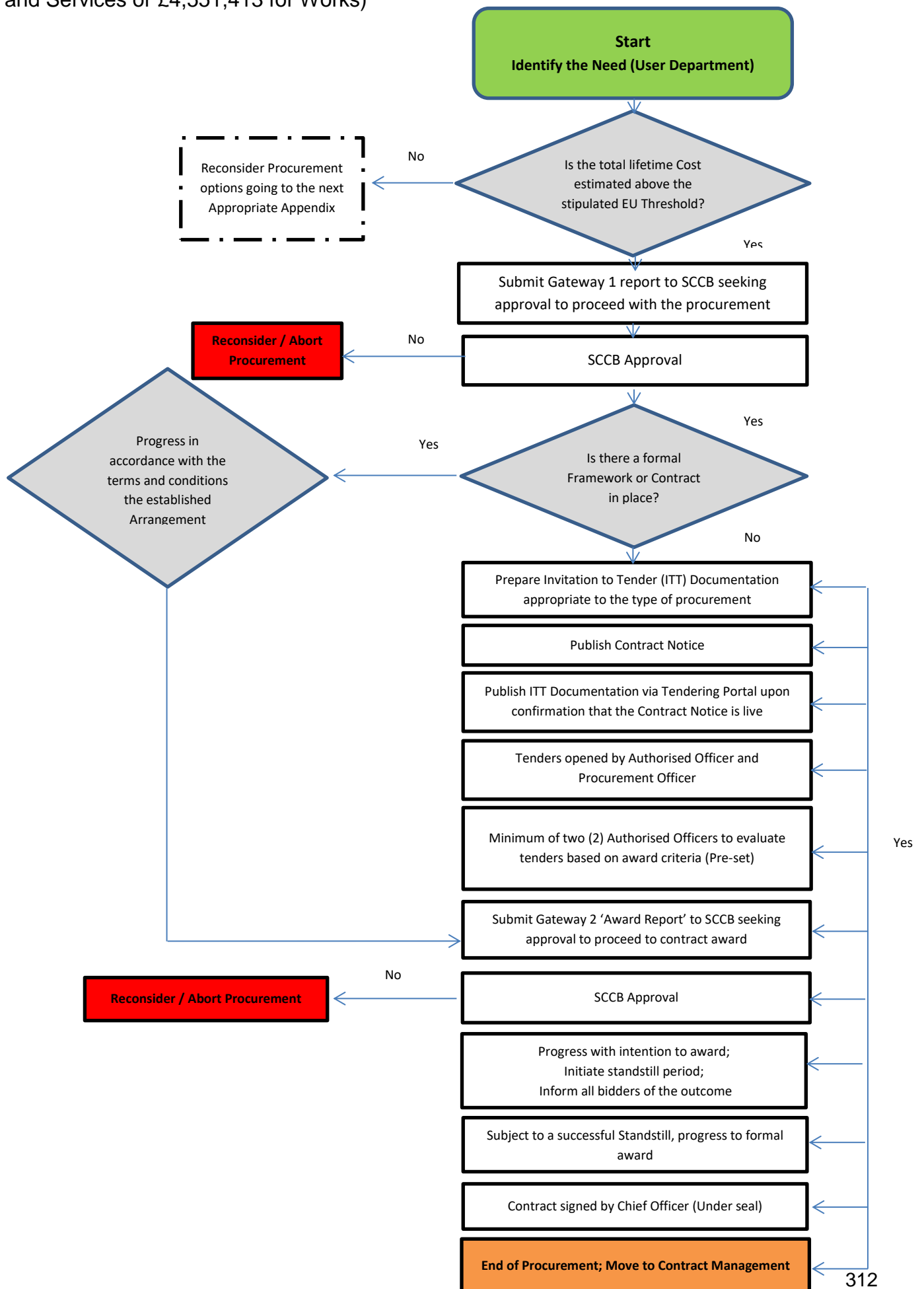
Appendix C: Intermediate Value Procurement (Quotations) – Between £25,001 & £75,000
Estimating the contract value should always take into account the provisions of CPR15



Appendix D: High Value Procurement (Tenders) – Between £75,001 & EU Thresholds
 (£181,302 for Goods and Services or £4,551,413 for Works)



Appendix E: Strategic Procurement (Tenders) – Above EU Thresholds (£181,302 for Goods and Services or £4,551,413 for Works)



APPENDIX F - List of services covered by the Light Touch Regime

Schedule 3 of the Public Contract Regulations 2015

Regulations 5(1) (d) and 74

Social and other specific services

CPV Code	Description
75200000-8; 75231200-6; 75231240-8; 79611000-0; 79622000-0 (Supply services of domestic help personnel); 79624000-4 (Supply services of nursing personnel) and 79625000-1 (Supply services of medical personnel) from 85000000-9 to 85323000-9; 98133100-5, 98133000-4; 98200000-5; 98500000-8 (Private households with employed persons) and 98513000-2 to 98514000-9 (Manpower services for households, Agency staff services for households, Clerical staff services for households, Temporary staff for households, Home-help services and Domestic services)	Health, social and related services
85321000-5 and 85322000-2, 75000000-6 (Administration, defence and social security services), 75121000-0, 75122000-7, 75124000-1; from 79995000-5 to 79995200-7; from 80000000-4 Education and training services to 80660000-8; from 92000000-1 to 92700000-8; 79950000-8 (Exhibition, fair and congress organisation services), 79951000-5 (Seminar organisation services), 79952000-2 (Event services), 79952100-3 (Cultural event organisation services), 79953000-9 (Festival organisation services), 79954000-6 (Party organisation services), 79955000-3 (Fashion shows organisation services), 79956000-0 (Fair and exhibition organisation services)	Administrative social, educational, healthcare and cultural services
75300000-9	Compulsory social security services
75310000-2, 75311000-9, 75312000-6, 75313000-3, 75313100-4, 75314000-0, 75320000-5, 75330000-8, 75340000-1	Benefit services
98000000-3; 98120000-0; 98132000-7; 98133110-8 and 98130000-3	Other community, social and personal services including services furnished by trade unions, political organisations, youth associations and other membership organisation services
98131000-0	Religious services

55100000-1 to 55410000-7; 55521000-8 to 55521200-0 (55521000-8 Catering services for private households, 55521100-9 Meals-on wheels services, 55521200-0 Meal delivery service) 55520000-1 Catering services, 55522000-5 Catering services for transport enterprises, 55523000-2 Catering services for other enterprises or other institutions, 55524000-9 School catering services 55510000-8 Canteen services, 55511000-5 Canteen and other restricted-clientele cafeteria services, 55512000-2 Canteen management services, 55523100-3 School-meal services	Hotel and restaurant services
79100000-5 to 79140000-7; 75231100-5	Legal services, to the extent not excluded by regulation 10(1)(d)
75100000-7 to 75120000-3; 75123000-4; 75125000-8 to 75131000-3	Other administrative services and government services
75200000-8 to 75231000-4	Provision of services to the community
75231210-9 to 75231230-5; 75240000-0 to 75252000-7; 794300000-7; 98113100-9	Prison related services, public security and rescue services to the extent not excluded by regulation 10(1)(h)
79700000-1 to 79721000-4 (Investigation and security services, Security services, Alarm-monitoring services, Guard services, Surveillance services, Tracing system services, Absconder-tracing services, Patrol services, Identification badge release services, Investigation services and Detective agency services) 79722000-1(Graphology services), 79723000-8 (Waste analysis services)	Investigation and security services
98900000-2 (Services provided by extraterritorial organisations and bodies) and 98910000-5 (Services specific to international organisations and bodies)	International services
64000000-6 (Postal and telecommunications services), 64100000-7 (Post and courier services), 64110000-0 (Postal services), 64111000-7 (Postal services related to newspapers and periodicals), 64112000-4 (Postal services related to letters), 64113000-1 (Postal services related to parcels), 64114000-8 (Post office counter services), 64115000-5 (Mailbox rental), 64116000-2 (Post-restante services), 64122000-7 (Internal office mail and messenger services)	Postal services
50116510-9 (Tyre-remoulding services), 71550000-8 (Blacksmith services)	Miscellaneous services

SECTION 18 THE MEMBERS' CODE OF CONDUCT

This Section sets out the text of the Model Code of Conduct prescribed by the Local Authorities (Model Code of Conduct) (Wales) Order 2008, as amended by the following statutory instruments:

- Co-operative and Community Benefit Societies and Credit Unions Act 2010 (Consequential Amendments) Regulations 2014 – (no.2014/1815) (“the 2014 Regulations”) – effective from 1st August 2014.
- Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2008 (No. 2016/84) – effective from 1 April 2016.

The paragraph numbering adopted below is as appears in the Model Code referred to above, for ease of cross-referencing and future amendment.

THE MEMBERS CODE OF CONDUCT

PART 1 - INTERPRETATION

1. (1) In this code —

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who —

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" ("*cyfarfod*") means any meeting —

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation

8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

"registered society" means a society, other than a society registered as a credit union, which is —

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

"register of members' interests" ("*cofrestr o fuddiannau'r aelodau*") means the register established and maintained under section 81 of the Local Government Act 2000;

"relevant authority" ("*awdurdod perthnasol*") means—

(a) a county council,

(b) a county borough council,

(c) a community council,

(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" ("*chi*") means you as a member or co-opted member of a relevant authority; and

"your authority" ("*eich awdurdod*") means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

(a) “proper officer” (“*swyddog priodol*”) means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) “standards committee” (“*pwyllgor safonau*”) means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

PART 2 - GENERAL PROVISIONS

2. (1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
- (b) show respect and consideration for others;
- (c) not use bullying behaviour or harass any person; and
- (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) prevent any person from gaining access to information to which that person is entitled by law.

6. (1) You must —

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
- (c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;
- (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8. You must —

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's Chief Officer - Resources;

(iii) the authority's monitoring officer;

(iv) the authority's Head of Legal & Corporate Compliance (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must —

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 - INTERESTS

Personal Interests

10. (1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if —

(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

[Note: subparagraph (b) is omitted.]

(c) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11. (1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12. (1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to —

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;

(iii) a body to which you have been elected, appointed or nominated by your authority;

(iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

(i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;

(ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;

(iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

(iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14. (1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that

the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing —

(iii) details of the prejudicial interest;

(iv) details of the business to which the prejudicial interest relates;

(v) details of, and the date on which, the dispensation was granted; and

(vi) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

PART 4 - THE REGISTER OF MEMBERS' INTERESTS

Registration of Personal Interests

15. (1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

Sensitive information

16. (1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above the value of £20, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

APPENDIX 1 TO SECTION 18

Conduct of Members – The Principles

SELFLESSNESS

Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

HONESTY

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

INTEGRITY AND PROPRIETY

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

DUTY TO UPHOLD THE LAW

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

STEWARDSHIP

In discharging their duties and responsibilities Members must ensure that their authority's resources are used both lawfully and prudently.

OBJECTIVITY IN DECISION-MAKING

In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

EQUALITY AND RESPECT

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

OPENNESS

Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

ACCOUNTABILITY

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

LEADERSHIP

Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

APPENDIX 2 TO SECTION 18

Protocol - Standard of Conduct Expected by Members

This protocol sets out the standards of conduct expected from Members within Blaenau Gwent County Borough Council in dealing with each other. It should be read in conjunction with the Members Code of Conduct and the Member-Officer Protocol. It adds to these documents and does not detract from them.

Members are expected to:

1. PUBLIC BEHAVIOUR

- 1.1 show respect to each other;
- 1.2 not to make personal abusive comments about each other;
- 1.3 not to publish anything insulting about each other;
- 1.4 not to make malicious allegations against each other;
- 1.5 not to publish or spread any false information about each other;
- 1.6 show respect to diversity and equality;

2. BEHAVIOUR IN MEETINGS

- 2.1 behave with dignity;
- 2.2 show respect to the Chair and obey his/her decisions;
- 2.3 not to use indecent language nor make racial remarks or remarks which prejudice any section of society;

3. CONFIDENTIALITY

- 3.1 keep the confidentiality of exempt papers and any other documents which are not public;
- 3.2 not to release confidential information to the press or the public;
- 3.3 not to use confidential information for purposes other than intended;

4. **LOCAL MEMBERS**

- 4.1 work with Members of adjoining electoral divisions for the benefit of the locality;
- 4.2 if dealing with any matter relating to another electoral division:
 - 4.2.1 explain to anyone seeking assistance that he/she is not the local Member;
 - 4.2.2 inform the local Member, unless it would lead to a breach of confidentiality.

APPENDIX 3 TO SECTION 18

Local Procedure for dealing with allegations that a Member has breached the Code of Conduct or the Protocol on Member/Officer relations

1. Introduction

- 1.1 The Local Protocol for Blaenau Gwent County Borough Council aims to promote good co-operation between Members and Officers and exemplary standards of behaviour by Members thus allowing the Council to carry out its duties efficiently and professionally.
- 1.2 Legislation sets out a statutory regime whereby complaints for breaches of the Member's Code of Conduct are referred to the Public Services Ombudsman for Wales (the Ombudsman).
- 1.3 The Ombudsman has the direction to decide whether allegations of breaches of the Member's Code of Conduct will be investigated. This Protocol is designed to deal effectively with those complaints which are not suitable for reference to the Ombudsman or which would benefit from a local determination.
- 1.4 It is important that any allegations made under this protocol are dealt with quickly and effectively.
- 1.5 The purpose of this procedure is to introduce a simple and clear method of dealing with such allegations.

2. Complaints by Officers against Members

- 2.1 The Managing Director will be the Lead Officer on all complaints by Officers against Members. The Complainant retains the right to refer the matter to the Ombudsman at any time in the process. The Managing Director retains the discretion to refer the complaint to the Standards Committee under stage 3 of the procedure below, with the consent of the Chair of the Standards Committee. The Managing Director should advise the Monitoring Officer of any complaint received, as the Monitoring Officer's role is to ensure that due process is followed.

2.2 It is hoped that any potential problems may be resolved by early discussion between the Members involved and the Managing Director. If this proves impossible the Managing Director may, in consultation with the Chair of the Standards Committee, refer the matter to the Standards Committee and invite them to reach a view as to whether the Protocol has been breached. The view of the Standards Committee will be reported at a Council meeting. The Standards Committee will follow Stage 3 of the Procedure.

3. **Complaints Against Councillors by Other Councillors**

3.1 Complaints against Members by another Member/s will be dealt with under the following three stage procedure.

4. **Procedure**

4.1 **Stage One of the Procedure: Making the Complaint**

- (i) Any Member who wishes to submit an allegation under this Protocol should send the complaint to the Monitoring Officer. Following receipt of the complaint the Monitoring Officer will advise whether the allegation falls within this Protocol or whether the complainant should consider referral to the Ombudsman as an allegation of breach of the Members' Code of Conduct.
- (ii) If following the first stage the Member wishes to proceed with the allegation under this procedure, the matter may be referred either to an informal resolution under Stage 2 or to a hearing by the Committee under Stage 3.

4.2 **Stage Two of the Procedure: Informal Resolution**

- (i) At Stage Two, the complaint (if both parties agree) will be referred to the Managing Director who will contact the Member against whom the complaint is made and, if appropriate, the Leader of the relevant political group, to try and resolve the matter informally. The Managing Director may ask the Member complained about whether he or she may wish to consider whether to rectify the situation by, for example, offering an apology or withdrawal of a remark.
- (ii) The Managing Director may decline to undertake Stage Two and with the consent of the Chair of the Committees refer it immediately to Stage Three.

- (iii) If necessary, the Managing Director can call on the Monitoring Officer, the Deputy Monitoring or Legal Officer for advice and assistance.

4.3 Stage Three of the Procedure: Hearing before the Standards Committee

- (i) If either party remained dissatisfied with Stage two, then with the consent of the Chair of the Committee, the Third Stage of the hearing is before the Standards Committee. The Member making the complaint will be asked to submit the substance of the complaint in writing, and the Member who is the subject of that complaint will be asked for a written response. These papers, together with any additional written evidence that is submitted by either side will be distributed to the Members of the Standards Committee.
- (ii) Both the Member making the complaint and the Member complained against have the right to appear before the Committee and to submit evidence from witnesses. Both will have the right to representation or to have a colleague present. The Council will not meet the cost of representations.
- (iii) If either side wishes not to be present or fails to attend, the hearing may be held in this absence.
- (iv) After the evidence has been heard, both sides and their representatives will be asked to leave the Chamber and the Committee will come to a conclusion on the allegation. The Monitoring Officer will advise the Committee.
- (v) The Committee can come to one of three conclusions, namely:-
 - (a) That there is no basis to the complaint.
 - (b) That there is a basis to the complaint but that no further action is required.
 - (c) That there is a basis to the complaint and that the Member should be censured.

The conclusion by the Committee will be reported to Council. In addition, the Committee can make recommendations to the Council regarding changes to any procedures or taking any further action.

5. Other Matters

- 5.1 (i) Publicity will not be given to the names of the Members involved unless it is decided to uphold the complaint and that the Councillor should be censured. The hearing before the Committee will be exempt ie not open to the public.

- (ii) Stages Two and Three do not have to be followed sequentially. Although it is possible for a Member who remains dissatisfied after the invention of the Managing Director to ask for the matter to be referred to a hearing before the Committee, it is also possible for a matter to proceed directly to the Committee without being first submitted to the Managing Director, provided the Chair of the Standards Committee agrees.
- (iii) The aim of this Procedure is to try and resolve complaints regarding Members quickly and effectively. Nothing in this procedure prevents an Officer or Member from submitting a complaint to the Ombudsman that a Member has breached the Code of Conduct at any time before Stages Two (in the case of a Member) or Three (in the case of either an Officer or a Member) of the Procedure is engaged.
- (iv) This Protocol is not designed for use by Members of the Public. If there is a complaint by a member of the public against Officer conduct or Member conduct, then that should follow normal processes, either through a complaint to the Managing Director / Head of Paid Service or relevant Chief Officer in respect of an Officer or to the Monitoring Officer and/or the Ombudsman in respect of a Councillor.

APPENDIX 4 TO SECTION 18

Social Media Protocol

Use of Social Media

Social media is the term commonly given to websites and online tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests. Examples of social media websites include (this list is not exhaustive):

- social networking (e.g. www.facebook.com)
- video sharing (e.g. www.youtube.com)
- blogs (e.g. www.london2012.com/blog)
- micro-blogging (e.g. www.twitter.com)
- message boards (e.g. <http://forums.moneysavingexpert.com>)
- wikis (e.g. www.wikipedia.org)
- social bookmarking (e.g. www.delicious.com)

Scope

Members can all freely access social media sites, from home, mobile phones, internet cafes, libraries, etc. This activity needs to be handled in a sensible and considered way so that neither you nor the Council is put at potential risk of embarrassment, loss or criminal proceedings.

The Council acknowledges the right of members to freedom of expression; however, you must be aware of the potential legal implications of material, which could be considered abusive or defamatory.

In order to ensure confidentiality and the reputation of the Council are protected, you are required when using Social Networking sites to:

- Ensure that you do not conduct yourself in a way that is detrimental to the Council
- Not refer to the Council, its employees, or other members in a way that is detrimental to the Council or its employees / members.
- Not publish any content, which may result in actions for defamation, discrimination, breaches of confidentiality or copyright, data protection or other claims for damages. This includes, but is not limited to, material of an illegal, sexual or offensive nature that may bring the Council into disrepute

- Not post images of clients, service users or incidents
- Not send or post abusive or defamatory messages. Social networking websites are a public forum; do not assume that your entries on any website will remain private
- Take care not to allow your interaction with others on these sites to damage working relationships between members of staff, clients, service users or partner agencies
- Not use Council logos on personal web pages
- Be aware that information shared with a third party could be published by them and attributed to you implicitly or explicitly

You should always use your own judgement but should bear in mind the principles of the Members' Code of Conduct and other policies which are part of your professional requirements.

You should notify the Monitoring Officer:

- If you receive press or media contact regarding the content of your personal web page which relates to your role as a Member or the work of the Council
- If you are unsure as to the appropriateness of information or images you want to publish on your personal web page.

Other things to consider include:

- Journalists increasingly use the web to research stories and may report photographs or comments they may find. Similarly, customers and clients are able to search the Internet for information on Council members they have involvement with. Check your security settings on social networking sites so that your information is only visible to the people who you want to see it
- Put your name into an Internet search engine to see what people can find out about you. Are you happy with what they can see?

Breach of the Members' Code of Conduct

Be aware that inappropriate use of the internet could result in possible breaches of the Code of Conduct. If in doubt, please seek advice from the Monitoring Officer.

SECTION 19

19. PROTOCOL FOR PUBLIC SPEAKING AT PLANNING COMMITTEE

Who May Speak? – The Chair will allow one party to speak to put each side of the case. The order of speakers will be:-

- The Chair will introduce the items. The Planning Officer will present the case and address any late correspondence.
- One objector (if there is more than one objector, they must nominate a spokesperson. If agreement cannot be reached amongst objectors, only the first person to register their interest will be allowed to speak).
- One supporter of the scheme.
- One representative of the Town or Community Council.
- Where they are not ready on Planning, the Ward Member(s) in whose Ward the application falls.
- The applicant or his/her agent.

How to Register to Speak? – Planning Committee usually meets on the first Thursday of the Month. In order to speak a slot must be previously arranged by giving your name and contact details in writing/email to the Planning Control Section by 12.00 Noon on the Tuesday of the week of Committee. It must also state whether an individual supports or objects to the application. Ward Members need to register.

Individual details will be made public as other speakers may wish to approach you to ensure you cover areas of mutual concern. Failure to register the wish to speak by the deadline will result in the right to speak being lost.

The request to speak must be submitted separately to any other written representations which you may be sent to the Council regarding the application. It should be noted that if a request to speak at Committee will be disregarded if the application is to be decided under delegated powers.

Length of Speaking – Each speaker will be allotted a maximum of 5 minutes. This time limit will be strictly enforced, the distribution of plans/maps, photographs or other papers will not be allowed. In exceptional cases, more than one person may be allowed to speak either for or against a proposal. This will be at the discretion of the Chair and will be limited to major planning applications or schemes that have generated significant public interest.

What Can Be Said? – Any speech should be limited to the relevant planning issues such as the Development Plan, Government policy/guidance, visual appearance/impact or highways considerations. Issues such as devaluation of property, land disputes and competition between businesses are not relevant and will be disregarded by the Planning Committee.

- The Planning Committee must make its decision in accordance with strict rules. It cannot approve an application simply because a number of people are in support – or alternatively refuse planning permission because a number of people object. Each and every decision must be made based on sound and defensible planning reasons.
- Speakers are advised that they are personally accountable for what they say. They must avoid personal comments, any comments of a racist or offensive nature may be referred to the Police. The minutes of the meeting will record the name, address and content of the statement. The Committee forum does not absolve the individual's responsibilities under laws of defamation.
- Any points that may have been raised in any written objections, will be included in the officers' report.
- At the discretion of the Chair, individuals may be asked to answer questions raised by Members of the Planning Committee.
- Applicants are advised that it is their responsibility to check when an application is to appear before Planning Committee. The Council will not notify applicants or their agents that a person has registered their right to speak for or against their application at Planning Committee.

At the Committee

- The Chair conducts the meeting and retains the right to manage proceedings to ensure that all parties have a fair hearing (subject to the Constitution).
- The Chair will intervene if the time limit is exceeded and may adjourn the meeting. Repeating points that have already been adequately addressed or inappropriate remarks or abusing the right to speak before Committee should be adjourned
- Having confirmed the arrangements of the Committee beforehand, individuals should attend at least 20 minutes before the meeting begins and introduce themselves to an officer of the Council who will be present to greet speakers.
- An item will not be deferred if any person who has registered to speak fails to attend the meeting.
- The Council operates a policy of conducting and recording meetings in the medium of English. If however there is a wish to address the Planning Committee in Welsh this must be notified to the Council so that translation arrangements can be made.

What happens if the application is deferred? – This Policy only applies to the first hearing of the application at Planning Committee. If a site visit of the Planning Committee is arranged, further speakers will not normally be allowed unless the Chair, under advice from the Head of Legal & Corporate Compliance, considers it is necessary in order to come to an informed decision.

SECTION 20

20. CODE OF CONDUCT FOR EMPLOYEES OF THE COUNCIL

NOTE: ANY FORMS REFERRED TO IN THIS CODE OF CONDUCT MAY BE LOCATED ON THE COUNCIL'S INTRANET.

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- APPENDIX 1: DECLARATION OF INTEREST(S) FORM

1. PURPOSE

1.1. The Council exists for the benefit of, and is accountable to, the people of Blaenau Gwent. They are entitled to expect conduct of the highest standard from their Council's employees.

1.2. This Code of Conduct for Employees sets out standards of conduct expected of you and applies to all employees, with the exception of School Teachers who have their own arrangements.

1.3. This code has been written for the effective operation of Council business and the wellbeing of its employees. All employees are expected to act in accordance with the Code - failure to do so may result in action in line with the Council's Disciplinary Code.

1.4. The various sections of this Code summarise the key policies and procedures in respect of behaviour and the way you are required to work.

1.5. This code of conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct. Please also see section 9 - Professional Qualifications, Registrations and Conduct.

2. MANAGER'S RESPONSIBILITIES

2.1 Managers are responsible for the application of this policy in their service area.

2.2 Managers must ensure this Code is adhered to and:

- Set a positive example with their own behaviour.
- Ensure standards in the Code are established and communicated.
- Effectively record and update declarations of interest, gifts and hospitality (this information may be held centrally in the Directorate/Service if appropriate).
- Provide clarification, where required, to improve employee understanding.
- Take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this Code.

3. EMPLOYEE'S RESPONSIBILITIES

3.1 You must consider this Code carefully and comply with it fully as it forms part of the terms and conditions of your employment. If you do not understand something in the code you should ask your manager to explain it to you.

3.2 You are expected to:

- Maintain conduct of the highest standard so public confidence in your integrity is sustained.
- Ensure your conduct reflects the Council's values and competencies.
- Declare any actual/potential conflict of interest as soon as is reasonably practicable.
- Incorporate and promote equality in all that you do.
- Perform your work to the best of your ability and in accordance with the Council's policies and procedures. Where performance falls short of the required standard you should work with your manager, complying with any improvement plans, to improve your performance to the required standard.
- Not use any information obtained in the course of your employment to cause damage to or bring disrepute to the Council, or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way. Also, you must not access information that is not specifically required to enable you to undertake your role with the Council.
- Abide by the General Data Protection regulation and the Good Practice Guidance that the Council provides in the area of Information Security.
- Familiarise yourself periodically with the latest version of the Code and comply with it at all times.

3.3 If you are aware that someone else is breaching the code, the Council has a Whistleblowing Policy to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a

result of doing so. The policy is available on the Council's intranet and from the OD Division.

4. PUBLIC FUNDS

4.1 The Council has responsibility for the administration of public funds and the importance of probity, financial control and honest administration cannot be overstated.

4.2 Where you have direct responsibility for financial transactions e.g. the ordering of goods or services, you must comply with the Council's Financial and Procurement Regulations.

4.3 If you are found to have claimed entitlement to a government benefit or service (i.e. Council or Housing Benefit, Direct Payment, Blue Badge, Council Property etc. from the Council or another local authority), either directly or indirectly, and failed to disclose accurately/fully your financial or other circumstances that may affect your entitlement to the benefit or service, this would be regarded as gross misconduct, and you may be dismissed. Such cases may also be passed to the Police.

5. CUSTOMERS

5.1 You should ensure courteous, efficient and impartial service to all within the community. Antagonistic or aggressive behaviour is not acceptable. If you work with customers who behave aggressively you must familiarise yourself with the Violence and Aggression at Work Policy.

6. EQUALITIES

6.1 Your commitment to equality in all aspects of your work is fundamental to effective service delivery and working relationships.

6.2 All members of the local community, customers and colleagues have a right to be treated with fairness and equity.

6.3 The Public Sector Equality duty applies to all decisions made by the Council. The duty includes the need to promote equality for persons with “protected characteristics” i.e. age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, Welsh Language, and have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.

6.4 Employees should familiarise themselves with the Council’s Dignity at Work Policy. The Council will not tolerate discriminatory behaviour, including harassment, which will be dealt with using the Disciplinary Code and may lead to criminal proceedings.

7. HEALTH AND SAFETY

7.1 You have a duty of care and must not act wilfully or intentionally in a manner liable to place the public, your colleagues or yourself at risk.

7.2 You must display your identity card at all times on Council premises. An exception can be made if displaying your identity card (or other Blaenau Gwent logos) could put you at risk, and a risk assessment is in place to this effect. In such circumstances the ID must be retained on your person and must be offered for inspection if required by an authorised person.

8. STANDARDS OF DRESS AND APPEARANCE

8.1 You must ensure standards of dress and personal ornamentation are appropriate in relation to your duties. Inappropriate dress can create offence or be interpreted as disrespectful.

8.2 The Council values the diversity of its workforce and will take into account ethnic and religious dress requirements by ensuring you are free to observe them.

8.3 In all cases you are expected to wear any uniform issued for health and safety reasons.

9. PROFESSIONAL QUALIFICATIONS, REGISTRATIONS AND CONDUCT

9.1 If your employment with the Council is in a post which requires you to be registered with a statutory and/or professional organisation, to hold membership of a professional body or hold any other qualification, it is your duty to ensure you are able to comply with the relevant obligation(s). You will be requested to provide evidence of compliance. You should also comply with any duty you may have to inform your professional body of a matter which may impact on your registration or membership. You should also inform your line manager of the matter.

9.2 You must ensure that the relevant code of practice is followed during the course of your duties, which includes formal reporting to the professional body on any matter where there is a duty to do so.

9.3 If you belong to a profession that has a specific Code of Practice it is your responsibility to comply with both the Council's code and the code relating to your profession. If there is any conflict between the Council's code and your professional code, please seek the advice of your Line Manager or the Organisational Development Division. However, the approach should be that you must comply with the most demanding/highest level requirement(s), whichever code contains it.

10. DECLARATION OF FINANCIAL AND OTHER INTERESTS

10.1 You must declare in writing to your manager, using the declaration form (see the Intranet) any financial or other personal interest - whether direct or indirect - or association with any Council activity, which could cause an actual or potential conflict of interest.

10.2 You are responsible for ensuring you keep your manager informed of any change of circumstance that gives rise to a need to submit or update your declarations. Declarations should be made in writing/by email using the appropriate form.

10.3 It is your responsibility to take all reasonable steps to ensure you do not place yourself or the Council in a position where there could be a conflict of interest. This responsibility does not end when you have submitted a

declaration form. For example, if you are present at a meeting on another matter and an issue comes up that you have a potential or actual interest in, you must declare this to the meeting and excuse yourself from the meeting if practicable or at the very least have no part in any discussion or decision making on the relevant issue.

11. CONFLICTS OF INTEREST - THE KEY TEST

11.1 You should ask yourself the question “Would a member of the public think that my family, close friends or I would benefit from the connection between my personal interest and my employment?”

11.2 If the answer is yes then you must declare the interest by informing your Line Manager as soon as is reasonably practicable by completing the Declaration of Interest Form. All Directorates are responsible for maintaining a Register of Declarations of Interest for their employees. However, individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

11.3 If you are involved with granting permissions or benefits, for example, planning permission, you must take no part in considering any application made by yourself, a relative, friend, neighbour or anyone you have a close personal association with.

12. DEFINITION OF RELATIVE

12.1 A relative means a spouse (husband or wife), partner, parent, parent-in-law, son, daughter, step-son, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of these people. “Partner” means a member of a couple who live together.

13. CONDUCT OUTSIDE OF WORK

13.1 Your off-duty hours are your personal concern but you should not put yourself in a position where there is a conflict of interest between your private life and public duties. If, for example you are a member of a society, club or association which may cause a conflict of interest you must declare this using the declaration form (see appendix 1).

13.2 Any questions or statements you wish to submit as a citizen to public Council meetings must be drafted and sent in your own time and using your own resources (i.e. not with work email). You must be clear that you are doing so as a citizen and not as a Council employee. You should not lobby a Councillor inappropriately on personal employment matters. If you are unsure about the process you are advised to speak to your manager. This does not restrict your right to raise concerns regarding possible malpractice under the Council's Whistleblowing Policy.

13.3 The Council reserves the right to bring action against you where your conduct outside work conflicts with your public duties, i.e. where your conduct outside of work could undermine the Council's reputation or public confidence.

13.4 You must disclose information which is relevant to your capability, capacity and suitability to carry out the duties and responsibilities for which you are employed. You must immediately inform your manager in writing (where this Code requires notification in writing, email is acceptable) if, during your employment with the Council, you are subject to any of the following, which it would be reasonable to understand may impact upon your role, professional standing or the reputation of the Council:

- Advised that you are under investigation for a criminal act (including road traffic offences).
- Arrested in connection with a criminal act.
- Notified that criminal charges are being considered against you.
- In receipt of a summons to appear before a Court of Law for an alleged offence.
- Found guilty and convicted of any offence.
- Given a police caution.

13.5 Notwithstanding the above, Employees whose role requires a DBS check must ensure they comply with the all the requirements of the DBS process.

13.6 If you are required to drive as part of your duties you must also declare any penalties received in connection with motoring offences that may impact your ability to undertake your role. Fixed penalties for offences such as speeding do not need to be declared unless they include a driving ban.

13.7 In all cases, a failure to disclose relevant information or the deliberate withholding of such information can amount to a breach of trust and confidence and may lead to disciplinary action up to and including dismissal.

13.8 Serious misconduct or criminal offences committed during or outside working hours, which bring you or the Council into disrepute, will be subject to disciplinary action under the Council's Disciplinary Code, and may result in dismissal.

14. SECONDARY EMPLOYMENT

14.1 You may undertake secondary employment such as: work on a voluntary, fee-paying or recognition-in-kind basis; or engage in any other business; as well as secondary employment within the Council itself.

14.2 Appointments as Governors, Councillors of other local authorities, membership of the Territorial Army, Justice of the Peace etc., do not constitute secondary employment.

14.3 Your working time should not exceed an average of 48 hours per week, taking into account secondary employment.

14.4 If you are paid up to and including spinal column point 28 (or equivalent basic pay pro rata) you must notify your manager of any secondary employment undertaken.

14.5 If you are paid above spinal column 28 (or equivalent basic pay pro rata) you must obtain the consent of your Chief Officer prior to engaging in any other business or taking up any secondary employment. You must subsequently keep your Chief Officer advised of any changes to your secondary employment.

14.6 You may also be required to disclose your total working hours, to enable the Council to monitor your hours worked to comply with the Working Time Regulations.

14.7 Any secondary employment must not be carried out during your contracted Council working hours, nor whilst on standby for official callout purposes, unless such employment can be undertaken from your home. You are also not permitted to use Council property, equipment or associated documents or communications.

14.8 Any secondary employment outside the Council must not conflict with the Council's interests, or bring it into disrepute. You may not set up a business, or accept a job with a business, which is in direct competition with the Council.

14.9 Your declaration of secondary employment does not remove the right of the Council to take action if it is deemed to be detrimental to the interests or reputation of the Council, or where it affects your work performance.

14.10 You may not become a trustee or board member of any organisation which receives any form of funding from the Council unless you have the express consent of your Chief Officer, who will consider this in consultation with the Monitoring Officer.

15. PROBITY OF RECORDS AND OTHER DOCUMENTS

15.1 If you falsify records or other documents to secure pay or another financial benefit for yourself or others, this is regarded as a criminal offence as well as a serious disciplinary matter.

15.2 Such falsification is dealt with in accordance with the Council's Anti-Fraud, Anti-Corruption, & Anti-Bribery Policy.

15.3 Where deliberate falsification is intended to gain a nonfinancial advantage such as flexi- time credit, the Council will regard this as a serious disciplinary matter. Any deliberate falsification of records or other documents may lead to dismissal.

16. FINANCIAL INDUCEMENTS, GIFTS AND HOSPITALITY

16.1 It is an offence to accept any fee or reward whatsoever other than your proper pay. You may receive offers of inducements and it is important you are able to recognise what is, and what is not acceptable; it is advisable to discuss these with your manager.

16.2 On no account should an employee knowingly accept secondary employment or a financial payment from any person, body or organisation who have a professional relationship with the Council or are seeking to establish such a relationship e.g. contractors, developers, consultants.

16.3 Gifts may only be accepted when they are low value i.e. up to £20. Regardless of whether the gift is accepted or not it must be registered by writing/email to your manager, who will record it on the Directorate/Service Register of Gifts and Hospitality (see appendix 2). You should never accept significant gifts (i.e. worth more than £20) or hospitality from service users, actual or potential contractors or outside suppliers.

16.4 Normally, visits by employees to exhibitions, demonstrations, conferences, business meals, and social functions, in connection with their official duties shall be at the Council's expense.

16.5 Where hospitality, in the form of meals and drinks, is offered by a third party, this is normally only acceptable where it forms part of, or immediately follows on from, normal business meetings/discussions held during the normal working day.

16.6 Where offers of hospitality are made, e.g. invitations to dinners, these should only be accepted if there is a clear and demonstrable benefit to the Council, and the hospitality would not expose the Council to criticism that the provider of the hospitality was achieving undue influence. Attendance must have the Chief Officer's approval in advance, and will be recorded in the Directorate/Service Register of Gifts and Hospitality.

16.7 Offers of hospitality in the form of purely social events and sporting occasions should on no account be accepted when these are from organisations with which the Council has commercial links. However, invitations to social events from non-commercial organisations with which the Council has a partnership arrangement will be acceptable, but must have the Chief Officer's advance approval, and must be recorded in the Directorate/Service Register of Gifts and Hospitality.

16.8 Regular social contact e.g. drinks in a public house, with representatives of organisations, which supply, or hope to supply, goods or services to the Council must be avoided. Where such instances do occasionally take place, i.e. after late working, officers should ensure that they “pay their way” and that the other party does not meet the costs of such contact in full. For their own protection, employees should record such events in the Directorate/Service Register.

16.9 Directorate/Service Registers of Declarations of Interest and Gifts and Hospitality will be liable to Audit inspection.

16.10 Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, you should not engage the services of contractors commissioned by the Council when acquiring materials, labour or plant at cost, trade or discount prices. Whilst this may enable you to make savings compared with other suppliers, you face the risk of being in a compromising situation, and bringing the Council into disrepute – this is not acceptable and cannot be over-emphasised.

16.11 The acceptance of, or giving of a gift to obtain financial or other advantage, is a criminal offence, as is a threat or retaliation against someone refusing to commit a bribery offence (Bribery Act 2010). The prevention, detection and reporting of bribery is the responsibility of all those working for the Council or under its control. All workers are required to avoid any activity that might lead to, or suggest, a breach of the Bribery Act 2010.

17. PROMOTIONAL OFFERS AND PRIZES

17.1 If you are responsible for the purchase of goods and supplies, any promotional offers or prizes given by suppliers are the Council’s property. These promotional offers may take the form of a free gift, holiday offer or vouchers. Promotional offers should only be used for the benefit of the Council, and your Chief Officer will decide how offers are used. Promotional offers should be discussed with your manager and recorded on the Register of Gifts and Hospitality, whether accepted or declined.

18. PUBLIC CONCERN AND WHISTLEBLOWING

18.1 The Council does not tolerate any form of malpractice. You have an important role to play in reporting any concerns, and are expected to co-operate with investigations. Although it is often difficult for employees to report legitimate concerns through fear of victimisation or reprisal, please be assured that in raising concerns you will be supported. Please refer to the Whistleblowing Policy for more information.

19. SAFEGUARDING

19.1 There is a statutory requirement for the Council and its employees to protect children and vulnerable adults. If you have any safeguarding related concerns, you are responsible for speaking promptly to your line manager or another manager about your concerns. You should seek guidance from your line manager or safeguarding lead as necessary.

20. EMPLOYEES IN POSITIONS OF TRUST

20.1 If you have a caring role or provide a direct personal service you may experience situations where you could benefit financially. For example, people in residential care homes may express their thanks to you by offering significant gifts, money or even making you a beneficiary of their will. You should refuse such 'gifts' politely and explain why you cannot accept them before reporting this matter to your line manager.

20.2 If you, your partner or family have been made a beneficiary in the will of a service user, you should tell your line manager immediately.

20.3 You, your partner and family must not have any financial dealings with any service user to whom the Council provides services, and must not borrow money or property, nor act as executor of a service user's will, except where this is a specific requirement of your post and only within the specific boundaries of your duties.

20.4 You must not give financial advice to service users except where this is a requirement of your post and within the specific boundaries of your duties.

20.5 Where a customer is dependent upon you for a service or has special needs, you must not compromise this relationship; avoid unprofessional emotional or physical interaction or sexual interaction with a service user. If you suspect such behaviour on the part of a colleague you must tell your manager immediately.

20.6 If you work with children or vulnerable adults you must inform your line manager immediately if you are subject to a criminal conviction, caution, ban, police enquiry or pending prosecution – this is essential in helping to safeguard children and vulnerable adults.

21. CONTRACTS & CONTRACTORS

21.1 When dealing with contractors, you should be clear on the separation of the client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

21.2 The code of conduct does not preclude anyone from having the opportunity to tender for business. However the process must be, and be seen to be, fair, open and transparent

21.3 Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

21.4 If you engage or supervise contractors, or have an official relationship with existing or potential contractors, and have had or have a relationship in a private or domestic capacity, you must declare that relationship to your Chief Officer (this means relationship with a director or employee of the contractor). You must ensure no special favour is shown to current or former partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior capacity.

21.5 If you carry out competitive tendering services - directly or indirectly - you must declare to the Chief Officer your membership of, or affiliation to, any organisation, which may have an interest in tendering for the service.

21.6 Where a contract awarding process is under way you must withdraw from, or otherwise play no part in that process if you have an interest or potential interest and must comply with any written guidance issued by your Chief Officer, the Monitoring Officer or any other appropriately qualified Senior Officer of the Council.

21.7 You may not set up a business, or accept a job with a business, which is in direct competition with the Council. If you are contemplating a management buyout, or any arrangement to provide a service similar or identical to that provided by the Council you must, as soon as you have formed a definite intent, notify your Chief Officer.

21.8 If you are planning setting up competing businesses to the Council you must not use confidential information obtained during the course of your duties.

21.9 No materials, information (including contacts, property or other resources) are to be accessed or used by you in the course of planning your competing business during or after your employment with the Council. Where such access or use takes place the Council will vigorously pursue its rights.

22. SPONSORSHIP

22.1 Where the Council sponsors an event or service, you, your partner, spouse or relative must not benefit from the sponsorship. You must seek guidance from your Chief Officer if you are involved with an event or service which the Council proposes to sponsor.

22.2 Where the Council gives support in the community, through sponsorship, grant aid, financial or other means, you should ensure that impartial advice is given and no conflict of interest exists.

22.3 Where an outside organisation wishes to sponsor a local government activity by invitation, tender, negotiation or voluntarily, the rules concerning acceptance of gifts and hospitality apply.

23. POLITICAL NEUTRALITY

23.1 You must not allow your personal or political opinions to interfere with your work.

23.2 You serve the Council as a whole and must serve all elected Members - not just those of the controlling group - and must ensure the individual rights of all Councillors are respected.

23.3 Whilst engaged in Council business you must not wear or display any objects indicating support for or opposition to any political party or view. This applies to private vehicles used whilst undertaking Council business.

23.4 If your post is not politically restricted (see below) you may campaign on behalf of a political party. However, when engaged on Council business you must remain politically neutral and not allow your personal or political views to interfere with your duties.

23.5 If your post is politically restricted you will be advised upon appointment of restrictions and must comply with these.

23.6 Advice to political groups must be given by, or with the consent of, the relevant Chief Officer, who will ensure advice is given in ways which do not compromise political neutrality. Any advice given should be impartial, objective and helpful.

24. COUNCILLORS

24.1 Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should be avoided.

24.2 You must declare any personal relationship with a Councillor. Where the relationship could present a conflict of interest, your manager will need to consider how this will be effectively managed.

24.3 The Council has a Protocol on Employee/Member Relations, which can be found in Section 21 of the Council's Constitution. You must comply with the protocol as well as this Code of Conduct.

24.4 Complaints against Members by employees

The Council has a Code of Conduct for Members, which can be found in the Council's Constitution. There is a local protocol for dealing with complaints against Members by employees for breaches of this Code.

24.5 This is in addition to and does not preclude the option of redress via The Ombudsman, which has always been available to employees.

24.6 If you have concerns about a possible breach of the Code of Conduct for Members and/or wish to make a complaint please contact the Managing Director, who will be able to confidentially discuss your concerns and advise you of the options available.

25. THE MEDIA

25.1 Approaches from all national press, radio or TV stations or specialist press should be directed to the Corporate Communications Team, who will discuss the nature of the story and then contact the appropriate Officer or Member asking them to respond. You are not permitted to communicate with the media on matters relating to the activities of the Council without authorisation from the Corporate Communications Team. If you are contacted by journalists you should refer them to the Team.

25.2 This is not intended to prevent or deter lawful whistleblowing and does not affect your right to speak on trade union issues, whether as an individual or as a TU representative.

25.3 If you wish to write material for publication which does not refer to the Council, but relates to your profession (e.g. an article in a professional journal), advise your manager before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of the Council.

26. OTHER EMPLOYEES

26.1 The provisions of this section apply equally to relationships with colleagues not directly employed by the Council, e.g. co-workers from organisations with which the Council is in partnership.

26.2 You must treat colleagues with courtesy and respect, and must not abuse them verbally or physically. You must not harass or bully or be insubordinate to colleagues and must comply with the standards set out in this Code in relation to Equalities.

26.3 Employees are expected to treat each other with respect and in a manner which is professional, courteous, non-aggressive and helpful.

26.4 The Council recognises that employees who work together may form personal friendships and in some cases close personal relationships. While it does not wish to interfere with these personal relationships, it is necessary to ensure that all employees behave in an appropriate and professional manner at work.

26.5 Any employee who is involved in a close personal relationship with a colleague, contractor, client, customer or supplier must not allow that relationship to influence his/her conduct while at work. There are situations when a personal relationship between employees becomes a management concern and they may unintentionally impair operational efficiency or affect the integrity of service delivery. You must declare any personal relationship with another employee, where the relationship could affect, or could be perceived to affect your or any colleagues' performance.

26.6 Intimate behaviour during work time, for example kissing, touching or holding hands, is expressly prohibited. This applies during all working time, whether at the normal workplace, on clients' premises or elsewhere. Any breach of this rule will be regarded as a serious disciplinary offence, which could lead to disciplinary action up to and including dismissal.

26.7 Line Management of Relatives

Line management of an employee by a relative is to be avoided wherever possible, to avoid conflicts of interest or allegations of nepotism or favouritism. In a situation where a line manager may be required to manage a relative, efforts will be made to relocate one of the parties.

26.8 Line management of relatives in existence prior to the adoption of this policy will not be affected, unless issues arise that lead/could lead to a conflict of interest or adversely affect the running of the service. If such a situation arises then the above procedures will apply.

26.9 In any situation where employees in a personal relationship work in close proximity, the Council reserves the right (without breach of contract) to require one or both employees to change their roles or duties. This is intended to avoid the employees in a relationship finding themselves in a potentially difficult situation and to avoid perceptions of undue influence or unfairness (whether real or imagined).

27. APPOINTMENTS AND OTHER EMPLOYMENT DECISIONS

27.1 Appointments must be made on merit. The relevant procedures are detailed in the Council's Recruitment Charter and Code of Practice.

27.2 Relatives and close personal friends can apply for jobs and will be considered on the basis of their suitability for the role. They should declare their relationship to you on the appropriate section of the application form.

27.3 In order to avoid any possible accusation of bias, you should not be involved in any stage of an appointment if you are related to an applicant, or have a close personal relationship with them outside work.

27.4 You should not be involved in decisions relating to discipline or other sanction, or in decisions relating to pay, if you are related to, or have a close personal relationship with, the employee who is subject to that decision.

28. USE OF COUNCIL TIME, PROPERTY, FACILITIES OR EQUIPMENT

28.1 You must spend all of your contracted hours working for the Council.

28.2 The Council's property and facilities are provided for official Council business. You are responsible for taking reasonable steps to ensure the safety and security of any equipment provided to you. All Council-owned equipment and devices must be returned on leaving Council employment and any Council-

owned or supplied data must be deleted. Access to systems used for Council purposes must be terminated permanently.

28.3 You may not make personal use of the Council's property or facilities (stationery, photocopiers, etc.) unless authorised to do so by your manager. ICT Resources may only be used in line with the Council's relevant policies and guidance.

28.4 You may only use the Council telephones to make or receive private calls in line with the Council's Policy on the Private Use of Authority-Owned Telephones.

28.5 As a member of the public, if you wish to access property, facilities, services or equipment, which is normally provided by the Council on a commercial basis, you must not gain advantage due to your employment with the Council. Where there may be a perception of potential conflict, you must advise your manager you propose to use Council property, facilities, equipment or services - your manager will guide you and take appropriate action.

29. INTELLECTUAL PROPERTY

29.1 'Intellectual Property' is a generic legal term, which refers to the rights and obligations in relation to: inventions, patents, creative writings and drawings (including policy, training and technical documents and materials). If you create these or similar during the course of your employment, the copyright belongs to the Council and, if appropriate, you would be required to cooperate in the registration formalities.

29.2 If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the Council you must first gain the consent of your Chief Officer.

30. USE OF COUNCIL COMMUNICATION SYSTEMS

30.1 The Council has the right to access and monitor communication systems provided to you, and will monitor usage of its communication systems e.g. telephone, email and Internet access, to ensure their proper use and will run reports detailing usage levels of staff.

30.2 Communication systems may be accessed when the Council suspects an employee has been misusing Council facilities, or, for the investigation of suspected fraud or other irregularity. Very exceptionally and where service delivery reasons exist, employees' senior officer, in conjunction with OD and IT may approve access to emails when an employee is absent. Access to facilities may be temporarily suspended whilst an investigation is on-going and may be permanently withdrawn where misuse is detected. Cases of misuse may result in disciplinary action being taken - this may include dismissal.

31. EMAIL AND THE INTERNET

31.1 The primary use of The Council's Email and the Internet systems is for the business purposes of The Council. However, reasonable personal use will be permitted when clocked out/outside of working time, although the policies relating to acceptable use will still apply. All Email and Internet access may be recorded and monitored.

31.2 The use of Email and the Internet must not interfere or conflict in any way with the performance of your duties as an employee of The Council.

31.3 The following is a summary of some of the key points of the Council's Email and Internet Acceptable Use Policies.

31.4 However, it is your responsibility to ensure you are fully aware and compliant with all the relevant policies and guidance, as available on the Information Security page on the Intranet.

31.5 You must inform your manager immediately if you receive inappropriate communication or material.

31.6 General Computer Usage

You are only permitted access to parts of the computer system necessary for you to perform your duties or for authorised personal use.

31.7 The following examples constitute computer misuse and are liable to disciplinary action, up to and including dismissal:

- Fraud and theft
- Introduction of viruses
- Obtaining unauthorised access
- Using the system for non-work related activities during work time

31.8 Email

No employee shall send or forward emails that in any way may be interpreted as inappropriate, insulting, disruptive or offensive by any other person, company, or which may be harmful to the morale of employees or the reputation of The Council.

31.9 Examples of prohibited material include, but are not limited to:

- Sexually explicit messages, images, cartoons, jokes or movie files.
- Unwelcome propositions, request for dates, or love letters.
- Profanity, obscenity, slander or libel.
- Ethnic, religious, or racial slurs.
- Political beliefs or commentary.
- Any message that could be construed as harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, disability, or religious or political beliefs.
- Circulating chain mails on the Council's email system.

31.10 Contracts formed by email might be legally binding. Any contractual agreement, offer or acceptance must only be made electronically if you have authority to do this or where specific management authorisation has been given.

31.11 Internet

The following is not an exhaustive list but an indication of the types of unacceptable conduct that may result in disciplinary action and possibly dismissal.

31.12 Internet access must not be used for:

- Gambling or gambling related content.

- Online gaming and game related content
- Personal business purposes or commercial financial gain.
- Downloading or copying material in breach of copyright licensing.
- Downloading and/or using unauthorised software.
- Seeking, retrieving, displaying or downloading data in any format which is indecent, pornographic, offensive, subversive, illegal or otherwise inappropriate and/or inconsistent with The Council's values and the bounds of common decency.
- Authoring, transmitting or storing messages or attachments containing racist, sexist, defamatory, offensive, abusive, illegal or otherwise inappropriate words or material.
- Accessing and using online computer games.
- Accessing streamed broadcast visual media content such as that provided by BBC iPlayer, ITV and SKY streaming services.
- Engaging in political activity.
- Engaging in or creating binding contracts on behalf of The Council unless you have authority to do this or where specific management authorisation has been given.
- Transmitting unencrypted information protectively marked OFFICIAL-SENSITIVE or above over the Internet.

31.13 Social networking

You must be aware that when using the Internet, including social media/networking for personal use, at any time, you could still be identified as a Council employee. As such your activity on the Internet and social networking websites may affect the Council.

31.14 Remember to keep your work and social life separate. Further guidance and helpful tips are contained in The Council's Social Media Guidance document on the Information Security page on the Intranet.

31.15 Users logged in at a computer shall be considered to be the person browsing the Internet. Under no circumstances shall Internet users browse the Internet or use email from an account belonging to someone else.

31.16 The Council shall report any illegal activity to the Police. Employees shall also be liable to The Council's own disciplinary process.

31.17 Employees shall notify their Line Manager and the SRS Information Security Team (Security@srswales.com) immediately should accidental access to such material occur. Normally, no disciplinary action shall be taken against employees who accidentally access sites containing dubious or unethical material providing they raise the issue in a timely manner. However, in order to avoid disciplinary action, it is the user's responsibility to ensure that such unauthorised access does not happen on a frequent basis.

31.18 As stated previously, full details of the relevant policies and guidelines for the use of email and the Internet are available on the Information Security page on the Intranet. It is your responsibility to ensure you are aware of and abide by these requirements.

31.19 Disciplinary Action

You must remember you are a representative of The Council and using email, internet and/or social media accounts to make libellous, slanderous or defamatory comments regarding The Council, its employees or Members, or otherwise bringing the Council's reputation into disrepute, or exposing the Council to potential liabilities, will not be tolerated and may lead to disciplinary action up to and including dismissal.

32. TRADE UNION REPRESENTATIVES

32.1 Accredited trade union representatives can use Council systems for the purposes of undertaking trade union duties and these will be treated as confidential.

33. CONFIDENTIALITY AND INFORMATION SECURITY

33.1 The Council supports and promotes the principles of open government and welcomes opportunities to share information with the community. However, there is some information that is too sensitive or confidential to release.

33.2 You should be aware of the type of information which must be made available, and to whom; and the type of information which must not be

disclosed at all or without specific permission. “Information” can be stored, or communicated in many ways:

- Image (e.g. photos, CCTV, microfiche).
- Verbal conversation (e.g. face to face or by telephone, Skype, etc.).
- Paper documents and manual filing systems (including personal work-related notes).
- Computerised and other electronic systems (e.g. email, voicemail, instant messaging, computer disk, USB, social media, case management systems or other departmental computer systems, etc.).

33.3 You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.

33.4 You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your Chief Officer.

33.5 You must not use any information obtained in the course of your employment to cause damage to or bring disrepute to the Council, or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way. Also, you must not access information that is not specifically required to enable you to undertake your role with the Council.

33.6 If you have any doubt whether information should be disclosed it is your responsibility to consult your manager before its release.

34. DATA PROTECTION

34.1 The Data Protection Act 2018, which covers and supplements the General Data Protection Regulation 2016, deals with appropriate protection of any information in which any living person can be identified. This is personal information and it may not necessarily include a person’s name. Both the Council and all staff are under an obligation to comply with the Data Protection Act 2018.

34.2 Information about your obligations can be found in the Council's Data Protection Policy. These obligations include how personal information should be obtained, stored, accessed and used.

34.3 The Council must ensure that:

- The information will be protected against unauthorised access.
- The confidentiality of information will be assured.
- The integrity of information will be maintained.
- Regulatory and legislative requirements will be met.

34.4 A breach of the Data Protection Act 2018 may result in criminal proceedings and may result in disciplinary action which could include dismissal.

34.5 Adherence to The Council's policies is mandatory. Any breach may result in disciplinary and/or criminal proceedings. Disciplinary action may include dismissal.

35. PHOTOGRAPHY

35.1 It is important to be aware that permission may be required when using photographs, videos and recordings that identify people. If you have any queries about rights you should contact the Corporate Communications Team for advice.

35.2 If you plan to publish or upload any photographs of colleagues to the internet or social media you must seek their permission before doing so.

36. USE OF COUNCIL INFORMATION

36.1 You must not use any information obtained in the course of your employment for personal gain or benefit, or pass it on to others who might use it in such a way. You must not disclose to any third party confidential information which could be prejudicial to the Council's interests.

37. RECORDINGS

37.1 The Council's Audio/Video Recording Guidance document covers all recordings, including covert recording of staff meetings and covert recording in Council establishments, by employees and/or associated third parties.

37.2 In certain circumstances employees or clients of the Authority may endeavour to make a covert audio/video recording, for example of a work meeting or of care provided in a residential care home, for a number of reasons. For example, an individual may think that a recording will provide evidence of unfair treatment or malpractice. However, no-one has the right to record an employment meeting without express permission and there are a number of legal factors to consider if a client of the Authority intends to make a covert recording.

37.3 Any covert recording to be carried out on behalf of the Authority must have prior approval in accordance with the Council's RIPA Policy. Any other covert recording may be deemed as gross misconduct and will be considered in line with the Council's Disciplinary Code.

38. CONTRACT OF EMPLOYMENT

38.1 This Code is part of your contract of employment. An extract of the Code is issued to every employee as part of their terms and conditions of employment, together with advice on how to access the full document.

39. FAILURE TO COMPLY

39.1 Failure to comply with any of the provisions included in this Code and/or its associated policies may result in disciplinary action being taken under the Disciplinary Code, or legal action if necessary.

**ALL OFFICERS TO NOTE THE PROVISIONS OF THE LOCAL
GOVERNMENT ACT 1972, Section 117**

1. If it comes to the knowledge of an Officer employed, whether under this Act or any other enactment, by a local authority that a contract in which he has a pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein. For the purposes of this Section, an Officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of Section [95] above had he been a Member of the authority.
2. An Officer of a local authority shall not, under colour of his office or employment, accept any fee or reward whatsoever other than his proper remuneration.
3. Any person who contravenes the provisions of paragraphs 1 or 2 above shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
4. References in this Section to a local authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

SECTION 21

21. Protocol on Member / Officer Relations

21.1 Introduction

The purpose of this Protocol is to guide Members and Employees of the Council in their relations with one another.

21.1.1 Mutual respect between Members and Employees is essential to good local government. However, close personal familiarity between individual Members and Employees can damage this relationship and prove embarrassing to other Members and Employees.

21.1.2 The relationship has to function without compromising the ultimate responsibilities of Employees to the Council as a whole, and with due regard to such technical, financial, professional and legal advice that Employees can legitimately provide to Members. The Protocol seeks to set a framework that assists the working relationships between Members and Employees.

21.2 Roles of Members

Members undertake many different roles. Broadly these are:

21.2.1 Members express political values and support the policies of the party or group to which they belong (if any).

21.2.2 Members represent their electoral division and are advocates for the citizens who live in the area.

21.2.3 Members are involved in active partnerships with other organisations as community leaders.

21.2.4 Members contribute to the decisions taken in Full Council and in its various bodies on which they serve, as well as joint committees, outside bodies and partnership organisations.

21.2.5 Members help develop and review policy and strategy.

21.2.6 Members monitor and review policy implementation and service quality.

21.2.7 Members are involved in quasi-judicial work through their Membership of regulatory committees.

21.3 Roles of Employees

Briefly, Employees have the following main roles:

21.3.1 Managing and providing the services for which the Council has given them responsibility and being accountable for the efficiency and effectiveness of those services.

21.3.2 Providing advice to the Council and its various bodies and to individual Members in respect of the services provided.

21.3.3 Initiating policy proposals.

21.3.4 Implementing agreed policy.

21.3.5 Ensuring that the Council always acts in a lawful manner.

21.4 Respect and Courtesy

21.4.1 For the effective conduct of Council business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Members and Employees. This plays a very important part in the Council's reputation and how it is seen in public. It is very important that both Members and Employees remember their respective obligations to enhance the Council's reputation and to do what they can to avoid criticism of other Members, or other Employees, in public places.

21.4.2 Undue Pressure

It is important in any dealings between Members and Employees that neither should seek to take unfair advantage of their position.

In their dealings with Employees (especially junior Employees) Members need to be aware that it is easy for them to be overawed and feel at a disadvantage. Such feelings can be intensified where Members hold senior official and/or political office.

A Member should not apply undue pressure on an Employee either to do anything that he is not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Council property and services.

Similarly, an Employee must neither seek to use undue influence on an individual Member to make a decision in his favour, nor raise personal matters to do with their job, nor make claims or allegations about other Employees. *(The Council has formal procedures for consultation, grievance and discipline, and Employees have the right to report possible wrongdoing under the Council's Confidential Reporting Code.)*

21.4.3 Familiarity

Close personal familiarity between individual Members and Employees can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details.

Such familiarity could also cause embarrassment to other Members and/or other Employees and even give rise to suspicions of favouritism.

For these reasons close personal familiarity must be avoided.

21.4.4 Breach of Protocol

If a Member considers that he has not been treated with proper respect or courtesy he may raise the issue with the Employee's line manager. If direct discussion with the manager does not resolve the complaint it should be referred to the Head of Service or Director responsible for the employee concerned. Breach of the Protocol may give rise to disciplinary proceedings against an Employee if the circumstances warrant it.

If an employee of the Council considers that a Member has contravened the protocol, then the procedure outlined in Appendix 3 to Section 18 may be followed i.e. "Local Procedure for dealing with allegations that a Member has breached the Code of Conduct or the Protocol on Member/Officer relations". If the complaint may constitute a breach of the Members' Code of Conduct, the employee has the right to refer the complaint directly to the Ombudsman. Many complaints will be capable of informal resolution without requiring a referral to the Ombudsman. The Monitoring Officer or the Managing Director, may assist in this process if necessary.

21.5 Provision of Advice and Information to Members

- 21.5.1 Members are free to approach Employees of the Council to provide them with such information and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent.
- 21.5.2 Employees should always endeavour to respond to requests for information promptly and should in any event inform the Member if there is likely to be any appreciable

delay in dealing with an enquiry. As a minimum the timescale for responding to correspondence should be observed ie either a full response or, if this is not possible, an acknowledgement that fully explains what is happening within five working days of the receipt of the enquiry.

- 21.5.3 The legal rights of Members to inspect Council documents are covered partly by statute and partly by common law.
- 21.5.4 The Access to Information Procedure Rules of this Constitution explain the position with regard to access to papers relating to the business of a Council body.
- 21.5.5 The exercise of the common law right depends upon a Member's ability to demonstrate a "need to know". In this respect a Member has no right to "a roving commission" to examine any documents of the Council. Mere curiosity is not sufficient.
- 21.5.6 The information sought by a Member should only be provided by the respective Service as long as it is within the limits of the Service's resources. For their part, Members should seek to act reasonably in the number and content of the requests they make.
- 21.5.7 It is important for Services and their staff to keep Members informed both about the major issues concerning the Council and, more specifically, about issues and events affecting the area that he represents. Local Members should be informed about proposals that affect their electoral division and should also be invited to attend Council initiated events within their electoral division. (Further details are contained in the Local Member Consultative Charter, which is annexed to this Protocol).
- 21.5.8 If a Member asks for specific information relating to the work of a particular Service, and it appears possible or likely that at a subsequent meeting an issue could be raised or question asked on the basis of the information provided, then the appropriate Executive Member or Committee Chair concerned should be advised about the information provided.
- 21.5.9 Officers have to advise Members from time to time that a certain course of action cannot be carried out. Members sometimes assume that this is a case of Officers deliberately obstructing the wishes of politicians. In fact this is hardly ever the case. Officers are employed to give

unbiased professional advice even if it is not what Members want to hear. They do this as much for the protection of Members as for any other reason. However, the mark of an effective Officer is that if they do have to give negative advice, this will be accompanied by suggestions as to how Members might achieve some or all of their objectives in other ways. Such Officers are invaluable to any Council.

21.5.10 Members may be entitled under the Freedom of Information Act 2000 to receive information which falls outside their common law rights based on the “need to know”. Employees are encouraged to supply documents to Members without the need for a formal FOI request if it is apparent from the Member’s enquiry that any individual would be entitled to receive such documentation. The Council’s Information and Governance Officer will be able to advise in consultation if necessary with the Monitoring Officer on whether any request would fall within the Freedom of Information Act.

21.6 Confidentiality

21.6.1 In accordance with the Code of Conduct for Members, a Member must not disclose information given to him/her in confidence by anyone, or information acquired which he/she believes, or ought reasonably to be aware, is of a confidential nature, except where:

he/she has the consent of a person authorised to give it;

he/she is required by law to do so;

the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

the disclosure is:

- a) reasonable and in the public interest; and
- b) made in good faith and in compliance with the reasonable requirements of the authority.

21.6.2 Confidential Committee papers are to be treated as confidential information unless the relevant Committee resolves not to exclude press and public. Members are

reminded that the author of the report makes the initial decision as to whether or not the papers are to be treated as confidential. The decision as to whether they remain confidential is for the Committee. Other information may be confidential because to disclose it would be against the Council's or the public interest. Information may also be confidential because of the circumstances in which it was obtained.

- 21.6.3 Information and correspondence about an individual's private or business affairs will normally be confidential.
- 21.6.4 Officers should make it clear to Members if they are giving them confidential information. If a Member is not sure whether information is confidential, he or she should ask the relevant Officer, but treat the information as confidential in the meantime.
- 21.6.5 Any Council information provided to a Member must only be used by the Member in connection with the proper performance of the Member's duties as a Member of the Council.
- 21.6.6 If a Member receives confidential information and considers it should be disclosed to another person because it is reasonable and in the public interest to do so then he or she must first consult with the Monitoring Officer and shall not disclose the information without having regard to any advice given by that Officer.

21.7 Provision of Support Services to Members

- 21.7.1 The only basis on which the Council can lawfully provide support services (eg stationery, word processing, printing, photocopying, transport, etc) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity or for private purposes.

21.7.2 Correspondence

Official letters on behalf of the Council should be sent in the name of the appropriate Employee, rather than over the name of a Member. There are circumstances where a letter sent in the name of a Member is perfectly appropriate, for example, in response to a letter of enquiry or complaint sent direct to that Member. Letters which, for example, create obligations or give

instructions on behalf of the Council should never be sent out in the name of a Member.

21.7.3 Media

Communication with the media can be an important part of a Member's workload. In general, Members provide comment and views while Employees provide factual information. If a Member is unsure about the circumstances of a particular issue he should contact the appropriate Director or Head of Service concerned or ask the Press Office to do so.

21.8 The Council's Role as Employer

In their dealings with Officers, Members should recognise and have regard to the Council's role as employer. Members should be aware that Officers could rely on inappropriate behaviour of a Member in an employment case against the Council.

21.9 Political Activity

21.9.1 There are a number of constraints that apply to an employee who occupies a post that is designated as "politically restricted" under the terms of the Local Government and Housing Act 1989.

21.9.2 In summary, such employees are prevented from:

being a Member of Parliament, European Parliament or local authority;

acting as an election agent or sub-agent for a candidate for election as a Member of any the bodies referred to above;

being an Officer of a political party or any branch of a political party or a Member of any committee or sub-committee of such a party or branch, if his duties would be likely to require him to:

- a) participate in the general management of the party or branch; or
- b) act on behalf of the party or branch in dealings with persons other than Members of the party;

canvassing on behalf of a political party or a candidate for election to any the bodies referred to above;

speaking to the public with the apparent intent of affecting public support for a political party; and

publishing any written or artistic work of which he is the author (or one of the authors) or acting in an editorial capacity in relation to such works, or to cause, authorise or permit any other person to publish such work or collection - if the work appears to be intended to affect public support for a political party.

- 21.9.3 It is common for party groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant decision making body. Employees may properly be called upon to support and contribute to such deliberations by party groups provided they maintain a stance which is politically impartial. Support may include a range of activities including briefings for Members relating to their roles, eg chairperson or spokesperson. Employees should be required to give information and advice to political groups on Council business only and not on matters which are purely of a party political nature. Such advice should be available to all party groups and not solely to the majority group. It is important that the political neutrality of Employees is preserved and that group confidentiality is maintained by Employees.
- 21.9.4 Usually the only Employees involved in attending group meetings will be the Managing Director / Head of Paid Service, Directors and Heads of Service and they will generally leave the meeting after making their presentation and answering questions.
- 21.9.5 Employees are employed by the Council as a whole. They serve the Council and are responsible to the Managing Director / Head of Paid Service and their respective Directors/Heads of Service, and not to individual Members of the Council whatever office they might hold.
- 21.9.6 Both Members and Employees are subject to their own Codes of Conduct which can be found in the Constitution. This Protocol provides guidance on working relationships between Members and Employees. It is essential that both are familiar with the detailed obligations in their respective Codes of Conduct which will prevail in the event of any conflict between the Codes and this Protocol.

21.10 Sanctions

- 21.10.1 Complaints about any breach of this Protocol by a Member may be referred to the Monitoring Officer. It should be

noted that certain breaches may also amount to breaches of the Code of Conduct for Members.

21.10.2 Complaints about any breach of this protocol by an Officer may be referred to the Managing Director.

21.11 Conclusion

It is hoped that, by following good practice and securing sensible and practical working relationships between Members and Employees, we can provide one of the cornerstones of a successful local authority and thereby enhance the delivery of high value quality services to the people of the area. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the Council, its Members and Employees.

APPENDIX TO SECTION 21
Local Member Consultative Charter

1. The Council is committed to providing its Elected Members with accurate, helpful and timely consultation, advice and information in relation to any matters of any significance or sensitivity which relate to their particular Electoral Division and where circumstances render it appropriate to involve a Local Member.
2. Directors and staff will be continually vigilant to identify such matters and ensure that Local Members are informed accordingly. This will also include any matter which could impact upon the neighbouring areas of other Members.
3. Directors will ensure that all correspondence/enquiries from Local Members are dealt with promptly and if necessary Members will be kept advised of progress.
4. Appropriate Directors will ensure that, where the Council's Constitution allows, Local Members will be invited to meetings and receive the necessary documentation.
5. Any matter of significance or sensitivity which relates to a particular Electoral Division or Divisions will be discussed with the Local Member(s) concerned before being submitted for consideration by the Executive or other Council Body. This will provide the opportunity for early awareness and allow a local perspective to be obtained.
6. Directors and staff will regularly brief appropriate Executive Members on service and partnership issues and developments and will use such occasions to help identify any potential local issues.
7. Details of any petitions received which relate to matters in a particular Electoral Division will be sent to the Local Member concerned. In addition, copies will also be provided to the Leader. Local Members will be kept informed on the progress/outcomes of such petitions.
8. Subject to any restrictions caused by commercial, legal or personal confidentiality, copies of all correspondence with Parish/Town Councils and the Local Government Ombudsman which relate to matters of any significance or sensitivity in a particular Electoral Division will be sent to the Local Member concerned.
9. Copies of all correspondence with MPs, AM's and MEPs which relate to matters in a particular Electoral Division will be sent to the Local Member concerned. In addition, copies will also be provided to the Leader. This is subject to the restrictions mentioned in paragraph 8 above.

10. A contact guide for senior Officers and their areas of responsibility will be provided to all Members. Wherever appropriate, Services will make Local Members aware of and invite them to service events and activities in their area. This will include strict adherence to the arrangements that have been agreed for the official opening/launch of Council projects, schemes, exhibitions etc.
11. In certain instances, both Members and Officers will receive an enquiry which relates to a matter in a particular area. In order to ensure consistency of approach in these circumstances, Officers will ensure a single response is provided to such enquiries.
12. As part of a continual review of the Charter's effectiveness, the co-operation of Members is sought in the responsible use at all times of advice and information that is provided to them, and Members are encouraged to advise Officers of the information requirements and of any local circumstances or sensitivities which might have a bearing on the Council's work.

SECTION 22

22. Confidential Reporting (“Whistleblowing”) Code

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1. INTRODUCTION

1.1 Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

1.2 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of

the Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

1.3 This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistleblowing policy is intended to encourage and enable employees to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' outside.

1.4 The policy applies to all employees and all persons who could be in a position to identify serious concerns within the Council, for example, contractors, Councillors, members of the public and close partner agencies.

1.5 This policy is in addition to the Council's complaints procedures and other statutory reporting procedures applying to directorates. You are responsible for making service users aware of the existence of these procedures.

1.6 The Council has a range of policies and procedures, which deal with standards of behaviour at work; they cover such matters as discipline, grievance, harassment and recruitment/selection. Employees are encouraged to use the provisions of those procedures when appropriate. There may be times, however, when the matter may not be about your personal employment position in isolation and needs to be handled in a different way, for example, where there is persistent disregard for legislation, particularly in relation to health and safety at work.

1.7 This policy has been discussed with the relevant trade unions and professional organisations and has their support.

2. AIMS AND SCOPE OF THIS POLICY

2.1 This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied

- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in the public interest

2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The whistleblowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees (e.g. excessive case/workloads)
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients or vulnerable people
- other unethical conduct

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of officers or members of the Council or others acting on behalf of the Council can be reported under the whistleblowing policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- is against the Council's own Constitution and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

2.4 Concerns raised under the Whistleblowing Policy may result in the application of other policies e.g. Disciplinary Code or Grievance Procedure.

3. SAFEGUARDS

3.1 The Council is committed to good practice and high standards and wants to be supportive of employees.

3.2 The Council recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer/the Council and those for whom you are providing a service.

3.3 The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in the public interest.

3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

3.5 The Public Interest Disclosure Act 1998 (PIDA) provides legal protection against dismissal and other detriments when disclosing certain types of information in the public interest to a prescribed body.

4. CONFIDENTIALITY

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

5. ANONYMOUS ALLEGATIONS

5.1 This policy encourages you to put your name to your allegation whenever possible.

5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council, although, receipt of an anonymous allegation is preferable to not receiving an allegation at all.

5.3 In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

6. UNTRUE ALLEGATIONS

6.1 If you make an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

7. PERFORMANCE MANAGEMENT

7.1 Issues addressed via the Whistleblowing Policy will be reported to Corporate Leadership Team (CLT) on a timely basis, whenever possible at the next weekly CLT meeting following the decision that the information meets, or may meet, the definition of a Whistleblowing concern.

7.2 The information will be presented by the Head of Legal and Corporate Compliance to CLT, who will maintain the strict standards of confidentiality required by the policy. Details of the allegation will not be disclosed at this stage, pending an investigation.

7.3 An annual update, consisting of the number of cases and any actions resulting, will be presented to CLT and then the Council's Governance and Audit Committee. This update will not contain details of specific cases as it will be an overview of the amount of Whistleblowing cases the Council has dealt with in the previous 12 months and what actions, if any, have been taken to address relevant issues and prevent recurrence.

8. HOW TO RAISE A CONCERN

8.1 As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that line management is involved you should approach:

Name/Position	Telephone	Email
Michelle Morris		

Managing Director/Head of Paid Service (01495) 355001
michelle.morris@blaenau-gwent.gov.uk

Andrea Jones

Head of Legal & Corporate Compliance (01495) 355024
andrea.jones@blaenau-gwent.gov.uk

Louise Rosser

Head of Internal Audit (01495) 355142 louise.rosser@blaenau-gwent.gov.uk

8.2 Concerns may be raised verbally or in writing (including email). Those who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates).
- The reason why you are particularly concerned about the situation.

8.3 The earlier you express the concern the easier it is to take action.

8.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

8.5 You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

9. HOW THE COUNCIL WILL RESPOND

9.1 The Council will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

9.2 Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry

- involve other internal/other department or independent persons carrying out the investigation, depending on the circumstances

9.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

9.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this may be taken before any investigation is conducted.

9.5 Within ten working days of a concern being raised, the responsible person will write to you:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made
- supplying you with information on employee support mechanisms, and
- telling you whether further investigations will take place and if not, why not

9.6 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Council will seek further information from you.

9.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

9.8 The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Council will arrange for you to receive advice about the procedure.

9.9 The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

10. THE RESPONSIBLE OFFICER

10.1 The Head of Organisational Development, in consultation with the Head of Legal and Corporate Compliance has overall responsibility for the maintenance and operation of this policy. The policy is monitored, themes are identified and a record kept of concerns raised and the outcome (but in a form which does not endanger confidentiality) and will report as necessary to the Council.

11. HOW THE MATTER CAN BE TAKEN FURTHER

11.1 This policy is intended to provide you with an avenue within the Council to raise concerns. The Council hopes you will be satisfied with any action taken. If you are not and feel it is right to take the matter outside the Council, the following are possible contact points:

- the external auditor, Wales Audit Office:

PIDA Officer
The Auditor General for Wales
24 Cathedral Road
Cardiff
CF11 9LJ

E-mail: whistleblowing@audit.wales

Phone: 029 2032 0522

Wales Audit Office Whistleblowing web page:

<https://www.wao.gov.uk/whistleblowing>

- your trade union
- Public Concern at Work, a registered charity whose services are free and strictly confidential. Tel: 020 7404 6609, website: <http://www.pcaw.co.uk>
- your local Citizens Advice Bureau

- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police
- You can find a comprehensive list here of organisations that may be appropriate to contact, depending on the nature of your concern:
<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2#>

11.2 If you do take the matter outside the Council, you should ensure, as far as is reasonably practicable, that you do not disclose confidential information that is not pertinent and relevant to the concern(s) you are raising. Check with the person you contact about this as they may be able to help you with this.

SECTION 23

23. Member Role Descriptions

The Role of an Elected Member

Designation:	Elected Member
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the people of Blaenau Gwent County Borough and their Ward constituents
Purpose:	As a collective determine policy and oversee a number of strategic and corporate management functions whilst individually effectively represent the interests of their electoral division and of individual constituents.
1. Role, Purpose and Activity:	
1.1 Representing and Supporting Communities	
<ul style="list-style-type: none">• To represent ward interests.• To be an advocate for the Council in the ward and communities they serve.• Contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision-making by the Council and its partners.• Respond to constituents' enquiries and representations, fairly and impartially.• To be a channel of communication to the community on council strategies, policies, services and procedures.• Participate in the governance of Council.• To liaise with executive members, other council members, council officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported.• To promote equalities, tolerance and cohesion in local communities.• Ensure key outcomes are delivered for the community.• Inspire people and lead by example.	
1.2 Making decisions and overseeing council performance	

- To participate in Full Council meetings, reaching and making informed and balanced decisions including policy and budgetary decisions, and overseeing performance.
- To participate in informed and balanced decision making on committees and panels to which appointed.
- To adhere to the principles of democracy and collective responsibility in decision-making.
- To promote and ensure efficiency and effectiveness in the provision of council and other public services.
- To contribute to the continual improvement of Council services.
- To understand and acknowledge the role and right of partners in running the council and delivering the services.
- To appropriately challenge and scrutinise operational service delivery.

1.3 Representing the Council (subject to appointment)

- To represent the Council on local outside bodies as an appointee of the Council.
- To represent and be an advocate for the Council on national bodies and at national events.
- To represent the Council on local partnership bodies, promoting common interest and co-operation for mutual gain.

1.4 Governance, ethical standards and relationships

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- To adhere to the Member's Code of Conduct, the Member/Officer Protocol and the highest standards of behaviour in public office.
- To adhere to the rules and procedures as set out in the Council's Constitution.

1.5 Personal and role development

- To participate in opportunities for training and development provided for members by the authority.

2. Values and Ethical Behaviour

- To be committed to the values of the Council and the values in public office.
- In carrying out their role, Elected Members will be expected to act in accordance with the highest standards of probity in public life by:-
 - Maintaining any necessary confidentiality requirements at all times.
 - Mainstreaming into their work, equalities and value for money principles.
 - Serving the community without personal gain.

Committing to and demonstrating the following values in public office:-

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for an Elected Member

To fulfil his or her role as laid out in the role description, an effective Elected Member requires the following:-

Representing and supporting communities

- Good advocacy skills
- Interpersonal skills
- Integrity and the ability to set aside own views and act impartially
- The ability to present relevant and well reasoned arguments
- Good communication skills – written and oral

Making decisions and overseeing council performance

- Knowledge and understanding of meetings law, rules and conventions including the Council's constitution
- An understanding of strategic, policy and service contexts for decisions
- The ability to challenge ideas and contribute positively to policy development

Representing the Council (subject to appointment)

- Good public speaking skills
- Good presentation skills
- The ability to persuade others and act with integrity and courtesy

Governance, Ethical Standards and Relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Personal and role development

- An ability to assess personal and role development needs
- Desire and skills to participate in development and training

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of a Council Chairperson

Designation:	Council Chairperson of the County Borough of Blaenau Gwent
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the people of Blaenau Gwent County Borough and his/her Ward constituents
Purpose:	As the Chairperson of the Council, to be non-political and uphold the democratic values of the Council. In addition, when required, to represent the Council at civic functions as a representative for the Authority.
1. Chair of Council Meetings	
<ul style="list-style-type: none">• To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the Community.• To ensure the Council conducts its meetings in line with the Council's Constitution.• To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive are able to hold the Executive and Committee Chairpersons to account.	
2. Uphold and Promote the Council's Constitution	
<ul style="list-style-type: none">• To uphold and promote the purposes of the Constitution, and to assist to interpret the Constitution when necessary.	
3. Governance, Ethical Standards and Relationships	
<ul style="list-style-type: none">• To promote and support good governance of the Council and its affairs.• To provide community leadership and promote active citizenship.• To promote public involvement in the Council's activities.• To be the conscience of the Council.	

- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- Promoting the effective democratic functioning of the Council in a manner that secures the rights of Councillors and the public under this Constitution and promotes the involvement of the public and organisations within the County Borough in decisions that affect them.
- To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

4. Values

To be committed to the values of the Council and the following values in public office:-

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Council Chairperson

To fulfil his or her role as laid out in the role description, an effective Council Chairperson requires the following:-

Acting as a symbol of the Council's democratic authority

- Good public speaking skills
- An in-depth understanding of role of Chair

Chairing Council meetings

- Skills to chair meetings, to ensure business is carried out effectively and all those attending are able to participate
- An understanding of the Council's Constitution

Upholding and promoting the Council's Constitution

- An understanding of the Council's Constitution
- An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

The Role of a Deputy Council Chairperson

Vice-Chair of the Council will be known as the Deputy Council Chairperson, who will be appointed annually by the Council, and who will deputise for the Council Chairperson in his or her absence and assist the Council Chairperson in specific duties as required.

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Deputy Council Chairperson

To fulfil his or her role as laid out in the role description, an effective Deputy Council Chairperson requires the following:-

Acting as a symbol of the Council's democratic authority

- Good public speaking skills
- An in-depth understanding of role of Chair

Chairing Council meetings

- Skills to chair meetings in the absence of the Council Chairperson, to ensure business is carried out effectively and all those attending participate
- An understanding of the Council's Constitution

Upholding and promoting the Council's Constitution

- An understanding of the Council's Constitution
- An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of the Leader of the Council

Designation:	Leader of the Council
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the people of Blaenau Gwent County Borough and his or her Ward constituents To nominating Group
Purpose:	To be a political figurehead and the principal political spokesperson for the Council and act as an ambassador for the Council.
1. Role Purpose and Activity	
1.1 Provide Political Leadership to the Council	
<ul style="list-style-type: none">• To provide leadership in building a political consensus around council policies.• To provide a strong, clear leadership in the co-ordination of policies, strategies and service delivery and general overview to policy direction so as to ensure consistency, strategy and purpose.• To provide clear strategic direction for the Council and community.• To be readily available to all Members.	
1.2 Appoint the Executive (ratification at Annual Meeting of Council)	
<ul style="list-style-type: none">• Designate the appropriate portfolios.• Appoint appropriate elected members to each portfolio.• Allocate Executive members to roles with regard to their abilities.• Designate Deputy Leader.	
1.3 Representing and Acting as Ambassador for the Authority	
<ul style="list-style-type: none">• Represent the Authority to a high standard. Provide a strong, competent and eloquent figure to represent the Authority both	

within the County and at external bodies.

- To represent the Council in the media to local people and organisations and at national and regional level.
- Represent the Authority on the WLGA.
- Provide leadership and support local partnerships and organisations.
- To act as the public face of the Council in co-operation with other Executive Members.
- Represent the Authority on regional and national bodies as appropriate.

1.4 Provide Leadership within the Portfolio

- Fulfil the role of a portfolio holder, having regard to the role purpose and activities and role specification of an Executive Member.

1.5 To Direct and Lead the Work of the Executive and Chair the Meetings

- Ensure the effective running of the Executive through the implementation of the forward work programme and ensure its continuing development.
- Ensure the work of Executive meets local and national policy objectives.
- Advise and mentor other Executive Members in their work.
- To chair meetings of the Executive in line with the Constitution.
- To promote appropriate training and development opportunities for Executive Members and other Members to ensure they can undertake their roles effectively.
- In the absence of the Leader, the Deputy Leader should fulfil this role.

1.6 Participate in the Collective Decision Making of Executive

- To work closely with other Executive Members to ensure the development of effective council policies and the budgetary framework for the Council and the delivery of high quality services to local people.
- To accept collective responsibility and support decisions made by

the Executive once they have been made.

- To share leadership with Executive Members, Committee Chairs recognising that leaders cannot provide every skill on their own.

1.7 To Work with Officers to Lead the Organisation

- Liaise with the Managing Director / Head of Paid Service, and other appropriate Officers on a regular basis.
- Work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.

1.8 Actively Participate in Partnerships and Community Leadership

- To actively participate in local strategic partnerships in pursuit of common aims and priorities.
- To negotiate and broker in cases of differing priorities and disagreement.
- To act as a leader of the local community by showing vision and foresight.

1.9 Governance, Ethical Standards and Relationships

- To promote and support effective governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote public involvement in the Council's activities.
- To be the conscience of the Council.
- To protect and promote the Council's reputation.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

2. Values

To be committed to the values of the Council and the following values in public office:-

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law

Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for Leader of the Council

To fulfil his or her role as laid out in the role description, an effective Leader requires:

Providing political leadership to the Council

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations

Appointing the Executive

- An understanding of the rules for the appointment of Executive Members
- An ability to recognise talent amongst Members
- An ability to negotiate the most advantageous appointments within and across political groups
- To appraise, guide and mentor Senior Members

Representing and acting as ambassador for the Authority

- High-level communication skills to communicate to the media, local community and wider audience.
- Good public speaking skills

Providing leadership within the portfolio

- The skills necessary for an Executive member to fulfil their role

Direct and lead the work of the Executive and chairing meetings of the Executive

- An understanding of the Executive procedure rules
- Skills to Chair meetings, including encouraging participation from all members
- A knowledge and understanding of national policy objectives

- An overview of the work being carried out by Executive Members

Participating in the collective decision making of the Executive

- The ability to constructively challenge decisions and suggest alternatives

Working with officers to lead the organisation

- An understanding of the roles and responsibilities of the Managing Director / Head of Paid Service and other officers

Actively participate in partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills; the ability to see ahead and be predictive

Governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of the Deputy Leader of the Council

Designation:	Deputy Leader of the Council
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the Leader of the Council To the people of Blaenau Gwent County Borough and his or her Ward constituents To nominating Group
Purpose:	To be a political figurehead and the principal political spokesperson for the Council in the absence of the Leader.

1.1 Role Purpose and Activity

- To support the Leader in his/her responsibilities & duties and deputise for the Leader in his/her absence.
- To give political direction to officers working within the portfolio.
- To gain the respect of officers within the portfolio, providing support to officers in the implementation of portfolio programmes.
- To liaise with the appropriate Scrutiny Chair and receive scrutiny reports as required.
- To be accountable for choices and performance in the portfolio.
- To have an overview of the performance management, efficiency and effectiveness of the portfolio.
- To complement the Leader's position by bringing different skills and interests to the Executive.
- To work up detailed policies to complement the Leaders strategic vision.
- To assist the Leader in specific duties as required.
- To be readily available to all Members.

1.2 Contributing to the Setting of the Strategic Agenda and Work

Programme for the Portfolio

- Fulfil the role of a portfolio holder, having regard to the role purpose and activities and role specification of an Executive Member in addition to Deputy Leader responsibilities.
- To work with officers to formulate policy documents both strategic and statutory. Ensure that the political will of the majority is carried to and through Executive.
- To provide assistance in working up and carrying through a strategic work programme both political and statutory. Carry out consultations with stakeholders as required. Ensure that the portfolio's work programme is kept up to date and accurate.

Providing Representation for the Portfolio

- To provide a strong, competent and persuasive figure to represent the portfolio. Be a figurehead in meetings with stakeholders.

Reporting and Accounting

- To report as appropriate to the Leader, Full Council, Executive, appropriate Scrutiny Chair, regulatory bodies and the media.
- To be the principal political spokesperson for the portfolio.
- To appear before Scrutiny Committees in respect of matters within the portfolio.

Taking an Active Part in Executive Meetings and Decision Making

- To show an interest in and support for the portfolios of others.
- To recognise and contribute to issues which cross cut portfolios or are issues of collective responsibility.

1.3 Appoint the Executive (ratification at Annual Meeting of Council) in the absence of the Leader

- Designate the appropriate portfolios.
- Appoint appropriate elected members to each portfolio.
- Allocate Executive Members to roles with regard to their abilities.

1.4 Representing and Acting as Ambassador for the Authority

- Represent the Authority to a high standard. Provide a strong, competent and eloquent figure to represent the Authority both within the County and at external bodies.
- To represent the Council in the media to local people and organisations and at national and regional level.
- Represent the Authority on the WLGA.
- To act as the public face of the Council in co-operation with other Executive Members.
- Represent the Authority on regional and national bodies as appropriate.

1.5 Participate in the Collective Decision Making of Executive

- To work closely with other Executive Members to ensure the development of effective council policies and the budgetary framework for the Council and the delivery of high quality services to local people.
- To accept collective responsibility and support decisions made by the Executive once they have been made.
- To share leadership with Executive Members, Committee Chairs recognising that deputy leaders cannot provide every skill on their own.

1.6 To Work with Officers to Lead the Organisation

- Liaise with the Managing Director / Head of Paid Service, and other appropriate Officers on a regular basis.
- Work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.

1.7 Leading Partnerships and Community Leadership (in conjunction with the Leader of the Council)

- To actively participate in local strategic partnerships in pursuit of common aims and priorities.
- To act as a leader of the local community by showing vision and foresight.
- To negotiate and broker in cases of differing priorities and disagreement.

1.8 Governance, Ethical Standards and Relationships

- To promote and support effective governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote public involvement in the Council's activities.
- To be the conscience of the Council.
- To protect and promote the Council's reputation.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

2. Values

To be committed to the values of the Council and the following values in public office:-

Openness and transparency
 Honesty
 Propriety and integrity
 Duty to uphold the law
 Stewardship
 Objectivity in decision making
 Accountability
 Leadership
 Tolerance and respect
 Inclusive leadership
 Equality and fairness
 Appreciation of cultural difference
 Sustainability
 Selflessness
 Personal judgement
 Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for the Deputy Leader of the Council

To fulfil his or her role as laid out in the role description, an effective Deputy Leader requires:

Providing political leadership to the Council

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations

Appointing the Executive

- An understanding of the rules for the appointment of Executive Members
- An ability to recognise talent amongst Members
- An ability to negotiate the most advantageous appointments within and across political groups
- To appraise, guide and mentor Senior Members

Representing and acting as ambassador for the Authority

- High-level communication skills to communicate to the media, local community and wider audience.
- Good public speaking skills

Providing leadership within the portfolio

- The skills necessary for an Executive member to fulfil their role

Direct and lead the work of the Executive and chairing meetings of the Executive (in the absence of the Leader)

- An understanding of Executive procedure rules
- Skills to Chair meetings, including encouraging participation from all Members.
- A knowledge and understanding of national policy objectives
- An overview of the work being carried out by Executive members.

Participating in the collective decision making of the Executive

- The ability to constructively challenge decisions and suggest alternatives

Working with officers to lead the organisation

- An understanding of the roles and responsibilities of the Managing Director / Head of Paid Service and other officers

Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills; the ability to see ahead and be predictive

Governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of an Executive Member

Designation:	Executive Member
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Leader of the Council The Executive (through collective responsibility) The Full Council To the people of Blaenau Gwent County Borough and his or her Ward constituents
Purpose:	To provide political leadership in the portfolio and give political direction to policy development within the portfolio.

1. Role Purpose and Activity

1.1 Providing portfolio leadership

- To gain the respect of officers within the portfolio; provide support to officers in the implementation of portfolio programmes.
- To liaise with the appropriate scrutiny chair and receive scrutiny reports as required.
- To be accountable for choices and performance in the portfolio.
- To have an overview of the performance management, efficiency and effectiveness of the portfolio.
- To provide strong and fair leadership.

1.2 Contributing to the setting of the strategic agenda and work programme for the portfolio

- To work with officers to formulate policy documents both strategic and statutory. Ensure that the political will of the majority is carried to and through the Executive.
- To provide assistance in working up and carrying through a strategic work programme both political and statutory. Carry out consultations with stakeholders as required. Make sure that the

portfolio's forward work programme is kept up to date and accurate.

- Working closely with Corporate Directors and other Members of the Executive, in relation to the portfolio issues assigned to the Executive post which relate to giving direction to policy development and strategic thinking.
- The requirement to have regard to the wider corporate picture in terms of the Well-being Plan, the Authority's aims and values, the Policy and Budgetary Framework and cross cutting issues such as sustainability, equalities, social inclusion and environmental stewardship.

1.3 Providing representation for the portfolio

- To provide a strong, competent and persuasive figure to represent the portfolio. Be a figurehead in meetings with stakeholders.
- To have a clear understanding of the portfolio, the scope and range of the services relevant to the portfolio.
- To ensure the delivery of best value and continuous improvement in services and implementation of best practice in the areas relevant to the portfolio.

1.4 Reporting and accounting

- To report as appropriate to the Leader, Full Council, Executive, appropriate chair of scrutiny, regulatory bodies and the media.
- To be the principal political spokesperson for the portfolio.
- To appear before scrutiny committees in respect of matters within the portfolio.
- The making of position statements or responding to questions on the relevant Executive portfolio issues, on behalf of the Executive, at Council meetings (it is ultimately the elected Executive Member who will be required to answer questions about its policies and decisions. Officers contributions should as far as possible be confined to questions of fact and explanations relating to policies and decisions, though they can be asked to explain and give reasons for decisions they themselves have taken under delegated authority).
- Meet with Chairs of the relevant Scrutiny and Overview Committee(s) on a regular basis to discuss progress in their area of responsibility, responses to concerns raised by the Scrutiny and Overview Committee(s) and future programmes of work.
- Ensure that the Executive and Scrutiny Chairs are briefed at the appropriate time on significant issues i.e. those that may result

in a change to established policy; have major resource implications; or be contentious.

- Consultation and dialogue with the chairs and members of the Overview and Scrutiny and other Committees of the Council.
- Respond within an agreed timescale to the recommendations of relevant Overview and Scrutiny Committees, setting out what action is proposed, if any, and giving full reasons for decisions taken.
- The promotion of the Economic, Social and Environment and Well Being of the Authority's area.
- The further development of partnerships with other public bodies, the voluntary sector and the business community.
- To be readily available to all Members.
- To ensure an appropriate consultation programme is developed for their area of responsibility, to involve local people and communities in the decisions of the Council as fully as possible.

1.5 Taking an active part in Executive meetings and decision making

- To show an interest in and support for the portfolios of others.
- To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.
- The taking of Executive decisions within formal meetings of Executive and the Executive Sub Committee.

1.6 Actively participate partnerships and community leadership

To actively participate in local strategic partnerships.

- To negotiate and broker in cases of differing priorities and disagreement.
- To act as a leader of the local community by showing vision and foresight.

1.7 Governance, ethical standards and relationships

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.

- To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.
- Representing the Authority in the community and elsewhere in relation to the pursuit of matters of interest to the Authority and its area.

2. Values

- To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for an Executive Member

To fulfil his or her role as laid out in the role description, an effective Executive Member requires:

Portfolio leadership

- An understanding of the Council's strategy, policies and operations
- Leadership skills

Contributing to the setting of the strategic agenda and work programme for the portfolio

- The ability to present to others
- The ability to exercise strategic awareness and judgement
- Knowledge of relevant issues and who to involve in decision making
- The ability to persuade others
- Knowledge of Council and national objectives

Providing representation for the Portfolio

- Public speaking skills
- Good presentation skills

Reporting as appropriate

- High level communication skills

Taking an active part in Executive meetings and decisions

- The ability to constructively challenge decisions and suggest alternatives
- The knowledge, confidence and ability to contribute to discussion and resolution of cross cutting and collective issues

Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills; the ability to see ahead and be predictive

Governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of a Scrutiny Chair

Designation:	Scrutiny Chair
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the people of Blaenau Gwent County Borough and his or her Ward constituents External Regulatory Bodies
Purpose:	To promote the role of Scrutiny within and outside the council, liaising effectively both internally within the council and externally with the Council's partners.

1. Role Purpose and Activity

1.1 Providing leadership and direction

- To provide confident and effective direction at meetings to facilitate inclusivity, participation and identify and support clear proposals for improvement.
- To develop a balanced work programme of the committee which, includes pre decision scrutiny, policy development and review, investigative scrutiny, and performance monitoring.
- To ensure the programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues.
- To demonstrate an objective and evidence based approach to scrutiny.
- To evaluate the impact and added value of scrutiny activity and identify areas for improvement.
- To ensure the work of their Committee contributes to policy and improvement in service delivery.
- To provide strong fair leadership and to Members and officers.
- To review, challenge and question the implementation of agreed policy and service delivery, and make recommendations to the Executive and Council to improve policy, performance and service delivery.

- To develop a clear understanding of the terms of reference of their Committee, the scope and range of the services for which it is responsible, and Council policies in respect of those services.
- To ensure the work of their Committee contributes to the delivery of best value and continuous improvement in services and implementation of best practice.
- To agree all agendas for Overview and Scrutiny Committees, and take a lead in developing a forward agenda and ensuring it is adhered to.
- To meet on a regular basis and consult with relevant Executive Member(s) to advise them of progress in work of the Overview and Scrutiny Committee, discuss issues arising from the scrutiny review, and note action being taken by the relevant Executive Member(s) to address the concerns of the Committee.
- To ensure the Council and Executive Members are briefed at the appropriate time on significant issues i.e. those that may:-
 - result in a change to established policy;
 - have major resource implications;
 - be contentious;
 - have implication for other overview and scrutiny committees or areas of Council responsibility.
- To report as appropriate to the Executive where scrutiny is recommending an amendment or additions to the report recommendations for Executive to consider
- To seek to involve all Overview and Scrutiny Committee Members in the work of the Committee.
- To have responsibility for liaison with Chief Officers responsible for services that fall under the Committees terms of reference.
- To ensure that Committee Members benefit from appropriate training and development to deal effectively with the Committees business.

1.2 Direct the work programme

- To ensure that the work programme is delivered.
- To report on progress against the work programme to Council, and others as appropriate.
- To liaise with officers, other members and community representatives to resource and deliver the work programme.

1.3 Holding the Executive to account

- To evaluate the validity of Executive decisions and challenge inappropriate decisions through call in.

1.4 Effective meeting supervision

- To set agendas containing clear objectives and outcomes for the meeting.
- To direct the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to.
- To ensure that the necessary preparation is done beforehand.
- To ensure that all participants have an opportunity to make an appropriate contribution.

1.5 Community leadership

- To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.
- To build understanding and ownership of the scrutiny function within the community.
- To identify relevant community based issues for scrutiny.
- To involve fully external stakeholders for example, service users' expert witnesses and partners in scrutiny activity.

1.6 Involvement and development of committee members

- To encourage high performance from all Committee Members in both committee and task and finish groups.
- To assess individual and collective performance within the Committee and facilitate appropriate development.

2. Values

- To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership

Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Scrutiny Chair

To fulfil his or her role as laid out in the role description, an effective Scrutiny Chair requires:

Providing leadership and direction

- Understanding of council role and functions
- Understanding of role of scrutiny, terms of reference for the committee, role of Chair, and other aspects of the democratic arrangements
- Understanding of Member support functions
- Understanding of council priorities and risks
- Ability to progress work programmes
- Understanding of community issues
- Objectivity
- Negotiation and consensus building
- Ability to build constructive and 'critical friend' relationships with the Executive

Direct and lead the work programme

- Ability to direct and lead the work programme
- Ability to work with members and officers in order to progress work programme items
- Ability to prioritise
- Ability to report progress to different groups in different styles
- Ability to manage projects and resources
- Ability to manage people

Holding the Executive to account

- Understanding of arrangements for call in

Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

Community leadership

- An understanding of the community leadership role
- Knowledge of local and national issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Promote the provision of equality and diversity across the County Borough.

Involving and developing of committee members

- Understanding of role and skills of the Scrutiny Committee and its individuals
- Ability to support members and the committee in assessing their performance
- Ability to identify any training and development needs and champion and participate in appropriate learning and development

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of a Scrutiny Member

Designation:	Scrutiny Member
Location:	Civic Centre, Ebbw Vale
Responsible to:	Chair of the appropriate Scrutiny Committee The Full Council To the people of Blaenau Gwent County Borough and his or her Ward constituents External Regulatory Bodies
Purpose:	To participate fully in the activities of the Scrutiny Committee, delivery of its work programme and any associated task and finish groups
1. Role Purpose and Activity	
<ul style="list-style-type: none">• Scrutinise Council policy and service delivery, and monitor and review performance.• To make constructive recommendations to the Executive and Council to improve Council policy and service delivery.• To contribute to the delivery of best value as required as part of the Wales Programme for Improvement.• To give the Council an opportunity to review Executive decisions on a 'call in' basis, and to determine whether such decision should be implemented as agreed by the Executive or whether they need amendment.	
1.1 Reviewing and developing policy	
<ul style="list-style-type: none">• To assist in the creation, development, improvement and refinement of council policy.• To challenge policies on a sound basis of evidence• To assess impact of existing policy.	

1.2 Monitoring performance and service delivery

- To monitor the performance of internal and external providers against standards and targets.
- To contribute to the identification and mitigation of risk.
- To investigate and address the causes of poor performance.

1.3 Promoting the work of scrutiny

- To promote the role of scrutiny within and outside the council, developing effective internal and external relationships.
- To demonstrate an objective and evidence based approach to scrutiny.
- To add value to the decision-making and service provision of the authority through effective scrutiny.

1.4 Community leadership

- To use scrutiny as a means to address community issues and engage the public.
- To encourage stakeholders to participate in the work of the authority.
- To develop locally viable and acceptable policy solutions.
- To build a dialogue around priorities, objectives and performance, among communities and stakeholders.

1.5 Meeting participation

- To make adequate and appropriate preparation for meetings through research and briefings.
- To participate in a proactive, informed and effective manner taking account of the Code of Conduct, Standing Orders and other constitutional requirements.

1.6 Hold the Executive to account

- To evaluate the validity of executive decisions and challenge inappropriate decisions through call in.

2.Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty
- Propriety and integrity
- Duty to uphold the law
- Stewardship
- Objectivity in decision making
- Accountability
- Leadership
- Tolerance and respect
- Inclusive leadership
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Selflessness
- Personal judgement
- Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Scrutiny Member

To fulfil his or her role as laid out in the role description, an effective Scrutiny Member requires:

Participating fully in the activities of the scrutiny function

- Full understanding of the scrutiny remit and role, and terms of reference for their own committee and others
- Understanding of member support functions
- To work within the guidance of the chair
- Willingness to undertake training as necessary

Reviewing and developing policy

- Knowledge of and ability to evaluate existing policy
- Understanding of best practice
- Understanding of national and local legislative and policy context

Monitoring performance and service delivery

- Understanding of the Wales Programme for Improvement (WPI) and associated risk assessment arrangements
- Understanding of the principles and practice of performance management
- Understanding of council's performance management arrangements
- Ability to analyse data and challenge performance

Promoting the work of scrutiny

- Ability to negotiate and build consensus
- Ability to act objectively and on the basis of evidence

Community leadership

- An understanding of the community leadership role
- Knowledge of local and national issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded
- Promote the provision of equality and diversity across the County Borough

Meeting participation

- Ability to interpret information and data from a range of sources
- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to participate in meetings including effective listening, questioning and speaking

Holding the Executive to account

- Understanding of arrangements for call in

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of the Regulatory Committee Chair

Designation:	Chair of Regulatory Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the Members of the Regulatory Committee To the people of Blaenau Gwent County Borough and his or her Ward constituents
Purpose:	As a Chair with responsibility to act as the Council's lead Member in this area to ensure that the views and needs of the service are built into the Council's policy framework and the decision making process
1. Role Purpose and Activity	
1.1 Providing leadership and direction	
<ul style="list-style-type: none">• To provide confident and effective direction at meetings to facilitate inclusivity, participation and clear decision-making.• To ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process.• To demonstrate integrity and impartiality in decision-making which accord with legal, constitutional and policy requirements.• To delegate actions to sub committees as appropriate.	
1.2 Promoting the role of the regulatory committee and quasi-judicial decision making	
<ul style="list-style-type: none">• To act as an ambassador for the regulatory committee, facilitating understanding of the role.• To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.• To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings.	

1.3 Governance, ethical standards and relationships

- To develop the standing and integrity of the committee and its decision making.
- To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility.
- To promote and support effective governance by the Council.

2.Values

- To be committed to the values of the council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Regulatory Committee Chair

To fulfil his or her role as laid out in the role description, an effective Regulatory Committee Chair requires:

Providing leadership and direction

- Ability to conduct meetings to ensure that applicants feel that they have been dealt with fairly and fully even if their application is refused
- Understanding of the Council's role and ability to ensuring that stake holders are aware of that role
- Communication skills
- Knowledge of local issues
- Ability to direct the work of the committee
- Ability to support and develop necessary skills in fellow members of the Committee

Promoting the role of the regulatory committee and quasi-judicial decision making

- Understanding and appreciation of the regulatory framework
- Ability to inspire and enthuse committee members for the work of the committee
- Integrity and the ability to set aside own views and act impartially
- Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Governance, ethical standards and relationships

- Knowledge and understanding of the Code of Conduct(s) and protocols
- Knowledge of and commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of a Regulatory Committee Member

Designation:	Member of a Regulatory Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To the Chair of the Regulatory Committee To the people of Blaenau Gwent County Borough and his or her Ward constituents
Purpose:	To participate fully in the activities of the Regulatory Committee and the delivery of its work programme
1. Role Purpose and Activity	
1.1 Understanding the nature of the regulatory committee and quasi-judicial decision making	
<ul style="list-style-type: none">• To be aware of the quasi-judicial nature of regulatory committee decision-making.• To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.• To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee.	
1.2 Participating in meetings and making decisions	
<ul style="list-style-type: none">• To participate effectively in meetings of the regulatory committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making.• To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.	

1.3 Governance, ethical standards and relationships

- To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct and other constitutional and legal requirements.
- To promote and support effective governance by the Council.
- To understand the respective roles of Members, officers and external parties operating within the regulatory Committee's area of responsibility.

2. Values

- To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Regulatory Committee Member

To fulfil his or her role as laid out in the role description, an effective Regulatory Committee Member requires:

Understanding the nature of the regulatory committee and quasi-judicial decision making

- Integrity and the ability to set aside own views and act impartially
- Knowledge of law, policy and procedures for that regulatory/quasi-judicial area
- Maintenance of knowledge
- Objectivity and judgement

Participating in meetings and making decisions

- Ability to listen and to consider and respect the views of other contributors
- Good public speaking skills
- Good advocacy skills

Governance, ethical standards and relationships

- Knowledge and understanding of the Code of Conduct(s) and protocols
- Knowledge of and a commitment to the values of the Council

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of the Governance and Audit Committee Chair

Designation:	Chair of Governance and Audit Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council To Committee Members To the people of Blaenau Gwent County Borough
Purpose:	To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment and to oversee the financial reporting process
1. Role Purpose and Activity	
1.1 Providing leadership and direction	
<ul style="list-style-type: none">• To provide confident and effective direction at meetings to facilitate inclusivity, participation and identify and support clear proposals for improvements.• To demonstrate integrity and impartiality in decision-making which accord with legal, constitutional and policy requirements.• To agree the agendas for the Governance and Audit Committee meetings.• To ensure the work of the Committee contributes to improvement in service delivery.• To provide strong, fair leadership and to Members and officers.• To lead the Committee within its terms of reference to lead and encourage debate in Committee meetings, and develop a work programme.• To approach matters before the Committee with an open mind avoiding any predetermination or bias.	

- To consult on relevant matters and take into account any views before reaching decisions, including managing and resolving differences.
- To operate within the Council's Constitution and Codes of Conduct.
- To act as the key spokesperson and public face of the Committee.
- To promote the views of the Committee, its services and their effects on the community and outside bodies.
- To develop an understanding of the Council's and Committee's policies, service delivery and government legislation.
- To promote the Council's policies on equality and diversity in the workplace and in service provision.

To lead the Committee in its role in:

- reviewing and scrutinising the authority's financial affairs.
- Making reports and recommendations in relation to the Authority's financial affairs.
- reviewing and assessing the risk management, internal control and corporate governance arrangements of the Authority.
- making reports and recommendations to the Authority on the adequacy and effectiveness of those arrangements.
- overseeing the Authority's internal and external audit arrangements.
- reviewing the financial statements prepared by the Authority and approving them when powers are delegated.
- developing relationships with internal and external auditors and the Authority's Monitoring Officer.
- developing a forward work programme designed to deliver the Governance and Audit Committee's functions.
- reviewing and self-assessing the performance of the Committee and its Members.

1.2 Promoting the role of the committee

- To act as an ambassador for the Committee, facilitating understanding of the role.
- To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
- To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings.
-

1.2 Internal governance, ethical standards and relationships

- To develop the standing and integrity of the committee and its decision making.
- To understand the respective roles of members, officers and external parties operating within the Committee's area of responsibility.
- To promote and support effective governance by the Council.

2. Values

- To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for the Governance and Audit Committee Chair

To fulfil his or her role as laid out in the role description, an effective Governance and Audit Committee Chair requires:

Providing leadership and direction

- Ability to conduct meetings
- Ability to guide discussion and ensure that all attendees have the opportunity to make a contribution and that they are heard and given due consideration
- Ability to ensure that Members of the Committee treat individuals with courtesy regardless of political persuasion
- Ability to undertake a dual role both as a chair and member of the committee
- Possessing ability to review and interpret data and reach conclusions
- Understanding of the Council's role and ability to ensuring that stake holders are aware of that role
- Communication skills
- Knowledge of local issues
- Ability to direct the work of the committee
- Ability to support and develop necessary skills in fellow Members of the Committee

Promoting the role of the committee

- Understanding and appreciation of the regulatory framework
- Ability to inspire and enthuse committee members for the work of the Committee
- Integrity and the ability to set aside own views and act impartially
- Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Governance, ethical standards and relationships

- Knowledge and understanding of the Code of Conduct(s) and protocols
- Knowledge of and commitment to the values of the Council
- An understanding of the roles of Officers, Members and different agencies.
- Respect for and desire to work with, different groups and individuals.

COUNTY BOROUGH OF BLAENAU GWENT

Member of Governance and Audit Committee Role Description

Designation:	Member of the Governance and Audit Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Full Council To the Chair of the Governance and Audit Committee
Purpose:	To participate fully in the activities of the Governance and Audit Committee and the delivery of its work programme
1. Role purpose and activity	
<p>Understanding the nature of the Governance and Audit Committee and effectively fulfilling its functions by:</p> <ul style="list-style-type: none"> • Reviewing and scrutinising the Authority’s financial affairs. • Making reports and recommendations in relation to the Authority’s financial affairs. • Reviewing and assessing the risk management, internal control and corporate governance arrangements of the authority. • Making reports and recommendations to the Authority on the adequacy and effectiveness of those arrangements. • Overseeing the Authority’s internal and external audit arrangements. • Reviewing the financial statements prepared by the Authority. 	
Participating in meetings and making decisions	
<ul style="list-style-type: none"> • To participate effectively in meetings of the Governance and Audit Committee; questioning and seeing clarification on matters falling with the Committee’s remit. • To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee. • To have sufficient technical, legal and procedural knowledge to 	

contribute fairly and correctly to the function of the Committee.

- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee.

Internal governance, ethical standards and relationships

- Understanding the financial risks associated with corporate governance; being satisfied that the Authority's assurance statements including the annual governance statement reflects the risk environment and any activities required to improve it.
- To ensure the integrity of the Committee's decision making and of his/her own role by adhering to the Code of Conduct and other constitutional and legal requirements.
- To promote and support good governance by the Council.
- To understand the respective roles of Members, officers and external parties operating within the Democratic Services Committee's area of responsibility.

2. Values

- To be committed to and demonstrate the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

Member of Governance and Audit Committee Person Specification

To fulfil his or her role as laid out in the role description, an effective Governance and Audit Committee Member requires:

Understanding the nature of the Governance and Audit Committee and decision making

- Integrity and the ability to set aside own views and act impartially
- Knowledge of law, policy & procedures for that area
- Maintenance of knowledge
- Objectivity and judgement

Participating in meetings and making decisions

- Ability to listen and to consider and respect the views of other contributors
- Good public speaking skills
- Good advocacy skills

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

The Role of a Member Champion

Designation:	Member Champion
Location:	Civic Centre, Ebbw Vale
Responsible to:	The Full Council/Under Represented Group
Purpose:	To provide a voice for traditionally under-represented groups, or issues which need to be kept at the forefront of council business although they may not be the responsibility of any individual or Committee
1. Accountabilities	
To Full Council	
2. Role Purpose and Activities	
Within the Council	
<ul style="list-style-type: none">▪ To promote the interest being championed within the Council's corporate and service priorities.▪ To promote the needs of the client group represented in the interest to the decision makers within the Council.▪ To work with the decision makers in the Council to establish strategies/ policies/work plans connected with the interest.▪ To maintain an awareness of all matters connected with the interest.▪ To contribute to good practice and the continuous improvement of services and functions related to the interest.▪ To engage with members in matters related to the interest such as attending Overview and Scrutiny/Executive /Full Council meetings etc.▪ Raising awareness of and taking a lead role in the development of all Members and officers in relation to the interest.	
In the Community	

- To raise the profile of the interest in the community.
- To engage with citizens and community groups in matters related to the interest.
- To lead and support local initiatives related to the interest.

3. Values

- To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Person Specification for a Member Champion

To fulfil his or her role as laid out in the role description, an effective Member Champion requires:

Within the Council

- Understanding of the area of interest being championed in terms of council strategies and policy, good practice, improvement and national agendas and the needs of the client group
- Ability to engage with a range of members and officers around the area of interest and listening to requirements
- Ability to advocate on behalf of the area of interest within the Council

In the Community

- Understanding of the needs of the community in relation to the interest
- Ability to engage with citizens and community groups in matters related to the interest
- Ability to lead and support local initiatives related to the interest
- Ability to represent the position of the council to the community in relation to the interest

COUNTY BOROUGH OF BLAENAU GWENT

Leader of the Opposition Role Description

Designation:	Leader of the Opposition Group
Location:	Civic Centre, Ebbw Vale
Responsible to:	To the Nominating Group To the people of Blaenau Gwent County Borough and their ward constituents
Purpose:	To be a political figurehead for the opposition group; to be the principal political spokesperson for the Councils opposition

1. Role Purpose and Activity

Providing political leadership for an opposition group

- To provide strong, clear leadership in the co-ordination of alternative policies, strategies and service delivery.
- To provide leadership in the constructive challenge of the Council's policies.
- To constructively challenge the vision for the Council and community where appropriate.
- To provide strong, clear leadership in the co-ordination of alternative policies, strategies and service delivery.

Representing the Authority's opposition

- To represent the Opposition Group to a high standard; providing a strong, competent and eloquent figure to represent the opposition within the Authority.
- To represent the Council on external bodies.

Internal governance, ethical standards and relationships

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To promote, support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- To promote, support and adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

2. Values

- To be committed to and demonstrate the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

COUNTY BOROUGH OF BLAENAU GWENT

Leader of the Opposition Person Specification

To fulfil his or her role as laid out in the role description, an effective Leader of the Opposition requires:

In providing political leadership for the opposition group

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations
- An ability to challenge different strategies, policies and operations

In representing the Authority's opposition

- High level communication skills to communicate to the media, local community and wider audience
- Good public speaking skills
- Creative and lateral thinking skills; the ability to see ahead and be foresighted
- Leadership skills

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

Deputy Leader of the Opposition Role Description

Designation:	Deputy Leader of the Opposition Group
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Nominating Group To the people of Blaenau Gwent County Borough and their ward constituents
Purpose:	To be a political figurehead for the opposition group; to be the principal political spokesperson for the Councils opposition in the absence of the Leader of the Opposition Group
Role Purpose and Activity	
<ul style="list-style-type: none">• To fulfil the duties of the Leader in his or her absence.• To assist the Leader in specific duties as required.	

Deputy Leader of the Opposition Person Specification

To fulfil his or her role as laid out in the role description, an effective Deputy Leader of the Opposition requires:

In providing political leadership for the opposition group

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations
- An ability to challenge different strategies, policies and operations

In representing the Authority's opposition

- High level communication skills to communicate to the media, local community and wider audience.
- Good public speaking skills
- Creative and lateral thinking skills; the ability to see ahead and be foresighted
- Leadership skills

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

Chair of the Democratic Services Committee Role Description

Designation:	Chair of the Democratic Services Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Full Council
Purpose:	To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

1. Role Purpose and Activity

To lead the Committee in its role in:

- Designating the Head of Democratic Services.
- Keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, ensuring that these are adequate.
- Providing annual reports to the Full Council in relation to the above.
- Appointing sub committees/working groups to undertake functions delegated by the committee.
- Considering reports prepared by the Head of Democratic Services.
- Developing the Authority's Member Support and Development Strategy.
- Ensuring that the Members have access to a reasonable level of training and development as described in the Authority's Member Development Strategy, the Wales Charter for Member Support and Development and the Local Government (Wales) Measure 2011.
- Ensuring that the budget for Member Development is sufficient.
- Ensure that Members have access to personal development planning and annual personal development reviews.
- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.

- Work with the Member Development Champion where relevant to promote the role of Members and necessary support and development.

Promoting the role of the Democratic Services Committee

- To act as an ambassador for the Democratic Services Committee, facilitating understanding of the role.
- To act with technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
- To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings.

Internal governance, ethical standards and relationships

- To develop the standing and integrity of the Committee and its decision making.
- To understand the respective roles of Members, officers and external parties operating with the Democratic Services Committee's area of responsibility.
- To promote and support good governance by the Council.

2. Values

- To be committed to and demonstrate the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

Chair of Democratic Services Committee Person Specification

To fulfil his or her role as laid out in the role description, an effective Democratic Services Chair requires:

Providing leadership and direction

- Understanding of council role and functions
- Understanding of role of Democratic Services Committee, terms of reference for the committee, role of Chair and other aspects of the democratic arrangements
- Understanding of the roles of officers and different agencies
- Understanding of member support functions
- Understanding of council priorities and risks
- Ability to progress work programmes
- Objectivity
- Ability to conduct meetings
- Ability to guide discussion and ensure that all attendees have the opportunity to make a contribution and that they are heard and given due consideration
- Ability to undertake a dual role both as a Chair and Member of the committee.
- Possessing ability to review and interpret data and reach conclusions
- Communication skills

Direct and lead the work programme

- Ability to direct and lead the work programme
- Ability to work with Members and officers in order to programme work programme items
- Ability to prioritise

Promoting the role of the committee

- Understanding and appreciation of the regulatory framework
- Ability to inspire and enthuse Committee Members for the work of the Committee
- Integrity and the ability to set aside own views and act impartially
- Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business

COUNTY BOROUGH OF BLAENAU GWENT

Member of the Democratic Services Committee Role Description

Designation:	Member of the Democratic Services Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Full Council To the Chair of the Democratic Services Committee
Purpose:	To participate fully in the activities of the Democratic Services Committee, delivery of its work programme and any associated task and finish/working groups

1. Role Purpose and Activity

Understanding the nature of the Democratic Services Committee in:

- Designating the Head of Democratic Services.
- Keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, ensuring that these are adequate.
- Providing annual reports to the Full Council in relation to the above.
- Appointing sub committees/working groups to undertake functions delegated by the committee.
- Considering reports prepared by the Head of Democratic Services.
- Develop the Authority's Member Support and Development Strategy.
- Ensuring that the Members have access to a reasonable level of training and development as described in the Authority's Member Development Strategy, the Wales Charter for Member Support and Development and the Local Government (Wales) Measure 2011.
- Ensuring that the budget for Member Development is sufficient.

- Ensuring that Members have access to personal development planning and annual personal development reviews.
- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the Committee.
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee.

Participating in meetings and making decisions

- To participate effectively in meetings of the Democratic Services Committee.
- To make informed and balanced decisions, within the terms of reference of the Committee, which accord with legal, constitutional and policy requirements.

Internal governance, ethical standards and relationships

- To ensure the integrity of the Committee's decision making and of his/her own role by adhering to the Code of Conduct and other constitutional and legal requirements.
- To promote and support good governance by the Council.
- To understand the respective roles of Members, officers and external parties operating within the Democratic Services Committee's area of responsibility.

2. Values

- To be committed to and demonstrate the following values in public office:
 - Openness and transparency
 - Honesty
 - Propriety and integrity
 - Duty to uphold the law
 - Stewardship
 - Objectivity in decision making
 - Accountability
 - Leadership
 - Tolerance and respect
 - Inclusive leadership
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability
 - Selflessness
 - Personal judgement

Member of the Democratic Services Committee Person Specification

To fulfil his or her role as laid out in the role description, an effective Democratic Services Member requires:

Participating fully in the activities of the Democratic Services Committee

- Full understanding of the Democratic Services remit and role including terms of reference of the Committee
- Understanding of the Member support functions
- To work within the guidance of the Chair

Participating in meetings and making decision

- Ability to listen and to consider and respect the views of other contributors
- Good public speaking skills
- Good advocacy skills

Governance, ethical standards and relationships

- Knowledge and understanding of the Code of Conduct(s) and protocols
- Knowledge of and a commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

Chair of Standards Committee Role Description

Designation:	Chair of the Standards Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Full Council
Purpose:	As a Chair with responsibility to act as the Council's lead Member in this area to demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements

1. Role Purpose and Activity

Providing leadership and direction

- To act within technical, legal and procedural requirements to oversee the functions of the Committee fairly and correctly.
- To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice on the Code of Conduct.
- To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.
- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- To lead the Committee in its role in:
 - promoting and maintaining high standards of conduct by Councillors and co-opted Members.
 - assisting the Councillors and co-opted Members to observe the Members' Code of Conduct.
 - advising the Council on the adoption or revision of the Members' Code of Conduct.

- advising and arranging to train Councillors, co-opted Member's on matters relating to the Members' Code of Conduct.
- granting dispensations to Councillors and co-opted Members.
- dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
- the exercise of these functions in relation to town/community councils and the members of these councils.

2. Values

- To be committed to and demonstrate the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

Chair of Standards Committee Person Specification

To fulfil his or her role as laid out in the role description, an effective Standards Committee Chair requires:

Providing leadership and direction

- Ability to conduct meetings
- Ability to guide discussion and ensure that all attendees have the opportunity to make a contribution and that they are heard and given due consideration
- Ability to ensure that Members of the Committee treat individuals with courtesy regardless of political persuasion
- Ability to undertake a dual role as a Chair and Member of the Committee
- Communication skills

Promoting the role of the committee

- Understanding and appreciation of the regulatory framework
- Ability to inspire and enthuse committee members for the work of the committee
- Integrity and the ability to set aside own views and act impartially
- Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, Members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

Member of Standards Committee Role Description

Designation:	Member of the Standards Committee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To Full Council To the Chair of the Standards Committee
Purpose:	To participate fully in the activities of the Standards Committee by making informed and balanced decisions, within the terms of reference of the Committee, which accord with legal, constitutional and policy requirements

1. Role purpose and activity

Understanding the nature of the Standards Committee and effectively fulfilling its functions by:

- Promoting and maintaining high standards of conduct by Councillors and co-opted Members.
- Assisting the Councillors and Co-opted Members to observe the Members' Code of Conduct.
- Advising the Council on the adoption or revision of the Members' Code of Conduct.
- Monitoring the operation of the Members' Code of Conduct.
- Advising and arranging to train Councillors, Co-opted Members on matters relating to the Members' Code of Conduct.
- Granting dispensations to Councillors and Co-opted Members on dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.

Participating in meetings and making decisions

- To participate effectively in meetings of the Democratic Services Committee.
- To make informed and balanced decisions, within the terms of reference of the Committee, which accord with legal, constitutional and policy requirements.
- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the Committee.
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee.

Internal governance, ethical standards and relationships

- To ensure the integrity of the Committee's decision making and of his/her own role by adhering to the Code of Conduct and other constitutional and legal requirements.
- To promote and support good governance by the Council.
- To understand the respective roles of Members, officers and external parties operating within the Democratic Services Committee's area of responsibility.

2. Values

- To be committed to and demonstrate the following values in public office:

Openness and transparency
Honesty
Propriety and integrity
Duty to uphold the law
Stewardship
Objectivity in decision making
Accountability
Leadership
Tolerance and respect
Inclusive leadership
Equality and fairness
Appreciation of cultural difference
Sustainability
Selflessness
Personal judgement
Respect for others

Member of Standards Committee Person Specification

To fulfil his or her role as laid out in the role description, an effective Standards Committee Member requires:

Understanding the nature of the Standards Committee

- Integrity and the ability to set aside own views and act impartially
- Knowledge of law, policy and procedures for that area
- Maintenance of knowledge
- Objectivity and judgement

Participating in meetings and making decisions

- Ability to listen and to consider and respect the views of other contributors
- Good public speaking skills
- Good advocacy skills

Governance, ethical standards and relationships

- Knowledge and understanding of the Code of Conduct and protocols
- Knowledge of and a commitment to the values of the Council

COUNTY BOROUGH OF BLAENAU GWENT

Scrutiny Committee Co-optee Role Description

Designation:	Scrutiny Co-optee
Location:	Civic Centre, Ebbw Vale
Responsible to:	To the Chair of the Scrutiny Committee
Purpose:	
1. Role purpose and activity	
Understanding the nature of Scrutiny Committees and effectively fulfilling its functions by:	
Participating in meetings and making decisions	
Internal governance, ethical standards and relationships	
2. Values	
<ul style="list-style-type: none">• To be committed to and demonstrate the following values in public office:<ul style="list-style-type: none">Openness and transparencyHonestyPropriety and integrityDuty to uphold the lawStewardshipObjectivity in decision makingAccountabilityLeadershipTolerance and respectInclusive leadershipEquality and fairnessAppreciation of cultural differenceSustainabilitySelflessnessPersonal judgement	

Scrutiny Committee Co-optee Person Specification

To fulfil his or her role as laid out in the role description, an effective Scrutiny Committee requires:

- Understanding the nature of the Scrutiny Committee and decision making
- Participating in meetings and making decisions
- Internal governance, ethical standards and relationships

COUNTY BOROUGH OF BLAENAU GWENT

Scrutiny Committee Co-optee Role Description

Designation:	Scrutiny Co-optee and Expert Witnesses
Location:	Civic Centre, Ebbw Vale
Responsible to:	To the Chair of the Scrutiny Committee
Purpose:	<p>For a time bound period, to assist with specific areas of work within the Scrutiny Work Programme, for which those persons have experience and knowledge in the subject matter to be investigated.</p> <p>To provide a diversity of views which will assist the Authority in fulfilling its duties to engage with the wider community.</p> <p>To ensure the needs, views and experiences of external organisations, service users and the community are represented in overview and scrutiny work</p>

1. General

- Co-opted Members and Expert witnesses will be identified on an ad hoc basis during the planning stages of the work programme and will not be allocated voting rights.
- The Exception being, that the Education Committee will seek co-opted representation from the Roman Catholic Church, the Church in Wales and Parent Governors. These co-optees will be appointed on an annual basis and will have voting rights.
- Co-optees will have access to the same information as all other members of the Committee and can fully contribute to discussions, questioning and making recommendations.
- Co-optees will need to understand the nature of Scrutiny Committees and the Council's decision making process.

2. Requirements

- To have relevant specialist skills, experience and/or knowledge in the subject matter intended to be investigated.
- To sign a statement of appointment that will include terms governing appropriate conduct, i.e. treating others with respect, not disclosing confidential information and when appropriate to disclose relevant personal interests.
- To Participate in Scrutiny activity, this can include, formal and informal meetings, Seminars, site visits, task and finish groups.

Scrutiny Committee Co-optee Person Specification

To fulfil his or her role as laid out in the role description, an effective Co-optee/Expert witness need to:

- To offer relevant specialist skills, experience and/or knowledge in relation to the organisation or community to be represented.
- Provide a diversity of views which will assist the authority in fulfilling its duties to engage with the wider community.
- Introduce new ideas to generate debate and to put forward evidence-based views, comments and suggestions on a given topic.
- Have a good understanding of the nature of the Scrutiny Committee and the Council's decision making process.
- To be committed and demonstrate as set out below the following values in public office:

Openness and transparency

Honesty

Propriety and integrity

Duty to uphold the law

Objectivity in decision making

Accountability

Tolerance and respect

Inclusive leadership

Equality and fairness

Appreciation of cultural difference

Sustainability

Selflessness

Personal judgement

Respect for Others

BLAENAU GWENT COUNTY BOROUGH COUNCIL

The Role of a Public Service Board Scrutiny Chair

Responsible to:

- The Full Council
- The Public Service Board (PSB)
- To the people of Blaenau Gwent County Borough and his or her Ward constituents
- External Regulatory Bodies

Purpose:

To promote the role of the PSB Scrutiny Committee and the work of the PSB within and outside the council, liaising effectively both internally within the council and externally with the Council's partners.

Role and Activity:

Provide Leadership and Direction

- To provide confident and effective direction at meetings to facilitate inclusivity, participation and identify and support clear proposals for improvement.
- To develop a balanced work programme of the committee which includes policy development and review, investigative scrutiny, and performance monitoring.
- To ensure the programme takes account of relevant factors such as: The Well-being of Future Generations (Wales) Act 2015, the strategic priorities of the PSB and the governance arrangements of the Board.
- To demonstrate an objective and evidence based approach to scrutiny.
- To evaluate the impact and added value of scrutiny activity and identify areas for improvement.
- To ensure the work of their Committee contributes to policy and improvement in service delivery.
- To ensure effective scrutiny of the corporate function of the PSB only and not on individual bodies.
- To provide strong fair leadership to Members and officers.
- To review, challenge and question the implementation of PSB activity and make recommendations to the PSB to improve policy, performance and service delivery.
- To develop a clear understanding of the terms of reference of the Committee and the scope and range of the services for which it is responsible.

- To ensure the work of the Committee contributes to the delivery of best value and continuous improvement in services and implementation of best practice.
- To agree all agendas for the Scrutiny Committee and ensure it is adhered to.
- To report as appropriate to the PSB where scrutiny is recommending an amendment or additions to the report recommendations for consideration.
- To seek to involve all Scrutiny Committee Members in the work of the Committee.
- To have responsibility for liaison with PSB Lead Officers and Coordinator.
- To ensure that Committee Members benefit from appropriate training and development to deal effectively with the Committees business.
- To understand the corporate and collective duties of the Well-being of Future Generations (Wales) Act 2015.

Direct the work programme

- To ensure that the work programme is delivered.
- To liaise with officers, other members and community representatives to resource and deliver the work programme.

Holding the Executive to Account

- To evaluate the validity of PSB decisions and challenge where appropriate.

Effective Meeting Supervision

- To set agendas containing clear objectives and outcomes for the meeting.
- To direct the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders, other constitutional requirements and the Well-being of Future Generations (Wales) Act 2015 are adhered to.
- To ensure that the necessary preparation is done beforehand.
- To ensure that all participants have an opportunity to make an appropriate contribution.

Community Leadership

- To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.
- To build understanding and ownership of the scrutiny function within the community.
- To identify relevant community based issues for scrutiny.

- To involve fully external stakeholders for example, service users' expert witnesses and partners in scrutiny activity.

Involvement and development of committee members

- To encourage high performance from all Committee Members inside and outside of committee.
- To assess individual and collective performance within the Committee and facilitate appropriate development.

Values:

To be committed to the values of the Council and the following values in public office:

Openness and transparency; Honesty; Propriety and integrity; Duty to uphold the law; Stewardship;

Objectivity in decision making; Accountability; Leadership; Tolerance and respect; Inclusive; Leadership; Equality and fairness; Appreciation of cultural difference; Sustainability; Selflessness;

Personal judgement; and Respect for others

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Agenda Item 25

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: 30th September, 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	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
							30/09/21	

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 two representatives on the above.

2.2 EBBW VALLEY RAILWAY LIAISON COMMITTEE

To confirm the appointment of the Executive Member – Regeneration & Economic Development on the Ebbw Valley Railway Liaison Committee.

2.3 EDUCATION & LEARNING SCRUTINY COMMITTEE & SAFEGUARDING SCRUTINY COMMITTEE – CO-OPTED MEMBER

To confirm the appointment of Mr. Tim Pritchard, St. Mary's RC Primary as a co-opted Member on the above Scrutiny Committees.

3. Options for Recommendation

- 3.1 To consider the above.

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By virtue of paragraph(s) 12, 13 of Part 1 of Schedule 12A of the Local Government Act 1972.

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