

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 28TH JANUARY, 2021</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR J. HOLT (DEPUTY CHAIR,
PRESIDING)

Councillors P. Baldwin

D. Bevan

J. Collins

M. Cook

M. Cross

N. Daniels

D. Davies

G. A. Davies

G. L. Davies

M. Day

P. Edwards

L. Elias

D. Hancock

K. Hayden

S. Healy

J. Hill

W. Hodgins

M. Holland

J. Mason

H. McCarthy, B.A. (Hons)

C. Meredith

J. Millard

J. C. Morgan

J. P. Morgan

L. Parsons

G. Paulsen

K. Pritchard

K. Rowson

T. Sharrem

T. Smith
 B. Summers
 B. Thomas
 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 Regeneration and Community Services
 Corporate Director of Education
 Chief Officer Resources
 Chief Officer Commercial
 Head of Legal and Corporate Compliance
 Head of Governance and Partnerships
 Head of Organisational Development
 Service Manager – Performance and Democratic
 Press and Publicity Officer

ALSO: Charlotte Clarke – Outgoing Youth Mayor

<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>An apology for absence was received from Councillor M. Moore.</p>	

3. DECLARATIONS OF INTEREST AND DISPENSATIONS

The following declaration of interest was reported:

Item No. 34 – Application to Lease Land

Councillor W. Hodgins

4. CHARLOTTE CLARKE – OUTGOING YOUTH MAYOR

Councillor T. Sharrem joined the meeting at this juncture.

Charlotte Clarke, outgoing Youth Mayor provided the following overview of her democracy journey to date:

Charlotte commenced by stating that she had had an amazing time through the course of the last two years, which included her time as Deputy Youth Mayor. Charlotte’s journey began when she was in a very different stage of her life, primary school. She had always been academically ambitious, priding herself over roles she had accomplished, such as head girl, prefect and becoming a member of the school council. She had been thrilled during Year 6 when she had been offered the opportunity to attend the Children’s Grand Council – an event that combined children from across the borough which provided inspiration and innovation and taught independent thinking. At this event, children would participate in tasks such as writing, drawing, and playing fun games, all activities linked to relevant issues of the day. A personal highlight for Charlotte had been the workshop on becoming environmentally friendly. Last year, Charlotte was afforded the opportunity to visit the Children’s Grand Council in her capacity as Youth Mayor. This made her really appreciate to the full capacity how wonderful this event was. From her perspective she could really understand and appreciate how captivating and simulating it was for young minds; which explained why she had previously enjoyed it so much.

In the summer of that year, Charlotte had received a letter which explained a poem she had written at the Children's Grand Council had been chosen to be put on a plaque at Bryn Bach Parc. This gave Charlotte a great sense of pride because this had been one of her first major accomplishments. She thoroughly cherished the memory of the unveiling, with support from her parents, grandparents, and

aunty. At this event she was then invited to become a member of the Blaenau Gwent Youth Forum, which she had initially declined. This was due to her new lack of confidence, entering secondary school was a hard transition for most pupils, and she felt anxious and doubtful of her capabilities. Nevertheless, with persistence from many supportive figures in her life she decided to join and was delighted in hindsight that she had corrected her decision because this choice had been the catapult to everything else. Whilst Charlotte still identified with that scared, shaky Year 7 girl and still struggled with being anxious, this frightful attitude had only been natured by the Forum. From the reassurance and support the Forum had given her, she was no longer a scared, Year 7 girl but a 15-year old, who felt confident in setting aside her anxieties in order to strive towards her goals.

Upon attending the Youth Forum for the first time, Youth Mayor elections were immediately taking place and she had decided to run for the two-year position as Deputy and Youth Mayor. Whilst extremely hesitant to believe she had a chance of winning due to lack of experience and lack of relationship with the other forum members, she stood for election with the motive of it enhancing her chances the following year. Nevertheless, she was astonished to be voted into the position and set her priority for her year as deputy: period equity. This proved to be a successful and worthy priority, she had got to meet amazing like-minded people and improve period facilities for everyone. This was something she was extremely passionate about and still was. Anyone who endured a period should have the access to the necessary sanitary products without it interrupting their education and social life and certainly without leaving them financially struggling. Charlotte continued by stating that she was enthusiastic about the changes that have taken place since she had set this priority, for example, the luxury tax being abolished in many places. Over her term as Deputy Youth Mayor she had also worked with the Youth Mayor on her priority: LBGTQ+ rights, alongside the Forum's main priority of mental health.

The following year Charlotte was elected Youth Mayor at an extraordinary inauguration. This was set in Cardiff, with her inauguration at the Cardiff Council Chambers followed by an enjoyable visit to Winter Wonderland. Her priority for this year was focusing on mental health and particularly, body image. Unfortunately, due to COVID-19 overtaking the world Charlotte did not manage to achieve her desired outcome for this priority but still

recognised the importance of body image within young people and how it could dominate someone's mental health. Hence this was the reason why she had continued to work on this priority, even though not in her role as Youth Mayor. She had made this the face of projects at school, actively campaigned for it amongst her peers, and contributed to body image workshops. The highlight of her year as Youth Mayor was attending the celebration of children's rights in Cardiff in which she had participated in amazing discussions and activities and had been enthralled by some brilliant speakers.

However, Covid-19 had not managed to ruin everything. This year Charlotte was delighted to still be able to participate in her role as member of Youth Parliament for Blaenau Gwent. Her motion that was created alongside three other Youth Parliament Members was 'Better Mental Health Education for Pupils and Better Training for Staff'. She had thoroughly enjoyed working on this motion and the process that came with this. Since the annual conference in September, she had loved working to ensure young people's voices in Wales were amplified to the highly important extent they were worth. She had played an active role as Youth Parliament Member for Blaenau Gwent and had attended regular meetings with other Welsh Youth Parliament Members during this time.

Charlotte stated that this concluded her journey so far in the briefest way that she was able describe such a magnificent experience. The events attended, people who she had conversed with and opportunities she had been given, had all helped shape the person talking to Council today. With a huge sense of admiration, she shared these experiences. Whilst unsure what the future held, currently Charlotte was focused on studying in hope of achieving great GCSEs, aiming for fluent A's and A*s. Past that college was her next step, preparing herself for a career she had not yet decided on and beyond that, she hoped to go to university. Whatever, the path she decided to take, Charlotte was confident that it was her work here that had concreted the traits that were needed to pursue it.

Charlotte concluded by thanking Council for taking the time to listen and said that she hoped she had provided a compelling account of the outstanding work undertaken by the youth of Blaenau Gwent.

Members commended Charlotte on her truly inspirational journey to date and expressed their best wishes to her for the future.

5. CHAIR'S ANNOUNCEMENTS

No announcements had been received.

6 – 24. MINUTE BOOK – SEPTEMBER 2020 – JANUARY 2021

The Minute Book for the period September 2020 – January 2021 was submitted for consideration.

It was unanimously,

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

25. MEMBERS QUESTIONS

The following question was received from Councillor H. McCarthy and was responded to by the Executive Member for Regeneration and Economic Development:

Question:

“Whilst the Labour Group broadly welcomed the Executive decision to progress the Community Asset Transfer of Trinity Chapel to the Coalfields Regeneration Trust, could the Executive Member give an undertaking that a period of meaningful public consultation on changes to the Library provision would now take place across the four wards?”

Response:

The Executive Member advised that Aneurin Leisure Trust operated the library services and the work that had been undertaken would not change the service provision, in fact it would enhance and improve the service. It was pointed out that the only major change would be the introduction of Adult Education Services with the library provision.

Supplementary Question:

“Except for the proposed relocation of the library, this decision was in line with the original Labour Group proposal. To move the library seemed pointless and lacking in imagination or innovation and would not have a significant positive impact on footfall, whereas the community supermarket obviously would. Could the Executive Member, explain how had it taken 4 years to arrive at this stage, when all that was being done was to move a purpose built and fully refurbished library to a different location?”

Response:

The Executive Member explained this was far from just locating the library to a new location. It had taken time to secure the funding in order to complete the project and working in consultation with the Coalfields Regeneration Trust and Welsh Government, the grants had now been secured to do this. He expressed his appreciation to the Coalfields Regeneration Trust, Aneurin Leisure Trust and officers for the considerable amount of work that had been undertaken to bring two good projects to fruition in both buildings.

The Executive Member continued by stating that Trinity Chapel would not only be a library but a community facility where for example, financial advice could be sought through opportunities provided by Coalfields Regeneration Trust. It was noted that the venue would also include a cash dispensing machine and art classes would be held at the venue. The library through the Aneurin Leisure Trust had also had the opportunity to purposely design what they wanted within the facility. He believed that footfall would be increase and when plans were published the following week, the opportunities would be evident. With regard to the community supermarket, the Coalfields Regeneration Trust felt that the current library building would be a better setting in terms of access and delivery arrangements.

The Executive Member concluded by stating that the Council and its partners had moved at pace to complete both projects in order to avoid delays to the Trinity Chapel scheme and the opening of a community supermarket, which was a very much needed in the area.

26. PUBLIC QUESTIONS

There were no questions submitted by members of the public.

27. TREASURY MANAGEMENT MID-YEAR REVIEW REPORT – 1ST APRIL, 2020 TO 30TH SEPTEMBER, 2020

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

The Chief Officer Resources commenced by advising that the report detailed the Treasury Management activities carried out by the Authority during the first half of the 2020/21 financial year.

Due to advantageous interest rates during the first half of the financial year, the Authority entered into long term debt arrangements of £9m with the Public Works Loan Board (PWLB)/ other public authorities. These arrangements were made either to replace maturing loans or to replace finance capital expenditure.

In summary, despite the financial climate due to the pandemic, the authority had performed well in terms of its Treasury Management activities in comparison to the established benchmark rates.

- It was noted that investment returns of £3,000 had been achieved in the period with an average interest rate of 0.07%. This was above the benchmark rate of -0.07% but reflected the impact the pandemic had had on the bank base rate and in turn the market interest rates offered on investments.
- The annual budgeted investment interest of £43,000, was unlikely to be achieved, however the amount of interest paid had also significantly reduced which counteracted this in its entirety.
- An average interest rate of 0.67% had been paid on temporary borrowings against a benchmark of 1.00%, amounting to £159,000 for the six-month period. The budget for interest paid on short term borrowing was £660,000 for a full year - the full year interest payable was likely to be well within this

budget. The interest payable by the Authority had, therefore, been minimised as far as possible and was evidence of good performance.

- All of the Treasury Limits and Treasury Management Prudential Indicators which had been set for the financial year had been complied with during the year.
- No institutions in which investments were made during the period had any difficulty in repaying investments and interest in full, so the Authority had not been exposed to any financial loss as a result of the difficult economic climate.
- The Debt Management Account Deposit Facility (DMADF) started offering negative interest rates from September 2020 on investments placed with them. This limited the investment opportunities available to the Authority. The Authority would continue to monitor other investment opportunities, however proposed an increase in the amount that it was able to hold in the Authority's bank account from £6 million to £10 million to avoid exceeding the current limit. This would provide the authority with more flexibility in terms of its cash flow.

Members were advised that the Corporate Overview Scrutiny Committee had considered the report at its December meeting and recommended to Council the proposed change in the investment strategy.

It was unanimously,

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

- the activity undertaken during the first half of the 2020/2021 financial year be noted and the record of performance and compliance achieved during the first half of the 2020/2021 financial year be accepted.

FURTHER RESOLVED that the existing Investment Strategy be amended and the amount which was able to be held in the Authority's bank account be increased from £6 million to £10 million.

28. DOMESTIC ABUSE, VIOLENCE AND SEXUAL VIOLENCE POLICY

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

At the invitation of the Chair, the Head of Organisational Development advised approval was sought from Council to adopt the Domestic Abuse, Violence and Sexual Violence Policy. This policy would replace the current Violence Against Women, Domestic Abuse and Sexual Violence policy (VAWDASV) and the amended policy would apply to Council and school based employees.

There were a number of key changes to the policy, the aim of which was to ensure that effective and practical support mechanisms were in place across the Authority to assist victims of domestic abuse/violence. These amendments included:

- Clarification on definitions and key legislation.
- The provision of up to 5 days paid safe leave and other supportive measures for victims.
- Details of the role of the manager, supporting individuals through issues.

Corporate Overview Scrutiny Committee on 22nd January, 2021 had considered the amended policy and had made a number of suggestions to improve the document, namely:

- Support agencies – due to changes in funding particularly for the third sector, checks would be undertaken to ascertain if these organisations were still viable.
- Victim Support, Claire’s Law and the right to approach the police be included on the list of support agencies.

The Leader of the Labour Group said that he totally supported the new policy but had been contacted by some individuals concerned that the new title of the policy did not include the word ‘women’. He continued by stating that this was a particularly historical issue for women and because some women who were suffering from this type of abuse found it difficult to come forward, he requested if consideration could be given to including this aspect within the

document. This would ensure that women would be aware of the policy and that it alluded to them.

Another Member also requested that the policy reflected support for children and families because statistics indicated that children who had grown up in a domestic abuse setting were more likely to become perpetrators in the future.

The Head of Organisational Development undertook to include additional support agency details within the policy that could provide support for children and families and undertook to include information relating to 'women' within the policy document.

A Member expressed his appreciation to the Head of Organisational Development for acting upon the suggestions made by the Scrutiny Committee.

The Leader of the Council also expressed his appreciation to the Head of Organisational Development for incorporating the contributions made by Members of the Scrutiny Committee into the new policy and said that he also supported the additional suggestions made earlier. He, thereupon, proposed that Option 2 be endorsed. This proposal was seconded.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 2 be endorsed, namely that the comments and further amendments/additions to the Domestic Abuse, Violence and Sexual Violence Policy be noted and approved.

29. TRANS EQUALITY POLICY

Members considered the report of the Head of Organisational Development.

The Head of Organisational Development advised that the Trans Equality Policy had been developed to supplement existing policies and to provide increased support to ensure that employees who did not identify with their birth assigned gender had the right to equal treatment and protection from discrimination at work, and to ensure that managers were clear about their individual roles and

responsibilities for supporting colleagues who were transitioning whilst in the workplace.

The policy had been developed in line with the Equality Act 2010 and the Gender Recognition Act 2004 and would apply to all employees of the Council and subject to approval, would be recommended to School Governing Bodies for adoption.

Corporate Overview Scrutiny Committee on 22nd January, 2021 had considered the new policy and had suggested the following amendment:

- Replace the term LGBT with LGBTQ+ - this would align with equality and human rights terminology. It was noted that LGBTQ+ stood for lesbian, gay, bisexual, transgender, queer or questioning.

In reply to a question, the Head of Organisational Development advised that the organisations within the appendix would be reviewed to list viable agencies only. A Member advised that he would email details of a particular support agency through the Head of Organisational Development for consideration of inclusion within the policy.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the implementation of the Trans Equality Policy be approved.

30. INFORMATION SECURITY POLICY

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

The revised Information Security Policy for the Council set out the approach the Council had adopted to develop, manage and improve Information Security to ensure valuable information resources were properly protected.

The draft policy had been revised and updated and replaced a number of the Council's current policies outlined in paragraph 2.2 of

the report. The policy would apply to all Blaenau Gwent employees, Members, schools, contractors, third parties and all other authorised users with access to the Council's information assets.

The policy identified the general principles of Information Security i.e. confidentiality, integrity & availability, explains the roles and responsibilities of all parties with access to the Council's information and detailed the Council's expectations in ensuring that information remained secure. It also emphasised that all security breaches must be reported immediately.

The Chief Officer Resources advised that the Corporate Overview Scrutiny Committee on 22nd January, 2021 recommended adoption of the policy.

It was unanimously,

RESOLVED that the report be accepted and Option 1 be endorsed, namely that the Information Security Policy be approved.

31. ACCEPTABLE USAGE POLICY

The report of the Chief Officer Resources was submitted for consideration.

It was noted that the revised Acceptable Usage Policy very much linked to the previous item, Information Security Policy.

At the invitation of the Chair, the Chief Officer Resources spoke briefly to the report and advised that the proposed Acceptable Usage Policy for the Council provided guidance and an overview of the Council's expectations on the acceptable usage of systems, resources and work spaces.

It was noted that the draft policy would replace the Council's current policies:-

- Email Acceptable Use
- Internet Acceptable Use

The policy would apply to all Blaenau Gwent County Borough Council employees, Schools, volunteers, Members, contractors,

third parties and all other authorised users with access to the Council's information assets and identified the general principles and mandatory controls that were required and applied to all information, hardware devices and data within Blaenau Gwent County Borough Council.

The Chief Officer Resources concluded by advising that the Corporate Overview Scrutiny Committee on 22nd January, 2021 recommended adoption of the policy.

A Member requested that it be made very clear to all appropriate parties that all information stored or found on Blaenau Gwent devices would be subject to scrutiny by the authority.

The Chief Officer Resources confirmed that all employees and parties to which the policy applied, were provide with the necessary hardware and information assets required to undertake their roles. Whilst employees were allowed limited use of devices for personal reasons, however, this was not encouraged and individuals should be aware that their use of the Council's information assets was monitored and audited on a regular basis.

Another Member advised that on occasions, constituents had requested that he use his own personal laptop to send emails in his capacity as a Councillor on their behalf and said that he had to respect this request. Whist he understood that usage had to be monitored, it would need to be monitored by appropriate officers. He requested that the Monitoring Officer clarify who the appropriate officers would be to monitor emails.

The Head of Legal and Corporate Compliance (Monitoring Officer) advised that in terms of the policy document, this did not identify/name an appropriate officer but it would be clearly an independent officer of sufficient seniority and who had been authorised and directed by the Managing Director to review the data. Any audit and monitoring would be undertaken in confidence, in consultation and with the assistance of the SRS.

The Leader of the Labour Group said that this policy referred to the Council's equipment loaned to Members and employees. He requested clarity that the use of personal equipment was surely a matter between the Councillor and an individual and that the Council had no control over this.

The Chief Officers Resources pointed out that even though Members may be using personal devices, if there was information that related to Council business or any personal information relating to individuals stored on these devices, Members had a responsibility to ensure that this information remained secure. Whilst the policy did allude to this, the document specifically related to council equipment.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Acceptable Usage Policy be approved.

32. MEMBERSHIPS REPORT

Consideration was given to:

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

The Leader advised that he had received no nominations for this position and the Leader of the Group also confirmed that no expressions of interest had been received from his Group Members at this point in time.

- (b) **SRS Strategic Board**
- to appoint a replacement representative.

RESOLVED that Councillor J. Wilkins be appointed as the representative to replace Councillor N. Daniels on the above Board.

- (c) **Corporate Overview Scrutiny Committee**
- to appoint a replacement representative.

RESOLVED that Councillor J. Holt be appointed to replace Councillor L. Parsons on the above Committee.

33.	<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>
34.	<p><u>APPLICATION TO LEASE LAND</u></p> <p>Councillor W. Hodgins declared an interest in this item and remained in the meeting whilst it was considered.</p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the Corporate Director of Regeneration and Community Services.</p> <p>The Corporate Director spoke briefly to the report and advised that approval was sought from Council (as Trustees of Bedwellty House and Park) to use part of the Park on a temporary basis for construction activity for the construction of health facilities</p> <p>Once approved by Council, a further application would also need to be made to the Charity Commission under section 105 of the Charity Act 2011 seeking their consent to grant the lease for the use set out in paragraph 2.5 of the report.</p> <p>In reply to a question, the Corporate Director confirmed that a temporary structure to house bats had been provided solely in connection with the construction activity and once completed a permanent structure would be provided.</p>

	<p>With regard to legal fees, it was noted that the cost of any legal fees incurred by the Council would be met by the organisation named within the report.</p> <p>The Leader of the Labour Group welcomed the report and expressed his appreciation to the Corporate Director and his team for work undertaken to progress a much needed health centre for the Tredegar area.</p> <p>It was unanimously,</p> <p>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:</p> <p>The Council as Charitable Trustees had decided that they were satisfied, having considered the surveyor's report, that the terms on which the disposition was proposed to be made were the best that could reasonably be obtained for the charity and the principle of the proposed lease of the area of land shown edged red on the plan attached to Appendix 1 be agreed, for a term of three years or until such time as the development of the new Tredegar HWBC to the named organisation had concluded subject to:</p> <ul style="list-style-type: none"> i) The named organisation paying a yearly rental as detailed in report of £900.00 per annum. ii) Successfully obtaining the consent of the Charity Commission to the lease, which must be obtained prior to the lease being legally completed. iii) Any revenue receipt being ring fenced for use by the Charity in furtherance of the objects of the Charity and not pooled for use within the Council's General Fund. 	
<p>35.</p>	<p><u>UPDATE CEMETERY BURIAL CAPACITY</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>	

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

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

The Corporate Director of Regeneration and Community Services commenced by advising that both the Executive Committee and the Community Services Scrutiny Committee had considered the report and had approved the preferred option to ensure that burial capacity of 20 years was maintained across the estate.

The Corporate Director continued by outlining the capacity levels within each of the cemeteries and the land ownership issues outlined in paragraph 2.4.1 of the report. It was noted to acquire any land via Compulsory Purchase Order (CPO), planning consent would need to be obtained as part of the process and specialist legal support would be required to move forward with land acquisition, if required.

The Leader of the Labour Group welcomed the report and the work undertaken to date.

In reply to a question regarding timescales for negotiation, the Corporate Director advised that the discussions with the landowner and work towards the CPO process would be undertaken in parallel to ensure that the project was delivered within the timelines that had been set.

It was unanimously,

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

- The appointment of external legal advice to provide the necessary legal information necessary to move forward with land acquisition be approved.
- The use of CPO powers to purchase the land as required based on the legal advice provided, be supported.

- Funding be made available within the Council's Capital programme to support the land purchase costs and cemetery infrastructure works necessary over the next three years 2021/22, 2022/23 and 2023/24, as identified in paragraph 5.2.1 of the report.

36. EDUCATION – LEADERSHIP AND MANAGEMENT STRUCTURE

Councillor J. Hill joined the meeting at this juncture.

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

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12, 14 & 15 Schedule 12A of the Local Government Act, 1972 (as amended).

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

The report sought Council approval to create a permanent structure and leadership arrangements for the Education Directorate following the appointment to the Corporate Director of Education role.

The Corporate Director of Education advised that the principles of the report were underpinned by advocating a sustainable structure which had the capacity to support and deliver improved life chances for children and young people, in addition to considering the Education portfolio changes associated with the addition of the Leisure client function.

Further details of the proposed leadership structure were outlined in paragraphs 2.4, 2.6, 2.7 and 2.8 of the report and these included a new role of Head of School Improvement and Inclusion, who would act as the Deputy to the Corporate Director of Education and would provide additional school improvement capacity. Details of the Service Manager roles were also provided.

In terms of consultation, there had been formal consultation undertaken with the Trade Unions and the staff directly involved in the restructure arrangements and the consultees views were considered within the report. The Trade Union were supportive of the strategic principles outlined within the report and staff had acknowledged the need to strengthen the leadership with the Education Directorate and were fully supportive of the proposed structure.

It was noted that the report had been considered by the Corporate Leadership Team (CLT) and had gone through the 'check and challenge' review process. In addition, the proposed structure had been benchmarked against similar neighbouring leadership and management arrangements and would return a net saving circa £88,000 over 5 years, should the proposed structure be approved.

The views of Members were, thereupon, sought (summarised below) and were responded to by the Corporate Director of Education/Manager Director and Executive Member for Education:

- The Leader of the Labour Group commenced by stating that the following comments were not directed at any officer. He continued by stating that he had grave misgivings regarding the proposed structure which appeared to be a similar structure that was operational prior to 2015/16 (the year that the Council came out of Special Measures). He explained that too much emphasis was being put on the Corporate Director element, when the key focus should be on schools in terms of learning and leadership. He added that Estyn had previously commended the Council for concentrating on core issues i.e. teaching and learning provision for children and said that he had also grave concerns regarding the Leisure client function being incorporated as part of the Education portfolio.

The Leader of the Labour Group concluded by stating that he was unable to support the report and advised that he would submit an alternative proposal at the appropriate time.

- It was pointed out that a large proportion of the Council's budget was allocated for Education purposes and concern was expressed that the report had not been deemed of sufficient importance to be considered by Scrutiny and that the scrutiny process had been by-passed. The Member said he

felt that this was an exercise in saving money and asked the Executive Member for Education how the proposed structure would benefit the self-evaluation process.

The Executive Member advised that there was a recognised need to stabilise and strengthen the school improvement role with the relevant expertise and Estyn had also recognised that this area needed to be developed further. The Executive Member concluded by stating that she believed that the proposed structure would achieve this objective.

- A Member pointed out that when the emergency response to COVID-19 was over, there would be a greater need for these posts and officers would have considerably more work to do (particularly the Service Manager - Young People and Partnerships) to help support children following the effects of the last 9 months. He expressed his concern that these posts had not been graded at a higher scale and felt that this was disappointing – he pointed out that other local authorities used the Solbury Pay Agreement.

The Corporate Director advised as part of the CLT ‘check and challenge’ process there had been a need to benchmark across similar roles within the authority and with neighbouring authorities. With regard to the Service Manager – Young People and Partnerships role there were no other similar roles in the greater Gwent region, each local authority had its own bespoke arrangements and there were no other officers in that region that had additional responsibilities linked to the Leisure function. The Corporate Director added that the salary grade that had been evaluated for the post was graded higher than that of a Youth Manager’s role in other neighbouring authorities.

In reply to a question regarding the reason why the report had not been considered the Education & Learning Scrutiny Committee in the first instance, the Corporate Director confirmed that the democratic reporting arrangements as outlined the Council Constitution, required any report requiring approval of major structural changes be considered by Council. The same approach had been adopted for similar reports previously. The Head of Legal and Corporate Compliance added that departmental structural changes were

not considered as part of the scrutiny process, they were submitted and considered by Council in order that Members had the opportunity to fully debate the proposals.

- Another Member also expressed his concern that Scrutiny Members had not had the opportunity to consider the report and pose questions. He said that the structure should be based on effective learning provision for pupils including an emphasis on Additional Learning Needs (ALN). He complimented teaching staff for all the work they had undertaken over these last few very difficult months and pointed out that prior to the pandemic, the gap between free school meals and ALN provision was being bridged. However, the feedback he was now receiving was that pupils were falling further behind and the gap was widening – some families were also struggling to home school. He concluded by stating that he did not believe it was an appropriate time to undertake a restructure, further data should be provided in order that this proposal could be scrutinised correctly.

The Corporate Director acknowledged the comments made by the Member and said it was a priority to minimise the impact on learners during the current situation. Currently the vast majority of learners were receiving remote learning, however, the comments regarding home schooling/ICT were acknowledged. He continued by advising that discussions had recently taken place with the Education Achievement Service (EAS) in respect of the Council's business plan priorities and confirmed the top priority was to maximise pupil progression.

The Corporate Director outlined that it was very timely to bring the report forward at this juncture to establish a permanent structure to create a sustainable focus on school improvement and inclusion with a designated lead officer. The alternative provision would be a non-permanent structure for up to a period of 18 months.

- Another Member pointed out that he felt that the proposal was a proactive measure to support schools when normal business practice resumed.

- The Leader of the Labour Group advised that the Estyn report 2015/2016 had advised that there was a clear need to focus on teaching and learning. The current position with regard to schools causing concern was highlighted (i.e. two secondary schools had currently been placed in Special Measures). The Leader of Labour Group concluded by stating that an education specialist should have been appointed in the first instance and the remainder of structure developed thereafter.

The Corporate Director advised that the proposed structure did respond to comments received from the regulators and at the next local authority link inspector meeting, which was scheduled for early March an update on school improvement capacity had been included as part of that agenda. It also responded to comments received at Headteacher meetings and since his appointment he had advocated that capacity for school improvement needed to be secured. The importance of both school improvement and inclusion was not underestimated and the new Head of School Improvement and Inclusion role would have responsibility for both these elements.

In addition, because Estyn took a corporate view on how schools and young people were being supported across the board, this new post would play a key role in terms of the self-evaluation process across the Education Directorate and would contribute to the wider corporate aspects across the Council. Whilst, there were currently 3 schools in the 'schools causing concern' category, compared to other neighbouring authorities this was quite a relatively low number and confirmed that he was satisfied with the progress currently being made to address the problems at these schools. However, the amount of work that was required going forward was not underestimated.

- The Leader of the Labour Group reiterated his concern that the specialist appointment should have been made first and then the remaining appointments including that of the Corporate Director should have been progressed. He pointed out that Estyn link visits focussed only on result based outcomes. He also expressed concern that the incorporation of the Leisure Client function within the directorate was

contrary to Estyn recommendation from the monitoring visit i.e. the portfolio should only deal with education functions.

The Corporate Director advised that previously on an interim basis school improvement capacity had been unable to be secured, however, he was confident that a permanent appointment would be secured if the proposed structure was approved.

- Another Member said that this was a crucial report which reflected the performance of education and of the Council in general. Concern was expressed regarding the salary of the Inclusion Officer – a new ALN Bill was anticipated in September and there was a magnitude of changes pending.

It was also pointed that the Head of School Improvement and Inclusion would be expected to work with headteachers who had a considerable amount of experience in the educational field. However, the job description advised that experience at a senior level was 'desirable' when this was an 'essential' for this role. Further concern was expressed that focus was being put on the potential savings of £88,000, when investment should be being made to recruit into this crucial high level quality post.

During the period when the Council was in Special Measures, Estyn had assessed school performance and how it was dealt with. The Member said he felt that this was not the right structure for dealing with schools in a correct manner. He concluded by stating this was crucial and would affect all Council departments and if the structure was not appropriate the Council could again be placed in Special Measures. Further detailed consideration was required in order that the structure was correct going forward.

The Managing Director commenced by confirming that the same process (i.e. Full Council consideration of reports) had been adopted previously, when there had been changes made to departmental structures as part of the Senior Management Review process. In addition, this proposed structure had gone through the same internal process as previous restructures in order to ensure a consistent approach was taken across the

organisation in terms of assigned salary grades and responsibility levels.

The proposed structure was intended to address the issues that had been raised regarding increasing the school improvement capacity. It was noted that the ALN provision would form part of the responsibilities of the Head of School Improvement and Inclusion. The Managing Director concluded by pointing out that Members had made it clear previously regarding the need to operate as a one Council corporate approach and advising that improving education was a key priority for the Corporate Leadership Team and Council going forward.

The Leader of the Labour Group said that he supported the corporate approach but pointed out that because the Council would be judged by external regulators, the primary focus should be on the classroom.

- Another Member said that Scrutiny was non-political and this report should have gone through the proper scrutiny process to address the concerns raised prior to consideration by Council. Members wanted to do the best for the children of Blaenau Gwent and take this forward collectively. He pointed out that the Leader of the Labour Group had previously experienced the level of unprecedented challenge when the Council had been placed in special measures, therefore, there was a need and urgency to focus the teaching and learning provision for children.

Following a lengthy discussion, the Leader of the Labour Group advised that for reasons expressed earlier in the debate, the Labour Group would not be supporting either of the published recommendations as the Group remained firm in its conviction that too much emphasis had been put onto the 'Corporate Director' element in the structure and not enough on the 'School Improvement' element.

The addition of the Leisure client function as outlined in paragraph 2.4 of the report, also caused major concerns and was out of line with the last major Estyn inspection, which praised the Council for removing functions such as catering, school finance and school

transport from the directorate to concentrate on teaching and learning.

Having been involved in a long fight to remove this Council out of special measures the Labour Group could not support the report, and **proposed an alternative recommendation:**

The report be withdrawn, and that the Council engage in a root and branch overhaul of the structure by way of a cross-party working group, in conjunction with external expertise to develop a framework with school improvement first and foremost as its primary focus.

This amended proposal was seconded.

A recorded vote was, therefore, requested.

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

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

The vote on the amendment was not carried.

It was, therefore, proposed and seconded that **Option 1 (preferred option) be endorsed and approved.** As no Member who had voted against the proposed amended recommendation abstained from voting, a further recorded vote was not required and Option 1 **was carried.**

RESOLVED, subject to the foregoing, that the report which related to any individual, the financial or business affairs of any particular person (including the authority) and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of,

or office holders under, the authority be accepted and Option 1 be endorsed, namely that:

The following structure be approved:

- A permanent structure for the Education Directorate as set out in appendix 2 of the report be established.
- The new Head of School Improvement and Inclusion role be recruited to with immediate effect.
- A short term arrangement be secured to support the duties of the Head of School Improvement role on a temporary basis via a ring fencing arrangement to Blaenau Gwent Headteachers.
- The Service Manager posts for Education Transformation and Young People and Partnerships be ring fenced and subject to Member appointment procedures, in line with the principles for SMR 1 & 2. There would be a net revenue saving to the Education Portfolio budget circa £88,000.