

# Agenda

## Pwyllgor Rheoli Trosolwg a Chraffu

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Dyddiad: Dydd Gwener, 12 Gorffennaf 2019

Amser: 10.00 am

Lleoliad: Committee Room 1 - Canolfan Dinesig

At: Cynghorwyr: L Lacey (Cadeirydd), M Al-Nuaimi, G Berry, C Evans, M Evans, C Ferris, Y Forsey, M Linton and K Thomas

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### Eitem

### Wardiau Dan Sylw

- 1 Ymddiheuriadau
- 2 Datganiadau o Fuddiant
- 3 Cofnodion y cyfarfod a 18/04/2019 (Tudalennau 3 - 10)
- 4 Diweddariad Tîm Cyllid (Tudalennau 11 - 14)
- 5 Adroddiad Blynyddol ar Risg Gwybodaeth (Tudalennau 15 - 42)
- 6 Adroddiad blynyddol craffu drafft 2018/2019 (Tudalennau 43 - 58)
- 7 Casgliad Adroddiadau Pwyllgorau  
Yn dilyn cwblhau adroddiadau'r Pwyllgor, gofynnir i'r Pwyllgor ffurfioli ei gasgliadau, ei argymhellion a'i sylwadau ar eitemau blaenorol i'w rhoi ar y ffurflen
- 8 Adroddiadau Ymgynghorwyr Craffu (Tudalennau 59 - 64)  
a) Diweddaraf am y Flaenraglen Waith (Atodiad 1)

Mae'r dudalen hon yn wag yn

# Minutes



## Overview and Scrutiny Management Committee

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Date: 18 April 2019

Time: 10.00 am

Present: Councillors J Guy (Chair), M Al-Nuaimi, G Berry, C Evans, M Evans, C Ferris and K Thomas

In Attendance: D Cooke (Scrutiny Adviser), L Davies (Governance Officer), K Duffin (Head of Regeneration, Investment and Housing), J Harris (Strategic Director - People), S A Jenkins (Head of Children & Young Peoples Services), T McKim (Partnership Policy & Involvement Manager) and M Ryan (Corporate Safeguarding Manager)

Apologies: Councillors L Lacey

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### 1 **Declarations of Interest**

Councillor Kate Thomas declared an interest as an employee of GAVO

### 2 **Minutes of the Meeting held on 07/03/2019**

The minutes of the meeting held on 7 March 2019 were approved as a true and accurate record.

### 3 **WAO - Wellbeing of Future Generations report**

Attendees:

- Gareth Jones (Performance Audit Lead)
- Tracy Mckim (Policy, Partnership & Involvement Manager)
- Keir Duffin (Head of Regeneration Investment and Housing)
- Councillor Jane Mudd (Cabinet Member for Regeneration and Housing)

The Wales Audit Officer presented a brief overview to the Committee and highlighted the key areas for consideration. The Wales Audit Office report focused on the use of the sustainable development principles contained in the Wellbeing of Future Generations Act, when developing and meeting the Council's Wellbeing Objectives. For this report the Policy, Partnership and Involvement Manager informed the Chair that they had invited the Cabinet Member for Regeneration and Housing, and the Head of Regeneration, Investment and Housing to attend and contribute to the meeting.

Members asked the following:

- Members raised concern that the Council was not focusing on the long term needs, tending to address issues with a short term approach. Officers replied to Members explaining that focus was on the five ways of working as set out in the Act, considering how to use the five ways of working for a positive outcome. To do this an authority must have taken all five ways of working into account collectively.

- A Member asked the Officers to explain about the M4 bridge toll risk outlined in the report. Officers replied explaining that the review was undertaken before the toll was removed, there were many uncertainties surrounding the outcome of the removal of the toll.

The Cabinet Member for Regeneration and Housing addressed the Committee explaining that the closure of the M4 bridge toll would have an economic benefit on the City, with the attraction of the ongoing regeneration of Newport, which would attract investors and visitors.

- A Member asked Officers to clarify from the Wellbeing and Future Generations Act report, if the Authority was in line with other Councils and where could the Authority get further direction on better implementing the five ways of working. The Performance Audit lead replied explaining that all Councils were in the early stages of the process, comparisons were difficult to make as the audits were not all carried out in the same sectors through the 22 Authorities. A report on the examinations would be presented to the National Assembly for Wales at least one year before each Assembly election. The first report must be published by 2020, before the 2021 Assembly election. The Policy Partnership and Involvement Manager confirmed that the Authority were using the Future Generations tool kit, and working with the commission's officer to identify areas for improvement.

The Head of Regeneration Investment and Housing drew the Committee Members attention to the City's, Economic Growth Strategy, which presented an opportunity to extend the vision into the longer-term and was considered a strength by the Wales Audit Office.

The Cabinet Member for Regeneration and Housing highlighted to Committee Members the ongoing City Centre projects working with young hard to reach groups at St Pauls Walk, which was a project funded by the Heritage fund. As well as the collaborative projects with City Centre stakeholders to reduce the number of derelict buildings in the City Centre, which would increase the amount of housing stock.

- A Member expressed concerns regarding the anti-social behaviour at St Pauls Walk, asking if the Authority would readdress hard to reach groups as part of the City Centre Master Plan. The Head of Regeneration Investment and Housing replied explaining that the Communities First initiative had engaged with 10 thousand residents from Newport, receiving around 400 consultation responses in connection with the City Centre Master Plan. Officers also confirmed that engagement with hard to reach groups had been conducted through the bus WIFI, which was largely used by young residents of the City who would not normally engage with consultations. Officers confirmed that a follow up of numbers would be provided to Committee.
- A Member of the Committee enquired about what progress the Council had made towards embedding an integrated approach to the Act, asking where that evidence was gathered to inform the statement. Officers confirmed that the objective was asking the Council to work collaboratively with partners and stakeholders to consider how the Act and its delivery would affect the Councils objectives. The Performance Audit Lead confirmed that the approach to the City Centre regeneration recognised that it could only be achieved with interventions that deal with the whole system, such as the environment, community safety, health and wellbeing, not to just focus on economic factors.
- Members of the Committee commented that the regeneration of properties in the City Centre, had attracted families with children, Members expressed concerns for those children who had a lack of activities and open spaces to play. The Policy Partnership & Involvement Manager replied to Committee explaining that stakeholders and partners

including the Police and health board had met to discuss the need for green and safe spaces within the City Centre, with Natural Resource Wales highlighting potential methods and programmes that can provide these areas to the City Centre.

The Chair thanked the Cabinet Member, Performance Audit Lead, The Cabinet Member and Officers for attending.

### **Conclusions on the Wales Audit Office Report**

The Committee noted the Wales Audit Office – Wellbeing of Future Generations report prior to it being reported to the Cabinet.

During the course of discussion, the Committee asked the Performance Audit Lead to provide information on who from the Newport Economic Network were interviewed for the report as contextual information for the Committee.

### **Comments on the Revised of the Economic Regeneration Strategy**

Specific to the Economic Regeneration element of the WAO report, it was noted that the recommendations and comments from WAO would be the focus of the Committees consideration when it receives the redraft of the Economic Regeneration Strategy at a future meeting.

A Committee Member asked for it to be noted that the delay to the Committee considering the redrafted Economic Regeneration strategy was not acceptable. The Scrutiny Adviser outlined to reasons that had been given by the officers to the change in timescale, notably to allow for the WAO recommendations presented to the Committee at today's meeting to be considered and approved by Cabinet, and incorporated into the redrafted strategy.

The Committee requested the following information be provided for reference:

- Confirmation as to whether minutes were recorded at the Newport Economic Network's meetings.
- Confirmation as to when City centre stakeholders were consulted with on the City Centre Masterplan.

## **4 Annual Corporate Safeguarding Report**

Attendee:

- James Harris - Strategic Director - People
- Sally Ann Jenkins - Head of Children & Young Peoples Services,
- Mary Ryan – Head of Corporate Safeguarding

The Head of Corporate Safeguarding presented a brief overview to the Committee and highlighted key areas for consideration. It was explained that annual corporate safeguarding report monitored, scrutinised and objectively planned on the themes of “*safeguarding*” being fundamentally embedded within all aspects of Council services, functions and duties. The report provided Member with essential and key information to allow them to effectively scrutinise the Council's safeguarding practice, and to update Members on the work that had been undertaken to improve arrangements for safeguarding and protecting children and adults who require specific Council services. The Officers invited Members questions on the report.

Members asked the following:

- In response to questions from Member regarding DBS checks, the Officers confirmed DBS updates were carried out every 3 years. Responding to comments about the accuracy of the DBS checks the Officers acknowledged, the DBS check were accurate the day they were made, any offenses committed after this date were not captured. The Authority were working towards establishing good practices, the Authority was in a similar position to the Health Sector in finding ways of improving the safeguarding practices.

- A Member enquired about the increasing demand on Social Services, with safeguarding concerns and budget cuts increasing, asking how the Safeguarding Hub dealt with those issues. Officers explained that although each service area was already extensively stretched, the proposals within the action plan were realistic within existing resources; they were cost effective without the requirement for any of the work to be out-sourced and would ensure compliance in terms of the Wales Audit Office recommendations. The Officer explained to the Committee that there were increases on demands for those services, but as the area was one of growth, The Council were continuing to look at smarter ways of working, and how staff would be rewarded.
- Members expressed concerns regarding the deadlines not clearly set out in the action plans; Members felt that there was very little measurable information within the report to ensure effective scrutiny could take place. Officers replied to Members explaining that the targets and measures that were reported on was outside of their control, but they would look at how they could include more information on deadlines in future reports.
- A Member enquired about the Safeguarding Hub structure, asking Officers what were the implications of the two vacant social worker posts, and if that could have an impact in the future. Officers confirmed that the posts were in fact no longer vacant, and felt that there were no concerns in the recruiting of staff, as any posts that became available could be advertised immediately. Staff were able to move around the service area to cover any gaps which reduced the need for agency staff, the service also had student Social Workers who spent around 6 months on placement, and the Officers were confident that these students would return to support the Service Area over the summer months.
- Members asked if six Social Workers were an adequate number of staff, taking into consideration the amount of children the Authority look after. The Officers confirmed that the six Social Workers mentioned were the Duty Team. Officers also mentioned that Care Inspectorate Wales had recently completed an engagement visit and reported no concerns in this area.
- Members of the Committee enquired whether the Safeguarding Hub had sufficient support from the Police. Officers replied explaining that communication between the Police and the Hub was very good and, measures would be put in place to ensure Police support was continual.
- Members asked Officers to explain how the Authority ensured the safeguarding of children that were placed out of County. Officers confirmed that a child placed outside of the Authority would receive the same support as a child placed inside. All out of County placements were offered an advocate, all placements were regulated, and the service was committed to reviewing how the Authority could have brought children closer to home.
- A Member expressed concern around the way key data for the Child Protection Unit was presented in the report. Members felt that the information needed to be more detailed, with the use of percentages and comparable data from previous years. The Head of Corporate Safeguarding responded to the Committee Members observations ensuring the data would be made clearer and self-explanatory for ongoing reports.

The Chair thanked the Officers for attending.

#### **Conclusion - Comments to the Cabinet**

The Committee noted the Corporate Safeguarding and agreed to forward the minutes to the Cabinet as a summary of the issues raised.

The Committee wished to make the following comments to the Cabinet:

1. The Committee noted that some of the information received was out of date such as the VAWDASV training figures. It was recommended that in future annual safeguarding report reports contained up to date information on deadlines related to actions in the individual team plans.
2. The Committee requested that in future reports information was presented itself in a way that lends itself to scrutiny. For instance where possible using percentages instead of figures, and provide comparable data from previous years or other local authorities if that data is not available.

## 5 Annual Forward Work Programme

Attendees:

- Daniel Cooke (Scrutiny Adviser)

The Scrutiny Adviser introduced the Draft Annual Forward Work Programme to the Committee and discussed each item individually with the Members, the following possible agenda items were discussed with Members;

- Civil Parking Enforcement Implementation review – The Committee were informed that this item would be broken down into two separate items with a verbal update pre implementation to the Committee on 6 June and a review of implementation in March 2020.
- Scrutiny Annual Report – The Committee were informed that the annual report on Scrutiny would sent to the Committee on 6 June.
- Annual Corporate Report – The Scrutiny Adviser explained that this year the Committee would receive a report on the Council's performance towards achieving their objectives as set out in the Corporate Plan.
- Annual Information Risk Report - The report would look at how the Council was managing the risks relating to IT and feed their comments to Cabinet.
- Public Convenience Strategy – The Committee accepted the referral to scrutinise the Public Convenience Strategy prior to the report being finalised.
- Draft Economic Regeneration Strategy – The Draft Economic Strategy will be provided to the Committee for their comments prior to the strategy being published. The Committee voiced their disappointment at the delay in receiving the strategy and requested that everything that can be done is done to bring the strategy earlier. The Scrutiny Adviser stated that he would seek feedback from the Head of Regeneration, Investment and Housing on the feasibility of this.
- Performance Management Strategy – Recommendations monitoring relating to the recommendations and comments made by the Committee when the Performance Management Strategy was brought to the Committee the year previous. The Scrutiny Adviser explained that this item was subject to change due to the Officers undertaking a review of the Strategy and the option of combining the Performance and Risk strategies into one document.

- 20 – 21 Draft Budget and MTFP Proposals - The Committee were informed that they would receive the report and would be able to make comments and recommendations to Cabinet on the public engagement and budget process of the setting of the MTFP and budget for the next financial year.
- Annual Corporate Safeguarding report – The Committee attention was drawn to the annual report that would be provided by the Head of Corporate Safeguarding, Director of Social Services and Head of Children and Young Peoples Services.

The Scrutiny Adviser discussed the potential Policy Review Group subjects or additional reports from Officers. These included; the use of Fairness Equality Impact Assessments across the Council when proposing changes to a service, the annual budget process and an update or follow up on the WAO Scrutiny 'Fit for Purpose' report.

The Committee would also be receiving all regulatory reports in the future. They would initially be sent to the Committee for information, and then the Committee would have to opportunity to add the report to a future agenda.

The Committee agreed the draft schedule of dates set out by the Scrutiny Adviser, with one exception. The meeting on the 6 of June clashed with a D-Day ceremony in the City Centre. The Committee requested that another time or date was secured. The Scrutiny Adviser would find an alternative and inform the Committee at a later date

The meeting terminated at 12.00 pm



**Overview and Scrutiny Management Committee  
ACTION SHEET – July 2019**

	<b>Agenda Item</b>	<b>Service area / Performance measure</b>	<b>Action</b>	<b>Responsibility</b>	<b>Outcome</b>
1	Draft Budget Proposals and MTFP	Council Wide	Report requested on the aspirations and impact of the final budget on the Council's long term aims and objectives as set out in the Corporate Plan	Head of Finance	<b>Complete</b>
2	Draft Budget Proposals and MTFP	Council Wide	Receive a documented procedure of the Budget Process of the annual budget process, with specific feedback when requested	Head of Finance	<b>Complete</b>
3	Forward Work Programme Update	<b>Scrutiny</b>	The Committee <b>approved</b> the report and the items to be considered during the next two meetings.	Scrutiny Adviser	Work programme updated.

Mae'r dudalen hon yn wag yn

20 by 2022 Corporate Plan Commitments

Tudalen 11

	Commitment	Theme	Revenue/Capital/Both	MTFP Impact	REVENUE			
					MTFP 19/20 £'000	MTFP 20/21 £'000	MTFP 21/22 £'000	MTFP 22/23 £'000
1	Community resilience, community-based care and support is strengthened by introducing Newport Cares. A programme which enables peer support and provides an holistic approach to care.	Resilient Communities	Revenue	It is assumed that this will be deliverable within existing budgets, therefore there is no impact on MTFP	0	0	0	0
2	Prototype work to establish Community Investment Zones which transform the service offer in Newport's five most deprived areas is underway	Resilient Communities	Revenue & Capital	It is assumed that this will be deliverable within existing budgets, therefore there is no impact on MTFP	0	0	0	0
3	A default presumption in favour of community asset transfer is fully embedded - meaning that citizens can develop a vision for building on their own community assets	Resilient Communities	Revenue & Capital	There may be some costs to facilitate a CAT, but these would only be known on an individual case by case basis. It should be sought to keep these costs within existing budgets.	0	0	0	0
4	Newport City Council makes the city's dementia-friendly status real by introducing dementia-friendly work practices across the council and creating dementia-friendly toolkits for local businesses to use	Resilient Communities	Revenue	It is anticipated this will be done within existing resources	0	0	0	0
5	The City has modern, increased tertiary education capacity that meets the needs of Newport's future economic and social challenges	Resilient Communities	Revenue & Capital	There may be capital implications from this increase in capacity.	0	0	0	0
6	The Newport Children's Charter sets out our commitment to children and families, including headline commitments to children in care and care leavers	Aspirational People	Revenue	There are ongoing pressures in Children's services which are highlighted in the MTFP	3,199	205	0	0
7	Three new state of the art schools will be built, tangibly improving student choice and the educational offer in the city.	Aspirational People	Revenue & Capital	New schools and expansion of schools as part of Band B will cause revenue implications which will need to be included in the MTFP	<b>Revenue implications of increased capacity included in the overall ISB pressure on the MTFP, which total £16.6m over the next four years</b>			
8	The annual Newport Work Discovery week is established bringing together residents, employers and the public sector to raise aspirations. The council commits to 15 apprenticeships per year as part of their city-wide drive.	Aspirational People	Revenue	Committing to 15 apprenticeships per year will have a revenue consequence, these are being funded under existing budgets	0	0	0	0
9	Increasing educational and social care capacity, so that fewer than ten children are educated out of the city, and the number of out of county social care placements is reduced by 25%	Aspirational People	Revenue & Capital	There will be capital and revenue implications in order to bring these children back into County. There is already a pressure in the MTFP, this will need to be assessed as to whether this is still at appropriate level.	<b>Pressures included in both childrens and education for out of county placement provision, totalling £3.9m in 2019/20</b>			
10	64% of children in Newport will achieve at least five A-C GCSEs, from a 2017 base of 58%	Aspirational People	Revenue	ISB funding requires significant funding pressures which are included in the MTFP.	<b>Revenue implications included in the overall ISB pressure on the MTFP, which total £16.6m over the next four years</b>			

11	A Newport Festival of Democracy and redeveloped Heritage Discovery Centre represent the city's increasingly vibrant cultural offer with an increase in visitor numbers recorded	Thriving City	Revenue & Capital	Work is ongoing to assess the provision of the Heritage Discovery Centre	0	TBC	TBC	TBC
12	Newport's future business offer is driven by the Newport Business Collaborative: a transformed business innovation group which builds on today's informal grouping and helps to increase the proportion of successful SMEs in the city.	Thriving City	Revenue	It is anticipated this will be done within existing resources	0	0	0	0
13	Real progress on transforming Newport City Centre through redeveloping sites like the Westgate, Chartist's Tower and the Market and creative use of existing cultural and commercial assets	Thriving City	Capital	We will utilise our strong balance sheet, and capital financing framework to ensure we get the most out of our capital funding while not impacting on the MTFP	N/A	N/A	N/A	N/A
14	Illegal city centre parking dramatically reduced through a step change in behaviour and enforcement	Thriving City	Revenue & Capital	As per the business case, this will be self-financing and any surpluses will be taken to a separate parking reserve	N/A	N/A	N/A	N/A
15	We will create a Digital Ecosystem for Newport that rapidly intensifies the growth of the digital economy sector, and provides a platform for businesses to connect, innovate and grow and communities to participate, interact and self-support.	Thriving City	Revenue	It is anticipated this will be done within existing resources	N/A	N/A	N/A	N/A
16	A new Household water recycling facility is built as part of a Love Newport deal with residents on waste, recycling and community pride	Modernised Council	Revenue & Capital	Initial capital investment and ongoing running costs will be required to be built into the capital programme and MTFP.	0	TBC	TBC	TBC
17	Develop the Newport Intelligence Hub to create a one stop shop for spatial and geographic data, data analytics, infographics and open access data to support the drive for evidence-based working.	Modernised Council	Revenue	It is anticipated this will be done within existing resources	N/A	N/A	N/A	N/A
18	Four multi-agency Neighbourhood Service Hubs will be created which bring together a range of different services to support better outcomes and manage demand in areas of Newport with the highest need as evidenced in our wellbeing profile.	Modernised Council	Revenue & Capital	The capital and revenue cost of this is expected to be met by the savings achieved by reducing the number of centres being run.	<b>Savings totalling £654k included within the MTFP</b>			
19	We will create an inviting and inspiring work environment, freeing up 50% of our estate (including 20% of out civic centre) to saving money and create space for commercial and social innovation.	Modernised Council	Revenue & Capital	As per the commitment this is expect to save money, therefore no pressure on the MTFP, a separate saving business proposal will need to be provided.	N/A	N/A	N/A	N/A
20	Each citizen in Newport has access to a 'My Account' - an individual online portal which allows them to do business with the council and online	Modernised Council	Revenue & Capital	Initial capital investment will need to be required for this, and there is likely to be ongoing revenue costs. However this should be offset by savings from demand management and increase in income collection.	N/A	N/A	N/A	N/A

## Annual budget procedure



Mae'r dudalen hon yn wag yn

# Scrutiny Report

## Overview and Scrutiny Management Committee

### Part 1

Date: 12 July 2019

### Subject **Annual Information Risk Report 2018/19**

**Author** Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Rhys Cornwall	Head of People and Business Change
Mark Bleazard	Information Development Manager

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked to consider the Annual Information Risk Report 2018/19 attached as **Appendix 1** and provide comments for consideration by the Cabinet Member.

### 2 Context

#### Background

- 2.1 Local Authorities collect, store, process, share and dispose of a vast amount of information in accordance with their duties under the Data Protection Act and other legislation. The Council must meet its statutory responsibilities effectively and protect the personal information it holds throughout its life cycle; from creation through storage; use, retention, archiving and deletion. The principle of using and securing data is outlined in the Digital Strategy.
- 2.2 The Information Commissioner's Office (ICO) currently has the power to fine organisations up to £500,000 for data breaches to ensure organisations take this responsibility seriously. In May 2018, the EU General Data Protection Regulation enables much higher fines of 20 Million Euros or 4% of turnover.
- 2.3 The purpose of the Council's Annual Information Risk Report is to provide an assessment of the information governance arrangements for the Council as outlined in the Information Risk Management Policy and identify where further action is required to address weaknesses and make improvements.

- 2.4 The actions outlined in the attached report form part of the People and Business Change Service Plan further detail incorporated in the Digital and Information Team Annual Business Plan. Information risk is also considered in the Corporate Risk Management Strategy and Register.
- 2.5 The Overview and Scrutiny Management Committee has this opportunity to comment on the draft Annual Information Risk Report and the Council's information governance arrangements.

### 3 Information Submitted to the Committee

**Appendix 1** – Annual Information Risk Report 2018-19

### 4. Suggested Areas of Focus

#### Role of the Committee

**The role of the Committee in considering the report is to consider:**

- The robustness of control measures and management arrangements;
- The Reduction in the number of incidents and not of major significance, the lowest number recorded in the five year period since the risk report has been produced and no incidents reported to the Information Commissioner's Office this year;
- Resilience of action to remedy incidents such as the ransomware attack this year and previous breaches;
- The Action plan included for on-going compliance and protection for the future and whether the planned actions are sufficient to mitigate any risks identified.

## Section B – Supporting Information

### 5 Supporting Information

- 5.1 The 2017 -18 Annual Information Risk Report was presented to Scrutiny Committee on [15 November 2018](#) by the Head of People and Business Change when it was explained that it was not a mandatory report required by Regulators but good practice and provide scrutiny the opportunity to see how the Council was managing information.

### 6 Links to Council Policies and Priorities

- The Council's Information Risk Management Policy sets out the Council's approach to information risk management including roles and responsibilities. The policy also details the processes in place to manage information risks effectively, including the Annual Information Risk Report.

The [Digital Strategy](#), approved by Cabinet October 2015 sets the overall direction for the management of information, and information governance is also considered in the Annual Governance Statement produced for the inclusion in the Council's Annual Statement of Accounts and reported to Audit Committee.



The Annual Information Risk report has strong links to the modernising Council supporting function which supports the Corporate Plan Commitments and Well-being Objectives;

<b>Well-being Objectives</b>	Promote economic growth and regeneration whilst protecting the environment	Improve skills, educational outcomes & employment opportunities	Enable people to be healthy, independent & resilient	Build cohesive & sustainable communities
<b>Corporate Plan Commitments</b>	Thriving City	Aspirational People		Resilient Communities
<b>Supporting Function</b>	Modernised Council			

## 7 Wellbeing of Future Generation (Wales) Act

5 Ways of Working	Types of Questions to consider:
<p><b>Long-term</b> The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</p>	Are there any long term trends developing that could affect how this plan is implemented to how the actions are prioritised?
<p><b>Prevention</b> Prevent problems occurring or getting worse.</p>	How are you ensuring that the needs of the service users monitored and are taken into account when developing the long term strategy?
<p><b>Integration</b> Considering how public bodies' wellbeing objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</p>	How does the Council's implementation of the plan impact upon the services of other public bodies and their objectives?
<p><b>Collaboration</b> Acting in collaboration with any other person (or different parts of the organisation itself).</p>	How are you using the knowledge / information / good practice of others to inform / influence the Council's work?
<p><b>Involvement</b> The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</p>	<p>How as a Council are we ensuring we are consistently seeking the views of those who are impacted through the implementation of the plan?</p> <p>While developing a long term strategy, how are you ensuring the diverse communities are involved in your decision making?</p>

## 8. Background Papers

- [Overview and Scrutiny Management Committee – 26 July 2018](#)
- [Digital Strategy 2015 - 2020](#)
- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan 2017-2022](#)

Report Completed: November 2018

# Annual Information Risk Report 2018/19

<b>Created by</b>	Information Governance
<b>Date</b>	8/2/19
<b>Reviewed by</b>	Tariq Slaoui
<b>Date</b>	3/7/19

## Document Control

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Notes / changes</b>
V0.1	08/02/19	Mark Bleazard	Initial draft based on previous report
V0.2	09/04/19	Tariq Slaoui	Revised update
V0.3	22/05/19	Tariq Slaoui	Revised update
V0.4	06/06/19	Tariq Slaoui	Revised update
V0.5	11/06/19	Mark Bleazard	Updated
V0.6	14/06/19	Mark Bleazard	Updated
V0.7	18/06/19	Tariq Slaoui	Updated
V0.8	21/06/19	Mark Bleazard	Updated
V0.9	24/06/19	Tariq Slaoui	Updated
V1.0	01/07/19	Mark Bleazard	IGG consultation comments
V1.1	03/07/19	Mark Bleazard	Final review for Management Scrutiny Committee

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# Executive Summary

The council has a statutory requirement to look after the data it holds in line with General Data Protection Regulation (GDPR) and the associated Data Protection Act 2018. As a result of GDPR, the Information Commissioner's Office (ICO) has the power to fine organisations up to **20 Million Euros or 4% of turnover**.

This is the seventh Annual Information Risk Report which provides an assessment of the information governance arrangements for the Council as outlined in the Information Risk Management Policy. The report highlights:

- Compliance and audit
  - **Public Services Network (PSN) accreditation achieved in November 2018**
    - Annual IT Health Check and associated remediation action plan needs to be completed prior to PSN expiry in November 2019
  - **General Data Protection Regulation (GDPR). Progress was made in a number of areas**
    - Particular emphasis on the development of [privacy notices](#) across the organisation.
    - **A Data Protection Policy was developed to communicate the rights of individuals to staff**, especially around Subject Access Requests
    - Data Protection Impact Assessment (DPIA) carried out for Customer Relationship Management (CRM) system
  - Payment Card Industry (PCI) standard
    - Work required for PCI following previous audit
- Information Governance culture and organisation
  - Continue to develop and manage relationships with Shared Resource Service (SRS)
  - Quarterly meetings of the Information Governance Group to oversee information risk management in conjunction with other stakeholders including Shared Resource Service
  - Quarterly meetings of Data Protection Group to discuss operational data protection issues
  - **As a result of a change in guidance, Newport City Council councillors are no longer required to be registered individually as data controllers under the Data Protection Act**
  - **Action plan required to take forward agreed Service Level Agreement with primary schools**
- Communications and Awareness Raising
  - Continue to raise awareness with staff
  - **Members training took place with very good attendance**
  - Good level of attendance in Social Services and corporately
  - Update of a number of policies as a result of GDPR
- Information Risk Register
  - Continues to be maintained with contribution to Annual Governance Statement
- Security incidents
  - An increase in reported incidents, possibly as a result of increased awareness around issues as a result of GDPR
  - On-going management of incidents
  - Two incidents reported to the Information Commissioner's Office (ICO) during 17/18. Both were investigated and closed by ICO with no formal action taken against the council
- Information Sharing
  - Development of Information Sharing Protocols (ISP's) continues along with Data Disclosure Agreements (DDA's)

- Business Continuity
  - As a result of previous guidance from the Wales Audit Office, the council is part way through a large project to improve business continuity. To date, new hardware has been set up with the migration of backups of all systems from tape to disk. The next phase is to provide access to key systems should both server rooms at the Civic Centre not be available.
- Technology Solutions
  - **Roll out of Office 365 for e-mail in cloud including Microsoft Multi Factor Authentication (MFA) and Advanced Threat Protection (ATP)**
  - Extend use of Xerox Mail solution to improve mail distribution processes
- Records Management
  - Continued roll out of EDMS solution across council
  - Review options for Modern Records and storage
- Freedom of Information
  - **Exceeded target for year**
  - **Highest number of request received since records began**
  - Publication of further open data sets and adding new ones where appropriate
- Subject Access Requests
  - Guidance to staff included in new Data Protection Policy
  - Need to ensure all Subject Access Requests are recorded in FOI system and processed in line with Data Protection Policy

# 1. Background and Purpose

As a local authority we collect, store, process, share and dispose of a vast amount of information as part of our duties. These duties are now defined in EU General Data Protection Regulation (GDPR) and the associated UK Data Protection Act 2018 that places a greater responsibility on the council. The council must continue to meet its statutory responsibilities effectively and **protect the personal information it holds throughout its life cycle**; from creation through storage, use, retention, archiving and deletion. GDPR requires organisations to be more clear and transparent about what data is processed and how to give citizens confidence that their data is being handled appropriately. The principle of using and securing data is outlined in the [Digital Strategy](#). Data is a valuable organisational asset and a key development is the creation of the Newport Intelligence Hub. This team's role is to maximise the value of data to the organisation, especially for use in operational, tactical and strategic decision making by the organisation. This requires processing of information in line with GDPR.

The actions outlined in this report form part of the People and Business Change service plan and are also considered in the Corporate Risk Management Strategy and Register.

## 1.1. Purpose of the Report and Benefits

The purpose of this report is to provide an assessment of the information governance arrangements for the council and identify where action is required to address weaknesses and make improvements.

The benefits of this report are as follows:

- Provide an overview of the council's information governance arrangements
- Highlight the importance of information governance to the organisation, the risks faced and the current level of risk
- Where relevant this report will compare performance with previous years and with the aim of continuous improvement
- This is the seventh Annual Information Risk Report.
- Identify and address weaknesses and develop an action plan
- Reduce the risk of failing to protect personal data and any subsequent reputational and financial penalties. The fines associated with General Data Protection Regulation (GDPR) came in to place on 25<sup>th</sup> May 2018 with a maximum fine of 20 Million Euros or 4% of turnover. In cases where data breaches are referred to the ICO, its investigations highlight the importance of effective governance arrangements to reduce risks
- Ensure that appropriate risks are escalated to the Corporate Risk Register

## 2. Current Position

This part of the report identifies the council's current position in relation to information governance; this includes a number of external compliance requirements. In 2015 the [Digital Strategy](#) was developed which highlights the importance of effective information management and data sharing with robust information security to protect business and citizen data from threats, loss or misuse.

### 2.1. Compliance and Audit

The council is subject to accreditation to the Public Services Network (PSN) by the Cabinet Office. The council is also required to comply with the Payment Card Industry Data Security Standards (PCI-DSS) when it handles card payments for customers. In addition, the council is subject to audit from the Wales Audit Office to ensure appropriate information governance is in place.

## **Public Services Network (PSN) compliance**

As detailed in last year's report, an annual IT Health Check was undertaken by an approved contractor. As a result of some scheduling issues, this was later than planned. The original submission was rejected in May 2018 but following re-submission accreditation was achieved in November 2018. Consequently, PSN compliance is now valid until November 2019. To avoid scheduling issues, the annual IT Health Check is planned for July 2019 to give appropriate time to resolve any vulnerabilities identified. The Shared Resource Service (SRS) now procures and schedules health checks for partners together which simplifies and streamlines the process. The number and variety of risks mean that work is required throughout the year to protect the council's data and systems. Risks around cyber security remain a specific concern such that they are included on the Corporate Risk Register and this remains a challenge to all organisations whether public or private sector. The council is committed to continued compliance with PSN standards.

## **General Data Protection Regulation (GDPR)**

General Data Protection Regulation (GDPR) is a regulation by which the European Parliament, the European Council and the European Commission strengthens and unifies data protection for individuals within the European Union (EU). GDPR came in to force in the UK from 25 May 2018 as a result of the passing of the Data Protection Act 2018 in the UK. As well as greater responsibilities on data controllers, the theme is to be more open and transparent to citizens in terms of how their data is processed.

There are major implications as a result of GDPR and this is a standard agenda item for the Information Governance Group. A GDPR Task and Finish Group has now changed in to a new Data Protection Group.

A summary of some of the changes are detailed below:

- The maximum fine is 20 Million Euros or 4% of turnover
- There is now a requirement to document the personal data held and keep a record of our processing activities.
- Data breach reporting is now mandatory for certain data breaches. The ICO should be informed of significant data breaches within 72 hours.
- Enhanced rights for data subjects. Privacy notices are now mandatory and the organisation must identify a 'lawful basis' for each of our processing activities. Consent has been strengthened. However, this is just one of a number of lawful bases. Specific guidance relating to children and their rights
- Local authorities can no longer rely upon "legitimate interests" as a legal basis for processing data
- The removal of maximum fee for Subject Access Requests and reduction in days to process (from 40 calendar days down to 30)
- Requirement for Data Protection Impact Assessments, particularly for new projects and/or technology implementations.
- Requirement for Data Protection Officer role
- Further consideration of data stored outside the EU

A GDPR Task and Finish Group was established in 2017, with representation from each service area and schools. With the assistance of the group, the council has progressed in the following areas:

- Awareness raising – the task and finish group has ensured that GDPR is the subject of discussion at the various service area management meetings. The Information Management team has attended service area management meetings across the organisation, to provide specialist input. An intranet presence has been set up and content uploaded. E-bulletins have been issued to provide corporate updates. Specifically, a communications campaign has been undertaken to ensure that staff are aware of the process to follow for Subject Access requests (SAR's).



- Communicating Privacy Information – under GDPR, the council will need to demonstrate proactively to individuals, how we are processing their data. A Corporate Privacy Notice has been developed and published to allow us to be more accountable and transparent about this. The task and finish group has undertaken a forms audit to understand what types of personal data we are collecting from individuals and to establish a lawful basis for processing this data. This forms audit has recently been revisited to identify any gaps and work is currently underway to ensure that all appropriate services are covered.
- Consent – the rules around consent have been significantly strengthened under GDPR. A consent checklist has been drawn up to assist managers/service areas who rely on consent as the lawful basis for processing personal data. It is important to recognise that consent is only one of six lawful bases under GDPR and consent should only be used where the other lawful basis have been ruled out. The Information Management team continue to provide advice and guidance to service areas in this respect.
- Data Protection Impact Assessments – DPIA's are now mandatory for new technology implementations and projects that involve the systematic monitoring of individuals and/or the large scale processing of special category data. A DPIA was conducted for the Customer Relationship Management (CRM) implementation and the Civil Parking Enforcement systems will require a DPIA. Others are being considered but the screening process will ultimately determine this. The SRS have confirmed that all technology requests from Newport City Council are subject to DPIA screening.
- Incident Reporting – the Information Security Incident Reporting Policy is aligned with the requirements of GDPR and the key points have been communicated to the organisation. As noted above, the maximum fine is now 20 Million Euros or 4% of turnover and there is a specific requirement to notify the ICO of significant breaches within 72 hours. In certain circumstances, there will be a requirement to notify data subjects of breaches of their data. Staff have been advised to report any suspected incidents to the information management team in a timely manner.
- The Information We Hold – The accountability principle states that we should document the data that we hold along with records of processing activities. The council already manages an Information Asset Register which is based upon the systems that have been identified as a priority. The Data Protection Group is currently working to expand this register to other areas of the authority, and to include paper records.
- The rights of individuals – the rights of individuals and how to access them under GDPR have been reflected in the [privacy notices published](#) (see above). We have published our new Subject Access Request procedure, to align us with the requirements of GDPR. The discretionary £10 fee has been removed and we have formally reduced the amount of time that we have to process a request, from 40 calendar days, down to 1 month. The new process has been extensively communicated to the organisation.
- Data Processor/Joint Controller responsibilities – Data Processors (organisations who process personal data on our behalf/contractors) and joint controllers have further obligations under GDPR. Where possible, we have contacted those organisations and communicated the changes to them. The procurement team have now updated all new contracts to reflect the new GDPR clauses
- Staff Training – Information Security Training has been updated to cover all aspects of GDPR. The information management team have developed a GDPR e-learning module to facilitate desktop learning. This module is in the final stages of production and will be released very soon.
- Data Protection Policy – a Corporate Data Protection Policy was developed and agreed following all member consultation. This will now be published and communicated to the organisation.

## **Payment Card Industry Data Security Standards (PCI-DSS)**

The council was previously compliant with Payment Security Industry (PCI) Data Security Standards. A previous audit identified issues to be addressed. An action plan has been developed by the SRS in conjunction with the Information Management team and the actions will be scheduled in 2019. Accordingly, the council's PCI compliance has lapsed to ensure these issues are formally resolved to meet PCI requirements.

## **Cyber Essential Plus**

Welsh Government has provided funding for 2 years to facilitate local authority accreditation to Cyber Essentials Plus. The Cyber Essentials Plus project is a project by the Welsh Local Government Association (WGLA) to ensure that all 22 local authorities and the 3 fire & rescue services in Wales are certified to Cyber Essentials Plus (as well as IASME certification). Newport City Council has commenced work on this in conjunction with the SRS and a submission is planned in July 2019.

## **Wales Audit Office (WAO)**

The Wales Audit Office (WAO) carries out audits annually which involve IT and Information Governance. Currently work is planned for this to take place in June 2019.

### **2.2. Information Governance Culture and Organisation**

On 1<sup>st</sup> April 2017, the council formally became a partner of the Shared Resource Service (SRS) as detailed further below. Since then, representatives from the SRS attend various Newport City Council groups. There is also a client side role sits within the Digital team and this relationship has developed since joining the partnership.

#### **Information Governance Culture**

The information governance culture has previously been investigated by virtue of staff surveys. These demonstrated good staff awareness of information governance issues and good buy in. A revised survey has been designed incorporating some previous and some new questions. At time of writing, this survey is being finalised, with analysis planned for an updated version of this report.

#### **Organisation**

The council's Senior Information Risk Owner (SIRO) role is part of the Head of Law and Regulation role. The SIRO role is the senior officer responsible for information risks within the organisation and is part of the council's corporate management team. Day to day operational management is provided by the Information Management team that reports to the Head of People and Business Change. As detailed below, the SIRO role is more senior and is distinct from the Data Protection Officer (DPO) role below.

#### **Data Protection Officer Role**

As detailed last year, under General Data Protection Regulation (see section above) the council needs to specify its Data Protection Officer. This role is incorporated within the duties of the existing Digital Services Manager post.

**Shared Resource Service (SRS)** - The IT Service became a partner in the Shared Resource Service (SRS) on 1/4/17. As well as Newport City Council the SRS is made up of Torfaen County Borough Council, Monmouthshire County Council, Blaenau Gwent County Borough Council and Gwent Police. There is SRS representation on the council's Information Governance Group as well as other groups such as the Digital City Board. The client side role is managed by the Digital team and this important relationship in service delivery as well as information governance continues to develop. The SRS has a complementary role of Information Security Architect who works with the Information Management team in Newport.

## **Councillor Data Protection**

All councillors were registered as data controllers under the Data Protection Act in 2018/19. Following Information Commissioner's Office (ICO) guidance from 1 April 2019, *the Data Protection (Charges and Information) (Amendment) Regulations 2019 exempted the processing of personal data for:*

- *Members of the House of Lords*
- *Elected representatives*
- *Prospective representatives – someone seeking to become an 'elected representative'*

*'Elected representatives' is defined by the Data Protection Act 2018 and includes, but is not limited to, MPs, MSPs, AMs in Wales, MEPs, elected councillors in county councils, district councils, London boroughs, parish councils, elected mayors and police and crime commissioners. 'Prospective representative' refers to anyone seeking to become an elected representative as defined above.*

*If any member is only processing personal data in connection with their functions as members of House of Lords, elected representatives, or in connection with any activity where the sole or principle purpose is their future election then they will not need to pay the data protection fee. If however, any member also processes personal data for any other non-exempt purpose, for example a business owner that processes personal data or if the use of CCTV for business/crime prevention purposes in connection with that business, then as that processing is not exempt they must pay the data protection fee.*

As a result of this change in guidance, Newport City Council councillors are no longer registered individually as data controllers under the Data Protection Act.

**Information Asset Register** - the development of an Information Asset Register, based on a template from The National Archives was completed for priority systems during 2016/17. This identifies the owner of information, the information stored within the system, how this is shared and various other pieces of information. This is being extended to meet the requirements of General Data Protection Regulation (GDPR) and is due to be completed during 2019.

An important aim of this report is to ensure that members and senior officers are aware of the data protection responsibilities of the council and to enable guidance to be provided. This is especially relevant given GDPR and the Data Protection Act 2018. The annual risk report represents a useful opportunity for the Scrutiny Management Committee to comment and make suggestions on the past year's performance and improvements going forward. This has been beneficial in shaping the actions going forward.

The Information Governance Group meets quarterly chaired by the Strategic Director – Place. This ensures that there is no conflict of interests of the operational lead for information governance also being the chair of this group. Strategic information governance issues are discussed by this group with standard agenda items that includes GDPR. Membership of the group includes representation from the Shared Resource Service (SRS) which will be a major contributor to this work.

## **Schools**

Schools are "data controllers" under the Data Protection Act and therefore need to be equipped to handle data appropriately. Guidance is provided to schools by staff in Education and Information Management. At the time of writing, a proposed Service Level Agreement (SLA) for primary schools with the Information Management team appears to be going forward. This will provide a service to primary schools similar to that being provided corporately.

## **1.1. Communications and Awareness Raising**

Employees are often the weakest link in terms of preventing incidents. The information security incidents section reflects this and technical measures will never be totally effective. Awareness for employees is vitally important and this is generally achieved via staff training together with other forms of communication to improve awareness.

### **Staff Guidance**

Regular reminders of good practice have been provided in the weekly staff bulletin and on the intranet on various important subjects including GDPR.

An information security leaflet is provided to all staff attending training and has been revised to reflect the new Data Protection Act 2018. The team regularly assess information from the Information Commissioner's Office (ICO) to ensure that key messages are communicated to employees including good and bad practice.

### **Training Courses**

The council continues to provide classroom style training to staff to provide the most interaction possible and improved learning experience. This complements e-learning required to be completed by new starters. The content had minor updates to reflect events and keep it relevant. A major revision of the training content was undertaken to reflect GDPR (see further details within this report). The courses run are:

- Social Services courses
- Corporate courses
- Councillor courses
- Schools courses
- Other courses and presentations
- Information Management team training
- E-learning

Training courses represent a continued commitment to information security by the council. Training is a key area as people are generally considered the weakest link in relation to information security. There will never be totally comprehensive technical measures to protect data. Training provided to staff is a key part of investigations carried out by the Information Commissioner's Office (ICO) as highlighted in the 'Security Incidents' section below.

### **Social Services Courses**

Social Services employees continue to represent a high risk group due to the nature of the information they handle as part of their roles and training is compulsory for these staff. There was particular emphasis on Social Services training following a serious incident reported to the Information Commissioner's Office (ICO) in 2015/16. Training capacity was doubled in response and this incident was closed with no further action by the ICO and the gaps in training provided were filled. As such, generally one course per month was run during this year. Therefore, in 2018/19 the number of staff that attended was 157 which compares with 237 in 2017/18 where there was a specific training gap to fill.

A breakdown per year is included below.

<b>Year</b>	<b>Number of staff who attended</b>
<b>2018/19</b>	<b>157</b>
2017/18	237
2016/17	144
2015/16	147
2014/15	182
2013/14	226

Feedback from staff attending courses is gathered for each training course held and continues to be positive.

### **Corporate Courses**

These courses continue to be scheduled on a monthly basis, primarily for staff other than Social Services. The number of staff that attended the corporate course was 105 compared with 114 in 2017/18. Whilst attendance does vary a little year on year the number of staff attending remains consistent.

<b>Year</b>	<b>Number of staff who attended</b>
<b>2018/19</b>	<b>105</b>
2017/18	114
2016/17	118
2015/16	114
2014/15	152
2013/14	93
2012/13	57

Feedback from staff attending courses is gathered for each training course held and continues to be positive.

### **Councillor Courses**

Three sessions took place during November 2018 with 24 out of the 50 Councillors attending. Councillors, like all council staff, need to undertake mandatory e-learning before they are provided with access to the council's network. As detailed elsewhere in this report, whilst all Councillors were registered as data controllers this is not now required following ICO guidance.

### **Schools Courses**

No specific information security courses for schools were run during 2018/19. Schools have been engaged with in relation to GDPR including representation on the task and finish group. As above a proposal made for a service level agreement for primary schools for information management appears to be agreed and this would include regular training.

### **Other Courses and Presentations**

Given specific operational requirements for the Registration Service, a training session was run for Registrars attended by a total of 21 staff. The information Management team also presented at the GEMS training day and visited the Information Station to deliver data protection training.

### **Information Management Team Training**

All current members of the Information Management team have passed the British Computer Society (BCS) Certificate in Data Protection including two members of staff on the updated legislation.

## **E-Learning**

All staff that need access to the council's computer network are currently required to undertake e-learning before they can access the network and this e-learning was revised during the year. This is being revised and new staff will be provided with information on their obligations under the Data Protection Act 2018. The e-learning is also published on the intranet as reference to staff and as a refresher.

## **Information Policy Development**

Policies form an invaluable way of documenting legal requirements and best practice. They provide guidance for employees to ensure information governance is integrated into the way the council operates. As well as developing new policies, it is also necessary that existing policies are updated to ensure that they remain fit for purpose, including any changes as a result of the partnership with the Shared Resource Service (SRS). Staff are reminded of these policies where appropriate. The main policy developed during this period is the Data Protection Policy detailed below.

### **Data Protection Policy**

This policy was developed and has now been formally signed off. This policy provides advice and guidance to staff in all aspects of data protection including guidance on the rights of individuals and specifically around Subject Access Requests (SAR's).

### **Updated Policies**

The Information Security Incident Reporting Policy has been reviewed and updated to reflect changes required for GDPR (see elsewhere in the report). Policies are also reviewed generally to ensure that they are still valid and up to date. The following policies have been updated:

- Access To Network and Email Policy
- Information Security Incident Reporting Policy
- Building Access Policy
- Physical Access Policy
- Disposal of IT Equipment/Mobile Phones
- Confidential Waste Policy
- Information Risk Management Policy
- Information Retention and Disposal Policy
- Records Management Policy
- Information Sharing Policy
- Document Services Physical Access Policy
- Protectively Marked Information Handling Policy

Staff are made aware of policy changes with reminders through the regular staff bulletin. All policies use 'key messages' for ease of understanding and are published as part of the overarching Information and IT Security Policy and on the Council's intranet, with appropriate version control.

## **2.4. Information Risk Register**

An information risk register is maintained that identifies key information risks, their likelihood, impact and the measures in place to mitigate the risk. The risk register is regularly shared with the Information Governance Group to keep them informed of risks and is maintained by the Information Management team. Cyber Security remains a risk that needs to be managed.

Information risks are considered as part of the council's Annual Governance Statement and the Corporate Risk Register. The Chief Internal Auditor is a member of the Information Governance Group which helps to join up services. Cyber security is the only current information risk that is deemed significant enough to be incorporated on the Corporate Risk Register. The control strategies for information risk are detailed within this report.

## 2.5. Information Security Incidents

All information security incidents are reported, logged and investigated. Information security incidents range from lost phones/other devices, password issues all the way to data breaches where data is lost or passed to the incorrect recipient. Lessons need to be learned from these incidents to improve practice in future to minimise the risk of recurrence. In line with GDPR, serious incidents that meet certain criteria must be communicated to the ICO within 72 hours and data subjects informed without delay.

46 security incidents were recorded in 2018/19 compared with 34 in the previous year. This is an increase from last year which was the lowest number of recorded incidents. It is difficult to establish whether this reflects our position or if there has been an increased level of reporting. Given the increased awareness around GDPR and internal communications relating to incident reporting procedures, it is likely that that the increase can be attributed to GDPR awareness.

Details of reported incidents over previous years are provided below:

Year	Total incidents	Disclosed in Error	Lost or Stolen Hardware	Lost or Stolen Paperwork	Non secure disposal – paperwork	Other - non principle 7 (now DPA 2018 principle 6) incident	Other - principle 7 (now DPA 2018 principle 6 - security of personal information) incident	Technical security failing
2018/19	46	29	7	3	1	0	4	2
2017/18	34	18	6	4	0	0	4	2
2016/17	43	25	5	0	0	1	8	4
2015/16	62	23	12	2	0	9	11	5
2014/15	66	14	23	0	2	18	0	9
2013/14	64	14	9	6	1	8	4	22
2012/13	63	No split by category available						

Analysis by category is always to some extent subjective as incidents could easily be categorised in more than one category. Therefore, these categories should be seen as indicative only.

As is the pattern in previous years, the majority of security incidents were not of major significance. Some of the themes which are similar to previous years are as follows:

- Incidents arising as result of human error form the majority of incidents. This trend is typical across the local government sector.
- E-mails sent to the incorrect recipient or including information that that shouldn't have been included
- Paper documents sent to the incorrect recipient or including information that that shouldn't have been included
- Lost council issued encrypted devices (laptops, smartphones with no personal data so low risk)

A project manager has been appointed who will focus on the increased use of the corporate Electronic Document Management System (EDMS) throughout the organisation. A plan for the further roll out of the Xerox Mail (Flexi Mail) solution will continue to reduce the amount of paper handled and reduce the potential for mail errors.

The most significant incidents during this year were:

A Council Tax incident was reported to the ICO – a system configuration error in our hybrid mail system resulted in the incorrect combining of some Council Tax letters into the same envelope. As approximately 150 customers were affected it was agreed to report to the ICO. After consideration, the ICO took no formal action. This was based upon the small amount of personal data included in the letters, the speed in which we resolved the issue and the action already taken by the authority in response to the incident.

A Housing data incident was reported to the ICO - A former council employee retained notebooks belonging to the authority after their employment. The notebooks contained information relating to a range of matters, including personal information about employees as well as clients. Following our investigation, again the ICO took no formal action and subsequently the notebooks were returned to the authority.

All information security incidents are investigated with incident reports compiled following discussion with those involved in the incident. An overview is also reported to the SIRO and Information Governance Group.

## **2.6. Information Sharing**

Partnership and collaborative working drives sharing of increased amounts of information between the council and other organisations. The Wales Accord on the Sharing of Personal Information (WASPI) requires public sector organisations to follow agreed guidance in the development of Information Sharing Protocols (ISP's). The council signed up to WASPI in January 2011. The Information Management team leads on this work and has developed a number of ISP's with services and other organisations. Documentation for WASPI is being reviewed by the WASPI Team in NWIS to ensure that it is appropriate for GDPR. A full list of the Council's ISPs is published on the Intranet. The following represents developments in 2018/19:

### **Information Sharing Protocols (ISP's)**

An ISP for Newport's Not in Education, Employment or Training (NEET) Partnership is currently under development.

### **Data Disclosure Agreements (DDA's)**

Data Disclosure Agreements (DDA's) are for one way disclosure of information from one organisation to another. These are recommended as part of the WASPI initiative and are seen as best practice for formalising such information disclosure.

Data Disclosure Agreements have been developed as follows:

#### **Finalised DDA's in 2018/19:**

- Primary school to secondary school data transfer
- Live Birth Data
- Children in Need Census/SAIL (Secure Anonymised Information Linkage)

## **2.7. Business Continuity**

There is an ever increasing reliance on digital technology to support business activities and it is therefore important to maximise the availability of systems. Increased resilience was a factor in the decision to join the Shared Resource Service (SRS). The SRS provides an on call service and the systems covered by the SRS in this arrangement are currently under discussion.



As a result of previous guidance from the Wales Audit Office, the council is part way through a large project to improve business continuity. To date, new hardware has been set up with the migration of backups of all systems from tape to disk. The next phase is to provide access to systems should both server rooms at the Civic Centre not be available. The SRS is leading on this with the Digital team to progress this work although this may change due to changing demands and IT system changes.

## **1.1. Technology Solutions**

A number of technical solutions are in place to minimise risk to information and the corporate network generally. PSN and PCI compliance together with the development of business continuity requirements continue to drive technical improvements for information governance. Wales Audit Office annually review the controls applied to key financial systems (also reported to Audit Committee). As a result of our partnership with the Shared Resource Service, the council will pursue options for collaboration and simplification wherever practical.

### **Microsoft Office 365**

The council migrated its e-mail solution during the last half of this year to Microsoft Office 365. This means the use of Office 2016 and e-mail within the cloud. This provides improved collaborative, agile working facilities and information security. The solution uses Microsoft Multi Factor Authentication (MFA). In addition, the Microsoft Advanced Threat Protection (ATP) solution was implemented to protect against attachments and links sent in e-mails. The e-mail configuration includes the use of Transport Layer Security (TLS) to encrypt e-mail to external e-mail systems set up to the same standard which should include all local authorities and the public sector generally. In addition, some work has been carried out to implement Domain-based Message Authentication, Reporting & Conformance (DMARC).

### **Digital Champions**

The council has approximately 30 “Digital Champions” who are advocates for the use of digital technology. They provide a key contact point for services using digital technology. They were a key part of the testing for Office 365 as above.

### **Mobility solution**

The use of a mobility solution is rolled out for agile workers. This has improved the ability for users to access their information whilst away from their usual place of work. Staff are able to work from anywhere where a wireless network is available, as if they were sat at their desk, which also reduces the requirement to carry paper documents. The solution now uses Microsoft Multi Factor Authentication (MFA) as used for Office 365 access.

### **Secure/Large File transfer solution**

Egress Switch is rolled out to all users. This enables the secure transfer of e-mails and associated documents to organisations and individuals without secure e-mail facilities. The solution provides the ability to restrict access to specific documents and audit access to the information provided. It also allows large files to be safely shared via email. The solution is live with enhanced Data Loss Prevention (DLP) facilities to scan e-mail for personal data which prompts users to encrypt e-mail if they include certain pieces of sensitive data. In line with the implementation of Egress Switch generally, the council will remove personal network storage for staff wherever possible.

### **Xerox Mail “hybrid mail”**

A new “hybrid mail” system is rolled out to streamline the production of paper and electronic outputs. This enables documents to be sent to production printers in the print room and then processed through the mail room folder/insert machine. This improves security by ensuring that print outputs are split in to envelopes automatically in the folder/insert machine. The system will be rolled out to other parts of the organisation to maximise the benefits to the council. This solution provides financial savings and reduces information risk.

## **Desktop Technology**

The council continues to increase the percentage of laptops as part of its total number of computers used to encourage more flexible and agile working with access to information and records from a variety of locations. Laptops now represent approximately 70% of all devices.

## **Laptops and Desktop PCs**

- All corporate laptops are protected using an end point protection solution
  - Encryption solution is used
  - A solution for schools laptops is under review
- Devices managed using Active Directory group policy management
- Mobile VPN for secure flexible and remote working as above
- All desktop PC's are protected using an end point protection solution
- Storage on networked home drives is recommended
- Unified Communications telephony solution has been deployed to 2200 desktop users across the council including voicemail and the ability to access telephony from non council locations.

## **Multi-Function Devices**

- 'Follow Me' print is available to all users, who are able to access Council printers from any location. A new Multi-Function Device (printer/copier) contract was rolled out in October 2017 with increased security features together with enhanced scanning facilities to drive the move to digital.

## **Remote Access Solutions**

The council's secure VPN (Virtual Private Network) solution is used by ad-hoc agile workers and suppliers to identify and resolve issues with systems which they support. Supplier accounts are disabled when not in use and they need to ring IT before they are given access. A small number of suppliers who may be required to support IT systems outside IT hours have a new solution using Microsoft Multi Factor Authentication (MFA).

## **Firewalls**

Corporate firewall appliances are in place to protect the council's network from untrusted networks and a separate firewall protects the PSN network.

## **Wireless Staff Access**

Wireless Access points are provided in many council buildings. This includes appropriate security controls in place. Various updates have taken place in 2018/19.

## **Wireless Public Access**

Wireless public access is provided in select council locations and this is protected using appropriate security measures where users can create logins for a limited period. Public Wi-Fi is also now available as part of the 'Digital Newport' work in the city centre (Newport City Connect), over 50 public buildings and on public transport (Newport Community Cloud). Friendly Wi-Fi accreditation has been achieved for this set up. Gov Wi-Fi is available in various public buildings too.

## **Physical Security**

Major buildings (Civic Centre and Information Station) are limited to staff with physical access tokens and alarmed outside of opening hours. As detailed in the physical access policy:

- IT facilities must be located in secure areas protected from unauthorised access
- Any visitors to IT and Information secure areas must be signed in and accompanied at all times
- Computer rooms are subject to additional security measures to protect them from unauthorised access, damage and interference
- Plans are in place to upgrade the system used for door access in the Civic Centre

The policy and Building Access policy also require staff to display identity badges at all times.

## Digital and Technology Developments

The council's [Digital Strategy](#) outlines strategic objectives including a move to more 'cloud' based technologies. There are inherent risks in this change, with other organisations effectively holding the council's data. There will be on-going work to ensure that appropriate controls are in place.

## Financial Systems

Wales Audit Office annually review the controls applied to key financial systems (reported to Audit Committee)

## 2.8. Records Management

The implementation of the corporate Electronic Document Management System (EDMS) across services includes retention facilities that assists with GDPR An upgrade to the Social Services system took place and a similar upgrade to the corporate system is planned. EDMS provides the council with a modern, efficient, electronic system for managing documents, improving the way information and documents are used and the flow of information around the council. Documents are scanned on receipt into the mail room, and made available to services in the EDMS system.

Capacity issues remain with the council's Modern Records facility at the Civic Centre as a result of building moves. Whilst additional space has been developed to provide further capacity, longer term options include the digitisation of some of the paperwork to provide alternative uses for the existing space.

## 2.9. Freedom of Information and Subject Access Requests

As a public authority, the council also handles requests for information and data. There are risks associated with responding to Freedom of Information and Subject Access requests. With Freedom of Information requests, care should be taken not to include any personal information as part of responses, for instance when sending out spread sheets that might originally include personal data.

### Freedom of Information

This is the fifth time that the number of Freedom of Information (FOI) requests has been included. The number of requests received in 2018/19 was 1,167 which is an increase from last year of 130 requests or 12.5%. 2016/17 was the first time that the number of requests had reduced from the previous year. since records began in 2011/12. Following the reduction in 2016/17 the figure for 2017/18 represents the highest number of requests ever recorded. It is 80 more requests received than the previous highest number. It is always difficult to understand the reasons behind variation in numbers as there are a number of factors that may impact on the figures, especially issues that are of particular local or national interest e.g. Brexit. These tend to generate a number of FOI requests and the number tends to reflect the level of public interest. Performance for 2017/18 was 90.0% of requests responded to within 20 working days. This was above the target of 88% of requests. The council has met its target for six of the eight years since a target was identified.

A breakdown per year is included below:

Year	Number of requests	Performance (Target)
2018/19	1167	90.0% (88%)
2017/18	1037	88.3% (88%)
2016/17	1087	84.1% (88%)
2015/16	914	92.3% (87%)
2014/15	895	87.7% (87%)
2013/14	869	87.1% (87%)
2012/13	698	90.4% (87%)
2011/12	540	84.4% (87%)

The existing system for managing FOI requests has been extended further with options being considered for future years including use of the new CRM system.

### **Publishing data**

Government and ICO guidance encourage the publication of data as good practice for public bodies and this is referenced in the [ICO model publication scheme](#) as part of our commitment to openness and transparency. The [transparency page](#) was developed to improve signposting of council data.

This page includes:

- Council spend over £500
- Councillor allowances and expenses
- Business rates data
- Public health funerals
- Council pay and grading including gender pay gap information
- Pupil numbers in Newport
- Newport Matters production costs
- Housing Information (new)
- Contact Centre statistics (new)\_

Housing information and Contact Centre statistics were added this year. Further appropriate data sets will be added as they are identified. This data is free to re-use under the terms of the [Open Government Licence](#).

### **Subject Access Requests**

Subject Access Requests (SAR's) are requests for personal information requested by the data subject and care needs to be given to ensure that personal information relating to other data subjects is removed. As a result of General Data Protection Regulation, fees have not been charged since April 2018 prior to the May deadline. As detailed above, a new Data Protection Policy was developed and this includes the rights of individuals under the Data Protection Act 2018. Specific guidance on processing Subject Access Requests is included in the policy and guidance to staff has been provided on the intranet and in staff bulletins. The personal information request form used to identify specific subject areas for requests as well as gathering details of the requestor was amended to reflect the removal of any fee. It is crucial to gather proof of identity so personal data is not disclosed to a third part accidentally.

### 3. Risk Management and Associated Action Plan

The sections above highlight the work required to address the obligations under General Data Protection Regulation (GDPR) and the associated Data Protection Act 2018. The number and complexity of services the council provides means this is a very large task.

GDPR means that organisations need to be clearer and more transparent about how they process data. Many of the processes and tasks required to comply with this are well advanced with excellent progress made. In addition, organisations need to get a better understanding of what data they hold and the legal basis for the processing and this is well progressed with some work to do. Citizens are also provided with enhanced rights and these are detailed in a new Data Protection Policy which provides guidance to staff and special emphasis on processes for Subject Access Requests. Information risks change regularly and these are managed by the Information Management team by an information risk register and other processes. Evidence to date suggests that the ICO will not issue organisations, especially the public sector, with excessive fines. The theoretical maximum fine is now 20 Million Euros.

Maintaining compliance with Public Services Network and Payment Card Industry standards is challenging. This work is now dependent on the SRS to resolve on behalf of the council in conjunction with the Information Management team. Wales Audit Office will continue to provide an independent review of practice.

The Information Commissioner's Office (ICO) took no action against the council as a result of two incidents referred to the ICO by the council during this period. Incidents continue to be investigated when they arise to respond to the incident effectively and learn lessons to minimise the likelihood of re-occurrence.

The Information Governance Group continues its important work of monitoring risk across services and providing strategic direction with representation from the Shared Resource Service (SRS) and this will require a different method of operation. The SRS client side role continues to develop and this is recognised as a crucial area to meet the digital needs of the council as an SRS partner organisation. The aim is for improvements in information security across all partners by a simplified and standardised infrastructure where possible and plans are being developed by the SRS to this end.

The council maintains a strong commitment to information governance as demonstrated by the organisation and activities detailed within this report.

#### 3.1. Risk Management

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Staff unaware of information risks and data breach occurs	H	L	Staff awareness raising especially around GDPR Provision of data protection training Intranet content and staff bulletins Development of new policies and update of existing ones	Digital Services Manager (DSM) in conjunction with Information Management team
PSN (Public Services Network) accreditation not gained	H	L	Undertake IT Health Check and resolve any vulnerabilities identified. Evidence information governance arrangements as detailed in this document. Ongoing patch management and	Digital Services Manager (DSM) in conjunction with in conjunction with SRS

			other activities to reduce risks. Continued engagement with Members	
Delivery of IT Service by Shared Resource Service (SRS) provides less control	M	M	Continue to develop relationship with the SRS Develop client side role to provide strategic input and performance monitoring	Digital Services Manager (DSM) in conjunction with Head of PBC / SRS management
Do not meet requirements of EU General Data Protection Regulation	M	M	Staff Awareness raising especially senior management GDPR tracker being managed and shared with Data Protection Group Standing agenda item at Information Governance Group	Digital Services Manager (DSM) in conjunction with Head of PBC / SRS management
PCI- DSS (Payment Card Industry Data Security Standards) compliance not achieved	M	M	Complete actions identified in audit report	Digital Services Manager (DSM) in conjunction with in conjunction with SRS
Technical Solutions are not available to meet the needs of service delivery and data breach occurs	H	L	Microsoft Multi factor Authentication (MFA) solution for secure access to office 365 e-mail. Egress Data Loss Prevention (DLP) system rolled out and other improvements to e-mail security Encrypted laptop devices New Multi-Function Devices (printer/copier) has increased security features Data stored on servers and not on local devices unless encrypted Review solutions, identify and plug any gaps Maintain health check and compliance requirements Review the security of cloud based technical solutions considered	Digital Services Manager (DSM) in conjunction with Information Management team
Information is not shared appropriately and securely	H	L	Development of new Information Sharing Protocols and Data Disclosure Agreements and review of existing ones Advice and guidance	Digital Services Manager (DSM) in conjunction with Information Management team
Critical IT systems are not available to services	H	L	Phase 1 of disaster recovery solution completed by SRS. SRS now progressing to phase 2 to provide alternative processing facilities. Continue to review and refine priorities for critical IT	SRS in conjunction with Digital Services Manager and services

			systems and ensure these are communicated to relevant staff. Work with SRS to develop consistent IT system priorities across partners where possible	
Information security is not considered for new projects	M	L	Data Protection Impact Assessments (DPIA's) carried out for new projects with further DPIA's required going forward. Use ICO process including screening	Digital Services Manager in conjunction with services

## 3.2 Action Plan

Action	Deadline
<b>Compliance and Audit</b>	
<b>PSN accreditation</b>	
Carry out annual IT Health Check and associated remediation action plan prior to PSN submission	Oct 19
<b>EU General Data Protection Regulation (GDPR) and DPA 2018</b>	
GDPR to be discussed as standard item at Information Governance Group and Data Protection Group	On-going
Finalise forms audit and associated privacy notices for the organisation. This will include the legal basis and consent where appropriate	Aug 19
Information Asset Register to be reviewed, updated and extended as necessary	Sep 19
Privacy notice and DPIA for Civil Parking Enforcements systems	Jun 19
Conduct Data Protection Impact Assessments (DPIA's) where necessary	On-going
<b>PCI accreditation</b>	
Payment Card Industry Data Security Standard actions as a result of audit to follow prioritised PSN work	Aug 19
<b>Cyber Essentials Plus</b>	
Submission for Cyber Essentials Plus	Jul 19
<b>Information Governance Culture and Organisation</b>	
Circulate and analyse data protection staff survey	Aug 19
Continue to develop and manage relationships with Shared Resource Service (SRS)	On-going
Contribute to information governance considerations across all SRS partners	On-going
Quarterly meetings of the Information Governance Group to oversee information risk management in conjunction with other stakeholders including Shared Resource Services representation	On-going
Quarterly meetings of Data Protection Group to discuss operational data protection issues	On-going
SIRO and Cabinet Member to be briefed on relevant information governance issues	On-going
Members updated through Annual Information Risk Report, including review by Scrutiny Committee	Jul 19
Develop action plan to take forward agreed Service Level Agreement with schools	Jul 19
<b>Communications and Awareness Raising</b>	
Regular data protection training sessions corporately and for Social Services including additional monthly courses to meet demand	On-going
Further policies and guidance will be developed to support the organisation	On-going
Information and IT Security policy to be reviewed in reference to Data Protection Policy	Sep 19
Existing policies and guidance will be reviewed and updated to ensure they are appropriate	On-going
Provide advice and guidance to support primary schools in conjunction with planned Service Level Agreement	On-going
<b>Information Risk Register</b>	
Management of the information risk register	On-going
<b>Information Security Incidents</b>	
Investigation of security incidents and identification of issues to be followed up	On-going
<b>Information Sharing</b>	
Further Information Sharing Protocols will be developed to support collaborative working	On-going
Review existing Information Sharing Protocols	On-going
Develop additional Data Disclosure Agreements as required	On-going
<b>Business Continuity</b>	



Complete disaster recovery/business continuity improvements following previous WAO review to enable key systems to be accessed should both server rooms at the Civic Centre not be available.	Mar 20
Work with Shared Resource Service to agree and communicate out of hours on call systems	Sep 19
<b>Technology Solutions</b>	
As a result of our partnership with the Shared Resource Service, the council will pursue options for collaboration and simplification wherever practical	On-going
Ensure information security is appropriate around Office 365 solution including Multi Factor Authentication	Apr 19
Extend use of Xerox Mail solution to improve mail distribution processes	On-going
Review technical solutions to ensure they meet information governance needs including cloud-based systems	On-going
Consider the need for new technical solutions to address weaknesses	On-going
<b>Records Management</b>	
Continued roll out of EDMS solution across council	On-going
Review options for Modern Records and storage	On-going
<b>Freedom of Information and Subject Access Requests</b>	
<b>Freedom Of Information</b>	
Publication of further open data for suitable data sets	On-going
FOI system options being considered including use of the new CRM system	Dec 19
<b>Subject Access Requests</b>	
Ensure all Subject Access Requests are recorded in FOI system and processed in line with Data Protection Policy	Apr 19

Mae'r dudalen hon yn wag yn

# Scrutiny Report

## Overview and Scrutiny Management Committee

### Part 1

Date: 12 July 2019

### Subject **Scrutiny Annual Report 2018/19**

Author Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Elizabeth Blayney	Scrutiny and Governance Manager

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked

- 1.1 To consider the draft Scrutiny Annual Report 2018/19 attached at **Appendix 1**, including the Planned Actions for Scrutiny for 2019/20;
- 1.2 Agree for the Scrutiny Annual Report to be submitted to Council in September for approval.

### 2 Context

#### Background

- 2.1 The Scrutiny Committees are required by the constitution to submit an Annual Report each year to Council, to review how Overview and Scrutiny has operated in the last 12 months.
- 2.2 The Annual Report is a key part of the performance management cycle for Scrutiny. It is difficult to measure the impact of Scrutiny using traditional performance measures, which count the outputs from the Scrutiny Committees but do not measure the outcomes of its work, or show whether improvements have been made as a result. The Annual Report is a more useful tool in reviewing the effectiveness of scrutiny, providing an opportunity to reflect properly on how scrutiny has operated within the last year, and identify upcoming challenges against which future performance can be measured.

- 2.3 As well as providing a commentary on scrutiny activity in the past year, the report is structured to review performance on the targets set last September, and agree priorities for the next 12 months (which will be used as the basis of our performance review next year).

### **3 Information Submitted to the Committee**

- 3.1 The Draft Scrutiny Annual Report 2018/19 is attached as **Appendix 1** for consideration.

## **4. Suggested Areas of Focus**

### **Role of the Committee**

#### **The role of the Committee in considering the report is to:**

- 4.1 The Committee is asked to consider if the attached report provides an accurate summary of the work undertaken by the Scrutiny Committees over the last 12 months. Due to the election, and the new Committee structures this section of the report has been approved by the Chairs of the Scrutiny Committees in the previous term.
- 4.2 The main focus for this Committee is the actions for 2019/20. The role of monitoring these actions will be within the remit of the Overview and Scrutiny Management Committee, whose role is to monitor the effectiveness of the Scrutiny function throughout the year.
- 4.3 Scrutiny has undergone a major overhaul since the previous term, with a new Committee structure being adopted by the Council in May 2017. The focus has shifted to areas that we have previously been weakest in, namely Performance monitoring, holding the executive to account and Scrutiny of the PSB.
- We now have three performance Scrutiny Committees whose sole role is to focus on the performance of the service area. The next year will be a period of developing these Committees and embedding the new structure to make sure Scrutiny is making an impact.
- 4.4 The extent to which Scrutiny is making an impact is a key area of focus for the Overview and Scrutiny Management Committee. The Committee needs to be satisfied that the actions for 2019/20 are measurable, and will ensure progress is made in improving the Scrutiny function.
- 4.5 The Scrutiny Annual Report 2018/19 will be submitted to the Council for approval at its meeting on 10 September 2019.

## **Section B – Supporting Information**

### **5 Links to Council Policies and Priorities**

- The work of the Scrutiny Committees should be focused on the achievement of the objectives within the Corporate Plan, and within the Wellbeing of Future Generations Act 2014. The Annual Report document the work undertaken in the last 12 months and assessed the extent to which Scrutiny makes a positive impact upon the Council's delivery of services, contributes to the delivery of corporate objectives:

<b>Well-being Objectives</b>	Promote economic growth and regeneration whilst protecting the environment	Improve skills, educational outcomes & employment opportunities	Enable people to be healthy, independent & resilient	Build cohesive & sustainable communities
<b>Corporate Plan Commitments</b>	Thriving City	Aspirational People		Resilient Communities
<b>Supporting Function</b>	Modernised Council			

## 6 Wellbeing of Future Generation (Wales) Act

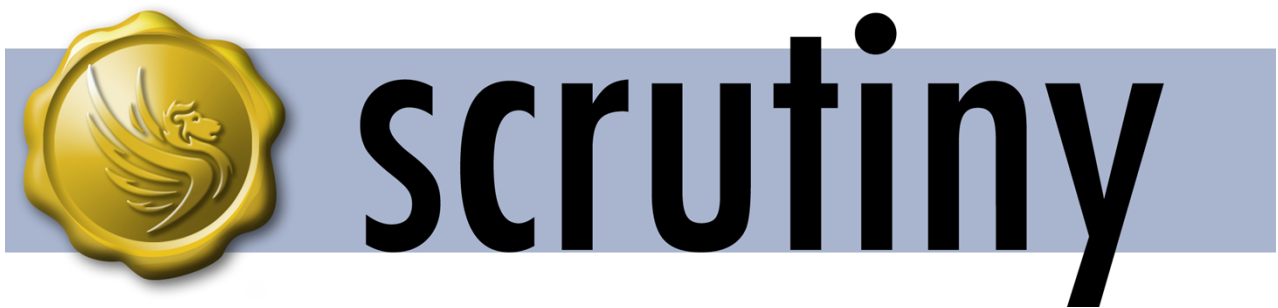
5 Ways of Working	Types of Questions to consider:
<p><b>Long-term</b></p> <p>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</p>	<p>Are there any long term trends developing that could affect how this plan is implemented to how the actions are prioritised?</p>
<p><b>Prevention</b></p> <p>Prevent problems occurring or getting worse.</p>	<p>How are you identifying issues that may occur with the use of the self-assessment?</p> <p>Can you give us an example of how this has benefitted scrutiny in the past?</p>
<p><b>Integration</b></p> <p>Considering how public bodies' wellbeing objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</p>	<p>How does the Council's implementation of the action plan impact upon the services of other public bodies and their objectives?</p>
<p><b>Collaboration</b></p> <p>Acting in collaboration with any other person (or different parts of the organisation itself).</p>	<p>How are you using the knowledge / information / good practice of others to inform / influence the Council's work?</p>
<p><b>Involvement</b></p> <p>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</p>	<p>How as a Council are we ensuring we are consistently seeking the views of those who are impacted through the implementation of the plan?</p> <p>While developing a long term strategy, how are you ensuring the diverse communities are involved in your decision making?</p>

## 7. Background Papers

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)

Report Completed: July 2019

# Scrutiny Annual Report 2018-19



[www.newport.gov.uk/scrutiny](http://www.newport.gov.uk/scrutiny)

*This document is available in welsh / Mae's ffurflen hon ar gael yn Gymraeg*

For further information on any of the information contained within this report, or on the Scrutiny process in Newport please contact:

Scrutiny and Governance Team  
Newport City Council  
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NP20 4UR

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# Introduction

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## What is Overview and Scrutiny?

Scrutiny is the term given to the non-political process within the Council, whereby the decision makers (the Cabinet) are held to account for the decisions taken, whether they have been implemented effectively and whether they have resulted in improved services for people of Newport.

The Cabinet (also known as the executive) has the power to make the decisions needed to action the policies agreed by the Council. The remaining Councillors (non-executive) then form the scrutiny element, whose role is to challenge the performance of the Cabinet and hold them to account for the decisions taken. Scrutiny Committees can make recommendations and scrutinise the policies, decisions and performance of the Cabinet. The Cabinet, in turn, consults with, and responds to, Scrutiny Committee recommendations.

The underlying principle of Scrutiny arrangements is to ensure that the decision making process is open, accountable and transparent.

Scrutiny has the following roles:

- Hold the Cabinet to account for the decisions it makes;
- Ensure that the Cabinet and Officers perform effectively and that the Council is delivering what it said it would.
- Listens to the views of the public and make sure the public voice is heard;
- Develops and reviews policy to ensure that it is fit for purpose and provides the best outcomes for the people of Newport.

Scrutiny Committees do not have decision - making powers. In all cases the role of the Scrutiny Committee is to examine available options or consider how effectively an area is performing and then to make recommendations to the decision making body whether that is the Council; the Cabinet, an Individual Cabinet Member or external partners.

Scrutiny Committees are usually conducted in public, and the public are welcome to attend and observe any formal meeting of the Committee.

The Scrutiny Committee can operate in a number of ways, depending what the issue is that they are looking into. The most common approaches are either to consider issues via a report at Committee meetings, or to set up a working group to look at an in-depth issue.

Since the introduction of the Wellbeing of Future Generation Act, Scrutiny now has a statutory role to scrutinise the work of the Public Service Boards. PSB's are accountable to Scrutiny Committees in respect of how they work jointly to improve the economic, social, environmental and cultural well-being of their area by contributing the achievement of the wellbeing goals in accordance with the sustainable development principle.

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Under the Act, Scrutiny has the power to:

- Review or scrutinise the decisions made or actions taken by the PSB;
- Reviewing or scrutinise the governance arrangements of the PSB;
- Acting as a consultee on key documents;
- Monitoring progress on the PSBs implementation for the wellbeing plan and assessing the delivery of objectives.

In carrying out these roles, the Scrutiny Committee can require any statutory member of the Board to give evidence, the capacity in which they do so must relate to the exercise of joint functions conferred on them as a statutory member of the board.

## **How can the public get involved in the Scrutiny Process?**

Scrutiny Committee meetings are normally open to the public and the agendas are published 1 week in advance of the meeting on the Councils webpage. Members of the public are welcome to attend any Committee meeting to observe. Agendas, reports and minutes of meetings can be found on the [Council's website](#).

Members of the public can suggest items for the Scrutiny Committee to look into by writing, emailing or phoning the Scrutiny Team:

Scrutiny and Governance Team  
Newport City Council  
Civic Centre  
Newport  
NP20 4UR

Tel: 01633 656656

Email: [scrutiny@newport.gov.uk](mailto:scrutiny@newport.gov.uk)

## **What is the purpose of this Annual Report?**

Each year the Council produced a Scrutiny Annual Report, which is intended to give an overview of the work undertaken by each of the Overview and Scrutiny Committees over the previous 12 months. This report also sets out the planned actions for the next 12 months, summarised in Section 9, within the Action Plan for 2019/20.

This report looks at the work of the Scrutiny Committees from May 2018 to April 2019. The Annual Report is an essential tool for measuring the performance of Scrutiny, evaluating the progress made against previous targets and setting priorities for the coming year.

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## Key Developments

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Following the new Committee structure adopted by the Council in May 2017, the Committees work has been focused on embedding the benefits of the new structure and enhance the Council's scrutiny function relating to the roles below:

<b>Performance Monitoring</b>	Holding the executive to account
<b>Policy Review and Development</b>	Including consultation on decisions before they are made (pre-decision Scrutiny)
<b>Performance of partnerships</b>	in particular the PSB (but also NORSE, EAS, SRS, Newport LIVE).
<b>Scrutiny of Corporate Strategies /Plans –</b>	Such as the Corporate Plan, Improvement Objectives.
<b>Coordination / management</b>	of work programmes - including referrals, policy review groups, recommendations monitoring and setting processes for looking at Corporate issues such as the budget, public engagement, the Corporate Assessment)

Scrutiny's function has made a greater impact by devoting three of the four Committees to performance based work, becoming more outcomes based and linking to the Cabinet work programme, creating a cohesive approach to improve performance within the Council.

The four Committees;

- Overview and Scrutiny Management Committee
- Performance Scrutiny Committee – People
- Performance Scrutiny Committee - Place and Corporate
- Performance Scrutiny Committee – Partnerships

To support the Members in executing their Committee duties, a number training course and seminars have been held. These include

- PREVENT Training
- Equalities Training
- Review of Schools in Red/Special Measures
- EAS Event – Accountability and Curriculum Reform
- Out of County Placements
- Presentation from Motor Neurone Disease Association
- Information Security Training
- Well-being Plan and Well-being Assessment Briefing
- Housing
- Homelessness

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- Understanding Educational Attainment Data
- Review of Schools in Red/Special Measures
- Service Plans
- The Quality of the Road Network

Below is a summary of the major developments and achievements this year.

### **1.1 Performance Scrutiny Committee – Place and Corporate Performance Scrutiny Committee – People**

The two Performance orientated Committee's range of knowledge about the service area has increased and grown as they progress through their work programme.

The understanding and knowledge base throughout the Committee Members has increased with Members developing their questioning skills and strategies to allow for more in depth scrutiny and targeting of the poor performing targets and measures.

The Officers and Cabinet Members are being held to account better for their actions and decision making processes.

The Committee have built on the established performance focus by not only scrutinising performance data but taking a holistic look at the service area through service plans. At the beginning of the Year the Committees were receiving performance updates for the Service areas focusing on performance indicators as the main source of information. Since then, the Committees have begun to scrutise the service areas through the Service Plans which provides a more rich evidence base for the Committee to consider performance in a wider context. The Service plans have included financial information, links with corporate goals, Wellbeing goals and work towards goals set external of the Council.

Both of these Committees have also received reports on the Cabinet's responses to the Recommendations the Committees had made to the Draft Budget proposals as part of the Committee's remit of measuring and assessing its own impact and value.

Performance Scrutiny Committee – Place and Corporate have also considered the Draft Highways Asset Management Plan 2019-2024 following an all Member briefing in September 2018.

Performance Scrutiny Committee – People considered 2018 End of Key Stage Teacher Assessment Outcome's and National Test Results report, Esytn Inspection Reports

The Committee have also had many briefings to assist Members to understand the background to the item before the Committee meetings. These briefings included with an update on the work being undertaken on Additional Learning Needs in Gwent and an update on the Transition from Children's to Adult Social Services.

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## 2.2 Overview and Management Scrutiny

The Members are increasing in confidence asking questions which addressed national policy, especially the Wellbeing of Future Generations Act. These questions created a thread between meetings that allowed themes to develop, and questions to hold more weight and a greater need for Officer responses to be of a higher quality and show how the Officers linked each strategy to the overall Corporate plan.

- Corporate Safeguarding
- Recommendations Monitoring – Budget and Public Engagement
- Recommendations Monitoring – Economic Regeneration
- Recommendations Monitoring – Corporate Plan
- Wales Audit Office Report – Scrutiny – Fit for Future?
- Implementation Monitoring – Pillgwenly Public Spaces Protection
- Director of Social Services Annual Report
- Public Engagement Review
- Annual Information Risk Report
- 2019/20 Budget and Medium Term Financial Plan (MTPF)
- Recommendations Monitoring - Waste Services Review
- Wales Audit Office Report – Waste Services Follow Up Review

## 2.3 Performance Scrutiny Committee- Partnerships

The Performance Scrutiny Committee - Partnerships

- PSB – Well Being Plan 2018-23
- PSB – Well Being Plan 2018-23 – Mid Year Update
- PSB – Single Integrated Plan Report 2017-18
- Cardiff Capital Regional City Deal Joint Scrutiny
- Education Achievement Service – Governor Support
- Education Achievement Services (EAS) Business Plan 2019-20
- Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Strategy
- Shared Resources Service (SRS) Update
- Regional Area Plan 2018-19 Summary Update

[www.newport.gov.uk/scrutiny](http://www.newport.gov.uk/scrutiny)

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## 9. Actions 2018-19 Update

Intended Outcome	Actions		Status	
Public Engagement Tudalen 54	1	<p>Redevelop the Public Engagement Strategy to ensure arrangements are put in place to support public involvement and participation within scrutiny is encouraged. To include:</p> <ul style="list-style-type: none"> <li>- Utilising social media to promote Committee work.</li> <li>- Encourage public participation and involvement.</li> <li>- Improving the public's engagement with the scrutiny function by using a wider range of engagement methods.</li> </ul>	Not Completed	<p>This has not been progressed.</p> <p>Due to a shift in priorities the focus of the web developments have centred on implementing the Welsh Version of the Agenda publication software to ensure that the Council webpages are compliant with the Welsh Language Standards.</p> <p>This change in priority has meant that improving the website for the public will be revisited next year.</p>
	2	<p>Ensure an effective member development programme is implemented to support Scrutiny Members to undertake their roles. This will need to include feeding into to an overall member development programme and providing comprehensive support to Members.</p>	Ongoing	<p>Each Committee has requested a number of briefings to support them in undertaking their role. This forms part of wider development through the Democratic Services Committee to implement the Member development Charter.</p>
Executive	3	<p>Review the arrangements for Cabinet Member attendance at Scrutiny in</p>	Completed	<p>Regular attendance of the lead Cabinet Member to be held to account for the performance of the</p>

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Intended Outcome	Actions		Status	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 55</p> <p><b>Arrangements</b></p>		<p>light of changes to the performance reporting. To enable the Committees to effectively hold Cabinet Members to account for Service Performance, when invited to scrutiny Committees and utilise Cabinet Member time effectively at the meetings.</p>		<p>Service Area alongside the Director and Head of Service.</p> <p>The Performance Scrutiny Committee- Place and Corporate and the Performance Scrutiny Committee- People have received the mid year and year end update on the service plan, for which the relevant Cabinet Member has been invited and contributed to the Committees consideration of the performance of each service area.</p> <p>The Leader has also been in attendance for the Overview and Scrutiny Management Committee for the discussion of the progression of the Council's Corporate Plan in December 2018.</p>
	<p><b>4</b></p>	<p>Improve the planning and links between the Scrutiny Forward Work Programme and the Cabinet.</p>	<p>Ongoing</p>	<p>This is ongoing. The Cabinet Work programme is reported to Scrutiny Annually to ensure that the Committees have an opportunity to identify areas of</p> <p>The next stage is to develop the use the software Mod.gov to publish work programmes which will make it easier to track see the history of items that have gone to Cabinet and Scrutiny. This has not been progressed this year due to the priority of developing the Welsh Mod.gov facility to ensure the Council is compliant with the Welsh Language Standards.</p>
	<p><b>5</b></p>	<p>To continue regular meetings of the Chairs of Scrutiny, the Scrutiny Officer Team to ensure a positive relationship continues, and</p>	<p>Complete</p>	<p>This is ongoing. The Chairs have continued to meet throughout the year to coordinate the work programmes collectively and ensure a consistent</p>

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Intended Outcome	Actions		Status	
		workloads are coordinated effectively. This will include meetings with the Executive.		<p>approach is being delivered.</p> <p>Following discussion with the Leader, the Cabinet had elected a Scrutiny contact within the Cabinet to attend meetings and discuss working practises between Cabinet and Scrutiny. Councillor Deb Harvey has attended meetings of the Scrutiny Chairs meetings to discuss Cabinet Members attendance at Scrutiny ensuring a consistent approach is being taken between the 4 Committees on this matter. It also will ensure an ongoing dialog to address any issues that may arise during the course of the year.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Tudalen 56</p> <p style="text-align: center;"><b>Assessing Effectiveness and Impact</b></p>	<b>6</b>	Review the impact of the new scrutiny structure and arrangements in driving improvement to include a repeat of the Scrutiny Self Evaluation and Peer review exercises	April 2019	<p>The Self Evaluation was completed this year with Committee Members, Cabinet Members and Officers in January 2019. Only 4 responses were received. The issue was discussed with the Chairs and it was decided to repeat the exercise in April to attempt to increase turn out. There were still not sufficient numbers of forms returned to analyse the outcomes and use the data to determine areas of development for next year. This will be discussed at the next meeting of the Scrutiny Chairs and alternative options will be looked to engage with Scrutiny Members, including setting up a Peer Review with neighbouring authorities to obtain external views on Newport Scrutiny Arrangements.</p>

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## 9. Actions 2019-20

Tudalen 57

Ref	Proposal for Improvement	Intended Outcome	Completion Date	Responsible Officer
1	Provide a structured and timely member development programme to improve Members scrutiny Skills and improve their understanding of their Scrutiny Role	Members understanding of their Overview and Scrutiny Role increases	TBC	Scrutiny and Governance Manager
2	Providing further training for scrutiny members on the Well-being of Future Generations (Wales) Act to improve their understanding and consideration of the Act when undertaking scrutiny activity.	The principles of the Act are more familiar to members and those are applied during scrutiny processes	Establish training needs September 2019 through reissuing the training and development questionnaire to Members, continue development of programme ongoing throughout the year.	Scrutiny and Governance Manager
3	Effectively holding Cabinet members to account for service performance when invited to scrutiny meetings.	Ensure that the Council has arrangements to enable scrutiny to hold Cabinet members to account more effectively and ensure Cabinet Members are equipped and prepared to be held accountable for the roles they hold.		Scrutiny and Governance Manager / Cabinet Office Manager
4	Reviewing the impact of the new scrutiny structure and arrangements in driving improvement.	Ensure that the new structure and arrangements are achieving the intended outcomes.	Scope Peer Review with other authorities September 2019	Scrutiny and Governance Manager

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<b>5</b>	Improving the public's engagement with the scrutiny function by using a wider range of engagement methods	Ensure that there are greater opportunities for the public to help to influence scrutiny forward work programmes	Jan 2020	Scrutiny and Governance Manager
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# Scrutiny Report

## Overview and Scrutiny Management Committee

### Part 1

Date: 12 July 2019

### Subject Scrutiny Adviser Reports

Author Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Role
Daniel Cooke – Scrutiny Adviser	<b>Present the Committee with the Scrutiny Adviser Reports for discussion and update the Committee on any changes.</b>

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked to:

#### Committee's Work Programme:

1.1 Consider the Committee's Forward Work Programme (**Appendix 1**):

### 2 Context

#### Background

- 2.1 The purpose of a forward work programme is to help ensure Councillors achieve organisation and focus in the undertaking of enquiries through the Overview and Scrutiny function. Effective work programming is essential to ensure that the work of Overview and Scrutiny makes a positive impact upon the Council's delivery of services.
- 2.2 Further information about the work programming process, including the procedures for referring new business to the programme, can be found in our Scrutiny Handbook on the Council's Scrutiny webpages ([www.newport.gov.uk/scrutiny](http://www.newport.gov.uk/scrutiny)).
- 2.3 The Centre for Public Scrutiny's Good Scrutiny Guide recognises the importance of the forward work programme. In order to 'lead and own the process', it states that Councillors should have ownership of their Committee's work programme, and be involved in developing, monitoring and evaluating it. The Good Scrutiny Guide also states that, in order to make an impact, the scrutiny workload should be co-ordinated and integrated into corporate processes, to ensure that it

contributes to the delivery of corporate objectives, and that work can be undertaken in a timely and well-planned manner.

### **Forward Work Programme Updates**

- 2.4 The Committee's work programme was set in June 2018, including estimated timescales for when the reports will be considered by the Committee. This programme is then managed and implemented by the designated Scrutiny Adviser for this Committee under the direction of the Committee Chairperson.
- 2.5 The Committee agreed to keep a degree of flexibility within its work programme to enable the Committee to respond to urgent / emerging issues. This item is an opportunity for the Committee members to raise any suggested additions to the work programme.

## **3 Information Submitted to the Committee**

- 3.1 The following information is attached:

**Appendix 1:** The current Committee forward work programme;

## 4. Suggested Areas of Focus

### Role of the Committee

The role of the Committee in considering the report is to:

- **Forward Work Programme**

Consider:

- Are there any amendments to the topics scheduled to be considered at the next Committee meeting?
- Are there any additional invitees that the Committee requires to fully consider the topic?
- Is there any additional information that the Committee would like to request?

## Section B – Supporting Information

### 5 Supporting Information

- 5.1 The Corporate Assessment, and the subsequent [follow up assessment](#) provide background information on the importance of good work programming. Specific reference is made to the need to align the Cabinet and Scrutiny work programmes to ensure the value of the Scrutiny Function is maximised.
- 5.2 The latest Cabinet work programme was approved by the Cabinet on a monthly basis for the next 12 months and includes the list of reports scheduled for consideration. Effective forward planning by both Cabinet and Scrutiny needs to be coordinated and integrated in relation to certain reports to ensure proper consultation takes place before a decision is taken. A link to the Cabinet work programme is provided [here](#) to the Committee as part of this report, to enable the Committee to ensure that the work programmes continue to reflect key decisions being made by the Cabinet.

### 6 Risk

- 6.1 If proper work programming procedures are not put in place, the organisation and prioritisation of the work programme is put at risk. The work of Overview and Scrutiny could become disjointed from the work of the rest of the Council, which could undermine the positive contribution Overview and Scrutiny makes to service improvement through policy development.
- 6.2 This report is presented to each Committee every month in order to mitigate that risk. The specific risks associated with individual topics on the work programme will need to be addressed as part of the Committee's investigations.

### 7 Links to Council Policies and Priorities

- 7.1 Having proper work programming procedures in place ensures that the work of Overview and Scrutiny makes a positive impact upon the Council's delivery of services, contributes to the delivery of corporate objectives, and ensures that work can be undertaken in a timely and well-planned manner.

### 6 Financial Implications

- 6.1 There will be financial consequences for some of the reviews undertaken. These will be commented upon by the Head of Finance as the reports are presented. The preparing and monitoring of the work programme is done by existing staff for which budget provision is available.

## 7 Background Papers

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)
- [Cabinet Work Programme](#)
- The Corporate Assessment and [follow up assessment](#).

Report Completed: July 2019

**Thursday, 26 September 2019**

Topic	Role / Information required	Invitees
Corporate Plan Annual Report 2018/19	To provide comment and recommendation to the Cabinet on the performance of the Council towards their objectives set out in the Corporate Plan.	<ul style="list-style-type: none"> <li>- <b>Debbie Wilcox – The Leader of Newport City Council</b></li> <li>- <b>Will Godfrey – Chief Executive</b></li> <li>- <b>James Harris – Strategic Director – People</b></li> <li>- <b>Bev Owen – Strategic Director – Place</b></li> <li>- <b>Rhys Cornwall – Head of People and Business Change</b></li> </ul>
Toilet Strategy	The Committee are asked to consider and endorse the Draft Public Convenience Strategy and provide any comments or recommendations to the Cabinet Member.	<ul style="list-style-type: none"> <li>- <b>Gareth Price – Head of Law and Regulation</b></li> <li>- <b>Jon Keen – Regulatory Service Manager – Community and Environment</b></li> </ul>
Draft Economic Regeneration Strategy	The Committee are asked to consider and endorse the Draft Economic Strategy and provide any comments or recommendations to the Cabinet Member.	<ul style="list-style-type: none"> <li>- <b>Bev Owen – Strategic Director – Place</b></li> <li>- <b>Kier Duffin – Head of Housing, Regeneration and Investment</b></li> </ul>

**Thursday, 18 April 2019**

Topic	Role / Information required	Invitees
Performance Management Strategy – Recommendations Monitoring	To provide comments to the Cabinet on the effectiveness of the implementation of the objective within the Corporate Plan.	<ul style="list-style-type: none"> <li>- <b>Rhys Cornwall – Head of People and Business Change</b></li> </ul>

Mae'r dudalen hon yn wag yn