

Agenda



Newport City Council

Ddydiad: Dydd Mawrth, 28 Ionawr 2020

Amser: 5.00 pm

Lleoliad: Council Chambers - Canolfan Dinesig

At sylw: **Pob Aelod o'r Cyngor Dinas**

HYSBYSIAD GWE-DDARLLEDU

Gall y cyfarfod hwn gael ei ffilmio ar gyfer darllediad byw neu ddarllediad wedi hynny trwy wefan y Cyngor.

Ar ddechrau'r cyfarfod, bydd y Maer neu'r Person sy'n Llywyddu yn cadarnhau os yw cyfan neu ran o'r cyfarfod yn cael ei ffilmio. Efallai y bydd y delweddau a recordiad sain yn cael eu defnyddio hefyd at ddibenion hyfforddiant o fewn y Cyngor.

Yn gyffredinol, nid yw'r ardaloedd eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag, wrth fynd i mewn i'r ystafell gyfarfod a defnyddio'r ardal seddau cyhoeddus, rydych yn rhoi caniatâd i chi gael eich ffilmio a defnydd posibl o rhai delweddau a recordiadau sain ar gyfer gwe-ddarlledu a/neu ddibenion hyfforddiant.

Os oes gennych unrhyw ymholiadau ynghylch hyn, cysylltwch â Rheolwr Democratiaeth a Cyfathrebu

Eitem

Wardiau dan Sylw

1. Rhagofynion
 - i. Derbyn unrhyw ymddiheuriadau am absenoldeb.
 - ii. Derbyn unrhyw ddatganiadau buddiant.
 - iii. Derbyn unrhyw gyhoeddiadau gan y Maer.
2. Cofnodion (Tudalennau 5 - 14)

To confirm and sign the minutes of the last meeting.
3. Penodiadau (Tudalennau 15 - 18)

To consider any proposed appointments.
4. Materion yr Heddlu

30 minutes is allocated for questions to the Gwent Police representative.
5. Rheolau Sefydlog Contract Diwygiedig (Tudalennau 19 - 46)
6. Adroddiad Rheoli'r Trysorlys ar gyfer y Cyfnod hyd at 30 Medi 2019 (Tudalennau 47 - 60)

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Date of Issue: Dydd Mawrth, 21 Ionawr 2020

7. Cynllun Lleihau Trethi Cyngor (Tudalennau 61 - 94)
8. Adroddiad Blynyddol Cyfarwyddwr Gwasanaethau Cymdeithasol 2018-2019 (Tudalennau 95 - 144)
9. Amserlen Cyfarfodydd y Cyngor ar gyfer 2020/2021 (Tudalennau 145 - 160)
10. Enwebiad Maerol ar gyfer 2020/2021
11. Cwestiynau i Arweinydd y Cyngor
Rhoi cyfle i Gynghorwyr ofyn cwestiynau i Arweinydd y Cyngor yn unol â Rheolau Sefydlog y Cyngor.

Proses:

Ni ddyrennir mwy na 15 munud yng nghyfarfod y Cyngor ar gyfer cwestiynau i Arweinydd y Cyngor.

Rhaid mynd i'r afael â'r cwestiwn trwy'r Maer neu'r unigolyn sy'n llywyddu yn y cyfarfod ac nid yn uniongyrchol at y sawl sy'n cael ei holi.

12. Cwestiynau i Aelodau'r Cabinet
Rhoi cyfle i ofyn cwestiynau i Aelodau'r Cabinet yn unol â Rheolau Sefydlog.

Proses:

Ni ddyrennir mwy na 10 munud yng nghyfarfod y Cyngor ar gyfer cwestiynau i bob Aelod Cabinet.

Rhaid i aelodau gyflwyno eu cwestiynau arfaethedig yn ysgrifenedig ymlaen llaw yn unol â Rheolau Sefydlog. Os na all aelodau ofyn eu cwestiwn ar lafar o fewn yr amser a neilltuwyd, bydd y cwestiynau sy'n weddill yn cael eu hateb yn ysgrifenedig. Bydd y cwestiwn a'r ymateb yn cael eu hatodi i'r cofnodion.

Rhaid mynd i'r afael â'r cwestiwn trwy'r Maer neu'r unigolyn sy'n llywyddu yn y cyfarfod ac nid yn uniongyrchol at y sawl sy'n cael ei holi.

Gofynnir cwestiynau i Aelodau'r Cabinet yn y drefn a ganlyn:

- i. Dirprwy Arweinydd ac Aelod Cabinet dros Wasanaethau'r Ddinas
- ii. Aelod Cabinet dros Addysg a Sgiliau
- iii. Aelod Cabinet dros Asedau
- iv. Aelod Cabinet dros Wasanaethau Cymdeithasol
- v. Aelod Cabinet dros Ddatblygu Cynaliadwy
- vi. Aelod Cabinet dros y Gymuned ac Adnoddau
- vii. Aelod Cabinet dros Drwyddedu a Rheoleiddio
- viii. Aelod Cabinet dros Ddiwylliant a Hamdden

Er gwybodaeth: Mae crynhoad o amserlenni penderfyniadau diweddar a gyhoeddwyd gan y Cabinet, Aelodau'r Cabinet a Chofnodion cyfarfodydd diweddar y Pwyllgorau wedi'u cylchredeg yn electronig i

holl Aelodau'r Cyngor.

13. Cwestiynau i Gadeiryddion Pwyllgorau

Rhoi cyfle i ofyn cwestiynau i Gadeiryddion y Pwyllgorau yn unol â Rheolau Sefydlog.

Proses:

Ni ddyrennir mwy na 10 munud yng nghyfarfod y Cyngor ar gyfer cwestiynau i bob Cadeirydd.

Rhaid i aelodau gyflwyno eu cwestiynau arfaethedig yn ysgrifenedig ymlaen llaw yn unol â Rheolau Sefydlog. Os na all aelodau ofyn eu cwestiwn ar lafar o fewn yr amser a neilltuwyd, bydd y cwestiynau sy'n weddill yn cael eu hateb yn ysgrifenedig. Bydd y cwestiwn a'r ymateb yn cael eu hatodi i'r cofnodion.

Rhaid mynd i'r afael â'r cwestiwn trwy'r Maer neu'r unigolyn sy'n llywyddu yn y cyfarfod ac nid yn uniongyrchol at y sawl sy'n cael ei holi.

Gofynnir cwestiynau i Gadeiryddion Pwyllgorau yn y drefn a ganlyn:

- i. Pwyllgorau Craffu
 - a. Pwyllgor Rheoli Trosolwg a Craffu
 - b. Pwyllgor Craffu Perfformiad - Pobl
 - c. Pwyllgor Craffu Perfformiad - Lle a Chorfforaethol
 - ch. Pwyllgor Craffu Perfformiad - Partneriaethau
- ii. Pwyllgor Cynllunio
- iii. Pwyllgor Trwyddedu
- iv. Pwyllgor Gwasanaethau Democrataidd

Er gwybodaeth: Mae crynhoad o amserlenni penderfyniadau diweddar a gyhoeddwyd gan y Cabinet, Aelodau'r Cabinet a Chofnodion cyfarfodydd diweddar y Pwyllgorau wedi'u cylchredeg yn electronig i holl Aelodau'r Cyngor.

14. Pwyllgor Safonau Cofnodion (Tudalennau 161 - 164)

I nodi Cofnodion y Pwyllgor Safonau ar 7 Tachwedd 2019.

Mae'r dudalen hon yn wag yn

Minutes



Council

Date: 26 November 2019

Time: 5.00 pm

Present: Councillors J Cleverly, P Cockeram, M Cornelious, D Davies, M Evans, D Fouweather, G Giles, J Guy, D Harvey, I Hayat, Councillor R Jeavons, M Kellaway, M Linton, D Mayer, Councillor J Mudd, M Rahman, J Richards, T Suller, H Thomas, K Thomas, C Townsend, Councillor R Truman, R White, K Whitehead, D Wilcox, D Williams, G Berry, J Clarke, V Dudley, Y Forsey, R Hayat, P Hourahine, J Hughes, J Jordan, L Lacey, S Marshall, W Routley, H Townsend and J Watkins

Apologies: Councillors K Critchley, M Al-Nuaimi, C Evans, C Ferris, C Jenkins, R Mogford, A Morris, M Spencer, T Watkins, M Whitcutt and T Holyoake

1. Preliminaries

i. To receive any apologies for absence

The Monitoring Officer reported apologies for absence.

ii. To receive any declarations of interest

There were no declarations of interest.

iii. To receive any announcements by the Mayor

The Mayor announced that Baroness Wilcox was standing down as Leader of the Council to take up her role in the House of Lords. He formally thanked her on behalf of the Council for her hard work as Leader and she was presented with gifts from the Chief Executive on behalf of senior officers and by Councillor Mudd on behalf of the elected members, as a token of their appreciation.

2. Minutes

The minutes of the Council meeting held on 10th September 2019, were confirmed as a true record.

3. Appointments

Councillor Baroness Wilcox nominated Councillor Jane Mudd; Councillor R Truman seconded this. Councillor Mudd declared an interest in the item, with no amendments.

Resolved: Councillor Jane Mudd was unanimously appointed as Leader of the Council

(a) To consider any other consequential appointments

The Leader of the Council, Councillor Jane Mudd then announced her Cabinet appointments as follows:-

Councillor Jeavons – Deputy Leader
Councillor Rahman – Cabinet Member for Assets
Councillor Davies – Cabinet Member for Sustainable Development.

Councillor C Townsend queried the cost of the additional post, however, it was noted that there were no additional posts created in the Cabinet, although the portfolios and Cabinet Member titles had changed

The Leader then moved, and it was seconded by Councillor Jeavons, that Councillor Hughes be appointed as the new Chair of Licensing Committee There were no further amendments or nominations.

Resolved: that Councillor Hughes be appointed as Chair of Licensing Committee

(b) To consider the proposed appointments set out in the report

Councillor Harvey moved the appointments set out in the Report, as agreed by the Business managers, subject to the following amendments

Mrs Beverly Perkins to be appointed LEA Governor of Gaer Primary School, instead of Councillor Ibrahim Hyatt.

Councillor Ibrahim Hayat to be removed a LEA Governor at Tredegar Park, and appointed as LEA Governor for Ysgol Gyfun Gwent Is Coed.

Subject to these amendments, the appointments were moved and seconded;

Cllr Whitehead referred to the Newport High School Governor's appointment and suggested that there was no representation from the Bettws Ward Members. Parents had made requests that ward members should represent the residents.

In response, Councillor Harvey mentioned that Councillor Whitehead stood down as school governor for Newport High School so that one of his ward colleagues may take up a position.

In relation to this item the majority were in favour of the motion and the proposed appointments with four abstentions.

Resolved: That the following appointments be agreed.

Governing Body	Appointments	Nominations Received / Vacancy
Glan Lyn Primary School	LA Governor LA Governor Officer	Councillor Kellaway Neil Davies Howard Mason
Gaer Primary School	LA Governor	Beverley Perkins
Ysgol Gyfun Gwent Is Coed	LA Governor	Councillor I Hayat
Pillgwenny Primary School	LA Governor	Councillor I Hayat
John Frost High School	LA Governor	Kay Price
Glasllwch Primary School	LA Governor	Mr Allan Hyland
Rogerstone Primary School	LA Governor	Keith Martin

Newport High School	LA Governor	Richard Shuttleworth
Caerleon High School	LA Governor	Owen James
Federated School of Eveswell & Somerton Primary School	LA Governor	Councillor Berry (Eveswell Primary) Councillor Guy (Somerton Primary) Alan Speight (Currently Chair of Governors at Somerton Primary) Ben Adams (Currently on the Governing Body at Somerton Primary)
Maindee Primary School	LA Governor	Anne Drewett
Tredeggar Park Primary School	LA Governor	Vacancy

In addition to the above appointments, Councillor Harvey informed Council of the need to agree dispensations for Councillor absences, in accordance with section 85 of the Local Government Act 1972:

Resolved:

- (a) To approve and extend absence of Councillor Critchley for a further six months
- (b) To approve six months absence for Councillor Holyoake
- (c) To note the decision(s) of the Appointments Sub-Committee in relation to the appointment of interim statutory officers

The Council noted the Minutes of the Interim Chief Executive Appointments sub-Committee of 1 October 2019 and adopted and ratified their decision to appoint Sheila Davies as Interim Chief Executive and Head of Paid Service.

The Mayor announced that the Acting Strategic Director for People would be Chris Humphrey, Head of Adult and Community Services, who would assume the statutory role of Director of Social services pending a permanent appointments

Resolved:

That the interim statutory officer appointments be adopted and ratified.

4. Police Issues

Superintendent Mike Richards gave a brief update on activity across three policing sectors within Newport.

- The City Centre Team understood the importance of a safe and thriving City Centre and the impact that antisocial activity, aggressive begging and associated disorders with the night time economy would have in relation to this. There had been a significant reduction in shoplifting by 50% and charges had been made along with custodial sentences, which was a positive outcome for local businesses. There was a strengthened number of Police on patrol on a Friday and Saturday, bringing in Police from neighbouring authorities, such as Monmouthshire. Operation Prevent saw a number of temporary road closures in the City Centre on a trial basis over the week-end and the Police received positive feedback from business owners. Installation of bollards within the City Centre was also being looked into as a longer-term measure.
- The East Newport team had a busy couple of months with Halloween and Bonfire Night. There had been a recent spate of antisocial behaviour and damage caused to buses. The team were committed to early intervention and prevention. The teams were visiting schools with the Mini Police project having a positive outcome. Alway Station had opened during Halloween with a spooky theme and over 100 families visited the station.

A successful drugs warrant had been issued in Lliswerry with a closure order to one property.

- The West Newport team had seen the closure of premises in Pottery Terrace and Clarence Place in relation to selling of drugs. There was a multi- agency action day in Maesglas Community Centre and was a great success. Police were continuing to monitor the use of off-road bikes within Bettws. In relation to Allt-yr-yn, there were rough sleepers near the Crown Court, four of which had had been removed. Finally, there were two creeper burglaries in Rogerstone during October, where vehicles were stolen. Fortunately, arrests were made with a court appearance pending.

Questions from Councillors:

Councillor Jeavons thanked the Superintendent for the ongoing work in Lliswerry and asked if the Police would assist with the Civil Parking Enforcement (CPE) team and enforcement of criminal parking offences, such as dangerous parking outside schools. In response, it was advised that they were collaborating with the CPE officers and the Mini Police; a new school initiative had been trying to educate drivers during school drop off time, which was a success.

Councillor Harvey asked the Superintendent to thank Inspector Cawley for the swift action with regard to anonymous calls. The Spooky Police Station was well-received by residents and re-humanised the police. There was one issue that residents had raised regarding two men; one with on a bike, who were calling on residents and asking if they could change their gas and electric. The Superintendent advised that he would put out an alert for residents not to answer their doors at night to anyone looking suspicious.

Councillor M Evans referred to the Public Spaces Protection Order (PSPO) in relation to begging around cash points and ticket machines and whether this could be revisited with the Police. The Superintendent had agreed that this was a challenge and not exclusive to Newport, however the Superintendent would meet with the Inspector to seek his views on amendment of the PSPO.

Councillor Marshall mentioned a recent article on the BBC website relating to the possession of knives/stop, search initiative, and asked how successful this was in Newport, or if there were more effective preventative measures that could be used. The Superintendent advised that he was aware of the article covering the South Wales Police area. Stop search was an important tool although knife crime issues in Newport was not significant. The Superintendent was happy to meet with Councillor Marshall and provide figures.

Councillor Guy gave figures on domestic related crimes, which had increased from the previous year and asked if Police were receiving the required training and liaising with multi agencies to deal with the problem. The Superintendent advised that it was very difficult for officers to investigate domestic crime; however, it was treated as a priority for Police and the Council and was high on the agenda for training. There was a successful multi agency safeguarding hub in place to tackle domestic violence.

Councillor D Williams asked if the sale of Nitrous Oxide canisters was being regulated and what could be done to prevent children purchasing these from shops. The Superintendent would look into this and get back to the Councillor.

Councillor J Watkins asked for an update on the reported security issue with View Point in Christchurch, which was reported at last Council. The Superintendent advised that he had discussed the issue today with Inspector Cawley but there had been no reports of increased antisocial behaviour.

Councillor R Truman referred to the change in Community Safety Warden (CSW) hours to allow them to work in daylight hours. This had been a successful campaign and during October, there were 77 fixed penalty notices for dog fouling, fly tipping and aggressive begging. It was hoped that this was the best way forward and the Council was looking to continue joint working with CSWs and the Police to show that Newport City Centre was a safe place to visit and shop. The Superintendent agreed and gave assurances of his continued support.

Councillor Lacey asked the Superintendent to thank Inspector Cawley for addressing the recent bus incidents and requested that the update be passed on to residents to assure them that the issue was being address. The Superintendent would monitor the progress of this behaviour although there had been no incidents reported recently.

Councillor Whitehead referred to an incident, which occurred in Bettws that day. The Superintendent advised Council that he was on Gold duty and had deployed firearm officers to Bettws and although the incident was downgraded, it was preferable to deploy officers who were suitably kitted rather than an on duty officer.

Councillor Forsey thanked officers for supporting the launch of the Mini Police in Rogerstone and asked if other schools within Newport had expressed an interest. The Superintendent agreed that this was a massive success, which started in three schools, but had now been extended to 13 schools and was an expanding scheme with more schools to be added in the new academic year.

Councillor Suller asked for an update on the 'boy racers' in Marshfield. The Superintendent advised that he had recently met with a Community Councillor and as a result had asked the local team to form a multi-agency group to resolve these issues.

A Terms of Reference was to be drafted involving the Civil Parking Enforcement team to tackle the problem. Councillor Suller also thanked the Police on their action in response to a landslide in Marshfield recently.

5. Strategic Equality Plan Annual Report - 2018/19

Under the Equality Act (2010), the Council was required to report annually on the progress it made against the nine Strategic Equality Objectives contained within its Strategic Equality Plan. The Equality Act also required Local Authorities to publish staff equalities data, which this report also contained.

This report, previously received by Cabinet was the third Annual Report on the progress Newport City Council had made towards meeting the Equality Objectives set out in the authority's second four year Strategic Equality Plan (SEP), as approved by Council on 3 March 2016.

The Leader presented the report and moved for the plan to be adopted by the Council, Councillor Mayer seconded this.

Councillor K Thomas welcomed the report, which she felt was very well presented and was pleased to see the action points within the plan that had been addressed.

Councillor Hughes referred to the Welsh Language Standards and welcomed the hard work carried out by the officers, particularly on the collaboration work with the equalities team.

Councillor Giles referred action plan along with the wonderful work with the Newport Youth council, which pledged to seek young people's views on Council policies. NEETS had also made a significant impact over the past five years with a reduction of out of work young people from 4.7% to 1.1%, this was below the Welsh Average for a third consecutive year.

Councillor Cockeram thanked the officers who had worked extremely hard for their excellent report and referred to the support team who supported six thousand people to maintain tenancy within Newport. These were excellent statistics, for which the team were thanked once again.

Resolved

That Council unanimously approved the final monitoring report for publication on the Council's website, in accordance with statutory deadlines.

6. Democratic Services Committee Annual Report - 2018/19

The Local Government (Wales) Measure 2011 required each council to establish a Democratic Services Committee. The Measure prescribed the functions of the committee and required it to make a report at least annually to the Council.

The Chair of the Committee presented the report and outlined the work undertaken by the Committee for the year. It was noted that the Democratic Services Committee agreed the annual report attached as Appendix A on 24 October 2019.

In addition, Appendix B was the annual report of the Head of Law and Regulation, on behalf of the Head of Democratic Services, presented to the Democratic Services Committee on 24 October 2019 in order to review the adequacy of staff to support members.

Councillor Fouweather moved the report, which was seconded by Councillor H Thomas.

Councillor M Evans referred to the Presiding Officer item, which went to the Committee on 24 October 2019. The Monitoring Officer advised that the Minutes would be brought to Council following the approval at the next meeting of the Democratic Services Committee.

Councillor Hourahine referred to the Boundary Commission Changes. The Monitoring Officer advised that there would be further information regarding this in the New Year.

Resolved

- That Council unanimously received the Committee's annual report to the Council in order to meet the requirements of the Local Government Measure, as presented by the Chair of the Democratic Services Committee.
- That Council noted the content of the Head of Democratic Services Annual Report, as supporting evidence that the Committee had carried out its responsibility to review the adequacy of staff to support members

7. Standards Committee Annual Report - 2018/19

The Report presented to Council the fifth Annual Report of the Standards Committee for 2017/18. The Annual Report provided information to the Council about the work carried out by the Committee during the previous 12 months, identifying any specific issues that had arisen.

Councillor H Thomas presented the annual report on behalf of the Chair of Standards.

Councillor H Thomas moved report, which was seconded by Councillor Hourahine seconded. Councillor Hourahine also thanked Mr P Westwood for Chairing the Standards Committee.

Resolved

That Council unanimously received the Standards Committee Annual Report for 2017/18 and to note the forward work programme.

8. **Questions to the Leader of the Council**

The Leader gave the following announcements, before proceeding with questions:

The New Leader took the opportunity to thank Baroness Wilcox and her colleagues for their support during the nomination for Leadership. The Leader also thanked her family, and the community of Malpas for their support, which meant a lot, especially as she was a Newport resident, born in Malpas.

The Leader named three individuals particularly, including her father, David Taylor and Ron Jones.

The Leader continued addressing the Council with mention to the difficult and challenging times faced by the Council and the need to work together.

Leader's Questions

Councillor M Evans thanked the Leader and continued with his question in relation to budget proposals, requesting that the Leader would extend the consultation period, as Caerphilly Council had started their consultation period much earlier. In addition to this it was suggested that apart from any rise in inflation, there would be a freeze on Council tax increases to council.

The Leader could not comment on activities of other authorities and advised that officers were still developing proposals around the draft budget. Therefore, it would not be appropriate for her to comment at this stage.

Councillor M Evans was invited to ask a supplementary, where he reiterated that he hoped for the sake of Newport residents that the only increase to the council tax would reflect the rate of inflation with no further increases by the Council.

Councillor Whitehead congratulated the New Leader on her appointment and referred to the antisocial behaviour in Bettws and the lack of provision for youth and children, such as youth clubs.

The Leader was aware of challenges faced by youth across the city. There was a mobile youth service in place and the contribution from volunteers across the city was valued, this included the help of Councillor Cleverly. There was a scheme at Newport High where former Captain of Newport County Captain, David Pike was working with young people to build confidence and self-esteem. The Leader would be more than happy to speak with Councillor Whitehead at length regarding this issue, if he would like to make an appointment.

Councillor C Townsend asked if there was an update on an all Member seminar on litter and street cleaning as discussed at July Council. There will still a high amount of litter and fly tipping within the City Centre and not one ward could claim to be litter free and it was a public health hazard.

The Leader acknowledged that it was an important question and would arrange an all member seminar in the near future. The Leader also mentioned that it would be remiss of her not to acknowledge volunteers that help keep Newport tidy, including Councillors Forsey and Councillor M Evans. Hygiene factors were very important and all members needed to be aware of all the activities.

Councillor Hughes requested an update on regeneration across the city.

The Leader highlighted the progress on some of the projects across the City, this included the Commercial Street development by Pobl which was specifically being developed for over

55s, and was transforming the appearance of the area. The design of the building was iconic and the Leader had received many positive comments. The project was contributing to the regeneration of the City Centre, making it a place where people wanted to live and encourage the day and night-time economy. The former IAC Building was on track to be completed in Spring 2020. The former Chartist Tower was almost complete in its transformation into a four star hotel, the Leader had recently visited the building, which boasted stunning views of the City. The regeneration projects within Newport were slowly leading to a positive transformation to City Centre and surrounding environment. The Market Arcade regeneration project was also underway with funding from Heritage Lottery Funding and the Welsh Government. The Market Arcade had independent business in that area, which contributed to the night-time economy. There was also funding from the Welsh Government thematic strand of the tri funding scheme to support owners to regenerate their facades. These projects helped to create the vibrancy and thriving atmosphere across Newport. The Leader was very pleased with the progress of the schemes and was looking forward to bringing more projects to the Council in due course.

9. **Questions to the Cabinet Members**

i. **Cabinet Member for Education and Skills**

Councillor J Watkins asked the following question that had been submitted:

'Can the Cabinet Member reveal the amount of the Council total overall underspend from the last financial year and if any of that underspend has been spent on Newport's Educational services'

The Cabinet Member for Education and Skills responded:

The Councils Revenue Outturn position went to Cabinet on 22 May and therefore this information has been in the public domain for some time.

At the end of the financial year 2018/19 there was a £2,383k revenue underspend. Eleven areas of investment were agreed by Cabinet. From this underspend, £250k was used for the purposes of education.

Supplementary question:

The forecasted overspend for schools in this year's budget was approximately £2.6M and the forecasted reserves was estimated at -£2.75M. Did the Cabinet Member therefore feel that the underspend last year could have supported schools in wiping out their debt rather than spending on reserve projects.

The Cabinet Member advised that this question would need to be referred to the Chief Executive or Head of Finance as they would be able to provide a more detailed response.

ii. **Councillor Joan Watkins asked the following question that had been submitted:**

'Does the Cabinet Member feel that Newport Secondary Schools are adequately staffed by sufficient teachers?'

The Cabinet Member for Education and Skills responded:

Individual Governing Bodies control secondary school delegated budgets and have the responsibility to set an appropriate staffing structure in accordance with the School Teachers' Pay and Conditions Document.

This is therefore outside of my remit as Cabinet Member for Education and Skills.

Supplementary:

This was raised because one school in Newport was down by 10 staff members and not all had been replaced by supply teachers.

The Cabinet Member reiterated that the decision by the Governing Bodies and not the Cabinet Member or Council.

iii. Cabinet Member for Culture and Leisure

Councillor Ray Mogford was not present however the question and response was recorded as the following:

'Does the Cabinet Member for Leisure believe that the new Pedal Bike Scheme at Tredegar Park will be good value for money'.

The Cabinet Member for Culture and Leisure responded:

Yes - the scheme is value for money, as it provides equity by allowing children and adults to take part in a physical activity together with their friends and families. It enables equal access, helping to transform lives through a sport for all ages and abilities. As promoted by Disability Sport Wales, the cycle scheme facilitates 'sport for all' by supporting diversity in leisure, allowing children and their families or carers, to enjoy a leisure activity together, that would not be possible within a standard sporting setting.

10. Standards Committee Minutes

Minutes of the meeting from April and July 2019 were noted.

11. Date of Next Meeting

Tuesday 28 January 2020 at 5pm in the Council Chambers.

The meeting terminated at 6.50 pm

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Report

Council

Part 1

Date: 28 January 2020

Subject **Appointments**

Purpose To agree the appointment of Council nominees to committees and outside bodies.

Author Governance Team Leader

Ward General

Summary In accordance with its terms of reference within the Constitution, Council is responsible for appointing the members of Council Committees, and the Council's representatives on outside bodies. The current vacancies and nominations received are set out in the attached report.

Proposal **Council is asked to receive and approve the nominations for representatives, as listed in the report**

Action by Governance Team Leader

Timetable Immediate

This report was prepared after consultation with:

- Council Business Managers
- Head of Law and Regulation

Background

In accordance with its terms of reference within the Constitution, Council is responsible for appointing the members of Council Committees, and the Council's representatives on outside bodies. The current vacancies and nominations received are set out below.

Any vacant appointments / nominations received after the publication of this report, will be announced at the Council meeting by the appropriate Business Manager or Group Leader.

Internal Appointments

Committee	No. of Vacancies / Replacements	Nominations Received
Performance Scrutiny Committee - Partnerships	1 Vacancy (Chair)	To be confirmed at Council
Member Oversight of Residential Homes (formerly Social Services Rota Visits)	4 Vacancies	Councillors K Thomas, Suller, Cleverly and C Townsend

Appointments to External Organisations

Organisation	No. of Vacancies / Replacements	Nominations Received
Norse Joint Partnership Board	1	Councillor Miqdad Al-Nuaimi
Living Levels	1	Councillor D Davies to replace the Leader
Mon and Brecon Canal Board Steering Group	1	Councillor D Davies to replace the Leader
Business Improvement District (BID)	1	Councillor Harvey to replace the Leader
Chair of Newport Transport	1	Councillor Harvey to replace the Leader
Vale of Usk, RDP Local Action Group	1	Councillor D Davies to replace the Leader

Governing Body Appointments

Governing Body	No. of Vacancies / Re-appointments	Nominations Received
Pillgwenlly Primary School	1	Re-appointment of Edward Watts as LA Governor
Pentrepoeth Primary School	2	Re-appointment of Paul Gregory and Darren Walsh LA Governors
Glan Usk Primary School	1	Hannah Hopkins replacing Kathryn Dryer as LA Governor
St Mary's Primary School	1	Re-appointment of Councillor Charles Ferris as LA Governor

Millbrook Primary School	1	Karyn Kean replacing Sarah Lewis as LA Governor
St Woolos Primary School	1	Sam Dabb Appointed to current LA Governor vacancy
Monnow Primary School	1	Re-appointment of Councillor Jan Cleverly as LA Governor

Proposal

Council is asked to receive and approve the nominations for representatives, as listed in the report.

Comments of Chief Financial Officer

There are no financial implications directly arising from this report.

Comments of Monitoring Officer

The appointment of individuals to serve on outside bodies is a Local Choice function under the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007. The Council has determined that responsibility for this function shall rest with Full Council unless delegated by the Council.

Background Papers

Newport City Council Constitution

Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007

Dated: 21 January 2020

Mae'r dudalen hon yn wag yn



Report

Council

Part 1

Date: 28 January 2020

Subject Amendments to Contract Standing Orders

Purpose To seek Council approval to revise Contract Standing Orders.

Author Head of Finance
Procurement Manager

Ward All

Summary The report proposes updates to the Council's Contract Standing Orders (CSO's) which have been reviewed in accordance with the stipulated three year review period, taking into account national/local developments and priorities which affect these. This proposal was agreed at the December 2019 Cabinet meeting.

In particular, it makes recommendations to change the Council's Procurement Gateway Process which governs how the Council procures goods and services with a greater emphasis on providing greater opportunity to support Local Businesses whilst maintaining compliance with statutory Public Procurement rules, and ensuring efficient and effective delivery of contract arrangements within the Council.

Proposal To consider and approve updating Contract Standing Orders

Action by Head of Finance

Timetable Immediate

This report was prepared after consultation with:

- The Leader (covering portfolio of Cabinet Member for Assets and Member Development)
- Head of Finance
- Head of Law & Regulation
- Chief Internal Auditor
- Senior Leadership Team
- Corporate Management Team
- Key Stakeholders from Service Areas

Background

Under the Local Government Act 1972, the Council is required to publish a constitution, which will include rules for buying works, goods and services. Like most Councils, these detailed rules are known as Contract Standing Orders or CSO's in Newport City Council.

The CSO's supplement the legal requirements set out in European Public Sector Procurement Directive 2014/24 transposed into UK's Public Contract Regulations 2015. Developments in procurement legislation and general best practice require that the CSO's should be reviewed and revised regularly, at least every three years. One of the key objectives of this review, is to ensure that on-going robust, clear and accountable organisational processes are in place which link to any changes in working practices. A review and consultation has been undertaken on this proposed updated and revised version of the CSO's with key officers including Gareth Price – Law & Regulation, Meirion Rushworth – Finance and Andrew Wathan – Internal Audit, as well as the Strategic Leadership Team and Corporate Management Team.

The proposed CSO's, included in Appendix 1, introduce changes designed to improve the Council's procurement practices and ensure changing legislation, other Council Policy and procurement practices are adhered to. They will assist in embedding improved and modernised procurement practices across the Council and will be critical to ensuring the delivery of the Well Being of Future Generation (Wales) Act 2015, in particular a Prosperous Wales and a Resilient Wales.

Various changes have been made to the CSO's. The key changes are summarised below:

Section 1.5 – Compliance, a new section covering responsibilities around probity, standards, compliance with regulation and Codes of Conduct.

Section 3 – Social Services, a new section covering individual service contracts for clients which may be awarded under a set of certain circumstances within Social Care.

Section 6 – Procurement Tendering Process

The main focus of the amendments is around changes to the 'Procurement Gateway Process' which sets out the detailed requirements for how officers procure goods and services, in particular, the requirement for obtaining quotes and tenders for example and authorisations required.. In particular it is proposed to amend the process and financial limit for obtaining quotations through a low value tender process, without the necessity to undertake an 'Open' tender (an Open tender being where there are no restrictions on who can tender, and the opportunity is advertised throughout the UK) raising this from an upper threshold of £25,000 to £75,000. This will provide greater flexibility to, where appropriate, support opportunities for local and other Welsh businesses to bid for Council contracts, and supporting the drive to spend the Welsh pound with Welsh businesses. This revision will bring Newport City Council in line with many other Welsh local authorities, who have made similar revisions in relation to this value of spend. Attention is therefore directed to the Procurement Tendering Processes, see summary below;

- Process One - remains unchanged for this financial threshold
- Process Two – a new process up to £75k where suppliers can be selected, rather than opening up competition within the UK to any supplier who wishes to bid (similar to Process One). This is to encourage more opportunity for local suppliers.
- Process Three - remains unchanged for this financial threshold
- Process Four - remains unchanged for this financial threshold

Section 6.3 – Code of Practice, Ethical Employment in Supply Chains, a new section covering the Council's commitments to consider a range of actions to ensure our internal and external supply chains operate under legal and ethical employment practices.

Section 16 – Contract Management, a new section to cover off how contracts should be managed following award, to ensure the contract remains effective in delivering its required outputs for its full duration.

Section 25 – Waivers, a new section to ensure officers understand the process should it be deemed necessary to request that CSO's be set aside in certain circumstances.

Financial Summary

There are no direct financial impact of amending these CSO's though clearly, the adoption of appropriate CSO's is key to achieving Value for Money in spending on goods and services and in that respect, is a key document.

Risks

Without concise, clear and relevant Contract Standing Orders, Officers and Members may contravene legislation and place the organisation at risk. This risk may take the form of legal challenges, which could result in compensation being paid by the Council. There is also a greater risk of fraud, and poor value for money by not making the best use of its resources.

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?
Non-compliance with CSO's and Public Procurement Rules	M	L	Training provided to officers to understand Rules and monitoring of the Procurement Gateway Process within Strategic Procurement.	Head of Finance
Council Expenditure for Goods, Services and Works is uncontrolled and unregulated	H	L	Internal training for compliance with CSO's is regularly undertaken. The Council has a defined Procurement Gateway Process which is continually monitored within strategic Procurement for compliance.	Head of Finance

Links to Council Policies and Priorities

CSO's form part of the Council Financial Regulations, which in turn form part of the Council Constitution. CSO's and procurement processes must adhere to adopted working practices in relation to the Welsh Government Code of Practice for Ethical Employment in Supply Chains as well as embedding, where appropriate the principles of the Well Being of Future Generations (Wales) Act 2015.

Options Available and considered

Newport City Council has the option to either accept the revised CSO's or to keep them the same as current.

Preferred Option and Why

The preferred option is to approve the revised CSO's. This will give greater flexibility to support local businesses both within Newport and the Wider Welsh supply base. In addition, the revised CSO's place greater requirements to consider and comply with other recently adopted Council policies and revised working practices.

Comments of Chief Financial Officer

There are no direct financial impacts of updating these CSO's though clearly, the adoption of appropriate and fit for purpose CSO's is key to achieving value for money in the Council's purchasing of goods and services.

The changes here update the CSO's for latest developments in wider public sector procurement such as the adoption of ethical employment in supply chains as well as local priorities such as making it easier for smaller, local businesses to be considered in the Council's decisions when procuring goods/services.

Fundamentally, they maintain the core ability of the Council to achieve value for money in its procurement of goods and services and interaction with suppliers.

Comments of Monitoring Officer

In accordance with Section 135 of the Local Government Act 1972, the Council is required to make Standing Orders to regulate the award and form of contracts for the supply of goods and services and the execution of work. The Contracts Standing Orders must make provision for fair competition in the tendering and award of Council contracts, to secure best value, and to ensure that any direct awards are justified in an open and transparent manner. The tendering and procurement process must comply with the requirements of the EU Procurement Directives and the Public Contracts Regulations 2015. The proposed revisions update the existing Contract Standing Orders to reflect changes in legislation and procurement practices and strengthen internal governance procedures. Financial thresholds for the various levels of procurement and for contract formalities have also been updated. Because the revised Contract Standing Orders will form part of the Council's published Constitution, in accordance with the Local Government Act 2000, then the amended version, as approved by Cabinet, will need to be reported to full Council in due course.

Comments of Head of People and Business Change

There are no direct HR implications associated with the report.

The report proposes to update the Council's Contract Standing Orders in line with local and national developments. The new processes will have a greater emphasis on opportunities to support local businesses and ensure value for money in spending on goods and services. The report has considered the requirements of the Well-being of Future Generations Act and by modernising procurement practices across the Council, will contribute towards the well-being goals of a Prosperous Wales and a Resilient Wales.

Comments of Cabinet Member

Comments of the previous Leader, Cllr Debbie Wilcox - Having been briefed on the amendments to the current CSO's, I am happy to support the preferred option above and to revise the CSO's. In particular, it is a welcome inclusion to the various Procurement Processes that CSO's now allow greater scope to support local businesses here in Newport, as well as the wider Welsh supply base.

Local issues

Not applicable

Scrutiny Committees

Not applicable

Equalities Impact Assessment and the Equalities Act 2010

A Fairness & Equalities Impact Assessment has been undertaken and is available to view.

Children and Families (Wales) Measure

No consultation was needed for this report.

Wellbeing of Future Generations (Wales) Act 2015

The current Corporate Plan – Building on Success, Building a Better Newport, includes the Newport City Council Well-being Statement and Objectives. NCC Well-being Objective 2 is ‘To promote economic growth and regeneration whilst protecting the environment’ These revised CSO’s give greater flexibility for officers to consider local supply chains, without necessarily opening up wider competition from outside of the area.

Crime and Disorder Act 1998

Not applicable

Consultation

Not applicable

Background Papers

None

Dated: 23rd October 2019

APPENDIX 1

Newport City Council
Standing Orders

Contract



NEWPORT
CITY COUNCIL

CYNGOR DINAS
CASNEWYDD

**Contract Standing
Orders
2020**

<i>Title of Document:</i>	<i>Contract Standing Orders</i>
<i>Document Date:</i>	<i>November 2019</i>
<i>Author/s:</i>	<i>Service Manager Procurement & Payments</i>
<i>Service Responsible for this document:</i>	<i>Strategic Procurement</i>
<i>Directorate:</i>	<i>Corporate Services</i>
<i>Approved by</i>	<i>Full Council</i>
<i>Approved on:</i>	
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<i>Keywords for search purposes:</i>	<i>Procurement, Contract, Standing, Orders, CSO's</i>
<i>Related Documents and Policies:</i>	<i>Financial Regulations</i>

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Definitions and Interpretations

In these Contract Standing Orders the following definitions apply:

Approved List	a list of providers that have been selected by the Council through a non-OJEU tendering process, from which the Council may select, by way of a mini competition, to Contract with to provide Services for the Council.
Authorised Officer	means any officer with responsibility for carrying out procurement process(es) detailed in these Contract Standing Orders
Contract	means any form of agreement (including, without limitation, official purchase orders) for the supply of Goods, provision of Services or carrying out of Works.
Contract Manager	means an officer responsible for the managing and monitoring of a Contract.
Contract Standing Orders	means these Contract Standing Orders.
Contractor	means any Contractor, supplier or provider with whom the Council enters into a Contract for the carrying out of Works, provision of Services or the supply of Goods.
Corporate Contracts Register	means the register of all quotations and tenders undertaken through the Procurement Gateway Process.
Council	means Newport City Council
eAdvertisement	means the electronic Contract advertisement portal which Newport City Council uses to advertise Contract notices.
eSourcing	means the Electronic Tendering portal which Newport City Council uses to conduct all Tendering processes
Framework Agreement	an agreement with one or more Contractors, the purpose of which is to establish the terms (in particular with regard to price and quantity) governing a Contract or Contracts to be awarded during the period for which the framework agreement applies.
Head of Service	means the officer in charge of a service area within the Council.
Goods	Covers all Goods, Supplies, Substances and Materials that the Council Purchases, Hires or otherwise obtains.
Light Touch Regime	means rules within the Public Contract Regulations relating to certain social and other specific services.
Lots	means the sub division of contracts into different parts or categories, usually to increase competition and allow greater supplier access.
National Procurement Service (NPS)	means the Welsh Government National Procurement Service or any subsequent National Contracting Body.
OJEU/EU Thresholds	means the financial values at which the Public Contracts Regulations 2015 require tenders to be advertised in the Supplement to the Official Journal of the European Union ("OJEU"), or any subsequent UK National eNotification service. These thresholds vary from time to time and can be checked on the OJEC website at www.OJEC.com/thresholds

Procurement	means the process by which the Council manages the acquisition of all its Goods, Services and Works, in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the Contracts.
Procurement Gateway Process	means the procedure that must be followed when procuring Goods, Works or Services over the value of £4k
Procurement Guidance	means the Guidance issued/to be issued from time to time by Strategic Procurement.
Procurement Process	means the procurement process that spans the whole life cycle, from identification of needs, options appraisal, supplier selection, award, and Contract management through to the end of a Contract or the end of the useful life of the asset, or disposal of the asset.
Public Contract Regulations	means the Public Contract Regulations 2015 or any subsequent amendments or variations to these UK regulations.
Services	includes all Services, which the Council purchases or otherwise obtains including advice, specialist consultancy work, agency staff etc.
Service Manager Procurement & Payments	means the Manager or any officers under that person's supervision or management who have responsibility for carrying out any of the obligations, duties or activities required to be performed by that person under these Contract Standing Orders or to act in that person's absence.
Standstill Period	means the statutory time period between notifying tenderers and awarding a contract, as per regulation 87 of the Public Contract Regulations.
Tender(s)	means the competitive process used to obtain pricing through either a quotation or tender exercise.
Tenderer(s)	means an individual, individuals, partnerships, companies or other bodies invited to submit pricing for providing the Council with Services, supplying Goods or carrying out Works.
Variant Bid/Tender	means an offer/bid which contains variants on the requirements specified by the Council in its procurement documentation.
Variation & Variations	means any alteration to a Contract, including additions, omissions, substitutions, alterations, or changes of any other nature.
Works	includes all Works of new construction and repairs in respect of physical assets (buildings, roads, etc.) including all those activities constituting Works for the purposes of the Public Contracts Regulations.

1 Introduction

1.1 These Contract Standing Orders:

- 1.1.1 Are made under Section 135 of the Local Government Act 1972 and all other powers enabling the Council.
- 1.1.2 Are applicable to all parts of the Council's activities, including any type of sub-contracting, apart from contracts for the acquisition and sale of interests in land and the Excepted Contracts described in section 2 below.
- 1.1.3 Are applicable where the Council is acting as agent for another body unless the principal directs otherwise.
- 1.1.4 Must be adopted by any external Contractors empowered to form Contracts on behalf of the Council and by any person who is not an Officer of the Council engaged to manage a Contract on behalf of the Council.
- 1.1.5 Shall apply to the selection of nominated suppliers and nominated Sub-Contractors for Goods, Works or Services covered by prime costs and provisional sums in a main Contract.
- 1.1.6 Are not applicable to expenditure between Service Areas or through formal joint arrangements or ventures involving the Council.

1.2 Key Messages

- 1.2.1 Any Officers delegated with responsibility for the procurement of Goods, Services (including contracts for consultancy) or Works for or on behalf of the Council (in accordance with the Scheme of Delegation) are affected by these Contract Standing Orders.
- 1.2.2 The funding for all contracts must be in accordance with approved budgets and comply with Financial Regulations.
- 1.2.3 All values referred to in these Contract Standing Orders are exclusive of VAT.
- 1.2.4 Procurement is the process by which the Council manages the acquisition of all its Goods, Services (including but not limited to consultants/consultancy Services of any type) and Works of all varieties. It includes the identification of need, consideration of options, the actual tendering process and the subsequent management and review of the contracts. These 'Contract Standing Orders' should be read in conjunction with the guidance available on the Council's Procurement intranet pages and the Council's Procurement Gateway Process. All Procurement activity must be conducted in-line with the Council's Procurement Gateway Process.
- 1.2.5 The 'Gateway' process is mandatory to follow if seeking to commission or procure Goods, Services or Works over £4k in value. The processes are designed to give a consistent, compliant approach to procurement across the authority and enable senior management to have visibility of the Goods, Services and Works being purchased by the Council. The extent and complexity of the 'Gateway Process' is linked to the value of the Goods,

Works or Services being purchased – with four main processes stepping up in detail.

- 1.2.6 Procurement by the Council is governed by detailed UK legislation. The Law requires all Council procurement and contracting to be conducted transparently, fairly and in a non-discriminatory manner. In the event of statutory or other legal requirements exceeding the requirements contained within these Contract Standing Orders, then statute shall take precedence over any provision in these Contract Standing Orders.
- 1.2.7 Before undertaking any competitive tendering process on behalf of the Council, Officers must check with Strategic Procurement to ensure there isn't a NCC contract (or other approved contract) that already exists for the goods/services being considered. Where they so exist, Officers must make full use of NCC Corporate Contracts.
- 1.2.8 Guidance on other established Framework Agreements or legally available arrangements can be sought from the Council's Strategic Procurement Section.
- 1.2.9 Details of all Contracts available for use can be obtained from the Council's Procurement Intranet Site or the Council's iProc Purchase to Pay (P2P) system. If unsure, please contact the Procurement Section for guidance.
- 1.2.10 These Contract Standing Orders are not intended as detailed guidance for implementation and they should be read in conjunction with the Council's Constitution as a whole and in particular, in respect of Contract payments, the Council's Financial Regulations and the Council's Procurement Gateway Process.
- 1.2.11 The Service Manager Procurement & Payments shall undertake a formal review of these Contract Standing Orders at least every three years.
- 1.2.12 Any dispute regarding interpretation of these Contract Standing Orders shall be referred to the Head of Law & Regulation and Service Manager Procurement & Payments for resolution.

1.3 Purpose - These Contract Standing Orders:

By following the Procurement Gateway Process the Council will;

- 1.3.1 Ensure the achievement of value for money for the Council in the market by ensuring provision for securing appropriate competition at different levels of expenditure.
- 1.3.2 Ensure fullest accountability and compliance at all levels whilst ensuring an adequate audit trail.
- 1.3.3 Ensure that Officers follow proper and fair procedures for the involvement and selection of Contractors.
- 1.3.4 Ensure compliance with the Public Contract Regulations and Welsh Government and Council Policy. Ensure that levels of monitoring and training exist to ensure proper compliance and that these Contract Standing Orders are regularly reviewed to take account of new circumstances.

-
- 1.3.5 Ensure that consideration is given to meeting the goals and principles of the Well-being of Future Generations (Wales) Act 2015, and delivering social, economic and environmental benefits whilst spending public money.
 - 1.3.6 Ensure immediate action is taken in the event of a breach of Contract Standing Orders, to keep proper records of all contracts, tenders etc. including electronic data files (where electronic tendering systems are used), minutes of tender evaluation panels and other meetings;
 - 1.3.7 Ensure waivers of any provision of these Contract Standing Orders are recorded and reported to Audit Committee on at least a six monthly basis.
 - 1.3.8 Ensure proper records of all contracts awarded.
 - 1.3.9 Ensure the safekeeping of all original contracts which have been completed by signature and ensuring contracts to be executed under the seal of the Council are provided to the Head of Law and Regulation for completion within an appropriate timeframe. Sealed contracts are retained by the Head of Law and Regulation.

1.4 Who is affected by these Contract Standing Orders?

- 1.4.1 Any Authorised Officer with responsibility for the procurement of Goods, Services (including contracts for consultancy) or Works for or on behalf of the Council.

1.5 Compliance

- 1.5.1 Every Contract entered into by the Council shall be entered into pursuant to or in connection with the Council's functions and shall comply with:
 - 1.5.1.1 All relevant statutory provisions;
 - 1.5.1.2 The Public Contracts Regulations 2015 or such other amendment, variation or replacement Regulations in force from time to time ("Regulations")
 - 1.5.1.3 The Council's Constitution including these Standing Orders for Contracts, the Council's Financial Regulations and Scheme of Delegation.
- 1.5.2 The highest standards of probity are required of all Officers and Members involved in the procurement, award and management of Council contracts. Any serious non-compliance could lead to the Council's disciplinary procedures being invoked.
- 1.5.3 Officers and Members are reminded of their responsibilities in relation to gifts and hospitality and should ensure that they comply with the obligations set out in the Officers' Code of Conduct and Members' Code of Conduct respectively and any guidance issued in that regard.
- 1.5.4 Officers shall take appropriate measures to effectively prevent, identify and remedy Conflicts of Interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all Contractors as set out in the Regulations.

-
- 1.5.5 All contracts must contain a provision allowing the Council to terminate without compensation in the event that there has been actual or attempted fraud or corruption in connection with the procuring, continuation, renewal or performance of the Contract, including appropriate exclusion grounds as set out in the Regulations.

2 Exempt & Excepted Contracts

Exempt Contracts

- 2.1 The following Contracts are exempt from the requirements of these Contract Standing Orders:
- 2.1.1 Employment Contracts (this exemption does not extend to the recruitment of agency staff or external secondment arrangements).
- 2.1.2 Contracts relating solely to disposal or acquisition of an interest in land and property.
- 2.1.3 The execution of requirements which can only be provided by, or on behalf of, a public utility, statutory undertaking or local authority.
- 2.1.4 In a genuine emergency threatening public health, injury to persons or serious and immediate damage to property, an Authorised Officer can take any necessary action to alleviate the threat. This power is limited to the alleviation of the threat and does not extend to any Works beyond what is strictly essential.
- 2.1.5 Tenders invited on behalf of any consortium, associated or other body of which the Council is a Member, but not leading the procurement and provided that the tenders are invited in accordance with the method prescribed by any such body and comply with the Public Contract Regulations.
- 2.1.6 Purchase of Works, Goods or Services from a supplier under an acknowledged public sector agreement or a collaborative procurement agreement arranged through another public sector body.
- 2.1.7 Purchase of Works, Goods or Services from an in-house service provider
- 2.1.8 Purchase of Works, Goods or Services from an existing Contract on the Council's Corporate Contracts Register.
- 2.1.9 Purchases of between £1 and £4,000. However, officers should provide evidence that the purchase represents value for money in accordance with the Council's Financial Regulations. This may be via a note of cost comparison's or other evidence for internal audit purposes.

Excepted Contracts

- 2.2 Where an Authorised Officer can demonstrate good reason, and where the value of such action does not exceed the EU Procurement thresholds, or any subsequent UK Government threshold and where Strategic Procurement and Head of Service* approval has been obtained via the [Excepted Contracts Form](#), Contract Standing Orders shall not apply to the following:

**Note – Approvals above Head of Service level are required from;*

- a. Strategic Director/Chief Executive Officer for submissions by Head of Service*
- b. Chief Executive Officer for submissions by Strategic Director*
- c. Leader of the Council for submissions by Chief Executive Officer*

- 2.2.1 Purchase by auction or at public fairs or markets.
- 2.2.2 The purchase of Goods, materials or Services which are only available from one provider, or are of a specialist nature, for which no satisfactory alternative is available.
- 2.2.3 The acquisition of Services from artists and performers where the identity and or skills of the artist or performer is the primary consideration. Officers must ensure that the engagement of such artists represents value for money and is an appropriate business decision.
- 2.2.4 Extensions of existing contracts where the extension is in accordance with the terms & conditions, specification, rates and/or prices of the original Contract award, notwithstanding existing Contract conditions in relation to price variations.
- 2.2.5 First extension of existing contracts where the value of the extension does not exceed the applicable EU/UK threshold and no provision for extension was provided in the original Contract award, and where valid reasons can be demonstrated.
- 2.2.6 Extensions of consultancy contracts up to 50% of the original Contract (where the combined original value and extension value do not exceed any EU/UK thresholds), where continuation of Services is deemed necessary, and where the particular knowledge and understanding of the commission is intrinsically linked to the supplier, and no suitable supplier could undertake the work without undue delay or additional/further cost.
- 2.2.7 The execution of Works or the purchase of Goods or Materials necessary for urgent maintenance work to highways, buildings, plant or other assets to prevent rapid and progressive deterioration or to maintain essential Services.
- 2.2.8 Where it is necessary to procure against 2.2.1 to 2.2.8 above the excepted Contract forms must be sent to Strategic Procurement for reporting to the Procurement Gateway Board on a Quarterly Basis.

3 Social Services

- 3.1 In the case of social care contract let under the provisions of the Social Services and Well Being (Wales) Act 2014, Children's Act 2004 and the NHS and Community Care Act 1990 and regulated by Care Inspectorate Wales, the Head of Adult and Community Services and the Head of Children and Young People Services (herein after referred to as Head of Service) are not required to invite tenders for individual service contracts (being a support contract for an individual person) in the following circumstances, and where the Council does not have any suitable existing contract or framework;

-
- 3.1.1 where the Head of Service is reasonably satisfied that there is only one suitable provider of such services due to the specialist nature of the provision, whilst having regard to locality and family/carer access and visitation.
 - 3.1.2 where emergency situations arise and the Council need to commission a service to protect and safeguard vulnerable people, for example in the event of provider failure.
 - 3.1.3 where a service user (or their nominated representative) chooses a particular service provider to deliver their care, over another provider, which is in accordance with Social Services and Well Being (Wales) Act 2014. In such circumstances, any appropriate top up fees, in line with Service Area procedures must be levied.

Note - Where it has been necessary to let an individual service contract in respect of 3.1.1, 3.1.2 or 3.1.3, the Service Area must maintain a register of placements, detailing the rationale and cost for the placement. At the end of each financial year, the register must be provided to the Service Manager Procurement & Payments.

- 3.1.4 for all residential and supported living providers, however each provider will need to be accredited on the Councils Registered Provider List and all individual placements must still be brokered.
- 3.2 In respect of contracts for general service provision, general Contract Standing Orders shall apply.

4 Internal Providers

- 4.1 These Contract Standing Orders are the Council's procedure for buying Goods and Services for the Council. They do not apply to internal purchases or service provision. Where an in-house service provider has declined the opportunity to provide Goods, Works or Services, any subsequent procurement from an external supplier must comply with the principles of these Contract Standing Orders and follow the Procurement Gateway Process.
- 4.2 Where a service area believes the costing provided via an in-house provider does not represent value for money, they may apply to the Head of Finance for authority to waive this requirement and tender the provision. For the avoidance of doubt, the In-house service providers included specifically are as listed in the "**Approved In-House Provider List**"

5 Procurement Planning

- 5.1 In accordance with the Procurement Gateway Process by the end of March each calendar year, Heads of Service shall submit to the Service Manager Procurement & Payments a completed Procurement Forward Plan detailing the planned procurement activities over £4,000 (new purchasing requirements associated with budget planning for the forthcoming financial year). The Strategic Procurement team will use this information for procurement planning, to identify collaborative opportunities, to allocate appropriate resources and to ensure all relevant legislative requirements are observed.

Procurement plans will be under constant review and updated as and when required.

6 Procurement Tendering Process

6.1 Procurement Gateway Process

- 6.1.1 For all **Goods, Services and Works** please refer to the Council's procurement gateway process and flowcharts on the [intranet procurement pages](#).
- 6.1.2 The processes are designed to give a consistent approach to procurement across the authority and enable senior management to have visibility of the Goods and Services being purchased by the Council.
- 6.1.3 The 'Gateway' process is mandatory to follow if seeking to commission or procure Goods, Services or Works over £4k in value. Officers must not disaggregate requirements in order to avoid the applicable thresholds, and must consider the aggregated spend over the length of the contract.

Reminder: The below thresholds apply where there is no In-House provider, existing Contract arrangement or appropriate framework agreement available., Up to £4,000 it is necessary only to demonstrate and record that value for money is being achieved.

6.2 Thresholds for Procurement

6.2.1 Process One – Quotations (see Gateway Process One)

From £4,000 to £25,000 written quotations should be sought from either;

- 1) a minimum of three recognised suppliers in the appropriate market, or previously established competitive sources of supply, or
- 2) where it is not possible to identify suppliers, an open and advertised quotation process should be undertaken using the Councils approved eAdvertisement and eSourcing tool.

6.2.2 Process Two – Low Value Tenders (see Gateway Process Two)

From £25,001 to £75,000 formal tenders must be undertaken using the Councils approved eSourcing tool, either by selecting a minimum of four recognised suppliers in the appropriate market, or previously established competitive sources of supply. Where it is not possible to identify suppliers, an open and advertised tender process must be undertaken.

6.2.3 Process Three – Mid Value Tenders up to EU/UK Procurement Thresholds (see Gateway Process Three)

From £75,001 to current EU/UK Procurement Thresholds (current levels detailed on “link to thresholds on intranet pages”) an openly advertised formal tendering process must be undertaken using the Councils approved eAdvertisement and eSourcing Tools.

6.2.4 Process Four – High Value Tenders Above EU/UK Procurement Thresholds (see Gateway Process Four)

Above threshold procurements must be undertaken via an openly advertised formal tendering process using the Councils approved eAdvertisement and eSourcing Tools, and in compliance with the Public Contract Regulations.

6.2.5 For Process One & Two, when selecting suppliers, consideration must be given in regard to supporting opportunities for local suppliers, and the wider Welsh supply base and its ability to meet the needs of the Council.

6.3 Code of Practice – Ethical Employment in Supply Chains

Newport City Council have signed up to the Welsh Government’s Code of Practice – Ethical Employment in Supply Chains, and therefore all tenders must consider the principles of the Code when compiling documentation, vetting suppliers and awarding contracts. The overarching principle of the Code is to ensure that workers in public sector supply chains are employed ethically and in compliance with both the letter and spirit of UK, EU, and international laws. The Code covers Modern Slavery and human rights abuses, Blacklisting, False self-employment, Unfair use of umbrella schemes and zero hours contracts as well as considering paying the living wage. Advice must be sought from Strategic Procurement during tender preparation to ensure processes adhere to the principles of the Code.

6.4 Division of Contracts into Lots

The Council may where it considers appropriate decide to award a Contract in a form of separate lots and may determine the size and subject matter of such lots in accordance with the Public Contract Regulations.

Where the Council has decided not to subdivide an above EU/UK Threshold Contract (Process Four) into lots it shall provide an indication of the main reasons within the Procurement Gateway report. Officers must not use lotting opportunities or split up requirements into smaller elements to disaggregate requirements in order to avoid the Procurement Gateway Processes detailed above.

6.5 Supplier Selection

6.5.1 It must be demonstrated that the appropriately experienced, technically competent Contractors or suppliers have been shortlisted.

6.5.2 Care must be taken to differentiate supplier selection criteria for short-listing from award criteria.

6.5.3 This demonstration may include, but need not be limited to:

- Eligibility

-
- Financial standing, including provisions for insurance and liability
 - Technical or professional capacity and capability
 - Health and Safety
 - Quality Standards including certification by official quality control institutes or agencies of recognised competence and or attesting conformity to quality assurance standards and/or measures
 - Sustainability, including environmental management measures
 - Evidence as to whether they are unsuitable on certain grounds, e.g., of bankruptcy, criminal conviction or failure to pay taxes.

6.5.4 The Welsh Public Sector standard supplier selection template is called the Supplier Qualification Information Database (SQuID). In addition to this, for above EU/UK threshold procurements there is the European Single Procurement Document (ESPD). These are the templates that the Council use as standard and Authorised Officers in Service Areas will need to complete this template with the assistance of their Procurement Officer within Strategic Procurement.

6.6 Financial Vetting

6.6.1 Financial vetting shall be considered for all tenders in excess of £75k. The decision as to whether a financial assessment is required should be based on risk and the impact on the Council of Contract failure. All vetting shall be agreed with the Council's Central Accountancy Team via a method approved by the Head of Finance for that purpose and be conducted at the selection stage.

6.7 Evaluation

6.7.1 The Authorised Officer shall examine tenders in accordance with the predetermined evaluation criteria for the tender and identify tenders that best meet the criteria including value for money.

6.7.2 Where the evaluation criterion is the most economically advantageous, the evaluation criteria or sub-criteria shall as a minimum be listed in the Invitation documentation in order of importance. Any particular scoring or weighting attributable to any criteria or sub-criteria must be clearly stated. In addition, the criteria shall be strictly observed (and remain unchanged) at all times throughout the evaluation and Contract award procedure. Further information on award criteria and weightings can be obtained from the Strategic Procurement Team.

6.7.3 Where tenderers submit "conditional" offers, seeking to add new conditions to the Contract the Authorised Officer should notify the tenderer that conditional offers will not be accepted and the tenderer must either withdraw the conditions or withdraw their tender. In the event the tenderer elects to withdraw their tender, their submission will be removed from the evaluation process. Only in exceptional circumstances will the Council consider conditional offers e.g. where only one tender has been received and it is conditional, and only then with approval from the Head of Law & Regulation.

7 Electronic Tendering

- 7.1 All procurements above the value of £25k must be conducted electronically in line with the Council's Procurement Gateway Process, Welsh Procurement Policy and The Public Contracts Regulations.
- 7.1.1 The tender process will be conducted electronically by Authorised Officers or Strategic Procurement as determined by the Procurement Gateway Process. All communications related to a tender conducted electronically shall be directed through the Council's approved eSourcing tool. No formal communication shall be made outside of the system.
- 7.1.2 Further information regarding the use of the Council's eSourcing tool may be obtained from Strategic Procurement.

8 Estimating the Contract Value

- 8.1 The value of a Contract means the estimated total monetary value over its full duration (not the annual value), including any extensions or other options. Where the duration of a Contract is indeterminate, this should be taken to be the estimated value of the Contract over a period of four years. No procurement may be artificially split to avoid compliance with these Contract Standing Orders and EU/UK procurement directives. The Council shall make the best use of its purchasing power by aggregating purchases wherever possible.
- 8.2 If it is known that the Contract duration will be longer than four years, then the Contract value will be the total value over the full term of the Contract.
- 8.3 Where the value is, or may be, equal to or greater than the relevant EU/UK threshold, the Council should also have regard to regulation 6 of the Public Contracts Regulations, which deals with the methods for calculating the estimated value of a procurement and the treatment of Lots.

9 Form of Contract

- 9.1 Every Contract where the value or amount of the Contract does not exceed £25,000 shall be in writing in a form approved by the Head of Law and Regulation.
- 9.2 Every Contract that exceeds £25,000 but does not exceed £100,000 shall be signed by either the Head of Service or their Authorised Officer. Contracts between £100,000 and £250,000 shall be signed by the Head of Law and Regulation.
- 9.3 Every Contract that exceeds £250,000 in value shall be made under the Seal of the Council.
- 9.4 All contracts shall be recorded using the information from the Procurement Gateway form on the Council's Corporate Contracts Register maintained by Strategic Procurement.

10 Framework Agreements

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- 10.1 All Framework Agreements must be awarded, set up and managed strictly in accordance with the Public Contracts Regulations.
 - 10.2 Framework Agreements can be used where the Council wishes to Contract for the provision of Goods, Services or Works without conducting multiple procurement exercises.
 - 10.3 Established framework and consortia arrangements endorsed by Strategic Procurement for use by the Council shall be mandatory. On occasion, it may be deemed that the framework agreement would not provide best value – this will need to be proven and approved by Strategic Procurement.
 - 10.4 The Framework Agreement may include within its terms a requirement for a further competition exercise between those Contractors who are parties to the Framework Agreement. These shall be tendered in accordance with the terms of the Framework Agreement itself.
 - 10.5 Where the Council is able to call off from existing Framework Agreements procured by Central Government Agencies, purchasing consortia or other Local Authorities or Public Bodies, then the Council may benefit from using those Frameworks without entering into a separate procurement exercise. Where such Framework Agreements contain a number of different Contractors able to provide a particular category of Goods or Services, competition in line with the Framework guidance must be followed.
 - 10.6 Any Framework Agreement identified by a Service Area shall be notified to Strategic Procurement by the Authorised Officer and must be approved by the Procurement & Payments Manager in order to ensure suitability, legal compliance and value for money. Upon approval, Strategic Procurement can incorporate the Framework Agreement onto the Council's Contract Register.
 - 10.7 Any joint procurement arrangements with other Local Authorities and/or Public Sector Bodies including membership or use of any consortia must be approved by Strategic Procurement to ensure suitability, legal compliance and value for money.
 - 10.8 The term of a Framework Agreement must not exceed four years and, while a Framework Agreement may be entered into with one Contractor, where a Framework Agreement is concluded with several Contractors, there should be at least three in number.

11 Approved Supplier Lists

- 11.1 In circumstances where no other suitable Contract arrangement exists for the purchase of Services or Works on a regular basis, and where approval is granted by Strategic Procurement, an Approved List of Suppliers may be maintained by a Service Area.

This Contract Standing Order shall have effect where:-

- 11.2 A Head of Service, or Authorised Officer maintains an approved list of suppliers to be invited to tender for contracts for the supply of Works or Services of specified categories or

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- 11.3 Where Strategic Procurement has approved the use of an external approved list maintained by a third party.

Lists maintained by the Council

- 11.4 The List shall be compiled and maintained in accordance with these Contract Standing Orders, and the Council's Procurement Gateway Process.
- 11.5 Approved Lists must be established in consultation with Strategic Procurement and must be listed on the Council's Contract Register.
- 11.6 In establishing and using an Approved List, the procedure detailed on the Strategic Procurement Intranet Site must be followed.

12 Community Benefits and Wellbeing of Future Generations (Wales) Act 2015

- 12.1 The Council is committed to achieving economic, social and environmental well-being for its residents and implementing Community Benefits and meeting the requirements of the Wellbeing of Future Generations (Wales) Act 2015 so as to ensure a better quality of life for everyone, now and for generations to come.
- 12.2 For all procurements over £75k, the Authorised Officer **must** consider the Economic, Social and Environmental impact of the project when determining the specification and evaluation criteria, and potential for community benefits to maximise the added value of the procurement.
- 12.3 Authorised Officers shall seek guidance from Procurement and the Council's Community Regeneration section on how best to incorporate Community Benefits into the tender and Contract.

13 Amendment to Tenders, Errors and Omissions

- 13.1 As a general rule, no adjustment or qualification to any tender(s) is permitted. Only where approval has been obtained from Strategic Procurement, errors found during the examination of tenders shall be dealt with as follows:
- 13.1.1 Where the error contained in a tender appears to be a genuine mistake by typing, printing or arithmetic, or appears to be an eSourcing technical issue, the tenderer shall be given details of the error(s) and shall be given the option to either agree to the tender being corrected or withdrawing the tender. This rule also applies where the genuine mistake may have been made by the Council.
- 13.1.2 The tenderer will be given up to 3 working days to respond.
- 13.1.3 If confirmation from the tenderer is not received within 3 working days, the tender will be withdrawn.
- 13.1.4 Invitation to Tender documents must state how errors in Tenders will be dealt with.

13.1.5 All correspondence must be in writing, and where applicable through the Councils approved eSourcing tool.

13.1.6 No request to amend a Tender after the time fixed for receipt shall be accepted.

14 Tender Clarification and Negotiation

14.1 An Authorised Officer may seek clarification of the information provided (or not provided) by a Tenderer only where this is necessary to aid understanding. The types of clarification will generally be:

Where a Tenderer has made an accidental omission such as not including a relevant certificate;

Where ALL Tenderers responding have misinterpreted a question;

14.1.1 The Council will not seek clarifications from individual Tenderers where a question has been misinterpreted and/or poorly answered (this will include where a Tenderer has not followed the format of the Invitation To Tender and/or submitted standard text in place of a fully informed written answer) and other submissions received, fully interpreted and answered in full the same question. A clarification of this nature would not be permissible due to the Tenderer having a second chance at providing information which would alter the evaluation, and be unfair to other Tenderers.

14.1.2 If, for any reason, it is necessary to amend the Specification after Tenders have been received, a new Tender process shall be undertaken.

14.1.3 Where procurement is conducted pursuant to the Public Contracts Regulations advice must be sought from Strategic Procurement. The Authorised Officer may seek clarification from tenderers where appropriate in consultation with Strategic Procurement.

14.1.4 Where procurements do not exceed the applicable EU/UK thresholds, if it is in the Council's interest to do so to achieve value for money Strategic Procurement may authorise negotiations. Strategic Procurement will also establish the timescales for said negotiation procedure. Such actions must not distort competition. At all times during the procurement process the Council shall ensure that all tenderers are treated in accordance with the principles of the European Treaty.

15 Authorised Award of Tenders/Quotations and Reports

15.1 The Council shall only award a Contract where it represents best value for money. A Contract shall only be awarded using the pre-determined tender evaluation criteria and weightings. Where a tender is to be evaluated on price only, the Contract must be awarded to the Tenderer submitting the lowest (compliant with specification) price.

15.2 A Contract may only be awarded by an authorised officer with the required approval to award contracts in accordance with the Council's Scheme of Delegations. For all Procurements valued at above £4,000, the decision to

award a Contract shall be made using the Council's Procurement Gateway Process.

- 15.3 Where Procurement is conducted pursuant to the Public Contract Regulations the Authorised Officer must notify all tenderers in writing of the outcome of the tender, and the Council's intention to award a contract. Unsuccessful tenderers must be informed of the scoring attributed to the evaluation, being their score and the score of the winning tender, as well as any characteristics and relative advantages of the winning tender. The name of the winning tenderer should also be provided. The statutory standstill period must be observed prior to any final contract award.
- 15.4 Where a tender has been advertised on the Councils approved eAdvertisement website, the Council shall publish a Contract Award Notice on the same website as soon as possible after the decision to award the Contract has been taken, and in any case within 30 days.
- 15.5 Where Procurement is conducted pursuant to the Public Contract Regulations the Authorised Officer must allow the statutory standstill period prior to issuing a final award and shall publish a Contract award notice in the Official Journal of the European Union no later than 30 days after the date of award of the Contract or such other requirements or time limits as are set out in the Regulations. An official Tender report in-line with Rule 84 of the Public Contracts Regulations must also be produced.
- 15.6 Where the Public Contract Regulations do not apply and an unsuccessful tenderer requests feedback on their tender, the Authorised Officer must within 15 days of any request, inform the tenderer of the reasons for being unsuccessful. If the supplier was unsuccessful at the award stage the responsible officer shall also inform it of the characteristics and relative advantages of the successful tender as well as the name of the bidder awarded the contract.

16 Contract Management

- 16.1 Once the Contract has been awarded, the Service Area Contract Manager will manage the day-to-day aspects of the Contract for its term.
- 16.2 The day-to-day management of the Contract shall be undertaken by the Contract Manager and shall include monitoring and reporting in respect of:-
- (i) performance
 - (ii) compliance with specification and Contract terms
 - (iii) cost
 - (iv) any value for money/best value requirements
 - (v) user satisfaction
 - (vi) risk management, and
 - (vii) delivery of agreed Community Benefits
- 16.3 For all contracts, it is the responsibility of the Contract Manager to raise any incidents of poor performance immediately with the Contractor and seek rectification. In instances of particularly poor performance, or persistent poor performance, the Contract Manager should consider the appropriate course of action to take under the Contract, taking advice from Strategic Procurement and/or Law & Regulation.

- 16.4 Where the Contract has key performance indicators built into monitoring objectives, the Contract Manager must make a written report evaluating the extent to which the Contract is meeting the objectives set. This should be done normally when the Contract is completed but for term contracts, such report should be prepared annually. The report should be presented to the appropriate Head of Service and the Service Manager Procurement & Payments.

17 Variations to Contract

- 17.1 Whether or not it is a requirement of the Contract, every variation (whether having a financial implication or not) will be authorised in writing by the appropriate officer(s). The Authorised officer will keep detailed records of any such variation and any variation of a financial matter shall be open to inspection by the Head of Finance. The authorisation will be issued before the variation is placed.
- 17.2 For variations approved by an Authorised Officer, the Contract Manager shall monitor at least monthly the overall level of variations approved to gain assurance that they are correct and appropriate.
- 17.3 Any variation to the original Contract must be in the best interests of the Council and of continued delivery of Services.

18 Extensions of Contract Period / Term

- 18.1 The decision to extend the Contract period (term) may only be made before the original expiry date, where it is in accordance with the terms and conditions of the original Contract. The relevant Head of Service must authorise any extension of Contract using the Excepted Contracts form, which must also be approved by Strategic Procurement. The value of any extended term shall be assessed and recorded within the Excepted Contracts form as part of the extension procedure.
- 18.2 The decision to extend a Framework Agreement may only be made before the original expiry date, where the extension is in accordance with the terms and conditions of the original Contract. Strategic Procurement must take all such decisions to extend framework arrangements. The aggregate term of the Framework Agreement must not exceed 4 years.
- 18.3 Where the terms of the Contract and or original procurement exercise do not expressly provide for extension then such Contract may only be extended in exceptional circumstances, where legislation permits and value for money issues have been addressed. Such decisions shall be made by the relevant Head of Service and Strategic Procurement.

19 Procurement of Consultants

- 19.1 For the avoidance of doubt, the appointment of consultants shall be made in accordance with the requirements of these Contract Standing Orders.

20 Procurement by Consultants

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- 20.1 Where the Council uses consultants to act on its behalf in relation to any procurement, then the Head of Service shall ensure that the consultants carry out any procurement in accordance with these Contract Standing Orders.
- 20.2 All decisions must be made in accordance with the Council's Scheme of Delegations and are subject to the Council's Procurement Gateway Process.
- 20.3 No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to outside of the Procurement Gateway Process.. The Head of Service shall ensure that the consultant's performance in relation to procurement is in accordance with these Contract Standing Orders and all statutory procurement obligations.
- 20.4 Where the Council uses consultants to act on its behalf in relation to any procurement, the consultant must declare any potential conflict of interest that may arise to the Head of Service prior to the commencement of the procurement process or at such time that the Contractor becomes aware of such a potential conflict of interest. Where the Head of Service considers that such a conflict of interest is significant, the consultant shall not be allowed to participate in the procurement process.

Note: it is the Council, which is responsible for all actions and decisions of consultants in relation to the conduct of procurements, therefore there need to be proper governance procedures in place to manage and monitor consultants appropriately.

21 Variant Tenders

- 21.1 Variant tenders may be considered where this was indicated in the Invitation to Tender documentation. This must be in accordance with the Public Contract Regulations and in consultation with Strategic Procurement.

22 Abnormally Low Tenders

- 22.1 Where as a result of identifying that the overall tendered price or costs raises significant doubts that the Contractor will be able to complete the Contract within the Contract terms, the Council shall require tenderers to explain the price or costs proposed. Where the Council determine the explanation is insufficient or believe significant doubts as to the Contractors ability to meet the requirements still exist, the Council reserve the right to reject the tender. This must be undertaken in accordance with the Public Contract Regulations and in consultation with the Service Manager Procurement & Payments.

23 Capital Contracts

- 23.1 In the case of capital contracts, the appropriate Head of Service must ensure that the scheme is in the approved capital programme before inviting tenders in accordance with the Procurement Gateway Process.
- 23.2 For awarded contracts the Head of Service and Head of Finance must be made fully aware of the implications of a major change in the specification of a project in both financial and operational terms, and be made fully aware of

all other significant decisions affecting the project. At the first indication or identification of a significant potential overspend of either £25k or 10% of the Contract value (whichever is the lowest), the appropriate Head of Service and Head of Finance shall be notified. This must be reported to the Councils Cabinet for further consideration.

24 Disposal of Assets

24.1 Heads of Service shall be authorised to dispose of Goods and materials surplus to the Council's requirements by whichever means would, in the judgement of the officers, result in the best value for the Council; examples may include;

- auction
- tender
- private sale
- transfer to another service
- donation to a not for profit organisation

24.2 Where a surplus item is likely to raise more than £1,000, the appropriate Head of Service shall be consulted before its disposal. Written tenders should be invited for any item likely to realise more than £5,000.

24.3 Irrespective of likely value, all Vehicle and Plant assets should be disposed of via the Head of City Services and all IT assets should be disposed of via the Head of People and Business Change, where they are not owned or managed by the Shared Resource Service (SRS). In the event that a Head of Service determines that Goods are beyond their economic useful life and therefore of no value, they should arrange for recycling as appropriate or disposal as waste. Appropriate records of disposal should be maintained and where assets are maintained on an Asset Register, the appropriate Head of Service should be informed to update the register.

25 Waiver of Contract Standing Orders

25.1 Approval of waiver of any of these Contract Standing Orders shall only be given in exceptional circumstances and only following a written report to the appropriate Cabinet Member, which includes the comments of the Chief Financial Officer, Monitoring Officer and Head of Service. All waivers will be reported to Audit Committee on at least a six monthly basis. There should be no delay in presenting a waiver report for consideration, which should be done as soon as the relevant circumstances present themselves.

25.2 The originator of the report requesting a waiver of Standing Orders is responsible and accountable for making sure that the contents of the report are factually correct. The originator of the report should ensure that all supporting documentation is retained on an easily accessible file for auditing purposes.

Report

Council

Part 1

Date: 28 January 2020

Subject **Report on Treasury Management for the period to 30 September 2019**

Purpose This report is to inform the Council of treasury activities undertaken during the period to 30 September 2019 and confirms that all treasury and prudential indicators have been adhered to in the first half of the financial year.

Author Assistant Head of Finance

Ward General

Summary During the first half of the financial year, the Council continued to be both a short-term investor of cash and borrower to manage day-to-day cash flows. Current forecasts indicate that in the future, temporary borrowing will continue to be required to fund normal day to day cash flow activities. No additional temporary borrowing was required in the first half of the year, however there has been a small amount of long-term borrowing taken at zero interest for a specific project.

All borrowing and investments undertaken during the first half of the year was expected and within the Council's agreed limits

Proposal **To note and approve the report on treasury management activities for the period to 30 September 2019 in line with the agreed Treasury Management Strategy 2019/20.**

Action by Head of Finance

Timetable Immediate

This report was prepared after consultation with:

- Treasury Advisors
- Head of Finance

Please list here those officers and members you have consulted on this report.

Signed

Background

1. The Council's Treasury Management Strategy and Prudential Indicators were approved by Council in February 2019 alongside the Capital Strategy and the Medium Term Financial Plan and the 2019/20 Budget.
2. The Treasury Management Strategy for 2019/20 has been underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority is embracing best practice in accordance with CIPFA's recommendations.
3. The 2017 Prudential Code includes a requirement for local authorities to produce and approve provide a Capital Strategy, covering capital expenditure and financing, treasury management and non-treasury investments. The Authority's Capital Strategy, complying with CIPFA's requirement, was approved by full Council on 26th February 2019.
4. This report presents the following information.
 - details of capital financing, borrowing, debt rescheduling and investment transactions
 - reports on the risk implications of treasury decisions and transactions
 - details the half year monitoring position on treasury management transactions in 2019/2020
 - confirms compliance with treasury limits set and Prudential code
5. Whilst the Council has significant long term borrowing requirements, the Council's capacity for further in internal borrowing has reached capacity, and in the latter half of 2019/20 the Council is expected to undertaken external borrowing both for the refinancing of maturing loans and to fund the existing capital programme; it will remain as much 'internally borrowed' as is possible and increase actual external borrowing only when needed to manage its cash requirements.
6. Although this report looks at treasury management activities to 30th September 2019, on 9th October HM Treasury announced a change to the margin of 1% which was applied to PWLB interest rates, increasing the cost of borrowing immediately from that point forward. This was an unexpected increase, and was not anticipated across local government.
7. Given the recent rise in PWLB interest rates the authority will discuss with treasury advisors on whether the strategy of not undertaking early long-term borrowing is still applicable, this will be updated in the treasury management strategy to be approved for 2020/21.
8. As shown in Table 2 in Appendix B, during the first half of the year the amount of borrowing has reduced by £42m to £150.8m. This is mainly due to repayment of the stock issue which matured on the 10th April 2019. The Council took out a loan to do this but did this before 31st March and therefore this increase in loans taken out was reported in the previous half-year / financial year. As this loan was taken a few weeks earlier than needed, it was temporarily invested and then used to repay the Bond and therefore, as shown in the same table, there is a corresponding reduction in investments as this was done. In essence, we have simply re-financed the Bond with another loan of the same value and in pursuing an internally borrowed borrowing strategy, is as expected.
9. A small amount of long-term borrowing was taken out in the first half of the financial year amounting to £1.5m. This was in relation to interest free Welsh Government and Salix loans linked to specific projects. It is anticipated that the Council will need to undertake additional borrowing on a short term basis for the remainder of the year in order to cover normal day to day cash flow activity. With current estimates there is the potential that a small amount of additional long-term borrowing could be required in this financial year.

10. Appendix B summarises the Council's debt position as at 30 September 2019. The changes in debt outstanding relate to the raising and repaying of temporary loans and the reduction in borrowing is in relation to the £40m stock issue.
11. In regards to LOBOs, no loans were called during the period. All £30m outstanding is subject to potential change of interest rates by the lender (which would automatically trigger a right to the Council to repay these loans) prior to the end of this financial year. Should a change of interest rate be requested, then it will be considered in detail and a decision on how we proceed will be made in conjunction with our treasury advisors.

INVESTMENTS ACTIVITY / POSITION

12. Given the increasing risk and very low returns from short-term unsecured bank investments, the Authority will look to diversify into more secure and/or higher yielding asset classes in the future. This is especially the case for the estimated £10 million that is available for longer-term investment. All of the Authority's surplus cash is currently invested in short-term unsecured bank deposits and local authorities.
13. As per the Council's investment strategies, the Council had made investments to assist local public services, including making loans to businesses to promote economic growth.
14. The Council's strategy of being a short-term investor has been maintained, and in line with our strategy, this will be allowed to reduce over the next year or so. There is now a long term reduction now a long term reduction in the Council's internally borrowed capacity. As at 30 September 2019, there was a £17.0m balance of short-term investments.
15. All investments are currently placed on a temporary basis and are placed in high security institutions, in line with our other strategy in this area, dealing with our investing priorities of (i) security (ii) liquidity and (iii) yield, in that order. At the 30 September 2019, £8m was placed with various local authorities and £9m with banks and building societies.
16. January 2018 saw the implementation in the UK of the second Markets in Financial Instruments Directive (MiFID II), where firms will be obliged to treat all local authorities as retail clients unless they opt up to professional client status and meet certain criteria. These criteria include holding a minimum of £10m investment balance and employing knowledgeable and experienced staff to carry out investment transactions. It is anticipated that our investment balances will remain well above the minimum £10m for the remainder of the financial year.
17. The Council does not hold any long-term (more than 364 days) investments as at 30 September 2019. However, as stated above the Authority is now aiming to diversity into higher yielding, long term financial instruments in the second half of 2019/20, this is further detailed in the report being presented to Audit Committee on investments to pooled funds.

OTHER MID YEAR TREASURY MATTERS

Economic background and Counter Party Update

18. Appendix A outlines the underlying economic environment during the first half of the financial year, as provided by the Council's Treasury Management Advisors Arlingclose.
19. The Council does not currently have any long-term investments, and the investments that it currently undertakes are mainly with other local authorities which are deemed very secure, therefore the risk is currently limited. There were no significant changes in credit ratings advised in the first half of the financial year that had implications for the approved lending list. The long term rating of Santander

UK, the Council's bankers, remains at A above the Council's minimum level of A-

Compliance with Prudential Indicators approved by Council

19. The Authority measures and manages its exposures to treasury management risks using various indicators which can be found in Appendix B. The Authority has complied with the Prudential Indicators for 2019/20, set in March 2019 as part of the Treasury Management Strategy. Details of treasury-related Prudential Indicators can be found in Appendix B.

Risks

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?
Investment counterparty not repaying investments	High but depending on investment value	Low	The Council only invests with Institutions with very high credit scores. It employs advisors to monitor money market movements and changes to credit scores and acts immediately should things change adversely. The lower levels of funds available for investment will also alleviate the risk.	Members, Head of Finance, Treasury staff, based on advice from treasury advisors
Interest Rates moving adversely against expectations	Low	Low	Despite recent increase in the bank rate to 0.75%, future expectations for higher short term rates are subdued. The Treasury strategy approved allows for the use of short term borrowing once investment funds are exhausted to take advantage of these low rates. In October 2019 HM treasury raised the margin by 1% which had an impact on the PWLB rates, making PWLB a more expensive form of borrowing. Any further increases in HM Treasury is unlikely in the near future.	Head of Finance, Treasury staff, treasury advisors

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

It is the Council's policy to ensure that the security of the capital sums invested is fully recognised and has absolute priority. The Council follows the advice of the Welsh Governments that any investment decisions take account of security, liquidity and yield in that order.

Options Available and considered

The Prudential Code and statute requires that, during and at the end of each financial year, reports on these matters are presented to Council for approval.

Preferred Option and Why

Note the contents of the report and provide comments to the Council.

Comments of Chief Financial Officer

Decisions made on treasury matters will be made with a view the Treasury Management Strategy, Treasury Advisors and Prudential Indicators.

Comments of Monitoring Officer

There are no legal implications. The in-year and annual treasury management report is consistent with relevant Chartered Institute of Public Finance and Accountancy Guidance, Treasury Management principles and the Council's investment strategy.

Comments of Head of People and Business Change

There are no direct HR implications associated with the report.

The Council is required through the Prudential Code to report on treasury management activities during and at the end of each financial year. The Well-being of Future Generations Act requires public bodies to balance short-term needs with the needs to safeguard the ability to meet long-term needs. As stated in this report, the Council continues to be both a short-term investor of cash and borrower to manage day-to-day cash flows but current forecasts indicate that in future temporary borrowing will continue to be required to fund normal day to day cash flow activities. All borrowing and investments undertaken during the first half of the year was expected and within the Council's agreed limits. The matters within this report fit in with the well-being goal of a Prosperous Wales.

Comments of Cabinet Member

N/A.

Local issues

N/A

Scrutiny Committees

N/A

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to

neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

This report is a backwards looking report of the treasury management activities of the Council. It shows that we followed the treasury management strategy and the compliance with prudential code and treasury management indicators. This links into the long-term objectives of the authorities and ensures that the councils activities are carried out in an affordable, prudent and sustainable manner.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

N/A

Background Papers

Treasury Management Strategy report to Audit Committee January 2019.
Report to Council February 2019: Capital Strategy and Treasury Strategy

Dated: 04 November 2019

APPENDIX A

Economic background: UK Consumer Price Inflation (CPIH) fell to 1.7% year/year in August 2019 from 2.0% in July, weaker than the consensus forecast of 1.9% and below the Bank of England's target. The most recent labour market data for the three months to July 2019 showed the unemployment rate edged back down to 3.8% while the employment rate remained at 76.1%, the joint highest since records began in 1971. Nominal annual wage growth measured by the 3-month average excluding bonuses was 3.8% and 4.0% including bonuses. Adjusting for inflation, real wages were up 1.9% excluding bonuses and 2.1% including.

The Quarterly National Accounts for Q2 GDP confirmed the UK economy contracted by 0.2% following the 0.5% gain in Q1 which was distorted by stockpiling ahead of Brexit. Only the services sector registered an increase in growth, a very modest 0.1%, with both production and construction falling and the former registering its largest drop since Q4 2012. Business investment fell by 0.4% (revised from -0.5% in the first estimate) as Brexit uncertainties impacted on business planning and decision-making.

Politics, both home and abroad, continued to be a big driver of financial markets over the last quarter. Boris Johnson won the Conservative Party leadership contest and has committed to leaving the EU on 31st October regardless of whether a deal is reached with the EU. Mr Johnson prorogued Parliament which led some MPs to put forward a bill requiring him to seek a Brexit extension if no deal is in place by 19th October. The move was successful and, having been approved by the House of Lords, was passed into law. The Supreme Court subsequently ruled Mr Johnson's suspension of Parliament unlawful.

Tensions continued between the US and China with no trade agreement in sight and both countries imposing further tariffs on each other's goods. The US Federal Reserve cut its target Federal Funds rates by 0.25% in September to a range of 1.75% - 2%, a pre-emptive move to maintain economic growth amid escalating concerns over the trade war and a weaker economic environment leading to more pronounced global slowdown. The euro area Purchasing Manager Indices (PMIs) pointed to a deepening slowdown in the Eurozone. These elevated concerns have caused key government yield curves to invert, something seen by many commentators as a predictor of a global recession. Market expectations are for further interest rate cuts from the Fed and in September the European Central Bank reduced its deposit rate to -0.5% and announced the recommencement of quantitative easing from 1st November.

The Bank of England maintained Bank Rate at 0.75% and in its August Inflation Report noted the deterioration in global activity and sentiment and confirmed that monetary policy decisions related to Brexit could be in either direction depending on whether or not a deal is ultimately reached by 31st October.

Financial markets: After rallying early in 2019, financial markets have been adopting a more risk-off approach in the following period as equities saw greater volatility and bonds rallied (prices up, yields down) in a flight to quality and anticipation of more monetary stimulus from central banks. The Dow Jones, FTSE 100 and FTSE 250 are broadly back at the same levels seen in March/April.

Gilt yields remained volatile over the period on the back of ongoing economic and political uncertainty. From a yield of 0.63% at the end of June, the 5-year benchmark gilt yield fell to 0.32% by the end of September. There were falls in the 10-year and 20-year gilts over the same period, with the former dropping from 0.83% to 0.55% and the latter falling from 1.35% to 0.88%. 1-month, 3-month and 12-month LIBID (London Interbank Bid) rates averaged 0.65%, 0.75% and 1.00% respectively over the period.

Recent activity in the bond markets and PWLB interest rates highlight that weaker economic growth remains a global risk. The US yield curve remains inverted with 10-year Treasury yields lower than US 3-month bills. History has shown that a recession hasn't been far behind a yield curve inversion. Following the sale of 10-year Bunds at -0.24% in June, yields on German government securities continue to remain negative in the secondary market with 2 and 5-year securities currently both trading around -0.77%.

Credit background: Credit Default Swap (CDS) spreads rose and then fell again during the quarter, continuing to remain low in historical terms. After rising to almost 120bps in May, the spread on non-ringfenced bank NatWest Markets plc fell back to around 80bps by the end of September, while for the ringfenced entity, National Westminster Bank plc, the spread remained around 40bps. The other main UK banks, as yet not separated into ringfenced and non-ringfenced from a CDS perspective, traded between 34 and 76bps at the end of the period.

There were minimal credit rating changes during the period. Moody's upgraded The Co-operative Bank's long-term rating to B3 and Fitch upgraded Clydesdale Bank and Virgin Money to A-.

Our treasury advisor Arlingclose will henceforth provide ratings which are specific to wholesale deposits including certificates of deposit, rather than provide general issuer credit ratings. Non-preferred senior unsecured debt and senior bonds are at higher risk of bail-in than deposit products, either through contractual terms, national law, or resolution authorities' flexibility during bail-in. Arlingclose's creditworthiness advice will continue to include unsecured bank deposits and CDs but not senior unsecured bonds issued by commercial banks.

APPENDIX B

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in table 1 below.

Table 1: Balance Sheet Summary

	31.3.19 Actual £m
General Fund CFR	280
Less: *Other debt liabilities	43
Borrowing CFR	237
Less: Usable reserves	(103)
Less: Working capital inc. investments	2.6
Net borrowing	136.6

* finance leases, PFI liabilities and transferred debt that form part of the Authority's total debt

The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.

The treasury management position as at 30 September 2019 and the change over the period is show in table 2 below.

Table 2: Treasury Management Summary

	31.3.19 Balance £m	Movement £m	30.9.19 Balance £m	30.9.19 Rate %
Long-term borrowing	149.3	1.5	150.8	11.93
Short-term borrowing	43.5	(43.5)	-	-
Total borrowing	192.8	(42.0)	150.8	3.66
Long-term investments	-	-	-	-
Short-term investments	(10.3)	2.3	(8.0)	0.63
Cash and cash equivalents	(45.9)	36.9	(9.0)	0.53
Total investments	(56.2)	39.2	(17.0)	0.58
Net borrowing	136.6	(2.8)	133.8	N/A

The table above shows significant movement in both the borrowing and investment levels of the Council, however overall the NET borrowing position for the Council has decreased by £2.8m. Borrowing decreased by £42.0m in the year, this is mainly due to undertaking borrowing early in relation to the re-financing of the stock issue, which matured on the 10th April 2019.

This borrowing was placed in very short-term investments, therefore as at the 30th March 2019 was classed as cash and cash equivalents in the above table. Following the re-financing on 10th April, the investments reduced by £40m and the borrowing also reduced by £40m.

Excluding the £40m, short-term investments have increased by £0.8m and borrowing has decreased by £2m giving an overall decrease in net borrowing of £2.8m.

Borrowing Strategy during the half year

At 30th September 2019 the Authority held £150.8m of loans, (a decrease of £2m on 31st March 2019, excluding the £40m borrowing for the re-financing of the stock issue), as part of its strategy for funding previous years' capital programmes. The 30th September 2019 borrowing position is show in table 3 below.

Table 3: Borrowing Position

	31.3.18 Balance £m	Net Movement £m	31.3.19 Balance £m	31.3.19 Weighted Average Rate %	31.3.19 Weighted Average Maturity (years)
Public Works Loan Board	107.9	(0.8)	107.1	3.7	20.1
Banks (LOBO)	30.6	(0.6)	30.0	3.8	34.7
Stock Issue	40.0	(40.0)	-	-	-
Banks (fixed-term)	5.0	-	5.0	3.8	58.4
Local Authority (short-term)	-	-	-	-	-
Other inc. WG loans	6.0	2.6	8.6	-	-
Accrued interest	3.3	(3.3)	-	-	-
Total borrowing	192.8	(42.0)	150.8	3.7	23.7

The Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.

In keeping with these objectives, new borrowing was kept to a minimum of £1.5m. This strategy enabled the Authority to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.

With short-term interest rates remaining much lower than long-term rates, the Authority considered it to be more cost effective in the near term to use internal resources or borrowed rolling temporary / short-term loans instead. The net movement in temporary / short-term loans is shown in table 2 above.

The "cost of carry" analysis performed by the Authority's treasury management advisor Arlingclose did not indicate any value in borrowing in advance for future years' planned expenditure and therefore none was taken.

The Authority continues to hold £30m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate as set dates, following which the Authority has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the first half of 2019/20.

Investment Activity

The Authority holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the first half of 2019/20 the Authority's investment balance ranged between £17m and £69m due to timing differences between income and expenditure. The investment position during the half year is shown in table 4 below.

Table 4: Investment Position

	31.3.19		30.9.19	30.9.19	30.9.19
	Balance	Movement	Balance	Weighted	Weighted
	£m	£m	£m	average rate	average
				%	maturity
					Years
Banks & building societies (unsecured)	7.7	1.3	9.0	0.53	0
Government (incl. local authorities)	48.5	(40.5)	8.0	0.63	0.03
Total investments	56.2	(39.2)	17.0	1.16	0.03

Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. However, we expect to begin to invest in long term financial instruments in the near future which is in line with the Treasury Management Strategy which was approved in February 2019

Compliance Report

The Head of Finance is pleased to report that all treasury management activities undertaken during the first half of 2019/20 complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy. Compliance with specific investment limits is demonstrated in table 5 below.

Table 5: Investment Limits

	Cash limit
Any single organisation, except the UK Central Government	£10m each
UK Central Government	unlimited
Any group of organisations under the same ownership	£10m per group
Any group of pooled funds under the same management	£10m per manager
Negotiable instruments held in a broker's nominee account	£5m per broker
Foreign countries	£2m per country
Registered providers and registered social landlords	£5m in total
Unsecured investments with building societies	£5m in total
Money market funds	£10m in total
Real estate investment trusts	£10m in total

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 6 below.

Table 6: Debt Limits

	H1 Maximum (£m)	30.9.19 Actual (£m)	2019/20 Operational Boundary (£m)	2019/20 Authorised Limit (£m)	Complied
Borrowing	193	151	220	230	✓
PFI & finance leases	43	43	44	44	✓
Total debt	205	194	264	274	✓

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators.

Interest Rate Exposures: This indicator is set to control the Authority's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed was:

	30.9.19 Actual	2019/20 Limit	Complied
Upper limit on fixed interest rate exposure	100%	100%	✓
Upper limit on variable interest rate exposure	0	50%	✓

Fixed rate investments and borrowings are those where the rate of interest is fixed for at least 12 months, measured from the start of the financial year or the transaction date if later. All other instruments are classed as variable rate.

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

	30.9.19 Actual	Upper Limit	Lower Limit	Complied
Under 12 months	0%	70%	0%	✓
12 months and within 24 months	1%	60%	0%	✓
24 months and within 5 years	7%	60%	0%	✓
5 years and within 10 years	20%	50%	0%	✓
10 years and within 20 years	21%	30%	0%	✓
20 years and within 30 years	15%	20%	0%	✓
30 years and within 40 years	20%	20%	0%	✓
40 years and within 50 years	9%	20%	0%	✓
50 years and above	7%	20%	0%	✓

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2019/20	2020/21	2021/22
Actual principal invested beyond year end	0	0	0
Limit on principal invested beyond year end	10	10	10
Complied	✓	✓	✓

Outlook for the remainder of 2019/20

The global economy is entering a period of slower growth in response to political issues, primarily the trade policy stance of the US. The UK economy has displayed a marked slowdown in growth due to both Brexit uncertainty and the downturn in global activity. In response, global and UK interest rate expectations have eased dramatically.

There appears no near-term resolution to the trade dispute between China and the US, a dispute that the US appears comfortable exacerbating further. With the 2020 presidential election a year away, Donald Trump is unlikely to change his stance.

Parliament appears to have frustrated UK Prime Minister Boris Johnson's desire to exit the EU on 31st October. The probability of a no-deal EU exit in the immediate term has decreased, although a no-deal Brexit cannot be entirely ruled out for 2019 and the risk of this event remains for 2020. The risk of a general election in the near term has, however, increased.

Central bank actions and geopolitical risks will continue to produce significant volatility in financial markets, including bond markets.

Our treasury advisor Arlingclose expects Bank Rate to remain at 0.75% for the foreseeable future but there remain substantial risks to this forecast, dependant on Brexit outcomes and the evolution of the global economy. Arlingclose also expects gilt yields to remain at low levels for the foreseeable future and judge the risks to be weighted to the downside and that volatility will continue to offer longer-term borrowing opportunities

	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22
Official Bank Rate													
Upside risk	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Arlingclose Central Cas	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Downside risk	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75

Mae'r dudalen hon yn wag yn

Report

Council

Part 1

Date: 28 January 2020

Subject Council Tax Reduction Scheme 2020/2021

Purpose For Council to consider a proposed Council Tax Reduction Scheme for 2020/21 and to determine its local discretions.

Author Service Manager – Customer Experience

Ward All

Summary The Council Tax Reduction Scheme (CTRS) for 2020/21 updates the scheme that was introduced on 1st April 2015. The Council is not required to consult on the proposals of the new scheme as the changes made are in consequence of amendments made to the Prescribed Requirements Regulations. The local discretions that are available to the Council will remain unchanged. This report provides information on the proposed Council Tax Reduction Scheme.

Proposal That Council approves the Council Tax Reduction Scheme for 2020/21 in accordance with the Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2015 ("the Prescribed Requirements Regulations") exercising its local discretions as indicated in the report.

Action by Service Manager – Customer Experience

Timetable Immediate

This report was prepared after consultation with:

- Head of Law and Standards
- Head of Finance
- Head of People and Business Change

Signed

Background

In Wales the Council Tax Reduction Scheme, continues to be a national scheme (in contrast to England, where schemes are local to each billing authority.)

The Council Tax Reduction Scheme in Wales is set by Regulations made under Schedule 1B of the Local Government Finance Act 1992 (as inserted by the Local Government Finance Act 2012). On 8th January 2020, the Welsh Assembly approved amending regulations to have effect from 1st April 2020: the Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2020. These Regulations prescribe the main features of the Scheme to be adopted by all Councils in Wales. The revisions for 2020/2021 are:

Updates to the financial figures used to calculate entitlement to a council tax reduction to reflect the cost of living.

The financial figures in the 2013 Regulations will be updated as follows:

- **Personal allowances in relation to working age, carer and disabled premiums**
The financial figures in respect of these allowances have been amended and have increased in line with cost-of-living rises. The convention is to up-rate them with the Consumer Price Index (CPI) figure from the previous year (2019), which is 1.7%.
- **Personal Allowances in relation to pensioners**
The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions (DWP) and have been updated by different mechanisms. For example, the Pension Credit Standard Minimum Guarantee is updated by earnings, where the Additional Pension and increments are updated by prices.
- **Non-dependant deductions**
The financial figures for the income bands and deductions made in relation to non-dependants have been updated. If amendments are not made, the deductions from CTRS awards would not be appropriate as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of Council Tax.

Other consequential Amendments have been made to ensure the 2013 regulations remain up-to-date and fit for purpose:

- **Same sex civil partnerships**
Under the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019, the Civil Partnership Act 2004 must be amended by 31 December 2019 to allow for opposite sex civil partnerships. This statutory instrument therefore includes amendments to ensure that opposite sex civil partnerships are treated on an equitable basis with opposite and same sex marriages and same sex civil partnerships for the purpose of CTRS.
- **Parental Leave and Pay**
The Parental Leave Bereavement (Leave and Pay) Act 2018 amends or inserts a number of provisions into the Employment Rights Act 1996 and the Social Security Contributions and Benefits Act 1992, providing powers to make regulations in relation to Parental Bereavement Leave and pay for eligible partners. The introduction of a specific, statutory entitlement to parental bereavement is intended to provide certainty for employed parents and employers in relation to parents' right to time off from work following the death of a child.

The Regulations that implement parental bereavement leave and pay are intended to come into force on 6 April 2020 and changes to the 2013 regulations to reflect this are being made in this statutory instrument. Again it is recognised that this statutory instrument anticipates the coming

into effect of the primary legislation but, as above, this is necessary to allow the changes to be incorporated into Council Tax Reduction Schemes for 2020/2021 and to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

- EU Exit related changes

A new basis of stay has been created for EEA (European Economic Area) and Swiss nationals under the EU Settlement Scheme (EUSS) as of 30 March 2019. The EUSS is the means by which EEA and Swiss nationals and their family members, resident in the UK by the specified date, can apply for a UK immigration status which will protect their entitlements and right to remain in the UK. The specified date has been set at 31 December 2020 in the event the UK agrees a deal with the EU and the deadline for applying to the EUSS is 30 June 2021. If the UK leaves the EU without a deal, then EEA and Swiss nationals will need to be living in the UK before it leaves the EU to apply and the deadline for applying will be 31 December 2020.

Provision in the CTRS which makes provision about persons treated as not being in Great Britain has been updated to clarify that limited leave to enter or remain granted under the EUSS (also referred to as pre settled status) is not a relevant right to reside for the purposes of being habitually resident in the United Kingdom. The Regulations update references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. The Regulations also provide that a number of rights to reside established for nationals of European Economic Area states in connection with the United Kingdom's withdrawal from the EU are not relevant rights to reside for the purposes of establishing habitual residence.

Although the Act gives Welsh Ministers discretion to allow Welsh local authorities to determine the contents of schemes themselves, the Government's decision to establish a national framework for the provision of Council Tax Support in Wales and avoids what has been termed a "postcode lottery" whereby eligibility for a Council Tax reduction and the size of the Council Tax reduction for particular groups could be different in different council areas.

Although a national scheme has been approved, within the Prescribed Requirements Regulations, limited discretion is given to the Council to apply additional discretionary elements that are more generous than the national scheme and which provide for additional administrative flexibility remain. These are:

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they have previously been receiving a council tax reduction that is to end as a result of their return to work;
- Discretion to increase the amount of War Disablement Pensions and War Widows Pensions which is to be disregarded when calculating income of the claimant;
- Discretion to enhance the process for notification of decisions above the minimum requirements; and
- The ability to backdate the application of council tax reduction with regard to late claims prior to the new standard period of three months before the claim.

It is required by the Prescribed Requirements Regulations that the Council adopts a Council Tax Reduction Scheme by 31 January 2020, regardless of whether it applies any of the discretionary elements. If the Council fails to make a scheme, then a default scheme shall apply under the provisions of the Default Scheme Regulations. The Council can only apply discretion if it makes its own scheme under the Prescribed Requirements Regulations. A Council meeting is scheduled for the 28th January 2020 to adopt the Scheme.

The Council has not undertaken consultation on the adoption of the scheme as the Council is no longer obliged to carry out consultation on the adoption of a scheme as the provisions were set by the Welsh Government. Even without the application of any of the discretionary elements, the Council is obliged to make a scheme under the requirements of the Prescribed Requirements Regulations notwithstanding the fact that a default scheme would come into effect even if the Council failed to make a scheme. The obligation is a statutory duty and applies even if the Council chose not to apply any of the discretions available to it.

The recommended approach is to adopt the Scheme in the Prescribed Requirements Regulations and to continue to exercise the available discretions as follows:-

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they have previously been receiving a council tax reduction that is to end as a result of their return to work [It is not recommended to increase the standard extended reduction period] ;
- Discretion to increase the amount of War Disablement Pensions and War Widows Pensions which is to be disregarded when calculating income of the claimant [It is recommended to disregard the whole amount of War Disablement Pensions and War Widows Pensions] ;
- Discretion to enhance the process for notification of decisions above the minimum requirements [It is not recommended to enhance the process for notification of decisions] ; and
- The ability to backdate the application of council tax reduction with regard to late claims prior to the new standard period of three months before the claim. [It is not recommended to increase the backdated period]

It should be noted the above recommendations follow existing practice and continue with the features of the 2019/20 Scheme. There are no additional monies available from the Welsh Government to fund discretionary elements.

The Council continues to have powers to support hardship on an individual basis or in respect of a defined group. Such arrangements cannot form part of the Council Tax Reduction Scheme itself. The Council has previously had access to grant for discretionary housing payments and will continue to provide support where appropriate.

Financial Summary

Up-rating the financial in respect of pensioners and working age allowances would slightly increase total reductions under CTRS. However, if the financial figures in relation to non-dependant deductions were also up-rated, this would mitigate some of the increase in total reductions. Consequently, total council tax reductions are not expected to rise significantly as a result of the up-rating.

Funds to pay for the scheme are within the Council's base budget as the historical specific grant from WG that used to fund this was transferred into the Revenue Support Grant in 2013/14 for the provision of the Council Tax Reduction Scheme.

Risks

The Council needs to manage the cost of Council Tax Support within its budget.

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?
Failure to adopt a scheme in	L	L	There is a default scheme in the event that the Council does not follow the appropriate	Director of Place

accordance with the required regulations			procedures	
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* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

The Welfare Reform changes are imposed by national government and devolved to the Welsh Government for implementation by Councils. The Council's response within its service areas will be to try to ensure that any effects of the reforms are mitigated wherever possible.

Options Available

Option 1 – Do nothing

- If the financial figures used to assess household allowances in the council tax reduction means-test remained static, the criteria used would be slightly less generous for non-passported applicants and would lead to small decreases in support in real terms.
- The financial figures used to assess the eligibility of households with non-dependants would be out-of-date. The income thresholds would no longer reflect average earnings and the adjustment made to the final Council Tax Reduction would no longer reflect overall cost of Council Tax.
- If consequential amendments are not made to the 2013 CTRS Regulations, this would mean that they would not take account of changes to related welfare benefits and other legislation. This could disadvantage some applicants by reducing or stopping their entitlement to support. It could also create confusion for applicants and increase the administrative burden for local authorities and advice providers.
- The default scheme would be implemented and the local discretionary elements would be lost.

Option 2 – Adopt amended Regulations and retain local discretionary elements

- This option would mean that amendments would be made to uprate the financial figures in the 2013 CTRS Regulations in line with to Welsh Government policy, cost-of-living increases and changes to qualifying benefits.
- The financial figures in relation to working age, disability or carer rates will continue to increase with the cost of living for 2020-21 (1.7%, as measured by CPI). The personal allowances for pensioners will be uprated to align with those for Housing Benefit and the benefits system. The increase would be aligned to the UK Government's Standard Minimum Guarantee and Savings Credit.
- The financial figures used to calculate the adjustment for non-dependant deductions would be uprated. The income thresholds in relation to non-dependants would be uprated to reflect average earnings and the non-dependant deduction from CTRS would reflect the average increase in council tax.
- The necessary technical and consequential amendments would also be made.
- The local discretionary elements would be retained.

Proposal

The changes are largely mandatory with the exception of the limited discretions identified in the report. The Council needs to determine the specific discretions as part of its Scheme.

The proposal is that Council adopts the revised Council Tax Reduction Scheme including the preferred discretions which maintain existing practice.

Comments of Chief Financial Officer

As noted above, the funds to pay for the scheme are contained within the Council's base budget, since WG transferred the specific grant for this into the Revenue Support Grant in 2013/14. The budget is uplifted each year in line with the increase in Council Tax and to date, has been more than sufficient. As

no changes to these flexibilities are being recommended, the current budget should therefore be sufficient.

Comments of Monitoring Officer

The Council has a statutory duty to approve a revised Council Tax Reduction scheme by 31st January 2020 in accordance with the Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2020. If the Council does not adopt a revised local scheme before the end of January, then a Default Scheme will come into operation. In Wales, the Welsh Government has prescribed a national council tax reduction scheme and, therefore, the Council has no option but to adopt the mandatory elements of the scheme. The previous mandatory scheme has been revised to increase financial allowances in line with inflation and to reflect the requirements of new legislation, particularly in relation to the new opposite sex civil partnerships, parental leave entitlement and EU settled status provisions. There are also some limited local discretions within the national scheme, which the Council has previously adopted as part of the current local scheme, and it is recommended that these should continue to be applied. There is no longer any formal consultation requirement, because of the mandatory nature of the national scheme and the Council has previously consulted on the local discretions.

Comments of Head of People and Business Change

The proposed new scheme is mainly a consequence of amendments to the Prescribed Requirements Regulations. In addition, it is proposed to keep the preferred discretions from the previous scheme in place. This is intended to maintain the measures in place to support low-income households in paying Council Tax and in doing so contributing to wellbeing objectives e.g. a more equal Wales and principles of fairness. There is no longer a formal consultation requirement, because of the national scheme is mandatory and the Council has previously consulted on the local discretions.

There are no human resources implications arising from this report.

Comments of Cabinet Member

The Leader and Cabinet Members for Community and Resources and for Social Services have been consulted on the report and support the proposal.

The Leader and Cabinet Member commented;

The Council Tax Reduction Scheme provides valuable support to individuals and households on a low income. It is pleasing to see that the local discretionary elements are being retained to ensure that those who are in need of additional support continue to receive it.

Equalities Impact Assessment and the Equalities Act 2010

In drafting these Regulations Welsh Government have considered the duty on Welsh Ministers to promote equality and eliminate discrimination.

An Equality Impact Assessment was completed for the introduction of the 2013 Council Tax Reduction Scheme Regulations.

Wellbeing of Future Generations (Wales) Act 2015

The policy supports the principles within the Well-being of Future Generations (Wales) Act 2015. Maintaining full entitlement to Council Tax Reduction Scheme will continue to help low income households in meeting their council tax liability and as such will help to contribute to the wellbeing objectives of: a prosperous Wales; and a more equal Wales.

Consultation

The Council is not required to consult on the proposals of the new scheme as the amendments made are in consequence of amendments made to the Prescribed Requirements Regulations. The local discretions that are available to the Council will remain unchanged.

Background Papers

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020

Explanatory Memorandum to the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020



Draft CTRS
Regulations 2020.pc



Explanatory
Memorandum CTRS

Dated: 4th December 2019

Mae'r dudalen hon yn wag yn

Draft Regulations laid before the National Assembly for Wales under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2020 No. (W.)

COUNCIL TAX, WALES

**The Council Tax Reduction
Schemes (Prescribed Requirements
and Default Scheme) (Wales)
(Amendment) Regulations 2020**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) made under section 13A(4) and (5) of, and Schedule 1B to, the Local Government Finance Act 1992.

The Prescribed Requirements Regulations require each billing authority in Wales to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The Prescribed Requirements Regulations also set out the matters that must be included within such a scheme.

The Default Scheme Regulations set out a scheme that will take effect, in respect of dwellings situated in the area of a billing authority, if the authority fails to make its own scheme.

These Regulations amend both the Prescribed Requirements and the Default Scheme Regulations.

The amendments to the Prescribed Requirements Regulations made by regulations 3, 5, 7(b) to (e) and 9(b) to (d) are made in consequence of the introduction of Parental Bereavement Leave and Pay for eligible parents under powers provided for in the Parental

Bereavement (Leave and Pay) Act 2018. The same amendments are made to the Default Scheme Regulations by regulations 12, 14 and 17 to 22.

The amendment to the Prescribed Requirements Regulations made by regulation 4 is made in consequence of the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019 and regulations made under that Act that make provision for opposite sex civil partnerships. The definition of “couple” is amended to include two people who are living together as if they are civil partners. The same amendment is made in relation to the Default Scheme Regulations by regulation 13.

The amendments to the Prescribed Requirements Regulations made by regulation 6 are made to the prescribed requirement that persons treated as not being in Great Britain must not be included in an authority’s scheme. A person is treated as not being in Great Britain if they are not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland. No person shall be treated as habitually resident without a relevant right to reside. Regulation 6(a) and (c) updates references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. Regulation 6(b) provides that a number of rights to reside established for nationals of European Economic Area states in connection with the United Kingdom’s withdrawal from the EU are not relevant rights to reside for the purposes of establishing habitual residence. The same amendments are made to the Default Scheme Regulations by regulation 15.

The amendments to the Prescribed Requirements Regulations made by regulations 7(a), 8, 9(a) and 10 increase certain figures that are used in calculating whether a person is entitled to a reduction and the amount of that reduction. The updated figures relate to non-dependant deductions (adjustments made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant); and the applicable amount in relation to an application for a reduction (the amount against which an applicant’s income is compared in order to determine the amount of reduction to which the applicant is entitled). The same amendments are made in relation to the Default Scheme Regulations by regulations 16, 23 and 24.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local

Government Strategic Finance Division, Welsh
Government, Cathays Park, Cardiff, CF10 3NQ.

Draft Regulations laid before the National Assembly for Wales under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2020 No. (W.)

COUNCIL TAX, WALES

**The Council Tax Reduction
Schemes (Prescribed Requirements
and Default Scheme) (Wales)
(Amendment) Regulations 2020**

Made ***

*Coming into force in accordance with
regulation 1(2)* ***

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by section 13A(4) and (5) of, and paragraphs 2 to 7 of Schedule 1B to, the Local Government Finance Act 1992(1).

In accordance with section 13A(8) of that Act, a draft of this instrument has been laid before and approved by resolution of the National Assembly for Wales.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force the day after the day on which they are made.

(1) 1992 c. 14. Section 13A was substituted by section 10(1) of the Local Government Finance Act 2012 (c. 17) and Schedule 1B was inserted by section 10(2) of, and Schedule 4 to, that Act.

(3) These Regulations apply in relation to a council tax reduction scheme made for a financial year beginning on or after 1 April 2020.

(4) In these Regulations “council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gynor*”) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013⁽¹⁾, or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992.

Amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013

2. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 are amended in accordance with regulations 3 to 10.

3. In regulation 2(1) (interpretation) in the appropriate place insert—

““parental bereavement leave” (“*absenoldeb profedigaeth rhiant*”) means leave under section 80EA of the Employment Rights Act 1996⁽²⁾”.

4. In regulation 4 (meaning of “couple”), in paragraph (b), after “married couple” insert “or civil partners”.

5. In regulation 10 (remunerative work), in paragraph 7, after “shared parental leave” insert “, parental bereavement leave”.

6. In regulation 28 (persons treated as not being in Great Britain)—

(a) in paragraph 4—

(i) at the end of sub-paragraph (c) omit “or”;

(ii) in sub-paragraph (d)—

(aa) for “15A(1)” substitute “16”;

(bb) for “(4A)” substitute “(5)”;

(cc) at the end omit “.” and insert “; or”;

(iii) after sub-paragraph (d) insert—

“(e) a person having been granted limited leave to enter, or remain in, the United

(1) S.I. 2013/3029 (W. 301), as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7) and S.I. 2019/11 (W. 5).

(2) 1996 c. 18. Section 80EA was inserted by paragraph 2 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24) but the provision is not yet in force.

Kingdom under the Immigration Act 1971 by virtue of—

- (i) Appendix EU to the immigration rules made under section 3(2) of that Act;
 - (ii) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
 - (iii) article 3 (grant of leave to EEA and Swiss nationals) of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019⁽¹⁾ made under section 3A of that Act.”;
- (b) in paragraph 8, in the definition of “EEA Regulations” for “2006” substitute “2016”.

7. In Schedule 1 (determining eligibility for a reduction: pensioners)—

- (a) in paragraph 3 (non-dependent deductions: pensioners)—
 - (i) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;
 - (ii) in sub-paragraph (1)(b) for “£4.55” substitute “£4.85”;
 - (iii) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;
 - (iv) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;
 - (v) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively;
- (b) in paragraph 10(1)(j) (meaning of “income”: pensioners), after paragraph (xvia), insert—
 - “(xvib) statutory parental bereavement pay under Part 12ZD of the SSCBA⁽²⁾”;

(1) S.I. 2019/686.

(2) The “SSCBA” means the Social Security Contributions and Benefits Act 1992 (c. 4); see definition in regulation 2 of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and in paragraph 2 of the scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme)(Wales) Regulations 2013. Part 12ZD was inserted by Part 2 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24)(“the 2018 Act”) but the provisions are not yet in force.

- (c) in paragraph 12 (earnings of employed earners: pensioners), after sub-paragraph 1(ja) insert—

- “(jb) statutory parental bereavement pay under Part 12ZD of that Act;”;

- (d) in paragraph 13 (calculation of net earnings of employed earners: pensioners), in sub-paragraph 2(d), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;

- (e) in paragraph 19 (treatment of child care charges: pensioners)—

- (i) in sub-paragraph (15)—

- (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;

- (bb) in paragraph (a) , after shared parental leave” insert “, parental bereavement leave”;

- (cc) in paragraph (c), after “statutory shared parental pay by virtue of section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act(1)”;

- (ii) in sub-paragraph (16)—

- (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;

- (bb) in paragraphs (b) and (c), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.

8. In Schedule 2 (applicable amounts: pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowance)—

- (i) in sub-paragraph (1) for “£167.25” and “£181.00” substitute “£173.80” and “£187.80” respectively;

- (ii) in sub-paragraph (2) for “£255.25” and “£270.60” substitute “£265.20” and “£280.85” respectively;

- (iii) in sub-paragraph (3) for “£255.25” and “£88.00” substitute “£265.20” and “£91.40” respectively;

(1) Sections 171ZZ6 to 171ZZ15 in Part 12ZD were inserted by Part 2 of the Schedule to the 2018 Act but are not yet in force.

- (iv) in sub-paragraph (4) for “£270.60” and “£89.60” substitute “£280.85” and “£93.05” respectively;
- (b) in the Table in Part 4 (amounts of premium specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£65.85” in each place where it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (ii) in sub-paragraph (2) for “£26.04” substitute “£26.60”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”.

9. In Schedule 6 (determining eligibility for a reduction under an authority’s scheme, amount of reduction and calculation of income and capital: persons who are not pensioners)—

- (a) in paragraph 5 (non-dependant deductions: persons who are not pensioners)—
 - (i) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;
 - (ii) in sub-paragraph (1)(b) for “£4.55” substitute “£4.85”;
 - (iii) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;
 - (iv) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;
 - (v) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively;
- (b) in paragraph 14 (earnings of employed earners: persons who are not pensioners)—
 - (i) in sub-paragraph (1)(j), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
 - (ii) in sub-paragraph (1)(k), after “shared parental leave” insert “, parental bereavement leave”;
- (c) in paragraph 15 (calculation of net earnings of employed earners: persons who are not pensioners), in sub-paragraph (3)(d), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
- (d) in paragraph 21 (treatment of child care charges)—
 - (i) in sub-paragraph (15)—

- (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
- (bb) in paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
- (cc) in paragraph (c), after “ statutory shared parental pay under section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act”;
- (ii) in sub-paragraph (16)—
 - (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (bb) in paragraphs (b) and (c), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.

10. In Schedule 7 (applicable amounts: persons who are not pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£77.90” in each place in which it occurs substitute “£79.20” and for “£61.70” substitute “£62.75”;
 - (ii) in sub-paragraph (2) for “£77.90” substitute “£79.20”;
 - (iii) in sub-paragraph (3) for “£122.35” substitute “£124.45”;
- (b) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£34.35” and “£48.95” substitute “£34.95” and “£49.80” respectively;
 - (ii) in sub-paragraph (2) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”;
 - (v) in sub-paragraph (5) for “£26.04”, “£16.80” and “£24.10” substitute “£26.60”, “£17.10” and “£24.50” respectively;

- (c) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£38.55” substitute “£39.20”.

Amendments to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

11. The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013⁽¹⁾ is amended in accordance with regulations 12 to 24.

12. In paragraph 2(1) (interpretation), in the appropriate place insert—

““parental bereavement leave”
 (“*absenoldeb profedigaeth rhiant*”) means
 leave under section 80EA of the
 Employment Rights Act 1996;”

13. In paragraph 4(b) (meaning of “couple”), after “married couple” insert “or civil partners”.

14. In paragraph 10 (remunerative work), in sub-paragraph 7, after “shared parental leave” insert “, parental bereavement leave”.

15. In paragraph 19 (class of person excluded from this scheme: persons treated as not being in Great Britain)—

(a) in sub-paragraph (4)—

(i) at the end of paragraph (c) omit “or”;

(ii) in paragraph (d)—

(aa) for “15A(1)” substitute “16”;

(bb) for “(4A)” substitute “(5)”;

(cc) at the end omit “.” and insert “; or”;

(b) after sub-paragraph (4) insert—

“(e) a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—

(i) Appendix EU to the immigration rules made under section 3(2) of that Act;

(ii) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the

(1) S.I. 2013/3035 (W. 303), as amended by S.I. 2014/66(W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7) and S.I. 2019/11 (W. 5).

immigration rules made under section 3(2) of that Act; or

(iii) article 3 (grant of leave to EEA and Swiss nationals) of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019(1) made under section 3A of that Act.”;

(c) in sub-paragraph (8), in the definition of “EEA Regulations” for “2006” substitute “2016”.

16. In paragraph 28 (non-dependant deductions: pensioners and persons who are not pensioners)—

(a) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;

(b) in sub-paragraph (1)(b) for “£4.55” substitute “4.85”;

(c) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;

(d) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;

(e) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively.

17. In paragraph 36(1)(j) (meaning of “income”: pensioners), after paragraph (xvia), insert—

“(xvib) statutory parental bereavement pay under Part 12ZD of SSCBA;”.

18. In paragraph 38(1) (earnings of employed earners: pensioners), after paragraph (ja) insert—

“(jb) statutory parental bereavement pay under Part 12ZD of SSCBA;”.

19. In paragraph 39(2)(d) (calculation of net earnings of employed earners: pensioners), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.

20. In paragraph 48(1) (earnings of employed earners: persons who are not pensioners)—

(a) in paragraph (j) after “statutory shared parental pay” insert “, statutory parental bereavement pay”;

(b) in paragraph (k) after “shared parental leave” insert “, parental bereavement leave”.

21. In paragraph 49(3)(d) (calculation of net earnings of employed earners: persons who are not pensioners),

(1) S.I. 2019/686.

after “statutory shared parental pay” insert “, statutory parental bereavement pay”.

22. In paragraph 55 (treatment of child care charges)—

- (a) in sub-paragraph (15)—
 - (i) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (ii) in paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (iii) in paragraph (c), after “statutory shared parental pay under section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act”;
- (b) in sub-paragraph (16)—
 - (i) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (ii) in paragraph (b) after “statutory shared parental pay” insert “statutory parental bereavement pay”;
 - (iii) in paragraph (c) for “statutory shared parental pay ends or statutory adoption pay ends,” substitute “statutory shared parental pay, statutory parental bereavement pay or statutory adoption pay ends,”.

23. In Schedule 2 (applicable amounts: pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£167.25” and “£181.00” substitute “£173.80” and “£187.80” respectively;
 - (ii) in sub-paragraph (2) for “£255.25” and “£270.60” substitute “£265.20” and “£280.85” respectively;
 - (iii) in sub-paragraph (3) for “£255.25” and “£88.00” substitute “£265.20” and “£91.40” respectively;
 - (iv) in sub-paragraph (4) for “£270.60” and “£89.60” substitute “£280.85” and “£93.05” respectively;
- (b) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;

- (ii) in sub-paragraph (2) for “£26.04” substitute “£26.60;
- (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
- (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”.

24. In Schedule 3 (applicable amounts:: persons who are not pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£77.90” in each place in which it occurs substitute “£79.20” and for “£61.70” substitute “£62.75”;
 - (ii) in sub-paragraph (2) for “£77.90” substitute “£79.20”;
 - (iii) in sub-paragraph (3) for “£122.35” substitute “£124.45”;
- (b) in the Table in Part 4 (amount of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£34.35” and “£48.95” substitute “£34.95” and “£49.80” respectively;
 - (ii) in sub-paragraph (2) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”;
 - (v) in sub-paragraph (5) for “£26.04”, “£16.80” and “£24.10” substitute “£26.60”, “£17.10” and “£24.50” respectively;
- (c) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£38.55” substitute “£39.20”.

Name

Minister for Finance and Trefnydd, one of the Welsh Ministers

Date

Mae'r dudalen hon yn wag yn

**Explanatory Memorandum to the Council Tax Reduction Schemes
(Prescribed Requirements and Default Scheme) (Wales) (Amendment)
Regulations 2020**

This Explanatory Memorandum has been prepared by Local Government Strategic Finance Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020. I am satisfied that the benefits outweigh any costs.

Rebecca Evans
Minister for Finance and Trefnydd
26 November 2019

PART 1: DESCRIPTION

1 Overview

- 1.1 Council Tax Reduction Schemes (CTRS) are the mechanism by which local authorities provide support to low income households in meeting their council tax liability.
- 1.2 This statutory instrument makes amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (referred to collectively in this Explanatory Memorandum as ‘the 2013 CTRS Regulations’). It updates certain figures used to calculate an applicant’s entitlement to a reduction under a Council Tax Reduction Scheme, and the subsequent level of reduction and makes certain technical and consequential amendments.

2 Matters of special interest to the Constitutional and Legislative Affairs Committee

- 2.1 Paragraph 4.17 makes reference to amendments being made that are consequential on The Civil Partnership (Opposite-sex Couples) Regulations 2019. Those Regulations were made on 5 November 2019 and come into force in 2 December 2019. It is recognised that at the point of laying the changes will not have come into force. It is considered necessary to allow the instrument to be laid and approved in time for local authorities to approve their schemes for 2020-21 by the statutory deadline of 31 January 2020 and to provide the Assembly with sufficient time for scrutiny in line with Standing Orders.
- 2.2 Paragraph 4.19 makes reference to amendments being made that are consequential on a suite of Regulations that will implement provision in the Parental Bereavement (Leave and Pay) Act 2018 that are not expected to come into force until April 2020. It is considered necessary to allow the changes to be incorporated into council tax reduction schemes for 2020-21 in order to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

3 Legislative background

- 3.1 Section 10 of, and Schedule 4 to, the Local Government Finance Act 2012 inserted a new Section 13A and new Schedule 1B into the Local Government Finance Act 1992 (the 1992 Act). These provisions enabled the Welsh Ministers to introduce Council Tax Reduction Schemes (CTRS) in Wales via regulations.
- 3.2 The relevant provisions in the Local Government Finance Act 2012 were subject to a Legislative Consent Motion which was approved by the National

Assembly for Wales on 26 June 2012. The Local Government Finance Act 2012 received Royal Assent on 1 November 2012.

- 3.3 This statutory instrument is laid and made under the new section 13A of, and the new Schedule 1B to, the Local Government Finance Act 1992. The instrument is subject to approval of the Assembly (the affirmative procedure).

4 Purpose and intended effect of the legislation

- 4.1 This statutory instrument amends the 2013 CTRS Regulations to uprate certain figures in those Regulations used to calculate entitlement to a council tax reduction, and the amount of any reduction awarded to applicants in the 2019-20 financial year to reflect increases in the cost-of living. It also makes minor technical and consequential changes to the 2013 CTRS Regulations.

Background

- 4.2 The Welfare Reform Act 2012 contained provisions to abolish Council Tax Benefit from 31 March 2013. From 1 April 2013, responsibility for providing support for council tax was devolved to local authorities in England. Fixed funding, reduced by 10% compared to the 2012-13 costs, was passed to the Welsh Government and to the Scottish Government to allow the Devolved Administrations to develop replacement schemes.
- 4.3 Following the UK Government's decision, the Welsh Government sought provisions in the Local Government Finance Act 2012 which amended the Local Government Finance Act 1992 (the 1992 Act), to provide the Welsh Ministers with executive powers to introduce Council Tax Reduction Schemes in Wales via regulations.
- 4.4 The 2013 CTRS Regulations were approved by the National Assembly for Wales on 26 November 2013.
- 4.5 The Welsh Government provided £244m in the Local Government Settlement for CTRS for 2013-14. This was partly funded through the fixed budget of £222m which was transferred from the UK Government. The Welsh Government provided an additional £22m to enable local authorities to continue to provide all eligible applicants with their full entitlement to support. The Welsh Government has continued to provide £244m within the local government settlement each year since.

2013 CTRS Regulations

- 4.6 Aligned with the provisions in the 1992 Act, the 2013 CTRS Regulations govern the operation of CTRS in Wales. These regulations were closely based on the previous Council Tax Benefit rules to prevent low-income households facing sharp changes in the level of support they received. All eligible applicants were automatically and seamlessly transferred from Council Tax Benefit onto Council Tax Reduction Schemes from 1 April 2013. If an applicant receives Income Support, Income-Based Jobseeker's Allowance

(JSA), Income-Based Employment and Support Allowance (ESA), Pension Credit, or Pension Credit Guarantee, they are entitled to the maximum, full, reduction in their council tax liability. Approximately 70% of CTRS applicants in Wales receive these passporting benefits.

- 4.7 If an applicant does not receive any of the passporting benefits, the weekly amount of money which they are judged to need to live on is calculated. This is known as the 'applicable amount' and consists of two components:
- The first is the personal allowance – the basic amount a person needs to live, which varies according to the household's circumstances. For example, the allowance for a couple with children is higher than for a single person without children. These allowances are also set at higher rates for those who have reached State Pension Age.
 - The second component is the premium – additional amounts added to reflect any personal circumstances which increase the cost of living, such as a disability or carer's responsibilities. Once the applicable amount has been determined, the applicant's level of income is calculated.
- 4.8 For CTRS, Universal Credit (UC) recipients are treated in a similar way to non-passported applicants. However, instead of an 'applicable amount' being calculated, the 'maximum amount' (calculated within their UC application) is used instead.
- 4.9 If the applicable amount (or maximum amount) is higher than an applicant's calculated income, they are entitled to the maximum reduction in their council tax liability. If income exceeds the applicable amount, the weekly entitlement is reduced by 20p for each £1 of excess weekly income, until entitlement is withdrawn – this is known as the taper.
- 4.10 Adjustments can be made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant and who are therefore assumed to make a financial contribution to the household (non-dependant deductions).
- 4.11 Adjustments can also be made to take into account of savings. If an applicant has capital of £6,000 (or £10,000 for pension age claimants) or less, this will be ignored when working out whether they are entitled to a reduction.
- 4.12 If a working-age applicant has capital of between £6,000 and £16,000, the local authority will treat it as income. This is known as tariff income. The local authority will assume an applicant has an income of £1 a week for each £250 of capital between £6,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.
- 4.13 If a pension-age applicant has capital of between £10,000 and £16,000, the local authority will treat it as income. The local authority will assume an

applicant has an income of £1 a week for each £500 of capital between £10,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.

Uprating figures for 2020-21

4.14 This statutory instrument amends the 2013 CTRS Regulations to uprate financial figures used to calculate entitlement to a reduction in line with Welsh Government policy.

4.15 The statutory instrument seeks to uprate a number of other figures included in the 2013 CTRS Regulations. These include:

- Personal allowances in relation to working age, and carer and disabled premiums
The financial figures in respect of these allowances have been amended and have increased in line with the cost-of-living rises. The convention is to uprate in line with the Consumer Price Index figure for September from the previous year (2019), which is 1.7%.
- Personal allowances in relation to pensioners
The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions and have been uprated by different mechanisms. For example, the Pension Credit Standard Minimum Guarantee is uprated by earnings, whereas the Additional Pension and increments are uprated by prices.
- Non-dependant deductions
The financial figures for the income bands and deductions made in relation to non-dependants have been uprated. If amendments are not made, the deductions from CTRS awards would not be appropriate as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

Additional Consequential Amendments

4.16 In addition to uprating the financial figures, this statutory instrument makes a number of consequential amendments to the 2013 CTRS Regulations. These ensure the 2013 Regulations remain up-to-date and fit for purpose.

Same sex civil partnerships

4.17 Under the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019, the Civil Partnership Act 2004 must be amended by 31 December 2019 to allow for opposite sex civil partnerships. This statutory instrument therefore includes amendments to ensure that opposite sex civil partnerships are treated on an equitable basis with opposite sex and same sex marriages and same sex civil partnerships for the purposes of CTRS.

4.18 The Civil Partnership (Opposite-sex Couples) Regulations 2019 were made on 5 November 2019 and come into force in 2 December 2019. It is recognised that at the point of laying this statutory instrument anticipates the changes to the primary legislation but this is necessary to allow the instrument to be laid and approved in time for local authorities to approve their schemes for 2020-21 by the statutory deadline of 31 January 2020 and to provide the Assembly with sufficient time for scrutiny in line with Standing Orders.

Parental Bereavement Leave and Pay

4.19 The Parental Bereavement (Leave and Pay) Act 2018 amends or inserts a number of provisions into the Employment Rights Act 1996 and the Social Security Contributions and Benefits Act 1992, providing powers to make regulations in relation to Parental Bereavement Leave and pay for eligible parents. The introduction of a specific, statutory entitlement to parental bereavement is intended to provide certainty for employed parents and employers in relation to parents' right to time off from work following the death of a child.

4.20 The Regulations that implement parental bereavement leave and pay are intended to come into force on 6 April 2020 and changes to the 2013 regulations to reflect this are being made in this statutory instrument. Again it is recognised that this statutory instrument anticipates the coming into effect of the primary legislation but, as above, this is necessary to allow the changes to be incorporated into council tax reduction schemes for 2020-21 and to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

EU Exit related changes

4.21 A new basis of stay has been created for EEA (European Economic Area) and Swiss nationals under the EU Settlement Scheme (EUSS) as of 30 March 2019. The EUSS is the means by which EEA and Swiss nationals and their family members, resident in the UK by the specified date, can apply for a UK immigration status which will protect their entitlements and right to remain in the UK. The specified date has been set at 31 December 2020 in the event the UK agrees a deal with the EU and the deadline for applying to the EUSS is 30 June 2021. If the UK leaves the EU without a deal, then EEA and Swiss nationals will need to be living in the UK before it leaves the EU to apply and the deadline for applying will be 31 December 2020.

4.22 Provision in the CTRS which makes provision about persons treated as not being in Great Britain has been updated to clarify that limited leave to enter or remain granted under the EUSS (also referred to as pre settled status) is not a relevant right to reside for the purposes of being habitually resident in the United Kingdom. The Regulations update references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. The Regulations also provide that a number of rights to

rights to reside established for nationals of European Economic Area states in connection with the United Kingdom's withdrawal from the EU are not relevant for the purposes of establishing habitual residence.

PART 2: REGULATORY IMPACT ASSESSMENT (RIA)

Options

Option 1 – Do nothing

- 1 If the financial figures used to assess household allowances in the council tax reduction means-test remained static, the criteria used would be slightly less generous for non-passported applicants and would lead to small decreases in support in real terms.
- 2 The financial figures used to assess the eligibility of households with non-dependants would be out-of-date. The income thresholds would no longer reflect average earnings and the adjustment made to the final council tax reduction would no longer reflect overall cost of council tax.
- 3 If consequential amendments are not made to the 2013 CTRS Regulations, this would mean that they would not take account of changes to related welfare benefits and other legislation. This could disadvantage some applicants by reducing or stopping their entitlement to support. It could also create confusion for applicants and increase the administrative burden for local authorities and advice providers.

Option 2 – Make amending Regulations

- 4 This option would mean that amendments would be made to uprate the financial figures in the 2013 CTRS Regulations in line with to Welsh Government policy, cost-of-living increases and changes to qualifying benefits.
- 5 The financial figures in relation to working age, disability or carer rates will continue to increase with the cost of living for 2020-21 (1.7%, as measured by CPI). The personal allowances for pensioners will be uprated to align with those for Housing Benefit and the benefits system. The increase would be aligned to the UK Government's Standard Minimum Guarantee and Savings Credit.
- 6 The financial figures used to calculate the adjustment for non-dependant deductions would be uprated. The income thresholds in relation to non-dependants would be uprated to reflect average earnings and the non-dependant deduction from CTRS would reflect the average increase in council tax.
- 7 The necessary technical and consequential amendments would also be made.

Costs and Benefits

Costs

Option 1 – Do nothing

- 8 If the financial figures for working age and pensioner allowances do not increase with the cost of living (as measured by CPI), CTRS recipients would be slightly worse off in real terms.
- 9 The financial figures used to assess the eligibility of households with non-dependants would also be out-of-date. The calculation would no longer make a fair assessment of the income of non-dependants or the overall cost of council tax. There is a risk that this aspect of the scheme would be viewed as unfair or inequitable.
- 10 If the technical and consequential amendments to the 2013 CTRS Regulations are not made, they would no longer align with Housing Benefit provisions and other related benefits. It would lead to references being out of sync with the overall benefits system and could disadvantage certain applicants by reducing their entitlement to support. This could potentially lead to additional administrative burden on local authorities and advice providers. It may also lead to confusion for some applicants who, as a result, could be treated significantly differently under benefit schemes.

Benefits

- 11 Not uprating pensioner and working age figures would help to limit any increases in total reductions under CTRS. However not uprating figures in relation to non-dependant deductions, would result in council tax reductions for relevant households being higher than they would otherwise be.

Option 2 – Make amending Regulations

Costs

- 12 Uprating the financial figures in respect of pensioners and working age allowances would slightly increase total reductions under CTRS. However, if the financial figures in relation to non-dependant deductions were also uprated, this would mitigate some of the increase in total reductions. Consequently, total council tax reductions are not expected to rise significantly as a result of the uprating.

Benefits

- 13 Uprating the financial figures in the 2013 CTRS Regulations will ensure that the personal allowance for working age applicants continues to increase in line with the CPI (1.7%).

- 14 Uprating the financial figures in respect of the personal allowance for pensioners continues to increase in line with the Standard Minimum Guarantee and Savings Credit.
- 15 If the financial figures in relation to non-dependant deduction rates are updated, this will ensure the calculation used to assess the eligibility of non-dependant households remains up-to-date. The calculation would continue to make a fair assessment of the income of non-dependants and the cost of council tax. This will ensure the system remains fair and equitable.
- 16 As part of these Regulations, consequential and technical amendments are made that are associated with wider welfare changes made by the UK government. This would ensure CTRS reflects changes made to interrelated social security benefits which often determine entitlement to a reduction. It would also avoid any additional administrative burden for local authorities or advice providers arising from managing different regimes.

Sectors

- 17 Local government and the voluntary sector were consulted during the development of proposals to introduce CTRS in Wales. Draft regulations for 2020-21 have been shared with local authorities.
- 18 This legislation will not affect the business sector.

Duties

- 19 In drafting these Regulations consideration has been given to the duty on Welsh Ministers to promote equality and eliminate discrimination.
- 20 An Equality Impact Assessment was completed for the introduction of the 2013 CTRS Regulations.
- 21 This statutory instrument is provided bilingually. CTRS is implemented and operated by local authorities who are under general duties to comply with Welsh language and sustainable development duties.
- 22 Further consideration has been given as to whether CTRS could be used to improve the opportunities of persons to use the Welsh language treating the Welsh language no less favourably than the English language. As the sole purpose of CTRS is to provide support to low-income households in meeting their council tax liability, it is considered there are no such opportunities.
- 23 Maintaining full entitlements to CTRS will continue to help low-income households in meeting their council tax liability and, as such, will contribute to the Welsh Government's commitment to make council tax fairer.

Competition Assessment

- 24 These Regulations have been scored against the competition filter test which indicated that there will be no detrimental effect on competition.

Consultation

- 25 No consultation has been undertaken in respect of this statutory instrument. The 2013 CTRS Regulations were consulted upon and details are provided in the Regulatory Impact Assessments accompanying those Regulations.

Post implementation review

- 26 Amendments are required on an annual basis to uprate the financial figures used to calculate entitlements to reductions. This provides an opportunity to review the legislation.

Mae'r dudalen hon yn wag yn



Report

Council

Part 1

Date: 28 January 2020

Subject Annual Report of the Director of Social Services

Purpose To present to Council the Annual Report of the Director of Social Services.

Author James Harris, Strategic Director (People)

Ward City wide

Summary This report is the Director's evaluation of 2018/19 performance for Social Services. It conforms in format and content with the statutory requirements for the Director's Report.

Proposal To receive the Annual Report of the Director of Social Services, 2018/19.

Action by James Harris

Timetable Immediate

This report was prepared after consultation with:

- Social Services staff
- Cabinet Member for Social Services
- Monitoring Officer
- Head of Finance
- Head of People and Business Change

Signed

Background

The purpose of this annual report is to set out the local authority's improvement journey in providing services to people in Newport, who access information, advice and assistance, and those individuals and carers in receipt of care and support. This report sets out to demonstrate how Newport Social Services has responded to the new requirements of the Social Services and Well-being (Wales) Act 2014 and how we have promoted and accounted for the delivery of well-being standards to the citizens of Newport.

The Regulation and Inspection of Social Care (Wales) Act 2016 (R&I) and the ***Social Services and Wellbeing (Wales) Act 2014 (SSWB)*** sets out the requirement for the Director to produce an annual report setting out the performance of Social Services, following the format prescribed by the Local Authority Social Services Annual reports (Prescribed Form) (Wales) Regulations 2016 and is intended for a range of audiences as set out in the Local Authority Annual Social Services Report guidance document.

The intention of the report is not to detail process but to focus on the activities and outcomes achieved and the impact this has had on citizens in Newport. The evidence of our citizens has been used throughout the report as has the contribution of our partner agencies and commissioned services.

Director's Summary of Performance

2018/19 was another demanding year characterised by the maintenance of quality and standards of service delivery. The task of embedding the 2016 Social Services and Well-Being Act continues and has helped positively in the re-shaping of early intervention and preventative services. This has assisted in the ongoing work to manage demand. The well-being objectives wind through all social services operations and tie closely to the Newport City Council (NCC) Corporate Plan, notably:

- To improve skills, educational outcomes and employment opportunities.
- To enable people to be healthy, independent & resilient.
- To build cohesive & sustainable communities.

Each year financial constraints become more significant when available budgets are set against rising costs and increasing demand. There is a continuous striving to minimise costs and identify savings. In Children's efforts have continued to concentrate on addressing the shortage of placement options and the associated costs as well as appropriately minimising the numbers of looked after children. Work in Adults has included the managing of demand and the building of capacity through the integration of health and social care, the Integrated Care Fund and the Transformation Fund being key enablers. As usual, there has also been a drive to minimise delayed transfers of care and these were kept at manageable levels though there remains scope to improve. The Care in Wales inspection reports and performance indicators demonstrate however, that the service delivered to children and adults is being maintained, a significant achievement.

In addition to legislative change and financial challenges, the use and application of the Welsh Community Care and Information System (WCCIS) has been developed during the year.

Partnership working has developed further with the other South East Wales Local Authorities with numerous joint initiatives maintained and developed. The integrated partnership with Barnardo's has also remained a strength with a retendering for the strategic partnership delivered by Barnardo's recently completed. The Regional Partnership Board at which the third sector, Aneurin Bevan University Health Board and South East Wales Local Authorities are represented continues to be an important route for the transformation of health and social care and Newport City Council engages fully in this process. 2020/21 will prove no less challenging but social services in Newport City Council are lean, efficient and well-placed to respond.

Financial Summary

Overall Social Services exceeded the available budget by £657k in 18/19. Whilst there was an underspend of £203k across adult services, Children and Family Services overspend by £860k. The majority of this overspend was due to the number of care care proceedings exceeding the numbers the budget could afford. In March 2018, the service received information of a pending Supreme Court judgement, which resulted in a requirement for a legal reserve to be set up in the value of £776k for potential legal action in respect of revocation of care orders and failure to remove cases.

Risks

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?
That the new duties identified in the Social Services and Wellbeing Act 2014 will bring unsustainable financial pressure	H	M	Directors of Social Services (and WLGA) fully engaged with Wales Government on the drafting of regulations and guidance. We are maintaining strong financial controls on day to day decision making in the service	James Harris, Strategic Director (People) Chris Humphrey Head of Adult Integrated Services (Social Care and Health)and Sally Jenkins, Head of Children and Family Services
That users and carers will not have the opportunity to contribute further to our understanding of their experience to inform the development of services in future years	H	L	The plan will be to continue to hold regular and frequent service user and carer forum meetings, as well as making use of a wide variety of other consultative mechanisms that we have put in place for users and carers. We will continue to develop imaginative ways of capturing people's views, comments and experiences	James Harris, Chris Humphrey, Head of Adult Integrated Services (Social Care and Health) and Health)and Sally Jenkins, Head of Children and Family Services
That members of staff are not given the opportunity to use this report to gain a greater sense of ownership for the future direction of services and their part in continuous improvement	H	L	The report will continue to be used widely amongst members of staff and partner agencies and used as a vehicle for ensuring a wide ranging discussion in team meetings and management to ensure that it provokes a healthy debate.	James Harris Chris Humphrey, Head of Adult Integrated Services (Social Care and Health) and Health)and Sally Jenkins, Head of Children and Family Services

Links to Council Policies and Priorities

Newport City Council's Corporate Plan 2017 – 22.

Options Available and considered

Option 1 - Council endorses the Annual Report of the Director of Social Services for 2018 - 19.

Option 2 – Council does not endorse the Annual Report of the Director of Social Services for 2018 -19 and sets out specific reasons and recommendations for action.

Preferred Option and Why

Option 1 as the Annual Report of the Director of Social Services is a statutory requirement whereby the Director provides their assessment of performance to the Council.

Comments of Chief Financial Officer

The Director of Social Services annual report gives an overview of the performance of Social Services in 2018-19. Whilst there are no financial implications arising specifically from this report it is important that the service has an awareness and consideration of the financial position when making any decisions. Robust financial management will enable the appropriate funds to be available for the greatest need.

Comments of Monitoring Officer

The Director of Social Services has a statutory duty under the Social Services and Wellbeing (Wales) Act 2014 (as amended by the Regulation and Inspection of Social Care (Wales) Act 2016) to produce an annual report to the Council, setting out his personal assessment of the performance of Social Services in delivering its social care functions during the preceding 12 months. This Annual report covers the financial year 2018/19 and has been prepared in accordance the Local Authority Social Services Annual Reports (Prescribed Form) (Wales) Regulations 2016 and statutory guidance, as set out in the Local Authority Annual Social Services Report guidance document. The Report also sets the Director's assessment of how well the Council has promoted and delivered well-being standards for service users and carers in need of care and support, in accordance with the six well-being outcomes. The Report confirms that the Director of Social Services is satisfied that the Council continues to make good progress in implementing the Services and Wellbeing (Wales) Act, in a structured and programmed manner, and is meeting the requirements of the Future Generations and Well Being Act and the corporate well-being objectives. This statutory Annual Report reflects the Director's personal assessment of the performance of Social Services and is, therefore, being presented to Council for information purposes and not for comment or amendment.

Comments of Head of People and Business Change

This report sets out the Director of Social Services' own assessment of the performance of Social Services in 2018-19 as part of his statutory role. Whilst there are no direct staffing implications that arise specifically from the report there are potentially implications in the future, either as a result of on-going financial uncertainty or the further implementation of the Social Services and Wellbeing Act or Wellbeing of Future Generations Act. These will need to be considered as they arise and are not the purpose of this report.

Comments of Cabinet Member

The Cabinet Member supports the content of this Report.

Local issues

City-wide report

Equalities Impact Assessment and the Equalities Act 2010

Not applicable to this report

Children and Families (Wales) Measure

Not applicable to this report

Wellbeing of Future Generations (Wales) Act 2015

This report sets out how Social Services has responded to the following requirements:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve.

Crime and Disorder Act 1998

Not applicable to this report

Consultation

There is a continuing programme throughout the year of meeting with users and carers to help people make their contribution to the continuing intelligence supporting the Director's Annual Report..

Background Papers

None.

Mae'r dudalen hon yn wag yn

Report of the Director of Social Services 2018/19



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1. Introduction

2018/19 was another demanding year characterised by the maintenance of quality and standards of service delivery. The task of embedding the 2016 Social Services and Well-Being Act continues, and has helped positively in the re-shaping of Early Intervention and Preventative services. This has assisted in the ongoing work to manage demand. The well-being objectives wind through all Social Services operations and tie closely to the Newport City Council (NCC) Corporate Plan, notably:

- To improve skills, educational outcomes and employment opportunities.
- To enable people to be healthy, independent & resilient.
- To build cohesive & sustainable communities.

Each year financial constraints become more significant when available budgets are set against rising costs and increasing demand. There is a continuous striving to minimise costs and identify savings. In Childrens Services efforts have continued to concentrate on addressing the shortage of placement options and the associated costs, as well as appropriately minimising the numbers of looked after children. Work in Adult and Community Services has included the managing of demand and the building of capacity through the integration of health and social care - the Integrated Care Fund and the Transformation Fund being key enablers. As usual, there has also been a drive to minimise delayed transfers of care and these have been kept at manageable levels, though there remains scope to improve. The Care in Wales's inspection reports and performance indicators demonstrate however, that the service delivered to children and adults is being maintained, a significant achievement.

In addition to legislative change and financial challenges, the use and application of the Welsh Community Care and Information System (WCCIS) has been developed during the year.

Partnership working has developed further with the other South East Wales Local Authorities with numerous joint initiatives maintained and developed. The integrated partnership with Barnardo's has also remained a strength with a retendering for the strategic partnership delivered by Barnardo's recently completed. The Regional Partnership Board at which the Third Sector, Aneurin Bevan University Health Board (ABUHB) and South East Wales Local Authorities are represented continues to be an important route for the transformation of health and social care and Newport City Council engages fully in this process.

2020/21 will prove no less challenging but social services in Newport City Council are lean, efficient and well placed to respond.

2. Summary of Performance 2018/19

This is the third year of reporting against the measures introduced by the Welsh Government (WG) following the introduction of the Social Services and Well-Being Act in 2016. Anomalies within the reporting framework have been identified and regional and national discussions have highlighted differences in the ways that Local Authorities are recording their activity.

These anomalies, along with the rollout of the Welsh Community Care and Information System (WCCIS) have required a review of performance measures and Newport City Council (NCC) has been involved in national discussions led by WG to develop new recording and reporting requirements.

A new performance framework was originally planned for implementation this year but it was delayed. A draft framework is currently subject to a consultation and new recording measures will be in place from April 2020.

End of Year Performance Figures for Adult and Community Services

During 2018/19 the numbers of delayed transfers of care have risen and at year end performance was just above target (low is good high is bad). This is because of greater activity in the hospitals and it should be noted that initiatives such as the development of *In Reach* and improvements to the Reablement service are facilitating faster turnaround times on the wards. This in turn contributes to higher numbers of hospital discharges that creates additional pressure on another part of the system.

In order to mitigate this, constant oversight is applied to the discharge process. The individual's journey through the hospital system is closely monitored, daily reports are provided and, whilst communication processes are well established, it must be noted that many people have complex issues to resolve before they can safely return home.

Home First is a new regional service, resourced from the Transformation Grant to target unnecessary admissions. Social care staff identify those who have arrived in hospital but could safely return home with Information, Advice and/or low-level Assistance (IAA) such as equipment or with Reablement support. This is a further joint initiative that will reduce unnecessary hospital admissions and enable people to maintain their independence by fast tracking social care assessment and provision. It is too soon to measure the impact but evaluation is ongoing and health professionals in the Acute Hospitals have welcomed the service.

Reablement is the only other area of performance where the raw data indicates concern but if closer scrutiny is applied to the figures then the picture is positive. The combined total for those who are discharged from the service with no care and support plan or a reduction in their care is 84.5%, representing a high level

of success in that further care and support has been prevented and, in some cases, independence has been improved.

In addition, Newport is moving towards having a fully operational Intake model of Reablement whereby people who have not had a previous care package are always given Reablement first to ensure that their independence is maximised.

The Welsh Government are currently consulting on a new set of performance measures due to be implemented in April 2020. Although not yet agreed, indications are that the reporting requirements for both Adult and Childrens services will be significantly increased. Elements of the WCCIS system will have to be re-designed to accommodate the new reporting framework and Social Workers will require further case recording training. NCC are fully engaged in the consultation process and performance leads are monitoring the resource implications.

The figure of 79% for adults who have received information and advice with no repeat contact is indicative of successful signposting at the front door and is a reflection of the range of expertise in the First Contact Team. The availability of Community Connectors, Occupational Therapists, Rehabilitation Officer for Visual Impairments (ROVI), Housing Officers, Independent Living Officers, Safeguarding and Social Workers to offer immediate advice and support continues to effectively manage demand.

This measure could be interpreted differently, as citizens with several unconnected issues will be encouraged to make repeat contact if their first experience was positive.

Adults Measures	Target	Results & Comments
% of adult protection enquiries completed within 7 days	90%	98.9% This has consistently been over target and represents strong performance.
The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over	6	6.18 (low is good, high is bad) Slightly over target but performance is very good in when compared with other Authorities. This activity supports hospital discharge processes by ensuring the appropriate care package is in place.

<p>% of adults who completed a period of Reablement and have a reduced package of care and support 6 months later</p>	<p>50%</p>	<p>3.05%</p> <p>(NB: the guidance for this measure changed in 18/19: it now includes everyone who received Reablement, whereas previously it was limited to those with a care and support plan. The target will be amended to reflect this during 19/20)</p>
<p>% of adults who completed a period of Reablement and have no package of care and support 6 months later</p>	<p>50%</p>	<p>81.4% (strong performance - target requires updating as comments below)</p> <p>(NB: the guidance for this measure changed in 18/19: it now includes everyone who received Reablement, whereas previously it was limited to those with a care and support plan. The target will be amended to reflect this during 19/20)</p>
<p>The average length of time in days that adults (aged 65 or over) are supported in care homes</p>	<p>1,100 days (approximately 3 years)</p>	<p>789 days (Improving)</p> <p>Strong performance (high is bad low is good) and represents people being successfully supported in the community for as long as possible.</p>
<p>Average age of adults entering care homes</p>	<p>75 years</p>	<p>84 years (Improving)</p> <p>Supports the above measure in that people are supported successfully in the community and average age of entry to residential care is higher than the average (high is good)</p>
<p>% of adults who have received advice and assistance and have not contacted the service again within 6 months</p>	<p>40%</p>	<p>79.01% (Improving)</p> <p>This represents a well-managed information advice and assistance service at Newport where a high proportion of people receive appropriate support at first contact. The introduction of WCCIS</p>

		has enabled more accurate recording and reporting.
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NB: This performance report is restricted to the measures required by WG and is the benchmark for comparison between all Welsh Local Authorities. Inconsistent interpretation and methodology around recording and reporting practice means that the comparison across Wales is not robust.

End of Year Performance Figures for Children and Young People's Services

Overall, for Children's services 57.89% of the performance measures are green. The service has experienced a broad range of challenges throughout the year and this is a reasonable outcome.

Staff have managed the implementation of WCCIS and have responded to a significant increase in the rate of referrals. A growing degree of complexity has also contributed to the current position. Nine measures have shown an improvement against the previous period.

Children's Services continues to deliver the full range of statutory services required. This year has been another immensely busy year. Towards the end of the year, a complete management team improved the capacity to undertake important shifts to improve practice and to restructure in line with external changes.

These changes will have largely been implemented by the end of 2019. The successes of 2018/19 include positive morale and very few vacancies despite a backdrop of very high demand and complex cases, the establishment of the Family and Friends team, the launch of the Family Group Conferencing service, the opening of Rose Cottage and the increased services in Preventions.

Children's Measures	Target	Results & Comments
% of assessments completed for children within statutory timescales	90%	93.16% This is strong performance and represents a 2% improvement from last year. It ensures children receive support at the earliest opportunity

<p>% of children supported to remain living with their family at 31st March</p>	<p>65%</p>	<p>57%</p> <p>Barnardo's. Family Group Conferences (FGCs) have had strong take up and are already proving to be a very welcome addition to services to support families and avoid children becoming looked after. Monthly monitoring of all work is in place including quantitative and qualitative and review. Work across staff from the partnership and the social work teams has been enhanced to improve communication and joint working.</p>
<p>% of Looked After Children returned home from care during the year</p>	<p>13%</p>	<p>8.30%</p> <p>All children are regularly reviewed and their circumstances assessed. All options are considered to ensure the best outcome for the child.</p>
<p>% or re-registrations of children on Local Authority Child Protection Registers (CPR)</p>	<p>10%</p>	<p>2.42% (Improved)</p> <p>Strong & improving performance (low is good high is bad)</p> <p>NB Children need to remain on the register for as long as necessary and cases are considered on the basis of individual circumstances</p>
<p>The average length of time for all children who were on the CPR during the year</p>	<p>260 days</p>	<p>231.02 days (Improved)</p> <p>Strong & improving performance (low is good high is bad)</p> <p>This figure has reduced by 22 days it is important to note that children need to remain on the register for as long as necessary.</p>
<p>% of children achieving the core subject indicator at key stage 2</p>	<p>60%</p>	<p>62.5%</p> <p>This measure changes every year as the cohort changes. It can also shift during the year as actual children in</p>

		care move in and out. There has been significant work this year to better identify the children who require educational support throughout their time in care.
% of children achieving the core subject indicator at key stage 4	5%	6.52% Strong & improving performance This measure changes every year as the cohort changes. It can also shift during the year as actual children in care move in and out. There has been significant work this year to better identify the children who require educational support throughout their time in care.
% of children seen by a registered dentist within 3 months of becoming Looked After	40%	18.18% Improved performance, up by although this has been highlighted as a measure that requires revision as children may have seen a dentist just before becoming looked after or may have left care before a dental appointment is sourced.
% of children looked after at 31 st March who were registered with a GP within 10 working days of the start of their placement	90%	79.72% Performance has dropped by 22% since last year but it is worth noting that not all children will require registration as they will already be registered with a GP
% of looked after children who have had 1 or more changes of school	12%	9% (low is good high is bad) This represents a 3% improvement from last year.
% of looked after children who have had 3 or more placements	9%	15.63% The Corporate Parenting Forum has been reinvigorated with positive and constructive meetings with strong

		<p>engagement. Agendas have been wide ranging.</p> <p>Children and young people are working on the strategy and looking at how we provide better resources to support children when they first come into care.</p>
Care leavers who are in education, training or employment at 12 months	50%	<p>36.36%</p> <p>Improved choices for work experience, apprenticeships and wider employment and training options will now be the focus for 2019/20.</p>
Care leavers who are in education, training or employment at 24 months	50%	<p>48.72%</p> <p>This was on target last year at 45% so the target changed to 50%.</p> <p>Therefore, this figure constitutes continued improved performance</p>
% of care leavers who have experienced homelessness during the year	10%	<p>Along with the residential children’s homes, a single service manager, with a team manager structure, now oversees all of the 16+ accommodation. All accommodation has been reviewed. Some is being improved while some has been released. Additional properties have been negotiated for unaccompanied asylum seeking children aged 16+.</p> <p>The pathway for young homeless people has been revised and simplified. The process now in place is clearer and ensures those picking up this work clearly understand the needs of the young people and steps required to support them.</p> <p>This work will be continuing throughout 2019/20.</p>
Number of first time entrants into the youth justice system	79	<p>40 (Improving)</p> <p>Performance improved significantly because of less court orders coming</p>

		through and because of the New Gwent Bureau Protocol that all Youth Justice Services across Gwent implemented in October 2018. Children can receive up to 3 Community Resolution Disposals (CRDs) in a year before they are recorded as a First Time Entrant into the youth justice system.
Number of young people sentenced to custody	25	4 (Improving) 4 children from Newport were sentenced to a custodial order, the lowest it has ever been.
Young people out of court disposals re-offend within 12 months	30%	21% (Very slight decline but still strong performance) The re-offending rate for children issued with out of court disposals between 1 April 2017 – 31 March 2018 is at 21%, this based on a cohort of 117 young people with 25 re-offending. NB: This figure is 12 months behind as reoffending rates are tracked over a 12 month period
Young people statutory orders who re-offend within 12 months	50%	39% (Strong & Improving) The Re-offending rate for children sentenced to a Statutory community court order in 2017/18 has decreased slightly to 39%. This is based on 25 out of 64 young people committing further offences. NB: This figure is 12 months behind as reoffending rates are tracked over a 12 month period

NB: This performance report is restricted to the measures required by WG and is the benchmark for comparison between all Welsh Local Authorities. Inconsistent interpretation and methodology around

recording and reporting practice means that the comparison across Wales is not robust.

It must be noted that to continuously improve performance at a time of such significant financial constraints will be challenging and in some service areas, maintaining current levels of performance will be an achievement in itself.

3. How Are People Shaping Our Services?

Newport City Council is committed to ensuring that people are able to have a say in how they receive support and how services will be developed and delivered in the future.

Some examples of how we do this are:

- Co-production in the assessment process to enable citizens to express their preferences around how support will be delivered.
- Contract monitoring processes where the views of citizens who receive services are sought and providers are contractually required to gather feedback and comments to inform service development.
- Citizen engagement/involvement in the commissioning process
- Complaints and compliments.
- Consultation events and citizen fora.
- Feedback from inspections.
- Engagement with Care Inspectorate Wales (CIW).
- WG Citizens Survey.
- Active promotion of voice of the child

Consultation events in 2018/19

These included:

- The 20th Anniversary event of the Over 50's Information Day in October 2018, attended by 800 citizens and 120 organisations.
- The Carers Network, meetings and drop-ins throughout the year building peer support and providing opportunities to engage with the Local Authority and community groups.
- The NCC team of Connectors attended community events during the year and have a presence at drop-in information points across the city.
- Annual public budget consultation process in December 2018.
- Regular feedback obtained from children and adults living in NCC residential homes at house meetings.
- The Cabinet Member for Social Services is very active at community level and is a regular attendee of events and meetings across the full range of client groups.

Results of Citizen’s Survey 2018/19

<p>Adults Services - 1200 questionnaires distributed - 400 returns</p>	
<ul style="list-style-type: none"> • 84.4% said I live in a home that best supports my well-being. • 75.8% said I feel safe from any kind of abuse, physical harm or from falling both inside and outside my property. • 66% said I had the right advice and information when I needed it. • 81% said I am happy with the care and support I have received. • 	
<p><u>Carers</u> - 400 questionnaires distributed – 100 returns</p> <ul style="list-style-type: none"> • 49.5% said they knew who to contact about their support. • 43.6% said they had the right information and advice when they needed it. • 56% said they had been involved in decisions about how the care and Support was provided to the person they care for. • 43% said they feel supported to continue in their caring role. 	

A decision by the Head of Service resulted in the children’s survey not being completed in 2018/19. The reasons for this are that previous years have produced negligible results with poor responses despite significant resource being allocated to the exercise.

Feedback was obtained using a different method:

“We have this year undertaken focussed consultations with children and young people on a range of issues and sought individual feedback in respect of all placements. This has given us meaningful information which can be acted upon”

NB: The Public Accountability Measure linked to satisfaction with Care and Support is deleted for 19/20.

CIW inspections of NCC registered services in 2017/18 –

New legislation in the form of the Regulation & Inspection of Social Care (Wales) Act 2016 (RISCA) meant that the children’s and adult’s residential homes and domiciliary care services had to apply for re-registration with CIW in the summer of 2018.

RISCA requires the appointment of a responsible individual (RI):

- To oversee the management of the service;

- To provide assurance that the service is safe, well run and complies with regulations;
- To ensure the service has a manager, sufficient resources & support;
- The RI is **NOT** responsible for the day-to-day management of the service.

The RI is required to provide a quality of care report that will be submitted to CIW in May 2020. This report will be considered by the Council's democratic process.

A number of changes were made to our domiciliary care registration as follows:

- A new Children's home (Rose Cottage) was successfully registered in January 2019 to enable children living outside of Newport to return to the city.
- The provision of domiciliary care in four Extra care schemes was removed from our registration as the service was transferred to Radis from 1st April 2019 following a successful bid to deliver the service.
- Our supported living service operating across four houses were closed as the residents were offered self-contained new build accommodation, with support that better suits their needs.

Adults

- **Parklands Care Home**
Registered in the summer of 2018 with no issues raised.
- **Spring Gardens Care Home**
CIW highlighted issues around the administration of medication during the RISCA registration process. In November 2018, the re-inspection removed the non-compliance order. The inspectors recognised that the Authority was already taking action to address areas that were longstanding and delayed by changes to management.
- **Reablement Service March 2018**
CIW reported that service delivery plans better captured the voice of the person since the introduction of the '*What Matters*' documentation.

CIW inspections of NCC registered services in 2018/19 – Children's Services

- **Forest Lodge – December 2018**
The inspection identified three non-compliances relating to children's guides, personal plans and staff records. In the new financial year, a follow up inspection removed these non-compliances and reported that staff are committed to ensuring that children receive the necessary support to achieve personal outcomes.
- **Oaklands – subject to renovation, funded by the Intermediate Care Fund (ICF)**

Oaklands was closed in January 2019 and is due to be completed in July 2019. Alternative arrangements for Childrens respite needs were made by registering Brynglas Bungalow and the provision of a domiciliary care service to support families.

The full reports can be found on the CIW website

<https://careinspectorate.wales/our-reports/regulated-services-inspection-reports>

Overview of complaints 2018/19

A Stage 1 complaint is for local resolution within 10 working days.

Following Stage 1, if the complainant remains dissatisfied they can request to proceed to Stage 2. This involves a formal investigation conducted by an independent investigator at a cost to the Local Authority.

Following Stage 2, if the complainant remains dissatisfied they are advised to proceed to the Public Services Ombudsman for Wales (PSOW)

During 2018/19, the Complaints Service received **129 Stage 1** Social Services complaints, **10 less than last year** - as follows:

Adults' Services – **38 Stage 1** complaints:

- **34** were **resolved** at stage 1

Children's Services – **91 Stage 1** complaints:

- **87** were **resolved** at stage 1

During 2018/2019, the Complaints Service received **8 Stage 2** Social Services complaints – **5 less than last year** - as follows:

Adults' Services – **4 Stage 2** complaints:

- **2** were **resolved** at stage 2
- **1** progressed to the **PSOW (decision not to investigate)**
- **1 proceeded to Judicial Review and was then withdrawn**

Children's Services – **4 Stage 2** complaints:

- **3** were **resolved** at stage 2
- **1** withdrawn

Overview of compliments

Adults' Services received **10 – 1 more than last year**

“I would like to sincerely thank the Reablement Team based at St Woolos for the wonderful care that they have given my mother. If Mum requires further help, we know she will be in excellent hands; it is hugely reassuring to know that she has been so well looked after”

Children’s Services received **5 – 2 more than last year.**

“I would like to let you know that I really appreciate all the help from the Social Worker with M’s problems with school. Everything was resolved, and dealt with efficiently and quickly”

Lessons learnt – changes implemented

A number of changes have been actioned because of recommendations from these complaints.

- Communication issues addressed.
- Mandatory Data Protection re-training provided to all staff involved in Complaints.

4. Promoting & Improving the Well-being of Those We Help

Quality Standard 1 – Working with people to define and co-produce personal well-being outcomes that people wish to achieve

Throughout 2018/19 NCC’s Information, Advice and Assistance (IAA) Service had meaningful conversations with service users, their families and carers about what really matters to them. Conversations with our IAA staff are strengths based, meaning that we work with people to regain or maintain their independence and encourage them to utilise their own skills and networks to achieve their desired outcomes.

In order to respond appropriately to the wide range of adult enquiries, our First Contact Service is a multi-disciplinary team with co-located specialist officers who offer on-the-spot advice and assistance to citizens in the following areas:

- Safeguarding;
- Occupational Therapy;
- Housing advice;

- Sensory impairment;
- Independent living – Direct Payments;
- Financial advice.

The IAA process was successfully extended to the hospital environment in 2018/19 as part of the ongoing development of the hospital discharge pathway and the further integration of health and social care services. Targeted engagement with patients and families whilst still on the ward as part of the *In Reach* service ensures discharge arrangements are co-produced to maximise independence and identify well-being outcomes.

The offer of IAA is a critical feature of the new *Home First* service that supports hospital pre admission. The service is a regional initiative, hosted by Newport City Council that commenced in November 2018. It offers IAA and low-level care support to patients within the hospital with the aim of preventing admission.

The citizen survey 2018/19 recorded that **66% of adults** received the right advice and information when needed. This is supported by the reported figure of 79% of adults, who, after receiving advice and assistance did not make contact again within 6 months and evidences effective enquiry management at the 'front door' of adult services.

Where the First Contact Team are unable to meet the needs of citizens through the provision of Information, Advice and Assistance (IAA) via a proportionate assessment, an integrated assessment is offered that further explores the person's eligible needs and works with the individual on how best to meet them.

In 2018/19:

The following figures represent the full range of assessment activity during the year (proportionate and integrated):

- **3147 adult assessments** (3143 in 2017/18)
- **5025 children assessments** (2649 in 2017/18)

NB: There are still some challenges associated with recording on WCCIS but whilst the figures represent a consistent picture for adults, the level of activity in Children's Services has significantly increased.

It is important to acknowledge that the majority of contacts for Children's Services are from professionals and as a result the 'what matters' conversations with the child and/or their family are unable to take place until an assessment for Care and Support has commenced.

- Children participate fully in their foster care placement reviews.

A guiding principle is the promotion and maintenance of independence. For Children's Services, this means supporting families to stay together and maintaining children within their homes and communities wherever it is safe to do

so. This is underpinned by timely assessments of need and creative solutions being sought to help keep families together.

- **93.16%** of children assessments were completed within the statutory timescale (2% more than last year)
- **57%** of children were supported to remain with their family (*This figure is 6% lower than last year but it must be noted that every child is regularly assessed and their personal circumstances reviewed*).

Barnardo's currently deliver an **Integrated Family Support Service** in partnership with NCC. Support is offered to families to prevent children coming into care and to prevent placement breakdown.

Priorities for 19/20

- To develop the Family Group Conferencing Service.
 - Family Group Conferencing encourages self-determination and independence by allowing the family to find their own solutions with appropriate support. The aim is to build resilience, develop problem-solving skills and reduce dependency on statutory provision.
- To develop the Baby & Me Service
 - The Baby & Me service aims to prevent new-born children entering the care system by working with pregnant women whose children are at risk of being removed

Newport is the first Local Authority in Wales to develop this service.

The Community Connector team continues to offer support to citizens who may be socially isolated to gain independence and to improve their well-being based on what matters to them.

- Newport's team of **nine Connectors** provided support to **1,224 citizens** during 2018/19 and provided information, telephone advice and 1:1 support. The team offered a range of information and advice at community events, meetings and forums.

The Connector team is involved in outreach work across the city, linking citizens to social activities, learning and volunteering opportunities with the aim of increasing independence and reducing social isolation.

"I was lonely before meeting the connectors, since attending my new group I feel my life has purpose"

Three team members are from Black and Minority Ethnic (BME) backgrounds and work with asylum seekers, refugees and migrants offering information, advice and supporting citizens to access volunteering, leisure, learning and employment opportunities.

The three Connectors provided a service to 482 citizens from minority ethnic backgrounds in 2018/19.

The Community Connectors and our Third Sector partners continue to update the **DEWIS** database that contains local and national information. Newport has 528 live resources on the site, an increase of 135 from last year.

We have seen increasing use of this database during 2018/19, with 5,237 views recorded per month, an increase of around 3,799 per month recorded in 2017/18.

NCC Corporate Plan 2017-2022:

"We will support community initiatives which seek to reduce social isolation, improve neighbourhood networks and support older people and adults with complex needs to live independently."

Occupational Therapists (OT) provide assessments to support people to remain physically independent within the home environment. An OT is based within our First Contact Team on a daily basis, to ensure appropriate advice is available for citizens at the earliest opportunity.

Ask SARA - an easy to use online self-help guide to equipment for independent living was launched last year. Newport is the first in Wales to adopt Ask SARA and to ensure it is compliant with the Welsh Language Act.

The website advises users on the availability of equipment that can meet their particular need and how to obtain it.

As of 31st March 2019, the site has recorded 496 users and feedback has been positive.

"I will continue to seek advice on the various subjects in Ask SARA and look at the practical aids available. It has helped me think about things in new ways and recognise some problems that weren't so obvious before"

The Newport Support Partnership (NSP) has been operating since September 2016, it is a consortium arrangement comprising of four Third Sector providers who offer a range of services including advocacy, information, advice and assistance, community support, a sitting service and volunteering opportunities. The emphasis is prevention and early intervention to support well-being and promote independence. Any Newport resident can self-refer and the service is well publicised.

Demand has remained steady with figures obtained for 2018/19 being similar to 17/18

- NSP received **1130 enquiries** during 2018/19
- **146 people** received specialist advocacy services (DEWIS)
- **205 people were provided with a sitting service** (Reach & Volunteering Matters)
- **155 people** were offered community support (Reach & Volunteering Matters) *(A service that enables people to regain independence - a brief intervention to prevent referral into long-term support. People are supported to access community services, attend appointments and undertake essential daily living skills. Support is reduced over time as independence returns. The service is used by people who have been discharged from hospital or those who have been identified by Supporting People as having support needs that are not housing related).*
- **792** people received financial advice and assistance (Citizens Advice Bureau)

During 2018/19, 1298 Newport citizens received a service from the Newport Support Partnership with 853 case closures. This represents the short-term nature of the interventions and ensures ongoing capacity and sustainability.

The Carers Network aims to offer information, advice and support for Newport citizens in a way that suits their individual requirements. The focus is on helping people access services and identify community-based options. A quarterly meeting is held at Malpas Court, where speakers have addressed issues such as producing wills, housing-related support and Power of Attorney as requested by members. For those who cannot attend or prefer not to attend meetings, newsletters and updates are sent out via email and available on the website.

Carers are often hidden but new carers are coming forward. In 2018/19 the network has an additional 51 new sign ups.

- **49.5%** of carers said they knew who to contact about their support (Citizen's Survey).
- **71** new carer's assessments were undertaken.

"I found the carers assessment positive and helpful as it both helped me to realise how I really felt inside me about my situation and also highlighted aspects which I had not previously considered"

The delivery of the **Children's Charter** was led by the Council's Policy, Partnership and Involvement team in People and Business Change.

In 2018/19 the Council engaged with young people to develop the Children's Charter, now known as the Young Person's Promise. The purpose of this Promise is to set a commitment to children, young people and their families when they use the Council's services and also in what they can expect the Council to do for them.

We involved young people from all areas of Newport including the Youth Council, Newport Changing Minds, Unity, Newport Youth Service, Schools Go Girls, The Brothers and Barnardo's.

The Promise has now been endorsed by Cabinet, and a range of promises that the Council will commit to will be monitored and reported with an official launch in the summer of 2019/20.

NCC Corporate Plan 2017-2022:

"The Newport Children's Charter will set out promises to children and families."

Priorities for 2019/20

- To continue to develop the Community Connector Service to ensure people are supported to access services that prevent or delay the reliance on statutory provision;
- To roll out Ask SARA across Gwent;
- To further develop the OT service;
 - support 17 to 25 year-olds in the transition to adulthood.
 - develop knowledge around new technological aids and manage the assessment process for the NCC telecare service
- To review Third Sector services to continue to maximise opportunities for the delivery of services that are focussed on prevention and early intervention;
- The development of a community well-being hub in the East of the City in partnership with Health. The hub will expand the early intervention and preventative support network within the City and link with the Aneurin Bevan University Health Board's *Care Closer to Home* initiative that aims to offer better information and advice at primary health care level;

- To ensure the services provided by NCC continues to compliment the work that is being undertaken to expand the well-being network within the City that aims to increase information, advice and support options for all citizens
- To officially launch the Young Person’s Promise

NCC Corporate Plan 2017-2022:

“We will support the development of health and well-being hubs which can provide day and work opportunities, carers respite, social prescribing and care closer to home.”

Quality Standard 2 – Working with people & partners to protect and promote people’s physical and mental health and emotional well-being

A key priority in 2018/19 was to open new residential services for children in Newport to reduce the number of out of county placements.

Rose Cottage, a 4-bedroom residential home opened in January 2019 and 4 children who were previously living out of the area were able to return to Newport.

In 19/20, the intention is to open another residential facility with the potential to offer beds for children in crisis.

Children’s Services provided a Christmas party for its looked-after-children, their foster carers and own children. The event was well supported by the local community.



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Newport are active partners in the Gwent-wide Children and Families Strategic Partnership and has a positive working relationship South East Wales Regional Adoption Collaborative.

- In 2018/19 permanent and stable futures were secured for **26 children** through adoption.

Newport has more looked-after-children placed with in house foster carers than with foster placements purchased from Independent Fostering Agencies. This is in contrast to most other Welsh Authorities. Nationally there is a decreasing foster carer cohort, which is naturally leading to the requirement for more placements in residential and secure accommodation. This results in possibly less favourable options for children who would be better served within a family environment and leads to increased costs.

Newport is actively participating in the National Fostering Framework (NFF) Phase 3 work programme that aims to increase the number of Local Authority foster placements across Wales to increase the range and quality of options available for children who are looked after.

NCC Corporate Plan 2017-2022:

"We will reduce out of county children's social care placements by 25%."

- As of 31st March 2019, there were **168 approved foster placements** available in Newport (**an increase of 10 from last year**) but during the year, Newport lost 11 fostering households.
- New marketing materials for fostering have been developed including a leaflet and a drive using NCC Twitter and Facebook. The fostering team are making a short promotional film.
- During 2018/19, Barnardo's provided support to **139 families and 372 children**, thereby greatly contributing to the overall total of 57% of children that were able to remain with their family.

The number of children coming into the care system is increasing and Newport is no exception. However, in relation to the other Welsh cities, the rate of acceleration has been lower and Newport is currently in the middle as the 10th lowest in Wales with 94 per 10,000 children becoming Looked After (the highest is 190 per 10,000; the lowest is 50 per 10,000).

The Young Carers' Service is delivered by Barnardo's to ensure young people who care for family members have an opportunity to engage with their peers, achieve their personal development goals and get appropriate respite from their role as primary carer.

- 73 young carers were supported in 2018/19
- 43 new young carers were assessed in 2018/19

Each young person has a personal plan based on what matters to them and organised activities included trampoline sessions and a meal at a local restaurant. Barnardo's also run a youth club for young carers aged over 14.

"I am glad I was introduced to young carers as I was worried a lot before"

"It allows me to meet new friends, get active and find new sports to enjoy"

The Youth Justice Service (YJS) has continued to build a more child focussed and desistance based practice. Consideration of the wider context of environmental and family factors ensures interventions build resilience and focus on building positive relationships whilst also addressing the trauma that may underpin offending behaviour.

The service has established pathways with a number of partners to deliver a multi-agency approach to ensure children are supported pre and post Court.

- CAMHS
- Education
- Speech & Language
- Substance Misuse

The service continues to improve performance and has significantly reduced:

- Numbers of children entering the CJ system for the first time, only 40 new entrants in 2018/19 (26 below target);
- Numbers of children receiving a custodial sentence, only 4 in 2018/19, the lowest number ever recorded in Newport.

An example of innovative practice:

Anti-Social Bob

A short film entitled 'Anti-Social Bob' was recorded on location around the city of Newport with the help of talented children. The film is aimed at tackling the growing issues surrounding anti-social behaviour.

Working collaboratively with School Police Liaison Officers and South Wales Fire and Rescue Service, the team visited local primary schools in Newport to highlight how anti-social behaviour affects everyone.

The film was presented at the Welsh Government, Senedd Building in Cardiff, sponsored by the Assembly Member for Newport West – Jayne Bryant.

Priorities for 19/20

- To continue to strengthen relationships with key agencies to improve the availability of support for children to divert them from criminal behaviour.
- To develop a volunteer programme to support the work of the team
- To roll out the restorative justice training programme.
- To further develop an engagement tool to enable the voice of the child to be meaningfully utilised in future service development.

The Older Person's Pathway operates out of GP surgeries where people over 75 years of age identified as being at risk of deteriorating health are referred to Age Cymru who work with the person to co-produce a 'Stay Well' plan. The aim is to improve independence and well-being through the development of an outcome focussed activity plan that will delay or reduce reliance on health and social care services.

As of 31st March 2019 there were **1,184 Stay Well plans** in place in Newport – 318 more than at the same time last year.

NCC Corporate Plan 2017-2022:

"We will extend the Older Persons Stay Well Plan Project across Newport."

Delayed Transfer of Care (DToC) figures in Newport remain low and overall performance is strong. A delayed transfer of care is experienced by a hospital patient that is ready to be discharged to move to the next stage of care but is prevented from doing so.

The measure is defined as the rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over.

- Year-end performance in Newport was 6.18 against a target of 6.

This represents the effectiveness of the ongoing management strategy that seeks, in partnership with Health, to minimise the number of people who cannot come out of hospital because they don't have the right social care services. Although the figure has increased over the past year, the continued low number has to be viewed in the national context and take into account real service pressures within this complex and challenging area of work.

Reablement supports hospital discharge and following last year's restructure, it now operates as a fully integrated health and social care service. The principle of working in an outcome focussed way is already embedded across Reablement with staff who are committed to return people to independent living and improve their quality of life after a spell in hospital.

The service operates as an Intake model, which means that everyone who has not previously had a care package has a period of Reablement first to ensure his or her independence skills are maximised. This means that people are encouraged and supported to do as much as they can for themselves, which has a positive impact on their physical and mental wellbeing.

- **The combined total for those who are discharged from the Reablement service with no care and support plan or a reduction in their care is 81.4%, representing a high level of success.**

During 2018/19 the In Reach model became fully operational across the two key hospital sites in Newport.

The model has supported an improved multi-disciplinary approach to discharge planning and ensures those who require Social Services intervention are identified early.

A new initiative introduced in October 2018 is called **Home First**. The service is funded by Welsh Government, covers all five Local Authority areas and aims to prevent hospital admission as part of the Transformation Grant.

Newport City Council are hosting and managing the **Home First** service based in A&E at the Royal Gwent and Neville Hall Hospitals. It involves the offer of proportionate assessments (IAA) for patients within pre-admission wards, regardless of where they live in Gwent.

- **Home First received 463 referrals between 01/01/19 and 31/03/19**
- **Home First safely discharged 229 people between 01/01/19 and 31/03/19**
- **An average of 19 per week**

(Please note that this data was collected in the implementation stage so it is expected that many of the referrals were inappropriate and explains the difference between the figures).

Notwithstanding that it is a relatively new service, the following feedback was gathered:

"I can't wait to go home - you're a wonderful service" (Patient)

"Home First has been an invaluable service, not just to patients who they provide a wealth of information and tailored aftercare for but also to the nursing staff who are supported by the team. They also provide education on the services available in the community. They are an incredible asset" (Health Colleague)

The Intermediate Care Unit at Parklands Care Home hosts 10 *Step Up Step Down* beds with access to a multi-disciplinary team. Funded by the Integrated Care Fund the facility supports early discharge from acute hospital beds and also prevents hospital admission by offering intensive rehabilitation and assessment

- **77 out of 78 people** were discharged from the unit in 2017/18 having successfully achieved their outcomes.

"Parklands is a model of how a Reablement centre should be run – because of you I have a chance of a future"

Domiciliary Care provision is provided through Newport with approximately 30 independent providers operating in the city. Despite the relative stability within the market, recruitment remains an ongoing problem across the region. NCC Commissioners negotiate annual fees with providers that reflect the true cost of care to support the retention of a skilled and committed social care workforce.

The new domiciliary care for children with disabilities within Newport provides a more flexible approach to the provision of support for families. It is hoped to prevent some children with disabilities entering the care system.

The Career College Consortium (previously known as the Gwent Care Academy) is a regional initiative that seeks to encourage recruitment and retention within the social care workforce. The Consortium will seek to increase

the status of the workforce and help agencies to manage costs by enabling employees to passport their qualifications within the sector.

Partners include

- Coleg Gwent
- ABUHB
- Local Authorities
- Care Forum Wales
- Regional employability projects
- Mirus (as a provider representative)

During 2018/19, the consortium has improved communication and co-ordination between partners and is currently mapping training and qualification courses in the region.

ICF money has been made available to appoint an employability officer who will facilitate placements for health and social care students to ensure they are work-ready once qualified.

The Carers Network has increased opportunities for citizens with caring responsibilities to obtain information, advice and support from Newport City Council. During 2018/19:

- The community connectors provided information, advice and assistance to **135 carers**.
- Newport is now in regular contact with **514 carers** - an **increase of 51** from the previous year.

“I found the carers assessment positive and helpful as it helped me to realise how I really felt inside about my situation and also highlighted aspects which I had not previously considered”

Newport supported three Social Workers during 2018/19 to become qualified Adult Mental Health Professionals (AMHP).

In order to respond to the increasing demands placed on Local Authorities in relation to the Deprivation of Liberty Safeguards (DoLs assessments), two social care professionals completed the Best Interest Assessor course in 2018/19 with eight currently working to complete the training.

2017/18

- 178 DoLs assessments undertaken
- 191 on the waiting list at 31st March 2018

2018/19

- 275 DoLs assessments undertaken (54% increase)
- 545 on the waiting list at 31st March 2019

A new model for authorising the Deprivation of Liberty for those receiving care will come into effect in 2020 – Liberty Protection Safeguards (LPS) are included in the Mental Capacity (Amendment) Act 2019 and will place additional responsibilities onto Local Authorities.

The Mental Health Consortium operates at a lower level to sustain well-being, to offer advice, encourage resilience and opportunities for therapeutic activity.

“I am feeling much better since I started attending the group; it’s something to look forward to with people who have experienced similar things to me.”

Priorities for 2019/20

- To establish additional residential placements for children within the city.
- To increase capacity within our in-house foster care service, improve training and support for carers and reduce pressure on external foster and/or residential placements.
- To continue to offer support to children who are looked after in partnership with Barnardo’s to prevent placement breakdown.
- To increase the number of step up step down beds at Parklands to support hospital discharge and to ensure as many people as possible receive rehabilitation support and return home to live independently.
- To continue to develop discharge pathways to ensure people are supported to leave hospital as soon as possible with an appropriate package of care that supports continued independence
- To further develop the integration of Reablement and hospital care services
- To embed the Home First service across Gwent.
- To continue to offer specialist and timely advice and assistance to citizens to support them to maintain their well-being and participate within their community and within health settings
- To continue to identify and support carers.
- To ensure our staff are sufficiently trained and prepared for the introduction of the Mental Capacity (Amendment) Act 2019.

Quality Standard 3 – Taking Steps to Protect & Safeguard People from Abuse, Neglect or Harm

Safeguarding vulnerable children, young people and adults will continue to be a priority.

A full report on Corporate Safeguarding was presented to Scrutiny in March 2019 and is available on the Council's website. Safeguarding is intrinsically embedded within the Well Being of Future Generations Act 2015, with the requirement for public bodies to ensure citizens are safe. The Social Services and Well Being Act strengthens the safeguarding and protection of both adults and children.

The 2018/19 Citizens' Survey reported:

84.4% said: I live in a home that best supports my well-being.

75.8% said: I feel safe from any kind of abuse, physical harm or from falling both inside and outside my property.

Safeguarding children, young people and vulnerable adults is a corporate priority and Newport is an active member of each of the two Regional Safeguarding Boards that have amalgamated under the umbrella of "Gwent Safeguarding".

Corporate safeguarding policies were reviewed during the year and a programme of training and awareness raising is underway.

98.9% of adult protection enquiries were completed within 7 days.

The Regional IDVA (Independent Domestic Abuse Advisor) team has been established for high-risk victims of domestic abuse. The IDVA regional Manager is employed by Newport City Council (funded by the Police and Crime Commissioner's office) and based within the Regional VAWDASV Team (Violence Against Women, Domestic Abuse and Sexual Violence).

The VAWDASV Team operate on a regional basis to develop and implement the Welsh Government's legislation across all relevant public services. This ensures that workplace policies are developed; that the National Training Framework (NTF) is operational for all staff; and the 'Ask and Act' Welsh Government mandated training is being rolled out to all front line staff so that they can recognise signs of domestic abuse.

All employees complete basic safeguarding awareness training and this is embedded within the Council's induction programme. All employees are expected to report any concerns or suspicions they have for children or adults at risk of harm or abuse. We closely monitor services that we commission to ensure safeguarding policies are in place and staff are appropriately trained.

The Child Protection Unit in Newport consists of 4.5 Independent Reviewing Officers who chair all of the Child Protection Conferences for children who are deemed at risk of significant harm, and may need to be placed on the Child Protection Register and be the subject of a Child Protection Plan to keep them safe.

The Regional Deprivation of Liberty (DoLs) assessment service (managed by Health) continues to struggle with the demand and high referral rate across the region. The DoLs legislation is currently under review nationally and Newport officers are part of the process.

The success of the Newport adult and children Safeguarding HUB (based in the Civic centre) continues and has expanded to include additional services (specifically for children). *Open Closed Doors* (focus on domestic abuse) and also the *Early Intervention Together* programme ensure that all referrals to statutory children's services where there is no statutory role are provided an effective support pathway. Both of these programmes are for 12 months with external funding. The other service that was developed within the Safeguarding Hub is 'ENCOMPASS' which ensures schools are aware of any domestic incidents that may impact the child in education in a timely manner.

The Council continues to support and mandate all new employees to complete the Ask and Act e-learning (VAWDASV legislation) and provide face-to-face training where e-learning is not appropriate.

The Council have continued to roll out the safeguarding Champions across the whole Council and have a schedule of meetings to raise awareness about all safeguarding aspects for each service area, from safe recruitment, safeguarding training and wider safeguarding requirements.

Safeguarding vulnerable children, young people and adults will continue to be a corporate priority.

Priorities for 19/20

1. The council will develop an e-learning safeguarding module for all Members, Officers and volunteers.
2. The safeguarding champion's cohort will address all service area requirements including work with volunteers.
3. The Deprivation of Liberty Safeguards will be developed to ensure effective governance for Newport citizens receiving a regional service.
4. Continued development of the Safeguarding Hub and evaluation through the regional transformation team to conclude the pilot and agree next steps.
5. The development of a child exploitation strategy and toolkit for Newport.
6. The new Wales safeguarding procedures and protocols (Due November 2019) will need to be embedded into current processes and ensure practitioner awareness of the changes is completed.

Quality Standard 4 – Encouraging & Supporting People to learn, develop and participate in society

Supporting children who are looked after and young people leaving care to reach their full potential and achieve positive outcomes is a key priority for Children's

Services. Targeted support is provided to children and young people at key stages in their education. In addition, tuition and extra-curricular activities are funded to provide further support.

- Attendance levels for children who are looked after in full time education is **96.7%**.
- **9%** of children had 1 or more changes of school (**strong performance - target is 12%** - (low is good high is bad).
- **62.5%** of children achieved the core subject indicator at key stage 2 (**target 60%**).
- **6.52%** of children achieved the core subject indicator at key stage 4 (**target 5%**).

Strong and improving performance was achieved in 2018/19 in all four of the above measures.

The Council has an apprenticeship scheme - Social Services hosted six placements in 2018/19 and are currently ongoing.

There are a range of options and information sources to help people achieve the things that matter to them. The Community Connectors have supported established groups by referring new members and set up new groups because of their knowledge of unmet need.

"I no longer just sit at home. I have been introduced to people and have made friends"

"I was lonely before meeting the connectors, since attending my new group I feel my life has purpose"

The Community Connectors have developed a database of activities and this information has now been transferred to DEWIS so that people can access the information for themselves 24 hours a day, 7 days a week.

Newport City Council is committed to 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 ensure people with dementia are not socially excluded.

NCC Corporate Plan 2017-2022:

"We will use best practice materials from the Alzheimer's Society and elsewhere to create a simple toolkit and online training module for staff and businesses to use"

As of 31st March 2019

- 95 awareness raising sessions have been held in the City;
- Newport has 2,327 trained Dementia Friends.

The Newport Support Partnership (NSP), our Third Sector consortium, offers volunteering opportunities via *Volunteering Matters* who will provide training to Newport citizens who want to offer their time to help others in the community. Volunteers are matched with citizens who require help with daily activities or to provide a sitting service for carers.

- In 2018/19 *Volunteering Matters* recruited and trained 32 volunteers to deliver community support services on behalf of the NSP. That represents an increase of six from last year.

“The service is invaluable as it enables me to have a break, knowing that my husband is not alone”

“The one thing I never have is time, and this service has helped me find a few hours which I wouldn’t have otherwise had”

The Gwent Mental Health Consortium led by Growing Space offers a training programme for people recovering from mental ill health. Newport has a gardening project and a shop selling plants and handcrafted items, offering participants horticultural, organisational and retail experience.

Other activities available include arts and photography, confidence building and stress management courses. The Consortium model will be subject to review in 19/20.

Priorities for 2019/20

- To continue to identify and source additional educational support for children who are looked after. Improved choices for work experience, apprenticeships and wider employment and training options will now be the focus over the next 12 months.
- To develop a full range of services for carers based on consultation and engagement through the Newport Carers Network.
- To ensure early identification of young carers and the provision of appropriate support in partnership with Health, Education and our delivery partner, Barnardo's.
- Continue to support and develop DEWIS & other information sources to encourage self-reliance and maximise opportunities for engagement in community based activities.
- To host the first Dementia Friends Conference in Newport.
- To work with our mental health providers to ensure the continued availability of preventative and rehabilitative services following the recommissioning of the regional mental health consortium in 2019/20.

Quality Standard 5 – Supporting people to safely develop and maintain healthy domestic, family and personal relationships

NCC supports children, young people and adults to be as socially active as possible, to feel they can make decisions for themselves and maintain important relationships. It is recognised that people having fulfilling relationships with those they are close to is really important for their well-being.

CASE STUDY Youth Justice Service:

A combined effort from several staff members saw a young person sentenced last October for violent offences achieve a positive outcome for both him and his family.

With a rather bleak outlook at the start of his sentence, and a real possibility of going into unsuitable accommodation post-release, the team worked intensively with the whole family and young person whilst he was in custody. As a result of the ongoing intervention and family mediation relationships improved and the young person was able to return home at the end of his sentence.

Children who are looked after maintain contact with their families through facilitated sessions and our strategic partner Barnardo's, who have extended their work to provide support to existing placements and prevent relationship breakdown.

NCC Corporate Plan 2017-2022:

"We will improve placement stability, including achieving permanence for % (up from 75%) and reducing the number of children accessing more than three placements to 5%"

In 2018/19, 15.63% of children who are looked after experienced three or more placements. This represents an increase of just over 6% when compared to last year's figure of 9.5% (target 9%).

During 2018/19, the Matching & Placement Support team (MAPS) has been merged with Fostering. This means that much of the direct work provided to children via MAPS will be offered by Barnardo's as part of the extension of their role to support placements.

The Commissioning Team have formalised their involvement in the contract management processes around residential placements for children. The team are now overseeing more of the commissioning activity across People services thereby creating a single point of contact for providers and ensuring consistency in the discussions around fees and contractual obligations. This includes educational placements with additional resource being allocated to the Commissioning function in recognition of the positive impact that the team can deliver.

In 2018/19, the number of children returned home from care was **8.3% against a target of 13%** - this is a measure with a number of elements out of the control of the Local Authority. Consequently, the measure is under review.

NB: Children are regularly reviewed and their individual circumstances assessed to ensure the most appropriate service is provided.

These figures must also be viewed in the context of the evidenced increase in activity within Childrens services in 2018/19 that reflects the National trend.

We recognise that, where possible, children who are looked after need to be close to their communities and social networks.

Rose Cottage, the new residential children's home developed by NCC and opened this year has enabled four children placed out-of-county the opportunity to return to the city.

"I'm glad to be back in Newport, it was hard being away and I can meet up with my friends now"

Respite offers an important opportunity for family members to have time for themselves and Newport offers residential respite services for adults and children.

Residential respite for adults with disabilities is available at the Centrica Lodge in the Gaer area of the city. Occupancy levels have improved since the building was refurbished in 2018 as the internal lift has made it more accessible. Faster Wi-Fi has been installed and NCC is working in partnership with the provider in the offer of technology trials that enables residents to experience the benefits of digital equipment that could improve their independence.

In 2018/19, Oaklands residential respite centre for disabled children was fully refurbished with ICF capital funding.

Support for families continued during the closure by way of overnight stays at Brynglas Bungalow and the establishment of a new domiciliary care service provided by existing Oaklands staff. This service is currently under review to determine if it will continue to be available for families in 2019/20.

The commissioned Independent Living Service is delivered via a framework agreement. In 2018/19, three new providers were accredited and increased the range of activities currently available.

NCC Corporate Plan 2017-2022:

“Alongside traditional day opportunities we will offer different activities in a wider range of different settings”

The assessment process takes account of the views of family and significant others.

- **56%** said they had been involved in decisions about how care and support was provided to the person they care for (Citizens Survey 2018/19).
- **43%** said they “feel supported to continue in my caring role”. (Citizens Survey 2018/19).

Carers can access a sitting service via the Newport Support Partnership (NSP). This provides time out from the caring role and helps to maintain positive family/carer relationships.

- **205 people** used the sitting service in 2018/19.

Shared Lives offers shorter periods of respite to enable carers to have a break in addition to long-term placements. It gives people the opportunity to experience living in more homely, family-based support settings within communities, rather than in residential care settings.

- At the end of 2018/19, there were 39 people from Newport in long-term placements.”

Shared Lives continues to offer services to meet the diverse needs of older people, adults with learning disabilities, physical disabilities, and people with mental health support needs.

NCC provides day services at Brynglas House for people with profound and multiple learning disabilities, those recovering from mental ill health and older people.

Relationships can also be harmful and as outlined under Quality Standard 3, work is carried out through the Safeguarding Boards and Regional services such as IDVA and VAWDASV to support and protect those who are at risk of harm.

Priorities for 2019/20

- To further develop the preventions work in Children's Services to support families, placements and develop sustainable alternatives to care;
- To recruit more Foster Carers to meet increasing demand;
- To source more residential placements in Newport to meet increasing demand;
- To review the impact of the additional involvement of the Commissioning team in Children's Services / Education contractual activity;
- To increase the number of carers we engage with to ensure the right support is available;
- To review the domiciliary care service for children with disabilities;
- To review the wider day services provision for mental health, learning disabilities and older people to ensure they continue to meet the needs of the community;
- To continue to educate and inform people about the dangers of unsafe relationships and support those at risk of harm.

Quality Standard 6 – Working with and supporting people to achieve greater economic well-being, have a social life and live in suitable accommodation that meets their needs.

As outlined in Quality Standard 4, Children's Services support children and young people to access education and training and provide individualised additional support where necessary.

- School attendance figures for **children who are looked after** were **96.7%** in 2018/19.
- **36.36%** of young people are in education, training or employment **12 months after leaving care.**
- **48.72** of young people are in education, training or employment **24 months after leaving care.**

NCC wants to do better and the Corporate Plan sets out a commitment to be achieved by 2022.

NCC Corporate Plan 2017-2022:

Tudalen 137
"We will ensure that 85% of care leavers enter employment, education or training."

The incidence of **homelessness in Newport for young people increased** in 2018/19 by **12.5% to 21.95%**.

There are many reasons for this increase but NCC works with Registered Social Landlords (RSLs) and the Housing Department to ensure we can provide an appropriate response to young people facing homelessness. We have access to supported accommodation and lodgings for young people who need extra help during the transition from care to independent living and are currently working with a private landlord to increase the accommodation and support options available.

- Along with the residential children's homes, all of the 16+ accommodation is now overseen by a single service manager with a team manager structure. All accommodation has been reviewed.
- Additional properties have been negotiated for unaccompanied asylum seeking children aged 16+.
- The pathway for young homeless people has been revised and simplified. The process is now clearer and ensures those picking up this work fully understand the needs of the young people and steps required to support them.

Support for teenagers has been reviewed and the Pathway Team are working towards improved support for this group of older children. This includes a wider accommodation offer and improved training and employment choices. The St. David's Day fund has been fully utilised to better support care leavers.

Disabled Facilities Grants (DFG's) are available to citizens to make their homes safe and enable them to remain independent

- In 2018/19 we **completed 123 DFG's** to fund ramps, stairlifts, and accessible showers to enable people to remain safe and independent. The total spend in 2018/19 was £1,120,000.
- In 2018/19 **85% of adults** said, "I live in a home that best supports my well-being" (Citizens' Survey).

A successful regional ICF bid provided funding for the purchase of new telecare equipment to support the delivery of care and support plans and as aids to independent living.

Negotiations are ongoing with Caerphilly CBC and Monmouthshire DC to develop a regional telecare service.

NCC has developed outside facilities at Blaen-y-Pant residential home offering a secure space that is completely safe for all residents.

The dementia day service at Spring Gardens has received robot cats, dogs and dolls that people enjoy. Evaluation is ongoing but early feedback is positive.

NCC Corporate Plan 2017-2022:

“We will develop our internal Care Homes and day opportunities to specialise in Dementia care”

NCC works proactively with the Aneurin Bevan University Health Board (ABUHB) and with 20 Independent Residential and Nursing home providers in the City to ensure citizens and their families are able to choose where they live when they can no longer remain at home.

During 2018/19, the **Supporting People Team** received over **2,700 new referrals**, approximately 53 per week, a slight decrease on last year’s figure of 2,900.

Over £5m of Supporting People funding is invested in a wide range of services for Newport citizens. The programme offers support to help maintain appropriate accommodation and provide stability. These services help to prevent crisis and keep people safe.

All agencies offering financial advice experienced an increase in referrals during the year as the roll out of Universal Credit and Personal Independence Payments (PIP) became fully embedded.

Supporting People money is used to fund a Financial Inclusion Team who, in 2018/19 increased annualised income for vulnerable citizens by over £200,000. This total was achieved by maximising welfare benefits and grants and facilitating debt write offs.

The Citizens Advice Bureau who offer financial advice and assistance to citizens within the Newport Support Partnership (Third Sector Consortium) have recorded gains of over £1,000,000 for people in receipt of benefits since the contract started in 2016.

A new service for people over 55 funded by Supporting People and delivered by Age Cymru commenced in December 2018. Anyone over the age of 55 with housing related needs (financial advice, assistance with aids and adaptations etc.) can access this service.

NCC has developed an Independent Living Strategy to identify the future accommodation needs for adults with Learning Disabilities. The document has been shared with our Registered Social Landlord partners (RSLs) and identifies the need for more self-contained accommodation as traditional group living arrangements become less popular.

Charter (Pobl Group) completed a new housing development called Ty Dewi St in the autumn of 2018 providing flats for eight people with support needs.

Thirteen tenants moved out of the Newport City Council Supported Living in 2018/19 as housing and support options more appropriate for their needs became available. The service is now closed and four properties have been handed back to the RSL for allocation to families on the waiting list.

Priorities for 2019/20

- Continue to work with the RSL's to develop sustainable accommodation options for all client groups;
- To develop the NCC telecare offer in partnership with Monmouthshire and Caerphilly;
- To continue to develop innovative services for people with dementia
- Continue to support Newport citizens to manage their own tenancies and maintain their independence through the application of Supporting People funding;
- To improve the support available to care leavers in order to address homelessness and assist in the transition to education, training and employment;
- Increase the range of accommodation and support options available for young people leaving care.

5. How We Do What We Do

Our workforce and how we support their professional roles

NCC's workforce is a dynamically changing asset that supports service delivery to some of the most vulnerable people in the city. NCC faces many challenges to its service provision, not least as a result of complex social issues associated with city centre living.

Under Part 9 of the Social Services and Well-being (Wales) Act 2014, regional finance, governance and workforce priorities for action are agreed through the Regional Workforce Development Board and reflect alignment to Social Care Wales' National Priorities in partnership with transformation and health services.

Key achievements in 2018-19

In addition to more than 400 generic/ non-qualifying courses of core learning and development opportunities, delivered across the sector, we supported:

- Social Work Qualifying Training – five supported students from NCC workforce during 18-19.
- 33 Social Work Practice Learning Opportunities undertaken in partnership with four universities and 30 teams /placements.
- 26 Post Qualifying Social Work programmes
- 5 Best Interest Assessors trained (and ongoing programmes)
- Qualification Assessment Centre support for more than 200 registered learners on QCF based qualifications with Newport Assessment Centre and contribution to national qualification development
- Implementation of a Value Based Recruitment Process to support children and adult services.
- Implementation of the new All Wales Induction Framework.
- Support of regional initiatives with partners including Social Care Wales.
- Sector support through regional workshops and briefings with a focus on the implementation of Regulation and Inspection Act (Wales) 2016: specific focus on supporting the wider sector with information relating to the registration of the workforce.

The Social Care Wales Workforce development Programme (SCWWDP) Board regionally agreed priorities for 2019/20 are as follows:

- Support the continued implementation of the Regulation and Inspection of Social Care (Wales) Act.
- Support the training, development and qualification of social care managers.
- Support the ongoing development of approaches to outcome-focused care and support practice.
- Support for both Social Work qualifying training and post qualifying training in Wales.
- Support frontline social care workers to develop their skills overall in relation to social care, and support the introduction of the revised induction framework.
- Enable the workforce to meet regulatory requirements for qualification and/or registration using guidance available in the Qualification Framework.
- Provide learning and development to equip the workforce to work effectively alongside carers.

Financial Resources & How We Plan for the Future

During 2018/19, under difficult circumstances, the Council has managed its overall revenue budget well and the revenue out-turn shows an **underspend of £2,383** representing just 0.9% of the net revenue budget excluding schools. The council received £700k in grants to deal with social care pressures in the year.

Whilst this position is positive, there are areas of budget pressures that have been highlighted throughout most of the year, one of which is the demand led pressures within social care. Within Children's Services, there is significant financial pressure due to out of authority placement costs. This is a trend replicated in many other Local Authorities and identified as an area of increasing demand and cost nationally. The alternative residential service options within Newport will continue to be monitored to ensure continued financial viability during 2019/20.

The Adults budget also faces significant pressure due to increased demand. Adults are living longer with conditions that are more complex and these result in an increase in residential and supported living care packages, which are more expensive than non-residential care alternatives. Inflationary increases on care packages continues to place pressure on service budgets.

The Council is working collaboratively with regional partners to maximise the use of regional resources to develop services within Newport.

The annual budget for 2018/19 for social services was £66.9m. There is a well-developed financial management process in place across service areas that enables the identification and management of budget risks. This process supports medium term financial planning, ensuring that all relevant factors can be considered when budgets are set.

Partnership Working, Political and Corporate Leadership, Governance & Accountability

The features of partnership working described in earlier Reports have continued through 2018/19 and have become more deeply embedded in the activities of both Children's and Adults with Heads of Service, the Strategic Director and Cabinet Member regularly engaged. NCC is a very active participant in the Regional Partnership Board and its structures with the Newport voice being loud and clear. Bids have, and will continue to be, made successfully to the WG Transformation Fund and the Integrated Care Fund, both capital and revenue. The former is a key mechanism for prompting and facilitating integrated working. The Newport Integrated Partnership (NIP), incorporating the third sector, ABUHB, Housing Associations and NCC continues to be the group that determines and drives the practical implementation of any regional approach to integration. The NCC Strategic Director is joint Chair of the NIP.

The Cabinet Member, Cllr Cockeram, is very active within the Partnership Board, numerous service user groups and at all opportunities with the Minister. In addition, Cllr Cockeram provides significant challenge to NCC officers.

The Cabinet Member, along with the Strategic Director and Heads of Service, regularly attend scrutiny. Cllr Cockeram presents reports on social services matters to Cabinet and responds to questions from Cabinet colleagues in addition to his appropriate provision of social services context within Cabinet discussion.

In 2018/19 there were:

- 15 Reports presented to scrutiny.
- 6 Reports/agenda items considered by Cabinet.

Heads of Service regularly brief the Corporate Management Team (CMT) on social services matters with safeguarding and Domestic Homicide, Child Practice and Adult Practice Reviews standard items on the CMT agenda. Safeguarding is a standard item on the agenda of the Senior Leadership Team (SLT), chaired by the Chief Executive. There are monthly reviews – at the least – of the service finances involving the Senior Finance Partner with the Heads of Service and again with the Strategic Director. Budget proposals and annual budget determination follow the NCC budget setting process with Heads of Service discussing these in detail with the SLT before the proposals are considered by the Cabinet Member and then by the Cabinet. Complementing the above there are clear lines of decision making and accountability to the Heads of Service and onward to the statutory Director of Social Services, the Strategic Director with the Cabinet Member providing the strategic direction.

James Harris.

September 2019

James Harris

Cyfarwyddwr Strategol - Pobl
Strategic Director - People



Glossary of Terms

ABUHB	Aneurin Bevan University Health Board
AMHP	Approved Mental Health Professional
BME	Black and Minority Ethnic
CIW	Care Inspectorate Wales
CSE	Child Sexual Exploitation
DFG's	Disabled Facilities Grants
DOLS	Deprivation of Liberty Safeguards
DTOC	Delayed Transfer of Care
IAA	Information, Advice and Assistance Service
IDVA's	Independent Domestic Abuse Advisors
LAC	Looked after Children
NCC	Newport City Council
NFF	National Fostering Framework
NSP	Newport Support Partnership
OT	Occupational Therapy/Therapist
PSOW	Public Services Ombudsman for Wales
RISCA	Regulation and Inspection of Social Care legislation
RSL's	Registered Social Landlords
SCWWDP	Social Care Wales Workforce Development Programme
UASCA	Unaccompanied Asylum Seeker Children
VAWDASV	Violence against women, domestic abuse and violence Team
WCCIS	Welsh Community Care & Information System
WG	Welsh Government
YJS	Youth Justice Service

PREVENTIONS



Report

Newport City Council

Part 1

Date 28 January 2020

Subject **Schedule of meetings**

Purpose To adopt a schedule of meetings for the period May 2020 to May 2021.

Author Governance Team Leader

Ward All wards

Summary The proposed schedule of meetings attempts to structure the diary with a series of meetings to facilitate the decision making process through the Council, Executive and Regulatory Committees. The schedule of meetings also sets a pattern of meetings for Scrutiny Committees and other bodies.

The diary does not include dates for meetings of individual Cabinet Members as Cabinet Members will take a view on when they need to meet to make decisions, rather than be bound by a diary of meetings. This will, of course, not affect members' opportunities for consultation on proposed decisions or to request to meet the Cabinet Member before decisions are taken.

It is suggested that the dates, times and locations of all meetings other than the Council meeting are to be left to each individual committee. It is suggested that the needs of Councillors who have work or other commitments at any time during the day are taken into account by the various committees and groups.

The schedule will remain a guide and subject to change and amendment to meet the needs of the work programmes of each committee or other group.

Proposal **To adopt the schedule of meetings as the basis for arrangements for May 2020 to May 2021, recognising it is subject to change and amendment to meet the needs of the work programmes of each committee or other group.**

Action by Democracy and Communication Manager

Timetable As set out in the diary and subject to the views of individual committees

This report was prepared after consultation with:

- Senior Leadership Team
- Monitoring Officer
- Head of Finance
- Democratic Administrators and Scrutiny staff

Background

The Council needs to agree a schedule of meetings to allow members to be aware of the pattern of meetings and to assist officers in producing reports in good time for the various stages of the decision making process or the overview and scrutiny process.

Work programme and schedule of full Council meetings

The following sets out the notional Council work programme and proposed dates of meetings. Normally the meetings will commence at 5.00pm and will be broadcast live on the Council's website.

Meeting Date	Provisional Work Programme
12 May 2020	Mayor Making and AGM
28 July 2020	Democratic Services Committee Annual Report Head of Democratic Services Annual Report Director of Social Services Annual Report Treasury Management – Year-end review Welsh Language Annual Report Strategic Equality Plan Annual Report
8 September 2020	Scrutiny Annual Report Standards Committee Annual Report Improvement Plan Review
24 November 2020	Treasury Management – Mid-year review
26 January 2021	Mayoral Nomination Council Schedule of Meetings Treasury Management Council Tax Reduction Scheme
23 February 2021	2020-21 Council Tax / overall budget, Capital Strategy / Treasury Management
27 April 2021	Independent Remuneration Panel Annual Report NDR Rate Relief Pay and Reward Policy
11 May 2021	Mayor Making and AGM

Cabinet meetings

Normally the Cabinet will meet each month but additional meetings will be arranged as necessary. The Leader of the Cabinet will agree any amendments to the programme as shown in this report.

Other committees

For all other meetings, timings of meetings will be a matter for each individual committee. Amendments will be agreed following consultation with committee members.

Financial Summary

There are no specific costs in agreeing a schedule of meetings.

Risks

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?
Not adopting a schedule of meetings so that Work planning and key decision making is ad – hoc and lacks transparency and opportunities for proper consultation	M	L	The report suggests an understandable and structured schedule of meetings that meets the needs of the decision making process but is also flexible enough to meet the needs of the council and its members	Democracy and Communications Manager
Adopting too rigid a schedule will not allow the needs of the council or its members to be taken into account.	M	L	The report offers the opportunity for all committees to arrange meetings to meet the needs of the membership of each committee.	Democracy and Communications Manager

Links to Council Policies and Priorities

The schedule of meetings allows work planning to be undertaken in an informed manner allowing the Council's decision making process to meet statutory and constitutional requirements.

Options Available

- To adopt the Schedule as a guide
- To amend the schedule
- To take no action

Preferred Option and Why

The preferred option is to adopt the schedule of meetings as the basis for arrangements for May 2019 to May 2020.

Comments of Chief Financial Officer

There are no direct financial consequences.

Comments of Monitoring Officer

The proposed programme of meetings and arrangements for their frequency and timing are in accordance with Section 6 of the Local Government (Wales) Measure 2011 and statutory guidance. The

frequency and time of the Council meetings has previously been reviewed and agreed, to reflect the needs and commitments of Councillors. It is not proposed that these arrangements should change. The forward work programme and diary of meetings for full Council also needs to reflect statutory timescales for certain policy Framework decisions, for example the need for the annual general meeting in May and the budget meeting in February. Other Council reports can be included within the forward work programme as and when they arise.

Comments of Head of People and Business Change

The report details the proposed schedule of meetings. Therefore, there are no relevant staffing, policy or performance matters for consideration. Having a clear plan of meetings and decision points for Council allows for a more considered approach to monitoring of key activity and compliance with legislation.

Comments of Cabinet Member

This is a matter for the Council and not an executive function.

Local issues

There are no local issues

Scrutiny Committees

This is a matter for consideration by Council.

Equalities Impact Assessment and the Equalities Act 2010

Equalities Impact Assessment is not required

Children and Families (Wales) Measure

No issues in this report relate directly to Children and Young People

Wellbeing of Future Generations (Wales) Act 2015

Not applicable for this report.

Crime and Disorder Act 1998

Not applicable for this report.

Consultation

As set out above

Dated: 21 January 2020

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2 10am - Licensing Committee	3 10am – Planning Committee 4pm - Cabinet	4 4pm – Overview & Scrutiny Management Committee	5	6	7
8 4pm – Performance Scrutiny Committee – Place & Corporate	9 10am – Performance Scrutiny Committee - People	10	11 10am – Employee Partnership Forum 12pm – Planning Site Sub	12	13	14
15	16	17 2pm – Greater Gwent Cremation Joint Committee	18 10am – Corporate Parenting Forum	19	20	21
22 4pm – Performance Scrutiny Committee – Place & Corporate	23 10am – Performance Scrutiny Committee - People	24 5pm – Performance Scrutiny Committee - Partnerships	25 10am - SACRE 6pm – Community Council Liaison Meeting	26	27	28
29	30					

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July 2020

◀ Jun 2020

Aug 2020 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1 10am – Planning Committee 2pm – Greater Gwent Cremation Joint Committee 4pm - Cabinet	2	3	4	5
6	7 10am - Licensing Committee	8 5pm – Performance Scrutiny Committee - Partnerships	9 12pm – Planning Site Sub	10 10am – Overview & Scrutiny Management Committee	11	12
13	14	15	16 10am – Employee Partnership Forum 5:30pm – Standards Committee	17	18	19
20	21 5pm - Council	22	23 10am – Democratic Services Committee	24	25	26
27	28	29 4pm - Cabinet	30 5pm – Audit Committee	31		

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◀ Jul 2020

August 2020

Sep 2020 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
					1	2
3	4 10am - Licensing Committee	5 10am – Planning Committee	6	7	8	9
10	11	12	13 12pm – Planning Site Sub	14	15	16
Tudalen 151	17	18	19	20	21	22
	24	25	26	27	28	29
	31					

September 2020

◀ Aug 2020

Oct 2020 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1 10am – Licensing Committee	2 10am – Planning Committee	3 5pm – Audit Committee	4	5	6
7 4pm – Performance Scrutiny Committee – Place & Corporate	8 10am – Performance Scrutiny Committee - People	9 2pm – Greater Gwent Cremation Joint Committee	10 10am – Corporate Parenting Forum 12pm – Planning Site Sub	11	12	13
14	15	16 4pm - Cabinet	17 6pm – Community Council Liaison Meeting	18	19	20
21	22	23	24 4pm – Overview & Scrutiny Management Committee	25	26	27
28	29 5pm - Council	30				

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October 2020

Mon	Tue	Wed	Thu	Fri	Sat	Sun
			1	2	3	4
5	6 10am - Licensing Committee	7 10am - Planning 5pm – Performance Scrutiny Committee - Partnerships	8	9	10	11
12	13	14 2pm – Greater Gwent Cremation Joint Committee 4pm - Cabinet	15 10am - SACRE 10am – Employee Partnership Forum 12pm – Planning Site Sub	16	17	18
19	20	21	22 10am – Democratic Services Committee	23	24	25
26	27	28	29 5pm – Audit Committee	30 10am – Overview & Scrutiny Management Committee	31	

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November 2020

Mon	Tue	Wed	Thu	Fri	Sat	Sun
						1
2 4pm – Performance Scrutiny Committee – Place & Corporate	3 10am – Performance Scrutiny Committee – People 10am - Licensing Committee	4 10am – Planning Committee	5	6	7	8
9 Tudalen 154	10	11 4pm - Cabinet	12 12pm – Planning Site Sub 5:30pm – Standards Committee	13	14	15
16 4pm – Performance Scrutiny Committee – Place & Corporate	17 10am – Performance Scrutiny Committee - People	18	19	20	21	22
23	24 5pm - Council	25	26	27	28	29
30						

December 2020

◀ Nov 2020

Jan 2021 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1 10am - Licensing Committee	2 10am – Planning Committee 5pm – Performance Scrutiny Committee - Partnerships	3	4	5	6
7	8	9 2pm – Greater Gwent Cremation Joint Committee	10 4pm – Corporate Parenting Forum 12pm – Planning Site Sub 6pm – Community Council Liaison Meeting	11	12	13
14	15	16 5pm - Cabinet	17	18	19	20
21	22	23	24	25 Christmas	26 Boxing Day	27
28	29	30	31 New Year's Eve			

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January 2021

Mon	Tue	Wed	Thu	Fri	Sat	Sun
				1 New Year's Day	2	3
4	5 10am - Licensing Committee	6 10am – Planning Committee	7 5:30pm – Standards Committee	8	9	10
11 4pm – Performance Scrutiny Committee – Place & Corporate	12 10am – Performance Scrutiny Committee – People	13 4pm - Cabinet	14 10am – Employee Partnership Forum 12pm – Planning Site Sub	15	16	17
18	19	20	21	22 10am Overview & Scrutiny Management Committee	23	24
25	26 5pm - Council	27	28 5pm – Audit Committee	29	30	31

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February 2021						
◀ Jan 2021						Mar 2021 ▶
Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2 10am - Licensing Committee	3 10am – Planning Committee 5pm – Performance Scrutiny Committee - Partnerships	4	5	6	7
8	9	10 4pm - Cabinet	11 12pm – Planning Site Sub	12	13	14
15	16	17	18 10am – Democratic Services Committee	19	20	21
22	23 5pm - Council	24	25	26	27	28

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March 2021

◀ Feb 2021

Apr 2021 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1 4pm – Performance Scrutiny Committee – Place & Corporate	2 10am – Performance Scrutiny Committee – People 10am - Licensing Committee	3 10am – Planning Committee	4 10am – Corporate Parenting Forum	5	6	7
8	9	10 4pm - Cabinet	11 10am - SACRE 12pm – Planning Site Sub	12	13	14
15	16	17 2pm – Greater Gwent Cremation Joint Committee 5pm – Performance Scrutiny Committee - Partnerships	18 4pm – Overview & Scrutiny Management Committee	19	20	21
22	23	24	25 5pm – Audit Committee 6pm – Community Council Liaison Meeting	26	27	28
29	30	31				

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Mon	Tue	Wed	Thu	Fri	Sat	Sun
			1 Maundy Thursday 10am – Employee Partnership Forum	2 Good Friday	3	4 Easter Sunday
5 Easter Monday	6 10am - Licensing Committee	7 10am – Planning Committee 4pm - Cabinet	8	9	10	11
12	13	14	15 12pm – Planning Site Sub 5:30pm – Standards Committee	16	17	18
19	20	21 5pm – Performance Scrutiny Committee - Partnerships	22	23	24	25
26	27 5pm - Council	28	29 5pm – Democratic Services Committee	30 10am – Overview & Scrutiny Management Committee		

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May 2021

◀ Apr 2021

Jun 2021 ▶

Mon	Tue	Wed	Thu	Fri	Sat	Sun
					1	2
3	4 10am - Licensing Committee	5 10am – Planning Committee 4pm - Cabinet	6	7	8	9
10	11 5pm – Council (AGM)	12	13 12pm – Planning Site Sub	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Tudalen 160



Minutes

Standards Committee

Date: 7 November 2019

Time: 5.30 pm

Present: Councillors Westwood (Chair), Davies, V Dudley, P Hourahine, H Britton and Watkins
Pamela Tasker (Governance Officers) and Gareth Price (Head of Law & Regulation)

Apologies: Councillors H Thomas, A Mitchell and Worthington

1 Apologies for Absence

Mitchell, Dr Worthington

2 Declarations of Interest

None

3 Minutes of the Previous Meeting

Agreed: That the Minutes were a true record.

4 Chair's Announcements

No announcements

5 Matters Arising

None.

6 Standards Committee Annual Report 2018/19

The Chair commented that the Standards Committee Annual Report was a well-written report by the Head of Law and Regulation and that they were satisfied with the report.

The process was that the report would go to Council on the 26th November 2019 and Members could give their comments before then. The report was a similar format of previous years. The previous practice had been for one of the Councillor members of the Committee to present and move the report in Council, unless the Chair wanted to attend in person. Councillor Hourahine agreed to present the report to Council on the 26th November 2019 if Councillor Thomas was unable to do so. It was agreed that either Councillor Thomas or Councillor Hourahine would present the report to Council

The Head of Law & Regulation reported that three complaints had been made to the Ombudsman last year, but none of them had been accepted for investigation. Two complaints had been resolved amicably under the local resolution protocol, rather than an escalation to the Ombudsman, so this was working well.

The Chair commented on the Welsh Local Government Association Social Media Guidelines for Councillors and the lessons picked up in England.

Point 2.6 and 2.7 the Ombudsman Annual Report was discussed and it was noted by the Committee that the number of complaints about the Code of Conduct had gone up by 4% in the last year.

Complaints regarding lack of respect were highlighted and it was acknowledged that complaints had gone up nationally but not locally.

The Committee discussed how raising the profile of the Standards Committee was important. In England it had come full circle because the self-regulation of Councillors was not working, following the abolition of the legislative framework and the adoption of voluntary local codes of conduct. Therefore, the review of the Committee on Public Life was now recommending the re-introduction of controls in England similar to those that continued to operate in Wales. Standards of ethical conduct in England and public confidence had slipped due to the abolition of the statutory controls.

Resolved:

That any further comments on the draft Annual Report be submitted within the next 10 days, before the final report is published with the Council agenda. Subject to this, the Committee agreed the draft report for presentation to Council.

7 Ethical Standards Questionnaire

The Chair commented that the results of the questionnaire were disappointing as only 13 responses were received and questioned whether this was a representational response.

It was noted that the answers to the questions were fairly positive and comments from individuals who had filled in the questionnaire had also been included for information.

Main points

- 8 responses were received from Members
- The best response received was Q1 where 100% of respondents replied in a positive manner (strongly agree or agree) that the work of the Standards Committee had a positive effect.
- Q2 responses showed that 92% of respondents replied in a positive manner and thought that the Council operates in an ethical manner
- Q3 showed an equal mix of agree and strongly agree responses in relation to whether the Council had clear policies and guidance in place.
- 100% of respondents agreed that it was easy for them to declare an interest.
- 53% of respondents felt that they did not need further training.

It was commented that Community Councils did request further training but that elected Members did not show the same interest.

The Chair commented on the respondent comments at the end particularly the comment regarding the profile of the Standards Committee being low and that maybe they needed to be referred to the annual report in terms of reporting back. It was also suggested that the information on the web pages should be updated to raise the profile of the committee and the members.

A Member stated that they thought that it was positive how a respondent thought that the Standards Committee was low profile and not very busy as if it was busy then there would be a cause for concern.

Another Member commented that they found it difficult to speak to certain officers and that they understood that it was not always possible to do this but that they found it invaluable but that everything had to be done by email.

The Head of Law and Regulation confirmed that there were no restrictions on Members speaking to officers, provided that this was agreed with senior management. The issue was where Members in the past saw officers face to face and some junior officers felt under pressure to carry out actions.

It was also commented by the Head of Law and Regulation that there was nothing to stop Members speaking to officers face to face prearranged by appointment but going to staff to get advice needed to be channelled through senior management.

The Chair suggested whether an on-line survey would produce better results than a manual questionnaire. The Head of Law & Regulation advised that this could be considered, but responses were limited even with electronic surveys.

All 50 members were canvassed as well as 10 senior managers, who were also asked to cascade the survey among their managers and other officers who advised elected members on a regular basis, such as those officers attending Planning and Licensing committees.

It was noted that the staff survey response was also low and it could be assumed that those individuals who didn't fill it in were satisfied and there were no issues.

It was discussed that if there was a good relationship built up with an officer and Members then it shouldn't be a problem.

It was noted that getting hold of officers was an issue and the Head of Law and Regulation reiterated that the current system was there for a reason. It was not there to frustrate Councillors but to ensure that Members are not perceived to be exercising improper influence over junior staff.

Elected members should raise issues with the Head of Service or senior managers.

The Chair questioned whether this agenda item should be rolled on to the next meeting in January 2020. One of the points made was that a 10% return was a good response.

It was discussed how establishing a good relationship with officers was very beneficial and by doing it in a transparent way was the most important to avoid a Councillor getting in trouble for trying to influence.

Resolved:

- That the Standards Questionnaire be considered at the next meeting and for the questionnaire to be sent to third and fourth tier staff.
- That Standards Committees of other authorities be contacted to see how well their surveys were received.

8 Complaints

The Head of Law and Regulation confirmed that there were no complaints to report.

There was one local resolution complaint from IT regarding a Member and the complaint from the service manager was actioned under Stage 2 and a meeting was arranged between the manager and the Elected Member. The complaint regarded lack of respect for IT support staff trying to resolve problems with the Councillor's computer. The Councillor had apologised for any offence but had been frustrated by delays in resolving issues with the laptop because this was affecting her work. The manager agreed a process for escalating any complaints of this nature. It was resolved amicably and did not need to be taken any further, which showed that the resolution protocol was working at a local level.

9 Date of Next Meeting

The date of the next meeting will take place on 16 January 2020 at 5.50pm in Committee Room 4.